

**Southwest Kansas Groundwater Management District No. 3
Minutes of the Regular Meeting of the Board of Directors
February 7th, 2018**

MEETING CALLED TO ORDER

President Kirk Heger called to order the February 7th, 2018 Board of Directors meeting of the Southwest Kansas Groundwater Management District at 8:10 a.m. Which was in Topeka, KS at the Landon Building.

Directors Present

Kirk Heger, President, Stevens County Representative
Mike O'Brate, Treasurer, Gray County Representative
Mike McNiece, Board Secretary, Industrial Representative
Clay Scott, Grant County Representative
Randy Hayzlett, Surface Water Representative
Fred Jones, Municipal Representative
Zachary Gale, Hamilton County Representative
Hal Scheuerman, Kearny County Representative (by phone)

Directors Absent with Notice

Bret Rooney, Vice President, Haskell County Representative
Kent Dunn, Seward County Representative
Fred Claassen, Morton County Representative
Dave Casterline, Ford County Representative
Steve Stone, Finney County Representative
Douglass Fox, Meade County Representative

District Staff Present

Mark Rude, Executive Director
Jason Norquest, Assistant Manager
Patty Stapleton, Office Administrator
Chris Law, Director, Field Services

Others in Attendance

Mike Meyer, Water Commissioner, Division of Water Resources, Garden City, KS
Tracy Streeter, Director, Kansas Water Office
Lane Letourneau, Program Manager, Kansas Department of Agriculture
Earl Lewis, Assistant Director, Kansas Water Office

APPROVE AGENDA

President Heger asked for consideration of the meeting Agenda. Clay Scott made a motion to approve the agenda with the addition of Assessment Cap under the Presidents report. Randy Hayzlett seconded. The motion passed.

APPROVAL OF MINUTES & GENERAL MONTHLY FINANCIAL REPORT

President Heger drew the attention of the Board to consider the January 10, 2018 draft minutes. Fred Jones moved to approve the January 10th, 2018 minutes, as presented. Mike O'Brate seconded the motion. The motion passed.

President Heger next drew the attention of the Board to review the January 2018 financial report documents. Randy Hayzlett made a motion as follows: Approve the financial reports and payments for the month of January as presented at this meeting, and submit them for the annual audit. Zach Gale seconded the motion. The motion passed

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President Heger signed and submitted the financial documents.

President's Report, President Kirk Heger

Assessment Cap:

Mark refreshed the board on the assessment cap, stating that GMD2 and GMD5 are the districts needing the assessment cap increase. GMD3 Boards' previous stance on the increase was to remain silent. Lane Letourneau advised that Kansas Department of Ag wrote a support letter. Clay Scott moved to approve and show support of the assessment cap increase. Mike O'Brate seconded. Motion passed.

WCA: Larry Goss

Jason Norquest brought to the table Larry Goss' WCA Application for review. Jason stated this is about 8 miles north of Garden City. Mr. Goss is proposing three wells with 15% conservation, water right 8056, 21612 and 23007. Current total appropriations authorized for all water rights included in the Goss WCA are 838AF per year, with historical average annual use during the period 2006-2015 of 595.104AF. A 15% reduction from historical average use gives the producer 2,529.191AF allocation for the 5 year WCA.

The corrective control provision and plan for conservation are:

- 1) At the discretion of the owners, water rights may be pumped as directed provided that:
 - a. All points of diversion are limited to their annual authorized quantity
 - b. All points of diversions are limited to their current authorized pumping rates.
 - c. The sum of water use under all water rights combined shall be limited to no more than 2,259.191AF for every five years.
- 2) The WCA cannot conflict with rules and regulations of GMD3 and if a LEMA or IGUCA is formed in the area then the corrective provisions that result in the greater overall conservation of water resources based on inches per acre and not based on percent reduction of average historical use shall prevail.
- 3) The applicant requests, that if an order of designation for a LEMA be implemented in area including the WCA prior to December 31st, 2021, that due consideration of its voluntary conservation under this plan be provided an additional allocation within the first LEMA allocation period in the amount of any unused water based on the average annual WCA allocation per year before a LEMA is implemented.
- 4) Should an order of designation for a LEMA not be implemented prior to December 31st, 2021 up to 1/5th of the 5 year WCA allocation may be carried over and added to a subsequent WCA period.

If the LEMA proceeds, Mr. Goss will stick with the most restrictive program.

After some discussion, Zachary Gale made a motion to recommend approval of the WCA subject to notification on modification and revisions. Randy Hayzlett seconded. Motion passed.

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Resolution 2018-1

Southwest Kansas Groundwater Management District Number 3 is requesting funding for \$100,000 from the United States Department of the Interior, Bureau of Reclamation. This grant would assist Cooperative Watershed Management Program Phase 1 Grants program for the formation of a watershed group that would allow a diverse array of stakeholders (municipalities, irrigators, feedlots, dairies, power plants, domestic users and the environment, either through direct use or as recharge to the Ogallala / High Plains Aquifer in Western Kansas) form a local, grassroots organization to develop plans to restore and enhance the local watershed. The proposed project will begin in the fall of 2018 and will last for two consecutive years ending around October 31, 2020.

Tracy Streeter noted this was a great idea. Clay Scott moved to approve Resolution 2018-1. Mike O'Brate seconded. Resolution 2018-1 passed.

Southwest Kansas Groundwater Management Board of Directors resolved to support the proposal "Creation of a Watershed Management Group to address concerns in the Upper Arkansas River Basin, Kansas" with Resolution 2018-1 adopted on the 7th day of February, 2018. Mike O'Brate, Treasurer and Kirk Heger, President attested Resolution 2018-1.

LEMA Review:

Mark announced February 12th, 2018 there will be a meeting to review the LEMA surveys. Policy and Legal along with Research and Development committees will receive a review of the final survey outcome. Randy Hayzlett was contacted by an individual that was not in step with the proposed LEMA and was wondering how to share his thoughts and actually be heard. Clay Scott mentioned to hold a session in April, at the GMD3 regular board meeting, allowing interveners to come forth and stress concern. Consensus of the group was to hold an evening meeting to discuss the pros and cons of a LEMA, allowing all folks present appropriate time to voice their opinions openly, with a 3rd party mediator in control.

Committee Reports

Finance Committee

Mark Rude turned the boards' attention to the 2017 audit book. He noted that Brandi Sneath and Patty Stapleton have worked hard each year for improvement and successfully completed a zero comments audit for 2017. Fred Jones moved to approve the 2017 audit from Lewis, Hooper and Dick and submit to annual meeting. Mike McNiece seconded. Motion passed.

2019 Budget

A review of the 2019 proposed budget was completed. Randy Hayzlett moved to approve the proposed 2019 Budget and take to the annual meeting March 14th, 2018. Zachary Gale seconded. Motion passed.

Old Business

There was no old business to take off the table.

New Business

There was no new business to present to the Board.

Executive Director Report, Mark Rude

No reports stated, due to time restraints.

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Monthly Western Water Conservation Projects Fund Business

Mark Rude drew the attention of the board to the January financial documents of the Western Water Conservation Projects Fund and activity of the advisory committee. After some discussion of the Board, Clay Scott moved to accept the January financial report and payments as presented and submit them for annual audit. Fred Jones seconded. Motion passed.

Board Member Report

There were no board member reports announced.

Public Forum

There was no public forum.

Annual Meeting

Mark presented to the Board of Directors a change to the 2018 annual meeting; Holding the annual meeting in the afternoon with a "Water Technology Expo" being held from 4p.m. to 7p.m. After discussion, consensus of the directors was to proceed with the 2018 Annual Meeting as usual (no change in time or addition of expo) and consider 2019 Annual meeting with Expo in Garden City.

ADJOURNMENT

Zachary Gale made a motion to adjourn the meeting. Fred Jones seconded.
The meeting adjourned at 9:31a.m.

Respectfully Submitted,



Mike McNiece
GMD3 Board Secretary