

NORTHWEST KANSAS GROUNDWATER MANAGEMENT DISTRICT 4
January 10, 2024

1. OPEN MEETING, ATTENDANCE AND AGENDA

The January 10, 2024 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, Karen Flanagin, Lynn Goossen, Dylan Loyd (virtually) Shane Mann (virtually), Brett Oelke, Ted Nighswonger, and Marsha Shilling.

Board members absent: Nate Emig and Brent Rogers.

Others present for some or all of the meeting were: Eryn Freeman, Shannon Kenyon, Jody McCain, Colter Stoll – GMD 4 staff; and Jake Kling – GMD 4 attorney.

Changes to the agenda were noted:

Add 8. e. HB 2279 Reporting and 8. f. RAC Membership

2. CONSENT AGENDA

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

Ted Nighswonger moved the minutes of the December 14, 2023 board meeting be accepted as presented. The motion was seconded by Karen Flanagin and passed unanimously by voice vote (no “nay” votes).

Jeff Deeds moved that the financial reports and expenditures for the month of December be accepted as presented. The motion was seconded by Marsha Schilling and passed unanimously by voice vote (no “nay” votes).

3. OPEN FORUM

Shannon introduced our new part-time office assistant, Eryn Freeman. The board introduced themselves noting the county/board position they represent.

4. AGENCY REPORTS

Kelly Stewart and Keadron Pearson were not able to attend the meeting.

5. MANAGERS REPORT

a. December Updates

On December 19th Shannon attended a Kansas Groundwater Management Districts Association (KGMDA) meeting. This is a meeting of the five GMD managers and ex-officio agencies. It had been a year and a half since the last one and they are supposed to meet more regularly. The group discussed the grant opportunities, how to send a more positive picture of the GMDs to the public, Field Maps, the additional well rule and set future meeting dates.

Shannon and Jody conducted several interviews for the part-time office assistant. Eryn's first day was Wednesday of last week.

Water use reports have been mailed. The irrigation reports were mailed December 28th and all others on the 29th. The website opened January 1st to do online reporting. We have already helped several producers.

Shannon had her first monthly check in with Vijay Ramasamy and Connie Owen last Thursday. They discussed a couple of different items, including a one-stop shop site and wanting legislation passed to allow for a LEMA to act as a MYFA.

It was noted that Shannon will have her first conference call this afternoon with Chief Engineer, Earl Lewis, regarding LEMA language.

b. Future Opportunities

Colter and Shannon plan to attend the Cover Your Acres on January 16th. Shannon has a meeting with the DOC and NRCS folks on the RCPP grant on January 19th. Shannon will be in Topeka January 23rd with the KWO RAC committees doing legislative visits. The annual report is due January 25th so if it is to be presented in person, Shannon will stay in Topeka. If not, she will see what's on the KWA agenda for the 24th and may or may not stay.

Shannon, Colter, Lynn Goossen and Shane Mann will be going to Topeka February 5th through the 7th for the GMD Legislative Retreat. There will also be a KGMDA meeting as well.

Katie Patterson who was formerly with the Kansas Water Office is now with Source Agriculture. She will be at the office sometime on February 8th to discuss her product. Anyone is encouraged to attend and learn about what the product can do for crops and water savings.

The annual meeting will be February 21st at the Colby Event Center. Shannon will be sending directions to officers and Dylan, who graciously volunteered to do the elections, with the February packets.

The Ogallala Summit is March 18th and 19th in Liberal, Kansas. Shannon has not received an agenda for this but does plan to attend. It has been excellent collaboration in the past, but has not taken place since COVID. Lynn Goossen will also be attending this event.

Mitchell Baalman and his family will be attending the State of the State address. He will be recognized by Governor Kelly for his participation in the creation of the SD-6 LEMA.

6. FIELD REPORTS

Colter has checked 40 wells, with 19 being 5-5-11 yearly checks. The Cheyenne and Sherman county checks are complete. On Friday Colter worked in the office with producers entering Water Use Reports.

7. UNFINISHED BUSINESS

- a. GMD 4 LEMA
Nothing to report.
- b. SD-6
Nothing to report.
- c. Other LEMA Developments
Nothing to report.

8. NEW BUSINESS

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

Shannon Kenyon opened the budget hearing at 10:32 a.m. She reported there was no pre-filed testimony. Shannon provided her testimony and passed around the budget showing the 2024 final assessed, and the 2024 revised to include the 2023 carry-over. The budget hearing was closed at 10:33 a.m.

Following discussion, Jeff Deeds moved to adopt the following resolution:

WHEREAS the 2024 budget of \$440,286.00 approved originally on August 2, 2023 requires amending in order to incorporate the 2023 cash carryover funds; and

WHEREAS the district lawfully scheduled and conducted a public hearing to consider all testimony regarding the budgeting of carryover funds and other issues;

BE IT THEREFORE RESOLVED THAT the 2024 final operating budget shall be adopted as revised based on its presentation by GMD 4 staff during the

lawfully conducted public hearing. The final 2024 operating budget of \$777,579.00 shall be:

	2024 Revised	
110 POSTAGE		\$3,000.00
111 Newsletter		
112 General	\$3,000.00	
120 PRINTING		\$2,000.00
121 Newsletter		
122 Administrative	\$2,000.00	
130 DUES	\$600.00	\$600.00
140 SUBSCRIPTIONS	\$1,000.00	\$1,000.00
150 INSURANCE		\$18,500.00
151 Office	\$14,000.00	
152 Public Officials' Liability		
153 Auto		
154 Workmans' Comp.		
155 Inland Marine		
156 Unemployment	\$4,500.00	
160 TELEPHONE	\$6,500.00	\$6,500.00
170 SALARIES AND BENEFITS		\$300,048.00
171 Gross Sal, Kpers, SS, Etc.	\$300,000.00	
172 Health Insurance	\$48.00	
180 TRAVEL		\$20,000.00
181 Board	\$10,000.00	
182 Staff	\$10,000.00	
190 VEHICLES		\$17,165.00
191 Repairs/Maintenance	\$3,000.00	
192 Operation	\$14,000.00	
193 Tags	\$165.00	
194 Purchase/Lease		
200 CONTRACTED SERVICES		\$48,000.00
201 Accounting	\$8,000.00	
202 Legal	\$15,000.00	
203 Misc. Support	\$10,000.00	
204 Legislative Support	\$15,000.00	
205 Drilling		
206 Weather Modification		
210 PUBLICATIONS		\$1,200.00
211 Legal Notices	\$1,200.00	
220 COOP PROGRAMS		\$25,000.00
221 Administrative	\$10,000.00	
222 Equipment	\$5,000.00	
223 Contracted Studies		
224 Education Program	\$10,000.00	

230 ADMINISTRATIVE		\$19,500.00
231 Office Supplies	\$7,000.00	
232 Copy Machine	\$2,500.00	
233 Computer Maint	\$6,000.00	
234 Postage Meter Lease	\$0.00	
235 Bank Charges		
236 Field Supplies	\$4,000.00	
240 NEW EQUIPMENT		\$22,000.00
241 Field	\$12,000.00	
242 Office	\$10,000.00	
250 CONTINGENCY RESERVE	\$268,066.00	\$268,066.00
260 FACILITY		\$25,000.00
261 Rent		
262 Maintenance	\$16,000.00	
263 Remodel/Purchase		
264 Building Utilities	\$9,000.00	
REIMBURSED EXPENSES		
300 FOUNDATION		\$0.00
305 Foundation Subscriptions		
325 Foundation Telephone		
345 Foundation Accounting		
350 Foundation Legal		
370 Foundation Tech Support		
	\$777,579.00	\$777,579.00

2024	
Assessed for	440,286
2023	
Carryover	337,293
2024 Budget	
Cap	777,579

Jerry Binning seconded the motion which passed unanimously by voice vote (no "nay" votes).

b. GAAP RESOLUTION

Ted Nighswonger moved to adopt the following resolution:

WHEREAS the Board of Directors of Northwest Kansas Groundwater Management District No. 4, Colby, Kansas, has determined that the financial statements and financial reports for the year ended 2023 to be prepared in conformity with the requirements of K.S.A. 75-1120a(a) are not relevant to the requirements of the cash basis and budget laws of

this state and are of no significant value to the Board of Directors or the members of the general public of the Northwest Kansas Groundwater Management District No. 4 and

WHEREAS there are no revenue bond ordinances or resolutions or other ordinances or resolutions of the municipality which require financial statements and financial reports to be prepared in conformity with K.S.A. 75-1120a(a) for the year ended 2023.

NOW THEREFORE BE IT RESOLVED, by the Board of Directors of Northwest Kansas Groundwater Management District No. 4, Colby, Kansas, in regular meeting duly assembled this 10th day of January, 2024 that the Board of Directors waives the requirements of K.S.A. 75-1120a(a) as they apply to the Northwest Kansas Groundwater Management District No. 4, for the year ended 2023.

BE IT FURTHER RESOLVED that the Board of Directors shall cause the financial statements and financial reports of the Northwest Kansas Groundwater Management District No. 4 to be prepared on the basis of cash receipts and disbursements as adjusted to show compliance with the cash basis and budget laws of this State.

The motion was seconded by Lynn Goossen and passed unanimously by voice vote (no “nay” votes).

c. Proposed DWR Rules and Regulations

DWR is proposing rules and regulations for 5-5-17 Application to change points of diversion of groundwater rights. Shannon felt this is to prevent other areas of the state from chasing water. She does not see this as a problem, yet, in our area. We have spacing rules that address many of the issues. Shannon’s reluctant to support this in DWR rules and regulations as it’s not a state-wide problem.

The second set of rules and regulations they are proposing is 5-18-1 Water Conservation Area Management Plans. Shannon does have concerns with several things in the language, but feels the overall implementation of these regulations is necessary. Discussion ensued.

d. 2025 Proposed Operating Budget

Shannon disbursed a draft copy of the 2025 proposed operating budget. It will be the one that is put into the annual meeting packet to be voted upon. This is not a “set in stone” budget as we will have a budget hearing in August to do that. This is just the one to be voted on at the Annual Meeting. It was determined that the wrong worksheet had been printed, so Shannon will email the correct copy to board members.

e. HB 2279 Reporting

Shannon informed the board that there has been zero guidance on the report format for HB 2279 to the legislature. She had made up her own report, and wanted the board's opinion on what else should be included, or changes that needed to be made. They felt it was important to include the cooperation with other agencies.

Karen Flanagan moved to approve the HB 2279 report with suggested changes made to be submitted to the legislature. The motion was seconded by Jerry Binning and passed unanimously by voice vote (no "nay" votes).

f. RAC Membership

Lynn Goossen asked that this item be added to the agenda. Currently there are three vacant positions on the Upper Republican RAC. He would like to see representation from the Cheyenne County area. There were a couple of names suggested.

9. OPEN SESSION – Public Questions/Comments:

It was suggested that if possible we have Q-stable numbers for GMD 4 available at the annual meeting. Shannon noted that she had planned on talking about current activities, legislative update, and water levels.

Jody noted that nominating petitions were available for the board members up for re-election (Jerry Binning, Jeff Deeds, Karen Flanagan, and Brent Rogers). She also noted that members needed to update their voter eligibility paperwork.

10. SCHEDULING FUTURE MEETINGS:

The next board meeting is scheduled for February 21, 2024 at 9 a.m. C.S.T. at the Colby Event Center, Colby, Kansas. The Annual Meeting is scheduled for 1:30 p.m. C.S.T. also at Colby Event Center.

ADJOURNMENT

With no other business and no objections the meeting adjourned.

Respectfully submitted:



Jeff Deeds, Secretary

