

**Southwest Kansas Groundwater Management District No. 3
Minutes of the Regular Meeting of the Board of Directors
June 8th, 2022**

MEETING CALLED TO ORDER

Vice President Jones called to order the June 8, 2022, Board of Directors meeting of the Southwest Kansas Groundwater Management District at 9:06 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
Randy Hayzlett, Surface Water Representative
Chad McCormick, Industrial Representative
Kent Dunn, Seward County Representative
Clay Scott, Grant County Representative
Matt Johnson, Stevens County Representative
Zachary Gale, Hamilton County Representative

Directors Present by Phone or Zoom

Dave Casterline, Ford County Representative
Ben Amerin, Meade County

Directors Absent with Notice

Bret Rooney, President, Haskell County Representative
Garrett Love, Secretary, Gray County Representative
Seth Nelson, Stanton County Representative
Harrison Krey, Morton County Representative
Kyle Maddux, Kearny 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
Chris Beightel, Division of Water Resources
Wes McCary, Kansas Water Office
Keadron Pearson, Kansas Water Office, Water Resource Planner
Earl Lewis, Chief Engineer, Division of Water Resources
Mark Boos, Representative for Brookover Land Enterprises
Brownie Wilson, Kansas Geological Survey

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APPROVE AGENDA

Vice President Jones asked for consideration of the June 8 meeting agenda. **Randy Hayzlett made a motion to approve the agenda as presented. Clay Scott seconded. The motion passed.**

APPROVAL OF MINUTES & GENERAL MONTHLY FINANCIAL REPORT

Vice President Jones drew the attention of the Board to consider the May 5, 2022, draft minutes. Fred Jones noted a correction for Jonathan Aguilar's spelling. Correct Aguilar with a g, not a q. **Clay Scott moved to approve the May 5, 2022, minutes, as corrected. Mike O'Brate seconded the motion. Motion passed.**

Vice President Jones next drew the attention of the Board to review the May 2022 financial report documents. Fred Jones asked for an explanation of the MOU Financial Line item. **Clay Scott made a motion: Approve the financial reports and payments for May 2022 as presented at this meeting and submit them for the annual audit. Chad McCormick seconded. Motion passed.**

Vice President Jones signed and submitted the financial documents.

Correspondence/recognition/public comments

There were no reports presented.

Management Program: Reports and Recommendations

Water Commissioners Report, Mike Meyer, DWR

Mike Meyer reported they are still looking to fill the river Bailiff vacancy; otherwise, business is as usual. They are working on getting orders out for broken meters. The fine for not repairing a meter can increase to \$500.00 a day after sufficient warnings.

Water Rights 988 & 3,916, Brookover, Spacing Waiver

Mark Boos was in attendance to answer any questions that may arise. Jason started by presenting a slide. The slide explained the following details:

- 988 IRR authorized 242AF @ 1300gpm
- Used 2/10 past years
- Well is bad and needs replacing
- The plan is to convert to STK, probably
- 3916 STK authorized 75.92mgy = 232.99AF @ 300gpm
- Currently battery of 2 wells
- Located under the bypass expansion several years ago.
- Proposed stacking both of well authorized by 3917 & 12807 ID26 STK
- Does not meet spacing to applicant's wells
- Critical wells, if pumped at full proposed authority

The applicant's main objective is to protect the water rights.

Clay Scott noted that the Policy and Legal committee reviewed this and considered three alternatives. 1. By action of the governing body, recommend a waiver of KAR 5-23-3 and approval of the application since the stock had to move due to highway expansion; real effects would be to the applicant's wells. Subject to also properly plug the IRR to ensure no contamination of the aquifer. 2. Indicate by vote or consensus to recommend upholding the rule in this case. 3. Take no action.

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After discussion, **Clay Scott moved to recommend approval of the application under alternative 1. Since the stock had to move due to highway expansion, the real effects would be his well. Mike O'Brate seconded. Motion passed.**

Water right 16,406, Vyn Land & Cattle

Jason Norquest displayed the following information on a slide.

- 16,406 moved to the current location in 2020
- Authorized 252AF @ 975gpm
- 1600' minimum spacing requirement
- The proposed location would be around 350' from STK well 45870
- Analysis shows the effect, no critical wells
- Neighbors support upholding the rules

The applicant reported trying two to three test holes, and the proposed location showed the best formation.

However, the spacing requirement is 1,600 feet, and the proposed location would be less than 350 feet from the well under water right 45,870. The nearby stock well owner asks that decision-makers do their job to uphold rules and not be placed in a position to say no. Clay Scott noted that Policy and Legal Committee discussed and recommended not approving. **Kent Dunn moved to recommend not approving the application due to well spacing. Chad McCormick seconded. Motion passed.**

Committee Reports

Policy and Legal Committee

The Policy and Legal Committee met on Friday, June 3, at 1 p.m. in the board room or by zoom. The committee reviewed the application changes that were presented earlier in this meeting. Mark also updated the Board that the POC Interstate transfer project appropriation of water was just approved. However, due to the slow approval from DWR, Mark will need to reapply for ANS and TES protection permits. He is considering UV sterilization source water treatment in load transport instead of dumping chemicals. Mark will do more research.

Mark Rude, Jason Norquest, Randy Hayzlett, and Clay Scott attended meetings on Capitol Hill. They stated it was a very educational and productive time in Washington D.C. with the Western Kansas delegation and other western water managers.

Research and Development

The Research and Development Committee met on Friday, June 3, at 9 a.m.

Trevor Ahring, Zachary Gale, and Chris Law talked about the Ark River Water Quality tour, all stating it was a beneficial and very educational tour. Zachary noted it was nice to see how the other side of the state works, such as water accounting, which seems to be complex. Brownie Wilson with KGS provided an update on the I-CARE program online story map. Additional research will occur on many topics discussed, including GMD3 Water CAP, Master water manager, flow test standards for additional wells, and cost-share information from the Division of Conservation. An individual contacted the GMD3 office questioning the concept of poking holes near their existing irrigation well, filling them with gravel, and capping them for aquifer safety; there would be no casing. Also, a complaint of shallow wells constructed in the bottom of Playa lakes was investigated. The picture of the hole appears not to be deep based on the amount of dirt left around it. The main concern of this procedure is protecting the quality of the groundwater. And lastly, Research and Development committee reviewed safe capping project options to be coordinated with KDHE, considering a program that provides caps for uncapped wells.

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Old Business

There was no old business to take off the table.

New Business

There was no new business to bring to the table.

Executive Director Report, Mark Rude

KGMDA Meeting Report, May 31, St. John, KS

All five managers were present at a KGMDA meeting on May 31 in St. John, KS., along with Jason Norquest and Earl Lewis. A power point showed the history of the KGMDA.

- Formed in 1977 under provisions of K.S.A.82a-1028
- Last met in 2019
- Bylaws were last updated in 1998
- Quarterly meetings to include an annual meeting
- Each GMD has one vote
- Ex-officio members – state folks

Current activity will continue with roundtable reports and a review of the bylaws for updating.

Monthly Western Water Conservation Projects Fund Business

After some discussion of the Board, Randy Hayzlett moved to accept the May 2022 Financial Report and payments as presented and submit them for annual audit. Mike O’Brate seconded. Motion passed.

Patty Stapleton reported on the Project Funds CD Bank bids for \$244,945.86.

Agency Reports

KWO

Keadron Pearson announced a Water Authority meeting on June 22 in Pittsburg, Ks.

DWR

Mike Meyer reported that the Sheridan County 6 and GMD4 LEMA’s would be up for renewal.

Other

Randy Hayzlett announced that a Water Policy Conversation would be on August 10 in Salina, KS.

Board Member Reports

There were no board member reports announced.

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Public Forum

There were no public forum announcements.

ADJOURNMENT

**Matt Johnson made a motion to adjourn the meeting. Zach Gale seconded.
The meeting adjourned at 11:30 a.m.**

Respectfully Submitted,


Garrett Love
GMD3 Board Secretary