

**Southwest Kansas Groundwater Management District No. 3  
Minutes of the Regular Meeting of the Board of Directors  
October 14th, 2020**

**MEETING CALLED TO ORDER**

President Bret Rooney called to order the October 14th, 2020 Board of Directors meeting of the Southwest Kansas Groundwater Management District to order at 9:07a.m. The meeting was held at the GMD3 Board Room.

**Directors Present in person, via zoom or by phone**

Bret Rooney, President, Haskell County Representative

Fred Jones, Vice President, Municipal Representative

Mike McNiece, Board Secretary, Industrial Representative

Randy Hayzlett, Surface Water Representative

Zachary Gale, Hamilton County Representative

Fred Claassen, Morton County Representative

Kent Dunn, Seward County Representative

Kirk Heger, Stevens County Representative

Garrett Love, Gray County Representative

Hal Scheuerman, Kearny County Representative

**Directors Absent with Notice**

Douglass Fox, Meade County Representative

Mike O'Brate, Treasurer, Gray County Representative

Dave Casterline, Ford County Representative

Clay Scott, Grant County Representative

Seth Nelson, Stanton 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

David Barfield, Kansas Water Resources Consulting, LLC

Jeff Lanternman, Water Commissioner, Division of Water Resources, Stafford, KS

Keadron Pearson, Kansas Water Office, Water Resource Planner

Austin McColloch, Kansas Department of Agriculture

Kevin Salter, Division of Water Resources

Sean Miller, Capital Strategies

Susan Metzger, Senior Executive Administrator to the Dean

Scott Murrison, Engineering Consultant

Ken Winter, Livestock producer

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**APPROVE AGENDA**

President Rooney asked for consideration of the October 14th, 2020 meeting agenda. President Rooney asked to add item d under Executive Director Report for out of state travel and add executive session for non-elected staff for 10 minutes right before adjournment. **Kent Dunn made a motion to approve the agenda as amended. Mike McNiece seconded. The motion passed.**

**APPROVAL OF MINUTES & GENERAL MONTHLY FINANCIAL REPORT**

President Rooney drew the attention of the Board to consider the September 9th, 2020 draft minutes. **Mike McNiece moved to approve the September 9th, 2020 minutes, as presented. Fred Claassen seconded. Motion passed.**

President Rooney next drew the attention of the Board to review the September 2020 financial report documents. Mark Rude noted the auditors were in office yesterday doing their pre-audit for 2020. **Fred Jones made a motion as follows: Approve the financial reports and payments for the month of September 2020 as presented at this meeting and submit them for the annual audit. Randy Hayzlett seconded the motion. Motion passed**

President Rooney signed and submitted the financial documents.

**President's Report, President Rooney**

**KDA/DWR Water Commissioner Report**

Water Commissioner Mike Meyer announced that Earl Lewis was named Chief Engineer and will take office on November 1, 2020. DWR is still closed to the public due to COVID-19 guidelines, but work continues. Sarah Zdanowski with the Garden City field office will be leaving, and that position will not be filled due to budget concerns. Jeff Lanternman, Water Commissioner in Stafford County was attending the meeting by zoom and noted their staff change application processor is leaving, therefore, other staff will be stepping up.

**FO 17 & 9,115 Well Spacing Waivers**

Lariat Feeders LLC: Scott Murrison, and Ken Winter were present. Jason Norquest provided the following details of the proposed change:

- ✓ Switch primary and standby status on water right 9,115
- ✓ Convert FO 17 from Irrigation to stock which would take it from 150af down to 134.1af
- ✓ Stack 107.3af on 15,447, for a total of 207.3af, which requires 1,600 foot of spacing
- ✓ Stack 26.8af on 9,115 proposed primary, for a total of 167.8af total
- ✓ Stack standby status on 9,115 proposed standby
- ✓ Spacing short on 9,115 flip and additional acre feet
- ✓ Well drawdown guidelines indicate critical well conditions and depletion allowance exceeded

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A letter from area well owner Sunflower Electric Power Corporation expressed concern that area rules should not be waived. It was identified to the board the proposal seeks to increase distance between the nearest Sunflower well and authorized wells. After discussion amongst the directors of the shared water short area and discussions with staff and applicants Scott Murrison and Ken Winter, an understanding exists that 9,115 is to swap primary and standby designation between the 2 authorized wells. FO 17 would be converted from Irrigation to stock use, 26.8-acre feet would be moved to the 9,115 new primary well for a total of 167.8 acre feet and 107.3 acre feet would be moved with rate limits as an additional well to 15,447 for a total of 207.3. **Director Garrett Love moved to support a recommendation to waive spacing rules for the change applications of FO 17 and 9,115 as submitted subject to written confirmation of support from the neighboring stock well owner to the north (31,241). Zachary Gale seconded. Motion passed with all in favor.**

**Committee Reports**

**Executive Committee**

The Executive committee met this morning and last week by phone. Last week was to consider comments of concern that have been compiled as a result of the Renewable Supplies committee meeting with DWR interstate team staff.

**Policy and Legal**

Policy and Legal met in October to discuss the following:

- ✓ Water Right Change Applications for FO17 and 9,115
- ✓ Management Plan Study Criteria:  
Mark advised that interim Chief Engineer offered to go paragraph by paragraph with the management plan to better the wording. Mark responded with a letter stating his concerns of going paragraph by paragraph.
- ✓ Strategic Planning Retreat:  
Keep working on Strategic Planning Retreat and continue to talk with committee / facilitators.  
Need to change the November Board meeting due to the regular scheduled date landing on a holiday (Veterans Day). Suggestion was to consider a date the week before.
- ✓ Ark River Management  
What is the Districts role in working with GC Ditch, from project to investigation of field office of historic water right to be non-use? Mark asked what extent the board is comfortable in extending legal help to Ditch company. Is the board comfortable providing a letter? Kent Dunn noted his concern of helping with Legal fees, doesn't want to set precedent for future legal concerns that could arise. Policy and Legal committee recommendation were to look into legal support. **Mike McNiece moved to approve proceeding with support of legal assistance. Fred Jones seconded. Motion passed.**

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**Research and Development**

Research and Development also met this past week and discussed the following:

- ✓ Save your Groundwater agreements ( conserve-to-preserve)  
Concept is for a simple on-line form. The producer can verify decisions if there is wet water in the ground that could be conserved. There would be a statement noting NO water banking. R&D committee would like to research more.
- ✓ Water Use and Climate Evaluation Service to Irrigators.  
Applied for a drought response grant from BOR, GMD3 feels like we are in the top 10 of receiving the grant. Working with producer in Finney Co for the first year. Part of the money would go to KGS for implementation of the program.
- ✓ State mineralization Study Support  
Response to resolutions from regarding the quality of the river water.
- ✓ Ark River  
PISE: develop the study to inform what we are shooting for in this relationship.

**Old Business**

No old business to take from the table.

**New Business**

No new business to bring to the table.

**Executive Director Report, Mark Rude**

**Change November Board meeting date**

Mark advised that the regular meeting date for November lands on Veterans Day, which is an official holiday the office is closed. Staff suggested to move the November Board meeting to November Thursday 5<sup>th</sup>, 2020 at 9:00a.m. at the GMD3 board room. **Consensus of the directors approved the November board meeting to be held on November 5<sup>th</sup>, 2020 at 9:00a.m. at the GMD3 board room.**

**Ark Valley Conduit groundbreaking**

Ark Valley Conduit has been in the works for the last ten years. October 3<sup>rd</sup>, The Southeastern Colorado Water Conservancy District held an Ark Valley Conduit groundbreaking ceremony.

**Out of State Travel**

Mark Rude brought to the table possible out of state travel to Colorado, for discussion in partnering with Randy Ray at Central Colorado Water Conservancy District, for an interstate water transfer project. **Hal Scheuerman moved to approve out of state travel for Mark Rude. Fred Jones seconded. Motion passed.**

**Monthly Western Water Conservation Projects Fund Business**

Mark Rude drew the attention of the board to the September 2020 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 September 2020 Financial Report and payments as presented and submit them for annual audit. Kent Dunn seconded. Motion passed.**

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**Update of Projects**

Hal Scheuerman provided details of the Farmers Ditch photos he took.

**KWO/ KWA / RAC's**

**KWO:** Armando Zarco announced the next Water Authority meeting will be next Monday 26 via zoom. KWO is still staying the course of COVID guidelines.

**KWA:** No report was provided.

**RAC**

Upper ARK: Fred Jones advised they met yesterday, Tuesday, October 13<sup>th</sup>. They are working on goals to report back to Water Authority.

**Board Member Report**

Kirk Heger noted, Senator Moran has USDA grants for health and education, 4 million grants available, but none was sent to Western Kansas. Kirk was just curious if there were any persons online that knew anything as to why nothing was sent to Western Ks. Garret Love added that most counties did receive money and might still be able to apply for it.

**Public Forum**

David Barfield: GMD1 Wichita County LEMA has been approved on initial hearing and will move forward with second hearing on November 20<sup>th</sup>, 2020 at 9:00 a.m. Mr. Barfield will be assisting GMD1 in exploring alternatives for LEMAs in other parts of the District.

**Executive Session**

**Kent Dunn made a motion to hold an executive session for non-elected staff for 10 minutes, starting at 11:45. Randy Hayzlett Seconded. Motion passed.**

**President Bret Rooney extended the executive session for an additional 5 minutes.**

There was no discussion noted from the Executive Session.

**ADJOURNMENT**

**Zachary Gale made a motion to adjourn the meeting. Fred Jones seconded.  
The meeting was adjourned at 12:02p.m.**

Respectfully Submitted,



Mike McNiece  
GMD3 Board Secretary