

**Southwest Kansas Groundwater Management District No. 3  
Minutes of the Regular Meeting of the Board of Directors  
August 12th, 2020**

**MEETING CALLED TO ORDER**

President Bret Rooney called to order the August 12th, 2020 Board of Directors meeting of the Southwest Kansas Groundwater Management District to order at 9:03a.m. The meeting was held at the GMD3 Board Room.

**Directors Present in person or by phone**

Bret Rooney, President, Haskell County Representative  
Fred Jones, Vice President, Municipal Representative  
Mike McNiece, Board Secretary, Industrial Representative  
Mike O'Brate, Treasurer, Gray County Representative  
Hal Scheuerman, Kearny County Representative  
Douglass Fox, Meade County Representative  
Randy Hayzlett, Surface Water Representative  
Fred Claassen, Morton County Representative  
Clay Scott, Grant County Representative  
Kent Dunn, Seward County Representative  
Kirk Heger, Stevens County Representative  
Garrett Love, Gray County Representative

**Directors Absent with Notice**

Zachary Gale, Hamilton County Representative  
Dave Casterline, Ford County Representative  
Seth Nelson, Stanton County Representative

**District Staff Present in person or by phone**

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 in person or by phone**

Mike Meyer, Water Commissioner, Division of Water Resources, Garden City, KS  
Armando Zarco, Kansas Water Office, Garden City, KS  
Dave Brenn, Kansas Water Congress  
Greg Graff,  
Keadron Pearson, Kansas Water Office, Water Resource Planner  
Sean Miller, Capital Strategies  
Austin McColloch, DWR, Garden City, KS

**APPROVE AGENDA**

President Rooney asked for consideration of the August 12th, 2020 meeting agenda. Mark Rude, add Resolution 2020-3 under agenda IV item e. **Mike O'Brate made a motion to approve the agenda as revised by Mark Rude. Fred Jones seconded. The motion passed.**

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

President Rooney drew the attention of the Board to consider the July 8th, 2020 draft minutes.

**Kent Dunn moved to approve the July 8th, 2020 minutes, as presented. Fred Jones seconded the motion. Motion passed.**

President Rooney next drew the attention of the Board to review the July 2020 financial report documents. **Randy Hayzlett made a motion as follows: Approve the financial reports and payments for the month of July, 2020 as presented at this meeting and submit them for the annual audit. Hal Scheurman seconded the motion. Motion passed**

President Rooney signed and submitted the financial documents.

**President's Report. Vice President Fred Jones**  
**KDA/DWR Water Commissioner Report**

Mike Meyer, status quo on work status. Chief Engineer is getting ready for a LEMA hearing at Leoti, for draft GMD1 LEMA Plan. People can attend in person or attend by ZOOM link or YOU Tube channel.

**Board Review. Phil Dirks**

Jason Reviewed: File number 13,618 change in point of diversion, place of use and use made of water. The change proposes moving authority to an existing domestic well for stock use on an existing set of pens in the quarter. The current authority is irrigation with 180af at 2,100gpm, now proposing irrigation at 130.5af at 764gpm and proposed stock at 42af at 50gpm. This would be a 7.5af loss for consumptive use change. Spacing is not met to 22,526, however, neighbor signed waiver agreement. Analysis shows minimal well drawdown effect. Kent Dunn asked if there were any over pumping issues? Mike Meyer responded in 2008 there was but that was before the current producer owned it. After some discussion, Mike O'Brate, moved to recommend approving waiver with the 3-considerations listed by the Policy and Legal committee: 1) meets GMD3 well evaluation guidelines; 2) moving water use to higher value; and 3) no opposition from neighbor where well spacing is not met. Kent Dunn seconded. Motion carried.

**Love Ag Well Changes**

Jason Norquest brought to table a review of Greg Love well changes for water right, 28,636, 20,063 and 14,550 all for discussion only. Concerns were raised by neighboring wells. DWR ran Theis and showed moved could have a significant effect in the area. GMD3 analysis showed possible effects to the area from the proposed move, however, not as severe.

**Water Right 28,636**

- ✓ Proposed move 1,360'SE
- ✓ Minimum spacing is met
- ✓ Concerned raised by neighbor
- ✓ Analysis under GMD3 guidelines shows area critical well concerns due to low saturated thickness
- ✓ Authorized 544af at 2,000gpm
- ✓ GMD3 determined critical well effect can be mitigated by limiting the water right to 311af @ 550gpm to manage risk

Consideration of a monitoring well with in 100feet of WR 22,702, which was re-drilled in 2018 and also owned by Love Ag. Plan of action is to install a monitoring well and run analysis again.

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**Water Right 14,550 & 20,063**

- ✓ Two separate application, all within section 12
- ✓ Both meet minimum spacing to neighboring wells.
- ✓ Concerns raised by neighboring irrigation and domestic well owners
- ✓ Analysis for 20,063 by itself shows minimal effect to area
- ✓ Analysis for 14,550 has one potential critical well
- ✓ Combined effects are an issue with both moves

Discussions are ongoing with the applicant and DWR while DWR takes a lead role in aquifer testing.

Kent Dunn stated it appears today that we let them decide what they want to do, but Kent is opposed of making the applicant drill a monitoring well. Kirk asked what is the timeline? Jason noted an extension was recommended. Kirk Heger asked what was the Policy and Legal Committee recommendation? Jason noted it was to review and let staff work through for progress.

**Resolution 2020-1**

Resolution 2020-1 was brought to the table for approval. This resolution covers the Cash Base Budget and has to be annually. Hal Scheuerman moved to approve Resolution 2020-1. Randy Hayzlett seconded. Motion passed with all in favor.

**Resolution 2020-2**

Resolution 2020-2 was brought to the table for approval. This resolution is for the 2021 budget to finance operations of the GMD3 District. Fred Claassen moved to approve resolution 2020-2. Mike McNiece seconded. Motion passed with all in favor.

**Resolution 2020-3**

Resolution 2020-3, in support of cost sharing funding of Water use and Climate evaluation service to irrigators for drought resiliency in Southwest Kansas was brought to table. Fred Jones moved to approve Resolution 2020-3. Hal Scheuerman seconded. Motion passed.

**Committee Reports**

**Policy and Legal**

Fred Jones added that Policy and Legal is looking at new proposed regulations for LEMA's and WCA's and a brief overview of the GMD3 management plan. The committee will be meeting monthly, for a few months, for these regulation reviews and the management plan.

**Old Business**

There was no old business to take off the table.

**New Business**

There was no new business to bring to the table.

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**Executive Director Report, Mark Rude**

Mark Rude noted the reason he is not in the office for the board meeting is he and his wife have tested positive for Covid19 and being quarantined for 14 days. The office is still researching online meetings options and trying to determine which is a good fit for the board.

**Kansas-Oklahoma Arkansas River compact Commission Annual Meeting**

Mark attended the Kansas-Oklahoma Arkansas River Compact meeting virtually and provided GMD3 comments for the far western Kansas region of the compact. He noted that Kansas is mining our water supply, we are closed to new appropriations while Oklahoma and Colorado are not. SW Kansas is not only looking at conserving our supply through efficiency but also looking to other supplies/sources that may require future agreements with the compact commission. The commission is focused heavily on water quality, while Kansas is working diligently to put criteria in place working with Oklahoma on water sheds.

**State Water Planning**

Mark reminded the board of the 10 items that were submitted as requests to the State Water Plan budget process. However, no feedback has been received to this date.

**Coordinating of WaterSMART and EQIP with NRCS**

GMD3 has WaterSMART grant contract areas and NRCS has special funds available for incentivized practices in those targeted contract areas to implement EQIP. Therefore, the producers in the Finney County Water Users and Garden City Ditch have the opportunity for additional funding.

**Monthly Western Water Conservation Projects Fund Business**

Mark Rude drew the attention of the board to the July 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 July 2020 Financial Report and payments as presented and submit them for annual audit. Mike O'Brate seconded. Motion passed.**

**Update of Projects**

Headgates and lining on the canal will be occurring on the Farmers Ditch with work this fall.

**KWO/ KWA / RAC's**

**KWO**

Armando Zarco with Kansas Water Office noted the Water Authority meeting will be held 24<sup>th</sup> of August. RAC meetings will be held mid-September, date to be announced soon. The Governors Water Conference has been cancelled for in person attendance, however, they are researching a virtual meeting. Still working on Water Tech Conference but not sure how, if in person or virtual.

**KWA**

Randy Hayzlett noted that the Budget Committee for the Water Authority held a conference call yesterday and another one scheduled for tomorrow. Talked about the State Water Fund. GMD3 request was discussed on the call yesterday. The GMD3 letter didn't get much traction in committee. Insinuation from the committee was that GMD3 didn't care as much about conservation as we do about importation of water. Randy explained that GMD3 conserves water in many ways: For

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example, many Water Tech farms in the area along with several WCA's in the GMD3 boundary. A lot of work to do in the State Water Plan budget perceptions vs. facts.

Clay Scott, noted it's striking to hear that SW doesn't care about conservation, looking at the systems with mobile drip, sub-surface drips, yields per gallon. Just because we don't seek gimmicks of self-promotion doesn't mean GMD3 members don't practice conservation as a matter of necessity.

**RAC's**

There were no reports from RAC's.

**Board Member Report**

There were no reports from board members.

**Public Forum**

Dave Brenn announced the Water Congress summer meeting has been cancelled due to Covid19 and will be combining important agenda items to meeting that will be held in February.

**ADJOURNMENT**

Fred Jones made a motion to adjourn the meeting. Randy Hayzlett seconded.

The meeting was adjourned at 11:06 a.m.

Respectfully Submitted,



Mike McNiece  
GMD3 Board Secretary