

**EQUUS BEDS GROUNDWATER MANAGEMENT DISTRICT NO. 2  
AUGUST 9, 2017**

The Board of Directors for the Equus Beds Groundwater Management District No. 2 held a monthly meeting August 9, 2017, in the conference room of the Equus Beds Groundwater Management District No. 2 in Halstead, Kansas. President Jeff Winter called the meeting to order at 9:30 a.m.

Directors and staff present during all or portions of the meeting:

Jeff Winter, President	Vin Kissick, Vice President
Mike McGinn, Treasurer	Alan Burghart, Secretary
David Bogner, Member	Joe Pajor, Member
Dale Schmidt, Member	Bob Seiler, Member
David Stroberg, Member	David Stucky, Attorney
Tim Boese, Manager	Steve Flaherty, Hydrogeologist
Rebecca Wilson, Admin. Assistant	

*Directors absent: None*

Others attending the meeting or portions thereof were:

Cameron Conant, KDA - DWR Stafford  
Matt Meier, KDA – DWR Stafford  
Daniel Clement, Burns & McDonnell  
Brian Kluger, USGS  
Doug Helmke, Kansas Rural Water Association  
Ken Kopp, Kansas Rural Water Association  
Carol Kay Brockmeier

**ITEM 1 -- APPROVAL OF JULY 12<sup>TH</sup> MEETING MINUTES**

Moved by David Stroberg and seconded by Vin Kissick to approve the Minutes as amended. Motion carried with 8 Directors for, 0 Directors against, 0 Directors abstained, and 1 Director absent.

**-- APPROVAL OF JULY 12<sup>TH</sup> BUDGET MEETING MINUTES**

Moved by Vin Kissick and seconded by David Bogner to approve the Budget Meeting Minutes. Motion carried with 8 Directors for, 0 Directors against, 0 Directors abstained, and 1 Director absent.

**ITEM 2 -- APPROVAL OF AGENDA**

Moved by David Stroberg and seconded by Alan Burghart to approve the Agenda. Motion carried with 8 Directors for, 0 Directors against, 0 Directors abstained, and 1 Director absent.

**ITEM 3 -- FINANCIAL REPORT**

**July Financial Report**

Moved by Vin Kissick and seconded by David Stroberg to approve the July Financial Report. Motion carried with 8 Directors for, 0 Directors against, 0 Directors abstained, and 1 Director absent.

**ITEM 4 -- APPROVAL OF EXPENDITURES**

Moved by David Stroberg and seconded by Alan Burghart to approve the August expenditures. Motion carried with 8 Directors for, 0 Directors against, 0 Directors abstained, and 1 Director absent.

**ITEM 5 -- PUBLIC FORUM - NONE**

**ITEM 6 -- APPEAL REVIEW - NONE**

**ITEM 7 -- OLD BUSINESS**

**a) OATH OF OFFICE**

Attorney David Stucky issued the Oath of Office to Board member Bob Seiler.

**ITEM 8 -- NEW BUSINESS**

**a) CERTIFICATION OF 2016 LAND AND WATER ASSESSMENTS TO COUNTY CLERKS**

Moved by Mike McGinn and seconded by David Stroberg to certify the 2016 Land and Water Assessments and to send them to the four (4) counties in the District for collection. Motion carried with 9 Directors for, 0 Directors against, 0 Directors abstained, and 0 Directors absent.

**b) REVIEW SAFE YIELD CALCULATIONS FOR EXPANSION AREAS**

Manager Tim Boese informed the board that the District has received several phone calls from land owners affected by the recent boundaries expansion, who are now requesting preliminary safe yield evaluations. Tim reviewed for the Board the current Safe Yield calculation process and asked the Board for guidance regarding how to calculate the safe yield allowable and recharge rate in the new areas. Pursuant to the Board's September 10, 2013, Petition and Resolution to expand the District, it was the Board's intention to use DWR's safe yield calculations in the new areas. Matt Meier and Cameron Conant from DWR informed the Board of the process that DWR uses to calculate the Safe Yield outside the District boundaries. Discussion by the Board followed. Questions arose regarding whether or not the areas of the Boundaries Expansion fall under the existing safe yield regulations as the boundaries expansion came after the regulation was approved. Attorney David Stucky will research this matter. Discussion also addressed the KGS sustainability assessment and the impact it will have on this matter. District staff is projecting that the staff review of the KGS sustainability assessment will be completed by the end of 2017. Moved by Joe Pajor to request that the Chief Engineer suspend processing of all new applications in the District until January 2018, or until District staff completes the review of areas that applications can then be processed. Motion did not receive a second. Moved by Bob Seiler and seconded by Dale Schmidt to request that the Chief Engineer suspend processing of new applications until March 1, 2018, that are filed on or after August 9, 2017, in the McPherson County area that was added to the District through the recent Boundaries Expansion and to extend the current application suspension area expiration date to March 1, 2018. Additionally, the motion requested that the District attorney research the current Safe Yield regulations as it pertains to the new areas. Motion carried with 9 Directors for, 0 Directors against, 0 Directors abstained, and 0 Directors absent.

Board member Mike McGinn asked District staff to review the water quality of the expansion area in Reno County Range 8 (Area 1) and provide the information to the Board when complete.

**ITEM 9 -- AGENCY & COMMITTEE REPORTS**

**a) DIVISION OF WATER RESOURCES**

Cameron Conant, DWR – Stafford Field Office, advised that there are 94 water permit files within the Boundaries Expansion, and his office has scanned over 70 of them so far in preparation for sending them to GMD2. Cameron also mentioned that DWR has a conference call scheduled with McCrometer Corporation regarding the planned closing of Great Plains McCrometer in Aurora, Nebraska. Cameron offered to add GMD2 and GMD5 to the conference call to discuss each District's respective concerns. Cameron also informed the Board that Minimum Desirable Streamflow is being administered for the Little Arkansas River above Alta Mills.

**b) KANSAS WATER AUTHORITY**

Board Vice President Vin Kissick informed the Board that the next meeting is scheduled for August 16<sup>th</sup> and 17<sup>th</sup> in Pittsburg. Vin stated that Manager Tim Boese is on the agenda to present information regarding the proposed GMD assessment cap legislation, including the proposed wording from the City of Wichita.

**c) EQUUS – WALNUT REGIONAL ADVISORY COMMITTEE**

Joe Pajor, Member, informed the Board that the Central Kansas Joint RAC Lower Quality Water Summit on July 18, 2017, included the Equus-Walnut, Great Bend Prairie, Red Hills, and Smoky Hill-Saline Regional Advisory Committees to discuss water quality issues and that the meeting was educational. Vice President Vin Kissick attended the meeting and stated that he thought the meeting was great, as different areas' representatives were present to discuss one subject. Vin stated that he hopes the meeting will encourage future collaborative RAC meetings, and he plans to bring it up in discussion at the next KWA meeting. Vin also stated that he attended a subcommittee meeting in Manhattan to fill RAC positions, and he was encouraged to see that all of the Equus-Walnut RAC members wanted to retain their positions.

**ITEM 10 -- MANAGER'S REPORT**

**a) ASR Project Report**

Tim Boese, Manager, advised the July 2017 ASR recharge report had not been received yet. Cheney Reservoir: Conservation pool is 96.93% full. Cheney release is 0 CFS. Flow today: Little Ark - Highway 50 is 10.6 CFS; Valley Center is at 34.8 CFS.

A letter and draft report from the City of Wichita regarding the proposed modification to Minimum Index Levels was received by GMD2 on July 3, 2017. Proposed changes range from lowering the level from 9.1 feet to 23.42 feet. District staff evaluated the letter and draft report prior to meeting with the City of Wichita, their consultant, and DWR on July 19, 2017. Discussion involved several questions, comments, and suggestions from District staff. Also discussed ASR Aquifer Maintenance Credits and under what conditions they would apply. The City of Wichita indicated they are moving forward with meeting with stakeholders regarding proposed changes to Minimum Index Levels and Aquifer Maintenance Credits. Another meeting with City of Wichita, their consultant, and DWR is planned for August 15, 2017.

District staff received and will review a draft corrected 2015 ASR Accounting Report.

Regarding assessment rates, Tim provided information he had researched regarding the development of the in district and out of district water assessment rate differential the last time the water assessment cap was raised in 2002. Tim informed the Board that through his research, he could not locate any instance where GMD2 asked for a differential rate between in district and out of district, and it appeared that the legislature added this provision. Tim also advised that he could not find any information indicating the water assessment rate differential was intended for out of state water use and that there may be legal issues with assessing out of state water users at a higher rate. Attorney David Stucky advised his research indicated the same as Tim's. Tim stated that the other GMDs have not met yet, so he has not received their feedback on the proposed City of Wichita proposed language. Tim informed the Board that he reached out to some of the stakeholders to discuss the City of Wichita's proposed language, and he reported their feedback to the Board. Joe Pajor stated that the City of Wichita would agree with the water assessment cap being raised to either \$1.50 or \$2.00 and would agree with removing the in state vs. out of state rate differential language, but in order to receive the City's support, the out of district rate must be removed, and the filing of Verified Claims must remain in the proposed language.

**b) ADMINISTRATIVE FIELD TASKS**

Tim Boese, Manager, reported that in July, staff assisted completing 8 new/change/division applications, reviewed 3 applications, completed 13 water permit consultations, and processed a total of 42 files including VI cards, new applications, approvals, dismissals, and certificates. Staff continues sampling water permits in the Burrton and Hollow Nikkel areas, as well as completed 505 quarterly water level measurements. Staff also continues to update the assessment database, as well as continues working on a new GMD2 website.

Manager Tim Boese reported to the Board that the GMD2 staff will begin working on new maps, creating water permit files, and updating databases for the new areas of the Boundaries Expansion.

Manager Tim Boese provided the Board with an update to the monitoring well issue in the Eagle Drainage District. District staff is working with the City of Wichita to develop a plan to repair the wells, but the groundwater level is currently too high to begin work.

**c) REVIEW OF TERM PERMIT APPLICATIONS**

Tim Boese, Manager, advised that there were no term permit replacement/renewal applications reviewed by the District staff in July.

**d) MONTHLY INFORMATION & SERVICE REPORT**

Tim Boese, Manager, presented customer service requests for the month of July.

**ITEM 11 -- ADDITIONS TO THE AGENDA - NONE**

**ITEM 12 -- BOARD ROUND TABLE DISCUSSION – JEFF WINTER, PRESIDENT**

Vice President Vin Kissick informed the Board that at the last Kansas Water Authority meeting they made a tribute to Mitch Mitchell as being a long term member of the KWA. Vin also stated that he learned that Representative Estes has introduced a bill to rename the big ditch after Mitch Mitchell. Joe Pajor mentioned that Sedgwick County and the City of Wichita jointly funded the flood control project, so they have had discussions regarding renaming parts of it after M.S. Mitchell. Joe also stated that The City of Wichita has dedicated and renamed the Arkansas River Park in memory of Mitch Mitchell.

Moved by Joe Pajor and seconded by David Stroberg to adjourn the meeting. Motion carried with 9 Directors for, 0 Directors against, 0 Directors abstained, and 0 Directors absent. Jeff Winter, President, adjourned the Board meeting at 12:17 p.m.



Alan Burghart  
Secretary  
AB/TDB/rsw