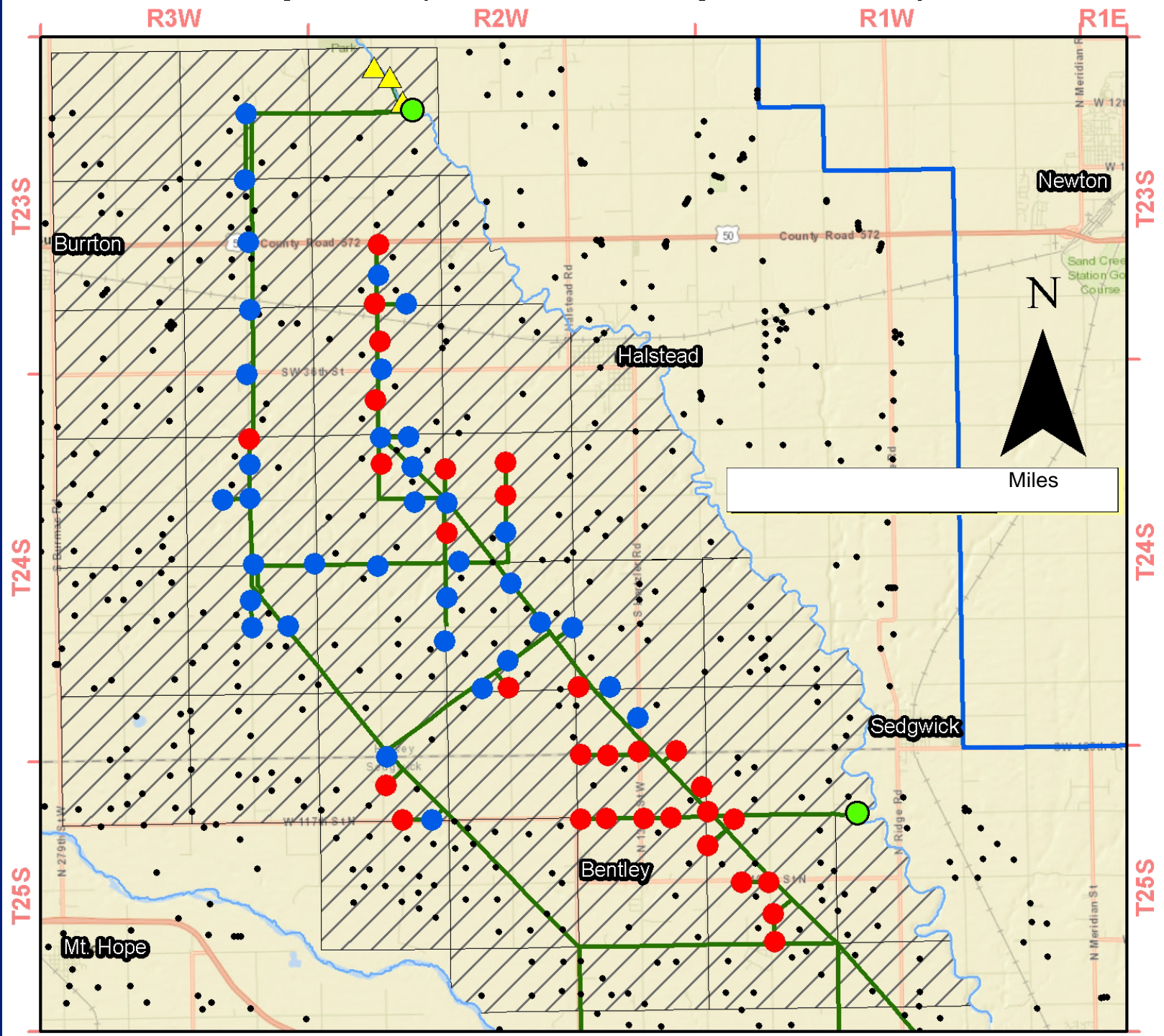


ASR Basin Storage Area

Existing and proposed ASR recharge and recovery facilities



EQUUS BEDS GROUNDWATER MANAGEMENT DISTRICT ROLE

The Groundwater Management District Act (K.S.A. 82a-1020) recognized the need for special districts for the proper management of the groundwater resources of the state and that it was in the public interest for the formation of groundwater management districts.

The Act states “It is the policy of the this act to preserve basic water use doctrine and to establish the right of local water users to determine their destiny with respect to the use of groundwater insofar as it does not conflict with the basic laws and policies of the state.”

EQUUS BEDS GROUNDWATER MANAGEMENT DISTRICT ROLE

The District's role in the ASR proposed permit modifications is to evaluate the impact to the aquifer and protect the public interest, including existing domestic and non-domestic wells and water rights. The District also has a regulatory requirement to review the proposed permit modifications and the pending new applications and submit recommendations to the Chief Engineer.

The District Board has not yet made an official recommendation regarding the proposed permit modifications and new applications.

EQUUS BEDS GROUNDWATER MANAGEMENT DISTRICT ROLE

The District is in the process of reviewing the proposal. There are three main topics the District is reviewing:

- Legal
- Technical
- Consistency with existing GMD2 / City of Wichita MOUs

EQUUS BEDS GROUNDWATER MANAGEMENT DISTRICT ROLE

LEGAL REVIEW

- **Fundamental Question: What is an Aquifer Maintenance Credit and how can an AMC be accumulated and appropriated for beneficial use under the current Water Appropriation Act and rules and regulations?**

EQUUS BEDS GROUNDWATER MANAGEMENT DISTRICT ROLE

LEGAL REVIEW

- **Current rules and regulations govern ASR projects, including defining what an ASR system is, as well as defining what aquifer storage, artificial recharge, and recharge credits are.**
- **The District is evaluating how AMCs fit in these regulations.**
- **The District is also evaluating the Little Arkansas River existing Phase II surface intake permit conditions to determine if and how AMCs can be allowed under this existing authority.**

EQUUS BEDS GROUNDWATER MANAGEMENT DISTRICT ROLE

LEGAL REVIEW

- The Chief Engineer has preliminarily determined that AMCs are only an additional method to accumulate and account for recharge credits and are a “functional equivalence” of aquifer recharge.
- The Chief Engineer has also preliminarily determined that AMCs are not “passive recharge credits”, which are prohibited by existing ASR approval orders.
- The District is evaluating the Chief Engineer’s determinations.

EQUUS BEDS GROUNDWATER MANAGEMENT DISTRICT ROLE

TECHNICAL REVIEW

- District is reviewing the proposed lowering of the ASR Minimum Index Levels, including the drought modeling submitted by the City, and the District Board will provide comments/recommendations to the Chief Engineer.
- District is reviewing under what conditions, if any, AMCs can be accumulated, accounted for, and withdrawn. The District Board will provide comments/recommendations to the Chief Engineer.

EQUUS BEDS GROUNDWATER MANAGEMENT DISTRICT ROLE

GMD2/CITY OF WICHITA MEMORANDUMS OF UNDERSTANDING

- District is reviewing the approved Phase I and Phase II MOUs to determine if the proposed modifications are consistent with the MOU provisions.