

# WATER DISTRICT NEWSLETTER

FORMERLY KNOWN AS  
"the Pipeline"

**SOUTHWEST KANSAS GROUNDWATER MANAGEMENT DISTRICT (GMD3)**  
A GOVERNING BODY CONTROLLED BY LOCAL PEOPLE

Volume 3, Issue 1

January, 2003

## EXECUTIVE DIRECTOR

**HANK HANSEN**

hhansen@gmd3.org

## ASSISTANT MANAGER

**JANET L. KING**

jking@gmd3.org

## CONSERVATIONIST

**KENT SHAW**

kshaw@gmd3.org

## CONSERVATIONIST

**JASON NORQUEST**

norquest@gmd3.org

## CLERK

**SHARON MISHLER**

sschiffe@gmd3.org

## BOARD PRESIDENT

**BRANT PETERSON**

Stanton County

## VICE PRESIDENT

**KENT DUNN**

Seward County

## SECRETARY

**THOMAS O. MILLER**

Gray County

## TREASURER

**MIKE O'BRATE**

Industrial

## BOARD MEMBERS

**DAVID BRENN**

Surface

**ARLEN EATON**

Ford

**WARREN FOX**

Meade

**MARLIN HEGER**

Stevens

**JAY HOUTSMA**

Hamilton

**DAVID LIGHT**

Morton

**KIRK A. MADDUX**

Kearny

**ALAN SCHWEITZER**

Municipal

**CLAY SCOTT**

Grant

**STEVE STONE**

Finney

**PETER YORK**

Haskell

**PHONE (620) 275-7147**

**FAX (620) 275-1431**

## MEETINGS:

**2ND WED. EACH MONTH**

**9:00 A.M. - DISTRICT OFFICE**

**409 CAMPUS DR., SUITE 106**

**GARDEN CITY, KS 67846**

<http://www.gmd3.org>

## ANNUAL MEETING AND ELECTION

The 28<sup>th</sup> Annual Meeting will be held on February 26, 2003 at the Ag Building, 810 Stadium Avenue in Liberal, KS. The meeting begins at 10:00 a.m. and should end by noon. Elections will be conducted for 5 positions on the Board of Directors. Qualified nominees desiring to be placed on the voting ballot must notify the GMD3 office by 5 p.m., January 27, 2003 using the Director nomination form (*Form 1 on back*). Eligible voters who haven't registered to vote in a previous District election must submit a completed registration form (*Form 2 or 3 on back as applies*) to the GMD3 office by 5p.m., February 21, 2003. Proxy voting is not allowed.

## GMD3 BOARD WITHDRAWS RECOMMENDATION

The GMD3 Board of Directors made the following decisions after reviewing the testimony provided during the Administrative Rule & Regulation Hearing conducted by the Division of Water Resources (DWR) on December 11, 2002: The Board moved to notify the Chief Engineer that after careful consideration of the testimony heard during the DWR's December 11, 2002 public hearing on proposed administrative regulations, the SW KS GMD3 withdraws their August 14, 2002 recommendation and now recommends not to have a blanket closure on the remaining open townships. This recent motion was approved with a vote of 12 directors in favor and 2 against. The August 14, 2002 motion that the GMD3 Board was requesting to be withdrawn was as follows: The SW KS GMD3 recommends to the Chief Engineer (DWR) to discontinue further appropriations of water for non-temporary and non-domestic use that request to divert more than 15 acre-feet of water per calendar year within the boundaries of this District. Following the motion to withdraw their recommendation, the board also passed another motion for the Chief Engineer's consideration. Their second and final motion stated: in regards to the Proposed Regulation K.A.R. 5-23-17 the Board recommends to the Chief Engineer that he delay a blanket closure of the District to new appropriations until further analyses, studies and potential economic impacts are considered for the affected areas. This motion was approved with a vote of 9 to 5.

## FLOW METER INSPECTIONS & OVER-PUMPING PROGRAM FOR 2003

GMD3 is hiring Contractors to do flow meter inspections for the upcoming year. On January 1, 2003, in accordance with Resolution 2002-8 passed by the Board on November 13, 2002, GMD3 staff and Contractors will begin the preliminary work to curtail over-pumping according to current Rules and Regulations. Resolution 2002-8 states the following: **WHEREAS**, the Board of Directors of the SW KS GMD3 agree with the following verbiage taken in part from K.S.A. 82a-728: it shall be unlawful for any person to appropriate or threaten to appropriate water from any source without first applying for and obtaining a permit to appropriate water in accordance with the provisions of chapter 7 of article 82a of the Kansas Statutes Annotated and acts amendatory thereof or supplemental thereto or, for any person to violate any condition of a vested right, appropriation right or an approved application for a permit to appropriate water for beneficial use. The board of directors further agree that diverting water for non-domestic purposes in excess of the maximum annual quantity authorized as a condition of a vested right, appropriation right or an approved application for a permit to appropriate water for beneficial use is an unlawful act and should not be allowed; and **WHEREAS**, it is an objective of the SW KS GMD's water management program to promote water conservation and compliance with current statutes and regulations; then **THEREFORE**, be it resolved by this Board of Directors of the SW KS GMD that District Staff are instructed to seek means currently available to curtail such over-pumping in the District. The contractors will carry identification provided by GMD3 and will be wearing highly visible yellow colored vests and displaying a flashing yellow light on top of their vehicles during the inspection process.

**SOUTHWEST KANSAS GROUNDWATER MANAGEMENT DISTRICT NO. 3**

409 Campus Drive, Suite 106,  
Garden City KS 67846

NONPROFIT ORG.  
U.S. POSTAGE  
PAID  
GARDEN CITY, KS  
PERMIT NO. 56

**RETURN SERVICES REQUESTED**

**Form 1**

**SOUTHWEST KANSAS GMD #3 2003 ANNUAL MEETING DIRECTOR NOMINATION FORM**

Pursuant to K.S.A. 82a-1027, \_\_\_\_\_, is a qualified voter of the District, and is hereby nominated as an eligible candidate for election to the Board of Directors for the position of:

- Meade County Director
- Morton County Director
- Seward County Director
- Stevens County Director
- Industrial (At-large)

**MUST BE RETURNED TO DISTRICT OFFICE BY 5 P.M. JANUARY 27, 2003** Signature \_\_\_\_\_

**Form 2**

**SW KS GMD #3 — VOTER ELIGIBILITY APPLICATION**

**DIRECTIONS: Complete one (1) form for each vote represented**

Name \_\_\_\_\_  
(Please Print)

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

**MUST BE RETURNED TO  
DISTRICT OFFICE BY 5 P.M.  
FEBRUARY 21, 2003**

Pursuant to K.S.A. 82a-1021 (e), I certify that I am an eligible vote for the annual meeting of the District on February 26, 2003 by being the age of Eighteen (18) or upward and qualify by means of one of the following criterion:

- I am a natural person who is a landowner who owns, of record, any land, or any interest in land, comprising forty (40) or more contiguous acres (not excluded from assessment) located within the boundaries of the district and not within the corporate limits of any municipality.
- I am a natural person who withdraws or uses groundwater (not excluded from assessment) from within the boundaries of the district in an amount of one acre-foot or more per year.

Signature \_\_\_\_\_ Date \_\_\_\_\_

**Form 3**

**SW KS GMD #3—CORPORATE DELEGATE APPLICATION**

Pursuant to K.S.A. 82a-1021 (e), the following person:

**MUST BE RETURNED TO  
DISTRICT OFFICE BY 5 P.M.  
FEBRUARY 21, 2003**

- \_\_\_\_\_ (Print Name)
- is authorized to represent an estate, trust, municipality, public or private corporation which is a landowner who owns of record any land, or any interest in land, comprised of forty (40) or more contiguous acres (not excluded from assessment) located within the boundaries of the district and not within the corporation limits of any municipality. **(Nothing herein shall be construed to authorize proxy voting.)**
  - is authorized to represent an estate, trust, municipality, public or private corporation that withdraws or uses groundwater (not excluded from assessment) from within the boundaries of the district in an amount of one acre-foot or more per year. **(Nothing herein shall be construed to authorize proxy voting.)**

The estate, trust, municipality, public or private corporation being represented at the Annual Meeting of the District on February 26, 2003 is:

\_\_\_\_\_ (Print name of estate, trust, municipality, public or private corporation)

Signature & title of EACH person duly authorized to act in a representative capacity (officer, partner, trustee, etc.) for the estate, trust municipality, or public or private corporation being represented: **(attach additional signature sheets, if needed)**

**Signature**

**Title**

**Date**
