

**NORTHWEST KANSAS GROUNDWATER MANAGEMENT DISTRICT 4**  
**January 4, 2023**

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

The January 4, 2023 board meeting was opened at the GMD 4 office in Colby, Kansas by Vice President, Nate Emig.

Board members present for some or all the meeting were:

Jerry Binning, Jeff Deeds, Nate Emig, Karen Flanagin, Lynn Goossen, Shane Mann, , Ted Nighswonger, Brent Rogers, and Marsha Shilling.

Board members absent: Dylan Loyd and Brett Oelke.

Others present for some or all of the meeting were: Shannon Kenyon, Jody McCain and Colter Stoll – GMD 4 staff; Jake Kling – GMD 4 attorney; Rebecca Hageman – DWR; and Keadron Pearson – KWO (virtual).

Changes to the agenda were noted:

Add **8. e. Smoky Gardens** and **8. f. Kaminski Email**.

**2. CONSENT AGENDA**

**Ted Nighswonger 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.)**

**Brent Rogers moved the minutes of the December 15, 2022 board meeting be accepted as presented. The motion was seconded by Shane Mann and passed unanimously by voice vote (no “nay” votes).**

Shannon distributed the updated financial report for the month of December.

**Ted Nighswonger moved that the updated 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**

Karen Flanagin asked Jeff Deeds to remind everyone how to get to Sugar Hills Golf Club, as the next meeting will take place there as well as the annual meeting. Jeff noted it was 4 miles west of Goodland on Highway 24.

**4. AGENCY REPORTS**

Rebecca Hageman wanted to remind everyone that producers inside of the LEMA are not eligible for a MYFA for the 2022 year, as that deadline was December 31, 2022. Water use reports were mailed out in envelopes, so producers need to watch for those. She wanted to remind everyone that it is no longer in the large postcard format. DWR is working on the letter to

go out to producers with their information for the 2023 – 2027 GMD 4 LEMA. They are hoping to send it out after January 21<sup>st</sup>. Rebecca also stated that the Stockton Field Office is starting their well measurements in the GMD 4 area.

Keadron Pearson reported that the next Kansas Water Authority meeting will take place in Topeka on January 25<sup>th</sup>. Members of the RACs and Water Authority will be meeting with legislators on January 24<sup>th</sup>. Keadron took the opportunity to invite board members to the W.I.S.E. (Water Innovation Systems & Education) event scheduled for March 23, 2023 in Dodge City and Montezuma. This event will take the place of the Water Expo.

## **5. MANAGERS REPORT**

### **a. December Updates**

There has been several articles circulating about the Kansas Water Authority meeting. It definitely has caused some stir going into this legislative session.

Several questions were asked and Lynn Goossen provided the answers. After the annual well measurements, the board would like to see Q-Stable graphs for each township.

### **b. Future Opportunities**

Shannon noted that she may be spending more time in Topeka again this year. Colter will be going with her January 23<sup>rd</sup>-26<sup>th</sup>. The second date is Feb 6<sup>th</sup>-8<sup>th</sup>. Jake Kling noted that as an intern when he was in law school, legislators tend to take more notice when stakeholders/interested parties want to speak with them versus lobbyists. Shannon also noted that staff may be limited in her absence, while Colter will also be getting in the field to gather 5-5-11 readings. We are asking producers to schedule an appointment, as well as have their Water Use Report forms filled out when they come in for help reporting.

Shannon noted that the GMD 1 second hearing date is scheduled for February 2, 2023. Kate would like to have members of the GMD 4 board present or submit testimony supporting the LEMA.

## **6. FIELD REPORTS**

Without gWorks, Colter is reorganizing to develop maps for checking 5-5-11 readings. Those checks will take most of January to complete.

## **7. UNFINISHED BUSINESS**

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

As Rebecca stated, letters will be going out later this month with producer's pertinent information for the 2023-2027 GMD 4 LEMA. The website to check LEMA balances should be changing soon with the updated information.

### **b. SD-6**

The updated postcards will be mailed out by the end of January.

### **c. Other LEMA Developments**

Nate did not have an update at this time for the Sherman County area. He would like to wait until after Water Use Reports are done. He would like to see if that information backs up the Q-stable data.

**d. Annual Meeting**

Shannon wanted to remind everyone that the 48<sup>th</sup> Annual Meeting is scheduled for Wednesday, February 15, 2023 at Sugar Hill Golf Club in Goodland. It will start at 1:30 p.m. MST. We will not have a guest speaker, instead there will be a LEMA update discussion. Brent noted that he will not be in attendance that day due to a scheduling conflict, and will not be able to conduct elections. Marsha Schilling inquired as to what is involved as the Election Officer.

**Brent Rogers moved to have Marsha Schilling conduct the election process. The motion was seconded by Shane Mann and passed unanimously by voice vote (no “nay” votes).**

**8. NEW BUSINESS**

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

**Lynn Goossen moved to open the budget hearing at 10:30 am. The motion was seconded by Jerry Benning and passed unanimously by voice vote (no “nay” votes).**

Shannon Kenyon reported there was no pre-filed testimony. Shannon provided her testimony and passed around the budget showing the 2022 expenses, the 2023 final assessed, and the 2023 revised to include the 2022 carry-over.

**Lynn Goossen moved to close the budget hearing at 10:35 am. The motion was seconded by Brent Rogers and passed unanimously by voice vote (no “nay” votes).**

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

***WHEREAS the 2023 budget of \$417,339.00 approved originally on August 3, 2022 requires amending in order to incorporate the 2022 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 2023 final operating budget shall be adopted as revised based on its presentation by GMD 4 staff during the lawfully conducted public hearing. The final 2023 operating budget of \$648,273.00 shall be:***

2022 Expended	Line Items	2023 Final Assessed		2023 Revised	
	<b>110 POSTAGE</b>		\$4,000.00		\$4,100.00
2053	111 Newsletter	\$2,000.00		\$2,100.00	
890	112 General	\$2,000.00		\$2,000.00	
	<b>120 PRINTING</b>		\$4,000.00		\$4,000.00
2980	121 Newsletter	\$3,000.00		\$3,000.00	
175	122 Administrative	\$1,000.00		\$1,000.00	
1100	<b>130 DUES</b>	\$600.00	\$600.00	\$1,100.00	\$1,100.00
791	<b>140 SUBSCRIPTIONS</b>	\$2,000.00	\$2,000.00	\$2,000.00	\$2,000.00
	<b>150 INSURANCE</b>		\$11,400.00		\$11,400.00

11058	151 Office	\$11,000.00		\$11,000.00	
	152 Public Officials' Liability				
	153 Auto				
	154 Workmans' Comp.				
	155 Inland Marine				
92.53	156 Unemployment	\$400.00		\$400.00	
4915	<b>160 TELEPHONE</b>	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00
	<b>170 SALARIES AND BENEFITS</b>		\$230,024.00		\$230,024.00
210601	171 Gross Sal, Kpers, SS, Etc.	\$230,000.00		\$230,000.00	
	172 Health Insurance	\$24.00		\$24.00	
	<b>180 TRAVEL</b>		\$16,000.00		\$16,000.00
9544	181 Board	\$10,000.00		\$10,000.00	
5870	182 Staff	\$6,000.00		\$6,000.00	
	<b>190 VEHICLES</b>		\$10,165.00		\$10,165.00
	191 Repairs/Maintenance	\$3,000.00		\$3,000.00	
4383	192 Operation	\$7,000.00		\$7,000.00	
157	193 Tags	\$165.00		\$165.00	
	194 Purchase/Lease				
	<b>200 CONTRACTED SERVICES</b>		\$51,800.00		\$51,800.00
6773	201 Accounting	\$6,800.00		\$6,800.00	
12800	202 Legal	\$20,000.00		\$20,000.00	
7710	203 Misc. Support	\$10,000.00		\$10,000.00	
12405	204 Legislative Support	\$15,000.00		\$15,000.00	
	205 Drilling				
	206 Weather Modification				
	<b>210 PUBLICATIONS</b>		\$700.00		\$700.00
651	211 Legal Notices	\$700.00		\$700.00	
	<b>220 COOP PROGRAMS</b>		\$2,000.00		\$2,000.00
	221 Administrative				
	222 Equipment				
	223 Contracted Studies				
1210	224 Education Program	\$2,000.00		\$2,000.00	
	<b>230 ADMINISTRATIVE</b>		\$9,150.00		\$9,850.00
3738	231 Office Supplies	\$4,000.00		\$4,000.00	
2028	232 Copy Machine	\$1,500.00		\$2,100.00	
1591	233 Computer Maint	\$1,500.00		\$1,600.00	
554	234 Postage Meter Lease	\$650.00		\$650.00	
46	235 Bank Charges				
711	236 Field Supplies	\$1,500.00		\$1,500.00	
	<b>240 NEW EQUIPMENT</b>		\$17,000.00		\$20,000.00
12987	241 Field	\$10,000.00		\$13,000.00	
2193	242 Office	\$7,000.00		\$7,000.00	
180000	<b>250 CONTINGENCY RESERVE</b>		\$0.00	\$257,134.00	\$257,134.00
	<b>260 FACILITY</b>		\$23,000.00		\$23,000.00
	261 Rent				
10470	262 Maintenance	\$16,000.00		\$16,000.00	
	263 Remodel/Purchase				
6999	264 Building Utilities	\$7,000.00		\$7,000.00	
	<b>REIMBURSED EXPENSES</b>				
	<b>300 FOUNDATION</b>	\$52,270.00	\$52,270.00		\$0.00
	305 Foundation Subscriptions				
	325 Foundation Telephone				
	345 Foundation Accounting				
	350 Foundation Legal				

370 Foundation Tech Support

517475.53

\$439,109.00	\$439,109.00	\$648,273.00	\$648,273.00
wtr_rt =	847,607		
land =	2,865,890	2023 Assessed for	439109
		2022 Carryover	257134
wtr (.0349)	295,815	2023 Budget Cap	648273
land (.05) =	143,295		
	439,109.50		
surplus	\$0.00		

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

**b. GAAP RESOLUTION**

Brent Rogers 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 2022 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 2022.***

***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 4<sup>th</sup> day of January, 2023 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 2022.***

***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 Shane Mann and passed unanimously by voice vote (no abstentions or “nay” votes).

**c. Water Use Reports**

As stated earlier in the meeting the Water Use Reports have been mailed out. The deadline is March 1<sup>st</sup> for reporting.

**d. 2023 Legislative Session**

The key dates for visiting with Legislators was again reiterated by Shannon Kenyon. January 24-25. Travel days will be January 23<sup>rd</sup> & January 26<sup>th</sup>. Both Shannon and Colter will attend. Shannon encouraged board members to be in attendance February 6-8, to meet with Legislators. Those interested need to contact Jody to get reservations secured.

**e. Smoky Gardens**

Shannon brought an issue to the board's attention regarding a term permit for KDWP for Smoky Gardens in Sherman County. The County Commissioners are involved and an MOU that was signed when it was developed. A second term permit has been applied for. Shannon recommended approval with the stipulation that this is the last term permit for the Smokey Gardens project as the first term permit was supposed to be the only one issued. The commissioners have an issue with the quit claim deed. Shannon felt that the commissioners may need some education on water rights. There will be a Sherman County Commissioners meeting on January 17<sup>th</sup> where KDWP and DWR people will be in attendance. Nate and Jeff will look into attending the meeting, to help educate on water rights, the LEMA, and consumptive use.

**f. Kaminiski E-mail**

Shannon had received an email from Danielle Kaminski requesting a letter of support for her proposal to be submitted for an NSF Grant. Shannon distributed a copy of the letter. The board felt that due to past precedent with surveys in the district that they would decline to provide a letter of support.

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

It was suggested that any and all meetings pertinent to the board be listed in the agenda under item 10, with a name change of "Future Meeting Dates."

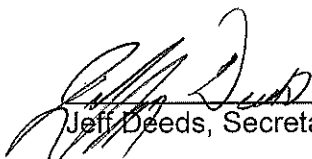
**10. SCHEDULING FUTURE MEETINGS:**

The next board meeting is scheduled for February 15, 2023 at 9 a.m. M.S.T. at the Sugar Hills Golf Club, Goodland, Kansas. The Annual Meeting is scheduled for 1:30 p.m. M.S.T. also at Sugar Hills.

**ADJOURNMENT**

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

Respectfully submitted:

  
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Jeff Deeds, Secretary