

**Southwest Kansas Groundwater Management District No. 3
Minutes of the Regular Meeting of the Board of Directors
March 10th, 2021**

MEETING CALLED TO ORDER

President Rooney called to order the March 10th, 2021 Board of Directors meeting of the Southwest Kansas Groundwater Management District to order at 12: 56 p.m. The March regular meeting was held at the Grant County Civic Center, Ulysses, KS.

Directors Present in Person

Bret Rooney, President, Haskell County Representative
Fred Jones, Vice President, Municipal Representative
Garrett Love, Secretary, Gray County Representative
Randy Hayzlett, Surface Water Representative
Harrison Krey, Morton County Representative
Dave Casterline, Ford County Representative
Clay Scott, Grant County Representative
Kent Dunn, Seward County Representative
Matt Johnson, Stevens County Representative
Ben Amerin, Meade County Representative
Zachary Gale, Hamilton County Representative
Chad McCormick, Industrial Representative
Seth Nelson, Stanton County Representative

Directors Absent with Notice

Hal Scheuerman, Kearny County Representative
Mike O'Brate, Treasurer, 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
Earl Lewis, Chief Engineer, DWR
Greg Graff, GMD1 Board President
Justin Vyn, Vyn Land & Cattle
Douglas Koehn, Producer
District Members

APPROVE AGENDA

President Rooney asked for consideration of the March 10th, 2021 meeting agenda. **Kent Dunn made a motion to approve the agenda as presented. Garrett Love 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 February 10th, 2021 draft minutes. Randy Hayzlett noted a correction under public comments. Delete the wording Sierra Club Lawsuit and correct it to read the Audubon lawsuit on Quivira. **Fred Jones moved to approve the February 10th, 2021 minutes, as revised. Kent Dunn seconded the motion. Motion passed.**

President Rooney next drew the attention of the Board to review the February 2021 financial report documents. **Clay Scott motioned as follows: Approve the financial reports and payments for February 2021 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.

Board Officer Elections. President Bret Rooney

Randy Hayzlett moved to nominate Brett Rooney as Board President. Garrett Love seconded. Motion passed. Clay Scott moved to cease and cast a unanimous ballot.

Kent Dunn moved to nominate Fred Jones as Board Vice President. Garrett Love seconded. Motion passed. Clay Scott moved to cease and cast unanimous ballot.

Clay Scott moved to nominate Garrett Love as Board Secretary. Randy Hayzlett seconded. Motion passed.

Garrett Love moved to nominate Mike O'Brate as Board Treasurer. Clay Scott seconded. Motion passed.

Presidents Report

Water Commissioner Report

Water Commissioner Mike Meyer provided a report in person. He announced that Water Use Reports should all be into the State; however, a few late ones. Producers can still complete online with a late fee of \$250.00 until June, and then it is \$1000.00. July and after, there will be a suspension of water rights. A lot of over-pumping happened last year. Mike and the staff are busy with GMD1 LEMA questions.

Earl Lewis, Chief Engineer, talked about the GMD3 Management Program. He suggested sitting down with the Board and staff to review the two agencies' differences regarding the document. The consensus from the Board was to sit down together and review sooner than later.

Clay Scott asked about the call for water and the water secured for HS3.

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Spacing Waiver, File 16,406, Vyn Land & Cattle, Kearny County

Jason Norquest started the spacing waiver review for File #16,406, Vyn Land & Cattle in Kearny County. Justin Vyn was present. The application was approved in 2020, shifting authority and one new well to the northwest corner. The new application will stack acre-feet on that new well from the same water right. The current spacing is 1600feet with 252 acre-feet. The proposed spacing of 2,300' is not met for 504 acre-feet. There are no critical wells. Neighbor voices concern that this move would restrict their possible future moves. Directors and Mr. Vyn discussed the issues of hopscotching and the circumstances that could arrive in the future. Garrett Love moved to proceed with getting a recommendation letter. Zachary Gale moved to recommend getting a waiver and recommend approval of spacing waiver. Garrett Love struck his motion and seconded Zachary's motion. The motion failed. Mark Rude continued to discuss the hopscotching, explaining it is precedent, not a rule. After further discussion, **Garrett Love moved to recommend approval of the spacing waiver. Pending a favorable letter from the infringed neighbor. If another move in the future, consider it an additional well rule in effect if unstacked. Clay Scott seconded. Motion passed.**

Spacing Waiver, File 26,312, Douglas Koehn, Grant County, two well shift

Jason Norquest began the two well shift review spacing waiver for File 26,312 in Grant County for Douglas Koehn. Douglas Koehn was present to answer any questions. Jason noted we are dealing with one water right two wells. Water Right 26,312 is authorized in the southeast corner well and currently stacked with water right 9,374. If these applications go through, water right 9,374 will be dismissed, and the junior water right will go away. Mr. Koehn would then move 26312 ID1 to the well location currently authorized under 26312 ID2, 2,762 feet to the northwest. 26,312 ID2 would then be moved to a new well location to the northwest, a distance of 2,600 feet. Water right 26,312 ID 1 and 26,312 ID 2 are limited to a combined rate of 1,655gpm and a combined quantity of 1,260 acre-feet. Discussion occurred among the committee and Mr. Koehn. **Kent Dunn moved to recommend approval of move with 581 acre-feet at the new north well with an all-over limit of 1.161 acre-feet. Garret Love seconded. Motion passed.**

Fred Jones brought up the consideration of mailing neighboring letters by certified mail, considering the postal service at this time.

Committee Reports

Policy and Legal

Fred Jones would like to sit down and review how the procedures are outlined, especially with the committee's new members.

Old Business

There was no old business to take off the table.

New Business

There was no New Business to put on the table.

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Executive Director Report. Mark Rude

House Water Committee Presentation on GMD's

Mark Rude noted that all Kansas GMDs are presenting to the House Water Committee next week on the 17th. Chairman Highland is questioning why there are so many water entities in the State.

Attorney General is asking ARCA to investigate the water qualities on the river.

Mark talked about the Proof of Concept regarding the Missouri River to Central Colorado Water Conservancy District. The only permit that needs to be approved is from the Chief Engineer; all others have been granted.

Monthly Western Water Conservation Projects Fund Business

Mark Rude drew the Boards attention to the February 2021 Financial documents of the Western Water Conservation Projects Fund and the advisory committee's activity. **After some discussion of the Board, Fred Jones accepted the February 2021 Financial Report and payments as presented and submitted them for annual audit. Randy Hayzlett seconded. Motion passed.**

Board Member Report

There were no Board Member reports.

Public Forum

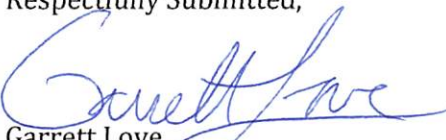
There were no public announcements.

ADJOURNMENT

Garrett Love made a motion to adjourn the meeting. Dave Casterline seconded.

The meeting adjourned at 2:56 p.m.

Respectfully Submitted,


Garrett Love
GMD3 Board Secretary