

**Southwest Kansas Groundwater Management District No. 3
Minutes of the Regular Meeting of the Board of Directors
June 13, 2018**

MEETING CALLED TO ORDER

President Kirk Heger called to order the June 13th, 2018 Board of Directors meeting of the Southwest Kansas Groundwater Management District to order at 9:03 a.m. Which was in the Board Room of Southwest Kansas Groundwater Management District NO. 3.

Flag Salute

Directors Present

Kirk Heger, President, Stevens County Representative
Bret Rooney, Vice President, Haskell County Representative
Mike O'Brate, Treasurer, Gray County Representative
Mike McNiece, Board Secretary, Industrial Representative
Clay Scott, Grant County Representative
Fred Claassen, Morton County Representative
Hal Scheuerman, Kearny County Representative
Steve Stone, Finney County Representative
Zachary Gale, Hamilton County Representative
Randy Hayzlett, Surface Water Representative

Directors Absent with Notice

Kent Dunn, Seward County Representative
Seth Nelson, Stanton County Representative
Douglass Fox, Meade County Representative
Dave Casterline, Ford County Representative
Fred Jones, Municipal Representative

District Staff Present

Mark Rude, Executive Director
Jason Norquest, Assistant Manager
Patty Stapleton, Office Administrator
Trevor Ahring, Engineer
Brandi Sneath, Office Assistant

Others in Attendance

Mike Meyer, Water Commissioner, Division of Water Resources, Garden City, KS
Johnathon Aguilar, KSU Research
Abe Lollar, Biologist, Ducks Unlimited

APPROVE AGENDA

President Heger asked for consideration of the meeting agenda. Clay Scott made a motion to approve the agenda as presented. Hal Scheuerman seconded. The motion passed.

APPROVAL OF MINUTES & GENERAL MONTHLY FINANCIAL REPORT

President Heger drew the attention of the Board to consider the May 9th, 2018 draft minutes. Mike McNiece moved to approve the May 9th, 2018 minutes, as presented. Clay Scott seconded. The motion passed.

President Heger next drew the attention of the Board to review the **May 2018 financial report documents**. Clay Scott made a motion as follows: Approve the financial reports and payments for the month of May as presented at this meeting and submit them for the annual audit. Hal Scheuerman seconded. The motion passed.

President Heger signed and submitted the financial documents.

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President's Report, President Kirk Heger

Water Commissioner's Report, Mike Meyer

Water Commissioner Mike Meyer announced that a public information meeting and hearing on Hays Water Transfer would be held next Thursday, June 21st at 1:00pm at the Twilight Theater, 200 S. Main Street in Greensburg, KS. Mr. Meyer noted the office is working on the over pump list, which appears to be more individuals that will be assessed a penalty. He reviewed the current penalty matrix in detail and after much discussion; the consensus of the directors was for GMD3 to hold a public information activity regarding the new penalty matrix in light of the prevailing drought conditions in the district. Announcements could be in a couple of district papers, webpage and radio. If public informational meetings are held as suggested, could incorporate the penalty matrix and GMD3 Draft Revised Management Program document as topics.

GMD3 should hear from Chief Engineer Barfield on the proposed GMD3 revised Management Program document next month (July).

Mike O'Brate asked how much the wells increased with the river run from JMR. Mike Meyer said there was measurement but unsure of the details on increased well yields.

Introductions:

Jason Norquest introduced Caleb Rude. Caleb is a summer intern working with us on meter inspections and GMD Mobile App field testing, and when the weather does not allow fieldwork, he will do some document scanning.

Committee Reports

Policy and Legal

Policy and Legal Committee held a brief meeting this morning before the board meeting. The agenda for the meeting can be found in the board packet.

First item of discussion was the Term permit submitted to State to stack on WR 12,972. This review is not official and only submitted for discussion purpose. WR 12,972 is currently authorized 499af at 735gpm. The proposed term permit is to increase rate only to 1400gpm for the year 2018. Producer bought this property with the understanding he had 1400gpm well to pump, he states that he planned his cropping with the 1400gpm expectation and pumping less could greatly affect his crops. Committee reviewed and stated the producer could file a new permanent appropriation under the rules to increase rate but only to an increase of 15%gpm. After much discussion, the board decided to place on the July agenda. This would allow the producer to be in attendance and staff to gather additional facts.

Secondly, Opposition of LGS Holdings Ground Water Development was discussed with the committee and reviewed with the board of directors. Mark Rude explained at length about the Colorado Ground Water Commission Case #18GW02 process and discloser document by the applicant, which lists experts and how they will testify. Friday is the deadline for GMD3 to list their disclosures. The list will consist of anyone who has discoverable relevant information – facts on the topic. For example DWR, Spronk Water Engineers, Forest Service District Ranger, Kansas Dept. of Wildlife and Parks, and the Grazing Association. Colorado AG office along with applicants have each filed motions for GMD3 to be dismissed due to having no Colorado rights to protect.

Fred Claassen updated the group on the hearing location regarding the appropriation of groundwater Case #18GW02. Originally, it was to be held in Denver, Colorado. However, a petition has been started locally in the three states to have the court hearing moved to Springfield Colorado in the Southern High Plains designated Ground Water Basin.

Mark reviewed on a slide the area of the proposed Stateline water gauge and the estimated amount of \$9,000.00, along with a slide demonstrating water level change from 2006-2008 to 2016-2018. After much review and discussion, Mike O'Brate moved to proceed with the Stateline Gauge funding and to seek reimbursement from Kansas Interstate funding sources and to proceed with Spronk Water Engineers as a listed expert to have discoverable information relevant to disputed facts alleged with pleadings. Mike McNiece seconded. Motion passed.

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Research and Development

Research and Development Committee met Monday, June 11th, 2018 at 10:30 a.m. at the GMD3 Board Room. The committee discussed the Kearny Finney LEMA status and found consensus to develop a draft WCA template to be made available to members. Discussed past interest to hire a facilitator for LEMA type meetings. R&D requested staff to research facilitator costs and what they would facilitate overall. Mark handed out concept notes of self-directed water conservation plans. R&D is considering development for "use for conservation" reporting to go along with the required annual water use report. R&D will continue development of this concept implementing elements of the draft revised management program document.

City of Garden City has received a lot of feedback from the education program on water use and water conservation where the City of Garden City provides information back to the water user on their water use, costs and their water use compared to neighbors.

A GMD3 pilot Master Irrigator program has also been discussed with State partners and with the North Texas GCD. The Kansas Water Office, K-State Research and KS NRCS are interested in collaborating with GMD3. Due to meeting time constraints here, more details can be discussed later or next month.

Flowmeter Inspection Program, data, issues of compliance, GMDs mobile application and a flow meter summit. All issues are in the works and more details announced later.

GUI (Graphic User Interface) tool continues to be looked at for development. This tool helps take our groundwater model and make more user friendly. Consultants will develop for \$25,000 up front cost with a \$10,000 maintenance fee, whereas, KGS has a GUI expert and will develop for \$25,000 with no maintenance fee. Staff will collaborate with other GMDs and potential partners and report to committee.

Old Business

There was no old business to take off the table.

New Business

There was no new business to bring to the table.

Executive Director Report, Mark Rude

GMDA Savannah Conference Report

Jason Norquest, Patty Stapleton and Hal Scheuerman attended the 2018 GMDA Conference, in Savannah Georgia. Mark Rude was able to attend Friday's sessions. The overall conference was good speakers and interaction with other US district boards and staff, and well attended by vendors. Jason announced that Kansas would host the 2019 GMDA Conference.

Hays Water transfer update

A public information meeting to discuss water right change application conditions will be held Thursday, June 21st at 1:00pm at the Twilight Theater, 200 S. Main Street in Greensburg, KS.

Monthly Western Water Conservation Projects Fund Business

Mark Rude drew the attention of the board to the May Financial documents of the Western Water Conservation Projects Fund and activity of the advisory committee. After some discussion of the Board, Hal Scheuerman moved to accept the May Financial Report and payments as presented and submit them for annual audit. Randy Hayzlett seconded. Motion passed.

Executive Session

Randy Hayzlett moved to call an executive session with the Board of Directors and Mark Rude for approximately 30 minutes to discuss Cimarron River Depletion Concerns with legal counsel via conference call, preliminary discussion of acquisition of real property and to discuss matters of non-elected personnel to avoid waiving attorney – client privilege and right to privacy. Clay Scott seconded. Motion passed. Board went into executive session for 30 minutes and came out with no board action taken.

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Board Member Report

No board member report.

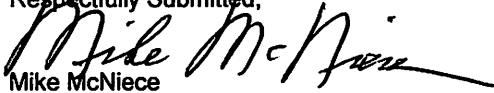
Public Forum

No public forum.

ADJOURNMENT

Zachary Gale made a motion to adjourn the meeting. Clay Scott seconded. The meeting adjourned.

Respectfully Submitted,



Mike McNiece
GMD3 Board Secretary