

**Southwest Kansas Groundwater Management District No. 3  
Minutes of the Regular Meeting of the Board of Directors  
March 11<sup>th</sup>, 2020**

**MEETING CALLED TO ORDER**

President Rooney called to order the March 11th, 2020 Board of Directors meeting of the Southwest Kansas Groundwater Management District to order at 1:06 p.m. The meeting was held at the Grant County Civic Center.

**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  
Hal Scheuerman, Kearny County Representative  
Douglass Fox, Meade County Representative  
Randy Hayzlett, Surface Water Representative  
Zachary Gale, Hamilton County Representative  
Fred Claassen, Morton County Representative  
Seth Nelson, Stanton County Representative  
Kent Dunn, Seward County Representative  
Kirk Heger, Stevens County Representative

**Directors Absent with Notice**

Mike O'Brate, Treasurer, Gray County Representative  
Dave Casterline, Ford County Representative  
Clay Scott, Grant County Representative  
Steve Stone, Finney 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  
Keadron Pearson, Kansas Water Office, Garden City, KS  
GMD3 Members

**APPROVE AGENDA**

President Rooney asked for consideration of the March 11th, 2020 meeting agenda. Fred Jones made a motion to approve the agenda as presented. Zachary Gale seconded. The motion passed.

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

President Rooney drew the attention of the Board to consider the January 10<sup>th</sup>, 2020 draft minutes. Kent Dunn moved to approve the January 10<sup>th</sup>, 2020 minutes, as presented. Randy Hayzlett seconded the motion. Motion passed.

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President Rooney next drew the attention of the Board to review the January and February 2020 financial report documents. Hal Scheuerman made a motion as follows: Approve the financial reports and payments for the months of January and February as presented at this meeting and submit them for the annual audit. Fred Jones seconded the motion. Motion passed

President Rooney signed and submitted the financial documents.

**President's Report, President Bret Rooney**

**Accept Steve Stone's resignation from Finney County Representative**

Mark Rude, Executive Director brought to the boards' attention a letter of resignation of Finney County Board Representative Steve Stone. After much discussion, Randy Hayzlett reluctantly moved to accept Steve Stones resignation. Fred Jones seconded. Motion passed. Kent Dunn moved to advertise in the Garden City Telegram for 2 consecutive Saturdays with a deadline of end of day Friday before the next board meeting (April 3<sup>rd</sup>, 2020) to submit a letter of interest to GMD3. Randy Hayzlett seconded. Motion passed.

**Board Officer Elections**

**President:**

McNiece moved to nominate Bret Rooney to remain as Board President. Doug Fox seconded. Motion passed. Kent Dunn moved to cease nomination for Board President. Randy Hayzlett seconded. Motion passed. Bret Rooney is Board President.

Kent Dunn moved to keep all officers the same. Mike McNiece seconded. Motion passed.

**Vice President: Fred Jones will remain Vice President**

**Secretary: Mike McNiece will remain Secretary**

**Treasurer: Mike O'Brate will remain Treasurer**

**Board Committee assignments**

President Bret Rooney will review and discuss with board members regarding committee assignments. Announcement of committee assignments will be tabled until the April Board meeting.

**Board Review, Research Term Permit: L 41,066, T&O Seward County**

Jason Norquest brought to table a board review for T&O LLC of Seward County. The applicant currently has a water technology farm and is proposing a 5-year term permit for crop/livestock/grazing economic research. This research farm could provide beneficial data to potential operators/producers with limited water quantity or well capacity. Two types of crops, row crop and grassland will be grown on separate tracts of land under limited irrigation, with grazing on both. The existing water right covers one quarter of land. Approving this term permit would allow temporarily authorizing a new quarter tract of land for the term permit duration. Two conditions apply 1) the new quarter tract of land shall only be planted to a row crop receiving limited irrigation and 2) the existing authorized acreage under the existing water right will be planted with a variety of pasture grasses receiving limited irrigation. The authorized quantity of water under this term permit for the first five-year period will be 10% of the authorized annual quantity under the existing water right.

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Request of the applicant if the goals are successful at the end of the 5-year period:

1. Applicant will request a renewal of the term permit for another 5-year period to finalize the research.
2. If more than 10% water conservation is achieved, the applicant agrees to an increased water conservation factor with the renewal of the term permit that will be equal to half of the additional water savings (greater than 10%).

If at the end of 10 years, project goals are successful and there is not a net increase in historic consumptive use of the existing water right, the landowner will file for an application to change place of use and meet the requirements in the current rule and regulation K.A.R. 5-5-11 with the existing water right. If unsuccessful, the term permit will not be renewed, and the project will no longer be applicable, and the irrigated land will revert back to the existing water right conditions.

Added comments:

- \*No letters were sent to neighboring wells since they are all over a mile away.
- \*No additional well, just place of use.

**Hal Scheurman moved to recommend approving the Term permit for 5 years (2025) as presented. Zachary Gale seconded.**  
**Motion passed.**

**Briefing for 13,618 Isaac additional well and joint stock & irrigation**

Mark Rude provided information on Water right 13,618. The current owner bought it and didn't know it did not have stock water right. A "slice of pie" is out of the quarter for a 4,000 head feed yard. Currently he has a KDHE permit. The concept on the application will be a dual use. Adding a well for the feed yard, when there are no cattle in the feed yard then it would be for irrigation. Mark noted they are asking for the "consumptive use shift" stock plus percent comes off of irrigation. What would be more comfortable for administrators is a specific quantity for stock and a specific quantity for irrigation. However, what may even be more comfortable for GMD3 staff and membership is that everything comes off of existing well to the south as in other cases. Staff will draft an application accordingly.

**Old Business**

There was no old business to take from the table.

**New Business**

There was no new business to bring to the table.

**Executive Director Report, Mark Rude**

**Legislative Update**

Chairman of House Ag Committee has expressed interest on concerns of public interest of GMDs A bill concept was supported by most of the GMD's asking for authority from a GMD board being able to ask for and receive a hearing in water right change review cases. Chairman of House Ag floated the language past his committee and felt like he did not have the support from his committee to proceed at the time. However, the Chairman is looking at interim committee work to examine

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restructuring water agencies within the state. Mark will continue to monitor that process closely and report back to the board as that activity may progress.

Water Day under the Dom is the 19<sup>th</sup> of March celebrating National Water Day.

**Approve out of state travel, March 31<sup>st</sup> and April 1: Trevor Ahring to Reclamation stakeholder workshop, Lakewood, Co and Board and Staff to Ogallala Summit, Amarillo, Tx**  
**Fred Jones moved to approve both out of state travel dates. Hal Scheuerman seconded. Motion passed.**

**Monthly Western Water Conservation Projects Fund Business**

Mark Rude drew the attention of the board to the January and February 2020 Financial documents of the Western Water Conservation Projects Fund and activity of the advisory committee. **After some discussion of the Board, Fred Jones moved to accept the January and February 2020 Financial Report and payments as presented and submit them for annual audit. Hal Scheuerman seconded. Motion passed.**

**Board Member Report**

Doug Fox expressed his concern about missing meetings due to lack of help on the farm. Actively looking for a replacement but will continue to serve out his time at the best of his ability.

**Public Forum**

Farm Bureau will have a Legislative meeting in Ulysses, KS on March 26<sup>th</sup> at 10a.m.

Armando Zarco added Cover Crop Field Day will be held at Circle C Farms in Healy, KS on April 2<sup>nd</sup>, 2020 with a start time of 10:00 a.m.

Diane Knowles has officially retired; Armando has taken on the role of the project lead for the Arkansas River Litigation.

Keadron Pearson is a new employee with Kansas Water Office and will be working in the Garden City office.

**ADJOURNMENT**

**Zachary Gale made a motion to adjourn the meeting. Seth Nelson seconded. The meeting was adjourned at 2:05 p.m.**

Respectfully Submitted,



Mike McNiece  
GMD3 Board Secretary