

Southwest Kansas Groundwater Management District No. 3
Minutes of the Regular Meeting of the Board of Directors
May 12th, 2021

MEETING CALLED TO ORDER

President Rooney called to order the May 12th, 2021 Board of Directors meeting of the Southwest Kansas Groundwater Management District to order at 9:02 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
Ben Amerin, Meade County Representative
Chad McCormick, Industrial Representative
Clay Scott, Grant County Representative
Dave Casterline, Ford County Representative
Hal Scheuerman, Kearny County Representative
Kent Dunn, Seward County Representative
Randy Hayzlett, Surface Water Representative
Zachary Gale, Hamilton County Representative
Seth Nelson, Stanton County Representative

Directors on by phone or zoom

Directors Absent with Notice

Harrison Krey, Morton County Representative
Matt Johnson, Stevens 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
Sean Miller, Capital Strategies
Susan Metzger, Senior Executive Administrator to the Dean
Ameilia Nill, Kansas Water Office,
Chris Beightel, Division of Water Resources
Kirk Tjelmeland, Kansas Water Office, Chief of Planning
Ian Lyle, NWRA
Earl Lewis, Chief Engineer, Division of Water Resources

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APPROVE AGENDA

President Rooney asked for consideration of the May 12th, 2021 meeting agenda. **Randy Hayzlett made a motion to approve the agenda as presented. Mike O'Brate seconded. The motion passed.**

APPROVAL OF MINUTES & GENERAL MONTHLY FINANCIAL REPORT

President Rooney drew the attention of the board to consider the March 10th, 2021 draft minutes. **Kent Dunn moved to approve the April 14th, 2021 minutes, as presented. Garret Love seconded the motion. Motion passed.**

President Rooney next drew the attention of the board to review the April 2021 financial report documents. **Garret Love made a motion as follows: Approve the financial reports and payments for April 2021 as presented at this meeting and submit them for the annual audit. Clay Scott seconded the motion. Motion passed**

President Rooney signed and submitted the financial documents.

Presidents Report

Water Commissioner Report

Garden City DWR, Mike Meyer, announced they are staying busy working on the over pump list and verifying the data. The over-pump list is a priority activity. Getting penalties out for those who over-pumped in 2020, most penalties will be applied in 2022 since 2021 plans have already started. Change applications are continuous, averaging a change a day. Many of the applications are Change in Point of Diversions.

Summer Flowmeter Inspections Activity-Chris Law

Chris Law, Director of Field Services for GMD3, discussed the duties of the part-time seasonal employees. The hiring process has started. Currently, the pay is \$27.00 per inspection. Each inspector is required to provide liability insurance on their vehicle. This summer, there are approximately 2,200 inspections. Each employee will begin with 400 to 600 inspections.

Mike Meyer suggested noting the battery life on the tag. He also asked how GMD3 follows up with nonworking meters. Chris responded that he would leave a second tag, and possibly a letter will be sent out, depending on how busy he is. President Bret Rooney suggested looking into a different color for a non-compliant tag. A brighter color would get the producers' attention in the field and could be beneficial in notifying the producers of an issue on a timelier matter. If this year is too late to get a different tag, maybe add a flag.

Federal Water Infrastructure report- NWRA

Ian Lyle with NWRA thanked GMD3 for inviting him to present today. He appreciates the work that the district does. Washington D.C. is slowly opening up. Infrastructure packages are starting to move from broad discussion to a more dedicated effort. Ian highlighted American Jobs Plan. Overall about 2.25 trillion dollars suggested funding with \$111 billion for drinking water. Eliminating all lead pipes and service lines in the United States drinking water system. The plan doesn't talk specifically about Western Water and agriculture, but there is a reference to \$50 billion for drought and support of agriculture management. President Biden is also aiming for 100% of America carbon Free by 2035.

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Revision of Management Program – Negotiation team report

President Rooney put a team together to work on the revision of the Management Program. The group consists of the following Board of Directors: Clay Scott, Kent Dunn, Fred Jones, Bret Rooney, Mark Rude, and Jason Norquest from the GMD3 staff. The team met with DWR by teleconference about two weeks ago to discuss revisions of the management program. Kent Dunn asked for the boards' input. The board's consensus is to "skinny" up the Management Program to around 15 to 20 pages, more straightforward wording, and focusing on current issues with a 3 to 4-year plan update. President Rooney advised that discussions would continue with DWR sooner than later.

Committee Reports

Renewable Supplies

Renewable Supplies committee met on May 11th. A review of the Western Water Infrastructure Coalition "Ask Letter" was completed. The purpose of the coalition's letter is to communicate with Congress on how vital water infrastructure is to Kansas. Mark asked some of the state folks if there were numbers available to include in the letter, and he received no response. A draft set of funding points was reviewed with \$21.04 Billion for Kansas Water Supply Infrastructure. There was concern over the total dollar amount. Clay reminded everyone some of these activities could help Texas and Colorado. Discussion on the water transfer and how it is always on the front line; there are other projects in the works that have mechanisms behind them but get blurred out. Renewable Supplies recommendation was to proceed with the "Needs" letter at \$21.04 billion.

Mark will send out the final "Ask" letter when completed.

The Preferred Interstate Supply Evaluation project has been in the works for years and finally got some attention from S.S. Papadopoulos to draft up a grant agreement. In April, Connie Owen had the opportunity to review the project and observed a couple of issues. The KWO approval for the last phase to be completed out of a two-phase process had expired, so a new request will need to be processed. Studies of areas outside the authorized study area are not a lawful use of funds, and the study of water quality is not on the list of eligible projects for the use of the funds. Due to these issues, a grant agreement was not drafted. Chief Engineer Earl Lewis reviewed three-bucket concepts for interstate water supply study. Bucket one: in-state study, federal partner option, GMD3 option. Bucket two: outside Kansas without federal partners, state study. Bucket three: Outside Kansas study with sister-state and federal partner. The next step will be to develop the three buckets further and review how GMD3 can support those activities.

The committee also discussed the DWR LAWMA funding from Western Water Conservation Projects Fund. Since it was outside of the authorized area, the funding was unlawful. Should that be paid back? Policy and Legal Committee will review.

Lastly, the committee talked about the request to add Water Vision items in the State Water Plan five-year update. Mark turned the boards' attention to the handout titled "GMD3 Renewable Supplies Committee, Recommended Additional Sources of Supply priority Kansas Water Vision activity for inclusion in the Kansas Water Plan five-year update." Keadron Pearson advised that comments are open and should be submitted on their website by July. Kirk Tjelmeland added May 18th would be an update on the website from the Water Authority. Renewable Supplies recommended submitting the comments to the State Water Plan. **Hal Scheuerman moved to recommend submittal of comments to the State Water Plan. Fred Jones seconded. Motion passed.**

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Finance Committee

Chairman Mike O'Brate advised there is money available in the budget under Hydrological Studies to fund the updated Groundwater Model. Earl Lewis stated 50/50 cost-sharing occurred with GMD2 and GMD4, and the same approach will occur with GMD3. **Fred Jones moved to take \$40,000 out of the Hydrological Studies line for two years, contingent on the state cost-share. Dave Casterline seconded. Motion passed.**

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

Bank Business

Patty Stapleton stated the safe deposit box at Western State Bank needs to have updated signers. Kent Dunn asked if the safe deposit box is even necessary. Much of what is in the safe are old backup files/disks, and the only current items in the box are vehicle titles, which could be kept in the office safe. **Kent Dunn moved to eliminate the Safe Deposit Box at Western State Bank. Clay Scott seconded. Motion passed.**

Authority for base pay raises

Mark Rude brought to the boards' attention employee salary increases. Even though it was in the 2021 budget to cover a 3% salary increase, Mark would like confirmation this is still approved. **Hal Scheuerman moved to support a 3% salary increase for employees. Fred Jones seconded. Motion passed.**

Bret Rooney advised Mark Rude to make sure reviews are completed on the front side of the anniversary and not on the backside. Review completion for staff was one of the Goals for Accomplishment for Mark Rude.

Associations

GMDA GW Caucus

GMDA Groundwater caucus met during the NWRA Federal affairs meeting.

KIOGA Meeting Report

Mark and several directors attended the KIOGA meeting. Very informative talks, especially Governor Kristi Noem.

Monthly Western Water Conservation Projects Fund Business

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

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PISA Grant Submittal

PISA Grant was discussed earlier in the meeting. There was nothing more to report.

Farmers Headgate and Reclamation Grant Report

Farmers Headgate project is approximately 99.8% complete.

KWO/KWA/RAC's

KWO

Keadron Pearson reported the next Water Authority meeting would be May 18th, 2021. Currently, they are working on updating regional water plans and hope to be done in the next month and share at the June meeting. Amelia Nill is new to the KWO planning team out of Topeka, and they are close to filling Armando Zarco's position.

KWA

Kansas Water Authority had no announcements.

RAC's

RAC's had no announcements.

Board Member Report

Seth Nelson brought to the table a question on how GMD3 handles redrill work if everything meets spacing and there are no complaints from neighbors. Are analyses completed on every well along with a recommendation to the state? Redrills that GMD3 receives over 300 feet will have a review and analysis conducted. GMD3 does not receive changes with moves under 300 feet. After the analysis is completed, GMD3 sends a letter to neighbors within a mile of the redrill work. Are both DWR and GMD3 following the same process? No, GMD3 runs Theis on every redrill over 300 feet. DWR doesn't run Theis unless there is a complaint. This process could cause two different answers from both offices, which doesn't look good on either. However, GMD3 is a recommendation only; DWR has the final approval.

Mike O'Brate questioned Mark if it would be simpler to move all employees' salary reviews and increases to the same time of the year instead of being spread out. Mark stated he would be happy to make that decision.

Public Forum

Dave Brenn announced the Kansas Water Congress summer meeting is in the works. Mr. Brenn is trying to plan it around the Kansas Water Authority meeting so people can attend both.

ADJOURNMENT

Dave Casterline made a motion to adjourn the meeting. Fred Jones seconded.
The meeting adjourned at 12:19 p.m.

Respectfully Submitted,



Garrett Love
GMD3 Board Secretary