

**Southwest Kansas Groundwater Management District No. 3
Minutes of the Regular Meeting of the Board of Directors
August 11th, 2022**

MEETING CALLED TO ORDER

President Rooney called to order the August 11, 2022, Board of Directors meeting of the Southwest Kansas Groundwater Management District at 9:00 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
Garrett Love, Secretary, Gray County Representative
Clay Scott, Grant County Representative
Harrison Krey, Morton County Representative
Matt Johnson, Stevens County Representative
Randy Hayzlett, Surface Water Representative
Chad McCormick, Industrial Representative

Directors Absent with Notice

Dave Casterline, Ford County Representative
Kyle Maddux, Kearny County Representative
Ben Amerin, Meade County Representative
Seth Nelson, Stanton County Representative
Zachary Gale, Hamilton County Representative
Kent Dunn, Seward 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 by zoom

Mike Meyer, Water Commissioner, Division of Water Resources, Garden City, KS
Brownie Wilson, Kansas Geological Survey, I-CARE Team
David Barfield, Kansas Water Resources Consulting, LLC
Austin McColloch, Kansas Department of Agriculture
Sean Miller, Capital Strategies
Josh Olson, Kansas Water Office
Katie Durham, GMD1 Manager
Mark Calendar, GMD1 Board President
Kedron Pearson, Kansas Water Office
Chris Beightel, Division of Water Resources
Jim Butler, Kansas Geological Survey
Earl Lewis, Chief Engineer, Division of Water Resources

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APPROVE AGENDA

President Rooney asked for consideration of the August 11 meeting agenda. **Randy Hayzlett made a motion to approve the agenda as printed. Fred Jones seconded. The motion passed.**

APPROVAL OF MINUTES & GENERAL MONTHLY FINANCIAL REPORT

President Rooney drew the attention of the Board to consider July 13, 2022, draft minutes. **As presented. Fred Jones moved to approve July 13, 2022, minutes. Clay Scott seconded the motion. Motion passed.**

Fred Jones moved to table the financial report approval after the New Business. Randy Hayzlett seconded. Motion passed.

Correspondence/recognition/public comments

There was no correspondence, recognitions, or public comments.

Management Program: Reports and Recommendations

Water Commissioners Report. Mike Meyer, DWR

Mike Meyer reported their office is handling many questions regarding the end-of-the-year allocation shortages. Tough drought time and the fate of the Ogallala is getting worse. They are answering many questions regarding calculations for the Multi-Year Flex Accounts and hearing stories of people having to re-nozzle their pivots. His office is working through penalties for 2021, the second-highest year of penalty notices. Still working through late water use reports. There have been more calls on impairment concerns. Gooch / Mills (Stevens CO.) hit a trigger level which started the impairment process and restrictions about a month earlier than last year. Currently, there are 30 late water use reports, and after June 1, that is a civil penalty of \$1,000 per file number and suspension of the water right. Staff will be going out in about two weeks to verify the wells have been shut off. DWR office in Garden City is still down two staff.

Updating the GMD3 Groundwater Model. Brownie Wilson, KGS

Brownie Wilson with Kansas Geological Survey talked to the group about the Model Domain and Boundary Conditions. The model extent covers GMD3 and the High Plains aquifer in SW Kansas. The battle plan incorporates the bedrock elevation for the confined portions of the Dakota, keeping the model as one layer and using lithology to control the characteristics. In addition, lithology classifications were adjusted from the original categories.

Original

- 1: Shale, clay, coal, bedrock, red bed, siltstone
- 2: Silty and Sandy clays, silts, topsoil, marl, caliche
- 3: Sandy silts, sandstone, fine sands
- 4: Medium to coarse sands, clayey and silty gravels
- 5: Sand and gravel, fine to coarse gravels

Adjusted

- Clay: Shale, clay, coal, bedrock, red bed, siltstone, silty and sandy clays
- Category 2: silts, top so il, marl, caliche, Sandy Silts
- Sandstone: cemented sand and/or gravel, sandstone
- Sand: Medium to coarse sands, fine sands
- Gravel: Sand and gravel, fine to coarse gravels, clayey and silty gravels

Brownie reviewed the old GMD3 model; unlike past modeling efforts, establishing the pumping file was a struggle, and relationships were awful. Multiple variables were used, de-trend, and later in future projections, manually adjusted the pumping. Brownie discussed the return flow zones, enhanced recharge from irrigation land, ditch diversions, and recharge zones.

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Recent LEMA activity of GMD1, Katie Durham, GMD1 Manager

Katie Durham, GMD1 Manager, and Mark Calendar, GMD1 Board President, were present to discuss their process of getting a LEMA. Katie advised that LEMA talk occurred at each of the board meetings. It was a long process and well thought out. They passed out papers that described the

slides used to present the LEMA and frequently asked questions along with a handout explaining the appeals method. In fall 2020, the GMD board resumed the discussions on additional LEMA(s) to fulfill its mission to extend the life of the aquifer. They found out this past week the Chief Engineer approved their Four County LEMA plan. The four counties include Wallace, Greeley, Scott, and Lane Counties for a four-year term, starting January 1, 2023. This LEMA does not make a permanent change in a water right. The LEMA will not regulate non-irrigated uses. The allocation method reduces historical use (using years 2011-2020) based on use as inches / authorized acres, as it more evenly and fairly distributes pumping reductions.

Finney County I-Care report mailings

Trevor presented the new I-CARE summary brochures. The Board noted a few more edits to the summary sheet and the letter Mark wrote to send out with each summary. **Clay Scott moved to continue to work on this and distribute it to members in Finney County. Fred Jones seconded. Motion passed.**

Committee Reports

Executive Committee

No report at this time.

Policy and Legal Committee

Clay Scott reviewed the committee meeting updates. Kansas Water Authority met on August 10 in Salina; Mark Rude, Fred Jones, Randy Hayzlett, and Jason Norquest attended the meeting. The committee also discussed the GMD2 lawsuit dealing with Wichita ARS. Clay mentioned a conversation with Colorado on partially supporting the POC project. Lastly, Policy and Legal talked about the Legislative Audit in detail. Garrett Love knew the process and provided some facts and possible questions. Final responses drawn up by Mark Rude need to go to Executive Committee for review. The Executive Committee will meet when we receive details regarding the Legislative audit.

Renewable Supplies

The Renewable Supplies committee did not meet.

Old Business

Travel for Board and staff, NWRA Western Seminar, Fairmont, Montana, July 25-27

GMD3 Board discussed travel to NWRA Western Seminar at the July meeting; however, due to the loss of quorum needs to be voted on today. **Garrett Love moved to approve travel for the Board and staff who attended the NWRA Western Seminar, Fairmont, Montana, July 25-27, 2022. Mike O'Brate seconded. Motion passed.**

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Adopt a 2023 GMD3 Budget. Resolution 2022-3

Mike O'Brate moved to adopt resolutions 2022-3. Garrett Love seconded. Motion passed.

New Business

Travel / attend Governors Water Conference. November 16-17 in Manhattan

Mark Rude asked for consideration for travel for the Board and staff to attend the Governors Water Conference in Manhattan, KS, November 16-17. **Fred Jones moved to approve, and Chad**

McCormick seconded travel for the GMD3 directors and staff to attend the Governors Water Conference, November 16-17, in Manhattan, KS. Motion carried.

Travel / attend NWRA Annual Meeting, Santa Barbara, California

NWRA Western Seminar will be held November 2 through 4th in Santa Barbara, California which will combine two conferences. **Mike O'Brate moved to approve out-of-state travel for the Board and staff. Harrison seconded. Motion passed.**

Funds to Kansas Water Congress for 2022 NWRA membership fee.

GMD3 has funded NWRA through the Kansas Water Congress (KWC). Instead of one lump sum this year, GMD3 has paid quarterly payments in that stated way. The second quarter payment was not addressed at the July meeting; however, a discussion occurred with the Executive Committee. The Executive Committee opted to pay for the second quarter. This will allow GMD3 to stay in the good graces of NWRA and be an active participant still. Mark announced that the NWRA fee is currently \$14,200.00 and will be going up 3% next year. **Garret Love moved to approve the second quarter payment made and all forward payments for the year 2022 to the KWC for NWRA membership, allowing GMD3 to participate in good standing. Harrison Krey seconded. Motion passed. Fred Jones opposed.**

Fred Jones stressed his concern for broader participation from other Kansas entities. Consider changing organization that represents Kansas in NWRA, such as KGMDA. Set out a plan to set the groundwork to fix participation and payment issues in the future. President Bret Rooney charged the staff to review and report.

President Rooney next drew the attention of the Board to review the July 2022 financial report documents. **Fred Jones made a motion: Approve the financial reports and payments for July 2022 as presented at this meeting and submit them for the annual audit. Mike O'Brate seconded the motion. Motion passed**

President Rooney signed and submitted the financial documents.

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Executive Director Report. Mark Rude

KWA Policy meeting, Salina, August 10th, 2022

Mark announced the Kansas Water Authority Policy meeting was in Salina, Kansas, on August 10, 2022 and that he and others had attended.

KWC Meeting Postponed

Kansas Water Congress conference for the end of August has been postponed.

Monthly Western Water Conservation Projects Fund Business

Mark Rude drew the Board's attention to the June and July 2022 Financial documents of the Western Water Conservation Projects Fund and the activity of the advisory committee.

After some discussion of the Board, Fred Jones moved to accept the June 2022 Financial Report and payments as presented and submit them for annual audit. Randy Hayzlett seconded. Motion passed.

Fred Jones moved to accept the July 2022 Financial Report and payments as presented and submit them for annual audit. Clay Scott seconded. Motion passed.

Agency Reports

Keadron Pearson, KWO

Upper Ark RAC will meet at 1:00 p.m. today at the Finnup Center.

Kansas Water Authority meeting is in person only, no zoom.

The 2023 Trade Show / Farm Show is being revamped, so stay tuned for more information.

All RACs are working on budget recommendations.

Brownie Wilson, KGS

New Director for KGS would like to come out in November and speak with the Board.

Board Member Reports

Clay Scott announced that Kansas is on the docket to host the NWRA meeting in the next three years. Clay believes the next meeting will be significant and encourages whoever is interested in attending.

Public Forum

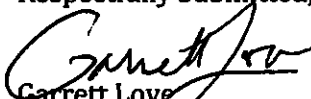
There were no public forum announcements.

ADIOURNMENT

Harrison Krey made a motion to adjourn the meeting. Chad McCormick seconded.

The meeting adjourned at 12:24 p.m.

Respectfully Submitted,


Garrett Love
GMD3 Board Secretary