

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

MEETING CALLED TO ORDER

President Rooney called to order the November 8, 2022, Board of Directors meeting of the Southwest Kansas Groundwater Management District at 9:04 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
Harrison Krey, Morton 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

Clay Scott, Grant County Representative
Ben Amerin, Meade County Representative
Garrett Love, Secretary, Gray County Representative
Chad McCormick, Industrial Representative

Directors Absent with Notice

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 by zoom

Mike Meyer, Water Commissioner, Division of Water Resources, Garden City, KS
Chris Beightel, Division of Water Resources
Jonathan Aguilar, KSU
Kevin Salter, Division of Water Resources
Sean Miller, Capital Strategies
Keadron Pearson, Kansas Water Office
Blair Snyder, State Geologist with KGS
Earl Lewis, Chief Engineer, Division of Water Resources
Jay Kalbas, State Geologist and Director of KGS

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APPROVE AGENDA

President Rooney asked for consideration of the November 8 meeting agenda. Mark Rude suggested two additions to the agenda: SW KS KARL event sponsorship as item IX and gWORKS final service contract as item IX b. **Kent Dunn made a motion to approve the agenda as revised. Adding SW KS KARL event sponsorship as item IX, a, gWORKS 2023 final service contract as item IX, b. Zachary Gale added under new business IX c Hamilton County Randy Hayzlett seconded. The motion passed.**

APPROVAL OF MINUTES & GENERAL MONTHLY FINANCIAL REPORT

President Rooney drew the attention of the Board to consider the October 12, 2022, draft minutes. **Fred Jones moved to approve October 12, 2022, with a correction on page five, correcting Haskell farmer to Kearny County farmer. Randy Hayzlett seconded. Motion passed.**

President Rooney next drew the attention of the Board to review the October 2022 financial report documents. **Randy Hayzlett motioned: Approve the financial reports and payments for October 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

There was no correspondence/recognitions or public comments brought to the table.

Management Program: Reports and Recommendations

Water Commissioners Report, Mike Meyer, DWR

Water Commissioner Meyer updated the Board on the business of DWR. There is still a vacant position in the Garden City DWR office. However, change applications are picking up, and the office is getting ready to mail postcards reminding producers to utilize the MYFA (Multi-Year Flex Account) as long as they are not in the IGUCA area. At this time, there are approximately 57 MYFAs. Zachary Gale asked if GMD3 is working on any MYFAs. Jason and Chris acknowledged it has picked up some in the last month. The deadline to apply for an MYFA is December 31. Mike Meyer asked if GMD3 would be willing not to review the clear-cut MYFAs. Skipping this process would allow the State to process sooner. **The consensus of the Board was to have DWR complete the clear-cut MYFA review process without giving GMD3 the fifteen-day review time.** Chief Engineer Earl Lewis appreciated the consensus of the Board and added that DWR would mail out approximately 8,000 postcards as a reminder of the MYFA program.

File 28,234 NONC response, requested well spacing waiver: Ben Ratzlaff EST.

Jason Norquest brought to the board File 28,234, Ben Ratzlaff EST. The applicant is proposing the elimination of ID02 and stacking the diversion authority onto ID03.

- The applicant has not pumped the allocation from the well under ID 02 and does not want to redrill.
- The applicant has received notice from DWR about exceeding their authorized rate on the well under ID 03,

The proposal is to stack the authority of ID 02 onto ID 03, which currently does not meet minimum spacing requirements, to a neighboring well under File No. 21,634. Although notices were mailed to neighboring wells, no written responses were received. The owner of File No. 21,634 stated verbal

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concern for the area aquifer; however, they did not wish to oppose the application submitted formally.

The Board of directors discussed the four alternatives listed in the discussion memo. **Fred Jones moved to recommend upholding the rule in this case and deny the waiver to K.A.R. 5-23-3 due to the neighboring well supply being senior, declining water supply, and already short on spacing, along with further analysis showing significant effects are likely. Clay Scott seconded Seth Nelson abstained from voting. Motion passed.**

Jay Kalbas, State Geologist and Director of KGS.

Jay Kalbas, State Geologist and Director of the Kansas Geological Survey was present along with Blair Snyder. Static Water level measurements are coming up in early January. KGS works on many different items concerning mapping, but there are two programs, energy and water. Energy alone can be in two categories: oil and gas and energy evolution. Water resources are a vital program we do at the Kansas Geological Survey. Over the next few months and the next Legislative session, we will help frame the importance of our water resources. Matching static water level data with dynamic information on how the aquifer will behave is also very important. Water quality is also a primary focus. KDHE had a great program from the 1980s to 2000 that the agency is trying to rebuild and bring back. Phase one will start this coming year, which will involve going to multiple sites around the State, understanding where we are with water quality, and then creating programs that will track champion water quality and dynamic conditions. Jay introduced Blair Schneider and gave her the floor to talk. Blair is the outreach manager for KGS. June 4-7, 2023, Legislatures will be in Dodge City, Garden City, and Lakin to the Colorado border, primarily focusing on water resources and ensuring they understand the community's concerns. Kansas Geological Survey is not a regulatory agency; we're here to support other state agencies. This field conference is to bring legislatures/individuals out and talk about our natural resources, the issues we are facing, and how to address these issues.

Committee Reports

Policy and Legal

The policy and Legal committee met on Tuesday, November 8, at 1:30 p.m. in the board room and via zoom. They reviewed the application that the Board discussed earlier in today's meeting. The committee discussed the project goals and activities of a LEMA. Starting the process knowing expectations and what is needed or would be well-liked would provide a better understanding of the program and a higher probability of being accepted. The committee reviewed the proposed rules from DWR. Mark added they are still waiting on a driver for the Point of Concept water transfer.

Chief Engineer Earl Lewis added they are working through DWR rule change comments from the GMDs and other agency comments first, then will move to the public remarks. There is no set deadline, but we will keep the process moving.

Research and Development

ICare mailings have not gone out. Research and Development reviewed the over-pumping tools and researched what tools GMD3 would want to offer. Developing the Master Water Manager may help get the younger generation involved.

Old Business

There was no old business to take from the table.

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New Business

SW KS KARL Event Sponsorship (\$1,000)

The Southwest Kansas KARL event took place last week. A proposal to sponsor the event was brought to GMD3 for \$1,000.00. **Kent Dunn moved to support the KARL program sponsorship of \$1,000. Mike O'Brate seconded. Motion passed.**

gWORKS 2023 final service contract (\$8,000)

Mark brought to the table discussion regarding the gWORKS 2023 final service contract. gWORKS is not offering this format anymore and has proposed two options:

1. Take the platform and everything and hand it over to us. For \$40,000
1. Pay them \$8,000 for one more year, and then they are done. This option will allow us time to review other options.

Throughout the discussion, Finney County, KGS, MIDland GIS, and Ken Nelson were some names mentioned to contact for furthering the program. Earl Lewis added that WRIS mobile table application is being reviewed again. **Fred moved to approve payment of \$8,000 to gWORKS, with a GMD3 staff providing monthly updates for a new solution. Seth seconded. Motion passed.**

Sean Miller

Sean Miller provided a quick update on elections. Governor Kelly will be in for another four years. Republicans will be down to 85, which makes veto override harder.

Hamilton County

Zachary Gale proposed to eliminate Hamilton County from the GMD3. He has polled many producers and noted that 45 file numbers or 75% said they support withdrawing from the district. Zachary wonders if a public hearing would be beneficial for Hamilton County. Does GMD3 know its members? Randy Hayzlett replied, "Do those people know GMD3?" Kent Dunn suggested that an informational campaign would benefit all counties. The GMD3 Annual meeting will be in Ulysses in March 2023, which would be a great time to bring Hamilton County and all other producers to the meeting to learn more about GMD3. **Fred Jones moved to table Hamilton County's withdrawal from GMD3 and directed the GMD3 staff to provide a memo to the Board on how to proceed and how to get feedback from Hamilton County. Tabling will also allow Mr. Gale time to give more information/concerns. Garret Love seconded. Motion passed with all in favor.**

Executive Director Report, Mark Rude

NWRA Report

Another good conference. Mark led the conversation on the groundwater caucus.

Reschedule December Board Meeting (Friday, December 9)

Fred moved to change the December board meeting to Friday, December 9. Mike O'Brate seconded. Motion passed.

Governors Water Conference

Governors Water Conference will be next week 16th and 17th, in Manhattan, KS. The agenda looks to have some good topics.

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Monthly Western Water Conservation Projects Fund Business

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

Agency Reports

Keadron Pearson with KWO.

- Governors Water Conference next week, 16 and 17th.
- Kansas Water Authority meeting December 14 and 15 in Colby
- WISE tour will be in Dodge City and Montezuma area next March.

Jonathan Aguilar, KSU:

- Bryan Olsen is the new KSU Department Head.
- University President will be in Finney County on April 25.

Board Member Reports


Fred passed out a memo regarding Strategy Development for the Utilization of the Water Model Dataset. This memo addresses the utilization of data received sometime next year as part of the GMD3 Water Model Update. What will GMD3 do with the data once the model is updated? **The consensus of the Board was for staff to review considerations and alternatives and take them to the Research and Development Committee.**

Public Forum

Adjournment

Harrison Krey made a motion to adjourn the meeting. Zachary Gale seconded. The meeting adjourned at 12:18 p.m.

Respectfully Submitted,


Garrett Love
GMD3 Board Secretary