

## **Minutes: Northwest Kansas Groundwater Management District 4 March 7, 2019 Board Meeting**

### **1. OPEN MEETING, ATTENDANCE AND AGENDA**

The March 7th, 2019 board meeting was opened at the GMD 4 office in Colby, Kansas by President, Brent Rogers

Board members present for some or all of the meeting were:

Brent Rogers, Nate Emig, Roger Zwegardt, Jeff Deeds, Ted Nighswonger, Karen Flanagin, Lynn Goossen, Monty Biggs, and Brett Oelke.

Board members absent: Shane Mann

Others present for some or all of the meeting was: Ray Luhman, Shannon Kenyon, Jody McCain and Dan Simmering – GMD 4 staff; Adam Dees – GMD 4 attorney; Steven Walters– DWR; Armando Zarco – KWO; Erich Williams and Quinn Charling

### **2. CONSENT AGENDA**

Brent Rogers asked if there were any concerns over the consent agenda, consisting of the February 13<sup>th</sup>, 2019 minutes and February expenditures. Receipt of the February financial report was previously distributed showing monthly expenditures totaling \$42,333.71 in February were approved.

**Lynn Goossen moved the minutes for February and expenditures be accepted as presented. The motion was seconded by Ted Nighswonger and passed unanimously by voice vote (no “nay” votes).**

### **3. OPEN FORUM**

Nothing was presented.

### **4. MANAGER’S REPORT**

Ray Luhman reported that the due date to submit Water Use Reports (WUR) has expired and that it had run smoothly in our office despite the new changes requiring to file online or pay a fee. GMD 4 had approximately 90% of their WUR filed online.

An updated GMD 4 Board of Directors contact sheet was distributed to board members.

### **5. UNFINISHED BUSINESS:**

a. District LEMA

Tom & Justin Sloan were scheduled for an appeal but has been postponed until next month due to illness. Adam Dees discussed that he is working with the State on briefs due March 22. Traester will have time to respond with oral arguments still scheduled for May. He hopes to have an opinion from District Court 30 days later but could take up to 90 days. Once that decision has been made it can be appealed to the Court of Appeals. Several scenario outcomes were discussed.

b. KWA Representation

Greg Graff's position has expired and GMD 4 needs to coordinate with the other western GMD's on that position. Shane Mann had previously stated he was considering a KWA position. As he was absent from the meeting, Shannon Kenyon sent him a text message and he replied that he was "okay with" with a motion from the board nominating him for the KWA position.

**Lynn Goossen moved to nominate Shane Mann for the KWA position representing the three Western Kansas GMD's. The motion was seconded by Roger Zweygardt and passed unanimously by voice vote (no abstentions or "nay" votes).**

c. Voting Procedure

New language was distributed defining how GMD 4 will handle board position nominations at their annual meeting. The language would require anyone running for a board position to have their nominating petitions to GMD 4 seven days prior to the annual meeting and that no nominations will be allowed from the floor.

**Jeff Deeds moved to adopt the following resolution. The motion was seconded by Monty Biggs and passed unanimously by voice vote (no abstentions or "nay" votes).**

***GMD 4 Nominations***

*Whereas K.S.A. 82a-1027 states that all powers granted to a groundwater management district under the provisions of the Groundwater Management District Act will be exercised by an elected board of directors;*

*Whereas K.S.A. 82a-1027(n) grants the elected board of directors of the Groundwater Management District the authority to adopt administrative standards and policies related to the management of the district; and*

*Whereas it is in the best interest of GMD 4 to provide a procedure by nominations for those seeking election to the Board of Directors are made.*

*Be it resolved that the Northwest Kansas Groundwater Management District No. 4 (GMD 4) Board adopts the following as GMD 4 Board of Directors Nominations policy:*

- 1. Nominations.*** *The Board of Directors will solicit qualified nominees to be considered for election in advance of each annual meeting. Written statements of eligibility and intent to be nominated (the "Nomination"),*

*signed by the nominee and two GMD 4 eligible voters. The Nomination must be received in the district office no later than five p.m. seven days before the Annual Meeting. Nominations received after five p.m. seven days before the Annual Meeting will not be placed on the ballot.*

2. ***Certification of Nominees.** The Board of Directors, the Board's authorized agents, or the staff of the GMD 4, will examine the Nominations and determine if the nominees are qualified. If qualified, then the nominee's name will be placed on the ballot. If not qualified, then the nominee's name will not be placed on the ballot.*
3. ***No "Floor" Nominations.** Nominations will not be accepted "from the floor" on the day of the meeting.*

*This resolution will become effective March 7<sup>th</sup>, 2019, and will remain in effect until amended or rescinded.*

## **6. NEW BUSINESS**

### **a. FieldNet Advisor**

Erich Williams & Quinn Charling gave a presentation on FieldNet Advisor. It is cloud-based irrigation scheduling shown to save water. They answered several questions and provided contact information for anyone interested in the product.

## **7. Agency Reports**

Armando Zarco of KWO informed the board that the Upper Republican RAC meeting will be April 3<sup>rd</sup> @ 1:30 pm in the GMD 4 office. Brownie Wilson will be in attendance. The KWA will have a meeting in Abilene on April 18<sup>th</sup> and will also be in Goodland on July 30 & 31<sup>st</sup>. They are still waiting for an official director of the KWO and chairman of the KWA. Armando attended the GMD 1 Annual Meeting and stated that the election was being reviewed as proxy votes may have been counted. He also informed the board that the Southwest Kansas Irrigation Association adopted a resolution that included language suggesting that approval of WCA's and LEMA's should be stopped until rules are established.

Steven Walters of DWR stated that water use reporting was a success. He is finalizing the GMD 4 LEMA spreadsheet and will send that for it to be updated on the web. He expressed frustration with water users whose meters had not been functional all irrigation season and that DWR may take the stance of a warning the first year. A definite list of alternate metering needs to be developed between GMD 4 and DWR. Discussion was had on the recent McCrometer requirements and the process involved in having those meters serviced. He also reported that GMD 5 resubmitted their LEMA plan at the end of February.

## **8. OPEN SESSION-Public Questions/Comments:**

A question was asked about Scott Maurath's position replacement. An ad will run for several weeks in the Colby and Oakley newspapers. One person was approached but have not heard back.

Steven Walters informed the board that the Conservation Commission has a \$100,000 grant to WCA participants for water conservation.

The Northwest Kansas Groundwater Conservation Foundation CD's come due in March. A question was asked about which banks had the most favorable interest rates and it was reported we were looking at People's State Bank with an interest rate of 2.79%.

It was requested that a follow-up survey be conducted with last year's probe cost-share recipients and that staff needs to inquire with GMD 1 about their cost-share program.

There has been talk recently about water rights that have an additional landowner that does not use the water right and how to have them removed. A town hall discussion was had on March 5<sup>th</sup> with Senator Rick Billinger and Representative Adam Smith. Legislative action may be required to change the current protocol.

The board requested a postcard be sent between May 1<sup>st</sup> and June 1<sup>st</sup> reminding irrigators the meter monitoring requirements.

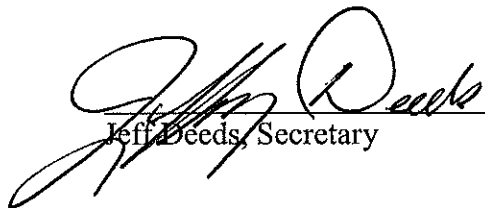
## **9. Scheduling Future Meetings:**

A board meeting was scheduled for April 4th at 9 am in Colby at the GMD 4 office.

## **10. ADJOURNMENT**

*With no other business and no objections, Monty Biggs moved to adjourn the meeting. The motion was seconded by Ted Nighswonger and passed unanimously by voice vote (no "nay" votes).*

Respectfully submitted:

  
\_\_\_\_\_  
Jeff Deeds, Secretary