

**Southwest Kansas Groundwater Management District No. 3
Minutes of the Regular Meeting of the Board of Directors
December 18, 2023**

MEETING CALLED TO ORDER

President McCormick called to order the December 18, 2023, Board of Directors meeting of the Southwest Kansas Groundwater Management District at 9:04 a.m. The meeting was in the GMD3 Board Room.

Directors Present in Person

Chad McCormick, President, Industrial Representative
Randy Hayzlett, Vice-President, Surface Water Representative
Garrett Love, Secretary, Gray County Representative
Mike O'Brate, Treasurer, Finney County Representative
Clay Scott, Grant County Representative
Fred Jones, Municipal Representative
Kent Dunn, Seward County Representative

Directors Present by Phone or Zoom

Kyle Maddux, Kearny County Representative

Directors Absent with Notice

Bret Rooney, Haskell County Representative
Seth Nelson, Stanton County Representative
Harrison Krey, Morton County Representative
Matt Johnson, Stevens County Representative
Zachary Gale, Hamilton County Representative
Ford County Representative
Meade County Representative

District Staff Present

Mark Rude, Executive Director
Jason Norquest, Assistant Manager via Zoom
Patty Stapleton, Office Administrator
Chris Law, Director, Field Services
Brandi Sneath, Office Assistant

Others in Attendance

Mike Meyer, Water Commissioner, Division of Water Resources, Garden City, KS
Keadron Pearson, Kansas Water Office
Cory Keller, City of Dodge City, KS
Jacob Harshberger, Producer
Carl Clawson, Producer
Brownie Wilson, Kansas Geological Survey
Representative Jim Minnix
Melanie Michaud, University of Waterloo
Ray Navaro, AfterTheWarranty, IT specialist
Allison Kite, Reporter with Kansas Reflector

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APPROVE AGENDA

President McCormick asked for consideration of the December 18 meeting agenda. **Garret Love made a motion to approve the agenda as presented. Clay Scott seconded. The motion passed.**

APPROVAL OF MINUTES AND GENERAL MONTHLY FINANCIAL REPORT

President McCormick drew the attention of the Board to consider the November 3, 2023, draft minutes. **Kent Dunn moved to approve the November 3, 2023, minutes, as presented. Garret Love seconded the motion. Motion passed.**

President McCormick next drew the attention of the Board to review financial report documents.

Clay Scott motioned to approve the financial reports and payments for November 2023 as presented at this meeting and submit them for the annual audit. Randy Hayzlett seconded the motion. Motion passed.

President McCormick signed and submitted the financial documents.

Correspondence / Recognitions / Public Comments

Melanie from the University of Waterloo stated she had looked at our GMD3 website and had questions about our approach to water conservation. Mark said he would visit her after the meeting to discuss this in more detail.

Representative Jim Minnix stated he has spoken with Shannon Dick about the maps that Brownie Wilson laid out during the 2001-2006 time period. Based on the data, the consensus at the state level appears outdated. The more recent data showed during the sessions from 2016 – 2020, there was about a 32% reduction. Representative Minnix added that we had done well with conservation and that it would be beneficial to get the newer, more accurate message out there that we are all trying to get to the same spot.

Appointment of Members to Fill Board Vacant Seats.

Mark Rude stated that GMD3 advertised for two months in papers regarding the vacant director spots for Meade and Ford Counties. We have two candidates for Ford County: Cory Keller and Jacob Harshberger. For Meade County, we have Carl Clawson. Mark stated that some paperwork still needs to be submitted; however, he is assured GMD will receive it.

Clay Scott motioned to move forward and proceed with the Voting process for both positions, pending proper documentation being submitted promptly. Garrett Love seconded. Motion passed.

Carl Clawson stated he was from Meade County and is part of Clawson Ranch. He would like to learn more and participate in the decision-making process.

Kent moved to appoint Carl Clawson as Meade County Representative, pending proper documentation. Garret Love seconded. Motion passed.

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Corey Keller stated he is with the City of Dodge City and has worked with them for 29 years. He oversees their water wells along with projects in the works to demonstrate conservation.

Jacob Harshberger is a 3rd generation producer. First, he had compacity as a steward for his family's operation. He knows the water situation and would like to learn more about solutions and offer suggestions. Secondary here for the community, this issue touches everybody we know, and where we live is synonymous with the success of agriculture centered around water.
here for the community

Fred Jones asked what the residency requirement is for these positions. Mark noted they must live in the county to be eligible for this position.

Fred Jones asked Mr. Keller if he could tell us, outside of your municipality footprint, if the city has any interest in agriculture irrigation activities. Mr. Keller stated that they do have a few water rights that farmers currently utilize.

President McCormick reminded the Ford County Candidates that this is a position that you serve, along with a position of regular attendance at the meetings. Is this an issue? Both responded that it was not an issue.

President McCormick stated the best form of voting is by ballot, and Patty is preparing those as we speak. Kyle Maddux will send an email to Patty Stapleton with his vote.

President McCormick called a recess for five minutes.

President McCormick called the meeting back to order at 9:54 a.m.

Discussion amongst everyone on whether the voting directors should sign the ballot was held. The consensus was that it was unnecessary as that is taken care of by having a yellow piece of paper and being a voter for the district.

Fred Jones added that he thanked the candidates for showing up today. It is a big deal to replace two seats on the Board, and he apologizes if his comments have thrown a monkey wrench in the gears. However, attendance is important, especially for Ford County, as he can count on both hands, during his multiple years of being on the Board, he has seen a Ford County Director attend a meeting. Regular involvement from Ford County is critical, being one of the largest counties in the district. He added what is unique about the candidate from the City of Dodge City is he represents all three classes of users: municipal, industrial, and water reuse, and also pursuing managed aquifer recharge projects.

Clay Scott also thanked the candidates and stated they are both highly qualified. Clay spoke about Jacob Harshberger. Clay has served on the Ogallala Advisory Committee that Gary Harshberger served on. Clay also wants to address the elephant in the room regarding the Board's obligations of HB2279. Providing the framework and cutbacks for aquifer uses. It's one thing to be signing the back of the check but another to sign the front. When these cutbacks directly affect your family operations, having skin in the game is vast. He believes that Mr. Harshberger would make a great candidate.

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Patty Stapleton collected the ballots and email from Kyle Maddux. Brandi Sneath and Patty Stapleton counted.

President McCormick announced Mr. Jacob Harshberger won the vote 6 to 2 and will serve as the Ford County Representative starting immediately.

Patty Stapleton swore in the new Directors:

Meade County Board of Director Carl Clawson,

Ford County Board of Director Jacob Harshberger.

Management Program: Reports and Recommendations

Water Commissioners Report, Mike Meyer, DWR

Mike Meyer announced DWR will start annual static water measurements on January 2 and probably take the whole first week to complete. Garden City DWR measures Grant, Haskell, Kearny, Gray, and Finney and also measures Scott and Lane County in GMD1. KGS will measure the remaining wells.

Annual Water Use Reports are also being prepared and should arrive the first week of January. Just a reminder, it comes as a letter with a new pin.

This is a good time to think about the MYFA. If you didn't pump much, the remaining amount could be rolled forward to the next four years, allowing you to have a larger account over the next four years. MYFA is not just an over-pumping tool but also a tool for wet periods.

We need to reevaluate the waste of water concerns. A complaint was filed last week while it was raining, saying the guy's pivots are running, there's water in the bar ditch, and he's still irrigating corn stalks. When Mike called the producer, he said he was trying to use up his allocation because he couldn't carry it forward. Mike suggested filing a MYFA, allowing that water to be pushed forward for the next four years. Since everybody is trying to build up their allocation for fear of cutbacks, we just need to start assuming they are not putting water to beneficial use and make sure documentation is in the file. Mike advised the producer to shut it off as this is not beneficial use. DWR will also send a letter to the producer.

Groundwater Model Report, KGS Brownie Wilson

Brownie Wilson stated the computer calibration process has finally finished. We are still on track to deliver a final report by the end of the year. The interface has also been developed. Garret Love, along with Chairman Minnix, has discussed some of the stuff being over 10 - 20 years old and is still interested in 6 -7 years back and in the future, which would show more of where we are at, demonstrating a more accurate picture of where we are at. Brownie believes the results of reducing water use will be shown in the status quo. Garret would like the Q-stable to show results now.

Mark noted that we need to get diligent in identifying our High Plains Areas to beat the deadline we have in six months. The Policy and Legal Committee talked about a working session, including KGS and the other Board members, to hash out our direction regarding the High Plains Area. Clay added he believes there should be some review of the well measurement data sights, stressing the concern of some areas being hyper-sensitive being in a drought if that doesn't maybe skew the information.

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Committee Reports

Policy and Legal

Chairman Clay Scott discussed the last Policy and Legal Committee meeting on December 12, 2023. He turned everyone's attention to page 12 of the Board Book.

- The committee reviewed the candidates for Ford and Meade County.
- They reviewed and discussed the Hamilton County letter, sent by snail mail to the Hamilton County petitioners. Clay stated he would like that in the January board book. President McCormick added he received a call from Seth Nelson that commented on two things: 1) Seth understands he signed the petition but is unsure why he has a dog in this fight, and 2) his absence from the GMD3 Board meetings has nothing to do with the Hamilton County issue, however, due to medical issues.
- MP Revision: The revised MP was sent to the Chief Engineer, but no comments have been returned.
- Post Audit Review: no issues foreseen.
- HB2279: Clay Scott would like to request a working meeting with all directors, possibly after the January meeting.
- Review request to KWPPPI to leverage Reclamation SmartPLAN submittal: this is due at the end of December.
- 2024 I-CARE regions and priority areas: The Board's attention was turned to page 55, which shows a KGS Q-Stable Analysis by region of priority regions. Clay would like to see how much a producer used the well in gross compared to your neighbors.
- Kansas Water Congress: has heard in discussion that NWRA may be changing the funding scenarios. The district could end up paying the dues and not having to fund the whole state. There will still be a KWC meeting in February.
- K.A.R. 5-5-17: ongoing discussion.
- Vijay Ramasamy, Governor Water Advisor: The visit went well on the whole. Mr. Ramasamy visited with Directors Randy Hayzlett and Chad McCormick.
- Reclamation and Army Corps meetings in November: Randy Hayzlett, Clay Scott, Jason Norquest, and Mark Rude were to have a 15-minute meeting that lasted about 45 minutes due to a discussion with the Regional Core of Engineers.
- GMDA: Jason Norquest is the new President. GMD3 is hosting the winter conference in Nashville, Tennessee, from January 23 to 25. If anyone is interested in attending, let him or Patty Stapleton know by Thursday.
- NWRA Priority Work Plan: Clay Scott is the new Nation NWRA President. Continued work on the Farm Bill tools. Senate and House WRDA: strong support in the feasibility study of the High Plains transfer.
- WIFA: Water Infrastructure Finance Authority: has a One-billion-dollar allocation from the state to find new water strategies outside Arizona.
Clay Scott would like to request travel approval for the Board and staff to attend.

Garret Love moved to approve travel in January for the Board and staff (specifically, Randy Hayzlett, Clay Scott, Jason Norquest, and Mark Rude) to meet with the Water Infrastructure Finance Authority. Mike O'Brate seconded. Motion carried.

- CRWUA Annual Meeting: Randy Hayzlett, Clay Scott, Mark Rude, and Jason Norquest attended the CRWUA Annual Meeting. Parts of Colorado are receiving significant cutbacks.

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Old Business

There was no Old Business to take from the table.

New Business

There was no New Business to present to the Board.

Executive Director Report, Mark Rude

Computer System and Cyber Security Contract

Due to the lack of time to delve into the information provided by Nex-Tech, AftertheWarranty, and Imagine IT regarding the IT system, this will be placed on Old Business in the January meeting. The current contract with Nex-Tech ends at the end of this year. Mark will ask Nex-Tech to extend the current contract for a month or two.

Hosting GMDA Conference, January 23-25, 2024

Mark quickly announced the GMDA conference is January 23-25. If you haven't registered, get with Patty Stapleton.

Kansas Water Congress, Leadership / Support

Mark announced there will be a Kansas Water Congress meeting in February. The meeting could be to discuss the group's future and where to go from here.

Western Water Conservation Projects Fund Business

Financial Report

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

After discussing with the Board, Randy Hayzlett moved to accept the November Financial Reports and payments as presented and submit them for annual audit. Fred Jones seconded. Motion passed.

Board Member Reports

Fred Jones announced that Garden City, Hays, Dodge City, and some regulatory and engineering folks are considering developing a State Chapter for the Water Reuse Association. Fred will keep the Board in the loop and see if any support from the GMD3 Board is available.

Agency Reports

KWO

Keadron Pearson

The Water Authority reviewed the draft, and it should be available after the first of the year. Upper Ark RAC met on Friday. Eight proposals sought support through grants, and the Upper Ark RAC decided to support all eight proposals. The deadline for the three grant deadlines is December 29. There is a Water Authority meeting on January 23 and 24 in Topeka.

Public Forum


There were no public forums.

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ADJOURNMENT

**Carl Clawson made a motion to adjourn the meeting. Garret Love seconded.
The meeting adjourned at 11:46 a.m.**

Respectfully Submitted,



Garret Love
GMD3 Board Secretary