

NORTHWEST KANSAS GROUNDWATER MANAGEMENT DISTRICT 4
December 1, 2021

1. OPEN MEETING, ATTENDANCE AND AGENDA

The December 1, 2021 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:

Jerry Binning, Jeff Deeds, Nate Emig, Karen Flanagin, Lynn Goossen, Dylan Loyd, Shane Mann, Ted Nighswonger, Brett Oelke, Brent Rogers and Marsha Schilling

Board members absent: None

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)

Changes to the agenda were noted:

None

2. CONSENT AGENDA

Brent Rogers moved that the consent agenda be accepted as presented. The motion was seconded by Lynn Goossen and passed unanimously by voice vote (no “nay” votes).

Adam Dees noted that he was not in the last two executive sessions for the Staff Mid-term Reviews of the October meeting.

Lynn Goossen moved the corrected minutes of the October 20, 2021 board meeting be accepted as amended. The motion was seconded by Dylan Loyd and passed unanimously by voice vote (no “nay” votes).

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

3. OPEN FORUM

Karen Flanagin asked for clarification on a change in place of use on the 4th quarter recommendation report. Dylan Loyd asked for clarification on the decline to recommend for a term permit, also on the 4th quarter recommendation report.

4. AGENCY REPORTS

Kelly Stewart and Rebecca Hageman attended the meeting virtually, again due to COVID State guidelines. Kelly reported that his field team has been taking advantage of the nice weather and has been out working on a list of water rights that have not been checked within the last 10

years. They have found some missing seals, as well as some non-compliant meters due to newer spacing requirements, but nothing major to report.

Kelly Stewart also reported that Earl Lewis notified everyone that the LEMA regulations were approved and became effective November 30, 2021.

Kelly also wanted to report that he has been working with McCarty Dairy on the expansion of their operations, and looking at options that may include a term permit or stockwater conversion. He may have one area of concern with a neighboring well. He has asked Shannon to run scenarios using the new model.

Keadron Pearson of the KWO reported the full draft version of the State Water Plan was made available for comment, and they needed more time to go over the comments that have come in. The Water Authority was meeting virtually at the same time as our board meeting.

5. MANAGER'S REPORT

a. OCTOBER AND NOVEMBER UPDATES

The remainder of the month of October was quiet in the office.

On November 8th Shannon went to NWKTC to sit on the Precision Ag Advisory Board. The program is down in numbers but not alarming due to COVID. They are potentially adding a course titled Outside Work Experience and she told them we would be interested in hosting a student if added. Weston notified Shannon a week later and informed her that they received a \$500,000 grant from USDA, which they will use to create "Bootcamps" to educate state agencies on the technologies and management techniques taught at the college. Shannon has been assisting him with reaching out to those agencies and it has been very well received.

The Governor's Conference was held virtually this year on November 17th and 18th. Shannon did note in a break out session given by Nathan Hendricks's team that the survey was not well accepted in GMD 4, and it did not take into account the various crops planted.

On November 22nd Shannon presented to the Kansas Association of Conservation Districts on what a GMD is and about the Certified Irrigator program.

b. DECEMBER OPPORTUNITIES

Shannon noted that her and Jody will be working on closing the 2021 books and preparing for the annual meeting.

6. FIELD REPORT

Dan reported that he spent a day in Sheridan County at a producer's feedlot, to do a rate test in the pit. It did not test in compliance.

He spent two days investigating and completing paperwork on a tail water complaint. Dan sent a letter to both parties involved, with no order being issued because it was not active at the time of his investigation. Discussion ensued on how tail water complaints are handled.

He shared an example of a 5-5-11 report as well as the Memo of Understanding with DWR.

7. UNFINISHED BUSINESS

a. GMD 4 LEMA

The board discussed 7 different topics related to the LEMA.

Karen Flanagin moved to renew the current GMD4 LEMA, keeping the townships the same colors and amounts, with no carry over. Keep the goal the same over another 5 year period (2023-2027), as well as the decline rates using the 2004-2015 data as the baseline. To include municipal and stockwater only on the purchase of a LEMA regulated water right. The motion was seconded by Brent Rogers and passed unanimously by voice vote (no "nay" votes).

b. SD-6

Feedback from DWR, included adding MYFA language to the SD-6 LEMA, because it was not in created before the SD-6 LEMA was put into place.

Brent Rogers moved to include MYFA language as a tool for producers that may need it in the SD-6 LEMA. The motion was seconded by Ted Nighswonger and passed unanimously by voice vote (no "nay" votes).

8. NEW BUSINESS

a. ANNUAL MEETING

The 47th Annual Meeting will be in Hoxie at the Elks Lodge on February 9, 2022 at 1:30 p.m. Brett Oelke will present the renewed LEMAs. Dylan Loyd agreed to do the election with Brent Rogers as an alternate.

b. EXECUTIVE SESSION – Staff Contracts

Dylan Loyd moved to go into executive session for 10 minutes with the board of directors, attorney Adam Dees, and staff as needed for performance reviews. The motion was seconded by Lynn Goossen and passed unanimously by voice vote (no "nay" votes).

Brent Rogers moved to go into executive session for an additional 10 minutes with the board of directors, Adam Dees, and staff as needed. The motion was seconded by Dylan Loyd and passed unanimously by voice vote (no "nay" votes).

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9. OPEN SESSION – Public Questions/Comments:

Adam Dees informed the board that he will continue as attorney through the approval of the next LEMAs, but after that he will no longer represent the board. He is actively searching for a replacement.

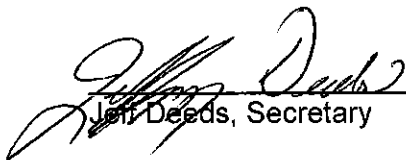
10. SCHEDULING FUTURE MEETINGS:

The next board meeting is scheduled for Wednesday, January 5, 2022 at 9 a.m. CST at the GMD 4 office in Colby, with the 2022 Revised Budget Hearing scheduled to begin at 10:30 a.m., with an alternate date of January 12, 2022 if a quorum is not possible.

ADJOURNMENT

With no other business and no objections the meeting adjourned.

Respectfully submitted:



Jeff Deeds, Secretary