

NORTHWEST KANSAS GROUNDWATER MANAGEMENT DISTRICT 4
August 2, 2023

1. OPEN MEETING, ATTENDANCE AND AGENDA

The August 2, 2023 board meeting was opened at the GMD 4 office in Colby, Kansas by President, Brett Oelke.

Board members present for some or all the meeting were:

Jerry Binning, Jeff Deeds, Nate Emig, Karen Flanagin, Lynn Goossen, Dylan Loyd (virtually & via phone), Ted Nighswonger, Brett Oelke, Brent Rogers and Shane Mann.

Board members absent: Marsha Schilling.

Others present for some or all of the meeting were: Shannon Kenyon, Jody McCain and Colter Stoll – GMD 4 staff; Jake Kling – GMD 4 Attorney; Rebecca Hageman and Kelly Stewart – DWR; Keadron Pearson and Amelia Niill (virtually) – KWO; and Richael Young (virtually).

2. CONSENT AGENDA

Ted Nighswonger moved that the consent agenda be approved as presented. The motion was seconded by Shane Mann and passed unanimously by voice vote (no “nay” votes.)

It was noted that the next meeting date should be changed to “August 2, 2023” not the 3rd.

Brent Rogers moved the minutes of the June 14, 2023 board meeting be accepted as amended. The motion was seconded by Nate Emig and passed unanimously by voice vote (no “nay” votes).

Shannon distributed the July financial report.

Nate Emig moved that the financial reports and expenditures for the months of June and July be accepted as presented. The motion was seconded by Jerry Binning and passed unanimously by voice vote (no “nay” votes).

3. OPEN FORUM

Nothing presented.

4. AGENCY REPORTS

Kelly Stewart reported that most of the over pump settlement paperwork has been sent to headquarters. He noted that Rebecca had taken on the GMD 4 producers and worked through verifying the information with Shannon and Colter. He noted that David Means had been approved over time to help process all of the term permit paperwork that came in as well.

Rebecca Hageman reported that she has been working with Shannon and Colter to verify that all repair forms, inspections, and the accuracy of water use reports for the 2022 year. She has finally gotten back to fieldwork inspections.

Kelly Stewart said there was a feed lot that reported estimated use, not actual readings. Which resulted in reporting more than what they actually used.

Keadron Pearson reported the Upper Republican RAC meeting was held here in Colby last week. The next Kansas Water Authority Meeting will be August 23, 2023 in McPherson. She reported that the Governor's Conference is scheduled for November 15th and 16th.

Amelia Nill introduced herself to the board and staff. She is the Solomon-Republican RAC planner.

5. MANAGERS REPORT

a. June and July Updates

Since the last meeting, things have quieted down in the office and Shannon had taken some vacation time. She got the assessments all calculated and ready for inputs to send to the counties. Shannon also has been coordinating with other agencies on grant proposals. She went to the ceremonial signing of HB 2279 & 2302 on July 20th in Moundridge. There were great conversations with people and very political as GMD 1 and 4 were the only GMDs that were in attendance.

The week of July 24th through 26th our second round of public outreach meetings took place in Saint Francis, Goodland, Colby, and Hoxie. Shannon also attended the RAC meeting on the 27th held in the board room. She was interviewed by a writer for the Kansas City Star, who was very interested in the history of the weather mod program.

b. Future Opportunities

August 9th is a Kansas Technical Committee for Water through NRCS in Salina, it is in-person only and Shannon will attend. August 21st & 22nd is the House Committee on Water Interim meeting in Great Bend, and she plans to attend that as well. Shannon reminded board members if they would like to attend, please let Jody know as soon as possible to make room reservations. On August 31st in Oakley is a K-State meeting where they are requesting feedback on how to make their programs better. Please let Shannon know if you are interested in attending this meeting with her.

She passed around information regarding the proposed Missouri River to Pennington County pipeline in South Dakota. The article stated the water would not be used for irrigation purposes.

Shannon noted that the Hays water hearings were held last week. There has been no ruling at this time.

A Voluntary Groundwater Conservation Act has been introduced by Senators Bennet (Colorado), Moran (Kansas), and Heinrich (New Mexico). This act would create a new voluntary groundwater easement program at the USDA NRCS within the Agricultural Conservation Easements Program. The board was worried about what would happen after the money ran out. Would the consumptive use increase?

Sam Zipper with KGS is seeking help with testing an open ET tool, and is looking for some producers that wouldn't mind sharing some of their data. Shannon passed around a copy of the excel spreadsheet with the requested information.

Colter and Shannon sat in on the 2022 Index well measurement webinar yesterday. KGS threw out the 2018 data due to the extensive hail. It was noted by KGS that declines were a direct result of pumping and not precipitation. They discussed how playas may contribute to long term recharge, as compared to episodic rainfall.

6. FIELD REPORTS

Colter reported that since the last meeting, he has worked about 348 hours. Sixty eight of those have been spent in the field. He checked approximately 80 wells and conducted 3 rate tests. Colter has still been working on 5-5-11 checks and wells on the 10 year list. The Dodge pickup is down, due to bad fuel. Colter lost half a day, due to swapping equipment to the Ford. Jeff Deeds and Colter presented to the Kansas FFA Association Chapter Leadership Training Group in Colby on July 14th.

7. UNFINISHED BUSINESS

a. GMD 4 LEMA

Shannon was approached at the public outreach meeting in Goodland, regarding a couple of producers bragging that "they got more water". She then explained that their LEMA acres were increased due to the number of authorized acres that were irrigated during the previous LEMA.

Due to internet issues, the virtual meeting ended. Dylan Loyd joined the meeting via cell phone at 10 a.m.

b. SD-6

Nothing to report at this time.

c. Other LEMA Developments

Nothing to report at this time.

d. Public Outreach

Shannon discussed the summary of the public outreach. She handed out examples of the handouts attendees received. Jody typed up comments for each of the meetings, which were also distributed to the board. Shannon then gave a quick highlight of each meeting and discussion ensued. Making the LEMA similar to a MYFA was discussed at length.

Brent Rogers moved to support a statute change in allowing a 5 year LEMA quantity. The motion was seconded by Lynn Goossen and passed by a voice vote of 8 to 1 (Shane Mann voted no).

e. Online Shirts

Today was the last call to order GMD 4 logo shirts. Jody had only heard from four board members.

f. Executive Session – City of Quinter

At 10:49 a.m. Dylan Loyd moved to go into executive session for 10 minutes with the board, attorney, staff, and agency staff to protect trade secrets. The motion was seconded by Shane Mann and passed unanimously by voice vote (no “nay” votes).

The executive session expired.

Brent Rogers moved to waive inclusion into the 2023-2027 LEMA for WR #17,990 as discussed in executive session. The motion was seconded by Ted Nighswonger and passed unanimously by voice vote (no “nay” votes), with Shane Mann abstaining.

8. NEW BUSINESS

a. Budget Hearing @ 10:30 a.m.

At 10:30 a.m. Brett Oelke opened the Budget Hearing. Shannon Kenyon noted that there was no previous testimony submitted to the district office before the hearing. She provided testimony to the proposed budget. Brett Oelke asked if there was any additional testimony regarding the 2024 GMD4 Operating Budget. There were no members of the public present that gave additional testimony. The hearing was closed at 10:31 a.m.

b. SET ASSESSMENTS

Jeff Deeds moved to approve the following resolution for the 2024 Budget:

WHEREAS the district membership during the 48th Annual Meeting adopted the proposed 2024 operating budget of \$440,413.00 for consideration at a subsequent public hearing; and

WHEREAS the board scheduled, duly noticed and conducted a public hearing regarding the tentatively adopted, proposed 2024 operating budget on August 2, 2023; and

WHEREAS all testimony and public comment was duly considered;

BE IT THEREFORE RESOLVED THAT the 2024 operating budget for the Northwest Kansas Groundwater Management District No. 4 shall be approved for \$440,413 – as follows:

	2024 Proposed		2024 Final Assessed	
110 POSTAGE		\$6,000.00		\$2,000.00
111 Newsletter	\$3,000.00		\$0.00	
112 General	\$3,000.00		\$2,000.00	
120 PRINTING		\$4,000.00		\$2,000.00
121 Newsletter	\$3,000.00		\$0.00	
122 Administrative	\$1,000.00		\$2,000.00	
130 DUES	\$1,100.00	\$1,100.00	\$1,100.00	\$1,100.00
140 SUBSCRIPTIONS	\$2,000.00	\$2,000.00	\$2,000.00	\$2,000.00
150 INSURANCE		\$12,400.00		\$13,400.00

151 Office	\$12,000.00		\$13,000.00	
152 Public Officials' Liability				
153 Auto				
154 Workmans' Comp.				
155 Inland Marine				
156 Unemployment	\$400.00		\$400.00	
160 TELEPHONE	\$5,000.00	\$5,000.00	\$6,500.00	\$6,500.00
170 SALARIES AND BENEFITS		\$236,024.00		\$242,048.00
171 Gross Sal, Kpers, SS, Etc.	\$236,000.00		\$242,000.00	
172 Health Insurance	\$24.00		\$48.00	
180 TRAVEL		\$18,000.00		\$20,000.00
181 Board	\$10,000.00		\$10,000.00	
182 Staff	\$8,000.00		\$10,000.00	
190 VEHICLES		\$10,165.00		\$17,165.00
191 Repairs/Maintenance	\$3,000.00		\$3,000.00	
192 Operation	\$7,000.00		\$14,000.00	
193 Tags	\$165.00		\$165.00	
194 Purchase/Lease				
200 CONTRACTED SERVICES		\$52,000.00		\$47,000.00
201 Accounting	\$7,000.00		\$7,000.00	
202 Legal	\$20,000.00		\$15,000.00	
203 Misc. Support	\$10,000.00		\$10,000.00	
204 Legislative Support	\$15,000.00		\$15,000.00	
205 Drilling				
206 Weather Modification				
210 PUBLICATIONS		\$700.00		\$700.00
211 Legal Notices	\$700.00		\$700.00	
220 COOP PROGRAMS		\$5,000.00		\$25,000.00
221 Administrative			\$10,000.00	
222 Equipment			\$5,000.00	
223 Contracted Studies				
224 Education Program	\$5,000.00		\$10,000.00	
230 ADMINISTRATIVE		\$10,350.00		\$14,500.00
231 Office Supplies	\$4,000.00		\$5,000.00	
232 Copy Machine	\$2,200.00		\$2,500.00	
233 Computer Maint	\$2,000.00		\$3,000.00	
234 Postage Meter Lease	\$650.00		\$0.00	
235 Bank Charges				
236 Field Supplies	\$1,500.00		\$4,000.00	
240 NEW EQUIPMENT		\$14,000.00		\$22,000.00
241 Field	\$4,000.00		\$12,000.00	
242 Office	\$10,000.00		\$10,000.00	
250 CONTINGENCY RESERVE		\$0.00		\$0.00
260 FACILITY		\$24,000.00		\$25,000.00
261 Rent				
262 Maintenance	\$16,000.00		\$16,000.00	
263 Remodel/Purchase				
264 Building Utilities	\$8,000.00		\$9,000.00	

REIMBURSED EXPENSES

300 FOUNDATION

305 Foundation Subscriptions

325 Foundation Telephone

345 Foundation Accounting

350 Foundation Legal

370 Foundation Tech Support

	\$0.00		
\$400,739.00	\$400,739.00	\$440,413.00	\$440,413.00

wtr_rt =	847,559
land =	2,872,820
wtr (.035)	296,646
land (.05) =	143,641
	440,287.00
surplus	\$0.00

WHEREAS KSA 82a-1030 requires that a land assessment and/or water user charge be levied in order to fund the approved budget; and

WHEREAS there exists as of August 2, 2023 2,872,820 acres of land eligible for assessment and 847,559 acre feet of water eligible for the water user charge for the 2024 operating budget; and

WHEREAS after due consideration of all testimony it is the board’s decision that a 2024 budget of \$440,413 should be provided assessment support;

BE IT THEREFORE RESOLVED THAT the land assessment and water user charge for the 2024 operating budget shall be set at:

- \$.05 per acre of assessable land; and***
- \$.35 per assessable acre foot of water.***

Jerry Binning seconded the motion which passed unanimously via voice vote (no “abstentions” or “nay” votes.)

9. OPEN SESSION – Public Questions/Comments:

Nothing was presented

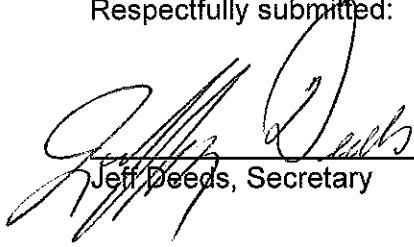
10. FUTURE MEETINGS:

The next regular board meeting is scheduled for September 6, 2023 at 9 a.m. C.D.T. at the GMD 4 office.

ADJOURNMENT

With no other business and no objections the meeting adjourned.

Respectfully submitted:

 9/6/23
Jeff Deeds, Secretary