

NORTHWEST KANSAS GROUNDWATER MANAGEMENT DISTRICT 4
December 16, 2020

1. OPEN MEETING, ATTENDANCE AND AGENDA

The December 16, 2020 board meeting was opened at the GMD4 office in Colby, Kansas by President Brett Oelke and via teleconference.

Board members present for some or all the meeting were:

Nate Emig, Karen Flanagan (virtually), Lynn Goossen, Dylan Loyd (virtually), Shane Mann, and Brett Oelke,

Board members absent: Monty Biggs, Jeff Deeds, Ted Nighswonger, Brent Rogers and Marsha Schilling.

Others present for some or all of the meeting were: Shannon Kenyon, Jody McCain, and Dan Simmering – GMD 4 staff; Adam Dees – GMD 4 attorney; Kelly Stewart and Rebecca Hageman – DWR (virtually); Keadron Pearson – KWO (virtually); Mark Rude – GMD 3 Executive Director (virtually); Erich Williams (virtually), and Kenny Sanderson.

2. CONSENT AGENDA

Brett Oelke asked if there were any concerns over the consent agenda, consisting of the November 18, 2020 minutes and the November expenditures. Receipt of the November financial reports were distributed showing monthly expenditures totaling \$32,040.47 were approved.

Shane Mann moved the minutes of the November 18, 2020 board meeting be accepted as presented. The motion was seconded by Nate Emig and passed unanimously by voice vote (no “nay” votes).

Nate Emig moved that the financial reports and expenditures for the month of November be accepted as presented. The motion was seconded by Shane Mann and passed unanimously by voice vote (no “nay” votes).

3. OPEN FORUM

Nothing was presented.

4. MANAGER’S REPORT

a. GMD 1 LEMA HEARING

On November 20th, GMD 1 had their second LEMA Hearing. It was conducted mostly virtually. Only a couple of people provided testimony. One concern that was presented was in regard to wanting LEMA amounts calculated like SD 6. There has been no response from the Chief Engineer.

b. SHERIDAN COUNTY ASSESSMENTS

Sheridan County failed to get the assessments on the tax roll until they noticed a few days after they sent them out. So, they had to send out a special tax statement. We had numerous phone calls from our Sheridan County producers. Shannon noted that Sheridan County requested a copy of the exclusion form and it was denied. If landowners wish to be excluded from the district they need to come into the office to fill out the form.

c. NRCS PROGRAMS AND WESTERN WATER QUANTITY

Matt Meyerhoff sent Shannon information on a NRCS Virtual Public Listening Session they are conducting. She will provide testimony at this virtual event, but is only allowed three minutes. She will make it short and sweet by emphasizing the need to tailor NRCS programs locally. She drew their attention to a copy of the oral testimony she will present and no one had any concerns.

5. FIELD REPORT

Dan is still working on installing seals and checking 2020 quantity pumped in the western portions of the district. We've also had a few producers DWR found without security seals who scheduled rate tests. Two out of the three rate tests did not test accurately.

6. UNFINISHED BUSINESS

a. GMD 4 LEMA

Shannon had no updates at this time.

b. ANNUAL MEETING

Adam and Shannon brainstormed how to conduct the annual meeting "safely". The meeting will be held at City Limits Convention Center. It will consist of a two room set-up. One where the annual meeting will be held and the other where voting will take place. Open voting will begin at noon with Dan checking eligible voter status and Jody monitoring the room for social distancing. There will be separate tables to fill out the ballots with a place to deposit ballots in the center. At 1:30 p.m. voting will stop and only those in line at 1:30 p.m. can vote. We will then conduct our regular annual meeting while the votes are counted. We will include this information in the required annual meeting public notice in all the area papers.

c. CERTIFIED IRRIGATOR

We did not receive the Hansen Grant. Shannon asked if the board wanted to fund this through district money, or through the Foundation, with financial assistance from GMD 1. The other question raised was should the board copyright the program. Board members requested it be deferred to the Foundation.

7. NEW BUSINESS

a. MARK RUDE – POINT OF CONCEPT

Mark has been developing a Point of Concept (POC) in water transfers. He recently moved water from the Missouri River to the Arkansas River via truck and wants to expand the concept. The board indicated that they have no interest at this time.

b. KENNY SANDERSON

Shane Mann moved to go into executive session for 15 minutes with the board of directors, the manager, Kelly Stewart, Kenny Sanderson and the board attorney to protect trade secrets. The motion was seconded by Lynn Goossen and passed unanimously by voice vote (no “nay” votes).

Lynn Goossen moved to go into executive session for an additional 15 minutes with the board of directors, the manager, Kelly Stewart, Kenny Sanderson and the board attorney to protect trade secrets. The motion was seconded by Shane Mann and passed unanimously by voice vote (no “nay” votes).

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No action taken.

b. PROJECT PERMIT BILL

Kenny Titus, KDA Attorney, sent all GMD managers proposed legislation to revise K.S.A. 82a-743. Shannon initially responded with a concern about LEMA quantities and the flexibility between irrigation and stockwater and he addressed that in an email. A few days later, Tim Boese with GMD 2 requested a conference call with all the GMD managers. They have a lot more concerns than Shannon does, but she thought most of it was legitimate. Tim crafted a letter with all the concerns from all the GMD managers into a letter sent to the Chief Engineer. Shannon signed the letter as it was expressed in the letter that the concerns were collectively among all managers and that we may not all agree on the concerns. The board of directors did not have any concerns and requested Shannon and Adam handle it.

8. AGENCY REPORTS

Kelly Stewart reported that the Stockton Field Office staff have been busy in the District, conducting approximately 600 compliance inspections. Kelly has been working with Shannon to collect documentation, and setting up rate tests for early spring. The goal of these checks was to find those that over pumped and get them into a MYFA before facing an over pump penalty. Kelly also reported that water use reports will be mailed out by December 31, 2020.

Keadron Pearson reported the Kansas Water Authority will meet on December 17, 2020 virtually. Meeting materials and link can be found on the Kansas Water Office website. A new director has not been appointed yet. There are four vacant positions on the Upper Republican Regional Advisory Committee.

9. OPEN SESSION – Public Questions/Comments:

Steve Duell had called to thank the GMD and Shannon for working with Mammoth Water and bringing TAPPH20 to district producers. He has found it to be a very beneficial tool for tracking water use and LEMA quantity.

10. SCHEDULING FUTURE MEETINGS:

The next board meeting is scheduled for Wednesday, January 6, 2021 at 9 a.m. CST at the GMD 4 office in Colby, with the 2021 Revised Budget Hearing scheduled to begin at 10:30 a.m. Teleconferencing will continue, the meeting details will be sent to board members and agencies, as well as posted on the website.

ADJOURNMENT

With no other business and no objections the meeting adjourned.

Respectfully submitted:



Shane Mann, Acting Secretary