

Southwest Kansas Groundwater Management District No. 3
Minutes of the Regular Meeting of the Board of Directors
April 12th, 2017

MEETING CALLED TO ORDER

The April 12th, 2017 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
Bret Rooney, Vice President, Haskell County Representative
Clay Scott, Grant County Representative
Steve Stone, Finney County Representative
Kent Dunn, Seward County Representative
Zachary Gale, Hamilton County Representative
Randy Hayzlett, Surface Water Representative
Douglass Fox, Meade County Representative
Fred Claassen, Morton County Representative
Fred Jones, Municipal Representative

Directors Absent with Notice

Hal Scheuerman, Kearny County Representative
Jeff Reinert, Ford 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
Armondo Zarco, Garden City KDA/DWR
Jon Aquilar, KSU Research
Susan Metzger, Department of Agriculture Assistant Secretary
Kelly Warren, Water Right Consultant
Greg Graff, GMD1 President & Western GMD's Water Authority Representative
KFL Representatives
Ed Banning, Producer
Dave Brenn,

APPROVE AGENDA

President Heger asked for consideration of the meeting Agenda. Mark stated during financial we will review the contract with LHD for the next five years. 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.

APPROVAL OF MINUTES & GENERAL MONTHLY FINANCIAL REPORT

President Heger drew the attention of the Board to consider March 8, 2017 draft minutes. Clay Scott moved to approve the March 8, 2017 minutes, as presented. Mike O'Brate seconded the motion. The motion was approved with all in favor.

President Heger next drew the attention of the Board to review the March 2017 financial report documents. Randy Hayzlett made a motion as follows: Approve the financial reports and payments for the month of March as presented at this meeting, and to submit them for the annual audit. Fred Claassen seconded the motion. The motion was approved with all in favor.

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Mark spoke about the contract that was presented by Lewis Hooper and Dick. The contract extends for 5 years, starting in 2017. The base cost \$13,168.00 stayed the same with an annual increase of 3%. When the Ark River Projects funds are depleted they will adjust the cost accordingly. Clay Scott moved to approve the five year contract with Lewis Hooper and Dick. Brett Rooney seconded. Motion passed with all in favor.

President Heger signed and submitted the financial documents.

President's Report, President Kirk Heger

Affirmation of Newly Elected / Re-elected Board of Directors

Garden City Mayor, the honorable Chris Law, administered the Affirmation to newly and re-elected board members: Brett Rooney, Fred Jones, Clay Scott. Raising their right hand they affirmed: "I do solemnly affirm, that I will support the constitution of the United States and the constitution of the state of Kansas, and faithfully discharge the duties of the board of directors of the Southwest Kansas Groundwater Management District Number 3, So help me God."

Water Commissioner's Report, Mike Meyer

Water Commissioner, Mike Meyer praised the great rains received in the last week. Garden City DWR will hold interviews in the next couple of weeks to hire an Interstate Group employee. Mr. Meyer announced there are 8 WCA's (Water Conservation Areas) across the state. Garden City Field Office will also conduct river alluvial water measurements next week (week of April 17th). He added that GMD4 submitted the local district wide LEMA while Sheridan 6 approved to extend their LEMA.

Randy Hayzlett announced that a special ARCA tele-conference meeting will be held this Monday, April 17th, 2017 at 2:30 Central Time.

Board Review, Water Right 27,426, Collingwood Trust, Distance Waiver

Ed Banning Manager for Collingwood Trust was present for any questions regarding the distance waiver review of Water Right 27,426. Jason Norquest provided the following information:

- ◇ May 25th, 2016 change application to move east well (thought both were done at once).
- ◇ December 27th, 2016, application to move the west well to old location of east well.
- ◇ GPS shows the move to be 2719' (over half mile)
- ◇ No other certified wells within a mile
- ◇ Few domestic wells within a mile. Notices were sent, no responses.

Mike O'Brate asked how the wells are in that area, Ed responded about 1000 GPM. Jason added that they will be moving away from the populated area and going into an isolated area. After additional comments were stated, Kent Dunn moved to recommend approval of the waiver. Clay Scott seconded. Motion passed with all in favor.

Kearny/Finney LEMA (KFL) Development

Duane Roth introduced the producers on the KFL steering committee in attendance. The steering committee is made up of landowners and producers who represent and operate inside the proposed boundary. The proposed boundary encompasses irrigation wells ranging in capacity from 200gpm to 1200gpm. Mr. Roth noted that everyone on the committee has a succession plan for the next generation and they would like that succession plan to have irrigation sustainability for all inside the proposed LEMA for future generations. The KFL steering committee first met in the fall of 2016. January 6th, 2017 met with KGS and began developing the KFL concepts. Since January 6th meetings have basically been held every two weeks with side meetings happening between producers. Duane stressed the importance of doing something sooner rather than later for conservation of the area aquifer. The proposed reductions are modest but will make a difference, not only in the present but for the future.

Mike Standley reviewed the LEMA Proposal Summary:

- 15% reduction from recent average use sustained over a 5 year period
- only appropriated irrigation groundwater rights to be limited
- vested rights are encouraged to participate voluntarily
- Non-irrigation uses are encouraged to implement their own conservation plans
- Process in place to give due consideration for past voluntary conservation.

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Flexibilities:

- 5 year allocation
- Move LEMA Allocations: consolidated well units & within 2 miles as long as authorized quantity not exceeded
- Greater than 2-miles as long as historical use is not exceeded
- Roll over portion of unused quantity if LEMA is renewed.

Mike explained the fair calculations for past use and voluntary conservation. Explaining several options:

- Actual average historic use (2006 - 2015)
- Average historical use without zero use years
- Flow test
- Compare to net irrigation requirement.

Temporary transfers can occur on consolidated well and wells up to 2 miles: moving WR1 to WR2 (or vice versa) up to 5x Authorized Quantity as long as a 5 year KFL allocation of the rights is not exceeded. Temporary transfers of wells more than 2 miles can also have allocation moved up to 5x historic use as long as 5 year KFL allocation of the receiving rights is not exceeded.

KFL committee will hold a public meeting at the Cornerstone Church. Postcards have been mailed to all those in the LEMA boundary by KDA.

President Heger thanked the KFL Steering Committee for their attendance, presentation and work thus far. The public meeting will be held April 19th, 2017 at 9:00 a.m. at the Cornerstone Church in Garden City, KS. The consensus of the directors was to be in attendance to aid in the efforts of knowledge and informed decision making. President Heger asked for an email reminder to be sent to the directors regarding the meeting and noted the information also in board books.

Draft Revised Management Program Document

Mark Rude reviewed the draft revised management program document and demonstrated through PowerPoint the timeline and major policy elements:

May, GMD3 Board adopts revisions and submits to Chief Engineer for statutory approval.

Policy and Legal will meet with Chief Engineer.

July: Chief Engineer approves a revised Groundwater Management Program Document.

August: Board holds public hearing on the proposed program with rule concepts needed to be implemented

September: GMD3 Board adopts a revised Management Program.

Committee Reports

There were no committee reports.

Old Business

There was no old business brought to table.

New Business

There was no new business brought to the table.

Executive Director Report, Mark Rude

NWRA Federal Water Issues Conference, March 20-22, Washington DC Report

Mark Rude, Jason Norquest, Randy Hayzlett and Clay Scott attended the NWRA Federal Water Issues Conference that was held March 20-22, 2017 in Washington D.C.

NWRA Groundwater Task Force meeting, April 20, 2017, Dallas, TX along with GMDA Summer Conference

Mark asked for consideration of travel approval for board and staff to attend the NWRA Groundwater Task Force meeting that will be held in Dallas, Tx on April 20th, 2017 along with the GMDA Summer Conference that will be held in Albuquerque, NM, May 24-26, 2017. Kent Dunn moved to approve travel for board and selected staff to attend the NWRA Groundwater Task Force meeting, April 20, 2017, Dallas, TX along with GMDA Summer Conference which will be held in Albuquerque, NM May 24th-26. Doug Fox seconded. Motion passed with all in favor.

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Water Authority Meeting, Garden City, May 17-18, Sponsorships

Sponsorship for the Water Authority Meeting that will be held in Garden City, KS on May 17-18 was brought to the table for discussion. Mike McNiece moved to approve sponsorship with an expenditure ranging from \$100.00 to \$1,000.00. Zachary Gale seconded. Motion passed with all in favor.

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, Brett Rooney moved to accept the March financial report and payments as presented and submit them for annual audit. Fred Jones seconded. Motion passed with all in favor.

Board Member Report

There were no board member reports announced.

Public Forum

No public forum.

Executive Session

Randy Hayzlett called an executive session, which would include Mark Rude, to discuss employee-employer negotiations at 12:11p.m. Brett Rooney seconded.

Executive Session ended at 12:25 and the regular board meeting proceeded.

ADJOURNMENT

Fred Jones made a motion to adjourn the meeting. Fred Claassen seconded.
The meeting was adjourned at 1:04 p.m.

Respectfully Submitted,



Mike McNiece
GMD3 Board Secretary