

**Southwest Kansas Groundwater Management District No. 3**  
**Minutes of the Regular Meeting of the Board of Directors**  
**July 13<sup>th</sup>, 2016**

**MEETING CALLED TO ORDER**

The July 13th, 2016 Board of Directors meeting of the Southwest Kansas Groundwater Management District was called to order by President Kirk Heger at 9:00 a.m. The meeting was held in the Board Room of Southwest Kansas Groundwater Management District NO. 3.

**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

Steve Stone, Finney County Representative

Kent Dunn, Seward County Representative

Zachary Gale, Hamilton County Representative

Seth Nelson, Stanton County Representative

**Directors Absent with Notice**

Jeff Reinert, Ford County Representative

Fred Claassen, Morton County Representative

Bret Rooney, Vice President, Haskell County Representative

Hal Scheuerman, Kearny County Representative

Randy Hayzlett, Surface Water Representative

Douglass Fox, Meade County Representative

Alan Schweitzer, Municipal 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

Scott Olney, Intern

**Others in Attendance**

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

Armondo Zarco, Garden City KDA/DWR

Jon Aquilar, KSU Research

Fred Jones, City of Garden City, KS

Diane Knowles, DWR, Manhattan, KS

Kelly Warren, Summer time employee

Richard Rockel, KWO

**APPROVE AGENDA**

President Heger asked for consideration of the meeting Agenda. After some discussion, Kent Dunn made a motion to approve the agenda as presented. Clay Scott seconded. The motion was approved with all in favor.

**Southwest Kansas Groundwater Management District No. 3**  
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**APPROVAL OF MINUTES & MONTHLY FINANCIAL REPORT**

President Heger drew the attention of the Board to consider June 8<sup>th</sup>, 2016 draft minutes. Mike McNiece moved to approve the June 8th, 2016 minutes. Steve Stone seconded the motion. The motion was approved with all in favor.

President Heger next drew the attention of the Board to review the June, 2016 financial report documents. Clay Scott made a motion as follows: Approve the financial reports and payments for the month of June as presented at this meeting, and to submit them for the annual audit. Zachary Gale seconded the motion. The motion was approved with all in favor.

President Heger signed and submitted the financial documents.

**President's Report, President Kirk Heger**

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

Water Commissioner Mike Meyer stated that a call for water was placed Tuesday July 12<sup>th</sup>, 2016.

Mike also spoke about the newly added feature on the website that took effect July 1, 2016. GMD offices will get a notice stating the water right number for new applications, change applications, dismissals and closure. Applications can be found by clicking the link [dwr.kda.ks.gov - /Notices/](http://dwr.kda.ks.gov/-/Notices/). GMD's will get a notice stating the Water Right number and from the stated link can process accordingly.

Questions were asked regarding the Haskell County impairment court case vs. administrative claim beyond the court.

**Board Review, Spacing on Additional Well, File No. 18,181, Clawson**

Jason Norquest provided details on the board review, spacing on additional well, for File No. 18,181. A power point slide stated the following:

- Application approved June 2015 to move to currently authorized location.
- This proposed change would reduce the authority to 474AF @ 356gpm
- Current application submitted to add the previous location as an additional well in May 2016.
- This location is to have the proposed authority of 500AF @ 356gpm.
- KAR 5-5-16: Additional Well states that the proposed wells must meet spacing to each other and neighboring wells.
- Need 2100' minimum spacing between the wells according to KAR 5-23-3, this proposal would only have 988' spacing.
- Spacing MET to other neighboring wells, closest neighboring well is 3525' away.
- No negative response from our notice letter to neighboring wells.

Action is needed today because they are / were pumping an illegal well. Mike Meyer with DWR stated a notice was sent stating they were in violation of pumping an illegal well.

Zachary Gale moved to recommend approval of spacing waiver. Seth Nelson seconded. Motion passed with 4 in favor, 2 opposed (Steve Stone and Clay Scott) and 1 abstained (Kent Dunn).

**Southwest Kansas Groundwater Management District No. 3**  
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**July 13<sup>th</sup>, 2016**

Board Review, Spacing to neighbors, New Appropriation, File NO. 49,287, GC Co-op  
Toby Wilson with Garden City Coop was present to answer questions regarding file number 49,287. A power point slide highlighted the following details:

- Application originally filed in February 2015
- Process was suspended due to the moratorium on new applications in the District.
- Once Closure of District became final, the applications could be processed again.
- GC Co-op looking for a 15AF exempt well for IND use at the new facilities.
- FI189 & 2405 require 2300' spacing. This new app doesn't meet spacing to either.
- Only notices for the whole area went to Garden City Company.
- Garden City Company signed letter stating no concern with this new app due to small amount requested.
- No other 15AF exemptions within 2 miles in accordance with KAR 5-23-4(b) (4).

After some discussion, Steve Stone moved to approve recommendation of spacing waiver. Seth Nelson seconded. Motion passed with all in favor.

**Committee Reports**

Policy and Legal, Finance, Research and Development, Renewable Supplies

The following committees, Policy and Legal, Research and Development and Renewable Supplies need to meet within the next month. Mark will get with each committee chairman to set up date and time.

President Heger brought up Cimarron RAC and the interest in a possible water bank charter. Orin Feril with GMD5 provided the presentation at the Cimarron RAC.

\*\*\*\*\*Annual GMD3 Budget Hearing, 10:00 a.m.\*\*\*\*\*

Presentation of the proposed 2017 budget and assessments

President Kirk Heger called the Public Budget Hearing on the proposed 2017 budget for Southwest Kansas Groundwater Management District NO. 3 to order at 10:00 a.m. He welcomed all those in attendance. President Heger stated that a GMD3 budget hearing is necessary and proper, according to state policy for our organized groundwater area of Kansas. Specifically, K.S.A. 82a-1030 provides for water user charges which are: annual assessments per acre for tracts of land 40 acres or more in size and per acre foot, against landowners and also this budget hearing process. The purposes of GMD3 are long standing in the history and activity of Southwest Kansas and our water use influenced economy. The hearing is held to receive comments on both the proposed 2017 budget and on the assessments to member land owners and water users necessary to fund the management program of the Groundwater District. Hearing announcements have been published in the newspapers of the District in compliance with State Law a draft budget was presented to members at the Annual Meeting which was held this past March.

President Heger introduced and handed the floor over to Treasurer, Mike O'Brate. Treasurer, O'Brate stated the 2017 budget was created increasing water assessment by .02cents, for a final assessment of .14cents for each acre-foot of groundwater withdrawn within the district or allocated by the water right.



**Southwest Kansas Groundwater Management District No. 3**  
**Minutes of the Regular Meeting of the Board of Directors**  
**July 13<sup>th</sup>, 2016**

The additional funds will be placed in the Water Conservation Projects Budget line. He reminded those present that there are three proposed special budget accounts: Water Right Retirements, Arkansas River Western Water Conservation Projects, and the Kansas Aqueduct Project.

President Heger opened the floor for comments from those present. No comments were stated. Budget Hearing was closed at 10:10 a.m.

**Budget Resolution 2016-4**

Mike O'Brate moved to approve the 2016-4 Budget Resolution, including the 5 cents per acre land assessment and the 14 cents per acre foot water user fee as presented. Steve Stone seconded. Motion passed with all in favor.

**Old Business**

There was no old business to bring to the table.

**New Business**

There was no new business to bring to the table.

**Executive Director Report, Mark Rude**

Membership: KGWA (Kansas Ground Water Association)

Executive Director, Mark Rude brought to the table KGWA Membership fee. KGWA are good supporters of GMD's and represents all GMD's well. A membership fee of \$150.00 or \$300.00 are suggested.

Clay Scott moved to pay the KGWA Membership Fee of \$150.00 Kent Dunn seconded. Motion passed with all in favor.

**General Items:**

GMDA Conference was held in Yakama Washington, Jason Norquest and Mark Rude attended. A tour of an apple orchard, owned by Bill Burton was taken by Jason Norquest and Friends. Mark talked about "The Swish".

The next GMDA Conference will be held January 9<sup>th</sup> through 11<sup>th</sup>, 2017 in Fort Worth, Texas.

**USDA/NRCS Actions: 1:34**

Discussion on RCPP requirements of programs and the process continues. Lowering the rate requirement to 3.5 gal per acre system capacity is being discussion.

**Willis Water Technology Farm Field Day, August 2<sup>nd</sup>, at 10a.m.**

Willis Water Technology Farm Field Day will be held August 2<sup>nd</sup> at 10:00 a.m. Sponsor signage will be displayed on the day of the event. Registration for attendance is highly appreciated to provide a lunch count. There is no cost to attend.

**Southwest Kansas Groundwater Management District No. 3**  
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**July 13<sup>th</sup>, 2016**

Shift in Web based presence and services

Spencer Casey will be getting out of the web-business, therefore another Web provider is needed. Mark stated a review of providers that are more sophisticated in programming, government entity and smart phone capability are being researched. Vision Internet will look at our traffic along with a survey to our patrons and provide us ideas along with quotes for service. Mark noted the initial cost of Vision Internet is around \$30,000. More information will be brought to the table at a later date with staff recommendations.

GMDs COOP Tools

The five Kansas Groundwater Management Districts have been working together to create a mobile data capture and data base management tools. GIS Workshop is the preferred developer. The estimated cost is \$150,000 for all five GMD's. The cost may be divided proportionate according to wells in the areas, GMD3 cost would be approximately \$60,000.00. Consensus of the attending board of directors showed concern for the cost. However, all directors agree that there is a need to be moving forward with this tool. A recommendation will be developed at committee and provided to the board at a later time.

Water Congress Conference: Wichita State University, July 26<sup>th</sup>-27<sup>th</sup>, 2016

The Water Congress Conference will be held in Wichita, at Wichita State University, July 26<sup>th</sup> and 27<sup>th</sup>. The five GMDs are doing most of the planning right now to help Dave Brenn. To date, the only change was adding Dave Traster on compliance enforcement and Dept. of Ag.

KDA is also wanting to meet with GMD members to talk about current issues about the working relationship between agencies. A tentative meeting is scheduled after the Water Congress concludes, place and time will be announced soon. Mark went over a summary page of some of the points and highlighted areas of interest. Flexible Management plans and the questions of plan administration and effect with what they might entail may be discussed.

Rescheduled Kansas Natural Resources Legislative Tour: August 18<sup>th</sup> and 19<sup>th</sup>

Mark Rude will be speaking on the tour about Ogallala water management issues.

An abbreviated version of the communication video that Scott and others have been producing was viewed. All those interviewed will have a chance to comment prior to officially releasing the video. We have two costs that need input from the Board of Directors. 1) \$1,500 for transcribers and travel expenses on interviews already done. 2) Also looking at some animation on about 3 segments, add another \$2,500. So a total of about \$4,000. Do we prefer the GMD3 pay this or should we try to go through the Aqueduct Coalition for funding?

Kent Dunn moved to take expense out of the GMD3 general fund budget. Mike McNiece seconded. Motion passed with all in favor.

**Southwest Kansas Groundwater Management District No. 3**  
**Minutes of the Regular Meeting of the Board of Directors**  
**July 13<sup>th</sup>, 2016**

**Monthly Western Water Conservation Projects Fund Business**

Amazon Flume has been completed. Randy Hayzlett is working with an engineer on the Phase 11 of the Southside system. Next month the tour of the projects will occur after the GMD3 Board Meeting which will be held on August 10<sup>th</sup>, 2016.

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, Seth Nelson moved to accept the June financial report and payments as presented and submit them for annual audit. Mike McNiece seconded. Motion passed with all in favor.

**Board Member Report**

No announcements were made.

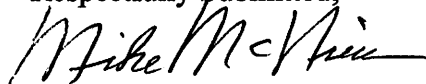
**Public Forum**

No public forum was held.

**ADJOURNMENT**

Zachary Gale made a motion to adjourn the meeting. Seth Nelson seconded.  
The meeting was adjourned at 12:00 p.m.

Respectfully Submitted,



Mike McNiece  
GMD3 Board Secretary