

Southwest Kansas Groundwater Management District No. 3
Minutes of the Regular Meeting of the Board of Directors
June 5th, 2015

MEETING CALLED TO ORDER

The June 5th, 2015 Board of Directors meeting of the Southwest Kansas Groundwater Management District was called to order by President Dunn at 9:04 a.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

Mike McNiece, Board Secretary, Industrial Representative

Hal Scheuerman, Kearny County Representative

Randy Hayzlett, Surface Water Representative

Zachary Gale, Hamilton County Representative

Douglass Fox, Meade County Representative

Steve Stone, Finney County Representative

Fred Claassen, Morton County Representative

Directors Absent with Notice

Clay Scott, Grant County Representative

Alan Schweitzer, Municipal Representative

Seth Nelson, Stanton County Representative

Jeff Reinert, Ford County Representative

Bret Rooney, Haskell County Representative

District Staff Present

Mark Rude, Executive Director

Jason Norquest, Assistant Manager

Patty Stapleton, Office Administrator

Chris Law, Director, Field Services

Trevor Ahring, Engineer

Brandi Sneath, Office Assistant

Others in Attendance

Kevin Salter, Division of Water Resources, Garden City, KS

Jon Aquilar, KSU

Richard Scharz

Jared Abraham, XRI

President Dunn welcomed all those in attendance.

APPROVE AGENDA

President Dunn asked for consideration of the meeting Agenda. Mark Rude, proposed to add a line item under Executive Director Report E. Weather Modification Fund. After some discussion, Mike O'Brate made a motion to approve the agenda as revised. Kirk Heger seconded. The motion was approved with all in favor.

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APPROVAL OF MINUTES & MONTHLY FINANCIAL REPORT

President Dunn drew the attention of the Board to consider May 13th, 2015 draft minutes. *Hal Scheuerman made a motion to approve the May 13th, 2015 Board Meeting minutes.* Doug Fox seconded the motion. The motion was approved with all in favor.

President Dunn next drew the attention of the Board to review the May 2015 financial report documents. Randy Hayzlett made a motion as follows: *Approve the financial reports and payments for the month of May as presented at this meeting, and to submit them for the annual audit.* Mike McNiece seconded the motion. The motion was approved with all in favor.

Treasurer, Mike O'Brate asked if the funds from the Western State Bank General Money Market Account had been transferred to Commerce Bank. Patty Stapleton advised that will be completed before next meeting.

President Dunn signed and submitted the financial documents.

President's Report, President Kent Dunn

Water Commissioner's Report, Kevin Salter

Kevin Salter with DWR stated the measurement on John Martin Reservoir was at 192,000AF. July of 2000 was the last time it was over 200,000 AF. Water is clear down to Deerfield, KS. The Farmers Ditch is running between 20 -40cfs.

Wichita Water Authority Meeting, June 3rd

Mark turned the boards' attention to a handout that provided details of the Kansas Water Authority, Regional Goal Work Session. Basin Advisory Committees may be replaced with Regional Goal Committees. The handout focused on the Upper Arkansas Region and the Cimarron Region.

The board reviewed information from the Upper Ark Regional Goal Committee discussion that centered on "where to start"? The information indicated that Chairman Gary Harshberger and Lane Letourneau had discussed "kickstarts" and using flexibility as the incentive to develop LEMA/WCA with the Water Authority. More specific goals and percentages of participation was not set out in the information reviewed.

Airborne Electromagnetic Geophysical Surveys:

Jared Abraham w/Exploration Resources International, LLC

Jared Abraham with Exploration Resources International, LLC was in attendance to present and discuss their product. XRI is a geosciences company with proven solutions in geophysics, geology, hydrology, geospatial applications and geotechnical engineering.

XRI provides comprehensive data on the aquifer with advanced 3-D mapping strategy providing data for long term plans for water budgeting, aquifer maps and saturated thickness maps can also be produced. This data is compiled using airborne geophysical mapping with validation through analyses. The airborne geographical survey system is called SkyTEM. The system appears to be fragile but is very robust. It is made out of mostly non-metallic materials due to the system being

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used sees metal. Attached to the front end is a magnet toner which measures the earth's magnetic field. The entire outside loop has copper wires, which work as the transmitter to the ground. The helicopter travels at a speed of approximately 50MPH, 200 feet above the ground with the SkyTem 100 feet below the helicopter.

Jared reviewed the costs as follows:

- Typical fine grid costs are ~ \$9-11/acre (based on line spacing)
- Line costs are \$600-\$650/mile (based on mobilization)
- Mobilization/demobilization \$15,000-\$40,000
- Most projects are \$200,000-\$1,000,000
- Township size is typically the smallest survey
- For the Optimized Survey layout in western KS
 - ~\$198,000

Committee Reports

Policy and Legal

Mark Rude stated that an official Policy & Legal Committee meeting was not held, however, the committeemen were in attendance at an Impairment concerns meeting with state water officials. Gary Mason, Assistant Secretary of Environment, Secretary McClaskey, Director Streeter, Chief Engineer Barfield, Commissioner Meyer and other state employees were also present. The meeting took place in the GMD3 Board Room, June 4th.

Discussion was held on the following topics; Concepts of impairment in application review processes which are administrated by DWR, new applications, change applications and administrative response to impairment complaints along with the DWR being the fact finder for court impairment cases.

Kirk Heger & Mike McNiece agreed that the meeting went well. Additional meetings should be considered in the future as agencies respond to continue the open communication of process and effective roles played by the Chief Engineer and GMD3.

Executive Director Report, Mark Rude

Update on GMD3 RCPP Implementation

Trevor Ahring and Mark Rude met with NRCS and some state folks regarding the RCPP implementation. RCPP (Regional Conservation Partnership Program) is new under the farm bill and already defined in EQIP. Discussion was held on requirements on who is eligible.

1. Minimum of two units for participation. A unit is 120 acres.
2. Equal to or greater than 4.5 gallons per minute per acre capacity.
3. Participation in LEMA or WCA
4. Added equipment

Ranking percentages are: GMD3 40%, State 40%, and Local 20%.

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EPA WOTUS Rule: “Water Working Group Summary”

Mark turned the boards’ attention to the board book insert “Federal WOTUS Rule”. He read “The U.S. EPA, together with the Army Corps of Engineers, released the final rule on Clean Water Act jurisdiction in May. The new rule will increase the number of rivers and streams controlled by these federal agencies under the Clean Water Act.” The final rule and supplemental information can be found at <http://www2.epa.gov/cleanwaterrule>. This is an ongoing saga, more information will be announced later.

LEMA/Water Conservation Area Tools

Mark touched on the LEMA / Water Conservation Area details. A LEMA goes through the local Groundwater Management District then to the Chief Engineer and has to be in a designated area by the GMD. WCA (Water Conservation Area) can go directly through the Chief Engineer and can be an individual or a group of individuals with a management plan. There are four criteria that WCAs should be based on: 1) Boundaries 2) Goals and corrective control provisions to address one or more of the circumstances specified in K.S.A. 82a-1036 (a) through (d) and amendments thereto 3) Consent and participation 4) Enforcement.

Mark is working with Alan Schweitzer to develop a WCA with the City of Johnson City, Ks.

Kansas Aqueduct Coalition Update

Mark advised that variations of the Kansas Aqueduct continues to be discussed as work continues with economic evaluations.

Weather Modification

Mr. Rude turned the boards’ attention to the invoice in the board book regarding the Weather Modification Program. Kearny County is the only county in our district (GMD3) that is active in the weather mod program. In the past GMD3 has funded the program with \$2,500. Per active county that is in the district.

Hal Scheuerman moved to approve the funding of \$2,500.00 to support the weather modification program for Kearny County. Zachary Gale seconded. Motion passed with all in favor.

Old Business

There was no old business to bring back to the table.

New Business

There was no new business to bring to the table.

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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, Randy Hayzlett moved to accept the May financial report and payments as presented and submit them for annual audit. Kirk Heger seconded. Motion passed with all in favor.

Hal Scheurman stated that bids will start on July 15th for the concrete work on the Amazon Flume Project. The start date for the project is September, 2015.

Mark Rude brought to the boards' attention a project application that Kansas Department of Agriculture had submitted. Lower Arkansas River Management Association (LAWMA) was granted a decree in Colorado Water Court to allow for certain augmentation operations to offset certain other well pumping operations. Additional decrees have been granted and new ones are continuously sought. The State of Kansas, through KDA have expressed concern regarding the LAWMA decrees and the effects of Kansas' water supply from the Arkansas River (Compact). The request of \$75,000 would fund the State of Kansas to continue its analysis in order to seek resolution with the State of Colorado through negotiations or, if necessary, legal actions with the LAWMA decrees. The funds would be used to contract for the technical analysis and consulting work.

Randy Hayzlett expressed good collaboration with the State of Kansas at the last couple of Western Water Project Meetings. The committee discussed funding the project and all members were in agreement that it should be funded through the State of Kansas. However, due to budgeting and time constraints the committee agreed to forward the application for consideration of approval by the GMD3 Board of Directors. Randy stated the committee approved \$75,000 one time with submittal of a signed application and appropriate vouchers completed for reimbursement throughout the project.

After discussion amongst the directors, Kirk Heger moved to approve the application, per committee's recommendation, and forward to the State for final approval after signed application has been received. Mike McNiece seconded. Motion passed with all in favor.

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Board Member Report

No Board Member report was stated.

Public Forum

Johnathan Aquilar with KSU stated that as of this moment Kansas has not settled on a budget. Furloughs could be happening which will cause work to be interrupted.

ADJOURNMENT

Zach Gale made a motion to adjourn the meeting. Fred Claassen seconded. The meeting was adjourned at 12:14 p.m.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Mike McNiece". The signature is written in a cursive style with a long horizontal stroke at the end.

Mike McNiece GMD3 Board Secretary