

## EQUUS BEDS GROUNDWATER MANAGEMENT DISTRICT NO. 2

APRIL 4, 2018

The Board of Directors for the Equus Beds Groundwater Management District No. 2 held a monthly meeting April 4, 2018, 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 9:31 a.m.

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

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

Others attending the meeting or portions thereof were:

Jeff Lanterman, KDA-DWR	Brian Klager, USGS
Matt Unruh, KWO	Don Henry, City of Wichita
Brian Meier, Burns & McDonnell	Ron Graber, KSU
Daniel Clement, Burns & McDonnell	Ted Saranchuk, Public
Lisa French, Cheney Lake Watershed	Judy Carmichael, Public

### ITEM 1 -- APPROVAL OF MARCH 7, 2018 MEETING MINUTES

Moved by Bob Seiler and seconded by Dave Stroberg to approve the Minutes. Motion carried with 8 Directors for, 0 Directors against, 0 Directors abstained, and 1 Director absent.

### ITEM 2 -- APPROVAL OF AGENDA

Moved by Bob Seiler and seconded by Alan Burghart to add Agenda Item 13 – Executive Session and to approve the Agenda as amended. Motion carried with 9 Directors for, 0 Directors against, 0 Directors abstained, and 0 Directors absent.

### ITEM 3 -- FINANCIAL REPORT

#### March Financial Report

Moved by Vin Kissick and seconded by David Bogner to approve the March Financial Report. Motion carried with 9 Directors for, 0 Directors against, 0 Directors abstained, and 0 Directors absent.

### ITEM 4 -- APPROVAL OF EXPENDITURES

Moved by Joe Pajor and seconded by David Stroberg to approve the April expenditures. Motion carried with 9 Directors for, 0 Directors against, 0 Directors abstained, and 0 Directors absent.

### ITEM 5 -- PUBLIC FORUM - NONE

### ITEM 6 -- APPEAL REVIEW - NONE

**ITEM 7 -- OLD BUSINESS**

**a) SUSPENSION AREA SAFE YIELD CALCULATIONS**

Manager Tim Boese informed the Board that as requested, Hydrogeologist Steve Flaherty sent each Board member a map with the McPherson County border, updated hydrographs which included the 2018 data, and data from the monitoring wells of water permit #49099 and water permit #49178. Board discussion followed, with questions regarding actual versus authorized pumping for sustainability assessment of the aquifer. Board consensus was to continue the discussion and review to the May 2018 Board meeting.

**ITEM 8 -- NEW BUSINESS**

**a) 2015 CITY OF WICHITA ASR ACCOUNTING REPORT**

Hydrogeologist Steve Flaherty reviewed a presentation and handout of information he prepared for the Board regarding the 2015 City of Wichita ASR Accounting Report. Discussion by the Board followed. The Board requested that Steve put the precipitation data from 2012 forward on the GMD2 website for review. Based on the Board's finding that the report satisfies the requirement set forth in the initial (and as later modified) order for the ASR project and satisfies the conditions of the Aquifer Storage and Recovery System: Data Reporting Requirements Regulation K.A.R. 5-22-10(a), moved by Bob Seiler and seconded by Joe Pajor to accept the 2015 City of Wichita ASR Accounting Report. Motion carried with 9 Directors for, 0 Directors against, 0 Directors abstained, and 0 Directors absent.

**b) CITY OF WICHITA WATER SUPPLY STRATEGY – JOE PAJOR, CITY OF WICHITA**

Board member Joe Pajor reviewed the City of Wichita Raw Water Sourcing handout for the Board. Joe explained that there have been significant changes in the last 25 years since the ASR Project was envisioned, including: 1) customer demand has modified and is now met with the City's water rights and supply in the aquifer and Cheney Reservoir, except during times of extreme drought, and 2) the aquifer in the vicinity of the City's well field has recovered from the 1993 levels to 97% of its predevelopment levels. Joe advised that as a result of those changes, the ASR mission has changed to only be a source of additional water needed during periods of extreme drought and that the City must continue to accumulate recharge credits. Joe stated that under the current ASR permit conditions and the near full level of the aquifer, the City cannot effectively operate the ASR project and create physical recharge credits, therefore the City has submitted the proposed changes to the ASR permit conditions so that the City can continue to develop recharge credits when the aquifer is full or at near full levels. Joe stated that the City has engaged in extensive public outreach efforts to inform the stakeholder groups of the changing ASR needs, and that to date, these efforts have not generated support, but rather opposition, for the ASR Permit Modification Proposal. Joe further informed the Board that effective as of last week, the City has changed their water supply strategy to one in which they will take as much water as physically possible out of the aquifer, subject to treatment requirements and customer demand, in order to create the physical space in the aquifer to inject water and create physical recharge credits. This strategy will continue until the City has an alternative available to them. The City will now move from a supply strategy of 40% groundwater / 60% Cheney to one of at least 60% groundwater / 40% Cheney. Discussion by the Board followed. Joe informed the Board that the new strategy decision was made by the City of Wichita, and it did not require approval by the Wichita City Council. Joe stated that this strategy supports the City of

Wichita's drought response plan, which was adopted by the Wichita City Council, but that the strategy could change in the future if the proposed ASR Permit Modifications are approved.

Moved by Mike McGinn and seconded by Bob Seiler for District staff to send a letter to the City of Wichita, including the mayor and council members, advising that the District is not supportive of the City's recent decision to maximize the City's pumping of groundwater from the Equus Beds Aquifer in an attempt to lower the aquifer to create storage space for artificial recharge and the establishment of recharge credits, and to request the City reconsider its decision to do so. The letter should also explain that there has not yet been a decision regarding the City's ASR Modification Proposal, and that the Board requests that the City return to their previous policy of using Cheney as their major water supply until such time that the Chief Engineer decides upon the City of Wichita ASR Modification Proposal. Motion carried with 8 Directors for, 0 Directors against, 1 Director abstained (Joe Pajor), and 0 Directors absent.

**c) CITY OF WICHITA ASR MODIFICATION PROPOSAL**

Manager Tim Boese reviewed a letter and attachments the District received from the Chief Engineer David Barfield on March 26, 2018. The letter and attachments included draft permit conditions and draft approval documents. The Chief Engineer requested that the District provide any initial review comments, including any recommended terms and conditions related to the City's proposal, by April 27, 2018. A public hearing has not yet been set, but the hearing could be as early as the end of May 2018. Discussion by the Board followed. Moved by Bob Seiler and seconded by David Bogner to hold a Special Board Meeting on April 19, 2018, at 12:00 p.m. to review the proposed draft conditions and approval documents and formulate a response to the Chief Engineer. Motion carried with 8 Directors for, 0 Directors against, 0 Directors abstained, and 1 Director absent.

**d) WATER-RELATED LEGISLATION UPDATE**

Manager Tim Boese informed the Board that Senate Bill 194 regarding the GMD Assessment Cap and House Bill 2691 regarding moving the deadline to file an application for a Multi-Year Flex Account (MYFA) to December 31 were both recently approved by the Kansas Legislature and signed into law by Governor Colyer. Tim stated that the laws should become effective on July 1, 2018 once they are published in the Session Laws of Kansas. Tim thanked the Board for their assistance in getting SB 194 passed.

**e) GMD2 WATER TECHNOLOGY FARMS UPDATE**

Matt Unruh, Kansas Water Office (KWO), and Manager Tim Boese provided the Board with an update regarding the potential GMD2 Water Technology Farms. There are two producers in the area who are interested in testing different types of irrigation technology on their farms: Ryan Speer and Eddie Weber. These producers have expressed interest in testing different nozzle packages, as well as soil sampling and using soil moisture and plant probes for irrigation scheduling. With the assistance of several vendors who have offered to provide equipment and/or services at no or reduced cost, it is anticipated that the technology will be in place in time for the 2018 growing season. The data and information collected from the farms will be posted to a website and Kansas State University will assist in publishing reports. Additionally, a Field Day will be scheduled at each farm to allow other area producers to see the products and results first hand.

**f) GMDA SUMMER CONFERENCE – MAY 29-JUNE 1, 2018 – SAVANNAH, GEORGIA**

Manager Tim Boese informed the Board that due to potential scheduling conflicts, he would not be attending the GMDA Summer Conference May 29-June 1, 2018, in Savannah, Georgia. No Board members are currently able to attend the conference.

**g) ELECTION OF BOARD OFFICERS**

Moved by Bob Seiler and seconded by David Stroberg to retain the current board officers: Jeff Winter, President; Vin Kissick, Vice President; Alan Burghart, Secretary; and Mike McGinn, Treasurer. Motion carried with 9 Directors for, 0 Directors against, 0 Directors abstained, and 0 Directors absent.

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

**a) DIVISION OF WATER RESOURCES**

Jeff Lanterman, DWR – Stafford Field Office, had nothing to report.

**b) KANSAS WATER AUTHORITY**

Board Vice President Vin Kissick informed the Board that the next meeting is scheduled for April 18, 2018 in Lenexa. Matt Unruh, Kansas Water Office (KWO) informed the Board that they are working on a draft agenda, which includes the Chief Engineer giving an update regarding the City of Wichita ASR Permit Modification Proposal.

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

Board member Bob Seiler informed the Board that the Equus-Walnut RAC met last week in El Dorado, where they discussed the draft summary of the State of the Resource report. Matt Unruh, Kansas Water Office (KWO), also informed the Board that the Division of Water Resources (DWR) Chief Engineer also presented information regarding the City of Wichita's ASR Permit Modifications. A link to view the presentation on YouTube is provided on the ASR page of the DWR website. Matt informed the Board that in response to the information presented by the Chief Engineer, the committee scheduled the next Equus-Walnut RAC meeting for May 1, 2018.

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

**a) ASR Project Report**

Tim Boese, Manager, advised the Recharge for March was: 0 acre-feet recharged in Phase I and Phase II, except 7,975,432 gallons (24.5AF) of groundwater which was used for testing the ASR treatment plant and recharged to Recharge Basin 36, which would not count as recharge credit. Cheney Reservoir: Conservation pool is 96.00% full. Cheney release is 0 CFS. Flow today: Little Ark - Highway 50 is 9.00 CFS; Valley Center is at 32.4 CFS.

The City of Wichita has submitted their ASR permit modifications request to the Chief Engineer and GMD2. A special Board meeting will be scheduled to review the request.

The City of Wichita's consultant requested an extension from DWR until April 30, 2018 to submit the 2016 Accounting Report due to reported water use data issues.

**b) ADMINISTRATIVE FIELD TASKS**

Tim Boese, Manager, reported that in March, staff assisted completing seven new/change/division applications, conducted 17 application reviews, performed 25 water permit consultations, assisted with four water use reports, and processed a total of 315

files including VI cards, new applications, approvals, and verified claims. Additionally, David Randolph, District Hydrologic Technician, completed 24 water meter inspections.

Tim reported that District staff has contacted the City of Wichita to develop a plan to repair the monitoring well issue in the Eagle Drainage District, as the groundwater has now lowered enough to begin work. District staff will continue planning now that the weather is warmer.

Tim informed the Board that the Ogallala Aquifer Summit is in Garden City from April 9-10, 2018. Tim may attend, depending on his work demands. Tim also informed the Board that he will attend the Natural Resources Conservation Service (NRCS) Kansas Technical Advisory Committee subcommittee meeting in Salina on April 11, 2018.

**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 March.

**d) MONTHLY INFORMATION & SERVICE REPORT**

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

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

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

Board member Joe Pajor informed the Board that the City of Wichita has been working to replace the 51 year old air valves on the pipeline running from Cheney Reservoir to Wichita. Joe stated that it has been a lengthy process, but that they are close to finishing.

**ITEM 13 – EXECUTIVE SESSION**

Moved by Vin Kissick and seconded by Dale Schmidt to recess into Executive Session for 28 minutes to discuss matters within attorney client privilege for the purpose of protecting the privacy of that information. Motion carried with 9 Directors for, 0 Directors against, 0 Directors abstained, and 0 Directors absent. Those present during this Executive Session were the members of the Board, Manager Tim Boese, and Tom Adrian, Legal Counsel.

Time in Executive Session: 12:32 p.m.

Time out of Executive Session: 12:46 p.m.

No action was taken as a result of the Executive Session.

Moved by David Stroberg and seconded by Bob Seiler 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 12:47 p.m.

Alan Burghart  
Secretary  
AB/TDB/rsw



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