

**NORTHWEST KANSAS GROUNDWATER MANAGEMENT DISTRICT 4**  
**July 13, 2022**

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

The July 13, 2022 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, Nate Emig, Lynn Goossen, Shane Mann, Ted Nighswonger, Brett Oelke, and Marsha Shilling.

Board members absent: Jeff Deeds, Karen Flanagan, Dylan Loyd, and Brent Rogers.

Others present for some or all of the meeting were: Shannon Kenyon, Jody McCain and Colter Stoll – GMD 4 staff; Adam Dees – GMD 4 attorney; Kelly Stewart and Rebecca Hageman – DWR, Jack Polifka and Thatcher Jones – NWKTC, Ray Luhman, John Anderson and Shirley Anderson.

**Nate Emig moved to appoint Shane Mann as acting secretary in Jeff Deeds absence. The motion was seconded by Lynn Goossen and passed unanimously by voice vote (no “nay” votes).**

Changes to the agenda were noted:

Add 8. d. Water Right Issues

**2. CONSENT AGENDA**

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

**Lynn Goossen moved the minutes of the June 1, 2022 board meeting be accepted as presented. The motion was seconded by Jerry Benning and passed unanimously by voice vote (no “nay” votes).**

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

**3. OPEN FORUM**

Shannon stated we had received a thank you note from Debbie Potter for the use of office space during COVID. She also noted that Debbie had brought in plants that are out front by the entry.

**4. AGENCY REPORTS**

Kelly Stewart had a short report. He gave a comparison on statewide over pumping. In 2018, there were 274 penalty orders issued. Out of those, 220 had settlement conferences which led

to reduced pumping and penalty fees. In 2021, there were 112 penalty orders statewide with the possibility of more, pending investigations. So far 25 settlement conferences have taken place.

Rebecca Hageman reported that she is seeing several repair/replacement forms. And she feels that producers are more aware of looking at their meters more often, instead of just at start up and shut down.

## **5. MANAGER'S REPORT**

Shannon attended the Groundwater Management Districts Association meeting at Copper Mountain Resort in Colorado. Most of the discussion was on surface water. McCrometer was there and they discussed a few things the company is launching. One of those is a Bluetooth or cellular enabled water level probe that was fairly inexpensive. If interested, Ken Quandt thought we could get a grant for part of it at a discount and he'd help write it. He has done so for Nebraska folks.

The LEMA hearings will be on July 26th (SD 6) and July 27th (GMD 4). Shannon participated in a Pre-Hearing Conference Call on Monday, July 11th at 10 am. On Tuesday, July 12th she attended a Kansas Farm Bureau water policy meeting in Hoxie.

October 12th and 13<sup>th</sup> there will be an NRCS two-day education on water in Colby. NRCS has had quite a bit of turnover and there are many new employees in western Kansas. It will be a two-day event where Shannon will be presenting on water rights as well as programs available to assist with flexibility and LEMAs. There will also be a field event for participants to see irrigation technology.

## **6. FIELD REPORT**

Colter reported that he has been concentrating on SD-6, with producers running pivots. These checks are more time consuming, as he is doing a 5 minute time test, then checking to see if it is on the "10 year" list. Colter noted the amount of beans planted in SD-6 versus the rest of the district. He completed 50 compliance checks and 10 rate tests. When in the office, Colter has also been fielding allocation/LEMA balance questions.

## **7. UNFINISHED BUSINESS**

### **a. GMD 4 LEMA**

The hearing for the 2023-2027 GMD 4 LEMA has been set for July 27, 2022 starting at 10 a.m. at City Limits Convention Center, and have been published in the Colby Free Press and the Goodland Star News.

David Barfield is working with Shannon to prepare the written testimony.

Ray Luhman proposed an idea to the board to force everyone in the GMD 4 LEMA into a MYFA. If so, he would provide testimony at the hearing. The board didn't think they wanted it mandated at this time, but leave it open as an option for producers.

**b. SD-6**

The hearing for the next LEMA has been set for July 26, 2022 starting at 1:30 p.m. at the Courthouse in Hoxie, and has been published in the Sheridan Sentinel and the Colby Free Press.

**8. NEW BUSINESS**

**a. 2023 BUDGET**

Last year it was noted that the board would like to have more information/input on the budget figures. Shannon went through the budget handout line item by line item, and a few changes were made.

**b. Executive Session – John Anderson**

**Shane Mann moved to go into executive session at 9:23 a.m. for 15 minutes with the board of directors, Adam Dees, John and Shirley Anderson to protect trade secrets. The motion was seconded by Marsha Schilling and passed unanimously by voice vote (no “nay” votes).**

**Marsha Schilling moved to go into executive session for an additional 15 minutes at 9: 38 a.m. with the board of directors, Adam Dees, John and Shirley Anderson to protect trade secrets. The motion was seconded by Shane Mann and passed unanimously by voice vote (no “nay” votes).**

The meeting was recessed at 11:20 a.m. in order to open the Northwest Kansas Conservation Foundation meeting.

Shane Mann left at Noon.

Jerry Benning left at 12:10 p.m.

The meeting reconvened at 12:15 p.m.

**c. Executive Session - Staffing**

No action was taken, due to lack of quorum.

**d. Water Right Issues**

Shannon discussed a couple of scenarios with the board involving potential spacing waiver requests and moving water. No action was taken.

**9. OPEN SESSION – Public Questions/Comments:**

There was nothing.

**10. SCHEDULING FUTURE MEETINGS:**

The next board meeting is scheduled for Wednesday, August 3, 2022 at 9 a.m. CDT at the GMD 4 office in Colby if needed. The 2023 Budget Hearing is scheduled for 10:30 a.m.

**ADJOURNMENT**

**With no other business and no objections the meeting adjourned.**

Respectfully submitted:

  
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Shane Mann, acting Secretary