

Southwest Kansas Groundwater Management District No. 3
Minutes of the Regular Meeting of the Board of Directors
January 14th, 2015

MEETING CALLED TO ORDER

The January 14th, 2015 Board of Directors meeting of the Southwest Kansas Groundwater Management District was called to order by President Dunn at 9:05a.m. The meeting was held in the Board Room of Southwest Kansas Groundwater Management District NO. 3.

Directors Present

Kent Dunn, President, Seward County Representative
Kirk Heger, Vice President, Stevens County Representative
Mike O'Brate, Treasurer, Gray County Representative
Clay Scott, Grant County Representative
Hal Scheuerman, Kearny County Representative
Randy Hayzlett, Surface Water Representative
Douglass Fox, Meade County Representative
Steve Stone, Finney County Representative
Jeff Reinert, Ford County Representative
Bret Rooney, Haskell County Representative

Directors Absent with Notice

Wayne Breeding, Morton County Representative
Mike McNiece, Board Secretary, Industrial Representative
Hamilton County Representative
Alan Schweitzer, Municipal Representative
Seth Nelson, Stanton County Representative

District Staff Present

Mark Rude, Executive Director
Jason Norquest, Assistant Manager
Patty Stapleton, Office Administrator
Brandi Sneath, Office Assistant

Others in Attendance

Mike Meyer, Water Commissioner, Division of Water Resources, Garden City
Gary Baker, Water Right Consultant
Jonathan Aquilar, KSU Extension Engineer
Greg Graff, Water Authority member representing western Kansas GMD's

APPROVE AGENDA

President Dunn asked for consideration of the meeting Agenda. After some discussion, Randy Hayzlett made a motion to approve the agenda as presented. Bret Rooney seconded. The motion was approved with all in favor.

APPROVAL OF MINUTES & MONTHLY FINANCIAL REPORT

President Dunn drew the attention of the Board to consider December 16th, 2014 draft minutes. Hal Scheuerman made a motion to approve the December 16th, 2014 Board Meeting minutes with a revision under Old Business, #1, 2, and 3 should all be corrected to represent millions. Jeff Reinert seconded the motion. The motion was approved with all in favor.

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President Dunn next drew the attention of the Board to review the December 2014 financial report documents. Hal Scheuerman made a motion as follows: Approve the financial reports and payments for the month of December as presented at this meeting, and to submit them for the annual audit. Doug Fox seconded the motion. The motion was approved with all in favor.

President Dunn signed and submitted the financial documents.

President's Report, President Kent Dunn

Water Commissioner's Report, Commissioner Mike Meyer

Water Commissioner Mike Meyer reported they are wrapping up annual well measurements in seven counties. Measurement numbers will be posted at a later date. Water Use Reports have been mailed out. Producers can now file water use on-line or continue to mail them in to Division of Water Resources.

Vacant Hamilton County Position and Candidates

Hamilton County Farm Bureau Meeting on GMD3 Boundary Change

Mark Rude reported there are two candidates for the Hamilton County Representative, Zach Gale and Jay Houtsma. Consensus was to invite each candidate to the March GMD3 Annual and regular meetings March 11th in Liberal and to send board packets to both candidates.

A meeting to discuss the Hamilton County GMD3 Boundary Change was to be organized by the Hamilton County Farm Bureau. To date no meeting has been announced. Consensus of the directors was to proceed to providing a supportive role in the efforts of the Hamilton County Farm Bureau to organize an informational meeting.

Report on GMDA Conference

President Dunn stated the GMDA Conference which was held in Scottsdale, Arizona was well attended and the GMD3 staff did a good job organizing a first class event. Mark stated attendance was good and that Texas, normally strong in attendance, was only represented by two individuals due to significant meetings and legislative issues occurring in that state. Mark congratulated Jason and Patty and other staff involvement for their hard work in making the conference a success.

High Plains Aquifer Application Moratorium Order

Mark Rude turned the Director's attention to the State of Kansas Findings and Order document. This is in the matter of the temporary suspension of Processing New Applications Filed to Appropriate Water within the Boundaries of SW KS GMD3. Mark touched on the Five Conditions outlined in the Order.

1. If either K.A.R. 5-23-4 is amended or another management alternative for the area is proposed by the GMD Board and adopted by the chief engineer, then any application to appropriate water for beneficial use with the area which was filed on and after January 1, 2015, shall then be processed in accordance with the provision of the amended regulations(s) or adopted management alternative. If K.A.R. 5-23-4 is not amended nor any other management alternative adopted by the chief engineer, then any application to appropriate water for beneficial use filed on and after January 1, 2015, shall be processed in accordance with the regulations in effect at the time the application was filed. This temporary suspension of processing of any application to appropriate water for beneficial use is being done for the purpose of allowing the Board of Directors of GMD 3 and the Chief Engineer to evaluate all data and information available to determine if K.A.R. 5-23-4 should be amended or other management alternative be adopted in the public interest.

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2. The following applications shall not be subject to this order:
 - a. Applications for domestic use of water
 - b. Applications for temporary permits
 - c. Applications for term permits of five years or less
3. For good cause shown, the Chief Engineer may waive this temporary suspension if it is shown to the satisfaction of the Chief Engineer that such waiver will not prejudicially and unreasonably affect the public interest nor impair existing water rights.
4. The Chief Engineer specifically retains jurisdiction in this matter to make such changes, additions, or deletions to this order as deemed necessary in the public interest.
5. This Order shall be in effect until December 31, 2015, unless extended by the Chief Engineer upon the request of the Board of directors of GMD3.

Legislative Agenda

Mark Rude reviewed information from Capitol Strategies Lobbyist Sean Miller. He outlined the legislative activity of state water agencies and water bills introduced in concept, noting that they have not been officially introduced yet.

MYFA Carryover: would allow MYFA participants who re-enroll in a new MYFA to carry over any unused quantity in the amount of up to one year's allocation.

Change Application for place of use: Would allow a change in place of use of up to 10 acres or 10% for a five year term permit if someone wants to go to a more efficient water system. Producers are taking advantage of AWEP money to convert from flood to center pivot irrigation. Right now the law does not allow for a term permit change.

LEMA tool changes to add sponsors other than GMD's: Currently LEMA's can only be requested by a GMD. This change conceptually would allow Conservation Districts to sponsor LEMAs. This change would also allow an individual water rights holder to apply directly to KDA to put his/her rights into an individual LEMA.

State Revolving Loan Fund Availability: Modify the definition for a project in the KDHE public water supply loan program to allow loan funds to be used for water transfer projects. Priority for the use of the funds will continue to be applied toward assisting communities with safe drinking water quality requirements. Adopting the definition change removes a barrier to fully encouraging cooperative public water supply projects.

Governor's Water Vision Local Goal Setting Teams

Mark turned the board's attention to a hand-out that listed the persons representing each of the local planning areas for 2015. Steve Stone initiated discussion on persons nominated and the differences of board action vs. nominations by individuals for the planning groups. Goals set by GMD3 are a priority interest for the areas.

Executive Director Report, Mark Rude

Kansas Aqueduct Project Committee & Studies Update

Mark handed out the Kansas Aqueduct Project Study Alternative Route B, executive summary, which was drafted on January 8th, 2015. Mark stated that suggested edits throughout the study should be submitted ASAP. The biggest challenge of the study result is it doesn't provide a path forward for Kansas and it doesn't demonstrate costs to the state and local economies if such a project don't happen. KAPC (Kansas Aqueduct Planning Committee) will have a final meeting Wednesday, January 21st, 2015 in Salina.

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February Legislative Retreat & Board Round Table

Kansas Water Congress

Mark Rude stated the Kansas Water Congress will be held the morning of February 4th, 2015. Following the Kansas Water Congress a GMD Round Table will be held from 1pm to 4pm and the Legislative Reception will be held at the Grand Ball Room from 5pm to 8pm. All events will be held in the Ramada Inn, Topeka, KS.

A headcount is needed to reserve sleeping rooms. Deadline for the discounted rooms are Tuesday January 20th, 2015.

Committee Reports

There were no committee reports to announce.

Old Business

There was no Old Business to bring to the table.

New Business

There was no new business brought to the table.

Monthly Western Water Conservation Projects Fund Business

Mark Rude drew the attention of the board to the financial documents of the Western Water Conservation Projects Fund and activity of the advisory committee. After some discussion of the Board, Kirk Heger moved to accept the December financial report and payments as presented and submit them for annual audit. Bret Rooney seconded. Motion passed with all in favor.

Board Member Report

There were no Board Member Reports stated.

Public Forum

Gary Baker asked when GMD3 last updated the Management Plan. Mark stated it was 2004.

ADJOURNMENT

Mike O'Brate made a motion to adjourn the meeting. Doug Fox seconded. The meeting was adjourned at 12:15 p.m.

Respectfully Submitted,



**Mike McNiece
GMD3 Board Secretary**