

Southwest Kansas Groundwater Management District No. 3
Minutes of the Regular Meeting of the Board of Directors
June 9th, 2021

MEETING CALLED TO ORDER

Vice President Jones called to order the June 9, 2021, Board of Directors meeting of the Southwest Kansas Groundwater Management District to order at 9:08 a.m. The meeting was at the GMD3 Board Room.

Directors Present in Person

Fred Jones, Vice President, Municipal Representative
Mike O'Brate, Treasurer, Finney County Representative
Garrett Love, Secretary, Gray County Representative
Hal Scheuerman, Kearny County Representative
Matt Johnson, Stevens County Representative

Directors Present by Phone or Zoom

Ben Amerin, Meade County Representative
Chad McCormick, Industrial Representative
Kent Dunn, Seward County Representative
Randy Hayzlett, Surface Water Representative
Clay Scott, Grant County Representative

Directors Absent with Notice

Bret Rooney, President, Haskell County Representative
Seth Nelson, Stanton County Representative
Dave Casterline, Ford County Representative
Zachary Gale, Hamilton County Representative
Harrison Krey, Morton 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

Keadron Pearson, Kansas Water Office, Water Resource Planner
Kevin Herbel, Executive Director, Kansas Farm Management Association
Mike Meyer, Water Commissioner, Division of Water Resources, Garden City, KS

APPROVE AGENDA

Vice President Fred Jones asked for consideration of the June 9, 2021, meeting agenda. **Hal Scheuerman made a motion to approve the agenda as presented. Garret Love seconded. The motion passed.**

APPROVAL OF MINUTES & GENERAL MONTHLY FINANCIAL REPORT

Vice President Jones drew the Board's attention to consider the May 12, 2021, draft minutes. **Kent Dunn moved to approve the May 12, 2021, minutes, as presented. Mike O'Brate seconded the motion. Motion passed.**

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Vice President Jones next drew the attention of the Board to review the May 2021 financial report documents. Hal Scheuerman made a motion as follows: Approve the financial reports and payments for May 2021 as presented at this meeting and submit them for the annual audit. Garrett Love seconded the motion. Motion passed.

Vice President Jones signed and submitted the financial documents.

Presidents Report

Water Commissioner Report

Water Commissioner Mike Meyer attended the meeting in person. He stated that business is typical in his office for this time of year. They are getting back into the field doing inspections. As of date, they have 65 penalties for issuing in this area alone, with an approximate total of 200. Staff is in Colorado attending the dry-up acres tour for compact compliance. Arkansas River is flowing along with the flow in the Cimarron River, mainly due to the rain.

Revision of Management Program – Negotiations team update

Management Program negotiations team has not had a face-to-face meeting. However, the GMD3 team met and boiled down the text from 80 pages to 40. Mike Meyer added that DWR is waiting on the revision so they can review it. Chief Engineer Lewis suggested Wednesday, June 23, or the following week. Kent Dunn and Fred Jones advised Mark to forward the revised Management Program for DWR to review.

Kansas Farm Management Association- Kevin Herbel, Executive Director

Kevin Herbel, Executive Director with Kansas Farm Management Association, was present by zoom. Mr. Herbel discussed the association's commitment to be helping producers. KFMA has served producers since 1931 and funded mainly through membership dues and 10% from K.S.U. Extension. Currently, KFMA assists over 2,000 farm managers in achieving good record keeping along with growth and success. Slides from a recent seminar showed some deficiencies in the Northwest part of Kansas. Mr. Herbel noted that areas that showed the most lost had the most net crop insurance paid out.

KWO for Public Comment-Water Plan Guiding Principles – TJ, KWO

Kirk Tjelmeland with Kansas Water Office was not available to speak about the Water Plan Guiding Principles. However, Mark Rude handed out the plan for everyone to review. The comment period is open to the public and welcomed until the end of July. The plan seems light on the alternate source for water. Keadron Pearson advised it could be in the next update due to the recent activity in the region. Garret Love stated GMD3 is a significant stakeholder, we need to make sure we represent everyone, but commenting shouldn't take up too much staff time. Mark would like a committee meeting to bring it back to the Board in the July meeting for full board approval.

KDHE Clean Water Act request for Comment, Continuous Planning Process

Mark turned the boards' attention to the Notice of Public Comment regarding the Federal Clean Water Act. Environmental Protection Agency requires states that hold on to their state authority to control their water quality to provide certain items. The deadline for comments is June 21, 2021; therefore, the Boards' consensus is to write up a simple observation covering the broad scope of work.

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Commentary – managing legal and economic interest.

Mark brought to the table a commentary article in the Wichita Eagle Newspaper. The author is allegedly from Southwest Kansas, a degree in anthropology, and noted similarities in resources in South America versus the decline in Southwest Kansas. Mark will send the article for everyone to review.

Committee Reports

GMD3 held no committee meetings.

Old Business

There was no old business to take off the table.

New Business

There was no new business to take to the table.

Executive Director Report, Mark Rude

POC Water Transfer Update

According to K.S.A. 82a-726: Diversion and transportation of water for use in another state; approval by chief engineer; conditions (c) In order to make the finding required by subsection (b)(2), the chief engineer shall rely on a determination by the attorney general of the other state of whether the proposed use would be prohibited in that state.

Mark brought to the Board a letter sent to the Colorado Attorney General from the Kansas Department of Agriculture regarding the application for Term Permit No. 20209091, concerning requesting 6,000 gallons of Kansas surface water from the Missouri River, trucking the water to two different sites. One site will be on the Greg Graff farm in Wichita County, Kansas, and the other is Herman #1, Recharge Pond in Colorado.

GMD3 notified the Kansas Water Authority of this transfer, and they will notify them on future transfers, per their request. Mike Meyer stated that applications and permits are about a year out because of workload and short staff. Mark would like to visit CAP in Arizona again and may try to incorporate that at the same time as the NWRA meeting in November in Scottsdale, Arizona.

Support for August Water Meetings in Garden City

August 17, Kansas Water Authority will meet, and Dave Brenn is hoping to get Kansas Water Congress meeting around that same date. The House Water Committee is planning an interim meeting this summer, maybe in Garden City. Sponsorship of a tour or a reception for the attendees would be beneficial to GMD3. Mark will provide specific details at the July meeting.

Associations

NWRA

NWRA had no report at this meeting.

Western Water Coalition Letter

There was no report of the Western Water Coalition Letter.

Study – Irrigate more acres with less water (MOU)

There was no report.

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Monthly Western Water Conservation Projects Fund Business

Mark Rude drew the Board's attention to the May 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 moved to accept the May 2021 Financial Report and payments as presented and submit them for annual audit. Mike O'Brate seconded. Motion passed.**

KWO/KWA/RAC's

KWO

Keadron Pearson stated the main project is wrapping up The State Water Plan. Kansas Water Authority is currently meeting online and again will meet online on June 23. RAC Membership drive deadline is June 15. Cimarron RAC has several openings.

KWA

Kansas Water Authority is looking at August 17 through 19th to hold a tour. Randy Hayzlett recommended GMD3 to be involved.

RAC's

There were no RAC reports to announce.

Board Member Report

There were no Board member reports.

Public Forum

Mike O'Brate asked if there is going to be a GMDA conference this summer? Jason Norquest responded there would not be one in person, but maybe by zoom. Also, the January winter conference may be in person and held somewhere in Texas.

ADJOURNMENT

Lost Quorum around 11:20.

Jason turned the boards' attention to the back page of the agenda, which showed essential dates and upcoming events.

Respectfully Submitted,


Garrett Love
GMD3 Board Secretary