

Kansas Department of Agriculture
Division of Water Resources
APPROVAL OF NEW APPLICATION WORKSHEET

1. File No.: 51,254		2. Status Change Date: 3/17/2025		4. Field Office: 02 - Stafford GMD: 05 - Big Bend Structures File No.: Filing/Priority Date: 6/24/24	
3. Associated File No(s): Dismiss 17,516					
5a. <input checked="" type="checkbox"/> Applicant <input checked="" type="checkbox"/> Owner <input checked="" type="checkbox"/> WUC <input type="checkbox"/> Address Change FBFJ LLC ATTN: VICTOR SLADE 2600 EXETER MILL ROAD CHURCH ROAD, VA 23833		Person ID 69535 Add Seq#		5b. <input checked="" type="checkbox"/> Owner <input type="checkbox"/> WUC <input type="checkbox"/> Address Change FBFC LLC 18101 SANDY POINT RD CHARLES CITY, VA 23030	
5c. <input type="checkbox"/> Owner <input type="checkbox"/> WUC <input type="checkbox"/> Address Change		Person ID Add Seq#		5d. <input type="checkbox"/> Owner <input type="checkbox"/> WUC <input type="checkbox"/> Address Change Person ID Add Seq#	
6. Change No.: <input type="checkbox"/> PD <input type="checkbox"/> PU <input type="checkbox"/> UMW Base Acres: Year: Min Reasonable Q: Previous UMW: MDS Gauge: Active Admin? <input type="checkbox"/> Completion/Start Date: 12/31/2026 Perfection/Expiration Date: 12/31/2030			7. Use of Water <input checked="" type="checkbox"/> Groundwater <input type="checkbox"/> Surface Water UMW: REC-Recreational UMW: UMW:		
8. Action Trail					
9. Special Conditions					
10. 5YR Allocation		Type:	Start Year:	5YR Quantity:	Base Acres:
		Comment:			
11. Sand & Gravel Proj ID: <input type="checkbox"/> Active <input type="checkbox"/> Dredge <input type="checkbox"/> IND Evap <input type="checkbox"/> Jr Evap <input type="checkbox"/> Other Diversion <input type="checkbox"/> Rpt on Sr					
12. Waiver Rule ID: 166 <input type="checkbox"/> New Date Requested: 6/24/2024 Applies: GMD NO 5 Rule No.: K.A.R. 5-25-22(a)(1) Rule Type: Rattlesnake Offset Rule SubType: Location in Zone D Justification: Offset WR is not located in Zone D but has 15% stream response, and modeling shows the new location benefits Rattlesnake.					
Comments Additional waiver of K.A.R. 5-25-22(a)(4) and K.A.R. 5-25-22(a)(8) PD quantity reduced to 30.4 AF File Comment: Dismissal of File No. 17,516 effective upon completion of diversion works or on 12/31/2026				Processed CLA 2/24/25	Entered 3/24/2025 KAnderson
				Reviewed KAK 3/14/2025	

File No. 51,254		13. County: SF- STAFFORD Basin: 53 - NF NINNESCAH Stream:																			
Structures File No:		Aquifer Code: 180 undifferentiated Kansan/Nebraskan												Special Use Area:							
14. Points of Diversion, Rates & Quantities																					
PDIV		Qualifier		S	T	R	ID	'N	'W	Comment (AKA Line)		Qty AF		Rate gpm		Storage Qty AF		Storage Rate			
												Auth	Add	Auth	Add	Auth	Add	Auth/Add	Overlaps		
MOD	91072	NW SW SW		2	25S	12W	3	1280	4795			30.4	30.4	305	305						
15. Limitations NEW Type: Quantity: AF Rate: gpm combined with file no(s):																					
NEW Type: Quantity: AF Rate: gpm combined with file no(s):																					
16. Metering <input checked="" type="checkbox"/> Metering Required <input type="checkbox"/> Anti-Reverse Required <input type="checkbox"/> Seal Required Compliance Date: 12/31/2026																					
17. Place of Use																		Total	Owner(s)	Chg?	Overlaps
PUSE S T R ID		NE¼				NW¼				SW¼				SE¼							
		NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE				
																		0.00	<input type="checkbox"/>		
																		0.00	<input type="checkbox"/>		
																		0.00	<input type="checkbox"/>		
																		0.00	<input type="checkbox"/>		
CHK 71796 2 25S 12W 2		WETLAND MARSHES TOTALING 29 ACRES (SW 1/4)																	5a & 5b	<input type="checkbox"/>	
																				<input type="checkbox"/>	
18. Point of Diversion and Place of Use Overlaps																					
*										**											
+										++											
#										##											
^										^^											

Kansas Department of Agriculture
Division of Water Resources
WAIVER REQUEST & WAIVER RULE WORKSHEET

File Number: **51,254**

FO: **2**

GMD: **5**

WAIVER REQUEST:

UMW	Date Requested	Rule ID	Applies	Rule Type	Rule Subtype
REC		166	GMD 5	Rattlesnake Offset	Location in Zone D
Rule Number	Date Granted	Date Denied	Justification:	Offset WR is not located in Zone D but has 15% stream response, and modeling shoes the new locations will benefit Rattlesnake Creek.	
K.A.R. 5-25-22(a)(1)					

WAIVER RULE (complete only if a new rule needs to be created):

Rule ID	Applicability	Type	Subtype	Rule Number	Date Active	Date Inactive
				K.A.R.		

Date Prepared **2/11/2025** By **CLA**

Date Entered _____ By _____

Kansas Department of Agriculture
Division of Water Resources
WAIVER REQUEST & WAIVER RULE WORKSHEET

File Number: **51,254**

FO: **2**

GMD: **5**

WAIVER REQUEST:

UMW	Date Requested	Rule ID	Applies	Rule Type	Rule Subtype
REC	6/24/2025	165	GMD 5	Rattlesnake Offset	Impact reduced by >30%
Rule Number	Date Granted	Date Denied	Justification:	Offsetting WR only has a 15% stream response, but modeling shows the new locations still benefit Rattlesnake.	
K.A.R. 5-25-22(a)(4)	3/17/2025				

WAIVER RULE (complete only if a new rule needs to be created):

Rule ID	Applicability	Type	Subtype	Rule Number	Date Active	Date Inactive
				K.A.R.		

Date Prepared **2/11/2025** By **CLA**

Date Entered **3/24/2025** By **KAnderson**

Kansas Department of Agriculture
Division of Water Resources
WAIVER REQUEST & WAIVER RULE WORKSHEET

File Number: **51,254**

FO: **2**

GMD: **2**

WAIVER REQUEST:

UMW	Date Requested	Rule ID	Applies	Rule Type	Rule Subtype
REC	6/24/2025	181	GMD 5	RATTLESNAKE OFFSET	NO WATER RIGHT BY THIS RULE WITHIN ONE MILE
Rule Number	Date Granted	Date Denied	Justification:	Another well(s) within a one-mile radius has been authorized under K.A.R. 5-25-22. The wells in question are under common ownership. GMD has recommended approval of the application.	
K.A.R. 5-25-22(a)(8)	3/17/2025				

WAIVER RULE (complete only if a new rule needs to be created):

Rule ID	Applicability	Type	Subtype	Rule Number	Date Active	Date Inactive
				K.A.R.		

Date Prepared **3/12/25** By **CLA**

Date Entered **3/24/2025** By **KAnderson**

MEMORANDUM TO FILE

Division of Water Resources, Water Appropriation Program

Date: February 21, 2025
From: Christa Anhold , Environmental Scientist
Re: New Application File No. 51,254 &
Voluntary Dismissal of Water Right File No. 17,516 – FBFJ LLC

Summary

FBFL LLC filed the above referenced new application proposing to offset water from the above referenced Water Right File for dismissal, to reallocate water out of the Rattlesnake Creek Basin per K.A.R 5-25-22. A voluntary dismissal of Water Right, File No. 17,516 was received signed and notarized on June 24, 2024. The dismissal is contingent upon the approval of the above new application, the applicant would like to retain the well for domestic use. The new application proposes to appropriate 30.4AF of groundwater per year from one (1) well at a rate of 305 GPM for reactional use in a 29-acre pond in Stafford County. The application is signed stating the application has legal access to the point of diversion and place of use. There are no overlapping water right files for the place of use or point of diversion.

K.A.R. 5-25-22

The above referenced new application was filed to reallocate all the water from WR File No. 17,516 out of Rattlesnake Creek Basin to reduce water use in an area experiencing impairment. This type of action must meet regulations described in K.A.R. 5-25-22 per GMD No. 5. **Senior WR File No. 17,519 is located in Zone A and will require a waiver of K.A.R. 5-25-22(a)(1) for approval.**

The new applications proposed to use water for recreational purposes which will be change from the senior file which uses water for irrigation. The maximum annual quantity of water to be allowed without increasing the consumptive use of Senior WR File No. 17,516 is the authorized quantity of 36 AF times the consumptive use percentage for Stafford County of 84.4%, which amounts to 30.4 AF. The applicant agreed to reduce the quantity to 30.4 AF in an email dated February 11, 2025, to comply with K.A.R.5-25-22(a)(2) and K.A.R.5-5-3.

The senior file is compliant with K.A.R. 5-25-22(a)(3). Based on modeling performed on behalf of the applicant, the stream responses upon approval of the new application would be 7.2%, which is less than the required 30%. **The new application will require a waiver of K.A.R. 5-25-22(a)(4) for approval.** Based on a preliminary report by GMD No. 5 provided with the application the saturate thickness is 104 ft and the water level around the new proposed PD has changed less than 1%. The application complies with K.A.R. 5-25-22(a)(5) for saturated thickness and K.A.R. 5-25-22(a)(6) for water level. There are two (2) WR Files (51,241 and 51,242) that have been previously approved under K.A.R. 5-25-22 within one mile of the proposed point of diversion. **The new application will require a waiver of K.A.R. 5-25-22(a)(8) for approval.**

Reasonable Rate and Quantity

The applicant proposes to appropriate 30.4AF of groundwater to fill 2 ponds that total 29 acres. The applicant proposes to use these ponds during the waterfowl hunting season (roughly 4 to 5 months out of the year). A maximum reasonable quantity of water for a 29-acre pond is one fill and one year of evaporation.

Storage: 29acres x 1ft = 29AF

Evaporation: 29acres x (32"/acre)/(12"/1ft) = 77.33 AF x (1year/ 12 months) x 5 months = 32.22 AF

The applicants requested 30.4 AF can be considered reasonable as it is less than the maximum reasonable quantity.

Source of Supply and Safe Yield

A well log provided with the application indicates sandy topsoil from surface to 3ft, tan and grey clay from 3 to 24ft, fine to medium sand and gravel from 24 to 50 ft, tan clay with caliche from 50 to 73 ft and small to medium sand and gravel from 73 to 95 ft below ground surface. The well log notes static water at 25 ft below ground surface. Based on the provided well log and Kansas Geological Survey Bulletin 88 the source of supply is likely undifferentiated Kansan/Nebraskan.

A safe yield report indicates the source of supply to cover 8,042 acres. Based on potential recharge of 2.25 inches, with 75% available for appropriations, safe yield was determined to be 1,130.91 AF. Existing appropriations total 1,548.6 AF, thus exceeding the safe yield by 417.69 AF. The application fails to comply with K.A.R. 5-25-22(a)(7), which was also noted on the primary report run by GMD 5.

Nearby Water Rights

From the proposed point of diversion, the closest nondomestic well (WR File No. 25,977) is 2,500 ft away and the closest domestic well is 1,745 ft away. The applicant provided names and addresses of two (2) well owners within a half mile of the proposed point of diversion. Two (2) nearby letters were mailed on January 23, 2025. No responses have been received to date.

Modeling Analysis

Technical services analysis was performed on the above referenced application. The report indicates that in the area of the proposed point of diversion the groundwater level would be lowered by 0.10 ft over a fifty (50) year period. To the closest domestic well the groundwater level would be lowered 0.34ft. By dismissing WR File No. 17,516 Rattlesnake Creek at the USGS gage at Zenith, Kansas would see a 1.15AF increase in average annual streamflow (0.01% of annual flow). The approval of the new application would decrease streamflow in the North Fork Ninnescah River at the USGS gage at Arlington, Kansas by 10.01 AF (0.02% of annual flow). These modeling results are sufficient to satisfy safe yield regulations for Rattlesnake Creek Basin per K.A.R. 5-25-22(a)(7).

The cumulative effect on streams from applications authorized using K.A.R. 5-25-22 is less than a quarter of a percent (< 0.25%) of annual streamflow. Which is below the two percent (2%) threshold agreed upon by headquarters and GMD No. 5.

Recommendations

In a letter dated February 21, 2025, Big Bend GMD No. 5 Manager, Orrin Feril, recommended approval of the above referenced application with a waiver of K.A.R. 5-25-22.

The application was sent for consideration to Jeff Lanterman, Water Commissioner, and Cameron Conant, Assistant Water Commissioner, of the Stafford Field Office, on February 21, 2025, and was recommended for approval in an email dated March 12, 2025.

It does not appear that approval of the application will impair senior water rights nor prejudicially or unreasonably affect the public interest. Therefore, it is recommended that the referenced application be approved.

Christa Anhold
Environmental Scientist
Water Appropriation Program

From: "Lanterman, Jeff [KDA]"
Sent: Wed 3/12/2025 1:00 PM
To: "Anhold, Christa [KDA]" <Christa.Anhold@ks.gov>; "Conant, Cameron [KDA]" <Cameron.Conant@ks.gov>
CC: "Kopp, Kenneth [KDA]" <Kenneth.Kopp@ks.gov>
Subject: RE: 51254 recommendation request

Christa;

This one looks good to go! Approve it.

We may have some language for you on the base right with regard to the date of termination for 17516 based on a conversation just today. We are wanting to basically not dismiss the old well until we get the N&P on the new well or a date certain. Get with Ken on that.

Thans
Jeff

From: Anhold, Christa [KDA] <Christa.Anhold@ks.gov>
Sent: Friday, February 21, 2025 5:28 PM
To: Lanterman, Jeff [KDA] <Jeff.Lanterman@ks.gov>; Conant, Cameron [KDA] <Cameron.Conant@ks.gov>
Subject: 51254 recommendation request

Good morning,

Attached is my draft memo for new application 51,254 for your review and recommendation. Nearby notifications were mailed on January 23, 2025, no responses of any kind have been received to date.

Below are the WIZARD wells within 2-miles of the proposed well.

0.9 mi

https://geohydro.kgs.ku.edu/geohydro/wizard/wizardwelldetail.cfm?usgs_id=375345098360301
https://geohydro.kgs.ku.edu/geohydro/wizard/wizardwelldetail.cfm?usgs_id=375342098360701
https://geohydro.kgs.ku.edu/geohydro/wizard/wizardwelldetail.cfm?usgs_id=375345098360303
https://geohydro.kgs.ku.edu/geohydro/wizard/wizardwelldetail.cfm?usgs_id=375345098360302

0.96mi

https://geohydro.kgs.ku.edu/geohydro/wizard/wizardwelldetail.cfm?usgs_id=375335098380201

1.72mi

https://geohydro.kgs.ku.edu/geohydro/wizard/wizardwelldetail.cfm?usgs_id=375520098373701

Let me know if you have any questions or need anything else.

Christa Anhold
Environmental Scientist
Department of Water Resources
(785)-370-1574
Christa.anhold@ks.gov

Tom Taylor - At-Large (Pres.)
 Fred Grunder - Pratt (V Pres.)
 John Janssen - Kiowa (Treas.)
 Marlyn Spare - Stafford (Sec.)
 Darrell Wood - Edwards
 Craig Zwick - Rice
 Joe Schlessiger - Barton
 Kerry Froetschner - Pawnee
 Gary Hornbaker - Reno



Orrin Feril, Manager
 125 South Main Street
 Stafford, Kansas 67578
 ph: (620) 234-5352
 fx: (620) 234-5718
 gmd5@gmd5.org
 www.gmd5.org

NOTIFICATION OF MONTHLY BOARD MEETING

February 13, 2025

President Tom Taylor has scheduled the monthly board meeting of the Big Bend Groundwater Management District #5. The meeting will be held on **Thursday February 20, 2025**, at the Stafford County Annex in St John. The meeting is scheduled to begin at **3:30 p.m.**

Join the Meeting

Video Call	Audio Call	Meeting ID	Passcode
https://bit.ly/Feb2025-Board	(312) 626-6799	856 8966 4273	053520

The meeting agenda is as follows:

1. Additions to Agenda
2. Approval of January Minutes
3. Approval of Treasurer's Report
4. Audit Presentation – AdamsBrown LLC
5. Resolution 2025-1 (Cash Basis Accounting)
6. Application Nos 51281, 51282, 51283, 51284, & 51343
7. Application Nos 51241, 51242
8. Application No 51277
9. Application No 51310
10. Application No 51254
11. KDA–DOC Irrigation Technology Initiative (GMD5 Agreement)
12. 2026 Budget Discussion
13. Legislative Update
14. Manager's Report
15. Agency Reports (USFWS, KDA–DWR, KWA, RAC, CKWBA, etc.)
16. Other Business
17. Board Round Table & Agenda items for next meeting (March 13, 2025, at 9:00 a.m.)

Underline denotes action items

MINUTES – JANUARY 09, 2025
BIG BEND GROUNDWATER MANAGEMENT DISTRICT #5
MEETING OF THE BOARD OF DIRECTORS

The monthly board meeting of the Big Bend Groundwater Management District #5 was held at the District Office in Stafford, Kansas on Thursday January 09, 2025. The board members present were Tom Taylor, John Janssen, Marlyn Spare, Darrell Wood, Gary Hornbaker, Kerry Froetschner, Joe Schlessiger, and Craig Zwick. The board member Fred Grunder was not present. The District staffs present were Orrin Feril and Vanessa Marks. The guests present via Zoom were Jason Norquest, Jeff Crispin, Jeff Lanterman, Chris Smith, and Toby Dougherty.

The January regular board meeting was called to order at 9:00 a.m. by Tom Taylor.

John Janssen moved, and Kerry Froetschner seconded to approve the December minutes as presented. Motion carried 8-0.

Orrin Feril provided the board and public with the January treasurer's report and highlighted the unique items for further board review. Craig Zwick moved, and John Janssen seconded to accept the January treasurer's report as presented. Motion carried 8-0.

Throughout the month of December, the District sent out a request for proposals to farm lands owned by the District. The District received several bids, and an anonymized summary was presented to the board for consideration. Following a review, Joe Schlessiger moved, and John Janssen seconded to accept the bid from Bidder 1 for parcels RSC02, RSC04, RSC05, and RSC06 and Bidder 5 for parcel RSC03. Motion carried 8-0.

In accordance with K.S.A. 82a-1043, the District staff has completed the annual report for review by the board. Following discussion and review by the board, Craig Zwick moved, and Kerry Froetschner seconded to approve the 2024 annual report and authorizing the manager to make any pertinent grammatical revisions prior to submission to the legislature. Motion carried 8-0.

Orrin Feril presented an initial draft budget for FY2026 for board input. This draft budget will be presented at the February board meeting for further board input in preparation for public input at the annual meeting. The proposed FY2026 budget will be presented at the budget hearing that is held in July.

The annual meeting is coming up and the speakers are being lined up for the meeting. The annual meeting will be held on February 20 in St John at the Stafford County Annex building. The board discussed the location for the District board meeting prior to the annual meeting. The incumbent board members were confirmed for the ballot at the annual meeting.

Orrin Feril discussed staff activities for the past few weeks and upcoming months. The board was reminded to get their water use reports submitted to KDA–DWR as soon as possible and to submit a copy of those reports to the CKWBA. District staff have been completing the annual water level measurements and will be compiling the annual maps for presentation at the annual meeting. The board was provided with a brief update on the Watershed Plan-EIS. The management program was sent back to the District with suggested revisions. Balleau GW and legal counsel were brought in to provide insight into these suggested revisions.

Jeff Lanterman, KDA–DWR, provided an update on KDA's pilot augmentation project on Rattlesnake Creek, noting the direct response seen at the Zenith gage following initiation of the

project. Questions were addressed by Jeff Lanterman regarding the monitoring of water quality in the project. A brief discussion was had between the board and Jeff Lanterman regarding the status of the offset application process. Vanessa Marks, CKWBA, provided an update on the CAMP project. At this point, the MOA between CKWBA, KDA and Kansas Corn has been signed by CKWBA. The CAMP contracts are updated and need review at a forthcoming board meeting.

In other business, Craig Zwick moved, and Darrell Wood seconded to hold the next board meeting at the Stafford County Annex building prior to the annual meeting with discretion to the manager in the final scheduling. Motion carried 8-0. The board appreciation dinner is coming soon and other restaurants in the District were considered.

The next District board meeting is tentatively set for February 20, 2025, at 3:30 p.m. at the Stafford County Annex.

With no further items to discuss the board adjourned at 10:15 a.m.

Attest by: _____ Dated: _____

BIG BEND GMD #5
Treasurer's Report
As of February 20, 2025

Date	Num	Name	Memo	Paid Amount	Balance
Checking					29,923.95
01/14/2025		QuickBooks Payroll Service	Created by Payroll Service on 01/09/2025	-10,609.37	19,314.58
01/15/2025	DD1535	Feril, Orrin R	Direct Deposit	0.00	19,314.58
01/15/2025	DD1536	Hildebrand, John J	Direct Deposit	0.00	19,314.58
01/15/2025	DD1537	Marks, Vanessa A	Direct Deposit	0.00	19,314.58
01/15/2025	DD1538	Reed, Fay N	Direct Deposit	0.00	19,314.58
01/15/2025	EFTPS	United States Treasury	Jan 15, 2025 Payroll	-4,672.00	14,642.58
01/15/2025	EFTPS	Kansas Withholding Tax	January 15th 2025 Payroll	-599.00	14,043.58
01/17/2025	2587	USPS	Newsletters	-336.34	13,707.24
01/23/2025	EFTPS	Kansas Department of Revenue.	KW3 Annual Withholding Tax Return	-69.00	13,638.24
01/23/2025		First National Bank Omaha	4418 2292 6021 1985	-3,152.49	10,485.75
01/24/2025	2588	Ark Valley Electric	December 2024	-60.00	10,425.75
01/24/2025	2589	AT&T Phone Co.	December 2024	-371.80	10,053.95
01/24/2025	2590	Brightspeed	December 2024	-216.52	9,837.43
01/24/2025	2591	Column Software, PBC	Public Notice Annual Meeting: Great Ben...	-49.82	9,787.61
01/24/2025	2592	Cultivating Conservation	December 2024	-5,417.00	4,370.61
01/24/2025	2593	Kansas Gas Service	December 2024	-185.99	4,184.62
01/24/2025	2594	Kanza Coop	December 2024	-180.80	4,003.82
01/24/2025	2595	Loopup LLC	December 2024	-35.31	3,968.51
01/24/2025	2596	Main Street Media	Public Notice Roundtable/Annual Meeting	-327.55	3,640.96
01/24/2025	2597	S & S Tire Inc	December 2024 New Tires Blue Truck	-1,601.00	2,039.96
01/24/2025	2598	USABlueBook	December 2024 Lab Supplies	-68.64	1,971.32
01/24/2025	2599	USPS	USPS Marketing Mail Permit Fee	-350.00	1,621.32
01/28/2025			Funds Transfer	10,000.00	11,621.32
01/30/2025		QuickBooks Payroll Service	Created by Payroll Service on 01/28/2025	-8,467.88	3,153.44
01/30/2025			Closing Equity CDARS 7606 (IN QB *7165)	3,284,819.72	3,287,973.16
01/30/2025			Open New CDARS *5533 - Closed CD 7...	-3,000,000.00	287,973.16
01/30/2025		Deluxe	Reorder Checks	-450.16	287,523.00
01/31/2025	DD1541	Marks, Vanessa A	Direct Deposit	0.00	287,523.00
01/31/2025	DD1542	Reed, Fay N	Direct Deposit	0.00	287,523.00
01/31/2025	DD1539	Feril, Orrin R	Direct Deposit	0.00	287,523.00
01/31/2025	DD1540	Hildebrand, John J	Direct Deposit	0.00	287,523.00
01/31/2025			Interest	70.59	287,593.59
02/03/2025			Funds Transfer	10,000.00	297,593.59
02/03/2025	EFTPS	United States Treasury	Jan 31 2025	-3,466.76	294,126.83
02/03/2025	EFTPS	Kansas Withholding Tax	Jan 31 2025	-419.00	293,707.83
02/03/2025	EFT	SEHP	Februrary 2025	-5,015.85	288,691.98
02/11/2025	2600	Capital Guardian Trust Co.	January 2025	-494.00	288,197.98
02/11/2025	2601	Ark Valley Electric	January 2025	-60.00	288,137.98
02/11/2025	2602	Bandura Plus, LLC	January 2025	-350.00	287,787.98
02/11/2025	2603	City of Stafford	January 2025	-164.01	287,623.97
02/11/2025	2604	Column Software, PBC	Public Notice	-41.25	287,582.72
02/11/2025	2605	Fisher Service Center	Gray Truck Oil Change	-128.09	287,454.63
02/11/2025	2606	Golden Belt Telephone	January 2025	-374.70	287,079.93
02/11/2025	2607	Haviland Telephone Co.	January 2025	-26.44	287,053.49
02/11/2025	2608	Kansas Gas Service	January 2025	-236.28	286,817.21
02/11/2025	2609	Kanza Coop	January 2025	-655.54	286,161.67
02/11/2025	2610	KARA	January 2025	-2,350.00	283,811.67
02/11/2025	2611	Loopup LLC	January 2025	-23.81	283,787.86
02/11/2025	2612	SDK Laboratories Inc	January 2025	-179.84	283,608.02
02/11/2025	2613	The Bulletin	Invoices 65550 & 65574	-69.82	283,538.20
02/11/2025	2614	Travelers	Liability Insurance 2025	-2,215.00	281,323.20
02/13/2025		QuickBooks Payroll Service	Created by Payroll Service on 02/11/2025	-10,778.39	270,544.81
02/13/2025			Funds Transfer	-200,000.00	70,544.81
02/14/2025	DD1543	Feril, Orrin R	Direct Deposit	0.00	70,544.81
02/14/2025	DD1544	Hildebrand, John J	Direct Deposit	0.00	70,544.81
02/14/2025	DD1545	Marks, Vanessa A	Direct Deposit	0.00	70,544.81
02/14/2025	DD1546	Reed, Fay N	Direct Deposit	0.00	70,544.81
02/18/2025			Funds Transfer	20,000.00	90,544.81
02/19/2025	EFTPS	United States Treasury	January 31 2025	-4,778.26	85,766.55
02/19/2025	EFTPS	Kansas Withholding Tax	January 31 2025	-614.00	85,152.55
02/19/2025	2615	AT&T Phone Co.	January 2025	-383.30	84,769.25
02/19/2025	2616	Balleau Groundwater Inc	January 2025	-3,705.00	81,064.25
02/19/2025	2617	Brightspeed	January 2025	-220.04	80,844.21
02/19/2025	2618	Edwards County Sentinel	Public Notices	-67.00	80,777.21
02/19/2025	2619	First National Bank Omaha	4418 2292 6021 1985	-3,230.90	77,546.31
02/19/2025	2620	HP Inc	Printer Toner	-2,461.17	75,085.14
02/19/2025	2621	Main Street Market & Deli	January 2025	-27.03	75,058.11
02/19/2025	2622	Olsson	January 2025	-36,970.42	38,087.69

BIG BEND GMD #5
Treasurer's Report
As of February 20, 2025

Date	Num	Name	Memo	Paid Amount	Balance
02/19/2025	2623	Quivira Insurance	Insurance 2025	-12,491.00	25,596.69
02/19/2025	2624	Stinson LLP	December 2024	-23,547.50	2,049.19
02/19/2025			Funds Transfer	10,000.00	12,049.19
02/19/2025	2625	Cultivating Conservation	January 2025	-5,417.00	6,632.19
02/20/2025	2626	Balleau Groundwater Inc	January 2025	-3,412.50	3,219.69
Total Checking				-26,704.26	3,219.69
Petty Cash					50.00
Total Petty Cash					50.00
Public DDA					10,000.00
01/17/2025			Deposit	395,424.68	405,424.68
01/17/2025			Funds Transfer	-109,471.16	295,953.52
01/17/2025			Funds Transfer	-285,953.52	10,000.00
01/21/2025			Deposit	630,893.40	640,893.40
01/21/2025			Deposit	35.25	640,928.65
01/27/2025			Funds Transfer	-630,928.65	10,000.00
01/28/2025			Funds Transfer	10,000.00	20,000.00
01/28/2025			Funds Transfer	-10,000.00	10,000.00
01/31/2025			Interest	25.48	10,025.48
02/01/2025			Deposit	180,605.08	190,630.56
02/03/2025			Funds Transfer	10,000.00	200,630.56
02/03/2025			Funds Transfer	-10,000.00	190,630.56
02/13/2025			Funds Transfer	200,000.00	390,630.56
02/13/2025			Funds Transfer	-200,000.00	190,630.56
02/18/2025			Funds Transfer	20,000.00	210,630.56
02/18/2025			Funds Transfer	-20,000.00	190,630.56
02/19/2025			Funds Transfer	10,000.00	200,630.56
02/19/2025			Funds Transfer	-10,000.00	190,630.56
Total Public DDA				180,630.56	190,630.56
Public ICS					1,144,842.90
01/17/2025			Funds Transfer	109,471.16	1,254,314.06
01/17/2025			Funds Transfer	285,953.52	1,540,267.58
01/27/2025			Funds Transfer	630,928.65	2,171,196.23
01/28/2025			Funds Transfer	-10,000.00	2,161,196.23
01/31/2025			Interest	3,554.55	2,164,750.78
02/03/2025			Funds Transfer	-10,000.00	2,154,750.78
02/13/2025			Funds Transfer	200,000.00	2,354,750.78
02/18/2025			Funds Transfer	-20,000.00	2,334,750.78
02/19/2025			Funds Transfer	-10,000.00	2,324,750.78
Total Public ICS				1,179,907.88	2,324,750.78
CDARS *5533					0.00
01/30/2025			Open New CDARS *5533 - Closed CD 7...	3,000,000.00	3,000,000.00
Total CDARS *5533				3,000,000.00	3,000,000.00
CDARS *7165					3,139,253.28
01/30/2025			Interest	145,566.44	3,284,819.72
01/30/2025			Closing Equity CDARS 7606 (IN QB *7165)	-3,284,819.72	0.00
Total CDARS *7165				-3,139,253.28	0.00
CDARS*8658					1,090,820.52
Total CDARS*8658					1,090,820.52
TOTAL				1,194,580.90	6,609,471.55

BIG BEND GMD #5 Spent and Remaining

Cash Basis

January through December 2025

	Jan - Dec 25	Budget	% of Budget
Income			
Assessment Revenue	1,194,946.46	1,583,152.22	75.5%
Grants	0.00	400,000.00	0.0%
Interest Income	149,217.06	180,000.00	82.9%
Miscellaneous Income	32,211.05	25,000.00	128.8%
Total Income	1,376,374.57	2,188,152.22	62.9%
Expense			
Misc. Cons. Programs	0.00	400,000.00	0.0%
Building Expense	1,863.99	10,000.00	18.6%
Business Dinners	35.14	1,500.00	2.3%
Central Kansas Water B...	-3,982.64		
Dues and Memberships	0.00	750.00	0.0%
Field Equipment	2,028.30	10,000.00	20.3%
Insurance	14,706.00	16,000.00	91.9%
Office Equipment	-13.80	5,000.00	-0.3%
Office Supplies	5,239.88	5,000.00	104.8%
Other Expenses	0.00	2,000.00	0.0%
Payroll Expenses	48,565.68	364,000.00	13.3%
Postage	1,020.59	2,000.00	51.0%
Printing and Publication	556.57	20,000.00	2.8%
Professional Fees	29,867.08	500,000.00	6.0%
Travel & Conference	0.00	18,000.00	0.0%
Utilities	1,444.47	15,000.00	9.6%
Water Management	21,507.25	1,000,000.00	2.2%
Watershed Plan	36,970.42		
Weather Stations	1,620.68	19,000.00	8.5%
Total Expense	161,429.61	2,388,250.00	6.8%
Net Income	1,214,944.96	-200,097.78	-607.2%

RESOLUTION NO. 2025-1

WHEREAS the Big Bend Groundwater Management District No. 5, Stafford, Kansas, has determined that the financial statements and financial reports for the year ended 2025 to be prepared in conformity with the requirements of K.S.A. 75-1120a(a) (as amended) are not relevant to the requirements of the cash basis and budget laws of this state and are of no significant value to the Board of Directors or the members of the general public of the Big Bend Groundwater Management District No. 5 and

WHEREAS there are no revenue bond ordinances or other ordinances or resolutions of the municipality which require financial statements and financial reports to be prepared in conformity with K.S.A. 75-1120a(a) (as amended) for the year ended 2025.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors of Big Bend Groundwater Management District No. 5, Stafford, Kansas, in the regular meeting duly assembled this 20th day of February 2024 that the Board of Directors waives the requirements of K.S.A. 75-1120a(a) (as amended) as they apply to the Big Bend Groundwater Management District No. 5 for the year ended 2025.

BE IT FURTHER RESOLVED THAT THE Board of Directors shall cause the financial statements and financial reports of the Big Bend Groundwater Management District No. 5 to be prepared on the basis of cash receipts and disbursements as adjusted to show compliance with the cash basis and budget laws of this State.

Big Bend Groundwater Management District #5

Board Review Worksheet

Application File # 51281 Applicant: ILS Farms

Legal Description: NC SW Section: 21 Township: 20S Range: 11W

County: Barton Location from nearest town/city: 4.0 miles south of Ellinwood

Sustainable Yield: (Two-Mile Area) 2734 AF Depth to Water: +/- 10 ft Historical Water Level Change: +/- 3 ft

Authorized Acre-Feet: WR 19937 27419 32028 35675 35676 35677 Offset: 661 AF Authorized Gallons/Min: WR 19937 27419 32028 35675 35676 35677 Offset: 3070 GPM Authorized Point of Div: Various in 33-44% Response Zones

Proposed Acre-Feet: 661 AF total 51281 - 114 AF Proposed Gallons/Min: 3070 GPM total 51281 - 770 GPM Proposed Point of Div: 1320'N, 3960'W

Requested Waiver of Rule and Regulation: KAR 5-25-22 - Movement of WR affecting streamflow at RSC

Staff Background: This application is one of five proposing to retire six water rights in the 33-44% response zones. The cumulative impact for all five new water rights as expressed in percent of average streamflow is a positive 0.79% for Rattlesnake Creek at Zenith and a negative 0.02% for Arkansas River at Larned. Based on coordination with KDA-DWR technical staff and Balleau Groundwater staff, these impacts are reasonable and not anticipated to cause impairment of existing water rights. This application is requesting to install and irrigate 160 ac in the SW 1/4 of section 21. The District's initial K.A.R. 5-25-22 evaluation is attached. The application does not meet subsections (a)(1), (a)(7), (a)(8) of K.A.R. 5-25-22.

Staff Recommendation: **Recommend waiver of K.A.R. 5-25-22 and recommend approval of the application as presented.**



K.A.R. 5-25-22 Evaluation

Proposed Location: NC SW 21-20S-11W @ 1320'N, 3960'W from SE corner



Legend

Point of Diversion

- ★ G_IND
- G_IRR
- ▲ G_MUN
- ▬ G_REC

Response Zone

- < 10.00 %
- 10.01 - 20.00 %
- 20.01 - 30.00 %
- 30.01 - 40.00 %
- 40.01 - 50.00 %
- 50.01 - 60.00 %
- 60.01 - 70.00 %
- 70.01 - 80.00 %
- > 80.01 %

K.A.R. 5-25-22 Criteria

Response Difference

33.33% - <1 % = 33.33%

Saturated Thickness

109.3 ft

Water Level Change

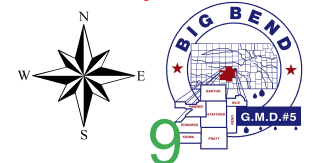
3 ft = 0.18 %

Authorized Quantity

2734.51 AF

Compliance Check

Does not meet requirements



This map was created by WIMAS on 1/16/2025 3:32 PM

Big Bend Groundwater Management District #5

Board Review Worksheet

Application File # 51282 Applicant: ILS Farms

Legal Description: NC NW Section: 21 Township: 20S Range: 11W

County: Barton Location from nearest town/city: 4.0 miles south of Ellinwood

Sustainable Yield: (Two-Mile Area) 2299 AF Depth to Water: +/- 10 ft Historical Water Level Change: +/- 2 ft

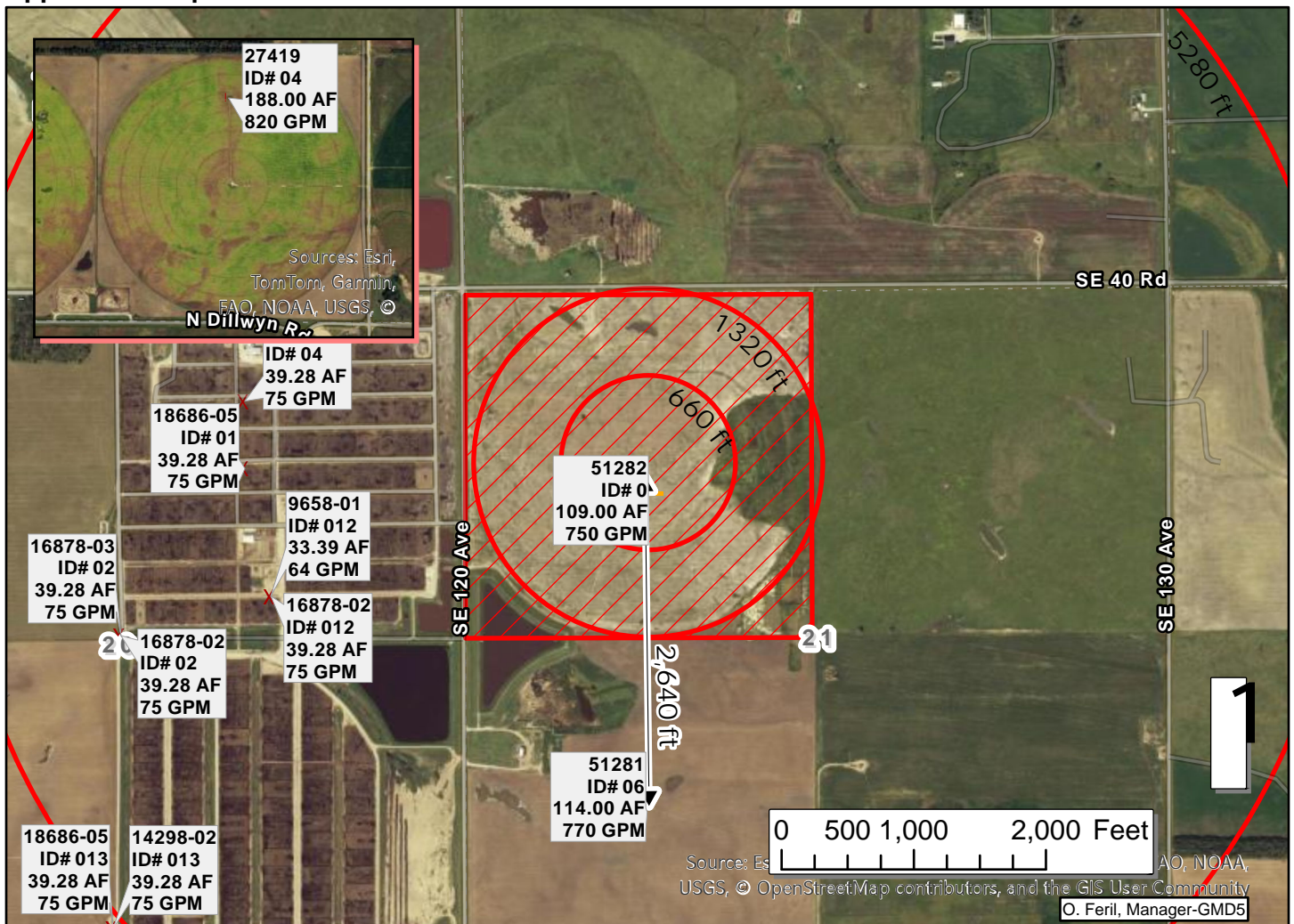
Authorized Acre-Feet: WR 19937 27419 32028 35675 35676 35677 Offset: 661 AF Authorized Gallons/Min: WR 19937 27419 32028 35675 35676 35677 Offset: 3070 GPM Authorized Point of Div: Various in 33-44% Response Zones

Proposed Acre-Feet: 661 AF total 51282 - 109 AF Proposed Gallons/Min: 3070 GPM total 51282 - 750 GPM Proposed Point of Div: 3960'N, 3960'W

Requested Waiver of Rule and Regulation: KAR 5-25-22 - Movement of WR affecting streamflow at RSC

Staff Background: This application is one of five proposing to retire six water rights in the 33-44% response zones. The cumulative impact for all five new water rights as expressed in percent of average streamflow is a positive 0.79% for Rattlesnake Creek at Zenith and a negative 0.02% for Arkansas River at Larned. Based on coordination with KDA-DWR technical staff and Balleau Groundwater staff, these impacts are reasonable and not anticipated to cause impairment of existing water rights. This application is requesting to install and irrigate 160 ac in the NW 1/4 of section 21. The District's initial K.A.R. 5-25-22 evaluation is attached. The application does not meet subsections (a)(1), (a)(7), (a)(8) of K.A.R. 5-25-22.

Staff Recommendation: **Recommend waiver of K.A.R. 5-25-22 and recommend approval of the application as presented.**



Big Bend Groundwater Management District #5

Board Review Worksheet

Application File # 51283 Applicant: ILS Farms

Legal Description: NC NE Section: 17 Township: 20S Range: 11W

County: Barton Location from nearest town/city: 3.0 miles south of Ellinwood

Sustainable Yield: (Two-Mile Area) 1693 AF Depth to Water: +/- 10 ft Historical Water Level Change: +/- 1 ft

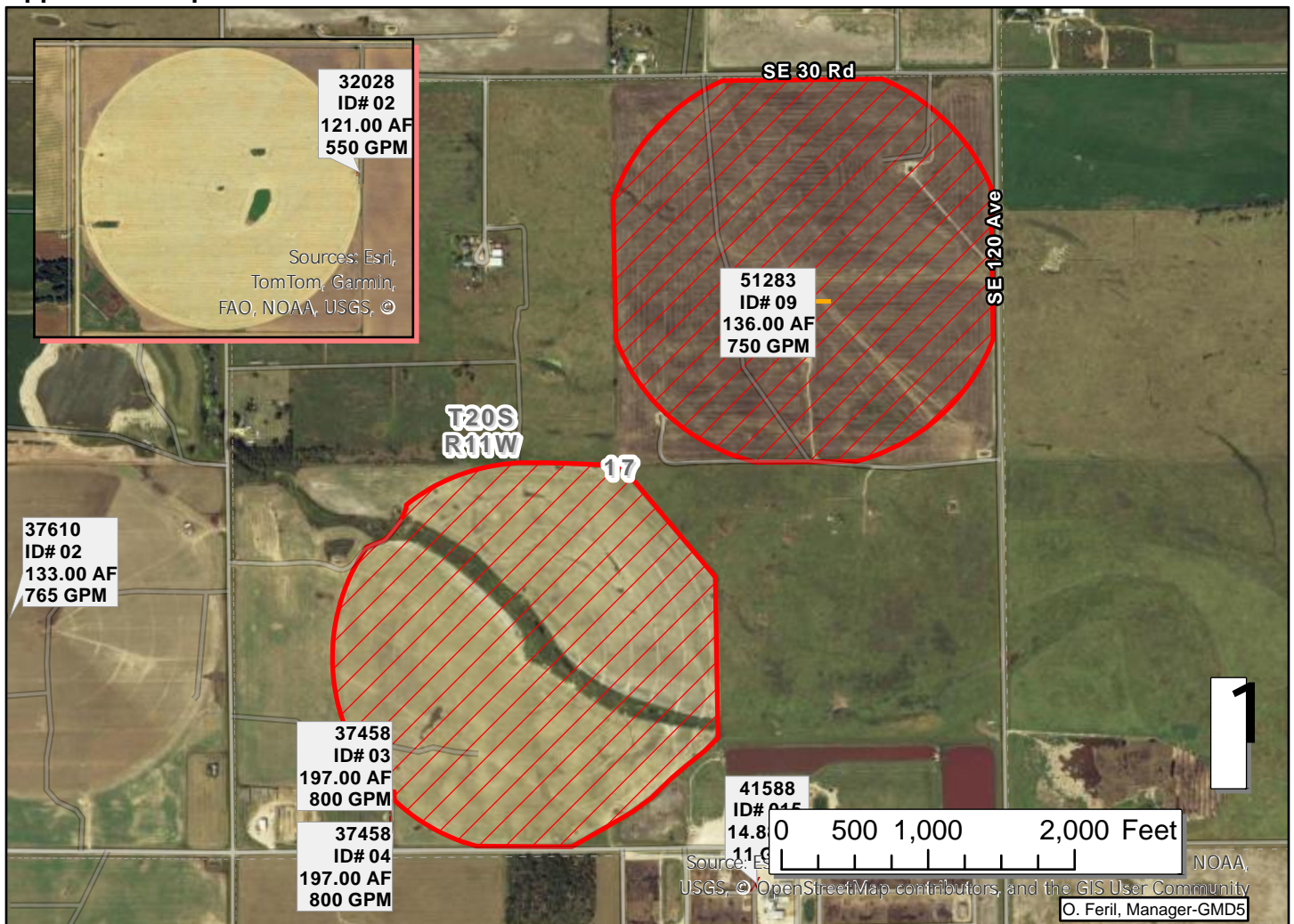
Authorized Acre-Feet: WR 19937 27419 32028 35675 35676 35677 Offset: 661 AF Authorized Gallons/Min: WR 19937 27419 32028 35675 35676 35677 Offset: 3070 GPM Authorized Point of Div: Various in 33-44% Response Zones

Proposed Acre-Feet: 661 AF total 51283 - 136 AF Proposed Gallons/Min: 3070 GPM total 51283 - 750 GPM Proposed Point of Div: 3960'N, 1320'W

Requested Waiver of Rule and Regulation: KAR 5-25-22 - Movement of WR affecting streamflow at RSC

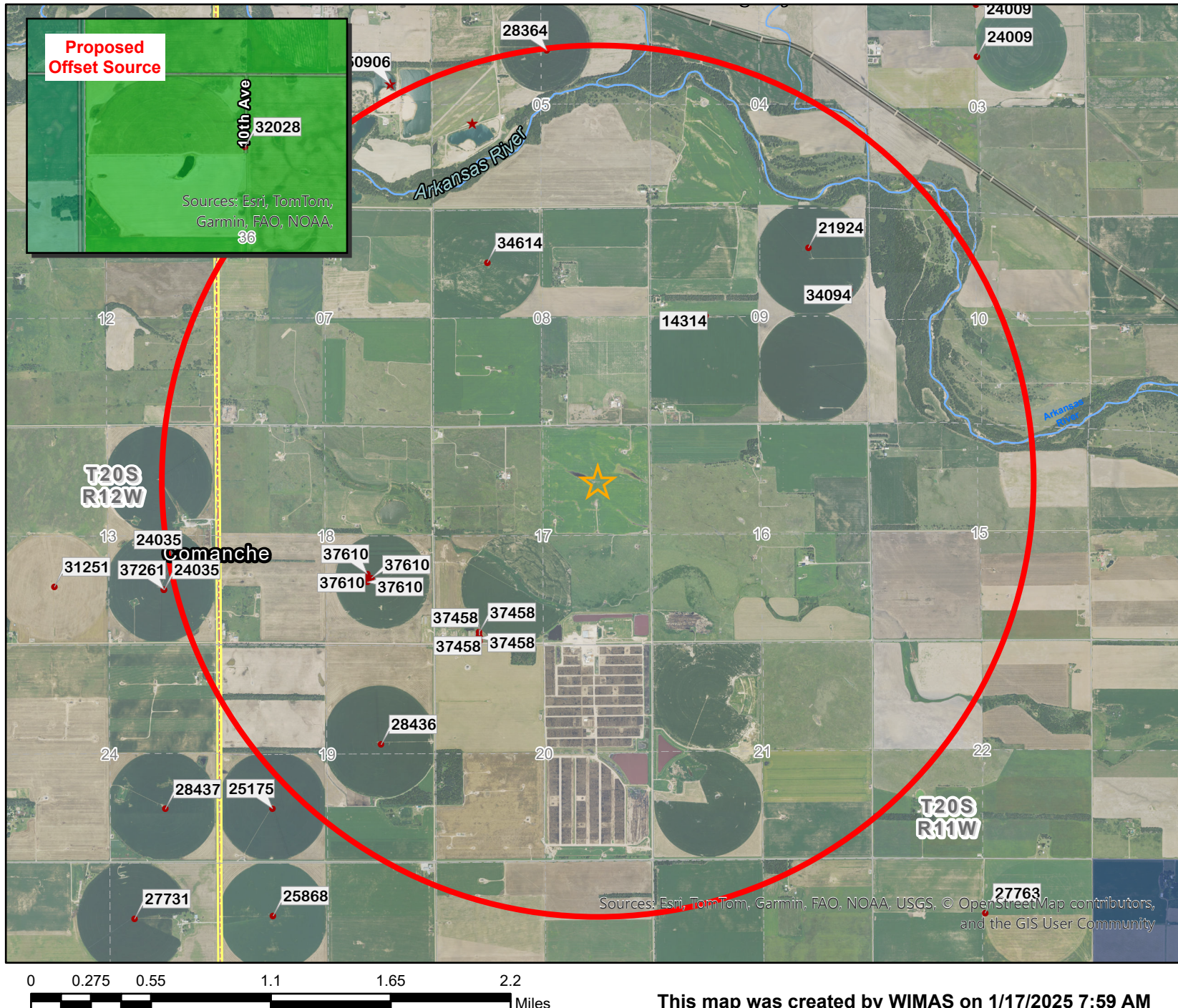
Staff Background: This application is one of five proposing to retire six water rights in the 33-44% response zones. The cumulative impact for all five new water rights as expressed in percent of average streamflow is a positive 0.79% for Rattlesnake Creek at Zenith and a negative 0.02% for Arkansas River at Larned. Based on coordination with KDA-DWR technical staff and Balleau Groundwater staff, these impacts are reasonable and not anticipated to cause impairment of existing water rights. This application is requesting to install and irrigate 261 ac in the NE 1/4 and SW 1/4 of section 17. The District's initial K.A.R. 5-25-22 evaluation is attached. The application does not meet subsections (a)(1) and (a)(7) of K.A.R. 5-25-22.

Staff Recommendation: **Recommend waiver of K.A.R. 5-25-22 and recommend approval of the application as presented.**



K.A.R. 5-25-22 Evaluation

Proposed Location: NC NE 17-20S-11W @ 3960'N, 1320'W from SE corner



Legend

Point of Diversion

- ★ G_IND
- G_IRR
- ▲ G_MUN
- ▢ G_REC

Response Zone

- < 10.00 %
- 10.01 - 20.00 %
- 20.01 - 30.00 %
- 30.01 - 40.00 %
- 40.01 - 50.00 %
- 50.01 - 60.00 %
- 60.01 - 70.00 %
- 70.01 - 80.00 %
- > 80.01 %

K.A.R. 5-25-22 Criteria

Response Difference

34.4% - <1 % = **34.4%**

Saturated Thickness

87.5 ft

Water Level Change

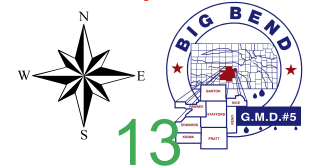
1 ft = 0.09 %

Authorized Quantity

1693.45 AF

Compliance Check

**Does not
meet requirements**



This map was created by WIMAS on 1/17/2025 7:59 AM

Big Bend Groundwater Management District #5

Board Review Worksheet

Application File # 51284 Applicant: ILS Farms

Legal Description: NC SE Section: 15 Township: 23S Range: 16W

County: Pawnee Location from nearest town/city: 6.75 miles north of Belpre

Sustainable Yield: (Two-Mile Area) 2269 AF Depth to Water: +/- 30 ft Historical Water Level Change: +/- 15 ft

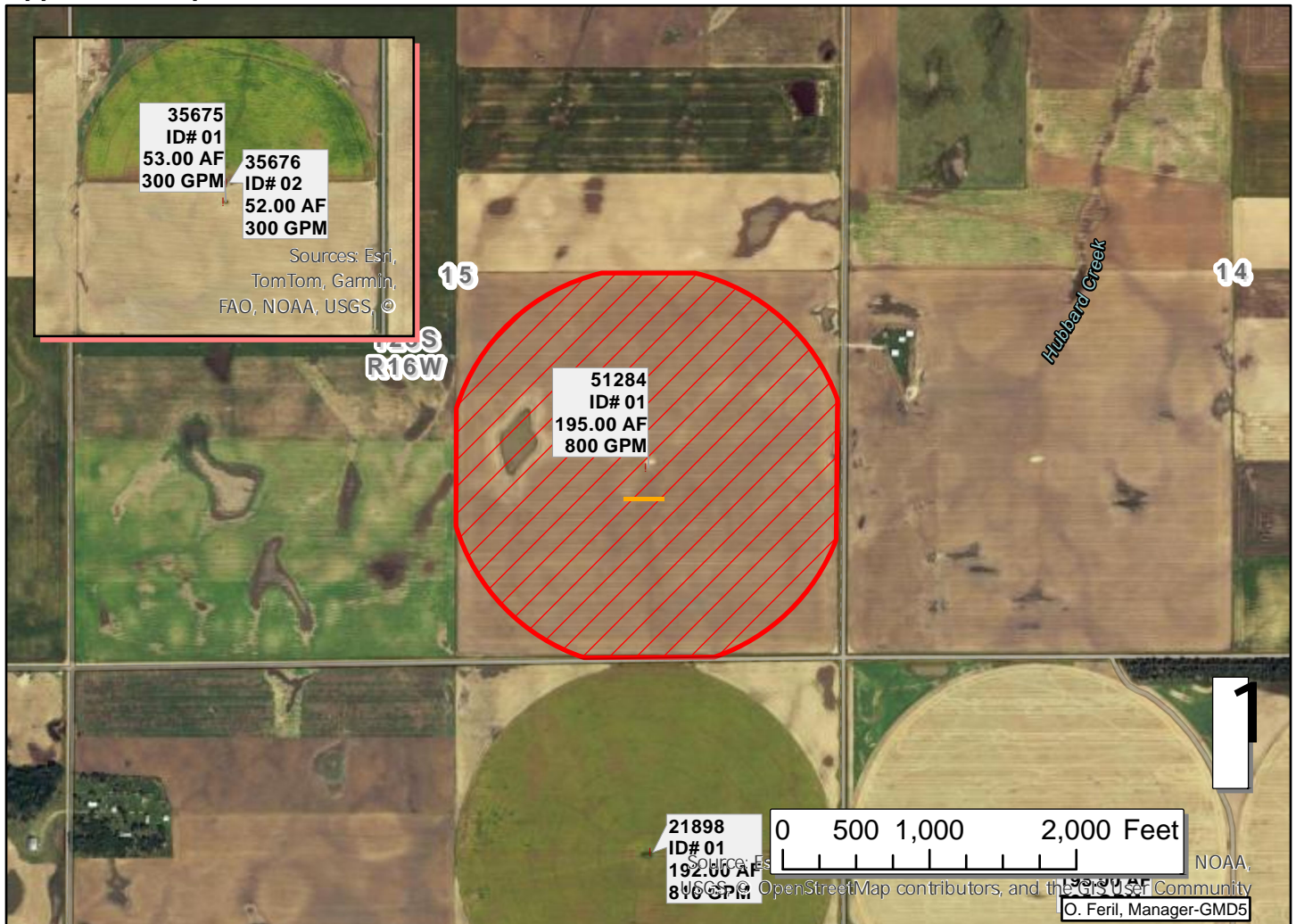
Authorized Acre-Feet: WR 19937 27419 32028 35675 35676 35677 Offset: 661 AF Authorized Gallons/Min: WR 19937 27419 32028 35675 35676 35677 Offset: 3070 GPM Authorized Point of Div: Various in 33-44% Response Zones

Proposed Acre-Feet: 661 AF total 51284 - 195 AF Proposed Gallons/Min: 3070 GPM total 51284 - 800 GPM Proposed Point of Div: 1320'N, 1320'W

Requested Waiver of Rule and Regulation: KAR 5-25-22 - Movement of WR affecting streamflow at RSC

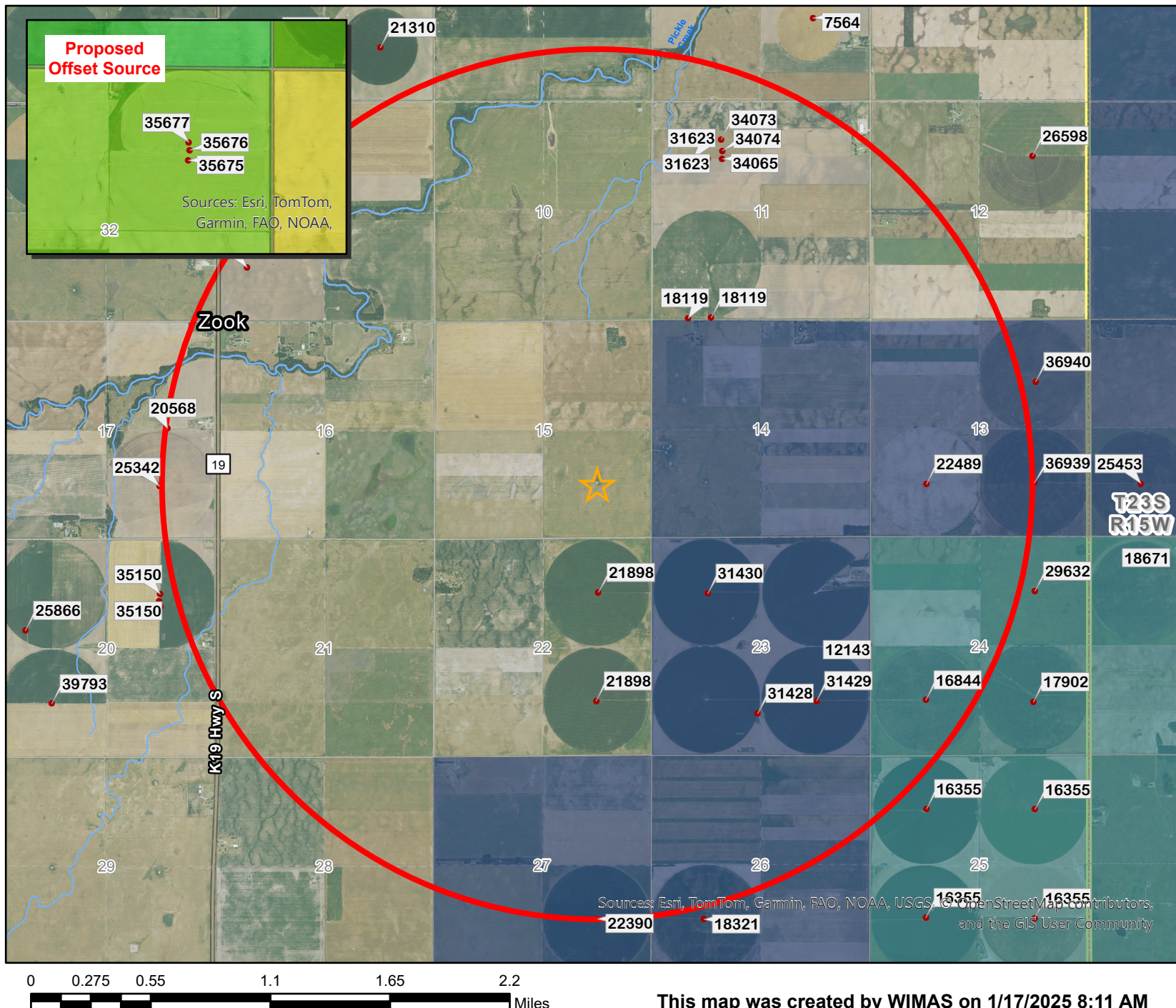
Staff Background: This application is one of five proposing to retire six water rights in the 33-44% response zones. The cumulative impact for all five new water rights as expressed in percent of average streamflow is a positive 0.79% for Rattlesnake Creek at Zenith and a negative 0.02% for Arkansas River at Larned. Based on coordination with KDA-DWR technical staff and Balleau Groundwater staff, these impacts are reasonable and not anticipated to cause impairment of existing water rights. This application is requesting to install and irrigate 130 ac in the SE 1/4 of section 15. The District's initial K.A.R. 5-25-22 evaluation is attached. The application does not meet subsection (a)(7) of K.A.R. 5-25-22.

Staff Recommendation: **Recommend waiver of K.A.R. 5-25-22 and recommend approval of the application as presented.**



K.A.R. 5-25-22 Evaluation

Proposed Location: NC SE 15-23S-16W @ 1320'N, 1320'W from SE corner



Legend

Point of Diversion

- ★ G_IND
- G_IRR
- ▲ G_MUN
- ▢ G_REC

Response Zone

- < 10.00 %
- 10.01 - 20.00 %
- 20.01 - 30.00 %
- 30.01 - 40.00 %
- 40.01 - 50.00 %
- 50.01 - 60.00 %
- 60.01 - 70.00 %
- 70.01 - 80.00 %
- > 80.01 %

K.A.R. 5-25-22 Criteria

Response Difference

44.0% - 5% = 39.0%

Saturated Thickness

61 ft

Water Level Change

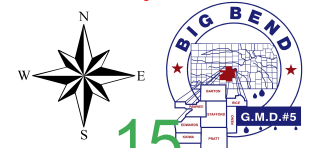
19 ft = 0.96 %

Authorized Quantity

2269 AF

Compliance Check

**Does not
meet requirements**



This map was created by WIMAS on 1/17/2025 8:11 AM

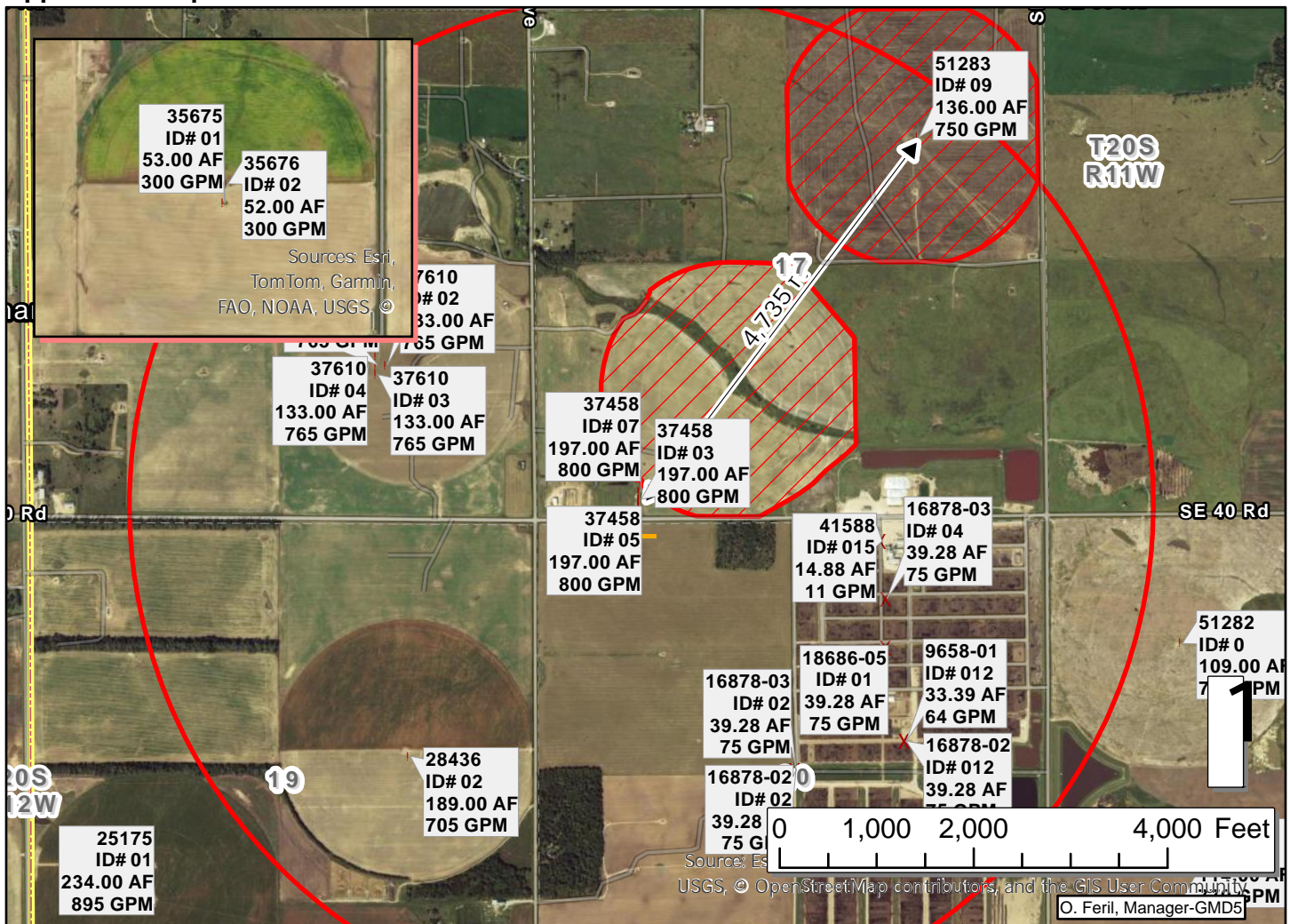
Big Bend Groundwater Management District #5

Board Review Worksheet

Application File # 51343 Applicant: ILS FarmsLegal Description: SW SW SW Section: 17 Township: 20S Range: 11WCounty: Barton Location from nearest town/city: 3.5 miles south of EllinwoodSustainable Yield: (Two-Mile Area) 2543 AF Depth to Water: +/- 10 ft Historical Water Level Change: +/- 2 ftAuthorized Acre-Feet: WR 19937 27419 32028 35675 35676 35677 Offset: 661 AF Authorized Gallons/Min: WR 19937 27419 32028 35675 35676 35677 Offset: 3070 GPM Authorized Point of Div: Various in 33-44% Response ZonesProposed Acre-Feet: 661 AF total 51343 - 107 AF Proposed Gallons/Min: 3070 GPM total 51343 - 725 GPM Proposed Point of Div: 252'N, 4238'WRequested Waiver of Rule and Regulation: KAR 5-25-22 - Movement of WR affecting streamflow at RSC

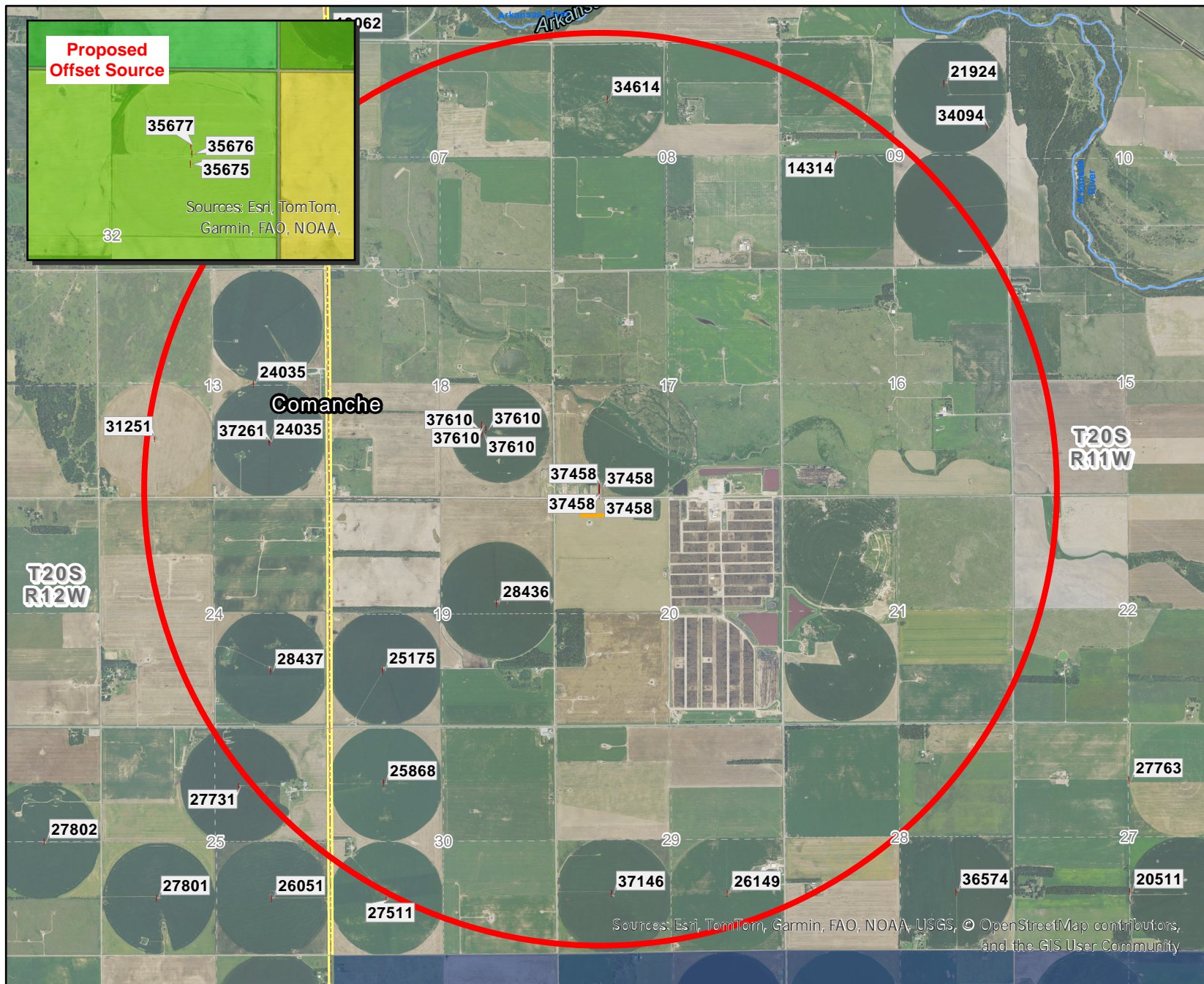
Staff Background: This application is one of five proposing to retire six water rights in the 33-44% response zones. The cumulative impact for all five new water rights as expressed in percent of average streamflow is a positive 0.79% for Rattlesnake Creek at Zenith and a negative 0.02% for Arkansas River at Larned. Based on coordination with KDA-DWR technical staff and Balleau Groundwater staff, these impacts are reasonable and not anticipated to cause impairment of existing water rights. This application is requesting to overlap the point of diversion and place of use for water right file number 37458 in section 17. The District's initial K.A.R. 5-25-22 evaluation is attached. The application does not meet subsections (a)(7) and (a)(8) of K.A.R. 5-25-22.

Staff Recommendation: **Recommend waiver of K.A.R. 5-25-22 and recommend approval of the application as presented.**



K.A.R. 5-25-22 Evaluation

Proposed Location: SW SW SW 17-20S-11W @ 252'N, 4238'W from SE corner



Legend

Point of Diversion

- ^ G_IND
- | G_IRR
- # G_MUN
- h G_REC

Response Zone

- < 10.00 %
- 10.01 - 20.00 %
- 20.01 - 30.00 %
- 30.01 - 40.00 %
- 40.01 - 50.00 %
- 50.01 - 60.00 %
- 60.01 - 70.00 %
- 70.01 - 80.00 %
- > 80.01 %

K.A.R. 5-25-22 Criteria

Response Difference

44.0% - <1 % = 44.0%

Saturated Thickness

105 ft

Water Level Change

2 ft = 0.12 %

Authorized Quantity

2543.45 AF

Compliance Check

Does not meet requirements



17

0 0.275 0.55 1.1 1.65 2.2 Miles

This map was created by WIMAS on 1/17/2025 8:19 AM

Big Bend Groundwater Management District #5

Board Review Worksheet

Application File # 51241 Applicant: Lawrence Debes

Legal Description: NC NE Section: 10 Township: 25S Range: 12W

County: Stafford Location from nearest town/city: 5 miles south of Stafford

Sustainable Yield: (Two-Mile Area) 2264 AF Depth to Water: +/- 20 ft Historical Water Level Change: +/- 1 ft

Authorized Acre-Feet: WR 35140 Offset: 198 AF Authorized Gallons/Min: WR 35140 Offset: 915 GPM Authorized Point of Div: 3950'N, 1300'W 25-22S-13W 50.85 % Response

Proposed Acre-Feet: 64.8 AF Proposed Gallons/Min: 748 GPM Proposed Point of Div: 3960'N, 1346'W 10-25S-12W 9.51 % Response

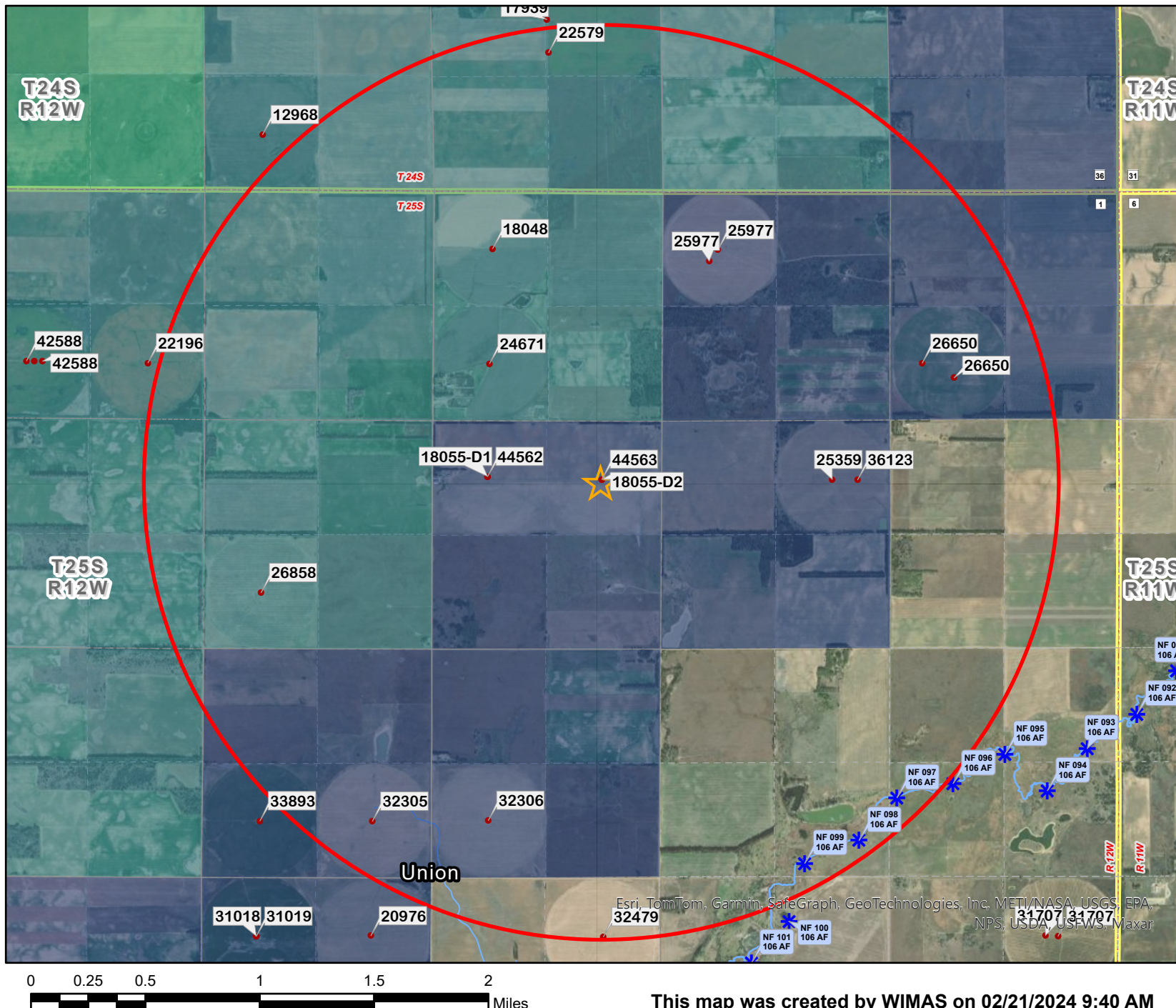
Requested Waiver of Rule and Regulation: KAR 5-25-22 - Movement of WR affecting streamflow at RSC

Staff Background: This application is one of two proposing to retire one water right with 50.85 % response. The cumulative impact for both new water rights as expressed in percent of average streamflow is a positive 0.15% for Rattlesnake Creek at Macksville and a negative 0.21% for NF Ninnescah River at Arlington. Based on coordination with KDA-DWR staff and Balleau GW staff, these impacts are reasonable and not anticipated to cause impairment of existing water rights. This application is requesting to overlap the point of diversion and place of use for WR numbers 18055-D2 and 44563 in section 10. The District's initial K.A.R. 5-25-22 evaluation is attached. The application does not meet subsections (a)(7) and (a)(8) of K.A.R. 5-25-22.

Staff Recommendation: **Recommend waiver of K.A.R. 5-25-22 and recommend approval of the application as presented.**



Proposed Location: NC NE 10-25S-12W @ 3960'N, 1346'W from SE corner












Legend

Point of Diversion

- ★ G_IND
- G_IRR
- ▲ G_MUN
- 📄 G_REC
- ✳️ Streamflow Node

Response Zone

-  < 10.00 %
 10.01 - 20.00 %
 20.01 - 30.00 %
 30.01 - 40.00 %
 40.01 - 50.00 %
 50.01 - 60.00 %
 60.01 - 70.00 %
 70.01 - 80.00 %
 > 80.01 %

K.A.R. 5-25-22 Criteria

Response Difference

$$50.85 \% - 9.51 \% = 41.34\%$$

Saturated Thickness

102 ft

Water Level Change

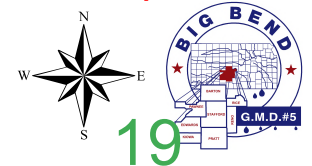
0.4 ft = <1 %

Authorized Quantity

2,264 AF

Compliance Check

**Does not
meet requirements**



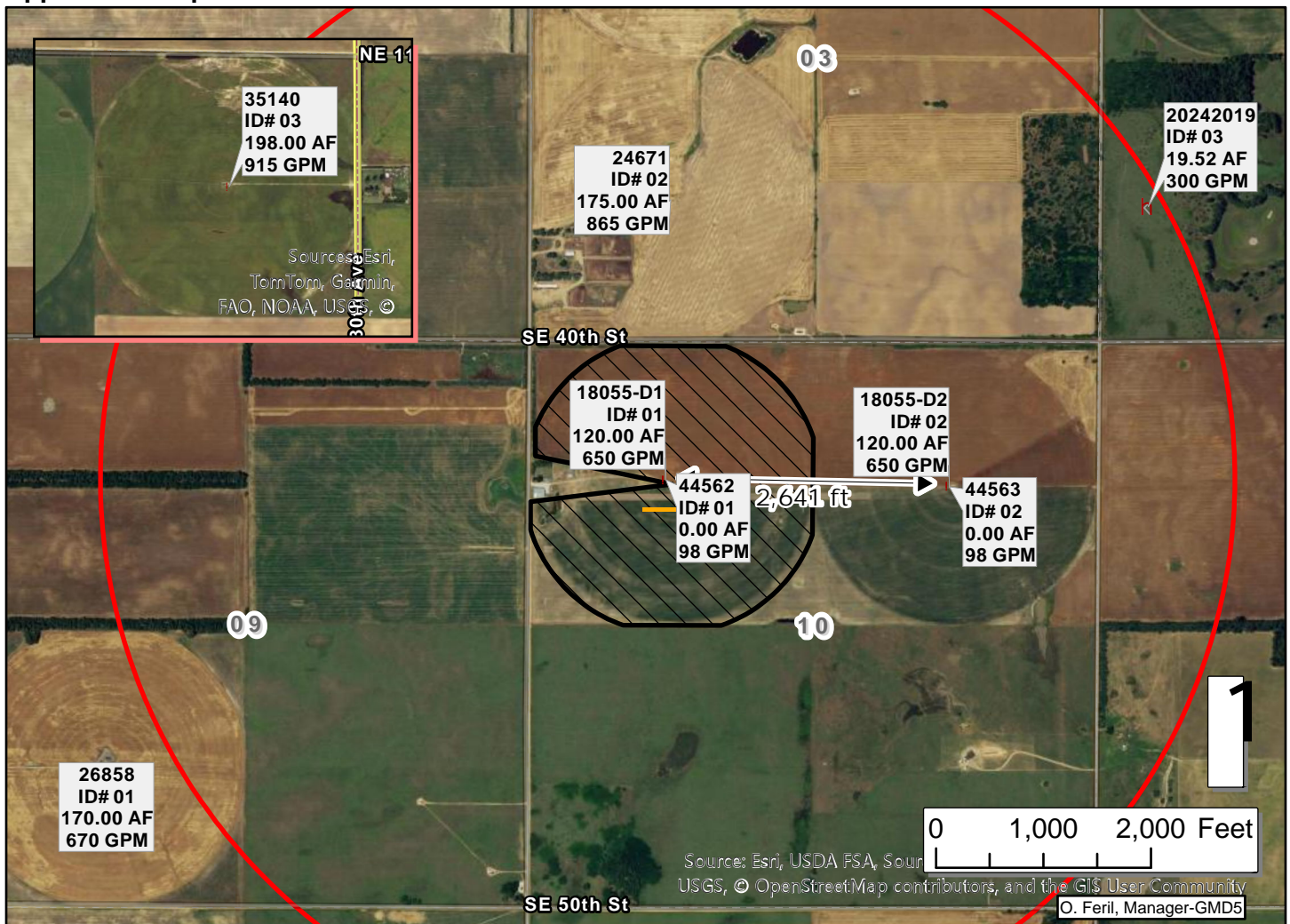
Big Bend Groundwater Management District #5

Board Review Worksheet

Application File # 51242 Applicant: Lawrence DebesLegal Description: NC NW Section: 10 Township: 25S Range: 12WCounty: Stafford Location from nearest town/city: 5 miles south of StaffordSustainable Yield: (Two-Mile Area) 2174 AF Depth to Water: +/- 20 ft Historical Water Level Change: +/- 1 ftAuthorized Acre-Feet: WR 35140 Offset: 198 AF Authorized Gallons/Min: WR 35140 Offset: 915 GPM Authorized Point of Div: 3950'N, 1300'W 25-22S-13W 50.85 % ResponseProposed Acre-Feet: 57.8 AF Proposed Gallons/Min: 748 GPM Proposed Point of Div: 4010'N, 3985'W 10-25S-12W 9.51 % ResponseRequested Waiver of Rule and Regulation: KAR 5-25-22 - Movement of WR affecting streamflow at RSC

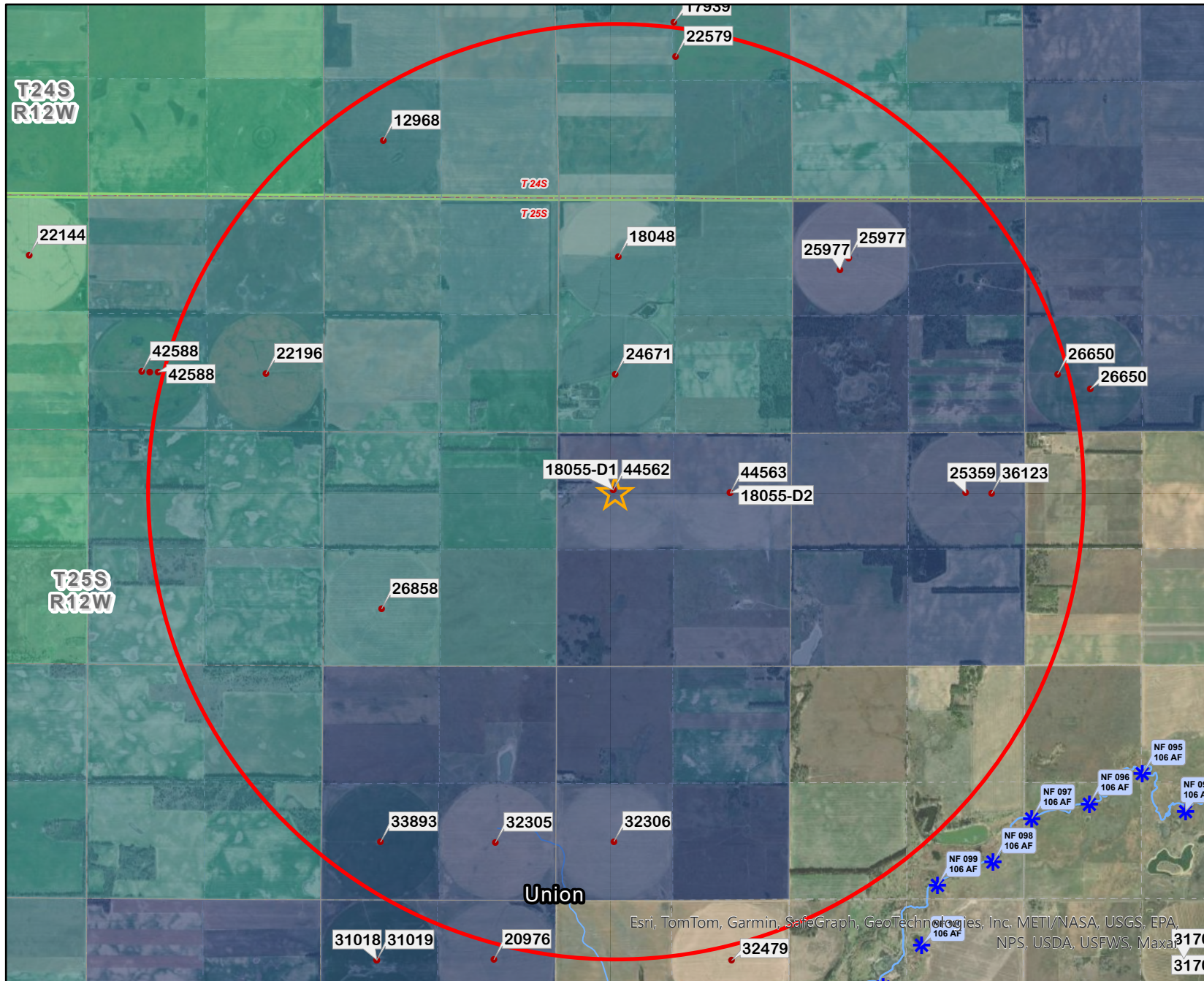
Staff Background: This application is one of two proposing to retire one water right with 50.85 % response. The cumulative impact for both new water rights as expressed in percent of average streamflow is a positive 0.15% for Rattlesnake Creek at Macksville and a negative 0.21% for NF Ninnescah River at Arlington. Based on coordination with KDA-DWR staff and Balleau GW staff, these impacts are reasonable and not anticipated to cause impairment of existing water rights. This application is requesting to overlap the point of diversion and place of use for WR numbers 18055-D1 and 44562 in section 10. The District's initial K.A.R. 5-25-22 evaluation is attached. The application does not meet subsections (a)(7) and (a)(8) of K.A.R. 5-25-22.

Staff Recommendation: **Recommend waiver of K.A.R. 5-25-22 and recommend approval of the application as presented.**



K.A.R. 5-25-22 Evaluation

Proposed Location: NC NW 10-25S-12W @ 4010'N, 3985'W from SE corner



Legend

Point of Diversion

- ★ G_IND
- G_IRR
- ▲ G_MUN
- ▢ G_REC
- * Streamflow Node

Response Zone

- < 10.00 %
- 10.01 - 20.00 %
- 20.01 - 30.00 %
- 30.01 - 40.00 %
- 40.01 - 50.00 %
- 50.01 - 60.00 %
- 60.01 - 70.00 %
- 70.01 - 80.00 %
- > 80.01 %

K.A.R. 5-25-22 Criteria

Response Difference

50.85 % - 9.51 % = 41.34 %

Saturated Thickness

108 ft

Water Level Change

0.4 ft = < 1 %

Authorized Quantity

2,174 AF

Compliance Check

Does not meet requirements



Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, USDA, USFWS, Maxar

This map was created by WIMAS on 02/21/2024 9:40 AM

Big Bend Groundwater Management District #5

Board Review Worksheet

Application File # 51277 Applicant: Darrell Wood

Legal Description: NC SE Section: 33 Township: 24S Range: 16W

County: Stafford Location from nearest town/city: 2 miles south of Belpre

Sustainable Yield: (Two-Mile Area) 3544 AF Depth to Water: +/- 35 ft Historical Water Level Change: +/- 20 ft

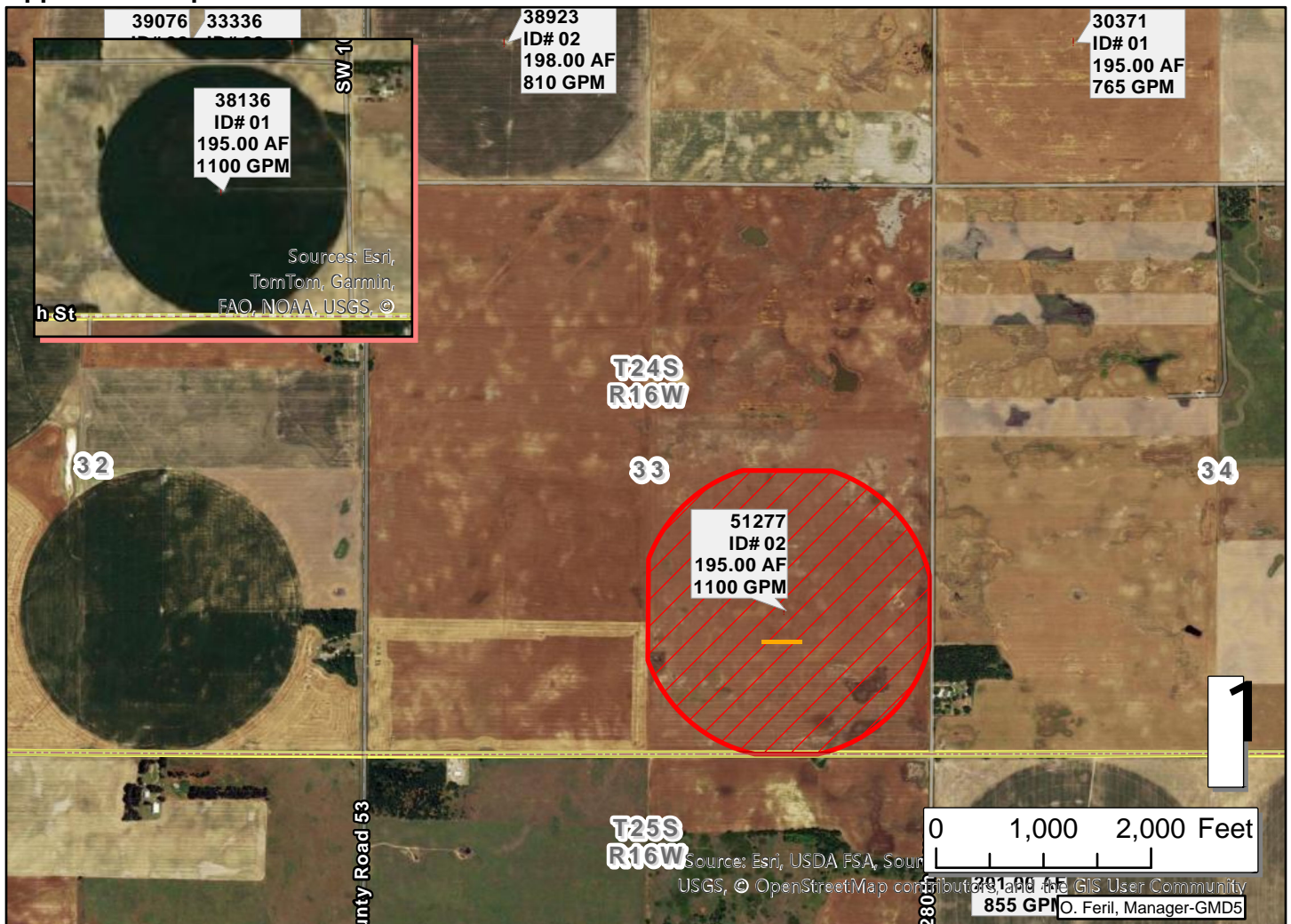
Authorized Acre-Feet: WR 38136 Offset: 195 AF Authorized Gallons/Min: WR 38136 Offset: 1100 GPM Authorized Point of Div: 1320'N, 1345'W 32-25S-15W 43.62 % Response

Proposed Acre-Feet: 195 AF Proposed Gallons/Min: 1100 GPM Proposed Point of Div: 1351'N, 1345'W 33-24S-16W 14.07 % Response

Requested Waiver of Rule and Regulation: KAR 5-25-22 - Movement of WR affecting streamflow at RSC

Staff Background: This application is proposing to retire one water right with 43.62 % response. The cumulative impact for the new water right as expressed in percent of average streamflow is a positive 2.27 % for Rattlesnake Creek at Macksville and a negative 0.01% for Arkansas River at Larned. Based on coordination with KDA-DWR staff and Balleau GW staff, these impacts are reasonable and not anticipated to cause impairment of existing water rights. This application is requesting to irrigate 130 ac in Section 33. The District's initial K.A.R. 5-25-22 evaluation is attached. The application does not meet subsections (a)(4) and (a) (7) of K.A.R. 5-25-22. There was one comment received from nearby landowners (attached).

Staff Recommendation: **Recommend waiver of K.A.R. 5-25-22 and recommend approval of the application as presented.**



From: "Itzel Garcia" <itzelgarcias@yahoo.com>
Sent: Thu 12/19/2024 2:19 PM
To: "Anhold, Christa [KDA]" <Christa.Anhold@ks.gov>
Subject: File No. 51,277 - 1286 280th Ave Belpre, Ks

EXTERNAL: This email originated from outside of the organization. Do not click any links or open any attachments unless you trust the sender and know the content is safe.

Hi Christa,

Just following up with information that was needed after our phone call today regarding Darrell Wood's water well application. As I mentioned in the phone call, we would like the department of agriculture to consider the negative impact it would have on our farm. On our farm, the farmhouse is occupied by my family full time, therefore we do use our water well pretty regularly. We also have several farm animals that we raise and utilize the water well for. Below is a list of the number and type of animals we have.

Horses: 5
Cattle: 15
Chickens: 40
Dogs: 3
Cats: 4

We are worried the water well Mr. Wood is applying for his field will contaminate the water we use on our farm affecting our daily life. We are also concerned that it would affect the pressure of our water or significantly lower our supply of water.

We hope the department of agriculture will take our concerns into consideration. Please contact me at 620-233-0056 if you need additional information.

Thank you,
Itzel Garcia

K.A.R. 5-25-22 Evaluation

Proposed Location: NC SE 33-24S-16W @ 1320'N, 1320'W from SE corner



Legend

Point of Diversion

- ^ G_IND
- | G_IRR
- # G_MUN
- h G_REC
- k Streamflow Node

Response Zone

- < 10.00 %
- 10.01 - 20.00 %
- 20.01 - 30.00 %
- 30.01 - 40.00 %
- 40.01 - 50.00 %
- 50.01 - 60.00 %
- 60.01 - 70.00 %
- 70.01 - 80.00 %
- > 80.01 %

K.A.R. 5-25-22 Criteria

Response Difference
43.62 - 14.07 % = **29.55 %**

Saturated Thickness
142.9 ft

Water Level Change
23 ft = 1.12 %

Authorized Quantity
3,544 AF

Compliance Check
Does not meet requirements



Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, USDA, USFWS

This map was created by WIMAS on 7/17/2024 11:58 AM

Big Bend Groundwater Management District #5

Board Review Worksheet

Application File # 51310 Applicant: Jamie Weeks

Legal Description: SE NW SW Section: 06 Township: 24S Range: 16W

County: Edwards Location from nearest town/city: 2.75 miles north of Belpre

Sustainable Yield: (Two-Mile Area) 3908 AF Depth to Water: +/- 20 ft Historical Water Level Change: +/- 15 ft

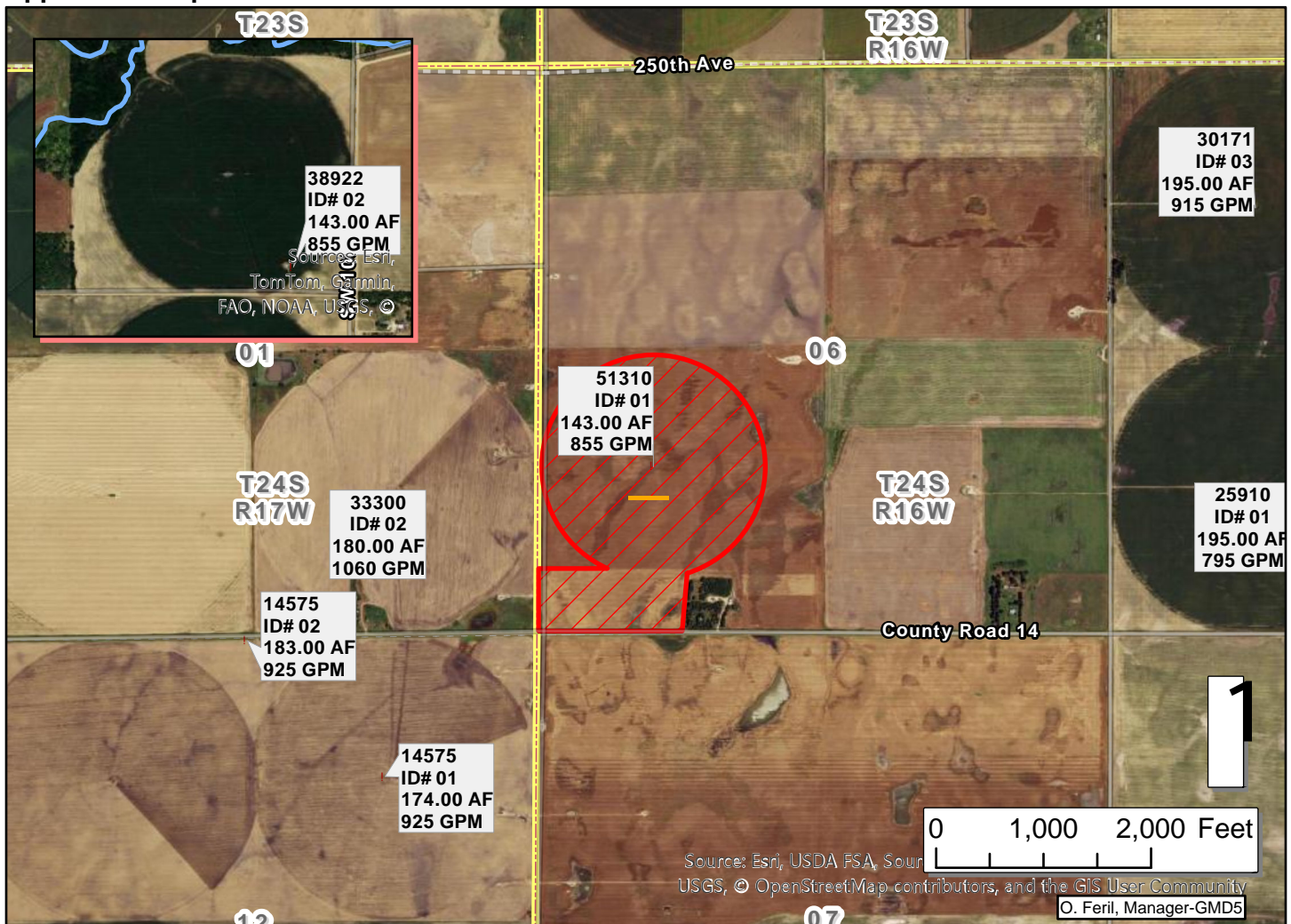
Authorized Acre-Feet: WR 38922 Offset: 143 AF Authorized Gallons/Min: WR 38922 Offset: 855 GPM Authorized Point of Div: 2905'N, 590'W 32-25S-15W 38.87 % Response

Proposed Acre-Feet: 143 AF Proposed Gallons/Min: 855 GPM Proposed Point of Div: 1565'N, 4230'W 06-24S-16W 0.00 % Response

Requested Waiver of Rule and Regulation: KAR 5-25-22 - Movement of WR affecting streamflow at RSC

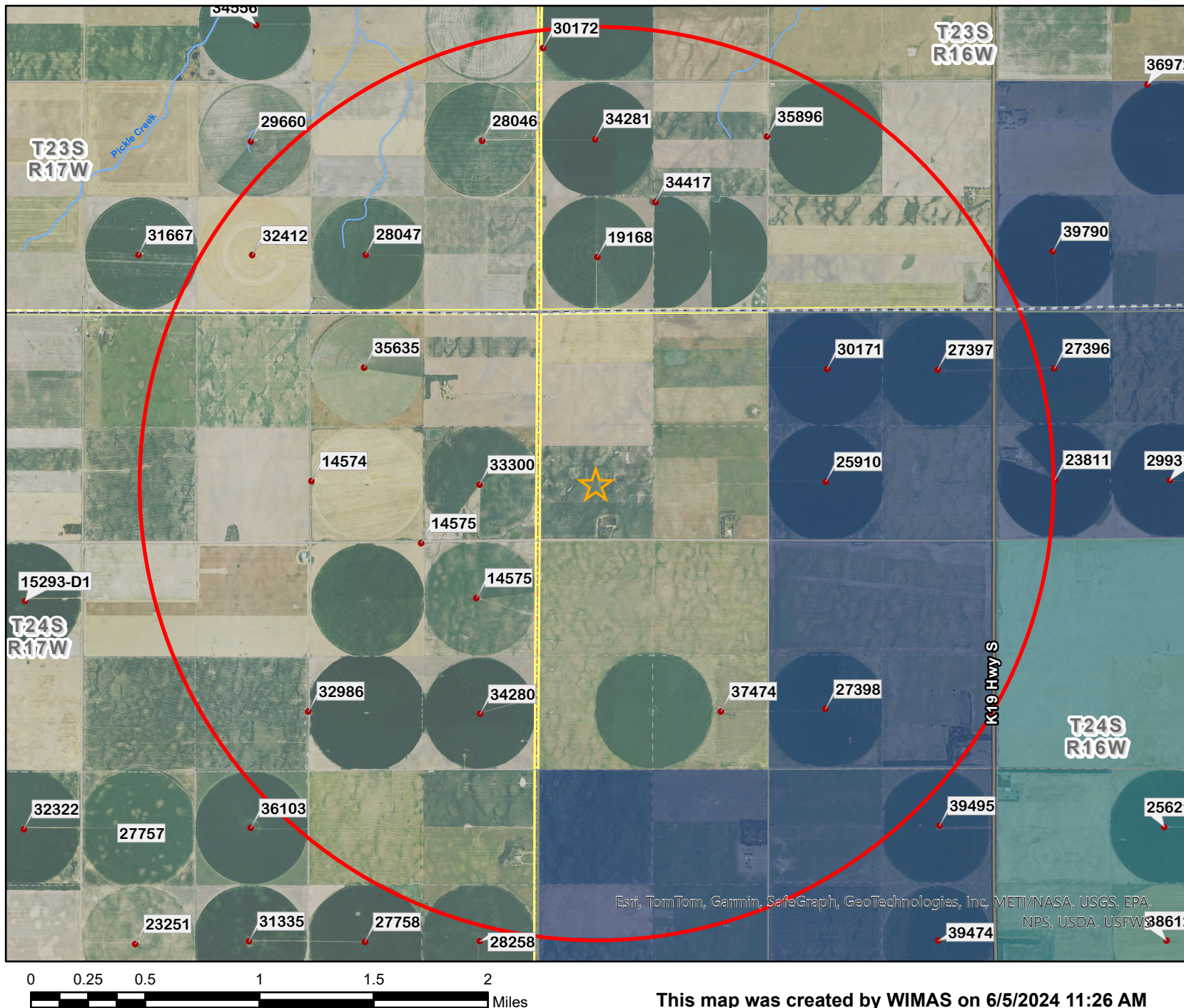
Staff Background: This application is proposing to retire one water right with 38.87 % response. The cumulative impact for the new water right as expressed in percent of average streamflow is a positive 2.23 % for Rattlesnake Creek at Macksville and a negative 0.02% for Arkansas River at Larned. Based on coordination with KDA-DWR staff and Balleau GW staff, these impacts are reasonable and not anticipated to cause impairment of existing water rights. This application is requested to irrigate 100 ac in Section 6. The District's initial K.A.R. 5-25-22 evaluation is attached. The application does not meet subsections (a)(1) and (a) (7) of K.A.R. 5-25-22.

Staff Recommendation: **Recommend waiver of K.A.R. 5-25-22 and recommend approval of the application as presented.**



K.A.R. 5-25-22 Evaluation

Proposed Location: NC SW 06-24S-16W @ 1320'N, 3960'W from SE corner



Legend

Point of Diversion

- ★ G_IND
- G_IRR
- ▲ G_MUN
- ▢ G_REC
- ✳ Streamflow Node

Response Zone

- < 10.00 %
- 10.01 - 20.00 %
- 20.01 - 30.00 %
- 30.01 - 40.00 %
- 40.01 - 50.00 %
- 50.01 - 60.00 %
- 60.01 - 70.00 %
- 70.01 - 80.00 %
- > 80.01 %

K.A.R. 5-25-22 Criteria

Response Difference
38.87 - 0.00 % = 38.87 %

Saturated Thickness
88.9 ft

Water Level Change
15 ft = 1.14 %

Authorized Quantity
3,908 AF

Compliance Check
Does not meet requirements



This map was created by WIMAS on 6/5/2024 11:26 AM

Big Bend Groundwater Management District #5

Board Review Worksheet

Application File # 51254 Applicant: FBFJ LLC, Attn: Victor Slade

Legal Description: NW SW SW Section: 02 Township: 25S Range: 12W

County: Stafford Location from nearest town/city: 4 miles south of Stafford

Sustainable Yield: (Two-Mile Area) 1566 AF Depth to Water: +/- 20 ft Historical Water Level Change: +/- 1 ft

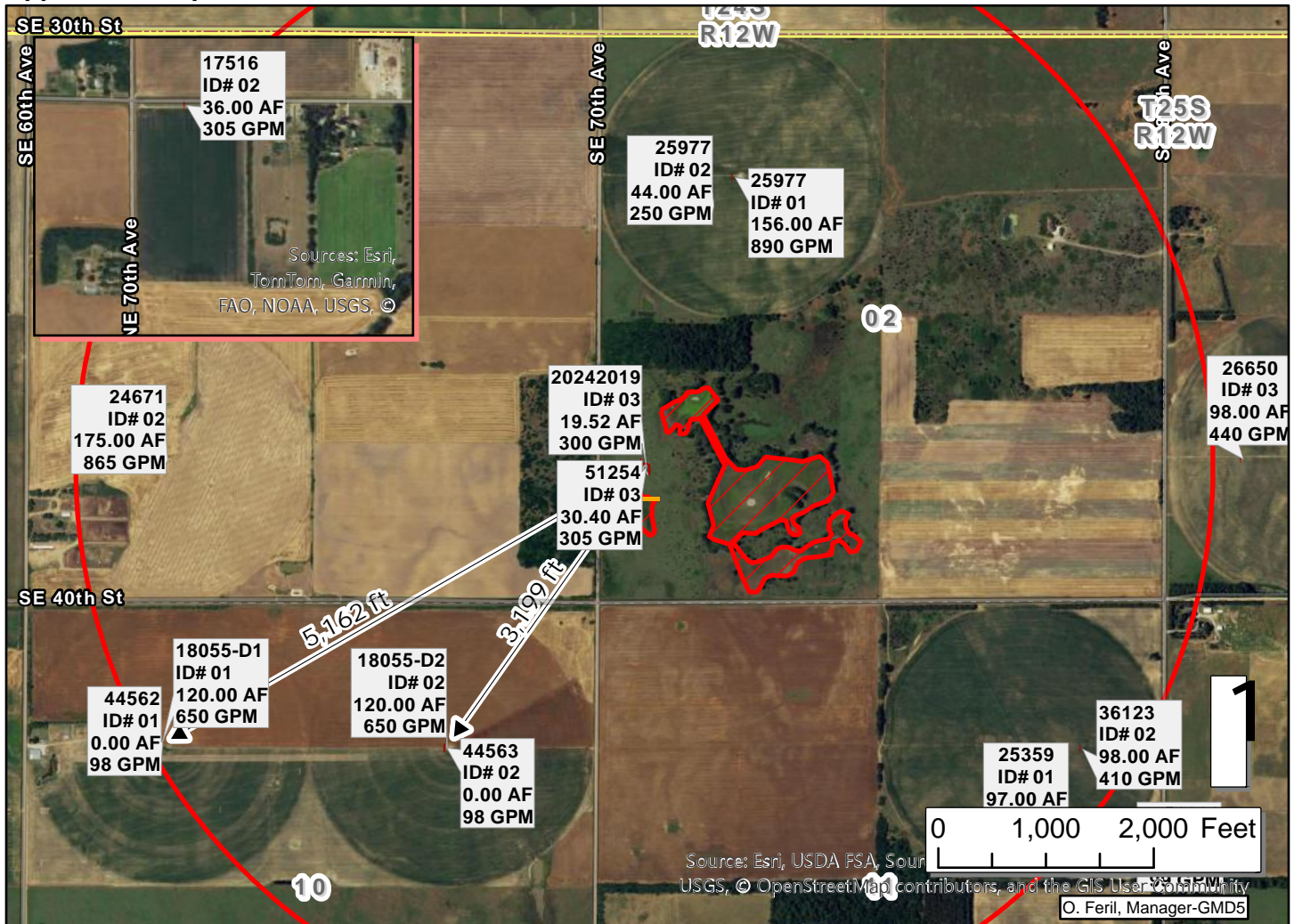
Authorized Acre-Feet: WR 17516 Offset: 36 AF Authorized Gallons/Min: WR 17516 Offset: 305 GPM Authorized Point of Div: 2600'N, 4830'W 14-24S-12W 15.04 % Response

Proposed Acre-Feet: 30.4 AF Proposed Gallons/Min: 305 GPM Proposed Point of Div: 1280'N, 4795'W 02-25S-12W 7.83 % Response

Requested Waiver of Rule and Regulation: KAR 5-25-22 - Movement of WR affecting streamflow at RSC

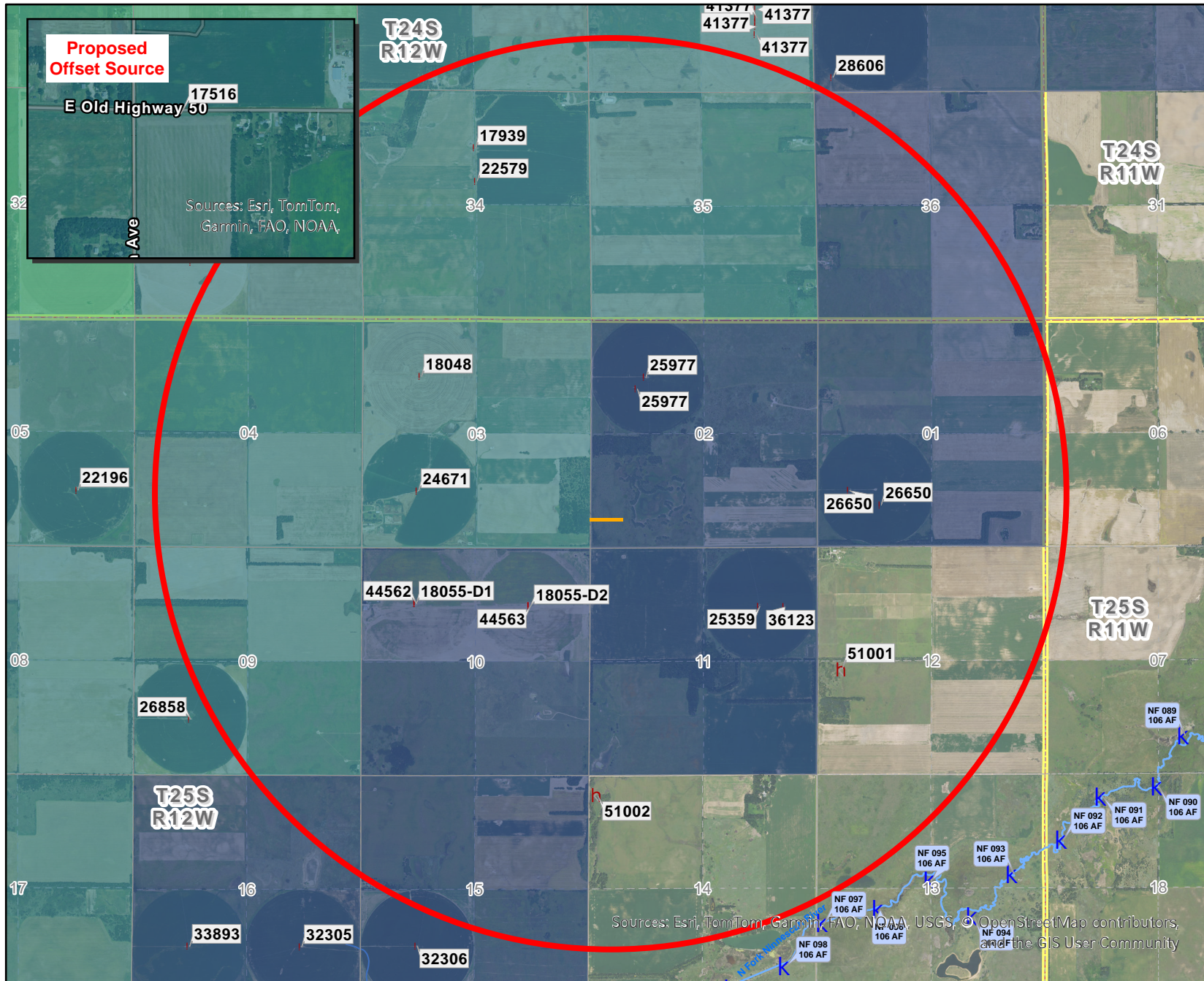
Staff Background: This application is proposing to retire one water right with 15.04 % response. The cumulative impact for the new water right as expressed in percent of average streamflow is a positive 0.22 % for Rattlesnake Creek at Macksville and a negative 0.02% for NF Ninnescah River at Arlington. Based on coordination with KDA-DWR staff and Balleau GW staff, these impacts are reasonable and not anticipated to cause impairment of existing water rights. This application is requested for recreation use for a 28 ac pond in Section 2. The District's initial K.A.R. 5-25-22 evaluation is attached. The application does not meet subsections (a)(1), (a)(4), (a)(7), and (a)(8) of K.A.R. 5-25-22.

Staff Recommendation: **Recommend waiver of K.A.R. 5-25-22 and recommend approval of the application as presented.**



K.A.R. 5-25-22 Evaluation

Proposed Location: NW SW SW 02-25S-12W @ 1280'N, 4795'W from SE corner



Legend

Point of Diversion

- ^ G_IND
- | G_IRR
- # G_MUN
- h G_REC
- k Streamflow Node

Response Zone

- < 10.00 %
- 10.01 - 20.00 %
- 20.01 - 30.00 %
- 30.01 - 40.00 %
- 40.01 - 50.00 %
- 50.01 - 60.00 %
- 60.01 - 70.00 %
- 70.01 - 80.00 %
- > 80.01 %

K.A.R. 5-25-22 Criteria

Response Difference

15.04 % - 7.83 % = 7.21 %

Saturated Thickness

104 ft

Water Level Change

0.4 ft = < 1 %

Authorized Quantity

1566 AF

Compliance Check

Does not meet requirements



FY 2025 Irrigation Technology Initiative – GMD #5

This agreement is made between the Division of Conservation, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, KS 66502 (KDA/DOC) and Big Bend Groundwater Management District #5, 125 S. Main Street, Stafford, KS 67578 (GMD 5), collectively the “Parties”.

WHEREAS, the purpose of this agreement is to promote and enhance the use of irrigation system assessments and crop uniformity evaluation packets as a management and decision making tools that support the water conservation efforts of the state of Kansas; and

WHEREAS, GMD 5 is working with KDA/DOC, conservation districts, and other state agencies to promote the education and implementation of water saving practices in Kansas; and

WHEREAS, KDA/DOC has budgeted funds to provide assessments and crop uniformity evaluation packet incentive payments for eligible landowners/operators with irrigated land located within the boundaries of GMD 5; then

THEREFORE, the Parties hereto agree as follows:

1. RESPONSIBILITIES OF GMD 5

GMD 5 will take applications, determine eligibility, and approve irrigation system assessments and crop uniformity evaluation packet incentive payments based upon ranking criteria which can include:

- Land located within the boundaries of GMD 5
- Land Located in an active IGUCA (Intensive Groundwater Use Control Area)
- Land Located in a NRCS Source Water Protection Priority Area
- Land Located in an active LEMA (Local Enhanced Management Area)
- Land Located in an active WCA (Water Conservation Area)
- Other ranking criteria deemed necessary by the GMD 5 Board

GMD 5 will provide irrigation system assessments and/or crop uniformity evaluation packet incentive payments to eligible applicants based on established ranking criteria and available funding by utilizing GMD 5 employees or a KDA/DOC approved contractor. All data from the irrigation system evaluations will be kept in a file at the GMD 5 office to be used in consultation with landowners/operators wishing to participate in additional cost-share programs including but not limited to the High Plains Aquifer RCPP Project.

GMD 5 will provide invoices that include an attached list of all completed irrigation system assessments and crop uniformity evaluation packet incentive payments for each month to the KDA/DOC. The attached lists should include the landowner/operator name, legal description of the irrigation system, date of assessment, the entity that performed the evaluation, and date of completion for the crop uniformity evaluation packet. The final invoice for state fiscal year 2025 must be sent to the KDA/DOC by May 16, 2025.

GMD 5 may enter into agreements with conservation districts within the boundaries of GMD 5 as determined necessary by GMD 5 and the applicable conservation districts. Conservation districts may be utilized to accept and forward irrigation system assessments and/or crop uniformity evaluation packet information to GMD 5.

3. RESPONSIBILITIES OF DOC

KDA/DOC staff will be responsible for delivering project guidance, necessary forms, and any necessary administrative training for the initiative to GMD 5.

4. PAYMENT

KDA/DOC agrees to pay a total up to \$150,000.00 to GMD 5 under this agreement. KDA/DOC agrees to pay \$2,500.00 to GMD 5 for each approved completed irrigation system assessment. KDA/DOC agrees to pay \$500.00 to GMD 5 for each approved completed crop uniformity evaluation packet. KDA/DOC agrees to pay up to \$15,000.00 for administrative costs associated with this agreement to GMD 5.

Payments made to GMD 5 are limited to a total of \$150,000.00. Itemized invoices for work completed under the terms of this agreement should be sent to:

**Attention: Assistant Director
Kansas Department of Agriculture
Division of Conservation
1320 Research Park Drive
Manhattan, Kansas 66502**

Payments will be due and payable sixty (60) calendar days following KDA/DOC's approval of the invoice from GMD 5. No payment will be remitted unless and until the appropriate completed component of work has been received and approved by KDA/DOC.

Notwithstanding any modification/termination/suspension of contract under Paragraph 6 hereof, KDA/DOC will pay GMD 5 all invoices approved within the time limit listed in this Paragraph 4. KDA/DOC will pay all invoices submitted following such modification/termination/suspension which have not yet been approved but which meet all criteria to justify approval by KDA/DOC.

5. EFFECTIVE DATES

This agreement shall be in force from 03/10/2025 until 12/31/2025.

6. MODIFICATION / TERMINATION / SUSPENSION OF CONTRACT

A. Modifications to this agreement may be adopted by written consent of the parties.

B. KDA/DOC may terminate this agreement in whole or in part if it determines that GMD 5 has failed to comply with any of the conditions of the agreement. KDA/DOC shall promptly notify GMD 5 in writing of the determination and reasons for the termination, together with the effective date. Payments made by, or recoveries made by, KDA/DOC under this termination provision shall be in accord with the legal rights and liabilities of the KDA/DOC and GMD 5.

C. This agreement may be temporarily suspended by KDA/DOC if it determines that corrective action by GMD 5 is needed to meet its conditions. Further, KDA/DOC may suspend this agreement when it is evident that a termination is pending.

D. KDA/DOC may terminate this agreement in the event that program funding is rescinded, lapsed, or reduced by actions of the agency, the Governor, or the Kansas Legislature. KDA/DOC will notify GMD 5 30 days prior to termination of the existing agreement.

7. CONTACT PERSONS

The Parties shall designate a contact person to facilitate communication for purposes of administering this agreement. The designated contact person may be changed by either party at any time by sending notice of such change, via first class mail, to the appropriate party at the address first given above.

Contact persons for the purpose of this agreement will be:

Division of Conservation

Name: David Jones

Address: 1320 Research Park Drive, Manhattan, KS 66502-5000

Phone: (785) 564-6623

E-mail: david.jones@ks.gov

Big Bend Groundwater Management District #5

Name: Orrin Feril

Address: 125 S. Main Street, Stafford, KS 67578

Phone: (620) 234-5352

E-mail: oferil@gmd5.org

8. OWNERSHIP OF MATERIALS, DOCUMENTS, ETC.

All reports, information, data, photos, documents, procedures, descriptions and work flows accumulated, developed or acquired by GMD 5 under the terms of this agreement shall be jointly owned by the parties.

9. ACKNOWLEDGMENTS

Each article, newsletter and/or report written for, about or resulting from this agreement shall acknowledge the following: "This project is funded "in-part" by the State of Kansas Water Plan Fund."

10. ASSIGNMENT

Neither KDA/DOC nor GMD 5 may assign or transfer any rights, duties or obligations under this Agreement, in whole or in part, without the prior written consent of the other party. This Agreement shall inure to the benefit of, and be binding upon, the Parties hereto and their respective successors and permitted assigns. There are no intentional or unintentional third-party beneficiaries.

11. MERGER CLAUSE

This Agreement, together with all attachments, appendices, and exhibits referred to herein, encompasses the entire agreement of the parties, and supersedes any and all previous agreements between the parties, whether oral or written, with respect to the operations referred to in this Agreement. Any modifications to the provisions of this Agreement must be in writing and signed by the Parties' authorized representatives.

12. SAVINGS CLAUSE

Should any provision(s) of this Agreement be deemed invalid, ineffective, or unenforceable under present or future laws, the remainder of the provisions shall remain in full force and effect and shall in no way be affected, impaired or invalidated.

13. LIABILITY

No party shall be responsible for any expenses, damages, or liability arising directly or indirectly from the negligent or wrongful acts of any other party, its officers, employees, agents, and/or other representatives regarding the subject matter of this Agreement. Claims against KDA/DOC are subject to and may be pursued in accordance with the provisions of the Kansas Tort Claims Act as applicable.

14. INDEPENDENT PARTIES

For purposes of this Agreement, the Parties are independent contractors. No party may be considered an agent or employee of any other party. No party shall be deemed to have been engaged in a joint venture, partnership, or like relationship with any other party or any agency of the State of Kansas or the United States referenced herein as a result of this Agreement.

15. WAIVER

Failure of either party to insist upon strict compliance with any of the terms, covenants, or conditions of this Agreement shall not be deemed a waiver or relinquishment of such terms, covenants, or conditions, or of any similar right or power hereunder at any subsequent time.

16. CHOICE OF LAW

This Agreement shall be governed, interpreted, and construed in accordance with the laws of the State of Kansas, and the forum for any proceeding or suit, in law or equity, arising from this Agreement shall be in the Riley County (Kansas) District Court.

17. ADDITIONAL PROVISIONS

A. KANSAS CONTRACT PROVISIONS ATTACHMENT. The provisions found in Contractual Provisions Attachment A (Form DA-146a, Rev. 07-19), which is attached hereto, are hereby incorporated in this contract and made a part thereof.

B. HEADINGS. Headings used in this agreement are informational and not to be considered persuasive or determinative of any clause or matter in dispute.

18. SIGNATURES

All parties signing this agreement hereby attest to authorization as a signatory for the respective entities involved. This agreement is effective upon signatures by a duly authorized representative of each of the aforementioned parties.

Date _____

Orrin Feril, District Manager
Big Bend Groundwater Management District #5

Date _____

Steven K. Frost, Director
Division of Conservation
Kansas Department of Agriculture

Big Bend Groundwater Management District No. 5
Proposed FY2026 Financial Statement

	2022 Actual	2023 Actual	2024 Actual	2025 Adopted	2026 Proposed **
Cash January 1	2,943,917.13	3,839,550.00	4,209,449.33	3,423,194.47	3,223,096.68
Assessment Revenue	1,494,558.02	1,627,753.04	1,575,986.22	1,583,152.22	1,583,152.22
Interest	11,160.26	31,857.00	235,100.00	180,000.00	90,000.00
Reimbursements	314,866.03	452,245.46	353,828.76	400,000.00	500,000.00
Other	96,347.25	104,595.35	95,060.00	25,000.00	90,000.00
Total Revenue	4,860,848.69	6,056,000.85	6,469,424.31	5,611,346.68	5,486,248.90
<i>Salaries</i>	204,718.45	202,316.77	283,036.46	280,000.00	310,000.00
<i>Employee Benefits</i>	41,650.20	42,739.02	55,165.31	56,000.00	62,000.00
<i>Payroll Tax</i>	15,975.96	15,405.21	21,431.70	28,000.00	31,000.00
Personnel Services	262,344.61	260,461.00	332,489.00	364,000.00	403,000.00
<i>Travel & Conference</i>	9,474.93	16,154.00	12,805.00	18,000.00	20,000.00
<i>Printing & Publishing</i>	6,413.26	6,253.00	6,537.00	20,000.00	15,000.00
<i>Utilities</i>	7,966.15	7,058.00	6,448.00	15,000.00	15,000.00
<i>Field Equipment</i>	1,071.71	10,733.00	2,589.00	10,000.00	10,000.00
<i>Building Expense</i>	942.37	8,673.09	2,296.00	10,000.00	15,000.00
<i>Office Equipment</i>	9,492.88	4,559.18	5,161.00	5,000.00	10,000.00
<i>Office Supplies</i>	1,737.55	2,550.00	6,595.00	5,000.00	5,000.00
Administration	37,098.85	55,980.27	42,431.00	83,000.00	90,000.00
<i>Water Management</i>	115,686.64	697,859.00	161,414.00	1,000,000.00	1,000,000.00
<i>Professional Fees</i>	94,442.09	348,902.00	345,418.00	500,000.00	500,000.00
<i>Weather Stations</i>	13,578.68	17,615.00	11,417.00	19,000.00	22,000.00
<i>Insurance</i>	13,171.00	14,903.00	15,074.00	16,000.00	18,000.00
<i>Postage</i>	994.18	977.00	1,350.00	2,000.00	2,000.00
<i>Business Dinners</i>	1,181.67	1,330.00	1,754.00	1,500.00	2,000.00
<i>Other</i>	704.15	222.25	86.00	2,000.00	2,000.00
<i>Dues & Membership</i>	600.00	1,250.00	775.00	750.00	750.00
Other Expenses	240,358.41	1,083,058.25	537,288.00	1,541,250.00	1,546,750.00
<i>Watershed Planning</i>	481,496.84	447,052.00	195,496.00		500,000.00
<i>Misc. Cons. Programs</i>	-	-		400,000.00	400,000.00
<i>Water Bank</i>	-	-	-		
Projects / Grants	481,496.84	447,052.00	195,496.00	400,000.00	900,000.00
Contingency Reserve	-			3,223,096.68	2,546,498.90
Total Expenditures	1,021,298.71	1,846,551.52	1,107,704.00	5,611,346.68	5,486,248.90
ASSESSMENT BASE					
Land (ac)	2,265,219.20	2,265,764.31		2,265,764.31	2,265,764.31
Water (AF)	740,519.00	734,932.00		734,932.00	734,932.00
ASSESSMENT RATE					
Land (per ac)	0.05	0.05		0.05	0.05
Water (per AF)	2.00	2.00		2.00	2.00
Cash On Hand (Dec. 31)	3,900,444.02	4,209,449.33	5,361,720.31	3,223,096.68	2,546,498.90
** DRAFT					

BIG BEND GROUNDWATER MANAGEMENT DISTRICT NO. 5**ADOPTED 2025
BUDGET**

EXPENDITURES

PERSONNEL SERVICES

SALARIES	\$	280,000.00
EMPLOYEE BENEFITS	\$	56,000.00
PAYROLL TAXES	\$	28,000.00

ADMINISTRATION

PRINTING & PUBLICATIONS	\$	20,000.00
TRAVEL & CONFERENCE	\$	18,000.00
UTILITIES	\$	15,000.00
FIELD EQUIPMENT	\$	10,000.00
BUILDING EXPENSE	\$	10,000.00
OFFICE SUPPLIES	\$	5,000.00
OFFICE EQUIPMENT	\$	5,000.00

OTHER EXPENSES

WATER MANAGEMENT	\$	1,000,000.00
PROFESSIONAL FEES	\$	500,000.00
WEATHER STATION EXPENSE	\$	19,000.00
INSURANCE	\$	16,000.00
POSTAGE	\$	2,000.00
OTHER	\$	2,000.00
BUSINESS DINNERS	\$	1,500.00
DUES & MEMBERSHIPS	\$	750.00

TOTAL BUDGET \$ 1,988,250.00

ASSESSMENT RATES

PER ACRE	\$	0.05
PER ACRE-FOOT	\$	2.00

BIG BEND GROUNDWATER MANAGEMENT DISTRICT NO. 5**PROPOSED 2026
BUDGET**

EXPENDITURES

PERSONNEL SERVICES

SALARIES	\$	310,000.00
EMPLOYEE BENEFITS	\$	62,000.00
PAYROLL TAXES	\$	31,000.00

ADMINISTRATION

PRINTING & PUBLICATIONS	\$	15,000.00
TRAVEL & CONFERENCE	\$	20,000.00
UTILITIES	\$	15,000.00
FIELD EQUIPMENT	\$	10,000.00
BUILDING EXPENSE	\$	15,000.00
OFFICE SUPPLIES	\$	5,000.00
OFFICE EQUIPMENT	\$	10,000.00

OTHER EXPENSES

WATER MANAGEMENT	\$	1,000,000.00
PROFESSIONAL FEES	\$	500,000.00
WEATHER STATION EXPENSE	\$	22,000.00
INSURANCE	\$	18,000.00
POSTAGE	\$	2,000.00
OTHER	\$	2,000.00
BUSINESS DINNERS	\$	2,000.00
DUES & MEMBERSHIPS	\$	750.00

TOTAL BUDGET \$ 2,039,750.00

ASSESSMENT RATES

PER ACRE	\$	0.05
PER ACRE-FOOT	\$	2.00

Tom Taylor - At-Large (Pres.)
Fred Grunder - Pratt (V Pres.)
John Janssen - Kiowa (Treas.)
Marlyn Spare - Stafford (Sec.)
Darrell Wood - Edwards
Craig Zwick - Rice
Joe Schlessiger - Barton
Kerry Froetschner - Pawnee
Gary Hornbaker - Reno



Orrin Feril, Manager
125 South Main Street
Stafford, Kansas 67578
ph: (620) 234-5352
fx: (620) 234-5718
gmd5@gmd5.org
www.gmd5.org

Legislative Update

February 20, 2025

HB 2064 – Removing the current solid waste permit exception for the disposal of solid waste generated by drilling oil and gas wells through the practice of land-spreading.

- Hearing held February 4, 2025
- Committee passed favorably

Status: HB 2064 – Awaiting action by House Committee of the Whole

HB 2111 – Increasing the CREP acreage cap to 60,000 acres, clarifying eligibility and criteria, allowing exceptions for specific conditions and modifying reporting requirements to cover the last five years.

- Hearing held February 5, 2025
- Committee amended and favorably passed

Status: HB 2111 – Awaiting action by House Committee of the Whole

HB 2172 – Establishing the water program task force to evaluate the state's water program and funding for such program and requiring a report thereon to the legislature and the governor.

- Hearing February 10, 2025
- Committee amended and favorably passed

- **Status:** HB 2172 – Awaiting action by House Committee of the Whole

SB 58 – Modifying the requirements and allocations for multi-year flex accounts.

- Hearing January 30, 2025 (neutral testimony provided)
- Committee amended and favorably passed
- Senate passed 40-0

Status: SB 58 – Awaiting assignment to House Committee

APPLICATION FILE NOS. 51254

Application File No. 51254 proposes 30.4 acre-feet at 305 gallons per minute. The application is for recreation use on 28.5 acres of wetland.

The proposed 30.4 acre-feet of new appropriation is offset by dismissal of File No. 17156, which authorizes 36 acre-feet for irrigation on 24 acres. The consumptive use of File No. 17156 is 30.4 acre-feet per year.

Groundwater modeling shows that the proposed application would lower the groundwater level in the area of the proposed applications by 0.10 feet over a fifty-year period. While the proposed new applications are pumping, groundwater levels would be lowered 0.34 feet at a nearby domestic well.

The net effect of the application would be a 1.15 acre-foot increase in average annual streamflow in Rattlesnake Creek at the Zenith gage (0.01% of annual flow). The application would decrease the average streamflow in the North Fork Ninescah River near Arlington by 10.01 acre-feet (0.02% of annual flow).

The proposed application would provide a benefit to streamflow in Rattlesnake Creek. The application is unlikely to impair existing water rights.

Application File No. 51254

Beneficial Use:..... Recreation
Point of Diversion:2-25-12W
Stream Response (Zenith):7.8%
Authorized Quantity: 30.4 AF
Authorized Rate:305 GPM

Offset Water Rights

File No: 17516
Beneficial Use:..... Irrigation
Point of Diversion: 14-24-12W
Stream Response (Zenith): 15.0%
Authorized Quantity: 36 AF
Authorized Rate:305 GPM

Results Summary

Decrease in groundwater level, 50-year:.... 0.10 feet
Pumping drawdown at domestic well 0.34 feet
Stream Impact, Volume
 Rattlesnake Creek, Zenith 1.15 AF
 NF Ninnescah, Arlington -10.01 AF
Stream Impact, % Mean Discharge
 Rattlesnake Creek0.01%
 NF Ninnescah, Arlington-0.02%

APPLICATION FILE NO. 51254

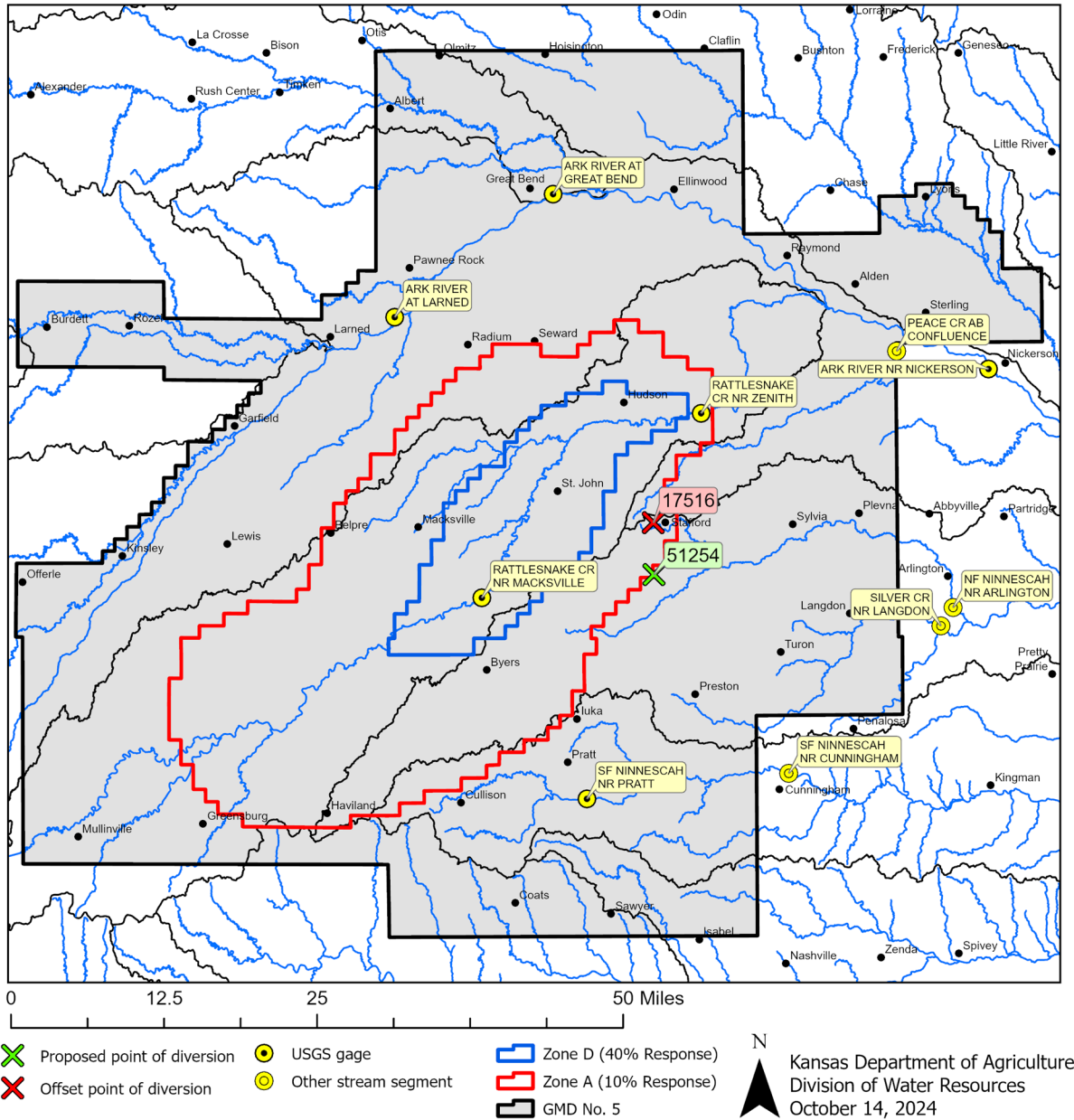


Figure 1: Map of stream observation locations, proposed application, and offset water rights

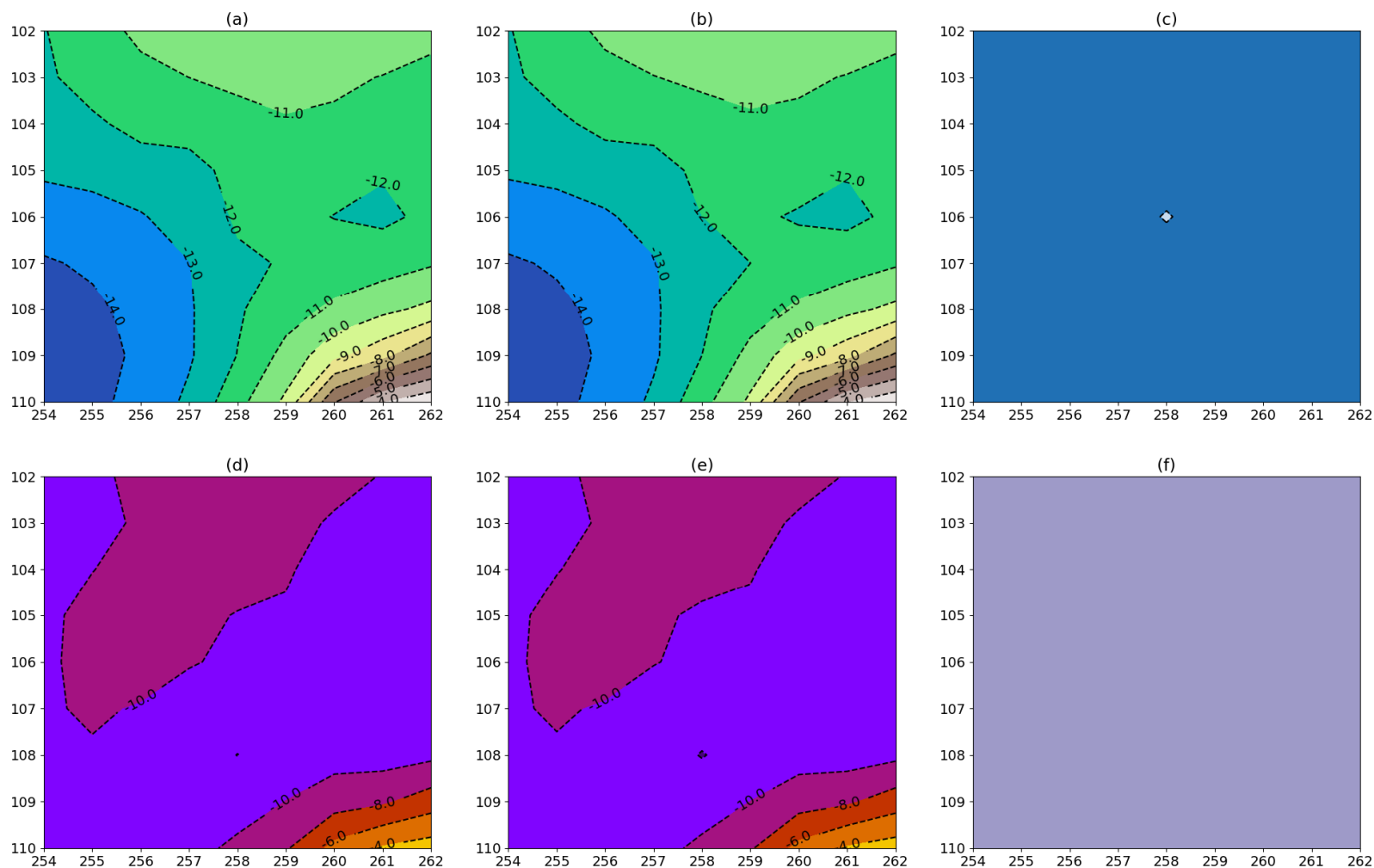
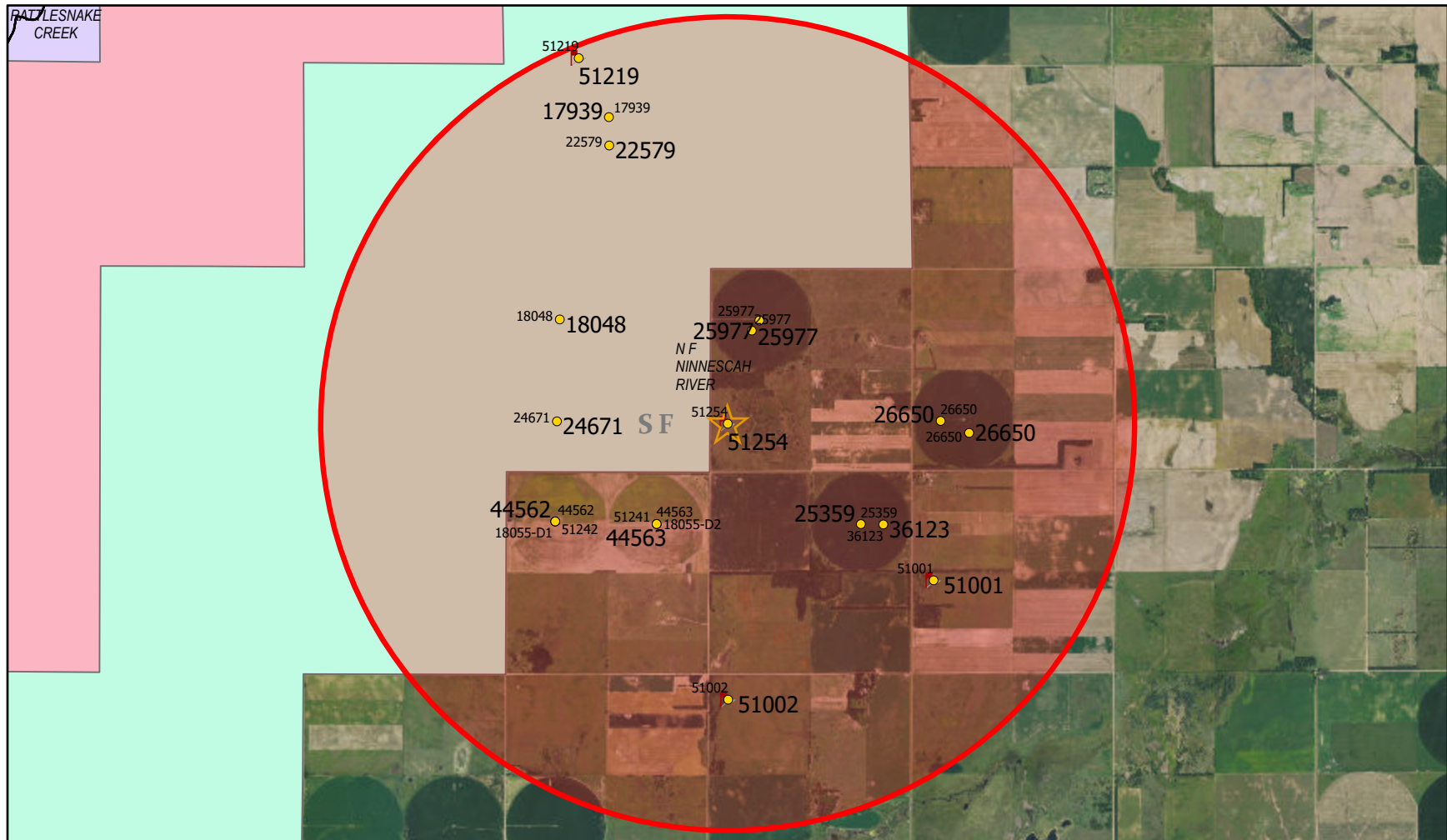


Figure 2: Groundwater contours after fifty years of pumping. Figures centered on File No. 51254. X and Y axes are half-mile model cell indexes (a) Baseline change in water level (feet); (b) Change in water level with proposed new application (feet); (c) Difference in water level between proposed new application and baseline without change (feet); (d) Baseline change in water level as percentage of saturated thickness; (e) Change in water level with proposed new application as percentage of saturated thickness; (f) Difference in water level between proposed new application and baseline without change as percentage of saturated thickness

	Segment	Average Flow, AF/yr	Stream Impact, AF/yr	Stream Impact, % Avg Flow
ARK RIVER AT LARNED	2627	90,061.20	de minimis	de minimis
ARK RIVER AT GREAT BEND	5168	106,139.89	de minimis	de minimis
ARK RIVER NR NICKERSON	5289	211,552.49	de minimis	de minimis
RATTLESNAKE CR NR MACKSVILLE	1780	1,803.41	3.89	0.22
RATTLESNAKE CR NR ZENITH	1992	13,242.60	1.15	0.01
PEACE CR AB CONFLUENCE	2260	1,480.69	1.14	0.08
NF NINNESCAH NR ARLINGTON	2940	53,505.59	-10.01	-0.02
SILVER CR NR LANGDON	2875	12,174.20	de minimis	de minimis
SF NINNESCAH NR PRATT	2986	10,523.48	de minimis	de minimis
SF NINNESCAH NR CUNNINGHAM	3033	70,136.54	de minimis	de minimis

Figure 3: Summary of stream impacts. *De minimis* indicates stream impact of less than 0.005% of average annual streamflow.

Safe Yield Report Sheet
File No. 51254
Point of Diversion in 02-25S-12W
Footages from SE corner: 1280 feet North 4795 feet West



0 0.5 1 2 Miles

Fails to safe yield

ANALYSIS RESULTS

The selected PD is in an area CLOSED to New appropriations

The safe yield based on the variables listed below is 1130.91 AF.

Total prior appropriations in the circle is 1584.6 AF. $-36.00 = 1548.6\text{AF}$

Total quantity of water available for appropriation is -453.69 AF. $1130.91 - 1548.6 = -417.69$

QUANTITY APPROPRIATED EXCEEDS SAFE YIELD.

SAFE YIELD VARIABLES

The area used for the analysis is calculated as 8042 acres. The radius is set at 2.0 miles.

The potential annual recharge at the circle center is estimated to be 2.25 inches.

The percent of recharge available for appropriation is 75%.

Authorized Quantity values are as of 2024-12-24 and are based on Appropriated and Vested ground water rights.

Domestic, Term and Temporary water rights, and GMD #2 Stream Nodes have been excluded.

There are 17 water rights and 16 points of diversion within the circle.

File	Number	Use	ST	SR	DIST	Q4	Q3	Q2	Q1	FtN	FtW	S	TP	RN	ID	Aquifers	QBy	Auth_Qnt	Add_Qnt	
A	17939	IRR	NK	G	8565			CW	NE	3978	2640	34	24	12W	6		180	WR	198.00	198.00
A	18048	IRR	NK	G	5150			NC	NW	3960	3960	03	25	12W	1			WR	136.00	136.00
A	22579	IRR	NK	G	7877		CW	SW	NE	3240	2630	34	24	12W	2		180	WR	37.00	37.00
A	25359	IRR	NK	G	4343			NC	NE	3960	1320	11	25	12W	1			WR	97.00	97.00
A	24671	IRR	NK	G	4449			NC	SW	1360	3980	03	25	12W	2			WR	175.00	175.00
A	25977	IRR	NK	G	2506		NE	SW	NW	3700	4160	02	25	12W	2			PD	44.00	44.00
A	25977	IRR	NK	G	2813			NC	NW	3960	3960	02	25	12W	1			PD	156.00	156.00
A	26650	IRR	NK	G	5545		NC	W2	SW	1330	4535	01	25	12W	3		180	PD	98.00	98.00
A	26650	IRR	NK	G	6292		NW	SE	SW	970	3795	01	25	12W	4		180	PD	102.00	102.00
A	36123	IRR	NK	G	4828		NC	E2	NE	3960	750	11	25	12W	2			WR	98.00	98.00
A	44562	IRR	NK	G	5165			NC	NW	4010	3985	10	25	12W	1		180	WR	120.00	0.00
A	44563	IRR	NK	G	3203			NC	NE	3960	1346	10	25	12W	2		180	WR	120.00	0.00
A	18055-D1	IRR	NK	G	5165			NC	NW	4010	3985	10	25	12W	1		180	WR	120.00	120.00
A	18055-D2	IRR	NK	G	3203			NC	NE	3960	1346	10	25	12W	2		180	WR	120.00	120.00
A	51001	REC	KE	G	6738		NW	NW	SW	2455	4700	12	25	12W	3			WR	15.00	15.00
A	51002	REC	KE	G	7189			W2	NW	4620	4750	14	25	12W	1			WR	15.00	15.00
A	51254	REC	AY	G	0		NW	SW	SW	1280	4795	02	25	12W	3			WR	36.00	36.00
A	51219	REC		G	10284		SE	SE	SW	250	3385	27	24	12W	3			WR	15.00	15.00
A	51241	IRR	AY	G	3203			NC	NE	3960	1346	10	25	12W	2		180	WR	64.80	64.80
A	51242	IRR	AY	G	5165			NC	NW	4010	3985	10	25	12W	1		180	WR	57.80	57.80

-36.00

File Number Seq Limitations			

A	18055-D1	1	5YR ALLOCATION
A	18055-D2	1	5YR ALLOCATION
A	25977	1	900GPM WHEN WELLS OPERATE SIMULTANEOUSLY
A	44562	1	120AF/YR @ 748GPM COM/W #18055-D1
A	44563	1	120AF/YR @ 748GPM COM/W #18055-D2

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Mike Beam, Secretary of Agriculture

DIVISION OF WATER RESOURCES
Earl D. Lewis Jr., Chief Engineer

WAIVER OF REGULATIONS **K.A.R. 5-25-22(a)(1), K.A.R. 5-25-22(a)(4) and K.A.R. 5-25-22(a)(8)** **Rattlesnake Creek Offsets**

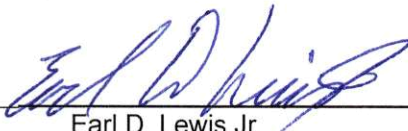
Date: March 17, 2025

RE: Application, File No. 51,254

1. K.A.R. 5-25-22 proves an opportunity to improve streamflow at the USGS gage at Zenith, Kansas on Rattlesnake Creek, in Groundwater Management District No. 5 by allowing exiting water rights to be used as an offset for a new appropriation elsewhere in the District if certain criteria are met.
2. K.A.R. 5-25-22(a)(1) states: The source of water supply for the current authorized well is located within zone D of the response map.
3. K.A.R. 5-25-22(a)(4) states: The new location will reduce the impact at the zenith gage by 30 percent or more compared to the current location of the well as determined by the response map. The new location is in an area with less than 40 percent impact at the zenith gage as determined by the response map.
4. K.A.R. 5-25-22(a)(8) states: No other well has previously been authorized by the chief engineer to be relocated within a one-mile radius of the proposed well location under this regulation, or the applicant demonstrates that the proposed well will not impair existing water rights
5. The application requested consideration of Water Right, File No. 17,516 as a potential offset, however, since Water Right, File No. 17,516 is located in Zone A it has a stream response of only 15 percent so there is no way the new location would reduce the impact at the zenith gage by 30 percent.
6. The hydrologic analysis conducted on behalf of the Board of Directors for GMD 5 showed minimal cumulative aquifer impact at the proposed locations (-0.10 ft). It also indicated that the cumulative impact to the Arkansas River is a depletion of 10.01 acre-feet per year versus a benefit of 1.15 acre-feet per year.
7. Based on analysis and the fact the applicant is willing to retire a senior Water Right, File No. 17,516, to be used as an offset, the Board recommended waivers of K.A.R. 5-25-22(a)(1), K.A.R. 5-25-22(a)(4) and K.A.R. 5-25-22(a)(8), along with the approval of File Nos. 51,254.
8. Application, File No. 51,254 should be approved with a waiver of K.A.R. 5-25-22(a)(1), K.A.R. 5-25-22(a)(4) and K.A.R. 5-25-22(a)(8).

9. A waiver of K.A.R. 5-22-25(a)(1), K.A.R. 5-25-22(a)(4) and K.A.R. 5-25-22(a)(8) will not prejudicially or unreasonably affect public interest and will not impair any existing water rights.

Comments:



Earl D. Lewis Jr
Chief Engineer
Division of Water Resources
Kansas Department of Agriculture

THE STATE OF KANSAS



KANSAS DEPARTMENT OF AGRICULTURE
Mike Beam, Secretary of Agriculture

DIVISION OF WATER RESOURCES
Earl D. Lewis Jr., Chief Engineer

APPROVAL OF APPLICATION and PERMIT TO PROCEED

(This Is Not a Certificate of Appropriation)

This is to certify that I have examined Application, **File No. 51,254** of the applicant

**FBFJ LLC
2600 EXETER MILL ROAD
CHURCH ROAD, VA 23833**

for a permit to appropriate water for beneficial use, together with the maps, plans and other submitted data, and that the application is hereby approved and the applicant is hereby authorized, subject to vested rights and prior appropriations, to proceed with the construction of the proposed diversion works (except those dams and stream obstructions regulated by K.S.A. 82a-301 through 305a, as amended), and to proceed with all steps necessary for the application of the water to the approved and proposed beneficial use and otherwise perfect the proposed appropriation subject to the following terms, conditions and limitations:

1. That the priority date assigned to such application is **June 24, 2024**.
2. That the water sought to be appropriated shall be used for recreational use in wetland marshes, with a maximum combined surface area of 29 acres, located in the Southwest Quarter (SW $\frac{1}{4}$) of Section 2, Township 25 South, Range 12 West, Stafford County, Kansas.
3. That the authorized source from which the appropriation shall be made is groundwater, to be withdrawn by means of one (1) well located in the Northwest Quarter of the Southwest Quarter of the Southwest Quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 2, more particularly described as being near a point 1,280 feet North and 4,795 feet West of the Southeast corner of said section, in Township 25 South, Range 12 West, Stafford County, Kansas, located substantially as shown on the topographic map accompanying the application.
4. That the appropriation sought shall be limited to a maximum diversion rate not in excess of **305 gallons per minute (0.68 c.f.s.)** and to a quantity not to exceed **30.4 acre-feet** of water for any calendar year.
5. That installation of works for diversion of water shall be completed on or before **December 31, 2026**, or within any authorized extension thereof. The applicant shall notify the Chief Engineer and pay the statutorily required field inspection fee of \$400.00 when construction of the works has been completed. Failure to timely submit the notice and the fee will result in revocation of the permit. Any request for an extension of time shall be submitted prior to the expiration of the deadline and shall be accompanied by the required statutory fee of \$100.00.

6. That the proposed appropriation shall be perfected by the actual application of water to the proposed beneficial use on or before **December 31, 2030**, or any authorized extension thereof. Any request for an extension of time shall be submitted prior to the expiration of the deadline and shall be accompanied by the required statutory fee of \$100.00.

7. That the applicant shall not be deemed to have acquired a water appropriation for a quantity in excess of the amount approved herein nor in excess of the amount found by the Chief Engineer to have been actually used for the approved purpose during one calendar year subsequent to approval of the application and within the time specified for perfection or any authorized extension thereof.

8. That the use of water herein authorized shall not be made so as to impair any use under existing water rights nor prejudicially and unreasonably affect the public interest.

9. That the right of the appropriator shall relate to a specific quantity of water and such right must allow for a reasonable raising or lowering of the static water level and for the reasonable increase or decrease of the streamflow at the appropriator's point of diversion.

10. That this permit does not constitute authority under K.S.A. 82a-301 through 305a to construct any dam or other obstruction; nor does it grant any right-of-way, or authorize entry upon or injury to, public or private property.

11. That all diversion works constructed under the authority of this permit into which any type of chemical or other foreign substance will be injected into the water pumped from the diversion works shall be equipped with an in-line, automatic quick-closing, check valve capable of preventing pollution of the source of the water supply. The type of valve installed shall meet specifications adopted by the Chief Engineer and shall be maintained in an operating condition satisfactory to the Chief Engineer.

12. That all wells with a diversion rate of 100 gallons per minute or more drilled under the authority of this permit shall have a tube or other device installed in a manner acceptable to, and in accordance with specifications adopted by, the Chief Engineer. This tube or device shall be suitable for making water level measurements and shall be maintained in a condition satisfactory to the Chief Engineer.

13. That an acceptable water flow meters shall be installed and maintained on the diversion works authorized by this permit in accordance with Kansas Administrative Regulations 5-1-4 through 5-1-12 adopted by the Chief Engineer. The required water flow meter shall be used to provide an accurate quantity of water diverted as required for the annual water use report (including the meter reading at the beginning and end of the report year).

14. That the applicant shall maintain accurate and complete records from which the quantity of water diverted during each calendar year may be readily determined and the applicant shall file an annual water use report with the Chief Engineer by March 1 following the end of each calendar year. Failure to file the annual water use report by the due date shall cause the applicant to be subject to a civil penalty.

15. That no water user shall engage in nor allow the waste of any water diverted under the authority of this permit.

16. That the right to appropriate water under authority of this permit is subject to any minimum desirable streamflow requirements identified and established pursuant to K.S.A. 82a-703c for the source of supply to which this water right applies.

17. That failure without cause to comply with provisions of the permit and its terms, conditions and limitations will result in the forfeiture of the priority date, revocation of the permit and dismissal of the application.

Ordered this 17th day of March, 2025, in Manhattan, Riley County, Kansas.



Earl D. Lewis Jr.
Earl D. Lewis Jr., P.E.
Chief Engineer
Division of Water Resources
Kansas Department of Agriculture

State of Kansas)
) SS
County of Riley)

The foregoing instrument was acknowledged before me this 17th day of March, 2025, by Earl D. Lewis Jr., P.E., Chief Engineer, Division of Water Resources, Kansas Department of Agriculture.

Shawna Novak
Notary Public



1320 Research Park Drive
Manhattan, KS 66502
785-564-6700
www.agriculture.ks.gov



900 SW Jackson, Room 456
Topeka, KS 66612
785-296-3556

Mike Beam, Secretary

Laura Kelly, Governor

March 26, 2025

VICTOR SLADE
FBFJ LLC
2600 EXETER MILL ROAD
CHURCH ROAD, VA 23833

RE: Appropriation of Water
File No. 51,254

Dismissal of Water Right
File No. 17,516

Dear Mr. Slade:

Enclosed is a permit authorizing you to proceed with construction of the proposed diversion works and to appropriate water for beneficial use as set forth in the permit. Your attention is directed to the enclosures and to the terms, conditions, limitations, and requirements specified in this permit.

Also enclosed is an Order by the Chief Engineer, dismissing Appropriation of Water, File No. 17,516, as requested in your voluntary dismissal from received on June 24, 2024. Since this order modifies the Certificate of Appropriation under the above referenced water right, it should be recorded with the Register of Deeds as other instruments affecting real estate. Abandoned wells must be plugged in accordance with the requirements of Article 30 of the Rules and Regulations adopted by the Kansas Department of Health and Environment.

Notice must be filed on the enclosed form once the diversion works have been completed. Failure to complete the diversion works within the time allowed, or within any authorized extension of time thereof, will result in dismissal of this permit. If you need an extension of time, you must request it before the deadline for completion set forth in the permit. Any request for an extension of time must be accompanied by the statutorily required fee, which is currently \$100.00.

An annual water use report must be filed with the Chief Engineer by March 1, following the end of each calendar year. If a complete annual water use report is not received by the deadline, then a fine may be assessed and all water use under such permit or right may be suspended. Reports submitted in paper form will be assessed a \$20 per file number paper filing fee. In order to avoid this filing fee, you may submit your report online at kswaterusereport.org.

The approval of your application constitutes a permit to appropriate water. It does not give authority to construct any dam or other stream obstruction regulated by K.S.A. 82a-301 through 305a. It does not give authority to access any right-of-way or authorize trespassing upon or injury to public or private property. It may also be necessary for you to comply with other local, state or federal requirements.

VICTOR SLADE
File Nos. 17,516 and 51,254
Page 2 of 2

Also included is an informational sheet that sets forth the procedure to obtain a Certificate of Appropriation which will establish the extent of your perfected water right. Additional information and applicable forms may be found on our website at agriculture.ks.gov/dwr. If you have any questions or need assistance with any of these requirements, please contact our office at 785-564-6640, or your Stafford Field Office at (620)-234-5311. If you call, please reference the file number so we can help you more efficiently.

Sincerely,

A handwritten signature in blue ink that reads "Kristen A. Baum". The signature is written in a cursive style with a large initial "K" and a long horizontal flourish at the end.

Kristen A. Baum
New Applications and Changes Supervisor
Division of Water Resources

KAB:kak:cla
Enclosure(s)
pc: FBFJ LLC
Myron J & Shirley Brensing Living Trust
Richard Brensing
Stafford Field Office
Big Bend GMD No. 5

RIGHT TO A HEARING AND TO ADMINISTRATIVE REVIEW

If you are aggrieved by this Order, then pursuant to K.S.A. 82a-1901, you may request an evidentiary hearing before the Chief Engineer or request administrative review by the Secretary of Agriculture. Failure to request an evidentiary hearing before the Chief Engineer does not preclude your right to administrative review by the Secretary.

To obtain an evidentiary hearing before the Chief Engineer, a written request for hearing must be filed within 15 days after service of this Order as provided in K.S.A. 77-531 (**i.e., within a total of 18 days after this Order was mailed to you**), with: Kansas Department of Agriculture, Attn: Legal Division, 1320 Research Park Drive, Manhattan, Kansas 66502, FAX (785) 564-6777.

If you do not file a request for an evidentiary hearing before the Chief Engineer, you may petition for administrative review of the Order by the Secretary of Agriculture. A petition for review shall be in writing and state the basis for requesting administrative review. The request for review may be denied if the request fails to clearly establish factual or legal issues for review. See K.S.A. 77-527. The petition must be filed within 30 days after service of this Order as provided in K.S.A. 77-531 (**i.e., within a total of 33 days after this Order was mailed to you**), and be filed with: Secretary of Agriculture, Attn: Legal Division, Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, Kansas 66502, FAX (785) 564-6777.

If neither a request for an evidentiary hearing nor a petition for administrative review is filed as set forth above, then this Order shall be effective and become a final agency action as defined in K.S.A. 77-607(b). Failure to timely request either an evidentiary hearing or administrative review may preclude further judicial review under the Kansas Judicial Review Act.

CERTIFICATE OF SERVICE

On this 26 day of March, 2025, I hereby certify that the foregoing Approval of Application and Permit to Proceed, File No. 51,254, and Dismissal of Water Right, File No. 17,516, dated March 17, 2025, were mailed postage prepaid, first class, US mail to the following:

Original to:

VICTOR SLADE
2600 EXETER MILL ROAD
CHURCH ROAD VA 23833-3134

With true and correct copies to:

RICHARD BRENSING
MYRON J & SHIRLEY BRENSING LIVING TRUST
614 CLEVELAND AVE
STAFFORD KS 67578-1623

FBFJ LLC
18101 SANDY POINT RD
CHARLES CITY VA 23030-4315
STAFFORD KS 67578-1623

With photocopies to:

KDA-DWR Stafford Field Office

Big Bend GMD No. 5


Division of Water Resources