



## WESTERN KANSAS GROUNDWATER MANAGEMENT DISTRICT NO. 1

### Regular Meeting of the Board of Directors

Board Meeting January 10<sup>th</sup>, 2023

8:00 a.m. CST

The meeting will be made available in person at 906 W. 5<sup>th</sup> St. Scott City, KS or by posted zoom meeting link

<b>I. Call Meeting to Order</b>		Action
a. Review & Approve Agenda	Pg. 1-2	Action
b. Review & Approve Minutes of the November 28 <sup>th</sup> Board Meeting	Pg. 3-7	Action
c. Review & Approve Financial/Treasurer Reports	Pg. 8-19	Action
<b>II. Correspondence</b>		
a. Staff may report on correspondence received since the previous Board Meeting on November 28 <sup>th</sup> -Email Newsletter -Post Legislative Audit Status -December 14 <sup>th</sup> & 15 <sup>th</sup> KWA Meeting – Recap -Regional Advisory Committee Member -GMDA Membership Renewal -Jonathan Aguilar, PhD, PE of K-State Extension	Pg. 20-20a	Action
<b>III. Old Business</b>		
a. Hangar Lease – Status Update		
b. Voting Criteria, Procedure & Board Seats		Action
<b>IV. New Business</b>		
a. Gap Waiver Resolution – Supplemental Document	Pg. 20b	Action
b. Annual Meeting – February 22 <sup>nd</sup> or February 28 <sup>th</sup> -Agenda Discussion		
c. Four County LEMA -Pre-Hearing January 18 <sup>th</sup> @ 10:00am CT -Second Public Hearing February 2 <sup>nd</sup> , 2023 @ 10:00am CT -Appeals Process & Procedure		
d. Wichita County LEMA Annual Report		
e. GMD1 Outreach -March Board Meeting & Stock Outreach March 15 <sup>th</sup> -April Board Meeting & Municipal Outreach April 19 <sup>th</sup> -March DOC/NRCS Training Day -County Outreach Visits March 6 <sup>th</sup> through March 10 <sup>th</sup> -County Outreach Visits November 27 <sup>th</sup> through December 1 <sup>st</sup>		
f. GMD1 Cost-Share Applications		



-SKR Land, LLC	Pg.21-24	Action
-D&L Farms	Pg.25-27	Action
g. WTAP Application	Pg.28-30	Action
<b>V. Legislative Update</b>		
a. 2023 Legislative Session and Visits		Action
-KWA/KWO Legislative Visit January 24 <sup>th</sup> & 25 <sup>th</sup>		
-GMD Legislative Retreat February 6 <sup>th</sup> , 7 <sup>th</sup> & 8 <sup>th</sup>		
<b>VI. DWR Report</b>		
<b>VII. KWO Report</b>		
<b>VIII. Public Comment</b>		
<b>IX. Meeting Adjourn</b>		
		Action

*Mark Callender Pres*  
*1/10/2022*

**WESTERN KANSAS GROUNDWATER MANAGEMENT DISTRICT NO.1**  
**November 28, 2022, Board Meeting Minutes**

**BOARD MEMBERS PRESENT**

Mark Callender – President, Lane County  
Travis Weaver – Vice President, Greeley County\*  
Ray Smith – Wallace County Member  
Brian Bauck – Wichita County Member  
Steve Compton – Treasurer, Scott County

**STAFF MEMBERS PRESENT FOR ALL OR A PORTION OF THE MEETING**

Katie Durham – District Manager  
Toni Palen – Office Administrator – Absent  
Pat Ryan – Field Technician

**OTHER PEOPLE PRESENT FOR ALL OR A PORTION OF THE MEETING**

Tom Adrian*	Adrian & Pankratz Law Office	
David Barfield*	KWR Consulting	
Mike Meyer	Division of Water Resources	*Virtual Attendees
Keadron Pearson *	Kansas Water Office	
Greg Graff*	Wichita County Landowner	
Tallee Davis	Precision Agriculture Workshop Coordinator	
Jarod & Amy Myers	Wallace County Landowner	
Eric Purvis	Wallace County Landowner	

- I. **CALL MEETING TO ORDER** – President Mark Callender called to order the November 28, 2022, Board of Directors meeting of the Western Kansas Groundwater Management District No.1 at 8:03 a.m. at the District Office in Scott City, Kansas.
- a) **Review and Approve Agenda** – The Board reviewed the Agenda. Ray Smith made a motion to approve the Agenda for November 28, 2022. Brian Bauck seconded the motion which passed unanimously.
- b) **Review & Approve October 19, 2022 Minutes** – The Board reviewed the October 19, 2022 minutes. Ray Smith made a motion to approve the October 19, 2022 minutes. Brian Bauck seconded the motion which passed unanimously.
- c) **Review & Approve October 2022 Financials and Treasure Report** – The Board reviewed the October 2022 financials and treasure reports. Brian Bauck made a motion to approve the October 2022 treasure and financial reports. Ray Smith seconded the motion which passed unanimously.
- II. **CORRESPONDENCE**
- **Recent Correspondence with DWR** – Katie Durham explained to the Board that there had been some recent concerns regarding interactions between DWR and landowners in Wallace County. Mr. Myers and Mr. Purvis explained their concerns, and discussed with Mr. Meyer (DWR) and the Board of Directors as to how communications between DWR and the landowners and/or GMD Staff could be enhanced to prevent future issues or confrontation.
  - **2022 Governor’s Water Conference Recap** – Katie Durham reported that her and Mark Callender went to the Governor’s Conference on October 16-18<sup>th</sup>. Katie stated that she and Mark provided a presentation at the conference on the Four County LEMA and Wichita County LEMA. Katie added that the feedback was positive and overall, an informative

IV. **NEW BUSINESS**

- a. **Tallee Davis – Precision Agriculture Workshop Coordinator** – Katie introduced Tallee Davis who works for Northwest Kansas Technical College in Goodland Kansas. Tallee explained that her job is grant funded through NRCS which allows her to do events, training, workshops, tech farms, roundtable discussion, traveling and hosting events. The Board discussed and agreed to have Katie select future dates for our outreach sessions and have Tallee Davis help coordinator these events.
- b. **Four County LEMA** – Mike Meyer stated he had heard the Chief Engineer is waiting on court reported transcripts. The Board voiced their concerns on how to handle FC LEMA appeals and how critical it is to speed this process up to head off complications back dating to January 1, 2023. Katie mentioned it's a matter of getting the word out to Land users to start tracking their water as of January 1, 2023. Mike Meyer stated they would send allocation letters as soon as the FC LEMA is approved.
  - **GMD4 LEMA Order** – Katie stated that GMD4 did receive their order designation.
- e) **Steps & Schedule Moving Forward** – The Board discussed scheduling a special Board meeting geared towards Stock Water users to hear feedback and concerns they may have. The Board agreed to have a Special Board meeting in March for Stock Water users and plan another Special Board meeting for Municipalities users to hear their concerns. Katie will coordinate the outreach meetings to be held after our regular Board meetings in March for Stock Water users and in April for Municipalities.
  - **Appeals Process Form & Spreadsheet** - Katie explained that Toni and she had discussed putting something together to give the landowners on how the appeals process will work. Including scheduling an appointment after they have gathered the information from the list to help us prepare for their appointment. Katie suggested putting other things in a packet with the list such as NIR, appeals criteria along with other pertinent information to hopefully assist us in going through their information. The Board stated they are comfortable with Katie approving the ones that are legitimate. The Board discussed the spreadsheet that will help in calculating new water allocations. Mike Meyer mentioned to the Board to be careful with getting appeals ready before the final approval on the FCL as things could change.
- c. **Management Program Update** – Katie stated that she hasn't had a chance to work on Management Plan due to the Post Legislative Audit and the open records request. However, Katie explained to the Board that in going through this process has helped her and Toni discover where information can be found, how to organize it better and will help a lot with building the Management Plan.
- d. **Cost Share Applications**
  - **Calvine E. Kissick** – The Board reviewed the Cost Share application request for Zimmatic 4G Telemetry upgrade for \$700.00 on water right number 10141. The Board agreed they would like to see the invoice or and estimate of the breakdown in cost before approval.
  - **Brent & Mindi Edwards** – The Board reviewed the Cost Share application for Pivot Control Systems for sections SW 19-17-32 and NW 19-17-32. Brian Bauck made a motion to approve each location for \$1000.00 each. Steve Compton seconded the motion which passed unanimously.
- e. **Cost Share Application – Revision of Programs** – Katie handed the Board a draft of the revised Cost Share Application. The Board had discussion and agreed to keep the WCA as it is. More discussion on helping with maintenance verses upgrades and keeping the application to one page. Katie stated that she would like to keep working on this for the Board to give final approval and would like to have it ready to share at the annual meeting. The Board agreed.
- f. **WC LEMA Appeals & Discussion** – Katie stated that the District is required to do an annual report on the LEMA. David Barfield added that he has some information that would help with

the Wichita LEMA annual report for 2021. David informed the Board that we do not need to report this to the State, however we are required to have an annual report and will also have one on the FCL. Katie mentioned that she will be providing data on the Wichita County LEMA at the annual meeting to encourage landowners.

g. **Kansas Water Resources Consulting, LLC – Contract Discussion** – David Barfield mentioned his contract renewal was in the packet and is increasing his rate by 3%. After Board discussion, Steve Compton made a motion to renew his current contract with the 3% increase. Ray Smith seconded the motion which was passed unanimously. David stated he would prepare the amendment for the Board to sign.

h. **GMD1 Recommendations** – Mike Meyer stated other counties allow his office to handle the MYFA's since they are pretty cut and dry. After discussing the timeline and Katie's input the board agreed. Ray smith made a motion to have DWR handle the MYFA's unless they feel the Board needs to be involved. Steve Compton seconded the motion which passed unanimously.

- **MYFA – No. 20227104-MF** – previously approved by DWR

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V. **Legislative Update** – Katie stated there isn't anything to report on at this time. Katie and Sean will be getting together in December or January and Katie will report back to the Board.

VI. **DWR Report** – Mike Meyer reported that DWR is not seeing a lot of MYFA's being filed and that is concerning to him. Mike stated a post card went out regarding the MYFA deadline is December 31st and to apply now. He also mentioned the water reports would be going out soon, so DWR is trying to get correspondence changes up to date before those go out. Mike stated they will be measuring water levels right after the New Year. Also, they have checked meters to make sure they are in compliance before the Four County LEMA is approved. There was a lot of over-pumping and meters that were out of compliance. Over-pumping letters have been sent out. Lastly, Mike went over the procedures his office takes before and after they go and check meters.

VII. **KWO Report** – Keadron Pearson reported the Water Authority Ogallala Committee is meeting tomorrow in Hays KS at 11:00 a.m. Keadron stated she was pleased to know there will be some local representation at that meeting. Also, on Wednesday this week the RAC Operations Committee is meeting to talk about some RAC applications and will also discuss correspondences from the Upper Missouri RAC and the Upper Republican RAC in their response to GMD3's Proof of Concept project. Keadron mentioned there would be a Playa Lakes workshop and tour in Liberal Kansas on January 10<sup>th</sup> and 11<sup>th</sup>, 2023 that is typically put on by Ducks Unlimited and PLJV. Keadron reminded the Board there would be a meeting March 23<sup>rd</sup> 2023, in Dodge City and Montezuma with the new WISE (Water Innovated Systems) Committee formerly known as the Water Technology Farm. Currently, their office is working on wrapping up their annual reports and will be provided at the Water Authority Meeting in Colby in December on the 14<sup>th</sup> and 15<sup>th</sup>.

VIII. **PUBLIC COMMENT** – David Barfield mentioned he just sent over the amended contract and asked if Katie could print it and have Mark Callender sign it. Greg Graff reported that the City of Leoti is looking at buying wells within a mile close to town in hopes buying them before sold to Ag. They are trying to buy 6-8 wells to add to the system eventually. Greg also added there are 7-8 wells around Leoti that are not being pumped that they are trying to buy too but limited on funds. Greg stated he just wanted to bring it to the Board's attention as they plan to explore utilizing WTAP.

IX. **KWA Ogallala Sub Committee & Written Comments – Executive Session** – The upcoming Ogallala sub committee meeting was discussed, along with the proposed topics for discussion. No executive session was needed. The Board discussed the recent POC project and addressed questions or concerns they deemed may be viable for discussion at the upcoming subcommittee meeting. It was noted that it was important to identify the positive work that GMD1 has achieved regarding WCA's and LEMA's. The Board discussed possibly submitting a written submittal to the Committee discussing these concerns but left it to GMD1 staff discretion. Ultimately nothing was submitted. 6

- X. **MEETING ADJOURN** – Next meeting was discussed and moved to December 21, 2022 at 8:00 a.m. Brian Bauck made a motion to adjourn the meeting at 2:49 p.m. Steve Compton seconded the motion which passed unanimously.

Respectfully Submitted:

  
Toni Palen, Office Administrator

Approved:

 Date: 1/19/2022  
Mark Callender, President