

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

**MEETING CALLED TO ORDER**

President Rooney called to order the July 13, 2022, Board of Directors meeting of the Southwest Kansas Groundwater Management District at 9:07 a.m. 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  
Kyle Maddux, Kearny County Representative  
Kent Dunn, Seward County Representative

**Directors Present by Phone or Zoom**

Randy Hayzlett, Surface Water Representative  
Ben Amerin, Meade County Representative

**Directors Absent with Notice**

Garrett Love, Secretary, Gray County Representative  
Seth Nelson, Stanton County Representative  
Chad McCormick, Industrial Representative  
Matt Johnson, Stevens County Representative  
Harrison Krey, Morton County Representative  
Dave Casterline, Ford County Representative  
Zachary Gale, Hamilton 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**

Mike Meyer, Water Commissioner, Division of Water Resources, Garden City, KS  
Dave Brenn, Kansas Water Congress  
Brownie Wilson, KGS, I-CARE team  
Austin McColloch, Kansas Department of Agriculture  
Susan Metzger, Senior Executive Administrator to the Dean  
Hal Scheuerman, Producer  
Chris Beightel, Division of Water Resources  
Keadron Pearson, Kansas Water Office  
Jonathan Aguilar, Southwest Research Extension  
Mackenzie Phillips, I-CARE team  
Rachel Duran, Division of Water Resources  
Shannon Dick, I-CARE team  
Don Scott, Producer

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**APPROVE AGENDA**

President Rooney asked for consideration of the July 13 meeting agenda. **Clay Scott 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 June 8, 2022, draft minutes.

**Kent Dunn moved to approve the June 8, 2022, minutes, as presented. Fred Jones seconded the motion. Motion passed.**

President Rooney next drew the attention of the Board to review the June 2022 financial report documents. **Clay Scott made a motion: Approve the financial reports and payments for June 2022 as presented at this meeting and submit them for the annual audit. Kyle Maddux seconded the motion. Motion passed**

President Rooney signed and submitted the financial documents.

**Correspondence/recognition/public comments**

Dave Brenn announced that the Kansas Water Congress meeting would be on August 24 and 25 in Colby. Dave will be sending the information out soon.

**R&D Committee Review with Board of I-CARE mailing**

R&D Committee and I-CARE team reviewed both brochures with the Board of Directors. The brochures will show the producer if they are using more or less than similar wells in the area. Fred Jones added this brochure is modeled after the Garden City water use reports, which have been mailed out for several years. Clay Scott scanned the QR code and noted how informative it was, and asked to consider giving it more emphasis on the brochure. The consensus of the Board was to complete the suggested changes and run them past the R&D Committee and possibly the Executive Committee for final approval.

**Hearing Proposed 2023 Budget Submitted to District Voters**

President Rooney called the 2023 Budget Hearing to order at 10:00 a.m. President Rooney welcomed those in attendance and stated, "A GMD3 budget hearing is necessary and proper, according to state policy, to fund our organized groundwater area program activities under the GMD Act of the Kansas legislature. Specifically, K.S.A. 82a-1030 provides for the funding of the GMD3 through an annual water user fee per acre-foot against the water right amount not to exceed \$2.00 and an annual land assessment not to exceed 5 cents per acre for owners of tracts of land 40 acres or more in size. The purposes of GMD3 are long-standing in the history and practices of Southwest Kansas water administration and our water use-driven economy. This budget hearing is being held according to state statute to receive comments on the proposed 2023 budget. Hearing announcements have been published in the newspapers of the district in compliance with State Law, and a draft budget was presented to members at the Annual Meeting, which was held this past March, with the same budget copies available here today."

President Rooney introduced Treasurer Mike O'Brate, who stated:

**"The proposed General Budget is \$1,048,556.00 being funded by land assessments at 5 cents per acre and water assessments at 16 cents per acre-foot of groundwater. There are four special budget accounts: Water Right Retirements, Arkansas River Western Water Conservation Projects (WWCP), Kansas Aqueduct Project and Federal Proceeds." All but the WWCP have a current balance of zero.**

President Rooney called for public comments. Seeing none, President Rooney closed the budget hearing at 10:05 a.m.

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**Management Program: Reports and Recommendations**

Water Commissioners Report, Mike Meyer, DWR

Water Commissioner Mike Meyer reported that the GMD4 LEMA hearing for both renewals would take place at the end of July. GMD1 submitted a four-county LEMA, which includes Wallace, Greeley, Scott, and Lane counties. Wichita County is already in a LEMA. Currently, the office is working on getting penalties out. Mike also reported they now have two vacancies in the Garden City field office.

50,788, Don Scott polo field, 15af spacing waiver, Seward County

Jason Norquest stated the review is on a new appropriation for proposed water right 50,788. The Polo Club has been using a domestic well for field maintenance. The applicant, Don Scott, was present for any questions. He stated that the Polo Club has been around for years and has a core group of participants; however, it has drawn people in from far to play polo games. Jason added spacing requirement is 2,300 feet, and the proposed location is 1,625 feet from water right 45,332. GMD3 completed the evaluation and came out in favor with no effect from the neighboring well. Application is for 15-acre feet for irrigated use on 24.5 acres with 99 gallons per minute. Policy and Legal reviewed and, along with GMD3 staff, recommended a waiver of K.A.R 5-23-3 and K.A.R 5-23-4(b)(4)(B) and approve the application, subject to verified consent from neighboring well with the spacing issue. **Clay Scott moved to recommend approval subject to consent from a neighboring well with a spacing issue. Kent Dunn seconded. Motion passed.**

\*\*\*\*\*QUORUM WAS LOST\*\*\*\*\*

**Committee Reports**

Policy and Legal

The Policy and Legal Committee met on July 9 at the GMD3 Board Room. Brief highlights from the meeting include:

- 50,788, Don Scott polo field, 15af spacing waiver, Seward County:  
The committee's consensus was to recommend approval of the application, subject to verified consent from the neighboring well with the spacing issue.
- Copeland drinking water challenges:  
The city of Copeland has an issue with Nitrate levels in their water. The city has not filed a complete application; however, they propose moving further than half a mile. This move will get them into a better area. The Committee discussion was to support the action so they could get away from the nitrate problem area. Water Commissioner Meyer added that this results from a man-made problem from the nearby fertilizer plant that accidentally contaminated an abandoned well.
- Legislative Post Audit: Mark has not heard from them.
- The committee discussed having GMD1 Manager Katie Durham at the August meeting to discuss their LEMA and other topics.
- Several water policy meetings have been held. Mark attended the Kansas Farm Bureau meeting in Dodge. They are holding numerous meetings around the state, and each stop has had a good discussion with its members. Changing water policies was the main discussion, and should prior appropriation continue.
- NWRA Western Seminar will be held July 25-27 in Fairmont, MT. The upcoming Farm Bill and the hearings will probably be a hot topic.
- Review of Blue Diamond case in Nevada and the court case dealing with prior appropriation. Also, to deal with the groundwater declines.

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- Clay discussed the UV Treatment versus the Chlorination for ANS. The UV treatment may be a better method overall. However, it would not be for a truckload of river water transfer. Mark added that the budget was \$6,000, but the higher cost of gas and truck driver time will be more like \$7,000.
- Discussion on conservation included the topic of Voluntary verified type II water conservation annual agreements. The committee also reviewed the Federal Bill draft for the GIVE project. Committee agreed the preference is to keep it groundwater and not include surface water.

**Research and Development**

Research and Development Chairman Fred Jones stated the most significant part of the committee's discussion revolved around ICARE. Master Water User was also a topic. A conversation with Colorado was held, and the committee would like to discuss further how to build the platform.

**Old Business**

There was no old business to take off the table.

**Announcement**

Kansas State University has announced that Susan Metzger will be the new Associate Director for Agriculture and Extension. Susan has served as the senior executive administrator to the Dean of the College of Agriculture and director of K-State Research and Extension.

**New Business**

**Consideration of adopting the 2023 Budget**

Due to the loss of a quorum, the Board will consider adopting the 2023 Budget at the August meeting.

**Executive Director Report, Mark Rude**

**KWA Policy meeting Salina, consider moving August Board Meeting**

Mark brought to the table to move the August Board Meeting since Kansas Water Authority is on the same day in Salina. The consensus of the Board was to move the August meeting to August 11, 2022.

**NWRA Western Seminar, July 25-27 Fairmont, MT**

Mark brought to the table out-of-state travel for staff and Board of Directors to attend the NWRA Western seminar, July 25-27<sup>th</sup> in Fairmont, Mt. Due to no quorum present, consensus for approval of travel was confirmed by the present Board of Directors and will be retro-active for out of state travel approval on the August agenda.

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**Monthly Western Water Conservation Projects Fund Business**

June 2022 Financial documents of the Western Water Conservation Projects Fund and the activity of the advisory committee will be reviewed and approved by the Board at the August meeting.

**Agency Reports**

Keadron Pearson is back full-time from maternity leave. Kansas Water Authority water policy meeting will be on August 10 in Salina, KS, and the regular Kansas Water Authority meeting will be on August 17 in Manhattan. Information on RAC meetings will be announced soon. In addition, the staff is working on the State Water Plan update, which should be very close to being completed.

Rachel Duran announced that on July 1, there was an ARCA special meeting. They approved a resolution for a pilot program to test the Multi-Purpose Account at this meeting. The resolution will last for five years and can be extended.

Jonathan Aguilar announced that K-State Field Day would be on August 25 at the SW Research Extension. They are also trying to organize a group of students to come to Southwest Kansas to learn about the happenings in Southwest Kansas.

**Board Member Reports**

Clay Scott took a tour demonstrating a new panel that would sync up the power and flowmeter to show how much you are paying to pump and allow you to hit the best RPM/GPM to be the most cost-effective.

Randy Hayzlett reminded everyone that the Kansas Water Authority would meet in person on August 10, 2022, at 10:00 a.m. in Salina, KS. KWA voted to send a letter of support to keep the Water committee in the legislature. With more information, future pilot projects could occur in the Ogallala.

**Public Forum**

Mike Meyer asked if there were any updates on well capping and the Playa east of town. Mark talked to KDHE, and they were going to handle it, but he hasn't heard anything.

Respectfully Submitted,

  
Garrett Love  
GMD3 Board Secretary