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EQUUS BEDS GROUNDWATER MANAGEMENT DISTRICT NO. 2

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June 12, 2015

Lane Letourneau, Program Manager
Division of Water Resources
1320 Research Park Drive
Manhattan, Kansas 66502

RE: Proposed changes to K.A.R. 5-1-1 and 5-12-1

Dear Mr. Letourneau:

At the June 9, 2015, Board meeting, the Equus Beds Groundwater Management District No. 2 Board of Directors reviewed and discussed the proposed modifications to K.A.R. 5-1-1 and 5-12-1. The proposed changes concern aquifer storage and recovery (ASR) projects, particularly under what parameters recharge credits can be withdrawn from the basin storage area in the aquifer. Although these are state-wide rules and regulations, the only ASR project currently operating in Kansas is the City of Wichita ASR Project. As you may recall, these state-wide ASR rules and regulations were developed due to the non-existence of any ASR rules and regulations when the City of Wichita ASR Project was being conceived and planned.

The District most assuredly played a considerable role in the development of the current state-wide ASR rules and regulations. However, the District was not involved in the discussion or the development of the proposed modifications to the ASR rules and regulations. The District believes that the District should have been involved much earlier in the process, *prior* to any modifications being proposed. There are many aspects that should be considered before the ASR rules & regulations are proposed to be modified. These include, but are not limited to, the necessity to change the rules and regulations; history & reasoning behind the current rule and regulation language; regulation waivers and other actions that have occurred based on the current rules and regulations; and the two Memorandums of Understanding (MOUs) between the District and the City of Wichita, which were agreed upon, in part, based on the current rules and regulations and related ASR water permit conditions.

Upon review and discussion, the District Board, by approved motion, opposes the proposed modifications to K.A.R. 5-1-1 and 5-12-1. However, the District Board is open to discussing the need for any changes to current ASR rules and regulations and welcomes the opportunity to discuss and assist in the development of any needed changes.

Thank you for the opportunity to provide input concerning the proposed modifications to K.A.R. 5-1-1 and 5-12-1. The District desires to continue the long term partnership with the Kansas Department of Agriculture / Division of Water Resources, but this can only happen if the District is included in the discussions and development of rules and regulations (and legislation and policies) which affect the District's proper management of the Equus Beds Aquifer. Please contact the District should you have any questions or need additional information.

Sincerely,
EQUUS BEDS GROUNDWATER
MANAGEMENT DISTRICT NO. 2

Tim Boese
Manager
TDB/db

pc: David Barfield, Chief Engineer, Division of Water Resources
Jackie McClaskey, Secretary, Kansas Department of Agriculture

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