

**Southwest Kansas Groundwater Management District No. 3
Minutes of the Regular Meeting of the Board of Directors (DRAFT)
January 16th, 2019**

MEETING CALLED TO ORDER

President Kirk Heger called to order the January 16, 2019 Board of Directors meeting of the Southwest Kansas Groundwater Management District to order at 9:02 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

Mike O'Brate, Treasurer, Gray County Representative

Bret Rooney, Vice President, Haskell County Representative

Fred Jones, Municipal Representative

Zachary Gale, Hamilton County Representative

Seth Nelson, Stanton County Representative

Steve Stone, Finney County Representative

Hal Scheuerman, Kearny County Representative

Douglass Fox, Meade County Representative

Fred Claassen, Morton County Representative

Clay Scott, Grant County Representative

Directors Absent with Notice

Mike McNiece, Board Secretary, Industrial Representative

Kent Dunn, Seward County Representative

Randy Hayzlett, Surface Water Representative

Dave Casterline, Ford County Representative

District Staff Present

Mark Rude, Executive Director

Jason Norquest, Assistant Manager

Patty Stapleton, Office Administrator

Chris Law, Director, Field Services

Trevor Ahring, Engineer

Brandi Sneath, Office Assistant

Others in Attendance

Mike Meyer, Water Commissioner, Division of Water Resources, Garden City, KS

Armando Zarco, Kansas Water Office, Garden City, KS

Dave Brenn, Kansas Water Congress

APPROVE AGENDA

President Heger asked for consideration of the meeting Agenda. Mark Rude announced that Teeter Irrigation would like to demonstrate a new meter to the board. President Heger advised to put under public meeting. Mark also updated the Dates and Events page, RAC is January 25 and will be held at the GC Administrative Building. He also updated the date and time of the Southwest Kansas Irrigation Association annual meeting to February 19th, 2019 at 9:30a.m. Hal Scheuerman made a motion to approve the agenda as presented. Fred Jones seconded. Motion passed.

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APPROVAL OF MINUTES & GENERAL MONTHLY FINANCIAL REPORT

President Heger drew the attention of the Board to consider the **December 12th, 2018** draft minutes. Mike Meyer corrected his report of measuring counties by striking Ford and Hamilton and adding Haskell. Clay Scott moved to approve the December 12th, 2018 minutes, as presented. Mike O'Brate seconded the motion. Motion passed.

President Heger next drew the attention of the Board to review the **December 2018 financial report** documents. Finance Committee will be changed from Thursday to Wednesday afternoon, shortly after board meeting. Brett Rooney made a motion as follows: Approve the financial reports and payments for the month of December as presented at this meeting and submit them for the annual audit. Hal Scheuerman seconded the motion. Motion passed

President Heger signed and submitted the financial documents.

Executive Session

Zachary Gale called for a 30-minute Executive Session to discuss matter of non-elected personnel to protect their privacy, having Mark Rude attend the Executive Session the last 10 minutes. Executive session will begin at 9:15 a.m. and reconvene at 9:45 a.m. Bret Rooney seconded. Motion passed.

Bret Rooney called an extension of the executive session for 15 minutes, beginning at 9:45 a.m. and ending at 10:00 a.m. Fred Jones seconded. Motion passed.

Bret Rooney moved to extend the Executive Session additional 10 minutes, beginning at 10:00 a.m. and ending at 10:10 a.m. Fred Jones seconded. Motion passed.

The board reconvened in open session and President Heger called for a 5-minute break taken after conclusion of the Executive Session.

**President's Report, President Kirk Heger
Water Commissioner's Report, Mike Meyer**

Water Commissioner Mike Meyer announced the new Secretary of Ag is Mike Beam. Static water level measuring is mostly done, added Lane and Scott and those are the two counties that are not complete. Preliminary numbers, similar to last year; Haskell was an average of 2.5-foot drop, Gray and Grant were both 1.5-foot drop, Finney (north of the river) ¼ foot of a drop whereas South of river was around 1.25-foot drop. On line water use reporting is up approximately 250% from last year. Paper reports are being mailed in without the fee and the agency is sending a letter back stating the fee is still needing to be paid. Garden City office will be in Hugoton February 6th at the Library offering assistance in filing on line.

GMD3 Water Rights Administration activity

Mark Rude drew the boards attention to page 12 of the board book. "GMD3 Water Right Administration Program" Mark questioned if it should be titled "GMD3 Application Review Process" This would be handed out to the public for review. Mark touched on the 3rd paragraph which detailed improved data and GMD3 aquifer evaluation tools add value to member interest and improvement to the review requirements under K.S.A 82a-711. GMD3 evaluations applies expert calculations and fact finding to questions of well effects and length of supply in an already declining aquifer.

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K.S.A. 82a-711 stresses that the chief engineer shall evaluate and consider if an application may be adverse to the public interest or create impairment. K.S.A. 82a-708b states anybody can change water right without loss of propriety so long as they 1) demonstrate it will not impair 2) demonstrate same source of supply 3) and receives approval from Chief Engineer. Discussion occurred how the evaluation results are relayed to the State. Clay stressed it is not the GMDs responsibility to state impairment, that is the Chief Engineers responsibility. It is GMDs responsibility to show the facts and report information. Consensus of the board was continue to use the GMD3 tools (711 evaluation) with the guidelines and relaying that information to the members, then onto the Chief Engineer.

Regarding David Walker's application the board agreed that even though GMD3 missed the deadline from the State, proceed sending the evaluation of findings to the producer, neighbors and the State. GMD3 needs to work on hitting the deadlines and if it appears the deadline will not be made ask for an extension.

Management Program resubmittal for approval and member meetings / hearing

Executive Director Rude asked if the Board is ready to submit the current program with added executive summary and graph to the Chief Engineer for approval and then submit to the members at the annual meeting. Mike O'Brate moved to submit the current version of the Management Program to Chief Engineer Barfield. Doug Fox seconded. Motion passed.

Committee Reports

Policy and Legal Committee: no meeting was held.

Research and Development Committee: no meeting was held.

Finance Committee: will be meeting today after lunch.

Annual Meeting Committee: just a note that the annual meeting is coming up and it will be held in Cimarron, March 13th. Nex-Tech could be a potential guest speaker, talking about cyber safety.

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

Water Authority Meetings

A letter sent to the Water Authority requesting a state structured interstate water management fund to help Kansas Interstate team to study issues when they come up around the state. Next meeting will be January 30th and 31st in Manhattan.

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NWRA and GMDA

Both were attended by staff and some directors. Good presentations on water transportation and need for Kansas leadership interests.

Mark spoke about Topeka; and how important it is to attend. Staff will be there Monday to hand out reminders. Tuesday, legislative breakfast will be held from 7:00a.m. to 8:30 with Kansas Water Congress following at 9:00 a.m. over at the Dillon House. Groundwater Districts Roundtable held after Kansas Water Congress lunch with the Legislative Reception beginning at 4:30. GMD3 will hold their board meeting Wednesday morning at the Water Office with a roundtable of GMDs and agency folks following.

Monthly Western Water Conservation Projects Fund Business

Mark Rude drew the attention of the board to the December 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 December Financial Report and payments as presented and submit them for annual audit. Bret Rooney seconded. Motion passed.

Legislative Annual Report

Mark Rude will send a copy to the directors when completed.

Regional Advisory Conservation Committees Reports

Joint Upper Ark/ Cimarron RAC meeting January 25th, 2019

Fred Jones reminded the group that the joint Upper Ark and Cimarron meeting will be held January 25th, 2019 from 10:00 a.m. to 2:00 p.m. at the City Administration Building. Lunch will be provided by City of GC, if possible, RSVP with a head count before the meeting date.

Board Member Report

No board member reports were announced.

Public Forum

Dave Brenn:

Reiterated the importance of attending Topeka activities with legislators.

Teeter Irrigation:

Jas Dale and Jim Panek gave a presentation on their new electromagnetic flowmeter technology.

ADJOURNMENT

Fred Jones made a motion to adjourn the meeting. Fred Claassen seconded.

The meeting was adjourned at 12:16 p.m.

Respectfully Submitted,



Mike McNiece

GMD3 Board Secretary