

**Southwest Kansas Groundwater Management District No. 3**  
**Minutes of the Regular Meeting of the Board of Directors**  
**May 5<sup>th</sup>, 2022**

**MEETING CALLED TO ORDER**

President Rooney called to order the May 5th, 2022, Board of Directors meeting of the Southwest Kansas Groundwater Management District at 9:05 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

Harrison Krey, Morton County Representative

Randy Hayzlett, Surface Water Representative

Chad McCormick, Industrial Representative

Kyle Maddux, Kearny County Representative

Kent Dunn, Seward County Representative

**Directors Present by Phone or Zoom**

Mike O'Brate, Treasurer, Finney County Representative

Clay Scott, Grant County Representative

Garrett Love, Secretary, Gray County Representative

Ben Amerin, Meade County Representative

Seth Nelson, Stanton County Representative

**Directors Absent with Notice**

Zachary Gale, Hamilton County Representative

Dave Casterline, Ford 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, Civil Engineer

Brandi Sneath, Office Assistant

**Others in Attendance in person or on zoom**

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

Austin McColloch, Kansas Department of Agriculture

Kevin Salter, Division of Water Resources

Sean Miller, Capital Strategies

Chris Beightel, Division of Water Resources

Wes McCary, Kansas Water Office

Keadron Pearson, Kansas Water Office, Water Resource Planner

Jonathan Aguilar, Southwest Research Extension

Hunter Hershey, Kansas Department of Agriculture

Earl Lewis, Chief Engineer, Division of Water Resources

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**APPROVE AGENDA**

President Rooney asked for consideration of the May 5th meeting agenda. **Randy Hayzlett made a motion to approve the agenda as revised. Fred Jones seconded. The motion passed.**

**APPROVAL OF MINUTES & GENERAL MONTHLY FINANCIAL REPORT**

President Rooney drew the attention of the Board to consider the April 13th, 2022, draft minutes. **As presented, Kent Dunn moved to approve the April 13th, 2022, minutes. Chad McCormick seconded the motion. Motion passed.**

President Rooney next drew the attention of the Board to review the April 2022 financial report documents. Patty noted the CD with Valley State Bank was up for renewal and that she requested bids from the approved district surrounding banks. Commerce Bank was the best rate at 1.65% for 12 months. Acknowledgment of the rate was sent to Mark Rude and Treasurer Mike O'Brate. Mark Rude approved the transfer through an email. Funds were moved from Valley State Bank to Commerce Bank on 4-21-2022. **Fred Jones made a motion: Approve the financial reports and payments for April 2022 as presented at this meeting and submit them for the annual audit. Randy Hayzlett seconded the motion. Motion passed**

President Rooney signed and submitted the financial documents.

**Correspondence/recognition/public comments**

There were no announcements made at this time.

**Management Program: Reports and Recommendations**

**Water Commissioners Report, Mike Meyer, DWR**

Mike Meyer reported the office is working on change applications and reviewing the over-pumping list. Approximately 300 Water Use Reports were reported by using hours/rates. DWR is checking on these to verify the meter is fixed. Producers need to watch their meter even after getting repaired as some may not come back quite right. Kevin Salter is preparing for the river quality tour that will take place next week.

**Spacing waiver-WR 27,508, Bill Meyer in Haskell County**

Jason Norquest reviewed the spacing waiver for Water Right 27,508 for Bill Meyer in Haskell County.

- Authorized 510AF @ 1000gpm
- Minimum spacing requirement: 2300'
- Proposed spacing to well under 5043 & 7509: 1824'
- Owned/operated by the applicant
- Analysis shows that well could be critical.
- No other neighboring well had critical evaluations.

Does meet spacing to own well, and it overlaps place of use. There was only one other well within a mile, and there was no response from that producer. Bill Meyer spoke with Jason and understood that this might hurt his well. He would like one well that is functional. Recommendation from staff is to recommend waiver of spacing.

**Kent Dunn moved to recommend a spacing waiver. Fred Jones seconded. After discussion, the motion passed with all in favor.**

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T&O WCA.

Jason Norquest reviewed the T&O WCA (Water Conservation Area) renewal.

- 2016-2018, first WCA and entry into Water Tech Farm 4,533AF/3 year
  - No violations and reported usage under the WCA limit
- 2019-2021, second WCA. 4500AF/3 year
  - Again, no violations and under the WCA limit
- 2022-2024, proposed third WCA
- Water Tech Farm is ongoing
  
- This proposed WCA has the same controls as the previous two
  - 4000AF/3-year allocation +529AF carryover available if requested.
  - Base Water Rights combined: 2860AF/yr = 8580AF/3 yr.
  - No well can exceed the base Water Right rate
  - Flexibility with WRs 7517 (129AF) & 34769 (109AF), share combined allocation 238AF/year. 4400' apart.
  - All other WRs cannot exceed the base WR annual allocation.
  - All water use is limited to 4000AF during the three years.

**Randy Hayzlett moved to recommend approval of the WCA renewal. Kyle Maddux seconded. After discussion, the motion passed.**

**Committee Reports**

President Rooney advised the board members that summer could be a busy time with committee meetings, so keep an eye out on meeting dates.

**Policy and Legal**

Policy and Legal held no meeting.

**Research and Development**

Research and Development held no meeting.

**Old Business**

There was no old business to take off the table.

**New Business**

There was no new business

**Executive Director Report, Mark Rude**

**Legislative Post Audit of GMD's**

Mark turned the floor over to Sean Miller regarding Legislative Post Audit. Kansas Legislative Division of Post Audit is a separate agency. This post-audit comes from the House Water Committee. They will review 1) Programs, are the programs appropriate? 2) Have the GMD accurately and effectively identified the areas of concern within their district from a long-term water use standpoint? 3) Budgetary. How much money was spent in recent years on programs in the areas of concern (item 2) and its entirety? The Legislative Post Audit probably won't start until mid-summer, and at that time, they will come into the office and request information regarding the objectives the legislature has asked them to address. There could also be an interim committee meeting this summer if allowed.

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A presentation to legislatures is a good way for GMDs to tell their story. What are we doing? What are we spending funds on? Why and where are we prioritizing certain areas. A written submission would be great, but there is no time for a 30-minute presentation. Chairman Highland is not running again and retiring. This committee was formed specifically at his request, so it is unclear if somebody will take it up. Sean stressed that participating in the audit is a good idea.

Fred Jones asked if there were any guesses on who's throwing their hat in for the speaker's role next year? Sean noted that it had been one of the worst kept secrets in the building for the last two years, but Republican Majority Leader Dan Hawkins from Wichita would likely. Dan Hawkins has done a lot as Majority Leader over the previous two years, solidifying his position to run for speaker.

Watershed Group WaterSMART agreement

GMD3 has received the agreement from the Bureau of Reclamation regarding the Creation of a Watershed Management Group. Trevor and Patty are reaching out to potential participants in the group, and a kick-off meeting will happen in May or June. It will take some of our time, but GMD3 will get reimbursed. In addition, the grant has funds available to pay for a summer intern at \$15.00 an hour. Also, there are funds for new equipment; therefore, we will be getting an OWL zoom camera/speaker for meetings. Research and Development Chairman Fred Jones would like a copy of the agreement sent to all on the committee for review.

Ark River Stakeholder Water Quality Concerns

Mark is developing information for Tom Stiles from KDHE. A meeting was held, and planning on more meeting developed after the tour next week. Chris Law and Trevor Ahring are going from the office, and Zachary Gale and Fred Jones are also on the list to attend. Representative Lindsey Vaughn plans on attending the tour and visiting with other GMDs in the area. Representative Vaughn has not reached out to GMD3 as of today.

Wells to drain Playa Lakes

A discussion about a person drilling boreholes going into Playa Lakes was brought to everyone's attention. Neighbors are worried this may hurt their domestic wells. Chris Law found at least two holes, no casing, and covered with a pallet. Mike Meyer stated the wells are about 80 feet deep. Staff is working with KDHE and DWR, trying to determine any action.

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**Announcements**

Kansas Water Congress is currently handling the membership outreach for NWRA membership.

Next week Randy Hayzlett, Clay Scott, Jason Norquest, and Mark Rude will be attending the Western Kansas Delegation trip and NWRA federal affairs conference in Washington D.C.

**Monthly Western Water Conservation Projects Fund Business**

Mark Rude drew the Board's attention to the April 2022 Financial documents of the Western Water Conservation Projects Fund and the activity of the advisory committee. Randy suggested getting bids on a portion of the funds. Patty is to report back at next month's board meeting. **After some discussion of the Board, Fred Jones moved to accept the April 2022 Financial Report and payments as presented and submit them for annual audit. Harrison Krey seconded. Motion passed.**

**Agency Reports**

**KWO**

Keadron Pearson announced that Water Authority would be on June 22<sup>nd</sup>. The Water Quality Summit will be next week, and Upper Ark RAC will be meeting on May 29<sup>th</sup>. Keadron is working part-time at the moment and will be full-time in mid-June.

**Southwest Research-Extension**

Jonathan Aquilar announced that Dan Devlin is retiring. In addition, K.S.U. was awarded The Kansas Water Institute Grant to research Uranium effects.

**Board Member Reports**

There were no board member reports announced.


**Public Forum**

There was no public forum.

**ADJOURNMENT**

**Harrison Krey made a motion to adjourn the meeting. Chad McCormick seconded. The meeting adjourned at 10:36 a.m.**

Respectfully Submitted,

  
Garrett Love  
GMD3 Board Secretary