

NORTHWEST KANSAS GROUNDWATER MANAGEMENT DISTRICT 4
April 2, 2025

1. OPEN MEETING, ATTENDANCE AND AGENDA

The April 2, 2025 board meeting was opened at the GMD 4 Office, Colby, Kansas by President, Brett Oelke.

Board members present for some, or all the meeting were:

Jerry Binning, Carl Davis, Nate Emig, Karen Flanagan, Lynn Goossen, Shane Mann, Ted Nighswonger, Brett Oelke, and Marsha Shilling.

Board members absent were: Jeff Deeds, 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; and Jake Kling – GMD 4 attorney; Rebecca Hageman and Kelly Stewart – DWR; Keadron Pearson – KWO (virtual); and Lee Wheeler & Dan Spare.

Shane Mann moved to appoint himself as acting secretary in Jeff Deeds' absence. The motion was seconded by Marsha Schilling and passed unanimously by voice vote (no "nay" votes).

2. CONSENT AGENDA

Carl Davis moved that the consent agenda be accepted as presented. The motion was seconded by Jerry Binning and passed unanimously by voice vote (no "nay" votes.)

Marsha Schilling moved that the minutes of February 26, 2025, board meeting be accepted as presented. The motion was seconded by Shane Mann and passed unanimously by voice vote (no "nay" votes).

Shannon distributed copies of the updated financial statements.

Jerry Benning moved that the financial reports and expenditures for the months of February and March be accepted as presented. The motion was seconded by Karen Flanagan and passed unanimously by voice vote (no "nay" votes).

3. OPEN FORUM

Shannon informed the board that Brent Roger's father has been diagnosed with Leukemia, so he is with him at this time.

Jody distributed an updated contact list for staff and board members.

4. AGENCY REPORTS

Kelly Stewart reported that the Water Use Reporting season is officially over, with approximately 94% of reports done on-line. If producers have not filed their report, their report is now late and is subject to a reduced civil penalty of \$250 per file number. They must pay this on or before June 1, 2025, to avoid the maximum penalty of \$1,000 per water right. Producers may complete the required report online to avoid the \$20 per water right paper fee. DWR is in the process of reviewing reported use and sending the Field Offices a list of the water rights that need to be double checked. Once they have been checked for reporting errors, meter malfunctions/repairs, etc., the over pump list will be generated.

Kelly inquired with the board on how to handle those that reported their meter malfunctioned all year. The LEMA says they are required to check their meters every two weeks while in operation and must provide back-up records. It can be assumed they pumped their entire certified quantity if they do not. Shannon will send out a reminder in the next e-newsletter reminding everyone that it will be enforced.

Rebecca Hageman wanted to remind the board to spread the word that the battery powered meter batteries do have an expiration date. Producers need to know when that date is. Stockton Field Office will be sending out letters to producers regarding this information. She wanted to note that there are some meters that once the battery is dead, the memory cannot be accessed, so the last meter reading is lost.

Keadron Pearson reported that the next Water Authority meeting is scheduled for April 16, 2025 at Deerfield.

5. MANAGER'S REPORT

a. March Update

Now that Water Use Reports are done, traffic has slowed down and regular duties have resumed. Shannon has been working on playing catch-up, future LEMA numbers, SD 6 yearly numbers, ITI/RCPP roll out, redrill language, and anything else that has come along.

On March 18th we had Lee Wheeler 102. About 30 people attended the morning and afternoon sessions. Several recordings were made. The GMDs are trying to put together Irrigation Specialist training materials from these recordings.

b. Future Opportunities

As producers are returning to the field, we will continue to prepare for the irrigation season and assist with planning.

Our neighbor to the south has been driving over our sidewalk to get into their garage. Shannon asked the board for any suggestions, as she has concerns that eventually the sidewalk corner is going to crumble. It was suggested that a letter be sent to the homeowner regarding the problem. Jake will assist with the letter.

6. FIELD REPORTS

Since the last meeting, Colter has worked on more change applications and checked some SD-6 meter readings. Colter reported that Austin Keim came in over Spring Break. He checked 31 wells. Colter and Austin both attended Lee Wheeler 102 day. Colter is in the process of booking at least 4 rate tests at this time.

7. UNFINISHED BUSINESS

a. GMD 4 LEMA

Shannon distributed the proposed LEMA map with a 15% reduction the board requested at the last meeting. Board would like to see that taken to the public for their input. It was also noted that 8-30 Section 19-36 are not in the SD 6 LEMA but would be at 11.2" with the 15% proposed. Reach out to those producers and see if they would like to be absorbed into the SD 6 LEMA to gain flexibility with it.

b. SD-6

After Brownie's presentation at the Annual Meeting, Shannon has not gotten much feedback on if the next SD 6 LEMA should reduce a little or stay the same. Board thought we should propose 10" with multi-year flexibility and get public feedback.

c. Other LEMA Developments

Nothing to report.

d. GMD 4 Regulation Change

There has been a significant increase in producers inquiring about the additional well rule. With the moratorium on 300' changes in points of diversion it was discussed on how to handle these. At this time, the additional well rule applies in that any additional wells would need to be within 300' of the existing. A few ideas on potential language were discussed. Kelly Stewart will take those ideas back to DWR for their input.

Changes in place of use have also been increasing in that some producers want to overlap in place of use to get LEMA flexibilities. In some cases, those wells are not being physically tied together, just on paper. It was agreed that the changes in place of use to overlap must be physically tied together.

e. RCPP

Shannon sent Jake several correspondence with the DOC and other GMDs on proposed language for the contract. Jake worked to incorporate the language with GMD 4 requirements into the proposed contract. Shannon distributed a copy to the board. Shannon noted that on page 2, line 3 "attached lists should include the landowner/operator name," should be removed.

Lynn Goossen moved to approve the contract as amended. The motion was seconded by Carl Davis and passed unanimously by voice vote (no abstentions or "nay" votes).

Lee Wheeler discussed RCPP history/background. And asked what he could do to help GMD 4. At this point in time, Lee and Dan Spare are the only 2 Certified Irrigation Specialists for NCRS in the State of Kansas qualified to do the irrigation evaluations. However, there are several others across the state interested in qualifying.

8. NEW BUSINESS

a. Executive Session – Personnel @ 9 a.m.

At 9:01 a.m. Marsha Schilling moved to go into executive session for 30 minutes with the board, attorney, and manager to discuss personnel. The motion was seconded by Lynn Goossen and passed unanimously by voice vote (no "nay" votes).

At 9:31 a.m. Marsha Schilling moved to go into executive session for an additional 15 minutes with the board, attorney, and manager, to discuss personnel. The motion was seconded by Lynn Goossen and passed unanimously by voice vote (no "nay" votes).

The session expired.

Marsha Schilling moved to draft the contract as discussed in the Executive Session for the Irrigation Specialist position. The motion was seconded by Nate Emig and passed unanimously by voice vote (no "nay" votes).

9. OPEN SESSION – Public Questions/Comments:

Nothing was discussed.

10. SCHEDULING FUTURE MEETINGS:

The next board meeting is scheduled for June 18, 2025 at 9 a.m.

ADJOURNMENT

With no other business and no objections, the meeting adjourned at 12:05 p.m.

Respectfully submitted:



Shane Mann, acting Secretary

