

**Southwest Kansas Groundwater Management District No. 3
Minutes of the Regular Meeting of the Board of Directors
September 11, 2024**

MEETING CALLED TO ORDER

President McCormick called to order the September 11, 2024, Board of Directors meeting of the Southwest Kansas Groundwater Management District at 9:00 a.m. The meeting was at the Southwest Kansas Groundwater Management Board Room.

Directors Present in Person

Chad McCormick, President, Industrial Representative

Mike O'Brate, Treasurer, Finney County Representative

Randy Hayzlett, Vice-President, Surface Water Representative

Zachary Gale, Hamilton County Representative

Carl Clawson, Meade County Representative

Clay Scott, Grant County Representative

Reid Shrauner, Morton County Representative

Fred Jones, Municipal Representative

Kent Dunn, Seward County Representative

Bret Rooney, Haskell County Representative

Andy Moser, Stevens County Representative

Directors Present by Phone or Zoom

Garrett Love, Secretary, Gray County Representative

Directors Absent with Notice

Kyle Maddux, Kearny County Representative

Jacob Harshberger, Ford County Representative

Seth Nelson, Stanton County Representative

District Staff Present

Jason Norquest, Assistant Manager

Patty Stapleton, Office Administrator

Chris Law, Director, Field Services

Brandi Sneath, Office Assistant

Trevor Ahring, Engineer

Others in Attendance via Zoom or in Person

Mike Meyer, Water Commissioner, Division of Water Resources, Garden City, KS

Keadron Pearson, Kansas Water Office

Abram Lollar, Ducks Unlimited

Aaron Deters, Ducks Unlimited

David Barfield, Kansas Water Resources Consulting

Susan Metzger, KSU

Deborah Kohl, Facilitator, KSU, Community Vitality State Specialist

Vijay Ramasamy, Governor's Advisor on Kansas Water

Southwest Kansas Groundwater Management District No. 3
Minutes of the Regular Meeting of the Board of Directors
September 11, 2024

Chad reminded everyone of the meeting this afternoon and noted that those who were not in attendance this morning will be here or on Zoom this afternoon.

APPROVE AGENDA

President McCormick asked to consider the agenda for the September 11 Regular Board Meeting. **Bret Rooney made a motion to approve the presented agenda. Mike O'Brate seconded. The motion passed.**

Approval of Minutes and General Financial Reports

President McCormick drew the attention of the Board to consider the August 14, 2024, draft minutes. **Kent Dunn moved to approve the August 14, 2024, minutes as presented. Andy Moser seconded the motion. Motion passed.**

President McCormick next drew the attention of the Board to review the August 2024 Financial report.

Patty Stapleton reported that the assessment programming went very smoothly this year. A request for their information was sent to the counties on July 12th, with a response deadline of July 22. Programming of the assessments was completed on Friday, August 2nd. Final reports were emailed to the counties on August 5, and the same final reports were mailed on a flash drive on August 6th. GMD3 increased the water assessment by six cents. However, even with the increase, we didn't get the total increase expected, which was \$216,720.18; we received \$213,114.86. Our verified claims increased from last year's number of 88 to 97, and exclusions decreased from 380 to 373 this year.

Bret Rooney moved to approve the August 2024 finances and submit them to the annual audit. Randy Hayzlett seconded. Motion passed.

Correspondence / Recognition / Formal Comment to the Board of Directors

There was no correspondence to bring to the table.

Management Program: Reports and Recommendations

DWR Report: Mike Meyer, Water Commissioner

Mike Meyer stated there is not much new; business is as usual. They currently have a full staff, and all the new employees are getting trained. However, the engineering position is still open, and no candidates have applied throughout the whole time it's been open. The Garden City DWR office manages two LEMAs, 50+ WCAs, and half a dozen impairment sights are still being monitored.

Update on Proposed Rule Change

Mike Meyer reminded everyone that meter draft regulations have not been amended or updated since 2003. A draft of the new regulations/amendments has been shared with stakeholders, and comments have been provided. The Department of Administration will review the draft regulations to ensure grammar, format, and consistency with statutes. Currently, the draft regulations are in the AG's office for review. A public hearing will be scheduled once the legal review and any necessary revisions are completed. A 60-day notice will be given before the hearing, and the public will be invited to provide official comments. After the public hearing, any official comments will be considered. If no further changes are needed, the meter regulations will move forward for final adoption. Additionally, the Point of Diversion regulations are still in the AG's office, and WCA regulations were pulled from review for further amendments.

Southwest Kansas Groundwater Management District No. 3
Minutes of the Regular Meeting of the Board of Directors
September 11, 2024

The impairment Regulations comment period is still open. At the last board meeting, the Chief Engineer announced they are working on a draft regulation for LEMAs, stating we won't use historical use to set individual water right allocations.

Other Agency Reports

KWO

Keadron Pearson announced that several important meeting dates were coming up.

- ✓ Starting next week, the second round of Strategic Implementation Planning will begin. September 18, this area's meeting will be held at the Boot Hill Conference Center from 9 a.m. until noon.
- ✓ Next month, the Water Authority will meet, possibly in Oakley.
- ✓ Governors Water Conference will be held November 13 and 14 in Manhattan, KS
 - If you haven't registered or booked your motel, do so soon. It is filling up fast.
- ✓ Upper Ark and the Cimarron RAC met within the last month. Thank you to GMD3 for providing your meeting room for the Upper Ark Meeting. We are looking at special meetings in October for the RAC budget and local consults; more information will be provided later.

On the personnel side, KWO just hired a grant specialist.

Over 250 applications were received for HB 2302 grant programs, for \$27 million requested.

Ducks Unlimited

Aaron Deters and Abram Lollar

Abe Lollar was present in person, and Aaron Deters was via Zoom to discuss the Ogallala Aquifer Sustainability Program. Ducks Unlimited is a Science Base organization established in 1937 and a 501(c)3. Ducks Unlimited works to conserve, restore, and manage wetlands and associated habitats for North American waterfowl. Kansas is the bottleneck for fowl to rest and refuel. Current land and water use practices in the Southern Great Plains are diminishing the Ogallala Aquifer and threatening the landscape's ability to sustain a functional sociological system. Ducks Unlimited aims to engage new partners and groups to accelerate the program delivery through conservation, policy, and fundraising. The interventions to address the challenges in this area are wetland restoration (recharge), land protection and irrigation retirement, new corporate opportunities, targeted communications, State and Federal policy advocacy for wetland funding, and research to address information gaps regarding wetland outcomes. The scope of this program kicked off in the spring of 2024, and by the spring of 2025, we hope to be in the implementation plan. Clay Scott added that NRCS opened all of SW Kansas to restore the Playa lakes to the depth they hold water over time. Randy Hayzlett asked what the thoughts are about finding additional Lake McKinney water. Abe Lollar stated there are ideas such as lining ditches and working on salt cedar removal from JMR to Dodge City. Ducks Unlimited is going to visit with Core Engineers for a smaller project and then head into a larger-scale project. Abe Lollar added that on the Playa Lakes, they have assisted in over 13,000 acres in restoration to the tune of 1.2 million dollars.

**Southwest Kansas Groundwater Management District No. 3
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September 11, 2024**

******* Public Hearing, Updated Management Program *******

At 10:03 a.m., President Chad McCormick called the public hearing of the Update Management Program to order.

Please be advised that the Public Hearing to adopt the revised Management Program proposed by the Board of Directors of Southwest Kansas Groundwater Management District No. 3, as of July 9, 2024, has been called to order.

On July 9, 2024, Chief Engineer Earl Lewis approved the draft revised Management Program version for Southwest Kansas Groundwater Management District No. 3. This version was submitted on December 1, 2023, and will supersede any prior versions of the GMD3 Management Program upon adoption by the Board of Directors following this hearing.

No comments were submitted.

*******Hearing closed at 10:05 a.m.*******

Committee Reports

The Executive Committee met on Thursday, September 5, 2024, at 7:00 a.m.

The Executive Committee met on Thursday, September 5, 2024, at 7:00 a.m. via Zoom. The main topic of discussion was the September Board meeting agenda and the search for a new Executive Director. The committee asked the Board of Directors whether they wanted to form a committee or have the Executive Committee manage the hiring. The consensus was to have the Executive Committee complete the search.

The Policy and Legal Committee met on August 28th at 2 pm.

Chairman Scott stated that the committee had a productive discussion about the Resolution to request a moratorium on wells moving into the IGUCA. The committee reviewed DWR's new impairment rules and felt they could clarify the terminology and include GMDs in the equation. They also discussed managing this afternoon's meeting while reviewing the mapping and creating sustainability.

The Research and Development Committee met on September 5th at 9:00 a.m.

Fred Jones noted the conversation was about this afternoon's meeting and a review of grants that GMD3 currently has, is working on, or is waiting to hear from. Trevor Ahring reviewed the "contracted" NWQI grant. The NWQI grant is a National Water Quality Initiative grant awarded to KDHE, which they transferred to GMD3. The use of this grant is to use the results of model scenarios and information from existing work in other NWQI plans, local watershed plans, and expertise from Federal, State, and Local agencies to determine relevant practices that should be targeted to the Upper Arkansas River basin in Kansas for improvement of soil health, groundwater quality, and surface water quality. Two grants awarded to GMD3 have not yet been contracted: The Planning and Project Design Grant and the Reclamation Water and Energy Efficiency Grant. The Planning and Project Design Grant is a Reclamation WaterSMART grant for our Smart Plan proposal to implement HB2279. This grant includes funding for facility rental for 12 meetings, mailings, and radio spots. It also includes \$43,741 in indirect funding for 2 summers for a summer intern. A contract is expected no later than September 30th. The Reclamation Water and Energy Efficiency Grant is a Reclamation WaterSMART Grant for converting some laterals on the South Side Ditch to PVC pipe. This project provided \$550,000 from Reclamation, matched by \$500,000 from the state of Kansas. There is no in-kind cost.

**Southwest Kansas Groundwater Management District No. 3
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September 11, 2024**

Old Business

There was no Old Business to take from the table.

New Business

Resolution 2024-6 Authorization for Change of Bank Signers

Bret Rooney moved to adopt Resolution 2024-6. Andy Moser seconded. The Motion passed.

Resolution 2024-7 Adoption of Updated Management Program

Andy Moser moved to adopt Resolution 2024-7. Randy Hayzlett seconded. The Motion passed.

Resolution 2024-8 Local Freedom of Information Officer

Patty Stapleton will be the new Freedom of Information officer.

Bret Rooney moved to adopt Resolution 2024-8. Fred Jones seconded. The Motion passed.

Resolution 2024-9 Cash Basis Budget

Clay Scott moved to adopt Resolution 2024-9. Fred Jones seconded. The Motion passed.

Resolution 2024 -10 Moratorium on wells moving into IGUCA.

Randy Hayzlett moved to adopt Resolution 2024-10. Bret Rooney seconded. The Motion passed. Zachary Gale opposed.

Interim Executive Director Report

NWRA Annual Meeting, Albuquerque, NM Travel Request, November 6th-8th

Permission to attend for board and staff.

Randy Hayzlett moved to approve travel requests to the NWRA Annual Meeting in Albuquerque, NM, November 6th -8th. Kent Dunn seconded. Motion passed.

KGMD Annual Meeting

Jason Norquest announced that the KGMDA Annual Meeting will be held on Tuesday, November 12, 2024, before the Governor's Water Conference.

Governor's Water Conference.

The 2024 Governor's Water Conference will be held November 13th and 14th in Manhattan, Kansas.

Due to other meeting conflicts, the GMD3 November meeting must be rescheduled to November 18th.

Bret Rooney moved to change the November board meeting date to November 18th. Mike O'Brate seconded. The Motion passed.

Idaho Water Users will be here the week of December 16-19. They are mostly groundwater men, about 8 of them, and one to two from the state. Clay stated they wanted to see how we handle drought, technology, and cutbacks.

Western Water Conservation Projects Fund Business

Mike Meyer reminded us that those are damaged funds for the damaged area. The Western Water Conservation Projects Committee could consider technology funds for those in the area.

Bret Rooney moved to approve the August 2024 finances of the Western Water Conservation Projects Fund and submit them to the annual audit. Andy Moser seconded. Motion passed.

Southwest Kansas Groundwater Management District No. 3
Minutes of the Regular Meeting of the Board of Directors
September 11, 2024

Board Member Report

Jason Norquest handed out the afternoon's work session agenda for the directors to review.

Trevor Ahring introduced Deborah Knoll, the facilitator for the November Producer Meetings. Deborah explained that she would be the lead facilitator, working with other trained facilitators. Once in the meetings, the teams are trained to "feel" out the room.

Recessed to non-business luncheon for board members and staff. 11:25 until 1:00 pm.

STRATEGIC PLANNING DISCUSSION

1:00 p.m.

GMD3 Board Room

Directors Present in Person or Via Zoom

Chad McCormick, President, Industrial Representative

Mike O'Brate, Treasurer, Finney County Representative

Randy Hayzlett, Vice-President, Surface Water Representative

Zachary Gale, Hamilton County Representative

Carl Clawson, Meade County Representative

Jacob Harshberger, Ford County Representative

Clay Scott, Grant County Representative

Reid Shrauner, Morton County Representative

Andy Moser, Stevens County Representative

Seth Nelson, Stanton County Representative

Fred Jones, Municipal Representative

Kent Dunn, Seward County Representative

Bret Rooney, Haskell County Representative

Andy Moser, Stevens County Representative

Others in Attendance.

Mike Meyer, Water Commissioner, Division of Water Resources, Garden City, KS

Keadron Pearson, Kansas Water Office

Gina Gigot, Producer

Deborah Kohl, Facilitator

Absent with Notice

Garrett Love, Secretary, Gray County Representative

Southwest Kansas Groundwater Management District No. 3
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September 11, 2024

District Staff Present

Jason Norquest, Assistant Manager
Patty Stapleton, Office Administrator
Chris Law, Director, Field Services
Brandi Sneath, Office Assistant
Trevor Ahring, Engineer

Deborah Knoll will not be officially facilitating today; she is just observing.

ESTABLISH GROUP AREAS TO DETERMINE PRODUCER MEETINGS

The directors started the discussion by determining the best locations to hold the Producer Meetings, which would ensure the highest attendance. The consensus was Garden City, Dodge City, Sublette, and Ulysses around November 19, 20, 21, and 22nd.

A Facts VS. Myths and abbreviations worksheet was suggested to be handed out at all Producer Meetings.

What is the big-picture goal?

- The big picture goal is for half of Q-Stable to double the life of the aquifer consecutively.
- Change the culture of "Use it or Lose it."
- A Measurable Goal.

Discussion was held amongst the directors, and they came together to create these three options:

- 1) To get halfway to Q-Stable with no cuts greater than 15%, everyone within each region should be allocated the same inches per acre based on reported acres.
- 2) To get halfway to Q-Stable, allocations would be based on the percentage of the base water-right allocations, applied to the overall water use quantity that meets the goal in each region.
- 3) 95 inches to apply over five years.

The meeting ended at 4:05 p.m.

Respectfully Submitted,


Garrett Love
GMD3 Board Secretary