

**PROPOSED AGENDA  
BOARD OF DIRECTORS MEETING  
EQUUS BEDS GROUNDWATER MANAGEMENT DISTRICT NO. 2**

**Conference room  
2:30 p.m.  
Tuesday, January 9, 2007**

**313 Spruce Street  
Halstead, KS 67056-1925**

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1. APPROVAL OF MINUTES
2. APPROVAL OF AGENDA
3. FINANCIAL REPORT
4. APPROVAL OF EXPENDITURES
5. PUBLIC FORUM – *Persons may present written or verbal comments concerning non-agenda business. Please limit presentation to five minutes.*
6. OLD BUSINESS
  - a) Draft FY 2008 budget
  - b) City of Wichita ASR Project, Phase I, surface water intake Application #46578 summary
  - c) Change in point of diversion application #42989 update
7. NEW BUSINESS
  - a) Annual meeting
  - b) Management program review
8. MANAGER'S REPORT
  - a) Monthly hydrologic condition report
  - b) Administrative and field tasks
  - c) Monthly information and service report
9. ADDITIONS TO THE AGENDA
10. BOARD ROUND TABLE DISCUSSION – Bob Seiler, President

**Notice: All Board of Directors meeting and any portion thereof are open to the public, except for closed or executive meetings, as prescribed by K.S.A. 75-4319.**

**Please complete a meeting notice form, if you wish to be notified of Board of Directors meetings, hearings, work sessions or other business meetings. Notice forms may be obtained by contacting the Equus Beds Groundwater Management District No. 2.**

## EQUUS BEDS GROUNDWATER MANAGEMENT DISTRICT NO. 2

January 9, 2007

The Board of Directors for the Equus Beds Groundwater Management District No. 2 held a monthly meeting January 9, 2007, in the conference room of the Equus Beds Groundwater Management District No. 2 in Halstead, Kansas. President Bob Seiler called the meeting to order at 2:38 p.m.

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

Robert Seiler, President	Nadine Stannard, Member
Frank Harper, Vice-President	Dennis Gruenbacher, Member
Larry Jacob, Treasurer	Randy Pankratz, Attorney
David Stroberg, Secretary	Lee Wheeler, Manager
Kirk Larson, Member	Dorinda Albrecht, Administrative Assistant
Fred Seiler, Member	Tim Boese, Hydrologist

Directors absent: David Warren

Others attending the meeting or portions thereof were:

M.S. Mitchell, Wichita	Steve Bond, DWR – Stafford
Jerry Blain, City of Wichita	Rich Robinson, City of Wichita
Brian Meier, Wichita	Mary Rogers, Colwich

### Item 1 -- Approval of December 12<sup>th</sup> Minutes

Moved by Dennis Gruenbacher and seconded by Larry Jacob to approve the December 12<sup>th</sup>, 2006, Board meeting minutes. Motion carried with 7 Director(s) for, 0 Director(s) against, 0 Director(s) abstained, and 2 Director(s) absent.

### Item 2 -- Approval of Agenda

Moved by Nadine Stannard and seconded by David Stroberg to approve the January agenda as written. Motion carried with 7 Director(s) for, 0 Director(s) against, 0 Director(s) abstained, 2 Director(s) absent.

### Item 3 -- The Financial Report

#### a) The Financial Report for December was:

Cash Receipts	\$ 2,155.35
Beginning Balance	\$ 183,823.68
General Fund Interest	\$ 633.12
Grant Funds – Interest	\$ 99.42
Expenditures	\$ 17,641.64
Grant Funds Expenditures	\$ 0.00
Ending Balance	\$ 169,069.93

Moved by Frank Harper to approve the December financial report. Larry Jacob seconded the motion. Motion carried with 7 Director(s) for, 0 Director(s) against, 0 Director(s) abstained, 2 Director(s) absent.

### Item 4 -- Approval of Expenditures

Moved by Fred Seiler and seconded by Nadine Stannard to approve the January expenditures. Motion carried with 7 Director(s) for, 0 Director(s) against, 0 Director(s) abstained, 2 Director(s) absent.

## Item 5 -- Public Forum

Bob Seiler, President, asked if any audience member wish to present any comments to the Board of Directors. There was none.

## Item 6 -- Old Business

### a) Draft FY 2008 Budget

Lee Wheeler, Manager, presented a draft of the FY 2008 budget to the Board. Discussion followed. It was the consensus of the Board to present the proposed budget at the annual meeting for adoption with a groundwater assessment rate of 82 cents per acre-foot and review the assessment rate at the formal budget hearing in June.

### b) City of Wichita ASR Project, Phase I, Surface Water Intake Application #46578 Summary

Tim Boese, Hydrologist, reviewed with the Board a summary of Application #46578 filed by the City of Wichita for a surface water permit for the Aquifer Storage and Recovery Program, Phase I. Jerry Blain and Rich Robinson, City of Wichita, and Brian Meier, Burns & McDonnell, were present and discussed the application with the Board.

## BACKGROUND INFORMATION:

1. Water Permit Nos. 45,572, 45,573, 45,574, and 45,575, were approved by the Chief Engineer, Division of Water Resources (DWR), on August 8, 2005, and authorized four bank storage wells. The approved permits' conditions included minimum stream flow requirements during diversion. Additionally, the permits and the Chief Engineer's August 8, 2005, order approving the Aquifer Storage and Recovery (ASR) Project, contained additional conditions concerning the operation of the bank storage wells and recharge facilities.
2. On August 1, 2006, the Chief Engineer, DWR, approved the Change in Point of Diversion applications filed on Water Permit Nos. 45,572 through 45,575, changing the authorized points of diversions to one pumpsite for surface water diversion from the Little Arkansas River. The original terms, conditions, and limitations of each permit and the order approving the ASR project remained in effect, except those conditions that were so modified, or eliminated where unneeded, to reflect the change from bank storage wells to a river intake pumpsite. The minimum stream flow criteria for diversion remained as originally specified. The permits were changed as follows:  
  
from: one (1) bank storage well located in the Northwest Quarter of the Southwest Quarter of the Northwest Quarter (NW $\frac{1}{4}$  SW $\frac{1}{4}$  NW $\frac{1}{4}$ ) of Section 8, more particularly described as being near a point 3,515 feet North and 4,860 feet West of the Southeast corner of said section, authorized by Appropriation of Water, File No. 45,572,  
  
one (1) bank storage well located in the Southwest Quarter of the Northeast Quarter of the Southwest Quarter (SW $\frac{1}{4}$  NE $\frac{1}{4}$  SW $\frac{1}{4}$ ) of Section 8, more particularly described as being near a point 1,588 feet North and 3,569 feet West of the Southeast corner of said section, authorized by Appropriation of Water, File No. 45,573,

one (1) bank storage well located in the Southeast Quarter of the Southwest Quarter of the Northwest Quarter (SE $\frac{1}{4}$  SW $\frac{1}{4}$  NW $\frac{1}{4}$ ) of Section 8, more particularly described as being near a point 3,031 feet North and 4,406 feet West of the Southeast corner of said section, authorized by Appropriation of Water, File No. 45,574,

one (1) bank storage well located in the Northwest Quarter of the Southeast Quarter of the Southwest Quarter (NW $\frac{1}{4}$  SE $\frac{1}{4}$  SW $\frac{1}{4}$ ) of Section 8, more particularly described as being near a point 1,037 feet North and 3,300 feet West of the Southeast corner of said section, authorized by Appropriation of Water, File No. 45,575,

all located in Township 23 South, Range 2 West, Harvey County, Kansas,

to: one (1) surface water river intake pump site located in the Southwest Quarter of the Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$  SW $\frac{1}{4}$  SE $\frac{1}{4}$ ) of Section 8, more particularly described as being near a point 230 feet North and 2,090 feet West of the Southeast corner of said section, in Township 23 South, Range 2 West, Harvey County, Kansas.

3. On October 11, 2006, the City of Wichita filed Water Permit Application No. 46,578 with DWR. The application requested 6,000 acre-feet per year surface water diversion from the Little Arkansas River via a surface water intake at a maximum rate of 5,000 gallons per minute for artificial recharge as part of the ASR Project, Phase 1. DWR has requested the District's recommendation on the application. DWR has granted the District an extension of time until January 21, 2007, to submit the recommendation.
4. The proposed application would replace approved Water Permit Nos. 45,572 through 45,575, which authorize the same surface water intake as proposed by Application No. 46,578. Water Permits Nos. 45,572 through 45,575 each authorize 1,500 acre-feet per year surface water diversion (6,000 acre-feet per year combined) at a maximum rate of 1,000 gallons per minute (4,000 gallons per minute combined), for artificial recharge. The City has agreed to voluntarily dismiss the existing permits upon approval of Application No. 46,578.

#### **STAFF COMMENTS:**

1. Approval of Application No. 46,578 will increase the authorized surface water rate of diversion from 4,000 gallons per minute to 5,000 gallons per minute, allowing the ASR treatment plant to operate at or near maximum capacity. The authorized quantity will remain at 6,000 acre-feet per year.
2. Approval of Application No. 46,578 and dismissal of Water Permit Nos. 45,572 through 45,575 will consolidate the authorized rate and quantity into one permit, eliminating duplication and simplifying the surface water intake permit.
3. Minimum stream flow requirements for diversion, as well as those applicable terms, conditions, and limitations as specified in Water Permit Nos. 45,572 through 45,575, and the order approving the ASR project, will apply to Application No. 46,578.

4. The application complies with Issue No. 1 of the Memorandum of Understanding between the District and the City of Wichita in which the City made a commitment to utilize more direct surface water diversion and less bank storage well diversion.

Board discussion followed.

Fred Seiler made a motion to have staff make a recommendation to DWR based on the summary presented to the Board. Dennis Gruenbacher seconded the motion. Motion carried with 7 Director(s) for, 0 Director(s) against, 0 Director(s) abstained, and 2 Director(s) absent.

**c) Change in Point of Diversion Application #42989 Update**

Tim Boese, Hydrologist, advised that the Division of Water Resources dismissed the change application for permit #42989 on December 18, 2006, and that the applicant had requested an appeal hearing with DWR. Mary Rogers, Applicant, was present and addressed the Board concerning her appeal hearing. She read a letter to the Board regarding her change application and asked for District assistance. Board discussion followed. It was the consensus of the Board to direct District staff to provide support and assistance to Ms. Rogers and also to discuss modifying the Additional Wells Rule and Regulation, K.A.R. 5-5-16, with the Chief Engineer, DWR.

**Item 7 -- New Business**

**a) Annual Meeting**

Lee Wheeler, Manager, and Tim Boese, Hydrologist, reviewed the annual meeting agenda and election procedures with the Board.

**b) Management Program Review**

The Board reviewed in their Board booklets the statutory requirement regarding the annual review of the adopted management program and Board affirmation of the program to the Chief Engineer, Division of Water Resources.

**Item 8 -- Manager's Report**

**a) Monthly Hydrologic Condition Report**

Tim Boese, Hydrologist, advised the December hydrologic condition reports could be found in the Board booklets, and that all stations were functioning properly, except the Pretty Prairie station water-level transducer and advised the station manufacturer was continuing to work on the problem.

**b) Administrative and Field Tasks**

Tim Boese, Hydrologist, reviewed District staff's activities for the month of December.

**c) Monthly Information and Service Report**

Tim Boese, Hydrologist, reviewed the customer service information for the month of December. Staff responded to 140 requests in December, an average of 8.75 per day.

**Item 9 -- Additions to the Agenda**

There were none.

**Item 10 -- Board Round Table Discussion – Bob Seiler, President**

There was none.

Moved by Larry Jacob and seconded by Kirk Larson to adjourn the meeting.  
Motion carried with 8 Director(s) for, 0 Director(s) against, 0 Director(s) abstained, 1 Director(s) absent.

Bob Seiler, President, adjourned the Board meeting at 5:01 p.m.

Respectfully submitted,



David Stroberg  
Secretary

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