



Western Kansas Groundwater Management District #1

50th Annual Meeting February 28th, 2023, at 1:00pm William Carpenter Building, Scott City KS

Opening Remarks &

Introduction.....Mark Callender
GMD1 President

- Approval of Agenda
- Approval of February 23rd, 2022, Minutes
- Treasurers Reports & Proposed 2024 Budget

Legislative Update.....Rep. Jim Minnix

District Updates.....Katie Durham
GMD1 Manager

Agency Updates.....DWR/KWO

Speakers

- Brownie Wilson – GIS Specialist; Kansas Geological Survey
- Dr. Bill Golden, PhD – Economist & Associate Professor; Kansas State University
- Dr. Lucas Haag, PhD – Agronomist & Associate Professor; Kansas State University

Review of GMD1's Revised

Election Policy.....Tom Adrian &
Reece Hiebert
GMD1 Election Officers
Legal Counsel to GMD1

Adjourn

Mark Callender Pres.
2/28/2023

WESTERN KANSAS GROUNDWATER MANAGEMENT DISTRICT NO.1
49th Annual Meeting Minutes
The William Carpenter Building, 608 Fairground Road, Scott City, KS.
February 23, 2022

BOARD MEMBERS PRESENT

Mark Callender – President, Lane County
Bob Hoeme – Treasurer, Scott County
Travis Weaver - Vice President, Greeley County
Ray Smith – Wallace County Board Member
Brian Bauck – Wichita County Board Member

STAFF MEMBERS PRESENT

Toni Palen – New Administrative Assistant
Maggie Morrison – Administrative Assistant
Pat Ryan – Field Technician

AGENCY REPRESENTATIVES PRESENT

Tom Adrian
Reece Hiebert
Earl Lewis, Chief Engineer
Mike Meyer
Austin McColloch
Joshua Goebel
Hunter Hershey
David Barfield
Brownie Wilson

Adrian & Pankratz Law Office Legal Counsel/Election Officer
Adrian & Pankratz Law Office
KDA/DWR Manhattan
Division of Water Resources, Garden City Office
Division of Water Resources, Garden City Office
Division of Water Resources, Garden City Office
Division of Water Resources, Garden City Office
KWR Consulting – GMD1 Consultant
Kansas Geological Survey

OPENING REMARKS & INTRODUCTION

President, Mark Callender welcomed everyone in attendance and introduced Mike Meyer and his representatives from Division of Water Resources in Garden City, KS. David Barfield with KWR Consulting, Brownie Wilson with Kansas Geological Survey, as well as Tom Adrian, the Districts Legal Counsel. Mark indicated that Keadron Pearson with Kansas Water Office is not in attendance today due to maternity leave. Next, Mark introduced all the Board Members including the new hire of Toni Palen as Administrative Assistant that is taking Maggie Morrison's position. Also, mentioned by Mark is that the voting would take place at the end of meeting for a Scott County Board Member and a stand-alone vote for Travis Weaver for Greeley County.

CALL THE MEETING TO ORDER

The Western Kansas Groundwater Management District No. 1, 49th Annual Meeting was called to order by President Mark Callender at 1:38 p.m. on February 23, 2022 at the William Carpenter Building, Scott City, KS, with approximately 60 people in attendance.

APPROVAL OF THE AGENDA

Mark Callender reviewed the Agenda stating he would like to add above Additional District LEMA Information on the Agenda with an update on the HB2686 Bill. Brian Bauck made a motion to approve the February 23, 2022 Meeting Agenda as presented with changes. Ted Compton seconded the motion which passed unanimously.

APPROVAL OF THE AUGUST 11, 2021 MINUTES

Bob Hoeme made a motion to approve the August 11, 2021 Meeting Minutes as presented. Paul Strickert seconded the motion which passed unanimously.

WEATHER MODIFICATION 2021 BUDGET

Mark Callender gave an update on the Weather Modification program, clarifying that all but one airplane has been sold, and the last one is possibly already sold and will be deposited into the modification account. Mark stated the district still has the hangar and tools, which will be discussed at a future date of whether to sell or lease it out. Bob Hoeme stated the Weather Modification was established in the early 1970's.

TREASURERS REPORTS & PROPOSED 2023 BUDGET

President, Mark Callender presented the 2021 Statement of Expenditures & the 2023 Propose Budget. Mark explained that we contracted with David Barfield for his expertise on helping with the LEMA.

Travis Weaver made a motion to approve the 2021 treasure report and the Proposed 2023 Budget. Brian Bauck seconded the motion which passed unanimously.

SUMMARY AND UPDATE OF DISTRICT ACTIVITIES

Mark explained the District is still currently working on the LEMA for the other four counties, however things shifted toward hiring for positions that needed filled due to Kyle Spencer and Maggie Morrison's resignation. Mark stated that they have hired Toni Palen as the new Administrator Assistant to replace Maggie and was grateful for Maggie's support and helping Toni Palen get familiar with her new job. Mark informed attendees that the District was in the process of hiring a new District Manager, Katie Durham. Mark presented a background on Katie Durham stating she is originally from Ft. Collins, Colorado. She was Assistant Manager at GMD4 in Colby Kansas back in 2015. She graduated from CSU, worked in Montezuma, Colorado Water Institute, and at NRCS in Florida. Katie has her Master's degree in Water Resource Management and is currently working in the Central Valley in California for a Water Consultant Company, where she and her husband Colby currently live. Mark stated the Board Members are excited that Katie Durham accepted the job and are anxious about her experiences she will bring to the District. Mark stated Katie would be moving here to Scott City, Kansas the first week of April. Lastly, Mark thanked Mike Meyers from DWR for sending Mitch French to our District to help with water usage reports.

AGENCY UPDATES – Mike Meyer with DWR gave a brief update commending the Board Members and the community for their efforts in conserving water. Mike reminded the attendees that water usage reports will be due by March 1st and Mitch French would be at the Scott City District Office to help with those on Tuesdays. Mike stated their office is there to help in anyway with questions or concerns.

DISTRICT WATER INFORMATION

Brownie Wilson, with the Kansas Geological Survey started off by sharing the 2021-2022 water level changes. Brownie stated they had measured approximately 136 wells in GMD1 showing a 0.55-foot decline. Brownie continued with a slide show on precipitation levels in each county over the last 10 years. Brownie concurs that Western Kansas is currently in an extreme drought condition. Next, Brownie goes over water use vs precipitation relationships between years 2012-2017 and showing 2019-2020 as a comparison. Brownie stated he would be around after the meeting if anyone had any questions.

UPDATE ON HB2686

David Barfield with KWR Consulting discussed the House Bill 2686 being considered in Topeka Kansas. David breaks it down in four pieces. First, the bill would take various water agencies and put them all under one umbrella. Second, increases for standard funding for water projects. Third, is on voting criteria and how many Board members would be allowed with term limits and voting would go through a general election process which means anyone in the district could vote. Fourth, would be that the GMD's would have to report financials and areas of decline with a plan to improve those areas by 2026. Also, dam safety and giving authority to the Chief Engineer to make decisions on whether to make people fix dams that need repaired. David explained this bill is not the way we want to run our GMD's and is in hopes of some changes. This bill

has not passed but is in the House Committee under discussion. Finishing up, David read what the Districts Lobbyist, Sean Miller wrote about his thoughts and that he expects amendments to come on this bill before it will pass. Earl Lewis, Chief Engineer with KDA stated that there is a lot more discussion about water now than probably in his entire career. Earl went on to say there is a lot in the bill that needs to be covered and typically when you have a bill of this size it starts to die down. However, he hopes we continue to have a water committee at the house to keep water a priority and policies in place. Mark Callender ended with stating that the original purpose of having GMD's is to help keep things at a local level in coming up with plans for conservation vs at a state level.

ADDITIONAL DISTRICT LEMA INFORMATION

Mark Callender stated the Board of Directors have been working on the LEMA, but unfortunately haven't finished with the appeals process. Mark explained one of the reasons for signing in today was so we could pull your 5-year water use allocation sheet to see how the LEMA may affect you. Those will be available after the meeting and of course you can call the office anytime to get a copy. Mark explained the challenges they have had as a Board to come up with an appeals process with taking into consideration the different management styles, sizes of wells, and areas of decline. Lastly, Mark stated the Board has worked hard on the LEMA, welcomed any feedback, and offered producers to join our Board Meetings that are on the 3rd Wednesday of every month. Mark added there will be several outreach meetings starting in April to hear feedback to give producers and landowners an opportunity to provide additional input on the plan. Mark stated he is optimistic that the plan will be acceptable to most producers. The goal is to have the appeals process available at those outreach meetings.

David Barfield presented an introduction on the LEMA process that he and the Board has been working on for the other four counties. David stated that the Board does not need any votes to get this proposal to the Chief Engineer, but it will be ultimately the Chief Engineers decision on whether it meets the requirements of a LEMA. David talked about the current situation on water declines in the District with a lot of the saturated thicknesses depleted. Next, David went over the LEMA statute and the process we must go through. Allocation methods were displayed by David with allocations based on recent historic use, but varying reductions based on a "sliding scale" measure of historic use vs authorization. David went over the Board's preferred allocation method stating the Board decided on the allocation method which reduces historic use (2011-2021) based on the use as inches/authorized acres, as it more evenly and fairly distributes pumping reductions. For flexibility, water users will be provided allocations as a single, shared, 5 year, allocation among water right groups. A water right group is composed of all legally overlapped water rights. David continued going over considerations of the appeals procedure, proposed elements of the LEMA plan, and an explanation of the allocation reports that will be available at the end of the meeting. Lastly, David stated that if the Chief Engineer approves this LEMA proposal it would go in affect January 1, 2023.

REVIEW OF DISTRICT'S ELECTION POLICY

Mark Callender introduced Tom Adrian, with Adrian & Pankratz Law Office, who is the District's Legal Counsel. Tom stated the Groundwater Management District Act was adopted in 1972 by the Legislature. The first paragraph declares State policy to preserve agriculture and to acknowledge the economic benefit that it brings to the State. The State declare because of these factors it is important that they establish Groundwater Management Districts for local control and that it should be ran by a Board of Directors vote on by eligible voters. Tom continued stating an eligible voter is anyone who is over 18 years old that owns 40 or more acres whether dryland or irrigated or has withdrawn at least 1 acre foot of water per year. If there are co-owners of 40 acres or more it states that only 1 vote can be made on that land or water right. Tom went on to say that if there is a trust set up with several family members or an LLC, that still only allows 1 vote on that land or water right, which is what the statute reads. Tom answered several questions from the attendees and assured everyone that the Board of Directors will revise the election policy to make it less confusing for next year.

ELECTION OF MEMBERS GREELEY AND SCOTT COUNTIES

Travis Weaver who was running unopposed for Greeley County was re-elected with 31 votes. Don Smith and Steve Compton were running for a seat on the Board for Scott County representative to replace Bob Hoeme who is retiring. The vote was in favor of Steve Compton with 27 votes and Don Smith receiving 10 votes. Mark Callender thanked Bob Hoeme for his 35 years on the Board and all his hard work over the years.

ADJOURN

Chris Holovach made a motion to adjourn the meeting at 4:25 p.m. Bob Hoeme seconded the motion which passed unanimously.

Respectfully Submitted:

Toni Palen
Toni Palen, Administrative Assistant

Approved:

Mark Callender
Mark Callender, President

Date: 2/28/23
~~3/22/23~~