



WESTERN KANSAS GROUNDWATER MANAGEMENT DISTRICT NO. 1

Special Meeting of the Board of Directors

Board Meeting January 27th, 2022

9:00 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

I. Call Meeting to Order		Action
a. Review & Approve Agenda	Pg. 1	Action
b. Review & Approve Minutes of the January 10 th Board Meeting		Action
c. Review and Approve the Financials		Action
II. Correspondence		
a. Staff may report on correspondence received since the previous Board Meeting on January 10 th Board Meeting.		
III. New Business		
a. Review Four County LEMA Appeals Spreadsheet	Separate	
b. Review LEMA Hearing Testimony for February 2nd	Separate	Action
c. Review and Approve Revised Voting Criteria	Separate	Action
IV. Legislative Update		
V. DWR Report		
VI. KWO Report		
VII. Public Comment		
VIII. Meeting Adjourn		Action

WESTERN KANSAS GROUNDWATER MANAGEMENT DISTRICT NO.1
January 10, 2023 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

OTHER PEOPLE PRESENT FOR ALL OR A PORTION OF THE MEETING

Reece Hiebert*	Adrian & Pankratz Law Office	
David Barfield*	KWR Consulting	
Mike Meyer*	Division of Water Resources	*Virtual Attendees
Keadron Pearson*	Kansas Water Office	
Jonathan Aguilar*	Biological & Agriculture Engineer KSU	
Jayce Stabel*	Department of Agricultural Economics	
Greg Graff*	Wichita County Producer	
Tallee Davis*	Precision Agriculture Workshop Coordinator	
Sean Miller*	Lobbyist	

- I. **CALL MEETING TO ORDER** – President Mark Callender called to order the January 10, 2023, Board of Directors meeting of the Western Kansas Groundwater Management District No.1 at 8:11 a.m. at the District Office in Scott City, Kansas.
- a) **Review and Approve Agenda** – The Board reviewed the Agenda. Katie Durham added Sean Miller to the Agenda, to give a legislative update at 9:00 a.m. and added Scott Ishman’s proposal to go over. Also, Katie added under Wichita County LEMA that there would need to be a motion to approve some WC LEMA allocations from October 2022. Travis Weaver made a motion to approve the Agenda with changes for January 10, 2023. Brian Bauck seconded the motion which passed unanimously.
- b) **Review & Approve November 28, 2022 Minutes** – The Board reviewed the November 28, 2022 minutes. Mark Callender questioned under Cost Share – Revision Plan the sentence that said, “The Board had discussion and agreed to keep the WCA as it is”. Katie Durham requested to delete the sentence off the minutes as it does not pertain to that section. Katie mentioned that Greg Graff requested changes to the minutes from his report under Public Comments to read as follows.
1. The sentence that says, “sold to ag” should be “sold to new ag owners”. These are currently irrigated water rights, but current owners are not irrigating.
 2. The sentence that says, “They plan to explore utilizing WTAP” should be “The city wants the first chance to purchase the water rights before utilizing WTAP to permanently retire them”.
- Ray Smith made a motion to approve the changes to the minutes as listed above. Steve Compton seconded the motion which passed unanimously.

- c) **Review & Approve November 2022 Financials and Treasure Report** – The Board reviewed the November 2022 financials and treasure reports. There was discussion on potentially moving the Money Market Account and the Weather Modification Account to Golden Plains Credit Union for competitive interest rates. Katie Durham explained an extra bill the District received from Lewis, Hooper, and Dick for expenses they charged for additional information requested by Toni and Katie for the Legislative Audit. Steve Compton made a motion to approve the November 2022 treasure and financial reports. Ray Smith seconded the motion which passed unanimously.

II. **CORRESPONDENCE**

- **Email Newsletter** – Katie suggested she would like to do a newsletter biweekly that would go out to landowners by email and has one currently almost ready to go out. Katie reported that she had Graph Ink give us a price on sourcing out our quarterly newsletter that goes out by mail. Graph Ink priced it as \$700.00 for print, stamps, folding and mailing. The Board agreed that the price was worth it.
- **Post Legislative Audit Status**- Katie stated the Post Legislative Audit is complete and we should receive a copy in the next few weeks.
- **December 14th & 15th KWA Meeting Recap** – Katie gave a brief recap of the KWA Meeting and thanked the Board members that were able to go. Mark Callender stated he felt the round table talk went well and emphasized on the members from Sheridan County that stood up and spoke about the LEMA they have been in for the last 10-12 years.
- **Regional Advisory Committee Member** – Katie stated that she is going to join as a member of the Regional Advisory Committee.
- **GMDA Membership Renewal** – Katie advised the Board of the annual subscription to the GMDA and that the price had gone up from \$350.00 to \$500.00. The Board discussed and agreed to renew the membership. Steve Compton made a motion to approve the renewal of the membership to GMDA. Ray Smith seconded the motion which passed unanimously.
- **Blair Snyder Notice** – Katie reported that Blair Snyder is a PhD from Kansas Geological Survey will be hosting a 2023 field program on June 7th through June 9th in Dodge City, KS and in Garden City, KS. Katie stated they would like to have a panel of GMD's and invited her, Shannon from GMD4 and Mark Callender to field questions and explain our involvement with issues in Western Kansas and Eastern Colorado water. Katie explained in attendance will be State Legislative Agents and Policy Makers. Mark and Katie agreed to go to this meeting.
- **Judd Outreach** – Katie spoke with Judd at an outreach meeting about a month ago in Sharon Springs. Katie stated that Judd volunteered to host an informal dinner evening inviting dealers from the area and having GMD1 there to give landowners an idea of what technologies are currently being used. Katie also reached out to Weston McCary on this meeting and believes it would be a great opportunity to continue our outreach efforts. This meeting would tentatively be scheduled for March 1st, 2nd, or 3rd.
- **Jonathan Aguilar, PhD, PE of K-State** – Jonathan Aguilar shared more technologies and resources for producers that they have been working on. Katie will be in touch with Jonathan to work on articles to put in the District's Newsletter.

III. **OLD BUSINESS-**

- a) **Hangar Lease – Status Update** – Katie reported that the City of Scott City has the final Lease Agreement. The City has stated everything looks good to them, but they want their new Legal Representative to view the lease before signing.
- b) **Voting Criteria, Procedure & Board Seats** – Reece Hiebert contacted GMD2 and went over their voting procedures to implement into to GMD1's voting process. Registration would take place at the door of the Annual Meeting by our Deeds List we get from the county. The Board discussed mail in ballots and would like Reece to investigate this to see if we could implement

this for this year with the time crunch. If not, then the District will explain to the producers we are working on this to accommodate out of town voters and early voting for next year.

- c) **Sean Miller Legislative Update** – Sean Miller reported from the Capital in Topeka giving a brief update stating everyone was sworn in today and they have officially appointed committees and leadership. Allowing municipalities to vote continues to be a heavy topic at the Capitol. Sean stated the Governor spoke on water in her inauguration speech yesterday and is adamant about finding ways to save the aquifer and our economy. Sean encouraged the Board Members to be at the Legislative Meetings and voice their concerns.

IV. **NEW BUSINESS**

- a) **Gap Waiver Resolution** – Ray Smith made a motion to approve the 2023-01 GAP Resolution. Travis Weaver seconded the motion which passed unanimously.
- b) **Annual Meeting – February 22nd or 28th** – The Board agreed to have the annual meeting on February 28th starting at 12:00 pm for vendors and lunch and meeting starting at 1:00 pm. The Board members will arrive at 11:00 am to help set up.
- **Agenda Discussion** – Katie stated that she has Brownie Wilson giving a presentation. Also, Chase Larson may set up as a vendor and Jonathan Aguilar and maybe a few others. Vendors will set up at 11:30 am and be ready by 12:00 pm. Annual Meeting will start at 1:00 pm. Serving lunch to everyone or just Board Members and Vendors was discussed. The Board agreed to have lunch for the Vendors and Board members before the meeting.
- c) **Four County LEMA**
- **Prehearing January 18th at 10:00 am CT** – Prehearing is set for January 18, 2023 at 10:00 am by zoom only.
 - **Second Public Hearing February 2nd, 2023 at 10:00 am CT** – Second hearing is set for February 2, 2023 at 10:00 am CT at the Child Advocacy Center in Scott City. After the hearing the Board will meet for a Special Board meeting at 1:00 pm at the GMD1 office to go over the Annual Meeting. This meeting will only take place if the Board feels they need it to prepare for the Annual Meeting since they are meeting on January 27, 2023 by zoom at 8:00 am.
 - **Appeals Process & Procedure** – The board discussed appeals and procedures for the Four County LEMA. Producers would basically make their case and bring in proof of their appeal, set up a time with Katie to go over it, and then submit to the Board for determination. Katie mentioned she is still working on the appeals spreadsheet which will help in calculating the allocations.
- d) **Wichita County LEMA Annual Report** – David Barfield reminded the Board that the LEMA's require an annual reporting. Katie, David and Mike Meyer have been working together to verify information and come up with a report for Wichita County LEMA. David presented a power point with data from the Wichita County LEMA showing the LEMA is successful and showing a decline in water use.
- e) **GMD1 Outreach**
- **March Board Meeting & Stock Outreach March 15, 2023** – Katie stated that we will have a regular Board meeting on March 15, 2023 at 8:00 am at the GMD1 office. Following the Board meeting we will meet Stock Water Users at 1:00 pm at Ma & Pa's for a lunch and have a round table discussion with them about their concerns.
 - **April Board Meeting & Municipal Outreach April 19, 2023** – Katie stated that we will have a regular Board meeting on April 19th or the 26th, 2023 at 8:00 am at the GMD1 office. Following the Board meeting we will meet with Municipal Water Users at 1:00 pm at Ma & Pa's for a lunch and have a round table discussion with them about their concerns.
 - **March DOC/NRCS Training Day** – Katie stated that Talle Davis is working on grant funding for a DOC/NRCS Training Day. Again, this would be just another outreach attempt to make sure agencies know who we are and what we are doing to conserve water.

- **County Outreach Visits March 6th through March 10th, 2023** – Katie stated she wanted to meet with each county twice a year to keep communications and outreach available during the week of March 6th through March 10th. Talle is also helping with meals and scheduling from her grant money to accommodate us. Katie suggested a post card would go out showing each county meeting and allowing producers to pick which one they can go to.
- **County Outreach Visits November 27th through December 1st**– Katie mentioned the week of November 27th through December 1st would be the 2nd time meeting with each county for outreach with the same accommodations as above for the first round of meetings.

f) **GMD1 Cost-Share Applications**

- **SKR Land, LLC** – Cost Share application was submitted to the Board for Pivot Control Systems for SKR Land LLC on SW section of 15-16-41 WR #11389, and SE section of 15-16-41 WR #11389. Travis made a motion to approve the both Pivot Control Systems for the above mentioned water right numbers for \$1000.00 each totaling \$2000.00 paid to Western KS Valley. Steve Compton seconded the motion which passed unanimously.
- **D & L Farms** – Cost Share application was submitted by D & L Farms to convert IWOB nozzles to Nelson LEPA (Low energy precision application). The Board agreed to table this for next Board meeting for further review.
- **WTAP Application** – Katie explained that she needs a motion to write a recommendation for the State to process the Wichita County LEMA’s allocation appeals that were previously approved by the Board. Brian Bauck made a motion to approve Katie Durham writing a letter to the State on final allocation determinations from prior LEMA appeals. Ray Smith seconded the motion which passed unanimously. Further discussion about the WTAP program was explained by Mike Meyer to the Board.

V. **Legislative Update**

VI. a) **2023 Legislative Session and Visits**

- VII. - **KWA/KWO Legislative Visit January 24-25, 2023** – Katie stated she and Mark will be attending the Legislative meetings January 24-25.
- **GMD Legislative Retreat February 6-8, 2023** – Katie encouraged all Board members to go to this meeting in Topeka. Katie, Toni Palen and Mark Callender will be attending. Other Board members discussed and will try and make it up for one of those days.

VIII. **DWR Report** – Mike Meyer stated they are down three staff members now. Water use report cards were mailed out the first of January and producers have until March 1, 2023 to get them submitted. Mike stated the annual well measurements are completed and as expected there were large declines. Mike shared the following declines for each county stating this is raw data:

- **Scott County** – Declined $\frac{3}{4}$ of a foot for 2022
- **Lane County** – 1.7 feet. Huge decline for 2022
- **Wallace County** – 5-10 foot declines
- **Greeley County** – $\frac{1}{2}$ foot decline
- **Wichita County** – Larger Drops were in the NW Quarter

Lastly, Mike shared there were 16 MYFA’s filed within our District for 2022.

IX. **KWO Report** – Keadron Pearson reminded the Board of the meetings taking place in Topeka. The Water Authority Meetings can be found on their website. Keadron stated there will be a meeting on March 23rd in Dodge City, KS for their WISE Tour Event (Water Innovations System & Education) that Weston McCary has been putting together. Keadron informed the Board that staff and Board member are invited.

X. **PUBLIC COMMENT** – NONE

XI. **MEETING ADJOURN** – Next meeting was discussed and set as a special zoom meeting on January 27, 2023 at 8:00 a.m. Ray Smith made a motion to adjourn the meeting at 12:26 p.m. Brian Bauck seconded the motion which passed unanimously.

Respectfully Submitted:

Toni Palen
Toni Palen, Office Administrator

Approved:

Mark Callender Date: 1/27/2007
Mark Callender, President