



WESTERN KANSAS GROUNDWATER MANAGEMENT DISTRICT NO. 1

Regular Meeting of the Board of Directors

Tuesday, May 11th 2022

8:00 a.m. CST

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

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| I. Call Meeting to Order | | Action |
| Review & Approve Agenda | Pg. 1-2 | Action |
| Review & Approve Minutes of April 26 th Special Board Meeting | Pg. 3-5 | Action |
| II. Correspondence – Staff may report on correspondence received since the previous Board Meeting on April 26 th | | |
| a. Outreach and Communication | | |
| b. Representative Jim Minnix – Message to the Board of Directors | | |
| c. Representative Lindsay Vaughn – Set to visit GMD1 on May 12 th | | |
| III. New Business | | |
| a. Financial Review and Approval – The Board may review and approve financials since the April 6 th Board Meeting. | Pg. 6-16 | Action |
| b. Building Maintenance – Staff may provide a status report on projects throughout the building | | |
| c. Wallace County Discussion regarding the LEMA– Brownie Wilson | | |
| d. May 19 th & May 20 th County Meeting Materials – Board may discuss the draft meeting materials that will be made available to the public on May 13 th . | | |
| -LEMA FAQ sheet | Pg. 17-25 | |
| -KWR Consulting on Lema | | |
| -Appeals process memo | | |
| -Revised allocation sheets & explanation | | |
| -PowerPoint presentation | | |
| e) Cost Share – Homeland Farms; Preston Smith | Pg. 26-28 | Action |
| IV. Legislative Update | | |
| a. GMD Legislative Audit | Pg. 29-31 | |
| V. DWR Report | | |
| a. Term Permit – HRC Feed Yard WR #15772, 15810 | Pg. 32-35 | Action |

Mark Colley Pres.
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| b. Term Permit – HRC Feed Yard WR #6974 | Pg. 36-39 | Action |
| c. Term Permit – HRC Feed Yard WR #36536, SC-44, 24885 | Pg. 40-43 | Action |
| VI. Public Comment | | |
| VII. Meeting Adjourn | | Action |

WESTERN KANSAS GROUNDWATER MANAGEMENT DISTRICT NO.1
April 26, 2022 Board Meeting Minutes

BOARD MEMBERS PRESENT

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

STAFF MEMBERS PRESENT FOR ALL OR A PORTION OF THE MEETING

Katie Durham – District Manager Toni Palen – Administrative Assistant

OTHER PEOPLE PRESENT FOR ALL OR A PORTION OF THE MEETING

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|--------------------|---|
| Tom Adrian* | Adrian & Pankratz Law Office |
| Mike Meyer | Division of Water Resources, Garden City Office |
| David Barfield | KWR Consulting |
| Austin McCollouch* | Division of Water Resources |
| Bret Keeler | Jackson Crop Insurance |
| Greg Graff* | |
| Neil Wilson | |
| Dan Sharp | |
| Randall Biermann | |

***Virtual Attendees**

- I. **CALL MEETING TO ORDER** - The Western Kansas Groundwater Management District No.1 board meeting was called to order by President Mark Callender at 8:06 a.m. on April 26, 2022 at the District Office, Scott City, Kansas.
 - a) **Approval of Agenda** - Katie Durham requested we move new business up before correspondences in order to help Tom Adrian leave the meeting earlier. Brian Bauck made a motion to approve the agenda as presented and the request to move new business before correspondences. Travis Weaver seconded the motion which passed unanimously.
 - b) **Approval of the April 06, 2022 Minutes** - Steve Compton stated under public comments the name Neil Smith should be Neil Wilson. Mark Callender stated correction under KWO report that, Keadron's name is misspelled and under calendar for the next board meeting should read June 26, 2022 instead of May 18, 2022. Ray Smith made a motion to approve the April 6, 2022 board meeting minute's contingent upon corrections being made to the minutes. Brian Bauck seconded the motion which passed unanimously.
- II. **NEW BUSINESS**
 - a) **Building Maintenance** – Katie Durham spoke about updating the sign with fresh paint out front on the district's office. Also mentioned was updating the address numbers on the side of the building, putting office hours on the front door, adding a flag pole and some flower pots out front to give us a more updated look. Lastly, Katie brought up the need of a new file cabinet system as the current files are so tight that we cannot add more information to the files easily. The board asked to check with Pat Ryan to see if he could maybe build us something. After the board discussed these updates Ray Smith made a motion to approve a \$2500.00 budget to help with these updates. Brian Bauck seconded the motion which passed unanimously.
 - b) **Proposed Lema Discussion** – Katie Durham gave an update on what she and David Barfield have been working on including defining what conservation is and the methods of the appeal process. Once the methods are finalized then we can move forward with finishing the appeal process

with each method. Katie stated that David would go over the non-use and vested right landowners later. Tom Adrian was asked by Katie if he had anything he wanted to add now since he needed to leave the meeting at 10:00 a.m. Tom commented that he would like to see more examples on the methods of appeals. Tom stated that every decision we make is creating a standard for the district. Tom also stated he thought David and Katie have done a great job of putting together the methods. David Barfield agreed with Tom on that we need to give more examples. The board members had a lengthy conversation about the appeal process and conversed with David and Katie on several situations that we need to look at. Mike Meyer stated that we need to make sure we have data to support the appeals when they come in that demonstrates they have conserved water. Katie and David will continue working on this and give the board a cleaner look at the appeal process with more examples for next meeting. County meetings were set by the board for May 19th at Weskan Community Building at 9:00 a.m. MST, 201 School Ave, Weskan KS. The next meeting will be May 20th at the William Carpenter 4-H Building at 9:00 a.m. CST, 608 N Fairground Rd, Scott City, KS. Also, on May 20th there will be a second county meeting at Lane County 4H Building at 2:00 p.m. CST, Fairground Rd, Dighton KS. Letters will go out to notify landowners of these dates. David Barfield gave an overview of work since April 6, 2022 in a handout that was discussed with the board of directors. Steve Compton stated that insurance was a concern to him with the five counties on the Lema. The board conversed about this and decided to have Katie Durham check into it for more information.

- c) **Cost Share** – Andrew Smith WR #8106 NW 23-16-36 filed a cost share application for a new pivot control system that was put in by Western Sprinklers in Colby, KS. Ray Smith made a motion to approve to pay \$1000 from our cost share account. Brian Bauck seconded the motion which passed unanimously.
- d) **Cost Share** – D & L Farms WR #7151 SW 34-16-35 filed a cost share application for a new pivot control system that was put in by Western Sprinklers in Colby, KS. Travis Weaver made a motion to approve to pay \$1000 from our cost share account. Ray Smith seconded the motion which passed unanimously.
- e) **Cost Share** – E & D Farms WR #11204 NE 34-16-35 filed a cost share application for a new pivot control system that was put in by Western Sprinklers in Colby, KS. Travis Weaver made a motion to approve to pay \$1000 from our cost share account. Brian Bauck seconded the motion which passed unanimously.
- f) **Cost Share** – Smith Land Company WR #10771 NE 12-16-42 filed a cost share application for a new pivot control system that was put in by Western Sprinklers in Colby, KS. Ray Smith made a motion to approve to pay \$1000 from our cost share account when deed is presented. Brian Bauck seconded the motion which passed unanimously.
- g) **Cost Share** – SKR Land LLC WR #37095 filed a cost share application for a new pivot control system that was put in by Western Sprinklers in Colby, KS. Travis Weaver made a motion to approve to pay \$1000 from our cost share account when deed is presented. Brian Bauck seconded the motion which passed unanimously.
- h) **Cost Share** - North Four Farms WR #325 SE 2-17-34 filed a cost share application for a new pivot control system that was put in by Western Sprinklers in Colby, KS. Brian Bauck made a motion to approve to pay \$1000 from our cost share account when deed is presented. Ray Smith seconded the motion which passed unanimously.
- i) **Cost Share** – High Choice Feeders WR #9867 NE 14-20-33, WR #3037 SW 13-20-33, WR #25433 NE 13-20-33, WR #33887WR #25414 SE 1-20-33, and WR #16417 NW 36-19-33 filed a cost share application for a new pivot control system that was put in by Western Sprinklers in Colby, KS. Brian Bauck made a motion to approve to pay \$1000 to each quarter section from our cost share account. Ray Smith seconded the motion which passed unanimously.
- j) **Cost Share** - Mark Ramsey WR #SC30, and #16971 filed a cost share application for new pivot control systems and pivot monitoring that was completed by Western Kansas Irrigation, Ulysses,

KS for SE 11-18-33, SE 10-18-33, and NW 11-18-33. Brian Bauck made a motion to approve to pay \$1000 for each section for probes and \$1000 to each pivot monitoring for each quarter section which comes to a total of \$6000.00 from our cost share account. Ray Smith seconded the motion which passed unanimously.

III. **CORRESPONDENCES**

- a) First quarter taxes were filed and available for the boards review.
- b) Newsletter and Lema letter was mailed out to landowners for the boards review.

IV. **OLD BUSINESS**

- a) Randall Biermann submitted an appeal on WR #9588. The board discussed this appeal with Randall who was at the board meeting. Travis Weaver made a motion that Randall supply the board with a flow test for further consideration. Brian Bauck seconded the motion which passed unanimously.

V. **LEGISLATIVE UPDATE** – None

VI. **DWR REPORT** –Mike Meyer updated the board regarding late water use letters out with penalties. Also, Mike stated they are working on the over pumped list of landowners. There will be a few penalties in the district. Lastly, Mike explained they are still down one staff member.

VII. **PUBLIC COMMENT** – Neil Wilson stated he is an irrigation landowner, tenant and lender. He communicated with the board about some feedback and his own personal opinion by stating he thinks the mythology of the Lema is fundamentally flawed because everything goes to historical use. He suggested just using acre feet and to keep it simple. David Barfield replied we had looked at that option and other options as well and it didn't work out and offered to share his study of information collected. Dan Sharp questioned how the appeal process would work for his wells and how to project and manage for the future management of his crop. David Barfield explained how the process would work for Neil Wilson's water use with him. The board discussed the methods of appeal with him as well. Bret Keeler with Jackson Crop Insurance gave some insight on how insurance could affect the Lema plan.

VIII. **ADJOURN** – Next board meeting is May 11, 2022 at 8:00 a.m. at the District Office. Steve Compton made a motion to adjourn the meeting at 12:12 p.m. Ray Smith seconded the motion which passed unanimously.

Respectfully Submitted:


Toni Palen, Administrative Assistant

Approved:


Mark Callender, President

Date: 5/11/2022