

**Southwest Kansas Groundwater Management District No. 3**  
**Minutes of the Regular Meeting of the Board of Directors**  
**October 9, 2024**

**MEETING CALLED TO ORDER**

President McCormick called to order the October 9, 2024, Board of Directors meeting of the Southwest Kansas Groundwater Management District at 9:02 a.m. The meeting was at the Southwest Kansas Groundwater Management Board Room.

**Directors Present in Person**

**Chad McCormick, President, Industrial Representative**  
**Randy Hayzlett, Vice-President, Surface Water Representative**  
**Garrett Love, Secretary, Gray County Representative**  
Jacob Harshberger, Ford County Representative  
Clay Scott, Grant County Representative  
Reid Shrauner, Morton County Representative  
Kent Dunn, Seward County Representative  
Andy Moser, Stevens County Representative

**Directors Present by Phone or Zoom**

**Mike O'Brate, Treasurer, Finney County Representative**  
Bret Rooney, Haskell County Representative  
Zachary Gale, Hamilton County Representative  
Carl Clawson, Meade County Representative

**Directors Absent with Notice**

Kyle Maddux, Kearny County Representative  
Fred Jones, Municipal 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  
Brownie Wilson, KGS  
Deborah Kohl, Facilitator, KSU, Community Vitality State Specialist  
Titas Jaeger, Producer with Kearny County  
Kevin Salter, DWR  
Sean Miller, Capital Strategies  
Jonathan Aguilar, KSU  
Mark Rude  
Jennifer Reardon, Professor at the University of Santa Cruz

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President McCormick advised that regular business approvals will now be listed under the consent agenda. He also updated the board on a financial charge (page 3 of the transaction report) with Blue Cross and Blue Shield, where they accidentally charged us for Mark Rude's prescription coverage from 2019-2023. A refund check in the amount of \$25,805.40 will be sent to GMD3.

**Consent Agenda**

The following items were submitted for approval as part of the consent agenda:

- Approve Agenda for October 9<sup>th</sup>, 2024
- Approve Minutes of Wednesday, September 10<sup>th</sup>, 2024, regular monthly board meeting
- Approve General Financial Report for September-October 2024
- Approve Western Water Conservation Projects, Financial Report for September-October 2024

**Randy Hayzlett moved to approve the consent agenda as presented. Clay Scott seconded the motion, which carried unanimously.**

Jennifer Reardon, a Professor at the University of Santa Cruz, is in attendance. She is biking across Kansas and working on a project for Caring for the Prairie.

**President's Report**

**DWR Report: Mike Meyer, Water Commissioner**

Mike Meyer stated business is as usual.

**Other Agency Reports**

**DWR:** No additional announcements were made.

**KWO**

Keadron Pearson with the Kansas Water Office stated that there had been many meetings in the last month. The Water Authority will meet October 15<sup>th</sup> and 16<sup>th</sup> in Oakley, Kansas, and the Governors Water Conference will be held November 13<sup>th</sup> and 14<sup>th</sup> in Manhattan, Kansas. If you have not registered, it is highly recommended that you do so along with making motel reservations, as both are filling up fast.

**Legislative Update, Sean Miller**

Sean Miller, with Capital Strategies, reminded everyone we are just four weeks away from Election Day, which will significantly impact the coming year. This is a mega-election, as all Senate and House positions are up for election. Unlike many boards where members' terms are staggered, we elect all 165 legislature members at once—40 in the Senate and 125 in the House. After the August primaries, we are heading into November with around 35-40% of the legislature, consisting of 52 House members and 9 senators, are unopposed and will be confirmed for the session starting on January 13<sup>th</sup>. However, there are still 104 seats to be decided, most of which are in western Kansas, where the majority are Republicans. This means you might face tough competition if you have a "D" next to your name. On the other hand, areas like Johnson County, Manhattan, Topeka, and potentially Hutchison have more competitive races, with about 15-20 seats up for grabs. Although this may seem small compared to the total number of seats, these competitive races are crucial for our supermajority. With a Democratic governor in office, a 2/3 majority in each chamber is required to override her vetoes. Currently, the Senate has 29 Republicans (two more than needed), and the House has 85 Republicans (one more than required). This slim margin will determine whether the governor's vetoes can be overturned. A bit of history: 20 years ago, Johnson County had 23 House members: 22 Republicans and 1 Democrat. There are 25 seats in Johnson, picking

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up two in the last two redistricted cycles. Currently, there are 13 Democrats and 12 Republicans. There are battleground seats in West and Southern Johnson County, where the City Council and House seats turned Democrat in recent years. This means that some Senate seats may also be battlegrounds. The Supermajority won't impact our leadership elections in Kansas. The Republican majority will still be in control of the House and the Senate, but the question is whether it's by a 2/3 majority. Looking ahead to 2025, we'll need to reelect the leadership of both chambers. The House gets reelected every two years, and the Senate every four years. On December 2nd this year, the chambers will come together to reorganize and elect their leadership. Historically, on the agriculture side, we've seen an Agriculture Committee and a Natural Resources Committee, and then they combined those into an Agriculture and Natural Resources committee. A new speaker may split the committee apart again so there can be two separate chairmen. This year, many items will focus on the new budget process. Instead of waiting for the Governor's budget, the Legislature has decided to create its own budget. They will then compare it to the Governor's recommendations and work out the differences. This approach hasn't been used for decades, so it might be a bit messy. It's hard to predict how it will all play out at this point. Allegedly, they will begin that in late November during some interim committees. The Water Authority has talked about significantly changing their process as well. In addition to their current budget process, they have discussed a process similar to the highway infrastructure, looking at a 10-year budgeting plan. A 10-year water infrastructure budget could be upwards of \$100 million a year in funding. The Republicans in both the House and Senate have stated that since they made income tax changes last year, they want to focus on property tax changes and income tax changes this year. In an article, the governor stated concern about moving too quickly. Unsure of what impact last year's changes will have on our budget, the Governor suggested waiting a year. Sean was asked if there is any truth to an irrigation tax. Sean acknowledged the rumblings but didn't sense it would happen.

**Kevin Salter with DWR**

Kevin Salter with DWR stated they are looking forward to the 75<sup>th</sup> Annual ARCA meeting, which will be held in Garden City this year on December 12 and 13. They just closed off the Kansas release accounting with Colorado. Other than that, things are looking dry.

Do we have any water left in JMR?

We drained the section two account, but there is still some water in the offset account. I'm not sure of that number right now.

How active was the Multipurpose Account?

The multipurpose account was active and used more frequently. A couple of thousand acre-feet of water were added to the account in 2024. Kansas receives a 12.5% charge on all water deposited into the account, with water transferred to the Kansas Section Two account as part of the recent release.

Do you monitor the state line monitoring wells? On the water quality?

The degradation of water quality has slowed significantly compared to previous years. The exact factors influencing water quality remain unclear, and further investigation is ongoing. It is still getting worse, just not at the same rate.

**Jonathan Aguilar with KSU**

Wrapping up the harvesting season. KSU is building on the efforts of GMD3 with the Master Irrigator Program. Stakeholder input may be sought to tailor the program to regional needs.

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**Committee Reports**

**Executive Committee met on Tuesday, October 1, 2024, at 1:00 p.m.**

President McCormick stated that 90% of the meeting was spent on a job description for the Executive Director position. Jason is vetting the applications and sending the better candidates to the Executive Committee. The committee also reviewed the calendar events for the upcoming months.

**Policy and Legal Committee met on August 28<sup>th</sup>, at 2:00 p.m.**

HB2279 Compliance: The committee asked for Model Runs of these four scenarios.

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, allocation based on % of the base water right allocation, applied to the overall water use quantity that meets the goal in each region
3. 95"/ 5-year allocation
4. 25% Q-Stable with planned increments to reach stable.

The committee discussed the differences between "Wet acres" and "Allocated Acres." Also, discussing the flexibility of a group of wells makes sense; the closer you are to stability, the more flexibility there could be. There was a brief discussion about whether this would involve all the rights, irrigation, municipal, and industrial. At that time, Bret Rooney dropped off the call, and Zachary Gale spoke a little on that topic.

Clay Scott emphasized that visitors attending committee meetings should remain in the role of visitors. Clay also thought this committee could have two monthly meetings since there is still much to do and work through.

**Public Meetings and Outreach Committee met on Thursday, September 19<sup>th</sup> at 1:00 p.m.**

Chairman Jacob Harshberger stated that the Public Meetings and Outreach Committee met and discussed the dates and locations of the public meetings for November, which are set. The main topic was what to discuss and how to structure these meetings. Deborah Koehl was online at this meeting.

**Old Business**

There was no old business to bring off the table.

**New Business**

There was no new business to bring to the table.

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**Interim Executive Director Report**

**Update on Meter Inspection Program**

Chris Law, Director of Field Services, spoke about the Meter Inspection Program he has overseen since 2008. Since then, the program has logged around 36,500 inspections. Several meters were missing the manufacturer's seal, and in 2012, a backup seal program was implemented. Due to increased awareness and better equipment, non-compliance rates due to missing seals have dropped from 20% in 2008 to 1.3% in 2024. There are around 5,000 inactive wells; some inactive wells may have been redrilled or sold. There has been discussion about possibly adjusting the frequency of inspections for long-term inactive wells to optimize efforts. This year, there is a good set of five inspectors, and we aim to complete at least 95% of the inspections.

**Draft Retreat Agenda**

Jason turned the board's attention to the very last page of the board book. The Legislative Retreat will be held February 3<sup>rd</sup> -5<sup>th</sup>, 2025, in Topeka, Ks.

**Board Member Report**

Randy Hayzlett announced that the Water Authority will be held next week in Oakley at the Buffalo Bill Cultural Center.

Clay Scott also reminded everyone of the NWRA meeting in Albuquerque, NM, and invited anyone who would like to attend.

**Strategic Planning Discussion**

**Presentation from Moderator Deborah Koehl,**

Moderator Deborah Koehl was present at the Meetings and Outreach Committee meeting and heard about the "think tank" approach, and she liked that idea. This think tank could help us explore various strategies and facilitate the creation of an informative and productive meeting. She emphasized the need for a clear and concise problem and opportunity statement to share and individuals who could present their compelling stories after each community meeting in November. She has noticed that discussions with this group often involve a lot of overlapping talking and proposed writing down their thoughts on notecards regarding the problem and the opportunity. The group then brainstormed sentences based on the problem and opportunity statements from those who participated in the activity.

***Challenge and Opportunity Statement.***

*As GMD3, we have been given the mission to address declining water availability fairly while not adversely affecting the economy. We have an opportunity to identify and choose strategies developed at the local level with stakeholders to adopt a conservation plan.*

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Deborah proposed following an agenda like the one below, with break-out groups.

*Welcome, intro, agenda*

*Compelling story by two people*

*Introduce the legislation and why we need to move now.*

*Problem/opportunity statement*

*Think tank-introduce Deborah and the facilitators*

*Present three scenarios: Brownie Wilson*

*Small groups*

*What resonates/lands well in this scenario*

*What concerns you about this scenario*

*What are the conditions needed for you to be able to implement this.*

*What support would you need to put this in place*

*What will keep you from implementing this scenario?*

*Guided Rotating Flip charts*

*What is working well*

*What are the rumors you are hearing related to water*

*What have you tried that didn't work*

*What can we do to support you as we go forward*

*What questions do you have from the information shared tonight*

*What additional information do you need to make good decisions*

*Flip chart readout*

*Thank you*

Deborah will be in contact with the office and is looking forward to moving forward with these meetings.

**Review of Model Runs performed by Brownie Wilson.**

Brownie Wilson presented the model runs for each scenario and demonstrated and compared the outcome of each scenario.

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, allocation based on % of the base water right allocation, applied to the overall water use quantity that meets the goal in each region
3. 95"/ 5-year allocation
4. 25% Q-Stable with planned increments to reach stable.

After much discussion, the group wanted a modification for 10-year precipitation to make it more current.

In the handout packet, include:

- Glossary of terms
- Identify ways that are OFF the table.

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Jacob Harshberger moved to adjourn. Garret Love seconded. The meeting was adjourned at 2:23 p.m.

Respectfully Submitted,



Garrett Love  
GMD3 Board Secretary