

**Southwest Kansas Groundwater Management District No. 3  
Minutes of the Regular Meeting of the Board of Directors  
August 13th, 2014**

**MEETING CALLED TO ORDER**

The August 13th, 2014 Board of Directors meeting of the Southwest Kansas Groundwater Management District was called to order by President Dunn at 9:01 a.m. The meeting was held in the Board Room of Southwest Kansas Groundwater Management District NO. 3.

**Directors Present**

Kent Dunn, President, Seward County Representative  
Kirk Heger, Vice 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  
Douglass Fox, Meade County Representative  
Steve Stone, Finney County Representative  
Alan Schweitzer, Municipal Representative  
Seth Nelson, Stanton County Representative  
Jeff Reinert, Ford County Representative  
Bret Rooney, Haskell County Representative

**Directors Absent with Notice**

Hal Scheuerman, Kearny County Representative  
Ross Geubelle, Hamilton County Representative  
Wayne Breeding, Morton 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  
Jon Aquilar, KSU  
Dr. B.J. Grey

**APPROVE AGENDA**

President Dunn asked for consideration of the meeting agenda. After some discussion, additions were made under Presidents Report to add #4 Nuss Briefing under Presidents Report and Jon Aquilar, KSU at 9:30. President Dunn also added under old business, correspondence from Mr. Sturgeon. Randy Hayzlett made a motion to approve the agenda as revised. Bret Rooney seconded. The motion was approved with all in favor.

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**APPROVAL OF MINUTES & MONTHLY FINANCIAL REPORT**

President Dunn drew the attention of the Board to consider the July 9th, 2014 draft minutes. Randy Hayzlett noted a revision on the July 9<sup>th</sup>, 2014 Board Minutes; on page 4, 4<sup>th</sup> bullet revising the wording to read “additional information before approval.” Kirk Heger made a motion to approve the July 9th, 2014 Board Meeting minutes as revised. Seth Nelson seconded the motion. The motion was approved with all in favor.

President Dunn next drew the attention of the Board to review the July, 2014 financial report documents. Clay Scott made a motion as follows: Approve the financial reports and payments for the month of July as presented at this meeting, and to submit them for the annual audit. Randy Hayzlett seconded the motion. The motion was approved with all in favor.

President Dunn signed and submitted the financial documents.

**President’s Report, President Kent Dunn**

**Water Commissioner’s Report, Commissioner Mike Meyer**

Mr. Meyer announced that 2013 non-compliance letters were mailed out a couple of weeks ago. Mark Rude asked about “black marks” on water rights offered for sale; how far back does DWR review history to determine water right standing for future violations? Mike answered that if there is a history of overpumping and the new owner over pumps he will more than likely receive a penalty.

**Forest Service Groundwater Directive,**

Mark discussed the Forest Service Groundwater Directive (FSM, chapter 2560) and reviewed a power point presentation with the directors. He handed out a Draft Southwest Kansas Groundwater Management District No. 3 Policy (Local Groundwater Management Policy 2014-1) regarding the Forest Service Groundwater Directive and other federal policy initiatives. Edits and additions were made in the reading of the draft document.

Clay Scott made a motion to approve the Southwest Kansas Groundwater Management District No. 3 Policy regarding the Forest Service Groundwater Directive as revised. Mike O’Brate seconded. Motion passed with all in favor.

**KDA/KSU Irrigation Water Probe Demonstration Project: Dr. Jonathan Aquilar**

Dr. Jonathan Aquilar, provided an informative power point presentation regarding irrigation water probe technology being demonstrated and evaluated on ten fields in GMD3. The two year project will provide data on actual water savings from the use of the technology and provide a basis for appropriate incentives for extensive implementation.

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**Jerrel Nuss**

Jerrel Nuss would like to get water to 36-23-27 by pipeline. The question addressed to the directors was whether the GMD3 would agree to a 5 year MOU, \$250.00 per well per year even though the wells are located across the line from the GMD3 boundary?

The consensus of the board was to generally support his proposal if it is not prohibited by rule.

**Old Business**

**Flowmeter Test Stand**

Mark had no report on the Flowmeter Test Stand.

**Larry Sturgeon**

Jason Norquest reviewed a letter that Mr. Sturgeon had sent regarding a proposed move that was discussed in a previous board meeting. Mr. Sturgeon was requesting a move of 150 acre feet from Water Right File 27,283 to Water Right File 22,954. He stated he is not making the move to use more water but to allow more flexibility in how the wells are used. He notes that in the past 11 years he has used less than half of his available acre feet. Mr. Sturgeon is hoping the board will reconsider their recommendation on the proposed move and together they may reach a compromise.

After some discussion, the consensus was to keep the recommendation as is, a 141 acre feet reduction to meet rule standards.

**New Business**

There was no new business to discuss.

**Committee Reports**

**Research & Development**

Committee Chairman, Randy Hayzlett provided a brief summary of the Research and Development committee meeting that was held on Tuesday, August 12<sup>th</sup>, at 1pm, Lakin, KS. A copy of the Research and Development agenda was handed out to all those in attendance.

Discussion was held on creating a coalition fund under a Kansas Rural Communities Foundation and provide an initial funding for the "Aqueduct Coalition Fund." The total to start the fund could be \$13,000.00. Consensus of the directors was to take to Policy and Legal Committee for development and a recommendation.

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**Policy & Legal Committee**

A Policy and Legal Committee meeting was held on Monday, August 11<sup>th</sup> at Alejandro's in Ulysses, KS. Mark handed out a copy of the Policy and Legal Committee agenda and results for review.

Discussion on locked flowmeters was held. Mike McNiece moved that any meter that is unreadable by being gated and or locked will be held non-compliant. A letter will be sent to the producers and to the State of Kansas. Clay Scott seconded. Motion passed with all in favor.

**Executive Director Report, Mark Rude**

**Upcoming White Cloud Aqueduct Stakeholder Meeting & Olathe KWA Meeting  
Plans for Kansas GMD's Roundtable: Kansas Water Vision  
SW Irrigators Board Vision Meeting, GMD3 Board Invited**

White Cloud Aqueduct Stakeholder Meeting will be held in White Cloud, KS on August 20<sup>th</sup>, 2014.

August 27<sup>th</sup>, 2014 a Kansas Water Vision meeting will be held with all five Groundwater Management Districts. Location will be announced soon.

GMD1 news: General Manager, Jan King has retired.

GMD4 news: General Manager, Katherine Wilkins-Wells is not renewing her contract.

Southwest Irrigators will hold a Kansas Water Vision document meeting on September 4<sup>th</sup>, 2014 at the Civic Center in Ulysses, KS and has invited the GMD3 Board to co-sponsor the meeting.

**NWRA Conference Reports**

Mark Rude noted that the National Water Resources Association summer meeting in Flagstaff was a good conference on federal and western US issues. He suggested for all to check out the PowerPoints for the Summer Conference on their website regarding federal rule making and water supply challenges.

**Kansas Water Congress Report**

Mark reported a good summer conference in Manhattan was held with his report focusing on the need for Kansas to change the legal structure of water exportation to provide a superior Kansas environment for hosting future water transfer investment across the state. This will provide opportunity for added water supply across the state.

**Governor's Water Conference: Nov. 12-13, 2014**

Mark announced the Governor's Water Conference should be well attended. It will be held in Manhattan, Ks at the Hilton on November 12-13, 2014. Kirk Heger moved to pay for board members and staff who will be attending the conference. Bret Rooney seconded. Motion passed with all in favor.

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**Monthly Western Water Conservation Projects Fund Business**

Mark Rude drew the attention of the board to the financial documents of the Western Water Conservation Projects Fund and activity of the advisory committee. After some discussion of the Board, Randy Hayzlett moved to accept the July financial report and payments as presented and submit them for annual audit. Kirk Heger seconded. Motion passed with all in favor.

**Board Member Report**

Alan Schweitzer questioned Mark and possibly changing email addresses. This would allow the directors to know if it is actually Mark sending emails.

Clay stated that he will be attending the White Cloud meeting but is unable to attend the others that are scheduled for later in the week.

**Public Forum**

B.J. Gray, Doctorial candidate working on the Ogallala issues, thanked the directors and staff for allowing him to set in on the board meeting.

**Executive Session**

Randy Hayzlett called for an executive session for 7 minutes, which would include Mark Rude. Clay Scott seconded.

The regular meeting was called back to order. Kirk Heger moved to support Marks decision on upcoming pay raises for staff. Bret Rooney seconded. Motion passed with all in favor.

**ADJOURNMENT**

Jeff Reinert made a motion to adjourn the meeting. Bret Rooney seconded. The meeting was adjourned at 12:32 p.m.

Respectfully Submitted,



Mike McNiece  
GMD3 Board Secretary