

EQUUS BEDS GROUNDWATER MANAGEMENT DISTRICT NO. 2

MAY 9, 2018

The Board of Directors for the Equus Beds Groundwater Management District No. 2 held a monthly meeting May 9, 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 9:30 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:

Cameron Conant, KDA-DWR	Morgan Koon, Cornejo
Brian Meier, Burns & McDonnell	Kurt Yowell, MKEC
Daniel Clement, Burns & McDonnell	Ted Saranchuk, Public
Lisa French, Cheney Lake Watershed	Steve Simon, Public
Brian Klager, USGS	Sherryl Simon, Public

ITEM 1A -- APPROVAL OF APRIL 4, 2018 MEETING MINUTES

Moved by David Stroberg and seconded by David Bogner to approve the Minutes. Motion carried with 7 Directors for, 0 Directors against, 0 Directors abstained, and 2 Directors absent.

ITEM 1B -- APPROVAL OF APRIL 19, 2018 MEETING MINUTES

Moved by David Stroberg and seconded by David Bogner to approve the Minutes. Motion carried with 7 Directors for, 0 Directors against, 0 Directors abstained, and 2 Directors absent.

ITEM 2 -- APPROVAL OF AGENDA

Moved by David Bogner and seconded by David Stroberg to approve the Agenda. Motion carried with 7 Directors for, 0 Directors against, 0 Directors abstained, and 2 Directors absent.

ITEM 3 -- FINANCIAL REPORT

April Financial Report

Moved by Bob Seiler and seconded by Alan Burghart to approve the April Financial Report. Motion carried with 7 Directors for, 0 Directors against, 0 Directors abstained, and 2 Directors absent.

ITEM 4 -- APPROVAL OF EXPENDITURES

Moved by Joe Pajor and seconded by David Bogner to approve the May expenditures. Motion carried with 7 Directors for, 0 Directors against, 0 Directors abstained, and 2 Directors absent.

ITEM 5 -- PUBLIC FORUM - NONE

ITEM 6 -- APPEAL REVIEW

a) Verified Claim Appeal – Term Permit #20059016 – Cornejo & Sons, LLC

Tim Boese, Manager, presented the Verified Claim Appeal Information Fact Sheet regarding Term Permit #20059016. The applicant was represented by Attorney Morgan Koon of Koon Law Firm, who reviewed and provided the Board with copies of an extensive “Brief of Cornejo” packet during the meeting. Discussion by the Board followed.

Moved by Bob Seiler and seconded by Alan Burghart to table the appeal until the June 2018 Board meeting in order to allow the Board, Attorney Tom Adrian, and District staff time to review the Brief of Cornejo provided by Morgan Koon. Motion carried with 9 Directors for, 0 Director against, 0 Directors abstained, and 0 Director absent.

ITEM 7 -- OLD BUSINESS

a) SUSPENSION AREA SAFE YIELD CALCULATIONS

Hydrogeologist Steve Flaherty briefly reviewed the preliminary Suspension Area Safe Yield Calculation results for the Board again. Board discussion followed. Board consensus was that the Board agrees with the method in which the District has begun to calculate Safe Yield calculation recharge rates, and that District staff should continue to apply this method throughout the District. District staff will continue to update the Board periodically with their progress.

ITEM 8 -- NEW BUSINESS

a) CITY OF WICHITA ASR MODIFICATION PROPOSAL

Manager Tim Boese reviewed two updates for the Board: 1) A letter dated April 26, 2018, the District received from the City of Wichita Director of Public Works & Utilities Alan King outlining the City’s recent change in pumping operations, whereas the City has increased their pumping of groundwater and decreased their withdrawal from Cheney Reservoir, to facilitate artificial recharge, and 2) A letter dated May 9, 2018, that the District received from the Kansas Department of Agriculture Division of Water Resources (KDA DWR) Chief Engineer David Barfield outlining the procedure and timeline for the City of Wichita ASR Modification Proposal review. The Chief Engineer advised that he has decided to schedule an evidentiary hearing, rather than an informational hearing, for late July or early August, which would include the GMD’s testimony and recommendation. Tim informed the Board that the District has not yet received a response from the Chief Engineer regarding the numerous legal and technical questions the District posed at the April 19, 2018, meeting. Discussion by the Board followed. Moved by Dale Schmidt and seconded by Dave Stroberg for Manager Tim Boese to send a letter to the Chief Engineer requesting that, upon receiving adequate responses to the legal and technical questions raised from the April 19th Board meeting as outlined in the District letter dated April 27, 2018, the Board is allowed a minimum of 75 days to evaluate and review the information prior to the public hearing. Motion carried with 8 Directors for, 1 Director against (Joe Pajor), 0 Directors abstained, and 0 Directors absent. Moved by Vin Kissick and seconded by Alan Burghart for Attorney Tom Adrian to complete a preliminary evaluation of the legal questions from the April 19th Board meeting as outlined in the District letter dated April 27, 2018, and to provide the information to the Board at the next meeting, as well as for Tom to research potential outside legal opinions. Motion carried with 8 Directors for, 0 Directors against, 1 Director abstained (Joe Pajor), and 0 Directors absent.

b) GMD2 WATER TECHNOLOGY FARMS UPDATE

Manager Tim Boese reviewed a Central Kansas Water Technology Farm – 2018 handout with the Board. The District has two local growers involved: 1) Ryan Speer of Jacob Farms, and 2) Eddie Weber of Weber Farms. There are several vendors involved that will be providing equipment and/or services at a reduced or no cost. The focus will be to: 1) Increase/maintain yields with the utilization of less water, and 2) Monitor and measure levels of salinity increase and decrease through water application practices. Discussion by the Board followed. Vice President Vin Kissick suggested that perhaps the Board members could use some meeting time to tour each of the farms prior to the scheduled Field Day. Mike McGinn mentioned that he recently had the opportunity to speak with one of Congressman Roger Marshall's aides regarding the Environmental Quality Incentives Program (EQIP), and that the aide seemed interested in the program. Board consensus was for Manager Tim Boese to send a letter in support of EQIP, and possibly discuss the matter with the other GMDs to garner their support as well.

c) OATH OF OFFICE

Attorney Tom Adrian issued the Oath of Office to Board members David Bogner, Vin Kissick, and Mike McGinn.

d) JUNE MEETING DATE AND TIME

It was the consensus of the Board to move the June Board Meeting to Wednesday, June 6, 2018, at 9:30 a.m.

ITEM 9 -- AGENCY & COMMITTEE REPORTS

a) DIVISION OF WATER RESOURCES

Cameron Conant, DWR – Stafford Field Office, stated that DWR is working on new regulation changes for meter requirements and regulations, including regarding how they adopt meters into the certified meter list. Cameron stated that the GMDs will be notified of the changes through the regulation process. Manager Tim Boese requested that the GMDs be consulted regarding the changes before they are submitted, and invited Cameron and the DWR staff to a meeting and meter summit the GMDs are having on May 18, 2018, in Garden City, which would provide a great opportunity for DWR to present the GMDs with additional new meter regulation information.

b) KANSAS WATER AUTHORITY

Board Vice President Vin Kissick informed the Board that the KWA met on April 18, 2018, in Lenexa, Kansas. Three Regional Advisory Committees, including the Equus-Walnut RAC, gave updates on their committees, and the KDA DWR Chief Engineer gave a briefing of the City of Wichita ASR Permit Modification Proposal, the City of Hays R9 Ranch Water Transfer, and the Quivira Impairment issue. Vin stated that the amount of information was complex and overwhelming for many members, but they hope to have the Chief Engineer return in the future to provide updates. The next KWA meeting is scheduled for August 21, 2018, in Manhattan, Kansas.

c) EQUUS – WALNUT REGIONAL ADVISORY COMMITTEE

Board member Bob Seiler informed the Board that the May 1, 2018, Equus-Walnut RAC meeting focused mainly on the City of Wichita ASR Permit Modification Proposal, as the KDA DWR Chief Engineer gave a presentation of the Proposal. Bob stated that three RAC members now have ties to the ASR project. Bob also stated that the committee toured the Aquifer Exhibit at Exploration Place.

ITEM 10 -- MANAGER'S REPORT

a) ASR Project Report

Tim Boese, Manager, advised the Recharge for April was: 0 acre-feet recharged in Phase I and Phase II due to low flow in the Little Arkansas River. Cheney Reservoir: Conservation pool is 98.56% full. Cheney release is 0 CFS. Flow today: Little Ark - Highway 50 is 11.3 CFS; Valley Center is at 35.7 CFS.

GMD2 received The City of Wichita's 2016 Accounting Report on May 1, 2018. District staff will begin the review of the report and schedule it for a Board review.

b) ADMINISTRATIVE FIELD TASKS

Tim Boese, Manager, reported that in April, staff assisted completing 18 new/change/division applications, conducted seven application reviews, performed 22 water permit consultations, fielded 13 ASR questions, and processed a total of 76 files including VI cards, new applications, approvals, and ownership changes. Additionally, David Randolph, District Hydrologic Technician, completed seven water meter inspections and 568 quarterly water level measurements.

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.

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 April.

d) MONTHLY INFORMATION & SERVICE REPORT

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

ITEM 11 -- ADDITIONS TO THE AGENDA - NONE

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

Attorney Tom Adrian provided the Board with some history regarding a 1960s proposal of a five mile long dam on the Little Arkansas River northwest of Halstead. Tom stated that the proposal was eventually abandoned, but that it later resulted in the levy that is now on the north and east sides of Halstead.

Moved by Vin Kissick 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 12:45 p.m.



Alan Burghart
Secretary
AB/TDB/rsw