

**Southwest Kansas Groundwater Management District No. 3**  
**Minutes of the Regular Meeting of the Board of Directors**  
**April 14<sup>th</sup>, 2021**

**MEETING CALLED TO ORDER**

President Rooney called to order the April 14, 2021 Board of Directors meeting of the Southwest Kansas Groundwater Management District to order at 9:01 a.m. The meeting was at the GMD3 Board Room.

**Directors Present in Person**

Bret Rooney, President, Haskell County Representative  
Fred Jones, Vice President, Municipal Representative  
Mike O'Brate, Treasurer, Finney County Representative  
Garrett Love, Secretary, Gray County Representative  
Chad McCormick, Industrial Representative  
Clay Scott, Grant County Representative  
Hal Scheuerman, Kearny County Representative  
Harrison Krey, Morton County Representative  
Kent Dunn, Seward County Representative  
Matt Johnson, Stevens County Representative  
Randy Hayzlett, Surface Water Representative  
Zachary Gale, Hamilton County Representative

**Directors present by phone or zoom**

Ben Amerin, Meade County Representative

**Directors Absent with Notice**

Seth Nelson, Stanton County Representative  
Dave Casterline, Ford 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, in person, or by zoom**

Mike Meyer, Water Commissioner, Division of Water Resources, Garden City, KS  
Dave Brenn, Kansas Water Congress  
Jeff Lanternman, Water Commissioner, Division of Water Resources, Stafford, KS  
Keadron Pearson, Kansas Water Office, Water Resource Planner  
Austin McColloch, Kansas Department of Agriculture  
Kevin Salter, Division of Water Resources  
Kirk Tjelmeland, Kansas Water Office, Chief of Planning  
Earl Lewis, Chief Engineer, DWR  
Chris Beightel, DWR  
Marty Shields, Producer

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**APPROVE AGENDA**

President Rooney asked for consideration of the April 14, 2021 meeting agenda. **Hal Scheuerman made a motion to approve the agenda as presented. Fred Jones seconded. The motion passed.**

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

President Rooney drew the attention of the Board to consider the March 10, 2021 draft minutes. The following corrections were mentioned: Seth Nelson was present, and Mike O'Brate is Finney County Representative. **Randy Hayzlett moved to approve the March 10, 2021 minutes, as revised. Clay Scott seconded the motion. Motion passed**

President Rooney next drew the attention of the Board to review the March 2021 financial report documents. Mark explained the MOU deposits. **Hal Scheuerman made a motion as follows: Approve the financial reports and payments for March 2021 as presented at this meeting and submit them for the annual audit. Mike O'Brate seconded the motion. Motion passed.**

President Rooney signed and submitted the financial documents.

**2021-2 Resolution Cash Basis Budget was approved by Fred Jones and seconded by Clay Scott. Motion passed.**

**Presidents Report**

**Water Commissioner Report, Mike Meyer**

Mike Meyer with Garden City DWR announced they are preparing to send out letters for late water use reports. Governor Laura Kelly signed a new MYFA (multiyear flex account) bill to open it for more recent water rights. Mike added that compliance work in the field is picking up. They are also reviewing the over-pumping list for errors and determining if it is true over-pumping. The list should be available in the next couple of weeks.

Jeff Lanternman, Water Commissioner in Stafford, KS, noted they are working on the same tasks as the Garden City DWR office. Jeff added that the notices sent from his office would remind the water rights owner the fine will increase after June and a potential effect on the water rights.

Chief Engineer Earl Lewis appreciated the opportunity to speak but will talk on topics later in the meeting.

**Legislative Update**

There is a lot of discussion on water agencies in the House Water Committee. An interim committee meeting may occur in August if approved by legislative coordinating council and at a place to be determined.

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**Committee Reports**

**Policy and Legal**

Policy and Legal Chairman Fred Jones provided an overview on streamlining board reviews. The committee talked about ways to improve the discovery steps, the work product of GMD3 staff for member information, concise and complete recommendations to the Board of directors by a Policy and Legal Decision memo. Utilizing the decision memo for reviews and stating the Policy and Legal Committee and staff review recommendations should provide a thorough and quicker response from the Board of directors, allowing the Board to concentrate on other issues that might need more focus, like our revised management program. The additional well rule was discussed, along with questioning the reason as to why a producer would need an additional well. When is the best time to do an aquifer flow test? Mark read through Resolution 2021-3, a resolution concerning additional wells, further implementing KAR 5-5-16 and the draft Management Program of the SW KS GMD3. The Board of directors discussed the test period for the rate of diversion, which is used to meet the restrictions of the additional well rule. The resolution noted May 1 through September 31. Some directors thought that was too long and suggested July 1 through August 30; some thought was too short of a time. Fred Jones noted his concern over the "quoting" of the "draft" management program in sections 3 and 4. It is a draft and not an actual policy. Do those whereas statements need to be included in this resolution? Chief Engineer Lewis took this opportunity to talk about the draft management program. There seems to be an issue of who does what and who has the authority. DWR and GMD have different roles and clarifying those roles will ease the confusion. Mike Meyer spoke up, stating there are approximately 68 additional wells approved in the district. Usually, there is a decrease in quantity to qualify, and producers do not generally want that. Garrett Love mentioned he understood there was a surge of additional wells. If there is not a surge, the Policy and Legal Committee should readdress the issue and come back. Consistency is the common term used, and that is what we want. No action on Resolution 2021-3 occurred.

**Research and Development**

Clay Scott briefed the Board on the presentation that Phi Tran gave the committee. Mr. Tran is from California and spoke on innovative irrigation infrastructure and finance. The committee agreed it was an excellent presentation but question the business model.

Another topic of heavy discussion was the irrigation end hose or nozzle use efficiency concern. Is it needed / helpful to have the nozzle open to flush out sand? Or is it a waste of water, and should there be more public shame put in place?

Mark stated Water Transportation development is continuing. There is an application pending with DWR for a small POC's interstate transfer to Colorado. After the application is approved, GMD3 will initiate the transfer. Kent Dunn asked if there was any chance of getting a foot in the door with President Biden's infrastructure bill. Mark responded NWRA and Groundwater Conservation Districts in Texas are working on this.

Another topic was Master Water Manager, which was a project GMD3 listed on the Kansas Water Office, Water Plan Funding request. GMD3 has held numerous conversations and has also submitted a funding request to Kansas Water Office. We are working closely with Johnathon Aquilar with KSU with an outline of a curriculum. Research and Development didn't discuss the Mammoth Water-

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TAPP H2O intelligent device application; however, Mark reminded everyone that it is a program that provides updates to where the producer is in their allocations.

Staff is looking to pull together information for the board to consider updating the 2000 Docking institute study on the value of an acre-foot of water in Southwest Kansas. The study went into 2020 and is at its end. Mark reached out to them, and they estimated \$50,000. Since they don't have a hydrologist researcher on staff, they will need to find one. The best way to do this is to join forces with K-State or KU. Kent Dunn asked will and how is this going to benefit the district? Mark stated not sure at this time, and that would be a research item for Research and Development Committee.

Jim Butler with KGS advised Mark a grant from US Geological Survey was received. This grant would help fund two nested index well sites in Southwest Kansas. There are several possible locations for these wells: Western Haskell, Grant, or eastern Stanton Counties.

The Stateline Groundwater Gage south of the river collapsed and may need replacing. The O & M was covered under the Ark River Gage Fund Statue. Stateline Groundwater Gage will be reviewed further by Research and Development.

GMD3 Groundwater Model update is used daily by Trevor Ahring. The proposal is to start working on the model in September with a cost of \$80,000.00, which could be a two-year project—splitting the cost into two budget years would be financially better for the district. Clay Scott added Research and Development was in agreement to proceed; however, the committee agreed to move it to the Finance Committee for funding.

Research and Development are still looking at adding the Hamilton corridor into the district. Much work/research has been completed over in that area.

**Old Business**

There was no old business to take off the table.

**New Business**

There was no new business to put on the table.

**Executive Director Report, Mark Rude**

**Revised Management Program Adoption**

President Rooney and Chief Engineer Earl Lewis discussed a different approach to the Management Program revisions by working in collaboration to an approvable document. Volunteers from the GMD3 Board of Directors and a couple of GMD3 staff and DWR volunteers to form a committee. Fred Jones, Kent Dunn, Clay Scott, and Brett Rooney volunteered along with Mark Rude and Jason Norquest. Mr. Lewis will gather 4 or 5 from DWR. Mark and Earl will set up a date for a meeting to start the revising and collaboration process for the management program.

**Field Vehicle Expenditure**

Chris Law provided details for a new field pickup. The proposal was from Lewis Chevrolet of Dodge City for a 2021 Chevy Silverado pickup costing \$36,334.00. The 2021 Chevy would replace Chris's current 2011 field pickup. **Fred Jones moved to approve the purchase of pickup from Lewis Motors at the cost of \$36,334. And allow staff the ability to decide how to sell the current vehicle. Randy Hayzlett seconded. Motion passed.**

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Associations

NWRA Federal Policy Forum

NWRA Federal Policy Forum will be online, with a cost per log-in. Mark encouraged Board to look over the schedule and see who would like to participate. The consensus of the Board was to allow staff and board approval to participate.

GMDA Board Meeting

GMDA summer meeting will be virtual, with hopes that January 2022 will be in person.

KIOGA Meeting

Tomorrow night is a KIOGA dinner at American Warrior with Kristi Noem, Governor of South Dakota, being the keynote speaker. The cost is \$100.00 per plate. Garrett Love, Mark Rude, Randy Hayzlett, and Harrison Krey, all with their spouse, have signed up to attend. The tie between KIOGA and GMD3 is the oil and gas industry reliance on groundwater.

SWKIA

Southwest Kansas Irrigation Association covers more than the GMD3 area with two positions from each county member. They were formed at least a decade before GMD3. Mark Rude serves on their board from Finney County to aid in communicating and collaboration.

Monthly Western Water Conservation Projects Fund Business

Mark Rude drew the Boards attention to the March 2021 Financial documents of the Western Water Conservation Projects Fund and the activity of the advisory committee. *After some discussion of the Board, Mike O'Brate moved to accept the March 2021 Financial Report and payments as presented and submit them for annual audit. Clay Scott seconded. Motion passed.*

PISA Grant Submittal

Preferred Interstate Supply Assessment Grant deadline for submittal deadline is next Wednesday, April 21.

KWO/KWA/RAC's

KWO

Keadron Pearson with Kansas Water Office reported that the next meeting of the Water Authority would be held April 26 from 9 a.m. to 2 p.m. Dawn Buehler will be in attendance, and this will be her first meeting as Chair of Kansas Water Authority. Next week, DWR will hold interviews for Armando's position. State Water Plan should be completed in the next few months.

Kirk Tjelmeland, Kansas Water Office, Chief of Planning, appreciated the opportunity to sit in on the meeting via zoom. He is available for questions or comments anytime.

KWA and RAC's had no report at this time.

Board Member Report

There were no board member reports.

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**Public Forum**

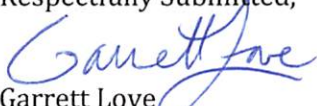
Marty Shield was in attendance to speak about a letter he and his neighbors received to relinquish their water rights. Marty will get with Jason Norquest later today to discuss this in further detail.

Dave Brenn announced Kansas Water Congress held a zoom conference that went very well.

**ADJOURNMENT**

*Harrison Krey made a motion to adjourn the meeting. Matt Johnson seconded.*  
*The meeting adjourned at 12:21 p.m.*

Respectfully Submitted,

  
Garrett Love  
GMD3 Board Secretary