

**Southwest Kansas Groundwater Management District No. 3
Minutes of the Regular Meeting of the Board of Directors
April 13th, 2022**

MEETING CALLED TO ORDER

President Rooney called to order the Board of Directors meeting of the Southwest Kansas Groundwater Management District at 9:02 a.m. on April 13, 2022. The meeting was at the GMD3, Board Room.

Directors Present in Person

Bret Rooney, President, Haskell County Representative
Mike O'Brate, Treasurer, Finney County Representative
Fred Jones, Vice President, Municipal Representative
Clay Scott, Grant County Representative
Randy Hayzlett, Surface Water Representative
Kyle Maddux, Kearny County Representative
Seth Nelson, Stanton County Representative
Zachary Gale, Hamilton County Representative
Kent Dunn, Seward County Representative

Directors Present by Phone or Zoom

Garrett Love, Secretary, Gray County Representative

Directors Absent with Notice

Harrison Krey, Morton County Representative
Matt Johnson, Stevens County Representative
Chad McCormick, Industrial Representative
Dave Casterline, Ford County Representative
Ben Amerin, Meade County Representative

District Staff Present

Mark Rude, Executive Director
Jason Norquest, Assistant Manager
Patty Stapleton, Office Administrator
Chris Law, Director, Field Services
Trevor Ahring, Civil Engineer
Brandi Sneath, Office Assistant

Others in Attendance online or in-person

Mike Meyer, Water Commissioner, Division of Water Resources, Garden City, KS
Dave Brenn, Kansas Water Congress
Brownie Wilson, Kansas Geological Survey
Austin McColloch, Kansas Department of Agriculture
Kevin Salter, Division of Water Resources
Susan Metzger, Senior Executive Administrator to the Dean
Josh Olson, Kansas Water Office
Hunter Hershey, Kansas Department of Agriculture
Joshua Goebel, Kansas Department of Agriculture
Ted Borsma, Producer Powerline Dairy
Josh Olson, Kansas Water Office
Craig Griswold, KLA Environmental Service, Inc

Southwest Kansas Groundwater Management District No. 3
Minutes of the Regular Meeting of the Board of Directors
April 13th, 2022

APPROVE AGENDA

President Rooney asked for consideration of the April 13 meeting agenda. Mark stated add resolution for cash base budget 2022-2 under new business. **Zachary Gale made a motion to approve the agenda as revised. Randy Hayzlett seconded. The motion passed.**

APPROVAL OF MINUTES & GENERAL MONTHLY FINANCIAL REPORT

President Rooney drew the attention of the Board to consider March 9, 2022, draft minutes. Fred Jones noted he asked for an update from Kansas Water Congress on financials and legality supporting NWRA, and he would like that pointed out in the minutes. **As amended, Fred Jones moved to approve the March 9, 2022, minutes. Mike O'Brate seconded the motion. Motion passed.**

President Rooney next drew the attention of the Board to review the March 2022 financial report documents. **Randy Hayzlett made a motion: Approve the financial reports and payments for March 2022 as presented at this meeting and submit them for the annual audit. Kent Dunn seconded the motion. Motion passed**

President Rooney signed and submitted the financial documents.

Correspondence/recognition/public comments

Mark reported there was no correspondence regarding the Management Program hearing.

Committee Reports

Committee Assignments

President Rooney noted the committee assignments are in the board book. He stressed the importance of attending the committee meetings when the staff, committee chair, or board president sends a notification.

Policy and Legal

Chairman Clay Scott noted the committee meeting highlights discussed on April 6, 2022, in the GMD3 Board room.

- ✓ Draft revised well spacing rules: no action taken; more work needs to occur.
- ✓ Applications Review for recommendations: Powerline Dairy discussion will be later in the meeting.
- ✓ Developing a concept appropriation of high flow source: this is board goal #2. The committee talked through the water strategies procedure, the Federal study of HP depletion and reviewed Senate WRDA and GMD Term Permit status that contains the required ASR project.
- ✓ GIVE project: This is on the agenda for Washington D.C. to talk to the members of Congress on wording revision. Mark, Jason, and Clay will be attending a meeting while there with the Deputy Secretary of Ag.
- ✓ GMD3 By-Laws review and update will be ready for the September 2022 meeting for the Board to implement needed changes.

**Southwest Kansas Groundwater Management District No. 3
Minutes of the Regular Meeting of the Board of Directors
April 13th, 2022**

Management Program: Reports and Recommendations

Water Commissioners Report, Mike Meyer, DWR

Water Commissioner Meyer introduced new or somewhat new employees, Austin McColloch, Josh Goebel, and Hunter Hershey. In addition, the Arkansas River bailiff position is vacant. The position will be advertised soon and hopefully filled shortly. Keadron Pearson is currently on maternity leave. Baby girl Harlow came into the world Monday, April 11. Everyone is doing good. Kansas Water Authority will be meeting on April 20 in Emporia, KS. KWO hired Mr. Weston McCary as Technology Projects Coordinator stationed out of Colby. He will aid in Tech Farm activities and students seeking ag industry employment locally. The Chief Engineer started Minimum Desirable Streamflow administration of water rights on the Lower Republican. The State will mail about 400 late water use reminders. After June 1, the civil penalty per water right goes up to \$1,000.00. Mike added that he received the over-pump list yesterday, and there are significant numbers. The State does allow a little leniency if the first violation; however, reoccurring violations are more strictly addressed as per regulations. GMD4 Sheridan 6 LEMA will be renewed this year. GMD1 is still on task getting an additional LEMA plan to the Chief Engineer this fall.

Mark added a couple of notes. First, he stated that GMD3 has a good relationship with producers on MOUs; however, one producer agreement is questionable due to having compliance issues. Secondly, GMD1 has hired Katie Durham as their new manager. Mrs. Durham is a past manager for GMD4 and brings some California surface and groundwater experience to western Kansas groundwater management activities.

WCA renewal with term permit, Powerline Dairy

Jason Norquest presented Powerline Dairy WCA Renewal information. The first WCA was from 2017- to 2021. Claimed Conservation at the end was 1060.96af. A five-year renewal would have a combined limit of 23324.48af. That consists of 530.48 acre-feet carryover from the last term. Producer Ted Borsma added the ultimate goal is to conserve water. The whole process needs to be more explainable and easier. The flexibility has worked well for Powerline Dairy.

According to Clay Scott, Policy and Legal Committee reviewed this WCA Renewal and believes it is a good example of conserving water and supports the WCA renewal proposal for Powerline Dairy. **Zachary Gale moved to recommend support of the Powerline Dairy WCA Renewal Plan. Clay Scott seconded. Motion passed.**

*******PUBLIC HEARING*******

President Rooney called to order at 10:00 a.m.

President Rooney called to order the Public Hearing on adopting the December 13, 2021, version of a revised Management Program proposed by the Board of Directors, Southwest Kansas Groundwater Management District No. 3.

On January 7, 2022, Chief Engineer Earl Lewis approved the draft revised Management Program version for Southwest Kansas Groundwater Management District No. 3, which was submitted on December 13, 2021, and upon adoption by the Board of Directors following this hearing, December 13, 2021, the version will supersede any prior versions of the GMD3 Management Program.

Southwest Kansas Groundwater Management District No. 3
Minutes of the Regular Meeting of the Board of Directors
April 13th, 2022

No person submitted a written request five days or more prior to the hearing. Therefore, according to the K.S.A. 82a-1029, testimony could not be received at the hearing.

At 10:06 a.m. President Rooney closed the hearing.

There were no informal comments received after the hearing.

Zach Gale noted his appreciation of the hard work that all persons did. It was the consensus of the Board to have **Policy, and Legal manage the review for updates annually each January, consider action on any needs in February and take it to the annual meeting in the report of district activities.**

GMD3 Groundwater Model Update Report, Brownie Wilson, KGS

Brownie Wilson with Kansas Geological Survey spoke to those in attendance about the High Plains Aquifer Model update. The model domain consists of GMD3 and the High Plains aquifer in Southwest Kansas, extending 6 miles into Colorado and Oklahoma. Brownie discussed the influence of streams and the streambed interactions with segments and reaches. The segments are divided into "reaches" where the stream crosses model cells. He demonstrated the streambed Bedrock elevation estimates. The lithology of the aquifer is vital. Oklahoma records are great; their Water Resource Board has a lot of information similar to Kansas. Colorado has lots of data but is not database friendly. 99% of these reports are drillers' logs with many quality, detail, and description variations. There are five different categories in lithology.

1: Shale, clay, coal, bedrock, red bed, siltstone; make up 29.4% of the GMD3 Model area

2: Silty and sandy clays, silts, topsoil, marl, caliche make up 14.5% of the GMD3 Model area

3: Sandy silts, sandstone, fine sands; these are 14.8% in the GMD3 Model area

4: Medium to coarse sands, clayey and silty gravels make up 25.9% of the GMD3 Model area

5: Sand and gravel, fine to coarse gravels; make up 15.4% of the GMD3 Model area.

A 3D slide demonstrated the interpolated lithology of the Ogallala Aquifer.

Brownie also presented the "Preliminary Steady-State Simulations Predevelopment Conditions (1945). Next, Brownie will work with the Research and Development Committee to develop the transient phase. By fall should have an up and running model.

Old Business

There was no old business to take off the table.

New Business

Resolution to Adopt the revised official Management Program 2022-1

President Rooney asked for consideration of the Resolution to adopt the Revised Official Management Program 2022-1. Kent Dunn moved to approve Resolution 2022-1 to adopt the December 13, 2021, Management Program. Randy Hayzlett seconded. Motion passed. Zachary Gale and Seth Nelson opposed.

Southwest Kansas Groundwater Management District No. 3
Minutes of the Regular Meeting of the Board of Directors
April 13th, 2022

Resolution to adopt the cash base budget 2022-2

President Rooney asked for consideration of Resolution 2022-2 Cash Base Budget. Fred Jones moved to adopt the Cash Base Budget Resolution 2022-2. Randy Hayzlett seconded. Motion passed. Clay Scott questioned if a meeting has been held to get testimonies from water users along the Ark corridor regarding river water quality. Mark replied no date had been set.

Executive Director Report, Mark Rude

May Board Meeting date change

The May Board meeting date needs to be changed because NWRA and the Colorado / Kansas River Tour are on the same date. The consensus of the Board was to hold the May board meeting on Thursday, May 5 at 9:00 a.m. at the GMD3 board room.

Mineralization study letters, COOP with KGS/KDHE

KGS and KDHE will send results letters, and GMD3 will attach thank you notes and send them to the people who allowed water samples to be pulled.

Summer Flowmeter Service

Summer Flowmeter service will be up and running soon. These workers are temp summer employees and are paid for each visit.

Travel Authorized: GMDA Conference, June 20-22nd, Copper Mountain, Colorado

GMDA conference will be in Copper Mountain, Colorado, June 20-22nd. Those attending from GMD3 will drive. **Clay Scott moved to approve out-of-state travel for Board and staff. Mike O'Brate seconded. Motion passed.**

KDHE Water Quality Summit and Ark Valley tour

Clay Scott moved to approve out-of-state travel for those attending the KDHE Water Summit. Fred Jones seconded. Motion passed.

Monthly Western Water Conservation Projects Fund Business

Mark Rude drew the Board's attention to the March 2022 Financial documents of the Western Water Conservation Projects Fund and the activity of the advisory committee. After some discussion of the Board, **Clay Scott moved to accept the March 2022 Financial Report and payments as presented and submit them for annual audit. Fred Jones seconded. Motion passed.**

Farmers Headgate improvement project.

Approve WWCP fund payment of \$1,702 project coverage.

\$1,702.00 is an overage of the Farmers Ditch headgate improvement project. Western Water conservation Projects Advisory Committee recommended approval of payment of the \$1,702.00 overage. **Kent Dunn moved to approve the amount of \$1,702.00 to be paid. Mike O'Brate seconded. Motion passed.**

Southwest Kansas Groundwater Management District No. 3
Minutes of the Regular Meeting of the Board of Directors
April 13th, 2022

Agency Reports

KWO

There was no additional report from KWO.

KDA, DOC

Mark turned the Board's attention to the memo from KDHE Andy Lyon, Executive Director of the Division of Conservation, regarding the Irrigation Technology Initiative for Fiscal Year 2022. It is a cost-share opportunity through each county conservation district within a GMD of up to 50%.

Board Member Reports

Fred Jones reiterated the research that needs to happen for NWRA membership. For example, what does an individual membership have and its impacts? Details need to be in order by next quarter (May 2022), when the next payment is due.

Public Forum

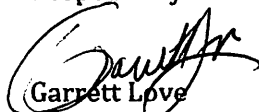
Dave Brenn announced the Strategic Plan for the Kansas Water Congress is complete. He also mentioned he is meeting with potential supporters regarding the NWRA membership. Mark and he met with the Finnup Foundation Trust and should hear back on their response soon, and other meetings are anticipated.

Mark advised he would email the KWC Strategic Plan to the Board.

ADJOURNMENT

Kyle Maddux made a motion to adjourn the meeting. Randy Hayzlett seconded.
The meeting adjourned at 11:51 a.m.

Respectfully Submitted,


Garrett Love
GMD3 Board Secretary