

Southwest Kansas Groundwater Management District No. 3

Minutes of the Annual Meeting of the Board of Directors

March 10th, 2021

MEETING CALLED TO ORDER

President Rooney called the 46th Annual Meeting of the Southwest Kansas Groundwater Management District to order at 9:11 a.m. The meeting was held at the Grant County Civic Center, Ulysses, KS. The meeting location departed from the normal site rotation for Liberal, KS, due to considerations of local meeting restrictions associated with the Covid-19 pandemic and the Board's desire for an in-person annual meeting.

Pledge of Allegiance

Directors Present in Person

Bret Rooney, President, Haskell County Representative

Fred Jones, Vice President, Municipal Representative

Mike McNiece, Board Secretary, Industrial Representative

Randy Hayzlett, Surface Water Representative

Dave Casterline, Ford County Representative

Clay Scott, Grant County Representative

Seth Nelson, Stanton County Representative

Kent Dunn, Seward County Representative

Kirk Heger, Stevens County Representative

Garrett Love, Gray County Representative

Douglass Fox, Meade County Representative

Zachary Gale, Hamilton County Representative

Directors Absent with Notice

Hal Scheuerman, Kearny County Representative

Mike O'Brate, Treasurer, Gray County Representative

Fred Claassen, 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

Southwest Kansas GMD3 Members

Kristen Sekavec, Lewis, Hooper, and Dick

Mike Meyer, Water Commissioner, Division of Water Resources, Garden City, KS

Brownie Wilson, Kansas Geological Survey

Kent Askren, Kansas Farm Bureau

Earl Lewis, Chief Engineer, KDA/DWR

Martha Ruiz-Mendoza, Congress Tracey Mann's office

Rebecca Swender, Senator Roger Marshall's office

APPROVE AGENDA

President Rooney asked for consideration of the Annual Meeting agenda. **Randy Hayzlett made a motion to approve the agenda as presented. Mike McNiece seconded. The motion passed.**

APPROVAL OF MINUTES

President Rooney drew the attention of the Board to consider the March 11th, 2020 draft minutes.

As presented, Mike McNiece moved to approve the March 11th, 2020, minutes. Kirk Heger seconded the motion. Motion passed.

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RECOGNITION OF CONGRESSIONAL STAFF AND PUBLIC OFFICIALS

- Martha Ruiz-Mendoza, Director of Constituent Services and Community Outreach, Congressman Tracey Mann

- Rebecca Swender, Deputy District Director-Western Kansas with Senator Roger Marshall

- Earl Lewis, Chief Engineer, DWR

GMD3 SERVICE AWARDS

President Rooney presented the following Board of Directors a plaque in grateful appreciation of committed leadership and dedicated long-standing service to the GMD3 Board of Directors and Southwest Kansas people.

- MIKE MCNIECE, INDUSTRIAL AT LARGE. Mr. McNiece has served on the Board of Directors from 1992 TO 1998 as Gray County Representative and 2001 to 2021 as industrial at Large Representative.

- KIRK HEGER, STEVENS COUNTY, Mr. Heger has served on the Board of Directors from 2009-to 2021

- FRED CLAASSEN, MORTON COUNTY. Mr. Claassen has served on the Board of Directors from 2015-to 2021

- DOUG FOX, MEADE COUNTY. Mr. Fox has served on the Board of Directors from 2012-to 2021

DISTRICT ACTIVITIES REPORT, EXECUTIVE DIRECTOR MARK RUDE

Executive Director Mark Rude welcomed everyone to the meeting and provided an overview of leadership, staff, and district activities. The GMD3 Management Program was resubmitted for approval on July 6, 2020, and awaiting legality approval by Chief Engineer Earl Lewis. The Management Program document discusses relationships and interdependent roles, addressing the water supply problems and the thinking for policy and behavior adopted to manage them. GMD3 is active in National Water Resources Association, Kansas Water Congress, and the Groundwater Management Districts Association.

FINANCIAL REPORT

Kristen Sekavec, with Lewis, Hooper, and Dick, stated that Southwest Kansas Groundwater Management received an unmodified audit report.

General Fund Highlights:

- Total Treasurer's cash \$1,549,521
- Invested in interest-bearing accounts on December 31, 2020.
 - General Funds: 95.67%
 - Water Conservation Projects Funds: 97.43%
- Total receipts under expenditures for 2020- \$12,155.
- 2020 General Fund expenditures were less than budget authority by \$251,127.

2020 Receipts for General Fund came from the following:

- Assessments 95%
- Reimbursement expenses & miscellaneous 2%
- Intergovernmental 2%
- Interest 1%

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2020 Expenditures by Budget Source are as follows:

- Administration 88%
- Water Management Programs 2%
- Professional services 6%
- Payroll taxes and benefits 4%

Draft Proposed 2022 Budget with Land & Water Assessments, Mark Rude, Executive Director

Executive Director Mark Rude spoke about the in-house expertise that allows seeking research grants to help fund the district. The primary funding of the district is from land and water assessments. Currently, the assessment rate is .14cents per acre-foot of water authorized and .05 cents per acre of land. The district runs off of a cash basis budget. Mark referred to the 2022 proposed budget in the board book. This July, the Board of Directors will hold a budget hearing to approve the 2022 budget presented at this annual meeting.

Election of Directors for Expired three-year terms, President Rooney

Industrial at Large:

Chad McCormick is the general manager of Grant County Feeders. He and his wife and kids have lived in Ulysses for four years. Mr. McCormick knows how vital the resource is to the district.

Keith Bryant lives in Finney county and works for Reeve Cattle Company.

Morton County:

Harrison Krey is a farmer in Morton and Stevens county. Mr. Krey feels serving on the Board would be an excellent opportunity to assist in the planning to conserve and protect the water for the next generation.

Brandon Fink lives in Elkhart. Brandon farms in many counties and irrigates in most of them.

Stevens County:

Matt Johnson farms in Stevens and Morton counties. Matt farms with his dad and knows water is critical; he would like to help with water issues for future generations.

Seward County:

Kent Dunn has served on the GMD3 Board since 1995 and is representative for Seward county.

Meade County:

Ben Amerin lives in Plains. Ben farms in Meade and Seward counties.

Election team made up of Bret Rooney, Fred Jones, and Jason Norquest will count the ballots.

Vendor Moment

Autonomous Pivot
Seametrics
Dragon-Line

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Water Levels & Climate, Kansas Geological Survey, Brownie Wilson

Brownie Wilson with Kansas Geological Survey spoke to the members about the groundwater supply and climate. The 2021 Cooperative Water Level Program is completed every year in the first part of January. KGS and DWR measure approximately 1,400 wells in Kansas, with 425 in the GMD3 District. Brownie stated the average 2020 to 2021 provisional water level change is a negative 1.20 feet. A severe drought in Kansas was once, especially in northwest Kansas. Brownie spoke about the current index wells. KGS put in a proposal to see if funds were available to install an Ogallala / Dakota index well, 1.23 meters.

Oath of Office per KSA 54-106 for newly elected board member

Chad McCormick, Harrison Krey, Matt Johnson, Ben Amerin, and Kent Dunn completed the oath.

Statewide Agriculture Leading Change, Kent Askren, Kansas Farm Bureau Policy Director

Kent Askren, Public Policy Director of Kansas Farm Bureau, spoke about the Water Perspective in Kansas. He touched on four of them: 1) Mature water law state 2) Facing our challenges 3) Times; they are a changing and 4) your role. Kansas Water Appropriation Act is the foundation of Kansas Water Law. The Kansas Water Appropriation Act is critical to all Kansans. Water rights are real property and protected by the priority date, not the type of use. You do not own the water beneath your land. Water is a shared resource that we all utilize through an appropriation by the Chief Engineer. Permits are required to use water except for domestic use. Water rights are chargeable. However, they must be reasonable, cannot impair, and must be from the same local supply source. Mr. Askren showed a slide from KGS that demonstrated water well completion reports as of March 1, 2021, suggesting that a good portion of those wells are domestic. Standards and policies of the district powers have to be consistent with Kansas Water Appropriation Act. Kansas Farm Bureau supports the LEMAs and WCA's as long as they are compatible with state law. There have been some priority issues. Mr. Askren challenged the members to think about their roles. Occasionally people speak past each other at meetings. Leadership changes can help bring in a new perspective, Chief Engineer Earl Lewis, Director Connie Owen, Chairperson Dawn Buehler, and House Water Committee.

Vendor Moments

Western Kansas Irrigation
Heartland Auction
McCrometer

State Water Plan Update

Director of Water Office Connie Owen provided a memo referencing their website.

FEWtures Project, Addressing Food, Energy and Water futures

Kirk Heger, FEWtures Projects, is studying Food-Energy-Water in western Kansas communities and neighboring states in the Central Arkansas River Basin. Their main objective is to keep small towns active. The team hopes to have a business model available for presentation at next year's GMD3 annual meeting.

Water Rights Administration, Earl Lewis, Chief Engineer, KDA/DWR

Chief Engineer Earl Lewis thanked the Board for each of their work in the district and appreciated the invitation to the GMD3 Annual Meeting. He grew up on a farm in Eastern Kansas in Osage County, worked a couple of summers with DWR during college, and officially joined them in 1992. He moved over to the Kansas Water Office in 1999. In 2018 he was named interim Director. In November 2020, he was named Chief Engineer. Chief Engineer Lewis agreed with Kent Askren's comments about relationships throughout the agencies and districts being tough. They do feel they are good but could be better. More work needs to be done on the four compacts in Kansas, the Republican River, Kansas-Colorado Arkansas River Compact, Kansas-Oklahoma Arkansas River Compact, and the Big Blue River. Mr. Lewis recognized Greg Graff, President of GMD1, being present and noted that GMD1 Wichita County LEMA took effect on February 2nd, the third LEMA in Kansas.

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There are 53 Water Conservation Areas in Kansas, approximately 86,000 acres enrolled with a water savings of 11,951 acre-feet; 19 of those WCAs are in the GMD3 district. Each district and Kansas water agency plays a significant role in the conservation of water and the members of each district. Chief Engineer updated the members on the activities outside of the district. Touching base on the Hays transfer from Edwards County and the Quivira Wildlife Refuge.

Member/Public Forum

There were no public comments.

Closing Comments & Date of the next GMD3 Annual Meeting. March 9th, 2022

President Rooney thanked all the guest speakers for attending and contributing to the annual meeting.

Executive Director Mark Rude thanked all the sponsors and members for their input and concerns in water issues and attending the 46th Annual GMD3 meeting.

President Rooney announced that next year's annual meeting would be in Cimarron on March 9th, 2022.

Adjournment

The consensus of the members was to adjourn the 46th annual meeting at 11:51 a.m.

Respectfully Submitted


Garrett Love, Board Secretary