

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

MEETING CALLED TO ORDER

President Rooney called to order the February 10th, 2021 Board of Directors meeting of the Southwest Kansas Groundwater Management District to order at 9:06 a.m. The meeting was held at the GMD3 Board Room and by Zoom meeting electronic remote attendance.

Directors Present in Person

Bret Rooney, President, Haskell County Representative
Mike O'Brate, Treasurer, Gray County Representative
Fred Jones, Vice President, Municipal Representative
Mike McNiece, Board Secretary, Industrial Representative
Randy Hayzlett, Surface Water Representative
Clay Scott, Grant County Representative
Kent Dunn, Seward County Representative
Garrett Love, Gray County Representative

Directors Present by Zoom

Fred Claassen, Morton County Representative
Kirk Heger, Stevens County Representative

Directors Absent with Notice

Zachary Gale, Hamilton County Representative
Hal Scheuerman, Kearny County Representative
Douglass Fox, Meade County Representative
Dave Casterline, 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
Dave Brenn, Kansas Water Congress
Keadron Pearson, Kansas Water Office, Water Resource Planner
Austin McColloch, Kansas Department of Agriculture
Kevin Salter, Division of Water Resources
Matthew Johnson, Stevens County Nominee
Earl Lewis, Chief Engineer, Division of Water Resources
Katlynn Bourne, KLAES
Craig Griswold, KLAES

Southwest Kansas Groundwater Management District No. 3
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February 10th, 2021

Jeff Sternberge, Midwest Feeders
Kurt Snyder, Midwest Feeders
Matthew Welsh, Midwest Feeders
Hunter Hershey, Division of Water Resources
Kirk Tjelmeland, Kansas Water Office, Chief of Planning

APPROVE AGENDA

President Rooney asked for consideration of the February 10th, 2021 meeting agenda. Mark noted the month correction at the top and reminded the board that approving the 2022 budget to take to the annual meeting is an action item under Finance Committee. **Fred Jones made a motion to approve the agenda as presented. Kent Dunn seconded. The motion passed.**

APPROVAL OF MINUTES & GENERAL MONTHLY FINANCIAL REPORT

President Rooney drew the attention of the Board to consider the January 13th, 2021 draft minutes.

Kent Dunn moved to approve the January 13th, 2021 minutes, as presented. Mike McNiece seconded the motion. Motion passed.

President Rooney next drew the attention of the Board to review the January 2021 financial report documents. **Randy Hayzlett made a motion as follows: Approve the financial reports and payments for the month of January 2021 as presented at this meeting and submit them for the annual audit. Garrett Love seconded the motion. Motion passed.**

President Rooney signed and submitted the financial documents.

President's Report, President Rooney
KDA/DWR Water Commissioner Report

Water Commissioner, Mike Meyer was present by zoom. Mr. Meyer stated their office is still closed except for appointments. Brownie Wilson with KGS is finishing up the water level measurements. Looks like an average 1.3 feet drop in GMD3. Water Use Reports are due by March 1st, 2021. At this time there have been around 5,000 reports submitted. Chief Engineer Lewis signed the LEMA order for the Wichita County portion in GMD1.

Midwest Feeders WCA Renewal Review, Jeff Stemberger

Jeff Sternberge, Kurt Snyder and Matthew Welsh all with Midwest Feeders were present at the meeting along with Kaitlynn Bourne and Craig Griswold with Kansas Livestock Association. Mark Rude started the discussion by reviewing the GMD3 Management Program definitions and corrective controls. A Table summary slide was displayed, showing the 2012-2017 average annual (baseline) use being 492.04af for Stockwater and 319.36af for Irrigation. Pre-WCA authorized quantity was 746.10af Stockwater and 474.10af Irrigation. Total permissible quantity of groundwater withdrawal (5 x basis) for stockwater is 3,730af and 1,437.10af for irrigation.

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

Adding the additional estimated remainder quantity of 377,98af for Stockwater gives a total of 4,109.99af for total permissible quantity of groundwater withdrawal. Irrigation total permissible quantity of groundwater withdrawal is 1,602.99af. These calculations are from DWR Water Conservation Area Executive Summary. Mark noted the total permissible do not show any lowering of withdrawals, and no corrective controls to achieve type 2 conservation. Mike McNiece added that the focus on today is stockwater and the growth they can do in the stockyard with efficient use. After some discussion, Mike Meyer stated that the goal is 3,730.50af for stockwater and 1,437.10af for irrigation, however, if there are unforeseen circumstances more water could be used. **Clay Scott moved to recommend approval of the 5-year plan as presented. Garret Love seconded. Motion passed with all in favor.**

Legislative Update

Kansas House Water Committee meets every morning at 9am, can listen on website or on YouTube. All Kansas GMD's submitted testimony on 2172HB. Mark has completed the yearly Western Water Conservation Projects report and has asked Sean Miller to submit it to the House Water Committee in hopes of making a presentation. SB40 is 36 pages tweaking a lot of statues to complete the transition of the old State Conservation Commission authorities to the department of Agriculture.

Committee Reports

Policy and Legal

Policy and Legal Committee met Monday, February 8th at 10:30a.m. Previous agenda items today covered a good portion of the committee talk. An over pump issue in Kearny County was also reviewed by the committee. Staff is working with the producer to correct the problem with a term permit application.

Finance

Lewis Hooper and Dick met with staff and reviewed the 2020 audit. Mark Rude noted it was a squeaky-clean audit in office except for \$12,410 monies briefly at risk under one bank. This error has been corrected by the bank. Mark completed review highlights of the audit.

Treasurer, Mike O'Brate presented the 2022 draft budget that will be presented to the members at the March annual meeting. Increasing and decreasing line items occurred to make the budge a zero cash balance at the end. Kansas Water Congress was increased from \$6,000 to \$20,000 to cover NWRA annual membership dues to address federal issues. The NWRA membership traditionally has been paid for through a special donations fund at the Kansas Rural Communities Foundation. Discussion occurred on the importance of maintaining membership with NWRA for the Hill and western connections and also to help other Kansas GMD's see the significance of membership. NWRA membership bill for 2021 has been received. Discussion occurred on the 2021 invoice be paid out of meeting expenses and \$6,000 from the Foundation. **Garret Love moved to support the NWRA through KWC using the funds stated. Fred Jones seconded. Motion passed.**

Southwest Kansas Groundwater Management District No. 3
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February 10th, 2021

Mike O'Brate talked about the Water Use Assessment currently at 14cents an acre foot. The proposal was to consider increasing the water assessment charge even by 2cents, which could provide an increase of approximately \$70,000 a year. Much discussion occurred, Fred Jones suggested to supply a worksheet of the audited carryover number for the last 5-year period, salary increases and loss of monies from the projects and other sources with projections. **Fred Jones moved to propose the as printed 2022 budget to the annual meeting. Randy Hayzlett seconded. Motion passed.**

Annual Meeting

Board member nominations were reviewed. Mark added the usual speakers will be invited to attendance along with a FEWTures presentation, congressional representatives and possible Texas masters Irrigation Program presentation.

Old Business

No old business to take off the table.

New Business

No new business to take to the table.

Executive Director Report, Mark Rude

Management Program Revision

Management Program is in the review process still with Chief Engineer, Earl Lewis. Mr. Lewis spoke to the board, noting they are working through it at staff level and have started to look at State Statue and policy, along with pulling in other agencies, such as KDHE, since their input seems necessary as well.

Interstate Water Transfer POC Project

Mark noted that he is working with a District in Colorado for the next Water Transfer POC. All Kansas permits are in place except the 6000 gal. term permit to fill the truck.

Association

Kansas Water Congress policy Call will be held tomorrow.
NWRA Leadership Forum, will be held Friday, February 12th and includes GMDA Groundwater Caucus,
Wichita ARS Hearings: hearings are going on but at this time nothing new to report.

Monthly Western Water Conservation Projects Fund Business

Mark Rude drew the attention of the board to the January 2021 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 2021 Financial Report and payments as presented and submit them for annual audit. Mike O'Brate seconded. Motion passed.**

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

Update of Projects

Farmers Headgate project is still a work in progress.

KWO/ KWA / RAC's

KWO

Keadron Pearson was present by Zoom. Both RAC's will be meeting this month: Cimarron RAC will meet on the 22nd of February and the Upper Ark will be meeting on February 25th. Kansas Water Office will hold a seminar tomorrow, February 11th, for the FEWtues program at 2pm, link can be found on the website.

KWA

Dawn Buehler has been nominated to chair the Kansas Water Authority and undergoing the confirmation process.

RAC

Cimarron RAC will meet on the 22nd of February and the Upper Ark will be meeting on February 25th.

Board Member Report

There were no board member reports announced.

Public Forum

Dave Brenn with Kansas Water Congress announced earlier in the meeting that conference talk has occurred about WCA's and LEMA's. KWC will hold another meeting in the near future. Two additional agenda items will be added, updates on Audubon Lawsuit on Quivira and update on Water Committees.

ADJOURNMENT

Garret Love made a motion to adjourn the meeting. Mike O'Brate seconded.
The meeting was adjourned at 11:59a.m.

Respectfully Submitted,


Garret Love
GMD3 Board Secretary