

**Affidavit**  
**Timeline of LEMA Public Meetings, Board Meetings, and Notices**

- 1. January 13, 2015: Goal statement was adopted by the Board of Directors. (See attached Exhibit 1.)**

From the minutes:

“Ray Luhman presented a goal statement to the Board of Directors for consideration. There was discussion on the time frame for the goal and if it can be achieved by 2016 and if the goal should state 2017 instead. There was more discussion on the “clearly defined areas” being either by specific water right, section, township or some other type of unit.

Goal Statement:

1. “By 2016, the GMD 4 Board will have in place a system that establishes “conservation water use amounts” for all of GMD 4. This system will include clearly defined areas and triggers under which current pumpage levels will be required to be reduced in order to come into compliance with these established conservation water use amounts. This system will be established by **BOARD ACTION** and will be included in the GMD 4 Management Program. The system will replace the current high priority area protocol, but will continue to ensure that any needed controls are based on hydrologic and water use parameters. If possible, flexibility shall be afforded so that various allocation alternatives are available for use in any given area. “

Roger Zweygardt moved the goal should be adopted. The motion was seconded by Monty Biggs and passed unanimously by voice vote (no abstentions or “nay” votes).

- a. Roger also requested the goal statement be reported on at the annual meeting.”

- 2. January 27, 2015: Email to multiple local news organizations to publish a press release about the 2015 GMD 4 Annual Meeting. (See attached Exhibits 2, 3, 4, and 5.)**
- 3. February 2, 2015: Notice of February 11, 2015 Board of Directors meeting emailed and posted to website.**
- 4. February 4, 2015: Email Public Service Announcement of 2015 GMD 4 Annual Meeting sent to multiple local news organizations. (See attached Exhibits 6, 7, and 8.)**

5. **February 11, 2015: Goal statement presented to the public at Annual Meeting. (See attached Exhibit 9.)**

From the minutes:

“In relation to the Goal Statement presented, several statements were made concerning the need for conservation.”

6. **February 11, 2015: Protocol Discussion at monthly board meeting. (See attached Exhibit 10.)**

From the minutes:

“Dialogue about how to achieve the goal statement, accepted at the January 13, 2015 Board Meeting was productive, with many ideas stated. One of the discussions was modifying the funding mechanism as a conservation tool. Concern was expressed on the money not staying within GMD 4. There was another discussion on potential triggers, by township, to initiate a percent conservation for a set period of time. This would require some data collection and possible assistance with the RRCA Model available. Tracy Streeter from the KWO offered their assistance in getting the model data for us and Mitchell Baalman offered his assistance with re-drilling an existing observation well.”

7. **March 3, 2015: Notice of March 12, 2015 Board of Directors meeting emailed and posted to website.**
8. **March 12, 2015: March Monthly Board Meeting. (See attached Exhibit 11.)**

From the minutes:

“Dialogue continued about the goal statement and where to move next. There is concern with the language of “Board action” in the statement and conversation was had on the process of developing the SD-6 LEMA. Data was presented from staff showing the data of several scenarios mentioned at previous meetings. Shane Mann suggested that time was needed to review the data and the Board should bring ideas to the next meeting.”

9. **March 25, 2015: Notice of April 2, 2015 Board of Directors meeting emailed and posted to website.**
10. **April 2, 2015: April Monthly Board Meeting. (See attached Exhibit 12.)**

From the minutes:

“Board Members discussed extending the life of the aquifer. Several quantitative values were mentioned. Shane Mann reported he attended the GMD 1 Annual Meeting where they discussed a district wide 20% reduction

in pumping. He would like to know the amount of pumping reductions needed to extend the aquifer. Justin Sloan questions what kind of pumping reductions it would require for an area with 50% of the aquifer left in 2065 to extend that by 25 years. A couple of board members had discussion on the minimum saturated thickness needed to support a 400 gpm well based on the section level data. District staff will create data to show what kind of reductions would be needed to have a given percent of the remaining aquifer, based on a levels to sustain a 400 gpm well, for a certain year. The idea of a district wide reduction was also discussed, but with “sub-areas” since the district varies in climate, aquifer and irrigation intensity. “

11. **April 24, 2015: Notice of May 7, 2015 Board of Directors meeting emailed and posted to website.**
12. **May 7, 2015: May Monthly Board Meeting. (See attached Exhibit 13.)**

From the minutes:

“Board Members submitted a set of questions mailed to them with the Board packets. A discussion began on saving the areas that are problematic and even conservation in areas that are not. Questions were asked on the WCA (Water Conservation Area) currently in legislation. As proposed, it would require 100% participation within an area and would need GMD recommendation.

Ray Luhman then proposed an idea for the sake of discussion whereby, in townships with at least 1% decline per year of some base year, a determination would be made to reduce pumping by 20% based on previous pumping history derived from a recent set of annual water use reports. The 80% remaining average pumped would then be divided by the max acres reported during the base years to determine the conservation inches per acre. Individual inches per acre for each year of the base period would also be determined for each point of diversion. Each individual well would receive their maximum pumped inches per acre or the calculated inches per acre whichever is less. After this step the remaining conservation acre feet would be divided by the remaining acreage to determine the final conservation inches per acre. Vested rights would not participate. Non irrigation rights would be required to reduce using a calculation of the percentage of total pumped by non-irrigation times 20%. MYFA-like term permits could be made available to allow the annual use in excess of the appropriated right provided the conservation amounts for the period were not exceeded. The Board further discussed the possibility that areas with more than 1% and less than 2% decline might have 10% reductions while areas with declines greater than 2% decline would be required to reduce by 20%. It was suggested that staff create some hypothetical and/or non-identified scenarios for the Board to review. “

13. **May 26, 2015: Notice of June 11, 2015 Board of Directors meeting emailed and posted to website.**
14. **June 11, 2015: June Monthly Board Meeting. (See attached Exhibit 14.)**

From the minutes:

“Prior to the board meeting, members were mailed a set of maps showing the townships and sections with a greater than 1% average annual decline using data from 2009-2013. Based on the methodology presented at the May board meeting, three townships were randomly chosen to show how each point of diversion within those example townships would be affected in the amount of inches they would be reduced. Data showing water table elevations for previous years was requested, but was stressed using the 2009-2013 data for reported water use needed to remain no earlier than that. The district was not completely metered until 2009 so errors in reporting with hours and rate could skew data.

Discussion was also had on why some areas in the HPA were not triggered. Those areas have more saturated thickness, but as the water table lowers in those townships, they will eventually be triggered.

A suggestion was made that everyone needed to be reduced by 5%, but another suggestion made to only those in the 1% triggered areas should be reduced by 5%. The idea of taking 5% reduction of the entire township then divvy up the remaining 95%. Others thought that a greater reduction should be made. It was agreed that pumping 24 inches should not be allowed and applying the TH-05 proposal would eliminate that. It was also mentioned that any township in excess of safe yield be reduced by at least 5%.

Townships that are triggered should be reviewed every 3-5 years to see if improvements have been made. Those townships that have not been triggered should be reviewed annually.”

15. **June 29, 2015: Notice of July 9, 2015 Board of Directors meeting emailed and posted to website.**
16. **July 9, 2015: July Monthly Board Meeting. (See attached Exhibit 15.)**

From the minutes:

“Board members were given questions to consider for discussion prior to the meeting consisting of potential plan components. Discussion was started with going through the questions. Not all questions were discussed, but good ideas came from the ones that were.

Using the 1% average annual decline as a trigger is well received by most members. Concern still exists with boundaries. Using townships as the area

of focus for triggers is also well received, but more data on breaking that down into half and quarter townships is desired.

The years of data for water table elevations was discussed. It was agreed that the more years of data to use, the better. Using the updated water table elevations for 2004 through 2013 would be the best data set to use.

The question of what years to use in computing historical average inches per acres was also discussed. Ray Luhman showed the board a spreadsheet showing the various outcomes for each scenario. Members expressed the need for more information with comparisons. In discussing the number of acres to be used, the process used in the SD-6 LEMA was thought to work well.

Transfers of water were mentioned in the conversation. Some mixed feelings exist, but board members agreed that if transfers were allowed, they could only be within the area of consideration for a trigger. Water could not be transferred from a township, or other designated area, that was not triggered into an area that is.”

17. **August 3, 2015: Notice of August 13, 2015 Board of Directors meeting emailed and posted to website.**
18. **August 13, 2015: August Monthly Board Meeting. (See attached Exhibit 16.)**

From the minutes:

“Board members were given a document with questions prior to the July meeting. Not all questions had been reviewed at the July meeting so the Board continued to work through the remaining questions.

Discussion was started with the question of what should be the maximum inches per acre allowed. Several Board members like the idea of using either the 50% or 80% Net Irrigation Requirements as the data is science based. The NIR data is old and it was thought that it should be updated. Other Board members like using the “olympic average” where the low and high average water use is discarded then averaged. Data to show the difference was requested and to continue the discussion with the comparison data.

Non-irrigation water use was reviewed in relation to reductions. It was agreed that they should be required to take some reduction.

In relation to the areas with less than 1% average annual decline, it was discussed that a maximum quantity should be set, but not necessarily a reduction. It is not the intent to reduce those that are already conserving and utilizing best management practices. In these areas, the water table data should be reviewed every year to determine if the decline has become greater than 1%. In the areas with greater than 1% average annual decline,

the water table elevations should be reviewed every five years to determine if reductions should still be implemented.

Other items discussed were if the reductions should be aggressive or progressive and if flexibility, such as umbrella accounts, should be allowed. Most Board members thought the progressive approach to reductions would be best and that it was the umbrella accounts that sold the SD6 LEMA and that some flexibility should be considered.

Lastly, the discussion of if there should be a maximum number of inches per acre a water right can be reduced. Most agreed there should not be a limit to the amount of reduction.”

**19. August 25, 2015: Notice of September 3, 2015 Board of Directors meeting emailed and posted to website.**

**20. September 3, 2015: September Monthly Board Meeting. (See attached Exhibit 17.)**

From the minutes:

“An email was forwarded to the board from Brownie Wilson and Jim Butler of KGS regarding the size of individual management units. Jim advised that using sub-township level was risky. Justin Sloan feels the areas should be much smaller than even the sub-township level.

Lynn Goossen mentioned a map of Nebraska that has their areas (NRD’s) with triggers labeled. Bert Stramel was able to obtain the map for copies to the board. The map shows the areas much larger than the township level and some with triggers.

Other discussion was had on the legal standpoint. Jeff Mason advised the board that we have to have a rational reason for a reduction. Something is needed as a trigger. The idea of using the 1% average annual decline as a trigger was favored.

Looking at the data presented from previous meetings and looking at the NIR data given in the packets, the idea of reducing everybody to the calculated 100% NIR for corn for the respective counties, the areas with 0-1% average annual decline be reduced to the 80% NIR and any areas above 1% be reduced to the 50% chance rainfall was liked as it kept the methodology simple for understanding. Board asked to see the average inches per acre by county for previous years as well as several township examples.”

**21. November 2, 2015: Notice of November 12, 2015 Board of Directors meeting emailed and posted to website.**

**22. November 12, 2015: November Monthly Board Meeting. (See attached Exhibit 18.)**

From the minutes:

“The idea proposed at the August meeting resulted in data showing little water savings. That data was emailed to the Board in September. It was redistributed at the meeting for discussion. The Board agreed the township level was a good area to focus on, but there are mixed feelings on restriction in areas with no decline. It was expressed those areas should not be reduced as they do not have a problem. Others thought that they should be pumping no more than the NIR for corn in their county.

After further discussion an example of Gove County was presented where everybody would be reduced to the 80% NIR for corn which is 15.3”/acre. If their township was in an area with a decline less than 1%, they would be restricted to the 50% NIR which is 13.1”/acre. Anything above a 1% decline would result in a 20% reduction of the 80% NIR, or 12.2”/acre in Gove County. Staff will generate data and maps for this scenario using the olympic average of inches per acre. The idea of giving the flexibility of a five year permit and not exceeding the yearly authorized quantity was also favored. Umbrella accounts as in the SD6 LEMA was not favored.”

23. **December 7, 2015: Notice of December 16, 2015 Board of Directors meeting emailed and posted to website.**
24. **December 16, 2015: December Monthly Board Meeting. (See attached Exhibit 19.)**

From the minutes:

“Discussion was had on the data using the proposed NIR idea at the November meeting. This plan seemed to be favored and suggested to be framework for a district wide LEMA.

Further discussion was had on potential flexibility, carrying water over from a five year plan, what about municipalities and stockwater users and the legal process of developing the LEMA.

Mitchell Baalman moved the district should start preliminary discussions with DWR/KDA on a GMD 4 district-wide LEMA. The motion was seconded by Scott Maurath and passed unanimously by voice vote (no abstentions or “nay” votes). “

25. **January 5, 2016: Notice of January 14, 2016 Board of Directors meeting emailed and posted to website.**
26. **January 14, 2016: January Monthly Board Meeting. (See attached Exhibit 20.)**

From the minutes:

“Ray Luhman reported that Lane Letourneau and David Barfield would possibly make it to the March meeting for discussion on a district-wide LEMA. Ray has had some discussion already with them on adjusting inches per acre values of the LEMA without hearings. If worded properly, it may be possible.

Other discussion was had on the details of the proposed plan. Shannon will collect the ideas from Board members and redistribute prior to the next meeting.”

- 27. **February 1, 2015: Notice of February 10, 2016 Board of Directors meeting emailed and posted to website.**
- 28. **February 10, 2016: February Monthly Board Meeting. (See attached Exhibit 21.)**

From the minutes:

“After a brief overview of the proposed district wide LEMA was presented by Ray Luhman, discussion was had with David Barfield, Lane Letourneau, Tracy Streeter, Chris Beightel and Susan Metzger. Many questions were asked for clarification on several topics. They stated that the proposed LEMA had a good framework and that support would be given. It was suggested the board create a goal statement.”

- 29. **February 10, 2016: First proposal presented at Annual Meeting in Hoxie. (See attached Exhibit 22.)**

From the minutes:

“Brent Rogers then presented the proposed district wide LEMA. He gave an overview of the framework and answered several questions concerning the flexibility.”

- 30. **February 29, 2016: Notice of March 9, 2016 Board of Directors meeting emailed and posted to website.**
- 31. **March 9, 2016: March Monthly Board Meeting. (See attached Exhibit 23.)**

From the minutes:

“Ray Luhman presented a chart and graphs showing the historical pumping, by county, indicating the water savings for the proposed program. The chart and graphs also showed water savings for the idea of more water saved if a water right was further restricted to the maximum inches per acre pumped from 2009 through 2013. Lengthy discussion was had on how the plan saved water and if further restrictions needed to be made.

The Board then went through the results from the homework to decide on

details. Votes were taken for each of the following:

- **Should municipalities be reduced? 9 in favor, 2 against**
- **Should stockwater be reduced? 6 in favor, 5 against**
- **All were in favor of taking the recreation and industrial water rights on a case-by-case basis.**
- **What acres should be considered? All agreed the maximum acres reported from 2009-2013 should be considered.**
- **Flexibility should be included within a 16 mile radius, but water cannot be moved from a township with a lower decline rate to a higher decline rate.**
- **All were in favor of allowing a carry-over amount.**
- **Alternative metering rules should mimic SD-6.**
- **Violations were discussed. DWR is trying to increase their fines for overpumping. It was suggested we go with those, but meter tampering should be a two year suspension.”**

32. **March 14, 2016: Email to multiple local news organizations requesting they publish Public Service Announcement about the 2016 GMD 4 Public LEMA Meeting. (See attached Exhibit 24, 25, and 26.)**
33. **March 15, 2016: Email to multiple news organizations requesting they include a press release about the NW KS GMD 4 Public LEMA Meetings. (See attached Exhibit 27.)**
34. **March 23, 2016: First proposal public meeting in Hoxie. First map distributed at the meeting. (See attached Exhibit 27.1)**
35. **March 24, 2016: First proposal public meeting in Colby. First map distributed at the meeting. (See attached Exhibit 27.1)**
36. **March 25, 2016: First proposal public meeting in St. Francis. First map distributed at the meeting. (See attached Exhibit 27.1)**
37. **March 30, 2016: First proposal public meeting in Goodland. First map distributed at the meeting. (See attached Exhibit 27.1)**
38. **March 29, 2016: Notice of April 7, 2016 Board of Directors meeting emailed and posted to website.**
39. **April 7, 2016: April Monthly Board Meeting. (See attached Exhibit 28.)**

From the minutes:

“Discussion was had on the public meetings and other plans previously sent to board members. Comments and notes taken by staff and board members were presented. Several issues were addressed. Rainfall differences from west to east were discussed as Ray Luhman provided data from 1998

through 2015 rainfall for April through October. Another issue evolved during several of the meetings concerning getting sued for taking a property right. Ray Luhman had consulted with Burke Griggs and Jeff Mason concurred that the state owns the water and has the ability to regulate. It is not a taking.

Roger Zwegardt presented a plan for consideration that caps all water rights at a 22"/acre. Everybody with average inches less than that would be reduced 2" until those that use less than 12" annually would be held to what they are currently averaging. Flexibility would not be included other than on a 5 year allocation. It was suggested the current proposed plan be put aside and data be looked at on the water savings for capping the large pumpers to 22" and to 18".

**40. May 2, 2016: Notice of May 12, 2016 Board of Directors meeting emailed and posted to website.**

**41. May 12, 2016: May Monthly Board Meeting. (See attached Exhibit 29.)**

From the minutes:

"Ray distributed comparative data on several plans that have been suggested. Discussion was had on the various components of each plan. As new section level data from KGS should be coming soon, it was suggested to wait for that data for future analysis. The year 2009 was also looked at closely as it was an unusually wet year with many crops being hailed out. Using that year for data was not favorable. After further discussion, the board would like to see data for a plan where the entire district is capped at 20"/acre. Those areas with a greater than 1% average annual decline would be reduced by 2"/acre if they were averaging 16-20"/acre historically. Those pumping 13-15.9"/acre historically would be reduced 1" and those below 11.9"/acre would not be reduced."

**42. May 25, 2016: Notice of June 2, 2016 Board of Directors meeting emailed and posted to website.**

**43. June 2, 2016: June Monthly Board Meeting. (See attached Exhibit 30.)**

From the minutes:

"Ray discussed the updated map with the 2014 and 2015 water level data included and where the areas of decline were improving and worsening. Discussion was had about components of the various plans currently being developed. Several ideas came from the discussion. It was requested that a maximum number of acre-feet pumped district wide be established and then determine the amount needed to be cut. The question was asked as to what percent that would require of those pumping between 20 and 12 inches per year to obtain that."

**44. July 5, 2016: Notice of Board of July 14, 2016 Directors meeting emailed and posted to website.**

**45. July 14, 2016: July Monthly Board Meeting. (See attached Exhibit 31.)**

From the minutes:

“Ray distributed a list of the three plans currently being discussed and the details of each one. Data was then distributed to show the townships with 0.5 – 1% decline. Discussion was lead back to the first plan, but numbers needed to be adjusted. Board members to think of those numbers to be discussed at next meeting. It was also discussed the idea of a carry-over amount not to exceed one year.”

**46. July 26, 2016: Notice of August 4, 2016 Board of Directors meeting emailed and posted to website.**

**47. August 4, 2016: August Monthly Board Meeting (See attached Exhibit 32.)**

From the minutes:

“Board members were given the latest revisions to the district-wide LEMA proposal. The plan proposes areas between 0.5% and 1% average annual declines be put on an 18 inch maximum, areas between 1% and 2% use the 80% chance rainfall NIR for their zone and any area above 2% use the 50% NIR for their zone. Nobody in an area above 0.5% would be allowed to pump in excess of 18” or be reduced by more than 25%. Data would be periodically reviewed and allocated amounts adjusted accordingly. The plan would offer no flexibility and would have a five year allocation. If flexibility is desired, a producer would need to enroll in a WCA.

Mitchell Baalman moved to send the plan to KDA for input. The motion was seconded by Scott Maurath and passed unanimously by voice vote (no abstentions or “nay” votes).”

**48. August 22, 2016: Notice of September 1, 2016 Board of Directors meeting emailed and posted to website.**

**49. September 1, 2016: September Monthly Board Meeting. (See attached Exhibit 33.)**

From the minutes:

“After much discussion on the current proposed plan, the board requested a month to discuss with producers in their areas before taking it to public meetings. If the board decides to take it to the public, letters would be sent to all water use correspondents with notification of the meetings.”

**50. September 27, 2016: Notice of October 6, 2016 Board of Directors meeting emailed**

**and posted to website.**

- 51. October 6, 2016: October Monthly Board Meeting. (See attached Exhibit 34.)**

From the minutes:

“Ray Luhman made a few suggestions on possibly tweaking the current proposed LEMA. Discussion was had that led the board to go with what they had.

Mitchell Baalman moved that GMD 4 take the current plan and map to the public. The motion was seconded by Roger Zwegardt and passed unanimously by voice vote (no abstentions or “nay” votes).

Discussion was then had on when to do the meetings and letters that would be mailed to Water Use Correspondents. It was suggested to wait till after Thanksgiving and GMD 4 staff could choose those dates without approval from the board.”

- 52. October 27, 2016: Notice of October 6, 2016 Board of Directors meeting emailed and posted to website.**

- 53. November 1, 2016: Email request to multiple local news organizations to publish a press release about the NW KS GMD 4 Public LEMA Meeting. (See attached Exhibits 35, 36, 37, 38, and 39.)**

- 54. November 3, 2016: November Monthly Board Meeting. (See attached Exhibit 40.)**

From the minutes:

“Ray Luhman presented the board with the memo that is planned to be mailed to all water use correspondents. Suggested changes to the font were made before printing and mailing.

It was suggested that a presentation be made about how the zones and colors were created so the public knows the strategy for formulation of those areas.

Ray Luhman also mentioned that he was working with DWR in determining the areas of alluvium as they possibly would not be affected by the District-Wide LEMA.

Steven Walters would like 5-10 minutes at our public meetings to discuss WCA’s.”

- 55. November 4, 2016: Memorandum with map and details were mailed to water use correspondents.**

56. **November 16, 2017: Email multiple local news organizations requesting publication of a press release about the NW KS GMD 4 Public LEMA Meeting. (See attached Exhibits 41 and 42.)**
57. **November 29, 2016: Second proposal public meeting in Colby. Memorandum with map and details were provided to those attending the public meeting. (See attached Exhibit 43.)**
58. **November 29, 2016: Notice of December 7, 2016 Board of Directors meeting emailed and posted to website.**
59. **November 30, 2016: Second proposal public meeting in Goodland. Memorandum with map and details were provided to those attending the public meeting.**
60. **December 1, 2016: Second proposal public meeting in St. Francis. Memorandum with map and details were provided to those attending the public meeting.**
61. **December 5, 2016: Second proposal public meeting in Hoxie. Memorandum with map and details were provided to those attending the public meeting.**
62. **December 7, 2016: December Monthly Board Meeting. (See attached Exhibit 44.)**

From the minutes:

“At each of the meetings questions and comments were taken and given to the board of directors for review. After review of those questions and comments several items were discussed with the use of diary restrictions, potential reductions in five years, carry-over amount, and the need for a goal. The board formulated this goal:

*To raise awareness of the amount of water used annually district-wide with a goal not to exceed 1.67 million acre-feet of water from irrigation over five years within townships declining 0.5% or greater.*

Lynn Goossen moved to adopt this goal. The motion was seconded by Dave Rietcheck and passed unanimously by voice vote (no abstentions or “nay” votes).

Additional discussion was had on the term of this LEMA. Several ideas were discussion from only a five year LEMA to a permanent LEMA.

Dave Rietcheck moved to propose the LEMA for five years. The motion was seconded by Lynn Goossen and passed with seven votes for and one against by Scott Maurath.

63. **December 29, 2016: Notice of January 5, 2017 Board of Directors meeting emailed and posted to website.**

**64. January 5, 2017: January Monthly Board Meeting. (See attached Exhibit 45.)**

From the minutes:

“A copy of a draft request for a District-Wide LEMA was given to board members. Review and discussion of the document was had. A to-do list prior to next month’s meeting for revisions was drafted. The following items need to be addressed in the document:

- Address the overlap in place of use with different color townships. Point of diversion should be given first consideration but subject to appeal process.
- Remove drought contingency
- Remove MYFA language
- Under 2(c) should have language to say that municipal use is to address their unaccounted for water and (d) to say all other water users use best management practices.
- Discuss the dairies allocation
- Make an Attachment 5 that presents the appeals process.”

**65. January 9, 2017: Email Water Talk Series and Annual meeting Notes to local news organizations for publication. (See attached Exhibit 46, 47, and 48.)**

**66. January 23, 2017: Notice of February 1, 2017 Board of Directors meeting emailed and posted to website.**

**67. February 1, 2017: February Monthly Board Meeting. (See attached Exhibit 49.)**

From the minutes”

“The District Wide LEMA discussion was postponed until after the annual meeting to include new members. A copy of the draft request was distributed before the meeting for review. Justin Sloan presented numbers for dairy and feedlot reductions. He proposes to reduce the yellow townships to 85% of the KDA allowable gallons per head per day based on permitted capacity and the red townships to 74% of the same. Language with this will be put into the request for review at the next meeting.

Discussion was also had about wanting a clause allowing for a carry-over quantity. The idea for a carry-over was favored, but *quantity* was debated. Members are to think about it and return next month with what they think.

**68. February 1, 2017: LEMA Discussion at Annual Meeting.**

From the draft minutes (not yet approved):

“As ballots were being tallied Brent Rogers discussed several items of

interest printed in the meeting packet. Discussion was also had about the proposed District Wide LEMA with several questions asked and *comments* made.”

69. **February 21, 2017: Notice of March 2, 2017 Board of Directors meeting emailed and posted to website.**

70. **March 2, 2017: March Monthly Board Meeting. (See attached Exhibit 50.)**

From the minutes:

“A revised request was sent in the board packets. After review, more revisions need to be included. Much discussion was had on *including* language of a carry-over into the next potential LEMA.

Lynn Goossen moved to include a carry-over amount up to a maximum of 10% LEMA allocation in the purple, yellow, and red *areas*. The motion was seconded by Mitchell Baalman and passed unanimously by voice vote (no “nay” votes).”

71. **March 27, 2017: Notice of April 6, 2017 Board of Directors meeting emailed and posted to website.**

72. **April 6, 2017: April Monthly Board Meeting. (See attached Exhibit 51.)**

From the minutes:

Ray Luhman explained the new map included in the packet. He removed the areas with 15 feet or less of saturated thickness and it triggered some townships to turn a different color.

Shane Mann moved to adopt the new *map*. The motion was seconded by Mitchell Baalman and passed unanimously by voice vote (no “nay” votes).

Ray Luhman then distributed language *for* the proposed DW LEMA request that outlined penalties for meter tampering.

Scott Maurath moved to adopt the new map. The motion was seconded by Monty Biggs and passed unanimously by voice vote (no “nay” votes).

Other discussion was had on the data used. Several ideas were presented to increase observation wells. Other changes to the *proposal* were highlighted and individually discussed.

Scott Maurath moved to approve the *proposed* DWR LEMA request with discussed changes. The motion was seconded by Shane Mann and passed unanimously by voice vote (no “nay” votes).

Monty Biggs moved to submit the DWR LEMA request to the Chief Engineer. The motion was seconded by Mitchell Baalman and passed with one opposed vote from Justin Sloan.”

**73. April 24, 2017: Notice of Board of Directors meeting emailed and posted to website.**

**74. May 4, 2017: May Monthly Board Meeting. (See attached Exhibit 52.)**

From the minutes:

“Ray Luhman reported that David Barfield wanted more information. Ray will provide that to him next week. It is believed that enough data has been submitted to conduct the first hearing in maybe June or July. Other *discussion* was had on potential legal challenges with the implementation of the District-Wide LEMA.”

**75. May 23, 2017: Notice of June 8, 2017 Board of Directors meeting emailed and posted to website.**

**76. June 8, 2017: June Monthly Board Meeting. (See attached Exhibit 53.)**

From the minutes:

“After much conversation with DWR, multiple revisions to the Proposed District-Wide LEMA were made. A copy of that document with the changes highlighted were distributed among the board members. Discussion was *had* on those changes and how the hearings would be handled.

Mitchell Baalman moved the Proposed District-Wide LEMA be resubmitted with changes. The motion was seconded by Jeff Deeds and passed unanimously by voice vote (no “nay” votes).”

**77. June 9, 2017: Official proposal to DWR.**

**78. June 27, 2017: Notice of July 12, 2017 Board of Directors meeting emailed and posted to website.**

**79. July 12, 2017: July Monthly Board Meeting. (See attached Exhibit 54.)**

From the minutes:

“A letter from David Barfield was received by GMD 4. The letter accepts the District-Wide LEMA proposal and sets the first hearing *for* August 23<sup>rd</sup>, 9 am at the Cultural Arts Center. Notification of the hearing will be mailed out to all landowners later this week. Discussion was had on having the hearing advertised on the website as well as a postcard being mailed a couple of weeks prior to the hearing.”

80. **July 24, 2017: Notice of August 3, 2017 Board of Directors meeting emailed and posted to website.**
81. **August 3, 2017: August Monthly Board Meeting. (See attached Exhibit 55.)**

From the minutes:

“Ray Luhman provided the entire proposed testimony to the board. Written testimony is required by August 9<sup>th</sup>. The hearing will be held on August 23<sup>rd</sup> at 9 am CDT with Connie Owens at the hearing officer.

Mitchell Baalman moved to adopt the testimony as GMD 4 Board of Directors testimony. The motion was seconded by Jeff Deeds and *passed* unanimously by voice vote (no “nay” votes).”

82. **August 23, 2017: Initial LEMA Hearing.**
83. **August 28, 2017: Notice of September 7, 2017 Board of Directors’ meeting emailed and posted to website.**
84. **September 7, 2017: September Monthly Board Meeting. (See attached Exhibit 56.)**

From the minutes:

“Ray Luhman provided the board with a supplemental testimony for the initial District-Wide LEMA hearing. The supplemental testimony provides additional information in regards to the testimonies heard at the hearing on August 23<sup>rd</sup>, 2017.

Jeff Deeds moved to submit the supplemental testimony as GMD 4 Board of Directors testimony. The motion was seconded by Mitchell *Baalman* and passed unanimously by voice vote (no “nay” votes).

Aaron Popelka with KLA had provided a letter to the board that outlines their issues and suggestions with the District-Wide LEMA. After reviewing the document Ray Luhman provided two potential new ways to *address* stockwater. After discussion it was decided to only encourage stockwater water users to maintain 90% of the specified regulatory amount and to modify the process when converting from irrigation to non-irrigation use. The the following language was created for part 2). Allocations – Non-irrigation in the proposed District Wide LEMA:

- “a) Livestock and poultry use will be encouraged to maintain their use at 90% of the said amount provided by K.A.R. 5-3-22 based on the maximum amount supportable by the number of animals authorized by a current facility permit. At no time will a stockwater right be authorized to pump more than its authorized quantity.

- d) When converting from irrigation to non-irrigation use, the base water right will be converted under the procedures in K.A.R. 5-5-9, 5-5-10, or Groundwater Management District #4 regulations, and the appropriate non-irrigation Local Enhanced Management Area allocation will apply as found in Section 2 for the remainder of the Local Enhanced Management Area period. “

Parts b), c), and e) will remain as proposed. As the changes in the stockwater language are different than the proposed District Wide LEMA, *these* changes will have to be presented at the second hearing.

Shane Mann moved to adopt the new language *for* stockwater. The motion was seconded by Roger Zwegardt and passed unanimously by voice vote (no “nay” votes).

Additional discussion was had on irrigation *water* right restrictions. Those decisions would be handled on a case-by-case basis through the proposed appeals process.

- 85. **September 26, 2017: Notice of October 5, 2017 Board of Directors’ meeting emailed and posted to website.**
- 86. **October 2, 2017: Notice of Final Hearing published.**
- 87. **October 5, 2017: October Monthly Board Meeting. (See attached Exhibit 57.)**

From the minutes:

“Ray Luhman reported that the second hearing had been set for November 14<sup>th</sup> and 15<sup>th</sup> if a second day is needed. The hearing officer will be David Barfield. Ray is currently working on written testimony and will present it to the Board of Directors at the November 2<sup>nd</sup> meeting. Discussion was had on moving the date back to accommodate harvest.

Shane Mann moved to request to DWR the hearing date be moved back to November 28<sup>th</sup>. The motion was seconded by Lynn Goossen and did not pass with six members opposed.”

- 88. **October 20, 2017: Notice of November 2, 2017 Board of Directors’ meeting emailed and posted to website.**
- 89. **November 2, 2017: November Monthly Board Meeting. (See attached Exhibit 58.)**

From the minutes:

“Ray Luhman and Adam Dees have developed testimony for the LEMA hearing on November 14<sup>th</sup>. A review of the proposed testimony is needed

89. November 2, 2017: November Monthly Board Meeting. (See attached Exhibit 58.)

From the minutes:

“Ray Luhman and Adam Dees have developed testimony for the LEMA hearing on November 14<sup>th</sup>. A review of the proposed testimony is needed with a motion to present prior to the hearing. A brief summary of the pre-hearing conference call was discussed. The main points of that conference call involved several motions from David Traester representing Intervenors. The Intervenors request to *post*-pone the hearing for a later date for discovery purposes. They also wish for the Chief Engineer to consider cross-examination of witnesses. Both David Traester and Adam Dees made arguments for the Chief Engineer to hear. We have submitted a written reply to that conference call and the Chief Engineer is to announce a decision on Friday.

Shane Mann moved to approve submission of the GMD 4 testimony after grammar check. The motion was seconded by Jeff Deeds and passed unanimously by voice vote (no “nay” votes).”

90. November 14, 2017: Final LEMA Hearing.

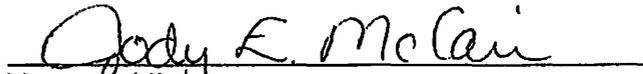
The above represents a timeline of the GMD 4 public meetings, GMD 4 Board of Directors’ meetings, and annual meetings, and the notices to the public of those meetings where the LEMA that is the subject of Kansas Department of Agriculture, Division of Water Resources Case No. 002-DWR-LEMA-2017 was discussed to the best of my knowledge.

Further Affiant Saith not.

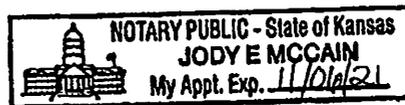
  
Shannon Kenyon, Assistant District Manager of the Northwest Kansas Groundwater Management District No. 4

STATE OF KANSAS, COUNTY OF THOMAS, ss:

The foregoing document was acknowledged before me on December 21, 2017 by Shannon Kenyon, Assistant District Manager of the Northwest Kansas Groundwater Management District No. 4.

  
Notary Public

My Appointment Expires: 11/06/2021



**Minutes: Northwest Kansas Groundwater Management District 4  
January 13, 2015 Board Meeting**

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

The January 13th board meeting was opened at 10:00 am CST at the Groundwater Management District No. 4 Office building in Colby Kansas by President, Brent Rogers.

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

Doug David    Jeff Deeds    Shane Mann    Lynn Goossen  
Roger Zweygardt                      Brent Rogers  
Dave Rietcheck    Monty Biggs    Scott Maurath

Board Members absent were: Justin Sloan and Mitchell Baalman

Others present for some or all of the meeting were: Ray Luhman, Shannon Cain, Katherine Durham, Dan Simmering, and Rita Wade - GMD 4 staff; Kelly Stewart - DWR/Stockton, Kevin Wark and Greg Graff - GMD 1/Kansas Water Authority.

Ray Luhman presented several items to be added to the agenda under New Business: Authorization for Shannon Cain on the checking account/credit card, approval of budget for annual meeting, and a motion needed to readopt the management plan.

**2. CONSENT AGENDA**

Brent Rogers asked if there were any concerns over the consent agenda, consisting of the December 9<sup>th</sup>, 2014 Minutes and Expenditures for the month of December. Receipt of the December financial report showing monthly expenditures totaling \$31,575.06 in December were approved. There was one correction to the minutes and they were approved as amended.

**3. MANAGER'S REPORT**

GMD4 Board Members referred to the Board Packet which outlined all the items of Ray Luhman's Manager's report. Preliminary recommendations have been published by the KWO and KWA for the Planning Areas. No GMD staff were included. This document was passed around to view. The WRIS Mobile is still being planned. There are no updates at this time. Water Use Reports have been mailed out. There is an option to file those online this year.

**EXHIBIT**

#### **4. UNFINISHED BUSINESS:**

##### **a. Protocol Discussion**

Ray Luhman presented a goal statement to the Board of Directors for consideration. There was discussion on the time frame for the goal and if it can be achieved by 2016 and if the goal should state 2017 instead. There was more discussion on the "clearly defined areas" being either by specific water right, section, township or some other type of unit.

##### **Goal Statement:**

"By 2016, the GMD 4 Board will have in place a system that establishes "conservation water use amounts" for all of GMD 4. This system will include clearly defined areas and triggers under which current pumpage levels will be required to be reduced in order to come into compliance with these established conservation water use amounts. This system will be established by **BOARD ACTION** and will be included in the GMD 4 Management Program. The system will replace the current high priority area protocol, but will continue to ensure that any needed controls are based on hydrologic and water use parameters. If possible, flexibility shall be afforded so that various allocation alternatives are available for use in any given area. "

Roger Zwegardt moved the goal should be adopted. The motion was seconded by Monty Biggs and passed unanimously by voice vote (no abstentions or "nay" votes).

Roger also requested the goal statement be reported on at the annual meeting.

##### **b. Sean Miller - Captiol Stratagies LLC**

Sean Miller represents and looks at legislative information for GMD 1 & 3. His services to represent GMD 4 in 2015 was quoted \$12,000. Jeff Deeds moved to contract Sean Miller of Capitol Strategies LLC as the 2015 GMD 4 representative. The motion was seconded by Roger Zwegardt and passed unanimously by voice vote (no abstentions or "nay" votes).

##### **c. Closing the District to New Appropriations**

Concern was raised on the large number of applications for new appropriations while regulation language was designed. Kelly

Stewart of KDA/DWR told the Board that a moratorium to hold all incoming applications in GMD 4 could be drafted quickly. This moratorium would hold all those applications until regulations were adopted. Discussion was held on possible language for the regulation given thought to small use applications. Scott Maurath moved to request the moratorium with modifications in the future if needed. The motion was seconded by Lynn Goossen and passed unanimously by voice vote (no abstentions or "nay" votes).

**d. Roof Discussion**

The roof has been inspected by Butler. No reinforcing is needed and they are working on a draft.

**e. Board Member Exercise**

Kate read aloud the anonymous homework stating members personal responsibility, personal priority, board responsibility and board priority.

**5. NEW BUSINESS**

**a. Revised Budget Hearing**

Following discussion, Monty Biggs moved to adopt the following resolution, to be numbered AR 2015-01:

*WHEREAS the 2015 budget of \$519,587.00 approved originally on August 7, 2014 (AR 2014-02) requires amending in order to incorporate the 2014 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 2015 final operating budget shall be adopted as revised based on its presentation by GMD 4 staff during the lawfully conducted public hearing. The final 2015 operating budget of \$665,000.00 shall be:*

<b>POSTAGE</b>		<b>\$3,400.00</b>
Newsletter	2500	
General	900	
<b>PRINTING</b>		<b>\$3,500.00</b>
Newsletter	3200	
Administrative	300	
<b>DUES</b>	2500	<b>\$2,500.00</b>
<b>SUBSCRIPTIONS</b>	2700	<b>\$2,700.00</b>
<b>INSURANCE</b>		<b>\$13,675.00</b>
Office	12500	
Public Officials' Liability	900	
Auto		
Workmans' Comp.		
Inland Marine		
Unemployment	275	
<b>TELEPHONE</b>	6900	<b>\$6,900.00</b>
<b>SALARIES AND BENEFITS</b>		<b>\$305,430.00</b>
Gross Sal, Kpers, SS, Etc.	291,130	
Health Insurance	14300	
<b>TRAVEL</b>		<b>\$13,000.00</b>
Board	10000	
Staff	3000	
<b>VEHICLES</b>		<b>\$6,275.00</b>
Repairs/Maintenance	1200	
Operation	4900	
Tags	175	
Purchase/Lease		
<b>CONTRACTED SERVICES</b>		<b>\$32,300.00</b>
Accounting	4500	
Legal	7800	
Misc. Support	20000	
Water Sampling	0	
Drilling	0	
Weather Modification	0	
<b>PUBLICATIONS</b>		<b>\$500.00</b>
Legal Notices	500	
<b>COOP PROGRAMS</b>		<b>\$0.00</b>
Administrative		
Equipment		
Contracted Studies		
Education Program		
<b>ADMINISTRATIVE</b>		<b>\$9,500.00</b>
Office Supplies	3100	
Copy Machine	1750	
Computer Maint	3000	
Postage Meter Lease	650	
Bank Charges		
Field Supplies	1000	
<b>NEW EQUIPMENT</b>		<b>\$5,900.00</b>
Field	1400	
Office	4500	

<b>CONTINGENCY RESERVE</b>	105280	\$105,280.00
<b>FACILITY</b>		\$153,640.00
Rent	840	
Upkeep	25000	
Remodel/Purchase	120000	
Building Utilities	7800	
<b>REIMBURSED EXPENSES</b>		
<b>FOUNDATION</b>		\$500.00
Foundation Subscriptions		
Foundation Telephone		
Foundation Accounting	200	
Foundation Legal	300	
Foundation Tech Support	0	
	\$665,000.00	\$665,000.00

*Brent Rogers seconded the motion which passed unanimously by voice vote (no abstentions or "nay" votes).*

**b. Approval of 2016 Operating Budget:**

- Staff presented the proposed 2016 operating budget to be approved for inclusion into the annual meeting packet for eligible voter consideration at the annual meeting. Following discussion, *Doug David moved to approve the proposed 2016 budget as presented by staff, with modifications, and this budget be proposed to the eligible voters at the February 11<sup>th</sup>, 2015 annual meeting in Colby. This budget shall be:*

<b>110 POSTAGE</b>		\$3,400.00
111 Newsletter	2500	
112 General	900	
<b>120 PRINTING</b>		\$3,500.00
121 Newsletter	3200	
122 Administrative	300	
<b>130 DUES</b>	2500	\$2,500.00
<b>140 SUBSCRIPTIONS</b>	2700	\$2,700.00
<b>150 INSURANCE</b>		\$13,675.00
151 Office	12500	
152 Public Officials' Liability	900	
153 Auto		
154 Workmans' Comp.		
155 Inland Marine		
156 Unemployment	275	
<b>160 TELEPHONE</b>	6900	\$6,900.00

<b>170 SALARIES AND BENEFITS</b>		<b>\$329,900.00</b>
171 Gross Sal, Kpers, SS, Etc.	313100	
172 Health Insurance	16800	
<b>180 TRAVEL</b>		<b>\$13,000.00</b>
181 Board	10000	
182 Staff	3000	
<b>190 VEHICLES</b>		<b>\$6,275.00</b>
191 Repairs/Maintenance	1200	
192 Operation	4900	
193 Tags	175	
194 Purchase/Lease		
<b>200 CONTRACTED SERVICES</b>		<b>\$32,300.00</b>
201 Accounting	4500	
202 Legal	7800	
203 Misc. Support	20000	
204 Water Sampling	0	
205 Drilling	0	
206 Weather Modification	0	
<b>210 PUBLICATIONS</b>		<b>\$500.00</b>
211 Legal Notices	500	
<b>220 COOP PROGRAMS</b>		<b>\$0.00</b>
221 Administrative		
222 Equipment		
223 Contracted Studies		
224 Education Program		
<b>230 ADMINISTRATIVE</b>		<b>\$9,500.00</b>
231 Office Supplies	3100	
232 Copy Machine	1750	
233 Computer Maint	3000	
234 Postage Meter Lease	650	
235 Bank Charges		
236 Field Supplies	1000	
<b>240 NEW EQUIPMENT</b>		<b>\$5,900.00</b>
241 Field	1400	
242 Office	4500	
<b>250 CONTINGENCY RESERVE</b>	0	<b>\$0.00</b>
<b>260 FACILITY</b>		<b>\$58,640.00</b>
261 Rent	840	
262 Upkeep	25000	
263 Remodel/Purchase	25000	
264 Building Utilities	7800	
<b>REIMBURSED EXPENSES</b>		
<b>300 FOUNDATION</b>		<b>\$500.00</b>
305 Foundation Subscriptions		
325 Foundation Telephone		
345 Foundation Accounting	200	
350 Foundation Legal	300	
370 Foundation Tech Support	0	
	<b>\$489,190.00</b>	<b>\$489,190.00</b>

*Shane Mann seconded the motion which passed unanimously by voice vote (no abstentions or "nay" votes).*

**c. Annual Meeting Discussion**

Jim Butler from KGS will be presenting at the Annual Meeting. The Board would like for him to present on general aquifer properties and components. Brent Rogers will present the Year in Review, Jeff Deeds will present the minutes, Dave Rietcheck will present the audit and budget and Roger Zwegardt will present the election. Press releases will be made to newspapers and for the radio.

**d. GAAP Resolution**

GAAP Resolution AR2015-02 & AR2015-03 were presented to the Board for approval.

**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 2015 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 2015.

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 13<sup>th</sup> day of January, 2015 that the Board of Directors waives the requirements of K.S.A. 75-1120aJ(a) as they apply to the Northwest Kansas Groundwater Management District No. 4, for the year ended 2015.

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.

**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 2014 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 2014.

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 13<sup>th</sup> day of January, 2014 that the Board of Directors waives the requirements of K.S.A. 75-1120aJ(a) as they apply to the Northwest Kansas Groundwater Management District No. 4, for the year ended 2015.

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.

**Scott Maurath moved to approve both the 2014 and 2015 GAAP Resolutions. The motion was seconded by Shane Mann and passed unanimously by voice vote (no abstentions or "nay" votes).**

**e. Credit Cards/Checking Account**

**Monty Biggs moved to request Shannon Cain be added to the credit cards and checking account and Katherine Durham be removed from the checking and credit cards. The motion was seconded by Shane Mann and passed unanimously by voice vote (no abstentions or "nay" votes).**

**f. Management Plan**

**Doug David moved to readopt the GMD 4 Management Plan. The motion was seconded by Roger Zwegardt and passed unanimously by voice vote (no abstentions or "nay" votes).**

**6: Agency Reports**

**Kelly Stewart reported that DWR and KGS are measuring the annual wells. The Stockton Field Office has completed their portion of the measurements. Data has not been analyzed but he estimated about a one foot decline to be average. Water Use Reports have been mailed and can be available for online submission instead of mailing in the**

cards. The Mobile WRIS project is still moving forward with a possible trail run of the tablets in March.

**7. OPEN SESSION-Public Questions/Comments:**

**a. NWKS Groundwater Conservation Foundation**

It was discussed to have a meeting in March and the tax-exempt status to be reviewed for renewal.

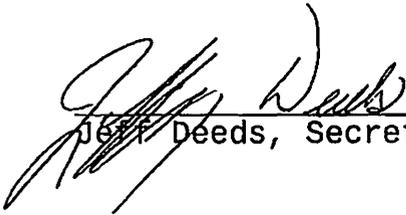
**8. Scheduling Future Meetings:**

The February Monthly Meeting to be held at the City Limits Meeting Center at on February 11<sup>th</sup> at 10 am. Future meetings to be held on the first Thursday of the month. The time will fluctuate with the season.

**9. ADJURNMENT**

*With no other business and no objections, the meeting was adjourned at 12:20, CST, January 13, 2015.*

Respectfully submitted:

  
\_\_\_\_\_  
Jeff Deeds, Secretary

## Rita Wade

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**From:** Rita Wade <rwade@gmd4.org>  
**Sent:** Tuesday, January 27, 2015 8:35 AM  
**To:** 'Colby Free Press (free.press@nwkansas.com)'; 'Goodland Star News'; 'Gove County Advocate'; 'Hill City Times'; 'Hoxie Sentinel'; 'Oakley Graphic (graphic@st-tel.net)'; 'Oberlin Herald (oberlin.ads@nwkansas.com)'; 'Square Deal'; 'Western Times (westerntimes@wbsnet.org)'  
**Subject:** Annual Meeting  
**Attachments:** annual meeting press release.doc

Would you please run this announcement or public interest announcement as you have space. Thank you. Please let me know if you need further information.

Rita Wade  
NW KS Groundwater  
Management District No 4  
P O Box 905 – 1290 West Fourth  
Colby KS 67701  
785-462-3915  
rwade@gmd4.org

## Rita Wade

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**From:** Rita Wade <rwade@gmd4.org>  
**Sent:** Tuesday, January 27, 2015 8:39 AM  
**To:** 'KGCR (KGCR@KGCR.ORG)'; 'KKCI KWGB Goodland KLOE (cjgriggs03@gmail.com)'; 'kxxxkqls@rockingmradio.com'; 'openline@highplainsradio.net'  
**Subject:** Annual Meeting  
**Attachments:** annual meeting press release.doc

Would you please run this as a public service announcement as you have time? If you need further information, please contact me.

Rita Wade  
NW KS Groundwater  
Management District No 4  
P O Box 905 – 1290 West Fourth  
Colby KS 67701  
785-462-3915  
rwade@gmd4.org

**Rita Wade**

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**From:** Rita Wade <rwade@gmd4.org>  
**Sent:** Tuesday, January 27, 2015 2:47 PM  
**To:** Colby Free Press  
**Subject:** Annual Meeting  
**Attachments:** annual meeting press release.doc

Would you please run this as a public service announcement as you have space? If you need further information, please contact me.

Rita Wade  
NW KS Groundwater  
Management District No 4  
P O Box 905 – 1290 West Fourth  
Colby KS 67701  
785-462-3915  
[rwade@gmd4.org](mailto:rwade@gmd4.org)

Press Release from the  
Northwest Kansas Groundwater Management District No. 4

**Groundwater District Annual Meeting Scheduled**

The 40<sup>th</sup> Annual Meeting of the Northwest Kansas Groundwater Management District will be held Wednesday, February 11, 2014 at 1:30 pm. central time in the City Limits Convention Center, 2227 South Range, Colby, Kansas.

The agenda includes: the 39th annual meeting minutes; 2014 financial audit; 2016 proposed operating budget and the election of four Board positions representing Sheridan, Sherman, Rawlins/Decatur and Thomas Counties. If you are interested in running for your county's board position, contact the District for more information or plan on attending the Annual Meeting.

A representative from the Kansas Geological Survey will discuss basic hydrology and water movement within the Ogallala aquifer. There will also be an open session for discussion regarding upcoming programs and those already implemented and any other topic of interest relating to District activities.

The annual meeting remains the most direct way to have an impact on the district activities – either through the election of the board, input on activities and projects or by expressing your ideas in the “open discussion” session. Questions can be directed to the GMD office in person at 1290 West Fourth, Colby; or call phone number (785) 462-3915; or email to [ruluhman@gmd4.org](mailto:ruluhman@gmd4.org) or [scain@gmd4.org](mailto:scain@gmd4.org) . More information can be obtained from the GMD 4 website at: [www.gmd4.org](http://www.gmd4.org)

**EXHIBIT**

## Rita Wade

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**From:** Rita Wade <rwade@gmd4.org>  
**Sent:** Thursday, February 04, 2016 3:22 PM  
**To:** 'KGCR (KGCR@KGCR.ORG)'; 'KKCI KWGB Goodland KLOE (cjgriggs03@gmail.com)'; 'kxxxkqls@rockingmradio.com'; 'openline@highplainsradio.net'  
**Subject:** Annual Meeting  
**Attachments:** Public Service Announcement.docx

As you have time, would you air this public service announcement. Again, thank you.

Rita Wade  
NW KS Groundwater  
Management District No 4  
P O Box 905 – 1290 West Fourth  
Colby KS 67701  
785-462-3915  
rwade@gmd4.org

Public Service Announcement:

Northwest Kansas Groundwater Management District No 4 will hold their annual meeting on Wednesday, February 10, 2015 in the 4-H Building, Hoxie Kansas. There will be multiple vendors showcasing soil moisture probes and other technological items. Trade show will begin at 12:30 with the annual meeting beginning at 1:30. David Barfield, Chief Engineer with the Department of Agriculture – Division of Water Resources will be present to answer any questions.

For more information, contact Shannon Cain at the District offices at 1290 West Fourth, Colby, KS at 785-462-3915 or e-mail at [scain@gmd4.org](mailto:scain@gmd4.org)

**EXHIBIT**

7

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## Rita Wade

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**From:** Rita Wade <rwade@gmd4.org>  
**Sent:** Thursday, February 04, 2016 3:25 PM  
**To:** Colby Free Press; 'Goodland Star News'; 'Gove County Advocate'; 'Hill City Times'; 'Hoxie Sentinel'; 'Oakley Graphic (graphic@st-tel.net)'; 'Oberlin Herald (oberlin.ads@nwkansas.com)'; Saint Francis Herald; 'Square Deal'; 'Western Times (westerntimes@wbsnet.org)'  
**Subject:** Public Service announcement  
**Attachments:** Public Service Announcement.docx

If you have time/space before the meeting, would you print this public service announcement. If there isn't time, that's fine. We'll notify you sooner next time (and hope we don't have a blizzard right before it).

Rita Wade  
NW KS Groundwater  
Management District No 4  
P O Box 905 – 1290 West Fourth  
Colby KS 67701  
785-462-3915  
rwade@gmd4.org

**Minutes: Northwest Kansas Groundwater Management District 4  
February 11, 2015 Board Meeting**

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

The February 11th board meeting was opened at 10:01 am CST at the City Limits Convention Center in Colby Kansas by President, Brent Rogers.

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

Doug David, Jeff Deeds, Shane Mann, Lynn Goossen  
Roger Zwegardt, Brent Rogers, Dave Rietcheck  
Monty Biggs, Scott Maurath, Justin Sloan,  
Mitchell Baalman

Others present for some or all of the meeting were: Ray Luhman, Shannon Cain, Dan Simmering, and Rita Wade – GMD 4 staff; Jeff Mason of Vignery & Mason (Attorney); Kelly Stewart & Jodie Barker - DWR/Stockton; Greg Graff – GMD 1/Kansas Water Authority; Jonathan Aguilar of K-State Research and Extension; Tracy Streeter with the Kansas Water Office and Miranda Fox of FoxZ Consulting.

**2. CONSENT AGENDA**

Brent Rogers asked if there were any concerns over the consent agenda, consisting of the January 13<sup>th</sup>, 2015 Minutes and Expenditures for the month of January. Receipt of the January financial report showing monthly expenditures totaling \$44,048.58 in January were approved.

Scott Maurath moved the Minutes and Expenditures for the month of January be accepted. The motion was seconded by Mitchell Baalman and passed unanimously by voice vote (no abstentions or “nay” votes).

**EXHIBIT**

9

#### **4. UNFINISHED BUSINESS:**

##### **a. Final Annual Meeting Prep**

Board Members were given the opportunity to ask any questions or uncertainties about the Annual Meeting and individual job duties. A copy of the audit report was handed out for review.

Jeff Deeds moved the audit be adopted. The motion was seconded by Mitchell Baalman and passed unanimously by voice vote (no abstentions or "nay" votes).

##### **b. Protocol Discussion**

Dialogue about how to achieve the goal statement, accepted at the January 13, 2015 Board Meeting was productive, with many ideas stated. One of the discussions was modifying the funding mechanism as a conservation tool. Concern was expressed on the money not staying within GMD 4. There was another discussion on potential triggers, by township, to initiate a percent conservation for a set period of time. This would require some data collection and possible assistance with the RRCA Model available. Tracy Streeter from the KWO offered their assistance in getting the model data for us and Mitchell Baalman offered his assistance with re-drilling an existing observation well.

##### **c. Closing the District to New Appropriations**

Ray Luhman informed the Board that the moratorium was effective February 2, 2015 instead of January 13, 2015 as requested.

##### **d. Roof Discussion**

The engineering study is done and more sketches for the design should be coming.

## b. Annual Meeting

*President Brent Rogers recessed the Board of Directors Meeting, to be reconvened following the 40th GMD4 Annual Meeting.*

*At 3:30 P.M. Vice President Shane Mann reconvened the February 19<sup>th</sup> Board of Directors Meeting. An error was made during the Annual Meeting on the position open for election. The Sheridan #7 position was available for reelection at the 40<sup>th</sup> Annual Meeting. Brent Rogers, President, holds this position. The ballot indicated that Mitchell Baalman was up for election of the Sheridan #7 position, but he holds the Sheridan #8 position. The Sheridan #8 position is not available for election until the 41<sup>st</sup> Annual Meeting. This error resulted in an invalid election.*

## c. Election of New Officers

An error was made in the election of officers at the Annual Meeting resulting in an invalid election of Mitchell Baalman. Election of officers has been suspended until the next GMD 4 Board Meeting to correct the issue.

## d. Re-allocation of funds in 2015 budget

Ray Luhman suggested the contracted services for irrigation plan contracts be moved from reserve for contingency to salaries and benefits in the 2015 budget. A total of \$8,270 was suggested as that would cover 20 irrigation plan contracts. This is only a shift in line items and not a change in the total budget amount.

Jeff Deeds moved that the \$8,270 be moved from reserve for contingency to salaries and benefits for irrigation plan contracts. The motion was seconded by Mitchell Baalman and passed unanimously by voice vote (no abstentions or "nay" votes).

## 6: Agency Reports

a. NWKS Groundwater Conservation Foundation

A meeting is scheduled for March 12<sup>th</sup>, 2015 following the Board Meeting. A revision of the bylaws need discussion at that meeting.

8. Scheduling Future Meetings:

The March Monthly Meeting to be held at the GMD 4 office on March 12<sup>th</sup> at 10 am. Agenda items to include: future discussion of goal statement, roof, officer elections, and a rules and regulations revision for closing the district to new appropriations.

9. ADJURNMENT

*With no other business and no objections, Jeff Deeds moved to adjourn the meeting. The motion was seconded by Doug David and passed unanimously by voice vote (no abstentions or "nay" votes).*

Respectfully submitted:

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Jeff Deeds, Secretary

40th Annual Meeting Minutes – City Limits Convention Center, Colby, Kansas, February 11, 2015

The 40th annual meeting was opened at 1:30 P.M. CST, February 11, 2015 at the City Limits Convention Center, Colby, Kansas. Board members present were:

Scott Maurath	Dave Rietcheck	Jeff Deeds
Roger Zweygardt	Lynn Goossen	Doug David
Mitch Baalman	Brent Rogers	Justin Sloan
Shane Mann	Monty Biggs	

Others present were: Staff: Ray Luhman, Shannon Cain, Dan Simmering, Rita Wade and Jeff Mason; DWR: Kelly Stewart and Jodie Barker; Tracy Streeter – KWO; Jonathan Aguilar – K-State Research and Extension; Mandy Fox- FoxZ Consulting; Greg Graff – KWA & GMD 1

There were 43 total persons in attendance. The attendance roster is available from the district office.

President Brent Rogers opened the meeting with a welcome and introductions of the board, staff, state agency staff, and former board members present.

President Rogers then turned over the meeting to Jeff Deeds for presentation of the 39th annual meeting minutes, Goodland, Kansas, February 19, 2014.. Jeff directed attention to the annual meeting minutes printed in the annual meeting packet (page 4) and gave everyone a chance to review them. Jeff presented a correction on page 4. The minutes state the district brought in \$561,889.59 and spent \$638,536.15 which should state the district brought in \$638,536.15 and spent \$561,889.59. There being no questions or comments, it was moved by Dave Mann and seconded by Ron Ball that the 39th annual meeting minutes be approved with correction. The motion passed unanimously by voice vote.

Dave Rietcheck next presented the 2016 proposed operating budget. Dave reported that the 2016 budget was \$489,190.00. With no further questions or comments, the proposed 2016 budget of \$489,190.00 was approved on a motion by Mitchell Baalman and a second from Shane Mann and a unanimous voice vote.

Dave Rietcheck next presented the 2014 calendar year audit. Dave directed attention to the audit report contained in the annual meeting packet at page 8 and asked everyone to review the report. He summarized by reporting that the district had brought in \$636,137; spent \$490,751. The total cash on hand reported as \$145,386. Dave finally noted that the Foundation (not affiliated with the district) had a December 31, 2014 balance of \$520,445. Following review and with no questions or comments, Roger Zweygardt moved for approval of the 2014 Audit Report. Jeff Deeds seconded the motion which passed unanimously by voice vote.

Roger Zweygardt next conducted the board elections. He gave the background rules and indicated each position election would be held separately. Roger opened Position 2

(Rawlins/Decatur County) announcing that Monty Biggs was the single candidate that had pre-filed. Roger opened the floor for additional nominations for Position 2. With no additional nominations, Doug David moved that nominations for Position 2 cease and a unanimous ballot be cast for Monty Biggs. Mitch Baalman seconded the motion. With no further discussion, the motion passed unanimously by voice vote.

Roger opened Position 3 (Sherman/Wallace County) announcing that Jeff Deeds was the single candidate that had pre-filed. Roger opened the floor for additional nominations for Position 3. With no additional nominations, Steve Ziegelmeier moved that nominations for Position 3 cease and a unanimous ballot be cast for Jeff Deeds. Dave Rietcheck seconded the motion. With no further discussion, the motion passed unanimously by voice vote.

Roger opened Position 5 (Thomas County) announcing that Justin Sloan was the single candidate that had pre-filed. Roger opened the floor for additional nominations for Position 5. With no additional nominations, Shane Mann moved that nominations for Position 5 cease and a unanimous ballot be cast for Justin Sloan. Steve Bremenkamp seconded the motion. With no further discussion, the motion passed unanimously by voice vote.

Roger opened Position 7 (Sheridan County) announcing that Mitchell Baalman was the single candidate that had pre-filed. Roger opened the floor for additional nominations for Position 7. With no additional nominations, Scott Maurath moved that nominations for Position 7 cease and a unanimous ballot be cast for Mitchell Baalman. Monty Biggs seconded the motion. With no further discussion, the motion passed unanimously by voice vote. \*

With no contested positions, there was no need to mark ballots.

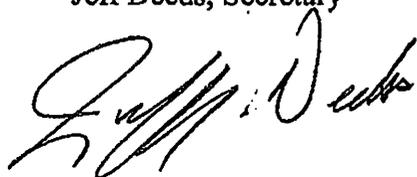
Brownie Wilson of KGS next gave a presentation on Examples of Water Levels and Flow Patterns in the Ogallala/High Plains Aquifer in Kansas. Several questions were presented from the audience on the movement of water through the aquifer and the change in velocities given the multiple variables presented by Brownie.

Brent Rogers then presented the district updates found in the meeting materials (pages 9-12). Several questions were presented by attendees. Question on the Regional Planning Teams and how that correlates with GMD 4 was presented that Ray Luhman answered. Jon Starns, Chairman for the Upper Republican Regional Planning Team invited the public to the meetings on the 10<sup>th</sup> and 11<sup>th</sup> of March. There would be a meeting in Colby and one in Goodland. In relation to the Goal Statement presented, several statements were made concerning the need for conservation. No opposition to the Goal Statement was expressed. A concern about the Aqueduct was brought up. Tracy Streeter and Greg Graff both gave updates on the study.

Mitchell Baalman moved that the 40<sup>th</sup> annual meeting of the Northwest Kansas Groundwater Management District No. 4 be adjourned. Dave Rietcheck seconded the motion. With no objections, President Rogers declared the 40<sup>th</sup> annual meeting of the Northwest Kansas Groundwater Management District No. 4 adjourned.

Respectfully submitted

Jeff Deeds, Secretary

A handwritten signature in black ink, appearing to read "Jeff Deeds". The signature is written in a cursive style with a large, prominent initial "J".

## 41st Annual Meeting Agenda

**Open Meeting** \_\_\_\_\_ Brent Rogers, President

Welcome  
Introductions  
Announcements

**Comments by Chief Engineer** \_\_\_\_\_ David Barfield

**40th Annual Meeting Minutes** (Page 4) \_\_\_\_\_ Jeff Deeds  
(Motion required to adopt or amend)

**2017 Operating Budget - Proposed** (Page 7-8) \_\_\_\_\_ David Rietcheck  
(Motion required to adopt for public hearing)

**2015 Calendar Year Audit** (Page 9) \_\_\_\_\_ David Rietcheck  
(Motion required to adopt or amend)

**Election of Board Positions** (Ballots) \_\_\_\_\_ Justin Sloan

**Presentation by Vendors** \_\_\_\_\_ Various

**Unfinished / New Business / Open Session** \_\_\_\_\_ Brent Rogers

**Announcement of Board Election Results** \_\_\_\_\_ Brent Rogers

**Adjournment** \_\_\_\_\_ Brent Rogers  
(Motion required)



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Notes

## District Personnel

February, 2015 - February, 2016 Board:

POSITION	MEMBER	DUTY	FIRST ARRIVED:	SERVES TO:
Cheyenne #1	Roger Zwegardt	Member	2/05	2/17
Rawlins/Decatur #2	Monty Biggs	Member	2/97	2/18
Sherman/Wallace #3	Jeff Deeds	<u>Secretary</u>	2/06	2/18
Sherman/Wallace #4	David Rietcheck	<u>Treasurer</u>	2/02	2/17
Thomas # 5	Justin Sloan	Member	2/12	2/18
Thomas # 6	Lynn Goossen	Member	11/14	2/17
Sheridan # 7	Brent Rogers	<u>President</u>	2/09	2/18
Sheridan # 8	Mitch Baalman	Member	2/98	2/16
Graham # 9	Doug David	Member	2/98	2/16
Logan # 10	Scott Maurath	Member	2/01	2/16
Gove # 11	Shane Mann	<u>Vice President</u>	2/07	2/16

### STAFF:

Ray Luhman, Manager  
 Shannon Cain, Asst. Manager  
 Dan Simmering, Field Technician  
 Rita Wade, Secretary/Receptionist

### OTHERS:

Vignery & Mason, Attorney  
 Adams Brown Beran & Ball, Accountants

## 40th Annual Meeting Minutes – Colby, Kansas – Feb 11th 2015

40th Annual Meeting Minutes – City Limits Convention Center, Colby, Kansas,  
February 11, 2015

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Scott Maurath  
Roger Zwegardt  
Mitch Baalman  
Shane Mann

Dave Rietcheck  
Lynn Goossen  
Brent Rogers  
Monty Biggs

Jeff Deeds  
Doug David  
Justin Sloan

Others present were: Staff: Ray Luhman, Shannon Cain, Dan Simmering, Rita Wade and Jeff Mason; DWR: Kelly Stewart and Jodie Barker; Tracy Streeter – KWO; Jonathan Aguilar – K-State Research and Extension; Mandy Fox- FoxZ Consulting; Greg Graff – KWA & GMD 1

There were 43 total persons in attendance. The attendance roster is available from the district office.

President Brent Rogers opened the meeting with a welcome and introductions of the board, staff, state agency staff, and former board members present.

President Rogers then turned over the meeting to Jeff Deeds for presentation of the 39th annual meeting minutes, Goodland, Kansas, February 19, 2014.. Jeff directed attention to the annual meeting minutes printed in the annual meeting packet (page 4) and gave everyone a chance to review them. Jeff presented a correction on page 4. The minutes state the district brought in \$561,889.59 and spent \$638,536.15 which should state the district brought in \$638,536.15 and spent \$561,889.59. There being no questions or comments, it was moved by Dave Mann and seconded

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Roger Zwegardt next conducted the board elections. He gave the background rules and indicated each position election would be held separately. Roger opened Position 2 (Rawlins/Decatur County) announcing that Monty Biggs was the single candidate that had pre-filed. Roger opened the floor for additional nominations for Position 2. With no additional nominations, Doug David moved that nominations for Position 2 cease and a unanimous ballot be cast for Monty Biggs. Mitch Baalman seconded the motion. With no further discussion, the motion passed unanimously by voice vote.

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With no contested positions, there was no need to mark ballots.

about the Aqueduct was brought up. Tracy Streeter and Greg Graff both gave updates on the study.

Mitchell Baalman moved that the 40<sup>th</sup> annual meeting of the Northwest Kansas Groundwater Management District No. 4 be adjourned. Dave Rietcheck seconded the motion. With no objections, President Rogers declared the 40<sup>th</sup> annual meeting of the Northwest Kansas Groundwater Management District No. 4 adjourned.

*\*After the Annual Meeting was concluded, it was determined that the election for Board Position #7 was Invalid. The Sheridan #7 position was available for reelection at the 40<sup>th</sup> Annual Meeting. Brent Rogers, President, holds this position. The ballot indicated that Mitchell Baalman was up for election of the Sheridan #7 position, but he holds the Sheridan #8 position. The Sheridan #8 position is not available for election until the 41<sup>st</sup> Annual Meeting. Mitchell Baalman has not accepted the nomination as it was an invalid vote. The Board will appoint Brent Rogers to Position #7 at the March 2015 Board Meeting.*

Respectfully submitted

Jeff Deeds, Secretary

## 2017 Proposed Operating Budget

The 2017 Proposed operating budget is a blend of the 2015 Expended and the 2016 Revised budgets. It is the board's best estimate at what the district's operational costs are likely to be in 2017. The GMD membership is obligated to consider this budget at the annual meeting and make any recommendations to the board. The GMD 4 board will consider all comments and will schedule this final budget for public hearing later in the year.

	2017 Proposed	
<b>110 POSTAGE</b>		<b>\$3,500.00</b>
111 Newsletter	\$2,000.00	
112 General	\$1,500.00	
<b>120 PRINTING</b>		<b>\$3,100.00</b>
121 Newsletter	\$2,700.00	
122 Administrative	\$400.00	
<b>130 DUES</b>	\$2,000.00	<b>\$2,000.00</b>
<b>140 SUBSCRIPTIONS</b>	\$3,000.00	<b>\$3,000.00</b>
<b>150 INSURANCE</b>		<b>\$12,785.00</b>
151 Office	\$12,500.00	
152 Public Officials' Liability		
153 Auto		
154 Workmans' Comp.		
155 Inland Marine		
156 Unemployment	\$285.00	
<b>160 TELEPHONE</b>	\$5,600.00	<b>\$5,600.00</b>
<b>170 SALARIES AND BENEFITS</b>		<b>\$345,000.00</b>
171 Gross Sal, Kpers, SS, Etc.	\$345,000.00	
172 Health Insurance		
<b>180 TRAVEL</b>		<b>\$15,000.00</b>
181 Board	\$12,000.00	
182 Staff	\$3,000.00	
<b>190 VEHICLES</b>		<b>\$4,375.00</b>
191 Repairs/Maintenance	\$1,200.00	
192 Operation	\$3,000.00	
193 Tags	\$175.00	
194 Purchase/Lease		

232 Copy Machine	\$1,750.00	
233 Computer Maint	\$3,500.00	
234 Postage Meter Lease	\$650.00	
235 Bank Charges		
236 Field Supplies	\$1,500.00	
<b>240 NEW EQUIPMENT</b>		<b>\$3,400.00</b>
241 Field	\$1,400.00	
242 Office	\$2,000.00	
<b>250 CONTINGENCY RESERVE</b>	\$0.00	<b>\$0.00</b>
<b>260 FACILITY</b>		<b>\$45,640.00</b>
261 Rent	\$840.00	
262 Upkeep	\$12,000.00	
263 Remodel/Purchase	\$25,000.00	
264 Building Utilities	\$7,800.00	
<b>REIMBURSED EXPENSES</b>		
<b>300 FOUNDATION</b>		<b>\$500.00</b>
305 Foundation Subscriptions		
325 Foundation Telephone		
345 Foundation Accounting	\$200.00	
350 Foundation Legal	\$300.00	
370 Foundation Tech Support	\$0.00	
	<b>\$492,200.00</b>	<b>\$492,200.00</b>

## 2015 Calendar Year Audit Report

### STATEMENT OF CASH RECEIPTS AND DISBURSEMENTS All Accounts – For the period January 1 - December 31, 2015

#### 2015 INCOME (All sources):

Cash forward from 2014 (Cash) .....	\$145,386
County Assessments .....	\$520,811
Interest Earned (GMD4) .....	\$559
State Grant Income .....	\$0
Miscellaneous Income .....	\$888

2015 TOTAL INCOME:           \$667,644

#### 2015 EXPENDITURES:

Postage .....	\$2,713
Printing .....	\$2,803
Dues .....	\$1,350
Subscriptions .....	\$2,808
Insurance .....	\$10,501
Telephone .....	\$5,147
Salaries & Benefits .....	\$309,637
Travel .....	\$13,708
Vehicles .....	\$3,574
Contracted Services .....	\$27,662
Publications .....	\$534
Coop Programs .....	\$0
Administrative .....	\$8,652
Equipment .....	\$2,566
Facility .....	\$67,138
Reserve for contingency	\$4,623

## **District Updates**

### **1) Sheridan 6 LEMA**

The Sheridan 6 LEMA, or Local Enhanced Management Area, has now finished up its third year. The SD6 Advisory Committee is, by statute, required to meet at least once a year in order to discuss and evaluate the following topics:

- i. Water use data;
- ii. Water table information;
- iii. Economic Data;
- iv. Whether the combining of allocations and the transfers of allocations have altered the geographic distribution of diversions and/or water use within the Sheridan 6 LEMA;
- v. Whether the combining of allocations and the transfers of allocations have produced a concentration of diversions and/or water use within the Sheridan 6 LEMA;
- vi. Violations, issues relating to violations, and metered data that relates to violations;
- vii. New and preferable enhancement management options; and
- viii. Other items deemed pertinent by the Advisory Committee

The SD6 Advisory committee met in March and November of 2015 to discuss these topics. The summaries from those meetings can be found in the Year In Review Report submitted to the Chief Engineer's office each year of the Sheridan 6 LEMA.

### **2) Sheridan 6 LEMA Economic Study**

The SD6 Economic Study is a project headed by Economist Bill Golden with assistance by the Kansas Water Office and staff at the Groundwater Management District 4 office in Colby. This study will span the five year time period of the LEMA

Vision for the Future of Water in Kansas. They were also to work with The Kansas Department of Health and Environment, and Wildlife Parks and Tourism. Finally the Governor called upon his Council of Economic Advisors to participate in the planning process due to the fact that water and the economy are closely linked. The long term goal of the Vision was to address several plans to ensure a reliable water supply sufficient enough to meet the needs of a growing Kansas population and economy. The Vision Team's hope was to conserve and extend the useful life of the High Plains Ogallala Aquifer as well as to secure, protect and restore reservoir storage. Stakeholder outreach and input was a big part of the Vision planning process, the Vision team held a series of meetings all across the State, approximately 250 meetings in total reaching more than 10,000 people.

The initial drafting process took place in May of 2014 and the Vision Team began working on compiling all of the received input into what would become the Final Vision Draft, which was completed in early October. This draft was then presented at the 2014 Governors Water Conference in Manhattan on November 13<sup>th</sup> and 14<sup>th</sup>. The Vision team is currently presenting the final Vision to the Kansas Legislature during the January Session. In addition to the meetings held across the State, the Kansas Water Office also made an input survey available to the public. This allowed the public to input their personal opinions on all four sections of the proposed Vision Draft.

The Final Vision Draft was published in January 2015. During the Spring of 2015, the state was divided into 14 planning regions. A Regional Goal Leadership Team for each was constructed and their role was to develop draft goals based on public input and available resource condition information. Those draft goals were presented and accepted by the Kansas Water Authority in May 2015.

After the goals were adopted, a Regional Advisory Committee (RAC) was developed for each region and replaced the Basin Advisory Committees (BAC). GMD 4 is included in the Upper Republican Regional Advisory Committee and holds a position on the committee. The first meeting was conducted in October 2015 where the five goals for the region were discussed and narrowed to a focus on

3. Increase utilization and adoption of water conservation technology and practices by 10% by 2020. Actively seek annual funding to ensure successful achievement of goal.

Future meetings will continue to discuss achievement of the goals.

#### **4) "Goal for 2016" - Update**

At the January 2015 GMD 4 Board meeting, the following goal statement was adopted:

"By 2016, the GMD 4 Board will have in place a system that establishes "conservation water use amounts" for all of GMD 4. This system will include clearly defined areas and triggers under which current pumpage levels will be required to be reduced in order to come into compliance with these established conservation water use amounts. This system will be established by **BOARD ACTION** and will be included in the GMD 4 Management Program. The system will replace the current high priority area protocol, but will continue to ensure that any needed controls are based on hydrologic and water use parameters. If possible, flexibility shall be afforded so that various allocation alternatives are available for use in any given area. "

At the current time, a plan is being developed and discussions have started with KDA and DWR on the process for a District-wide LEMA. A draft map of that proposal is included in this packet.

#### **5) Moratorium on New Applications**

The GMD 4 Board of Directors was granted a one year moratorium on new appropriations in the Ogallala portion of the district. A new rule and regulation is being approved to permanently close the Ogallala within the GMD 4 District to new appropriations. A public hearing on that regulation is scheduled for 10:00 AM, April 4, 2016.

## GMD 4 Permitted Well and Water Rights Data by County by Well Type

(Figures include wells and water rights within the county within the district)

As of January 19, 2016

	CN	DC	GH	GO	LG	RA	SD	SH	TH	WA
<b>DOMESTIC WELLS</b>							5	1	7	
AF							30.7	8.4	14.0	
<b>HYD DREDGE WELLS</b>										
AF										
<b>INDUSTRIAL WELLS</b>	2	2		4	2		3	12	10	
AF	30.0	225.0		483.4	22.7		25.6	1,468.8	984.5	
<b>IRRIGATION WELLS</b>	444	29	112	159	81	148	695	865	774	8
AF	103,122.2	4,133.0	21,504.5	28,988.0	16,149.5	30,882.6	161,964.3	259,959.8	203,530.6	2,779.0
<b>MUNICIPAL WELLS</b>	10		5	7	7	3	9	15	14	
AF	1,073.9		438.9	697.8	959.8	107.4	737.6	2,285.5	2,591.9	
<b>RECREATION WELLS</b>	2		1		1		3		1	
AF	30.8		9.0		15.0		404.5		6.7	
<b>STOCKWATER WELLS</b>	6			10	1	3	18	7	17	
AF	724.8			756.4	9.4	111.0	993.7	269.5	1,137.2	
<b>EVAP WELLS</b>	1									
AF	25.0									
<b>COUNTY-TOT-WELLS</b>	465	31	118	180	92	154	733	900	823	8
<b>COUNTY-TOT-AF</b>	105,006.7	4,358.0	21,952.4	30,925.6	17,156.4	31,101.0	164,156.4	263,992.0	208,264.9	2,779.0
<b>GMD-TOT-WELLS</b>	3,504									
<b>GMD-TOT-AF</b>	849,692.4									

*January 19, 2016 totals = increase of 1 well and a decrease of 831.2 Appropriated AF compared to*

## GMD 4 Selected Trends

This is the newest feature in the annual meeting packet. If there are other annual trends you like to see tracked, let us know.

YEAR	Budget <sup>1</sup>	Water Level Change <sup>2</sup>	Total Wells	Total AcreFeet <sup>3</sup>
2005	\$419,365	-.60	3,546	860,387
2006	\$434,250	-.57	3,540	859,582
2007	\$411,952	-.29	3,530	857,253
2008	\$438,965	-.89	3,526	856,900
2009	\$433,455	-.42	3,520	854,673
2010	\$454,450	.10	3,516	853,710
2011	\$569,125	-.50	3,513	852,330
2012	\$490,770	-.61	3,494	849,639
2013	\$561,680	-1.12	3,498	851,156
2014	\$519,587	+0.73	3,503	850,524
2015	\$496,397	+0.42	3,504	849,692

<sup>1</sup> Assessed for operating budget for the calendar year

<sup>2</sup> Average change - entire GMD 4 network (January current year measurement (last years' decline))

<sup>3</sup> Authorized appropriation quantities – all rights – GMD4 – January of following year – rounded to nearest AF

<b>GMD 4 Comparison of Pumped Water To Appropriated Water</b>
---

**2011 Data (1/1/2011 - 12/31/2011)**

<b>Area</b>	<b>Appropriated Water</b>	<b>Pumped Water</b>	<b>Percent</b>
Sherman County	264,761	140,782	38%
Thomas County	208,500	114,281	33%
Sheridan County	163,594	80,733	37%

**2012 Data (1/1/2012 - 12/31/2012)**

<b>Area</b>	<b>Appropriated Water</b>	<b>Pumped Water</b>	<b>Percent</b>
Sherman County	264,759	175,753	66%
Thomas County	209,164	138,080	66%
Sheridan County	163,928	100,393	61%

**2013 Data (1/1/2013 - 12/31/2013)**

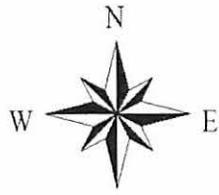
<b>Area</b>	<b>Appropriated Water</b>	<b>Pumped Water</b>	<b>Percent</b>
Sherman County	264,294	155,562	59%
Thomas County	208,792	119,596	57%
Sheridan County	163,929	76,248	47%

**2014 Data (1/1/2014 - 12/31/2014)**

<b>Area</b>	<b>Appropriated Water</b>	<b>Pumped Water</b>	<b>Percent</b>
Sherman County	263,992	127,223	48%
Thomas County	208,265	106,280	51%
Sheridan County	164,156	77,651	47%

The above Data is from the WIMAS data set. WIMAS does not filter by GMD, so only full county data is available.





PROPOSED DRAFT

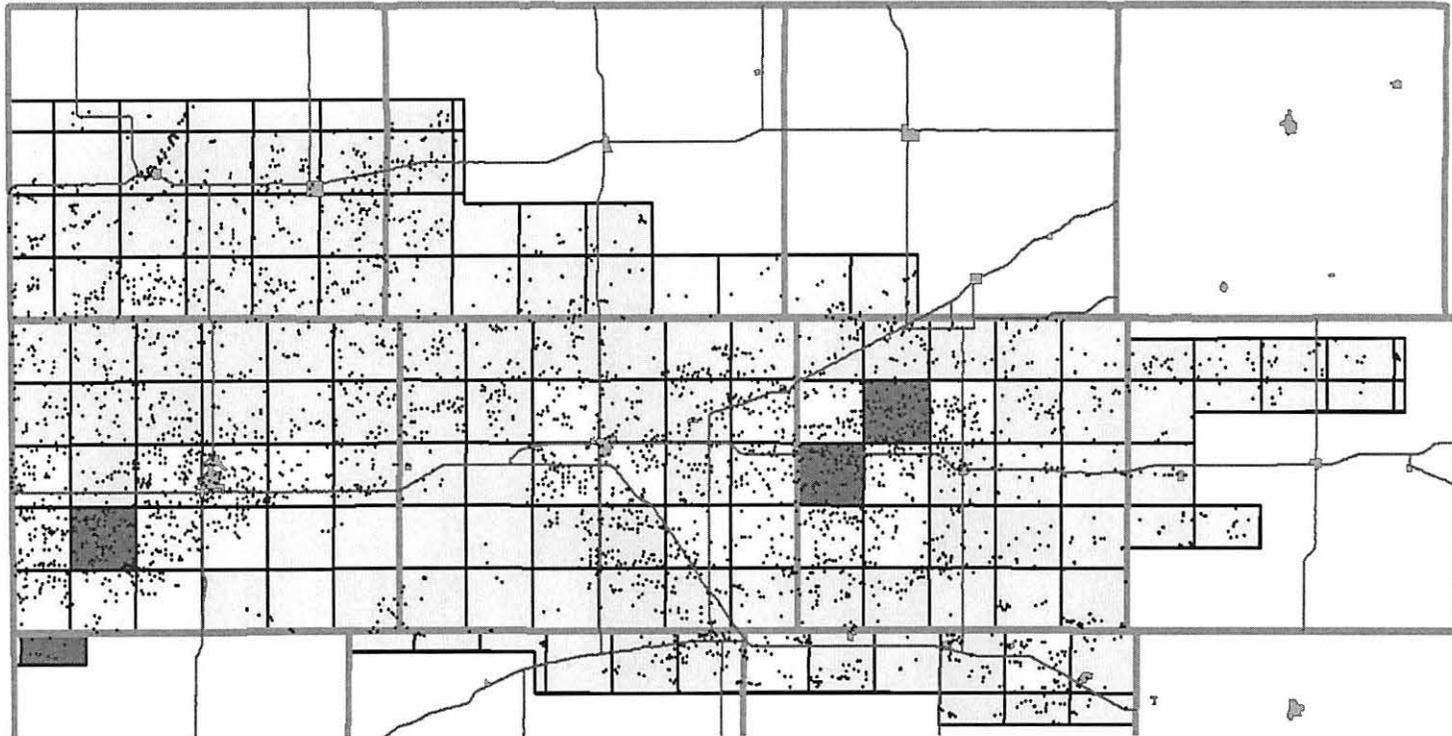
GMD 4 WELLS  
 SHADED TOWNSHIPS  
 GREEN - NO DECLINE OR MAX PUMP 2009 - 2013 < SAFE YIELD  
 BLUE - 0% - 1% PER YEAR DECLINE 2004 - 2013  
 YELLOW - 1% - 2% PER YEAR DECLINE 2004 - 2013  
 RED - > 2% PER YEAR DECLINE 2004-2013

5-YEAR ALLOCATIONS

	GREEN	BLUE	YELLOW/RED
CN	77.0	68.5	61.6
DC	74.0	63.5	59.2
GH	73.5	62.0	58.8
GO	76.5	65.5	61.2
LG	79.0	69.5	63.2
RA	75.5	66.0	60.4
SD	75.0	64.5	60.0
SH	78.5	70.5	62.8
TH	77.0	67.5	61.6
WA	80.5	71.5	64.4

AVERAGE ANNUAL AMOUNTS

	GREEN	BLUE	YELLOW/RED
CN	15.4	13.7	12.32
DC	14.8	12.7	11.84
GH	14.7	12.4	11.76
GO	15.3	13.1	12.24
LG	15.8	13.9	12.64
RA	15.1	13.2	12.08
SD	15.0	12.9	12.00
SH	15.7	14.1	12.56
TH	15.4	13.5	12.32
WA	16.1	14.3	12.88



## **41st Annual Meeting Minutes – Hoxie, Kansas – Feb 10th 2016**

41st Annual Meeting Minutes – Sheridan County 4H Building, Hoxie, Kansas, February 10<sup>th</sup>, 2016

The 41th annual meeting was opened at 1:30 P.M. CST, February 10, 2016 at the Sheridan County 4H Building, Hoxie, Kansas. Board members present were:

Dave Rietcheck	Jeff Deeds
Roger Zwegardt	Lynn Goossen
Justin Sloan	Brent Rogers
Shane Mann	Monty Biggs

Others present were: Staff: Ray Luhman, Shannon Cain, Dan Simmering, Rita Wade; Adam Dees - attorney; Susan Metzger – KDA; DWR: David Barfield, Lane Letourneau, Chris Beightel, Kelly Stewart and Jodie Barker; Tracy Streeter – KWO; Jonathan Aguilar – K-State Research and Extension

There were 43 total persons in attendance. The attendance roster is available from the district office.

President Brent Rogers opened the meeting with a welcome and introductions of the board, staff, state agency staff, and former board members present.

Chief Engineer, David Barfield, gave a presentation on several topics of interest. He discussed the Republican River Compact and the augmentation projects occurring in Nebraska and Colorado. Other topics of the presentation were Quivira Wildlife Refuge, water transfer update with the City of Hays, statewide rule and regulation changes in legislation, WCA's and an update on the SD 6 LEMA. Several questions about the augmentation projects were asked and opinions expressed. It was suggested by an attendee the GMD 4 Board of Directors attend the tri-state compact meetings.

President Rogers then turned over the meeting to Jeff Deeds for presentation of the 40th annual meeting minutes, Colby, Kansas, February 11, 2015. Jeff directed attention to the annual meeting minutes printed in the annual meeting packet (page 4) and gave everyone a chance to review them. Bert Stramel presented a correction on page 5. The minutes state "No opposition to the Goal Statement was expressed." And that statement should be omitted from the minutes. There being no questions or comments, it was moved by Bert Stramel and seconded by Tom Sloan that the 40th annual meeting minutes be approved with correction. The motion passed unanimously by voice vote.

Dave Rietcheck next presented the 2017 proposed operating budget. Dave reported that the 2017 budget was \$492,200. With no further questions or comments, the proposed 2017 budget of \$492,200 was moved and seconded to be approved on a unanimous voice vote.

Dave Rietcheck next presented the 2015 calendar year audit. Dave directed attention to the audit report contained in the annual meeting packet at page 9 and asked everyone to review the report. He summarized by reporting that the district brought in \$667,644; spent \$463,416. The total cash on hand reported as \$204,228. Dave finally noted that the Foundation (not affiliated with the district) had a December 31, 2015 balance of \$488,437. Following review and with no questions or comments, it was moved and seconded the audit be approved on a unanimous voice vote.

Justin Sloan next conducted the board elections. Justin opened Position 8 (Sheridan County) announcing that Mitchell Baalman was the single candidate that had pre-filed. Justin opened the floor for additional nominations for Position 8. With no additional nominations, Alan Townsend moved that nominations for Position 8 cease and a unanimous ballot be cast for Mitchell Baalman. Dave Schamberger seconded the motion. With no further discussion, the motion passed unanimously by voice vote.

Justin opened Position 9 (Graham County) announcing that Doug David was the single candidate that had pre-filed. Justin opened the floor for additional nominations for Position 9. With no additional nominations,

Tom Sloan moved that nominations for Position 9 cease and a unanimous ballot be cast for Doug David. Steve Bremenkamp seconded the motion. With no further discussion, the motion passed unanimously by voice vote.

Justin opened Position 10 (Logan County) announcing that Scott Maurath was the single candidate that had pre-filed. Justin opened the floor for additional nominations for Position 10. With no additional nominations, Dave Mann moved that nominations for Position 10 cease and a unanimous ballot be cast for Scott Maurath. Dave Schamberger seconded the motion. With no further discussion, the motion passed unanimously by voice vote.

Justin opened Position 11 (Gove County) announcing that Shane Mann was the single candidate that had pre-filed. Justin opened the floor for additional nominations for Position 11. With no additional nominations, Dennis Rogers moved that nominations for Position 11 cease and a unanimous ballot be cast for Shane Mann. Bill Miller seconded the motion. With no further discussion, the motion passed unanimously by voice vote.

With no contested positions, there was no need to mark ballots.

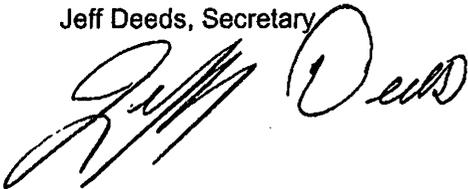
Following the election, the vendors each were given a few minutes to present their product(s) and/or services.

Brent Rogers then presented the proposed district wide LEMA. He gave an overview of the framework and answered several questions concerning the flexibility.

It was moved and seconded that the 41st annual meeting of the Northwest Kansas Groundwater Management District No. 4 be adjourned.. With no objections, President Rogers declared the 40<sup>th</sup> annual meeting of the Northwest Kansas Groundwater Management District No. 4 adjourned.

Respectfully submitted

Jeff Deeds, Secretary

A handwritten signature in black ink, appearing to read "Jeff Deeds". The signature is written in a cursive style with a large, looped initial "J".

**Minutes: Northwest Kansas Groundwater Management District 4  
February 11, 2015 Board Meeting**

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

The February 11th board meeting was opened at 10:01 am CST at the City Limits Convention Center in Colby Kansas by President, Brent Rogers.

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

Doug David, Jeff Deeds, Shane Mann, Lynn Goossen  
Roger Zwegardt, Brent Rogers, Dave Rietcheck  
Monty Biggs, Scott Maurath, Justin Sloan,  
Mitchell Baalman

Others present for some or all of the meeting were: Ray Luhman, Shannon Cain, Dan Simmering, and Rita Wade – GMD 4 staff; Jeff Mason of Vignery & Mason (Attorney); Kelly Stewart & Jodie Barker - DWR/Stockton; Greg Graff – GMD 1/Kansas Water Authority; Jonathan Aguilar of K-State Research and Extension; Tracy Streeter with the Kansas Water Office and Miranda Fox of FoxZ Consulting.

**2. CONSENT AGENDA**

Brent Rogers asked if there were any concerns over the consent agenda, consisting of the January 13<sup>th</sup>, 2015 Minutes and Expenditures for the month of January. Receipt of the January financial report showing monthly expenditures totaling \$44,048.58 in January were approved.

Scott Maurath moved the Minutes and Expenditures for the month of January be accepted. The motion was seconded by Mitchell Baalman and passed unanimously by voice vote (no abstentions or “nay” votes).

#### 4. UNFINISHED BUSINESS:

##### a. Final Annual Meeting Prep

Board Members were given the opportunity to ask any questions or uncertainties about the Annual Meeting and individual job duties. A copy of the audit report was handed out for review.

Jeff Deeds moved the audit be adopted. The motion was seconded by Mitchell Baalman and passed unanimously by voice vote (no abstentions or “nay” votes).

##### b. Protocol Discussion

Dialogue about how to achieve the goal statement, accepted at the January 13, 2015 Board Meeting was productive, with many ideas stated. One of the discussions was modifying the funding mechanism as a conservation tool. Concern was expressed on the money not staying within GMD 4. There was another discussion on potential triggers, by township, to initiate a percent conservation for a set period of time. This would require some data collection and possible assistance with the RRCA Model available. Tracy Streeter from the KWO offered their assistance in getting the model data for us and Mitchell Baalman offered his assistance with re-drilling an existing observation well.

##### c. Closing the District to New Appropriations

Ray Luhman informed the Board that the moratorium was effective February 2, 2015 instead of January 13, 2015 as requested.

##### d. Roof Discussion

The engineering study is done and more sketches for the design should be coming.

## b. Annual Meeting

*President Brent Rogers recessed the Board of Directors Meeting, to be reconvened following the 40th GMD4 Annual Meeting.*

*At 3:30 P.M. Vice President Shane Mann reconvened the February 19<sup>th</sup> Board of Directors Meeting. An error was made during the Annual Meeting on the position open for election. The Sheridan #7 position was available for reelection at the 40<sup>th</sup> Annual Meeting. Brent Rogers, President, holds this position. The ballot indicated that Mitchell Baalman was up for election of the Sheridan #7 position, but he holds the Sheridan #8 position. The Sheridan #8 position is not available for election until the 41<sup>st</sup> Annual Meeting. This error resulted in an invalid election.*

## c. Election of New Officers

An error was made in the election of officers at the Annual Meeting resulting in an invalid election of Mitchell Baalman. Election of officers has been suspended until the next GMD 4 Board Meeting to correct the issue.

## d. Re-allocation of funds in 2015 budget

Ray Luhman suggested the contracted services for irrigation plan contracts be moved from reserve for contingency to salaries and benefits in the 2015 budget. A total of \$8,270 was suggested as that would cover 20 irrigation plan contracts. This is only a shift in line items and not a change in the total budget amount.

Jeff Deeds moved that the \$8,270 be moved from reserve for contingency to salaries and benefits for irrigation plan contracts. The motion was seconded by Mitchell Baalman and passed unanimously by voice vote (no abstentions or "nay" votes).

## 6: Agency Reports

a. NWKS Groundwater Conservation Foundation

A meeting is scheduled for March 12<sup>th</sup>, 2015 following the Board Meeting. A revision of the bylaws need discussion at that meeting.

8. Scheduling Future Meetings:

The March Monthly Meeting to be held at the GMD 4 office on March 12<sup>th</sup> at 10 am. Agenda items to include: future discussion of goal statement, roof, officer elections, and a rules and regulations revision for closing the district to new appropriations.

9. ADJURNMENT

*With no other business and no objections, Jeff Deeds moved to adjourn the meeting.* The motion was seconded by Doug David and passed unanimously by voice vote (no abstentions or "nay" votes).

Respectfully submitted:

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Jeff Deeds, Secretary

**Minutes: Northwest Kansas Groundwater Management District 4  
March 12, 2015 Board Meeting**

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

The March 12th board meeting was opened at 10:03 am CST at the GMD 4 Office In Colby Kansas by Vice President, Shane Mann.

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

Jeff Deeds, Shane Mann, Lynn Goossen  
Roger Zwegardt, Scott Maurath, Justin Sloan,  
Mitchell Baalman

Others present for some or all of the meeting were: Ray Luhman, Shannon Cain, Dan Simmering, and Rita Wade – GMD 4 staff; Jeff Mason of Vignery & Mason (Attorney); Kelly Stewart - DWR/Stockton; Greg Graff – GMD 1/Kansas Water Authority; Tom Sloan, Steve Wilson, Tanner Brown, Kevin Wark, Adam Perkins, Travis Towns, Craig Reed, Bert Stramel, Karen Flanagan & Richard Stefan.

Justin Sloan asked to add TH-05 to the agenda under “New Business”.

Jeff Deeds moved that TH-5 be added for discussion under New Business. The motion was seconded by Mitchell Baalman and passed unanimously by voice vote (no abstentions or “nay” votes).

**2. CONSENT AGENDA**

Shane Mann asked if there were any concerns over the consent agenda, consisting of the February 11th, 2015 Minutes and Expenditures for the month of February. Receipt of the February financial report showing monthly expenditures totaling \$38,860 in February were approved.

Scott Maurath moved the Minutes and Expenditures for the month of February be accepted. The motion was seconded by Jeff Deeds and passed unanimously by voice vote (no abstentions or “nay” votes).

**3. MANAGER'S REPORT**

GMD4 Board Members referred to the Board Packet which outlined the Items of the Manager's report. Ray Luhman gave an update on the Vision Planning Teams. There were two public meetings this week, one in Goodland, and one in Colby. Staff did not participate, but did observe at these meetings. Justin Sloan reported on his participation and observations at the Colby meeting and Roger Zwegardt reported on his participation

**EXHIBIT**

and observations at the Goodland meeting. Conversation was had about Colorado and Nebraska utilizing augmentation on the Upper Republican as it was mentioned at one of the Vision Planning Team meetings. Kelly Stewart reported augmentation is not a Kansas solution. There will be a meeting in April at St. Francis to discuss further. The Regional Planning Teams will meet again soon to review the comments from the public meetings and set goals.

Ray Luhman then gave an update on legislation concerning water. There are currently four bills we are watching. Sean Miller is providing updates as the bills progress. Greg Graff reported that he testified against the bill proposing to increase agriculture taxes.

#### 4. UNFINISHED BUSINESS:

##### a. Board Appointment and Election of Officers

Board Members discussed the Annual Meeting where an invalid vote was taken for the Sheridan 7 Position and Mitchell Baalman was elected. It was mentioned there was talk of "voter fraud" among district members. Board Members and district staff discussed the mistake made by all at the Annual Meeting. It was decided that it was indeed a mistake and "voter fraud" is a false accusation.

Considering the invalid election at the Annual Meeting, Brent Rogers, by law, still holds the Sheridan #7 position as it was not challenged at the Annual Meeting with other nominations. Brent Rogers was not present for the meeting due to a medical emergency, but sent an email requesting to be reappointed to his Board position.

Scott Maurath moved that the Board appoint Brent Rogers to the Sheridan 7 position. The motion was seconded by Jeff Deeds. The motion passed with four votes for and two votes against from Justin Sloan and Lynn Goossen.

*Election of Officers: Shane Mann nominated Brent Rogers for Board President, Mitchell Baalman seconded the nomination. Justin Sloan nominated Shane Mann for Board President, Lynn Goossen seconded the nomination. Nominations were ceased, and Brent Rogers was elected Board President with four votes and two votes for Shane Mann. Lynn Goossen nominated Shane Mann for Vice President, Mitchell Baalman seconded the nomination. Nominations were ceased, and it was passed unanimously by voice vote (no "abstentions" or "nay" votes.) Shane Mann nominated Jeff Deeds for Secretary, Mitchell Baalman seconded the nomination. Nominations were ceased, and it was passed unanimously by voice vote (no "abstentions" or "nay" votes.) Mitchell Baalman nominated Dave Rietcheck as Treasurer, Roger Zwegardt seconded the nomination. Lynn Goossen nominated Justin Sloan as Treasurer and Mitchell Baalman seconded the nomination. Nominations were ceased, and it was passed that Dave Rietcheck be elected Treasurer with four votes and two votes for Justin Sloan.*

## b. Develop Goal Statement

Dialogue continued about the goal statement and where to move next. There is concern with the language of "Board action" in the statement and conversation was had on the process of developing the SD-6 LEMA. Data was presented from staff showing the data of several scenarios mentioned at previous meetings. Shane Mann suggested that time was needed to review the data and the Board should bring ideas to the next meeting.

## c. Roof Discussion

Ray Luhman will forward the report from Stephens Construction, Inc. to the Board for review and referred the subject to the Building Committee for their input.

## 5. NEW BUSINESS

### a. Proposed Rule & Reg for District Appropriations

A proposed rule & reg was presented to the Board to close the Ogallala Aquifer of the district. As the moratorium is in effect, the Board would like time to review the proposed before taking action.

### b. Public Information Discussion

There are concerns about the organization and accuracy of the GMD 4 website. Rita Wade spoke with Spencer Casey that morning and reported that he designed the website, but is agreeable in somebody else conducting the day-to-day needed updates to keep it accurate. Several suggestions from the Board were discussed. District staff will seek out better alternatives in keeping the website presentable and accurate. Ray Luhman told the Board that he would move to employ someone to do this as soon as possible if costs were not unreasonable, otherwise he would seek Board approval.

The Spring newsletter is due to be published and suggestions from the Board on what they would like included was discussed. Many of the readers like reading the "Pumping the Tailwater" section and it needed to be kept in the newsletter. News about updating the website also needed to be included. Board members have till early next week to provide any ideas for articles.

A suggestion was made to have a Facebook page initiated. Shannon Cain agreed that she could create one and manage it efficiently.

### c. Executive Session

Jeff Deeds moved that the Board go into executive session to discuss nonelected personnel with the District Manager and attorney. The motion was seconded by Scott Maurath and passed unanimously by voice vote (no abstentions or "nay" votes).

The Board went into Executive Session at 12:30 pm for the purpose of discussing nonelected personnel. The Board came out of executive session at 12:45 pm with no action taken.

### d. TH-5

Bert Stramel came before the Board with information on a plan discussed for water conservation in the TH-5 HPA. He presented a handout (copy attached to these minutes) with information discussed among several producers in TH-5 and was requesting assistance and support from the Board in implementing the plan, possibly a LEMA. The plan was reviewed and discussed with several questions from the Board. District staff will review some data in relation to the plan and report that to those representing this group.

Justin Sloan moved that the Board facilitate the TH-5 plan presented. The motion was seconded by Lynn Goossen and passed unanimously by voice vote (no abstentions or "nay" votes).

### 6: Agency Reports

Kelly Stewart informed the Board that Water Use Report season was over. He thanked everyone that submitted their reports online as 9% of all reports were filed online. For the first year, this was more than expected and they were excited about the results. Several suggestions were made to improve the online water use reporting and Kelly agreed to take those suggestions back as they wanted feedback.

### 7. OPEN SESSION-Public Questions/Comments:

None to Report

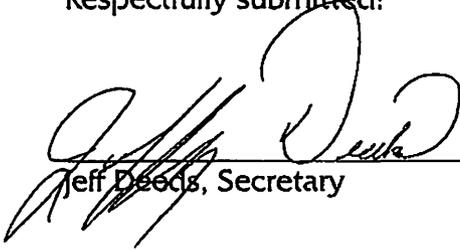
### 8. Scheduling Future Meetings:

The April Monthly Meeting to be held at the GMD 4 office on April 2nd at 9 am. Agenda items to include: TH-5, Foundation meeting, roof (building committee) and the proposed rule and reg.

9. ADJOURNMENT

*With no other business and no objections, Lynn Goossen moved to adjourn the meeting. The motion was seconded by Justin Sloan and passed unanimously by voice vote (no abstentions or "nay" votes).*

Respectfully submitted:



Jeff Deeds, Secretary

**Minutes: Northwest Kansas Groundwater Management District 4  
April 2, 2015 Board Meeting**

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

The April 7th board meeting was opened at 9:05 am CDT at the GMD 4 Office in Colby Kansas by President, Brent Rogers.

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

Jeff Deeds, Shane Mann, Lynn Goossen  
Roger Zwegardt, Doug David, Justin Sloan,  
Mitchell Baalman, Brent Rogers, Monty Biggs  
and Dave Rietcheck

Others present for some or all of the meeting were: Ray Luhman, Shannon Cain, Dan Simmering, and Rita Wade – GMD 4 staff; Jeff Mason of Vignery & Mason (Attorney); Kelly Stewart - DWR/Stockton; Tom Sloan, Steve Wilson, Jon Friesen, Bert Stramel, Karen Flanagan & Linda Franklin.

Justin Sloan asked to add Financial Procedures to the agenda under “New Business”.

**2. CONSENT AGENDA**

Brent Rogers asked if there were any concerns over the consent agenda, consisting of the March 15th, 2015 Minutes and Expenditures for the month of March. Receipt of the March financial report showing monthly expenditures totaling \$38,265.05 in March were approved.

Dave Rietcheck moved the Minutes and Expenditures for the month of March be accepted. The motion was seconded by Mitchell Baalman and passed unanimously by voice vote (no abstentions or “nay” votes).

**3. MANAGER'S REPORT**

GMD4 Board Members referred to the Board Packet which outlined the items of the Manager's report. Ray Luhman gave a legislative update and review of correspondence with Sean Miller indicating there were no recent changes. He also informed the board that we have hired Crystal Pounds from Colby Community College to do more frequent updates to the webpage.

Shannon Cain gave an update on ordering of ArcGIS to update the technology. She informed the board of the process and costs of obtaining an upgrade. KDA is also developing a Mobile WRIS for field work that GMD 4 is interested in using and would require an ArcGIS update.

**EXHIBIT**

#### 4. UNFINISHED BUSINESS:

##### a. Develop Goal Statement

Board Members discussed extending the life of the aquifer. Several quantitative values were mentioned. Shane Mann reported he attended the GMD 1 Annual Meeting where they discussed a district wide 20% reduction in pumping. He would like to know the amount of pumping reductions needed to extend the aquifer. Justin Sloan questions what kind of pumping reductions it would require for an area with 50% of the aquifer left in 2065 to extend that by 25 years. A couple of board members had discussion on the minimum saturated thickness needed to support a 400 gpm well based on the section level data. District staff will create data to show what kind of reductions would be needed to have a given percent of the remaining aquifer, based on a levels to sustain a 400 gpm well, for a certain year. The idea of a district wide reduction was also discussed, but with "sub-areas" since the district varies in climate, aquifer and irrigation intensity.

#### NW KS GROUNDWATER CONSERVATION FOUNDATION

*President Brent Rogers recessed the Board of Directors Meeting at 9:56 A.M., to be reconvened following the NW KS Groundwater Conservation Foundation Meeting.*

*At 11:02 A.M. Vice President Shane Mann reconvened the April 2, 2015 Board of Directors Meeting.*

##### b. Roof Discussion

The Board reviewed the report from Stephens Construction, Inc. presented at the March 15<sup>th</sup> meeting. Discussion was had on the approximate \$140,000 remodel and several members thought the price tag was more than should be paid. A less expensive option needs to be sought for comparison purposes. Ray said he would contact the contractor and request a bid on removing the skylight and raised front, and re-doing the current roof with the metal roofing.

##### c. TH-5

Bert Stramel reported to the Board that they were in the process of creating an informational packet to be mailed. He has obtained a spreadsheet from Ray Luhman containing data for the area. GMD 4 agreed to supply the mailing list with a records request and will help pay for postage of mailings. GMD 4 will not participate in the proposed ballot project.

##### d. Proposed Rule & Reg for District Appropriations

The proposed rule and regulation would close the district to new appropriations whose source of supply is the Ogallala formation. Discussion was had on the process once the proposed change is sent and that once approved, the "use it or lose it" will not apply to anyone within the Ogallala formation of the district. Justin Sloan stated that he did not want to close the district as there may be some areas where water could still be available and that would assist the region economically. Doug David expressed concern that non-irrigation rights could be adversely in Graham County. It was decided that the matter be tabled until the next meeting.

## 5. NEW BUSINESS

### a. Financial Procedures

Justin Sloan stated that he thought the board members should be signing the checks for money owed by the district instead of district staff. Discussion was had on the payment of time sensitive obligations and paychecks, among other things. District staff will check with the auditors for a possible procedure on doing this efficiently, and will report back to the Board in May.

## 6: Agency Reports

Kelly Stewart informed the board there will be a meeting on the Upper Republican on April 7<sup>th</sup>, 2015 at 10:30 A.M. in St. Francis. Kansas Department of Agriculture, Kansas Water Office and others will be present at the 4-H building to allow for public comment on the issues for their region concerning the Republican River Compact and provide the public with updates. He also stated that all the rivers within the Stockton Field Office were under Minimum Desirable Streamflow levels and their office may be spending much time with administration if it doesn't rain.

## 7. OPEN SESSION-Public Questions/Comments:

Shane Mann reported that he went to the GMD 1 Annual Meeting. He liked how they had a mini trade show available to attendees and thought this might be a good idea for the next GMD 4 Annual Meeting. There was a break during their annual meeting that allowed attendees to visit the vendors and they were also given 3-5 minutes during the meeting to explain their product and/or services.

Mitchell Baalman reported on the SD-6 Advisory Meeting stating the meeting was very good. They met at his shop on short notice, but all of the members were present. He indicated the discussions of the agenda items was very good among the attendees. Ray Luhman agreed and shared that some other committee members also liked the environment of holding those meetings in the future at area farm shops.

## 8. Scheduling Future Meetings:

The May Monthly Meeting to be held at the GMD 4 office on May 7th at 9 A.M. Agenda items to include: TH-5, roof discussion, financial procedure and the proposed rule and reg.

The June Monthly Meeting to be held at the GMD 4 office on June 4<sup>th</sup> at 9 A.M. Agenda items to include: Proposed Budget Hearing

## 9. ADJOURNMENT

*With no other business and no objections, Lynn Goossen moved to adjourn the meeting. The motion was seconded by Roger Zweygardt and passed unanimously by voice vote (no abstentions or "nay" votes).*

Respectfully submitted:

  
\_\_\_\_\_  
Jeff Deeds, Secretary

**\*\* D R A F T Minutes \*\***

**Minutes: Northwest Kansas Groundwater Management District 4  
May 7, 2015 Board Meeting**

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

The May 7th board meeting was opened at 9:05 am CDT at the GMD 4 Office in Colby Kansas by President, Brent Rogers.

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

Jeff Deeds, Shane Mann, Lynn Goossen  
Roger Zweygardt, Doug David, Justin Sloan,  
Mitchell Baalman, Brent Rogers, and Scott Maurath

Others present for some or all of the meeting were: Ray Luhman, Shannon Cain, Dan Simmering, and Rita Wade – GMD 4 staff; Jeff Mason of Vignery & Mason (Attorney); Mark Billinger-DWR/Stockton; Tom Sloan, Steve Wilson, Jon Friesen, Bert Stramel, Karen Flanagan & Steve Bremenkamp.

Board members absent were: Monty Biggs and Dave Rietcheck

Ray Luhman asked that three items be added to new business:

- b.) Governor's Conference Sponsorship, c.) ESRI purchase &
- d.) Refrigerator purchase.

**2. CONSENT AGENDA**

Brent Rogers asked if there were any concerns over the consent agenda, consisting of the April 2, 2015 Minutes and Expenditures for the month of April. Receipt of the April financial report showing monthly expenditures totaling \$33,057.11 in April were approved.

Mitchell Baalman moved the Minutes and Expenditures for the month of April be accepted. The motion was seconded by Shane Mann and passed unanimously by voice vote (no abstentions or "nay" votes).

**3. MANAGER'S REPORT**

A brochure for the GMDA Conference in Idaho was passed around. Ray Luhman informed the Board that we did not plan to attend.

The KWA is meeting in Greensburg on May 20 – 21. Ray Luhman and Shannon Cain have plans to attend May 20<sup>th</sup> to listen to the Regional Planning Teams report to the KWA.

KGS is reporting on the 2015 Index Well Measurements via Glance Session on Monday, May 11<sup>th</sup> at 1:00 pm. If any Board members would like to listen, staff can provide the information to participate.

Ray Luhman reported on the recent RCPP Grant received by GMD 3. The grant will allow for a cost-share of soil probes when used with a crop consultant. GMD 4 will benefit as the area covers all GMD's in Kansas. The Board will provide \$25,000 of in-kind services to assist.

The Upper Republican BAC had its last meeting on Tuesday, May 6<sup>th</sup>. The BAC's are being replaced with RAC (Regional Advisory Committee) as the regions will mirror the areas for the Vision Regional Planning Teams.

Shannon Cain reported that USDA has made more money available through RCPP for potential grants. Suggestions for grant ideas were taken. If a grant is desired, a decision needs to be made at the next meeting to allow time to prepare the proposal before the July 8, 2015 due date.

Shannon Cain also gave an update on the ArcGIS. We would like to update our ArcGIS software. It will be needed for WRIS Mobile or any other future mobile application we use in the future. We are still waiting for KDA to develop the WRIS Mobile. Mark Billinger of DWR reported that they will have training in late May and it is expected to bring back a unit to try.

#### 4. UNFINISHED BUSINESS:

##### a. Develop Goal Statement

Board Members submitted a set of questions mailed to them with the Board packets. A discussion began on saving the areas that are problematic and even conservation in areas that are not. Questions were asked on the WCA (Water Conservation Area) currently in legislation. As proposed, it would require 100% participation within an area and would need GMD recommendation.

Ray Luhman then proposed an idea for the sake of discussion whereby, in townships with at least 1% decline per year of some base year, a determination would be made to reduce pumping by 20% based on previous pumping history derived from a recent set of annual water use reports. The 80% remaining average pumped would then be divided by the max acres reported during the base years to determine the conservation inches per acre. Individual inches per acre for each year of the base period would also be determined for each point of diversion. Each individual well would receive their maximum pumped inches per acre or the calculated inches per acre whichever is less. After this step the remaining conservation acre feet would be divided by the remaining acreage to determine the final conservation inches per acre. Vested rights would not participate. Non irrigation rights would be required to reduce using a calculation of the percentage of total pumped by non-irrigation times 20%. MYFA-like term permits could be made available to allow the annual use in excess of the appropriated right

provided the conservation amounts for the period were not exceeded. The Board further discussed the possibility that areas with more than 1% and less than 2% decline might have 10% reductions while areas with declines greater than 2% decline would be required to reduce by 20%. It was suggested that staff create some hypothetical and/or non-identified scenarios for the Board to review.

#### NW KS GROUNDWATER CONSERVATION FOUNDATION

*President Brent Rogers recessed the Board of Directors Meeting at 10:16 A.M., to be reconvened following the NW KS Groundwater Conservation Foundation Meeting.*

*At 11:43 A.M. ~~Yes~~ President <sup>Brent Rogers</sup> ~~Shane Mann~~ reconvened the April 2, 2015 Board of Directors Meeting.*

#### b. Roof Discussion

Another proposal from SCI Stephens Construction, Inc. for a new roof was received. Concern was expressed on the cost of a new roof at \$88,702, but the proposal was considerably less than the previous bid.

Scott Maurath moved the proposal be accepted. The motion was seconded by Mitchell Baalman.

Discussion was then had on a guarantee that the roof would not leak.

Shane Mann moved to amend the previous motion to accept the proposal with a five year guarantee. The motion was seconded by Justin Sloan and passed unanimously by voice vote (no abstentions or "nay" votes).

The amended motion was then passed unanimously by voice vote (no abstentions or "nay" votes).

#### c. TH-5

Bert Stramel reported to the Board they were getting closer to sending a mailing and expected to utilize GMD 4 for that mailing.

#### d. Proposed Rule & Reg for District Appropriations

Ray Luhman restated that the rule and regulation change to close the district to new appropriations from the Ogallala would exclude 15 acre-foot offsets and re-drills of existing water right wells. Concern was expressed for those areas where industry could still get a water right.

Mitchell Baalman moved to request that the Chief Engineer begin the process of amending KAR 5-24-2 as reviewed by the Board at the April meeting. The motion was seconded by Shane Mann and passed with six votes for and two votes from Doug David and Justin Sloan against.

#### e. Financial Procedures

Ray Luhman reported that he inquired with the other GMD's on their financial procedures. All the western GMD's operate similar to the way GMD 4 currently operates. The two eastern GMD's are a bit more structured. We could set a maximum limit on the amount spent without board action. The auditor advised us that emailing expenditures to the board would violate open meeting laws.

Scott Maurath moved to leave the current financial procedures as is. The motion was seconded by Mitchell Baalman and passed with six votes for and two votes from Lynn Goossen and Justin Sloan against.

### 5. NEW BUSINESS

#### a. Probe Cost-Share

Money from GMD 4 will need to be utilized for the NW KS Groundwater Conservation Foundation probe cost-share program until the foundation's CDs mature in June.

Doug David moved to **USE DISTRICT FUNDS TO COVER THE PROBE COST SHARE EXPENDITURES. THESE FUNDS WILL BE REIMBURSED BY FOUNDATION FUNDS WHEN THEY BECOME AVAILABLE.** The motion was seconded by Shane Mann and passed unanimously by voice vote (no abstentions or "nay" votes).

#### b. Governor's Conference on the Future of Water in Kansas

Historically, all five GMD's have shared a \$1,500 sponsorship to the conference being held this year November 18-19, 2015.

Jeff Deeds moved we cost-share the sponsorship with the other five KS GMD's. The motion was seconded by Shane Mann and passed unanimously by voice vote (no abstentions or "nay" votes).

#### c. ESRI

Shannon Cain gave a brief overview of the cost to update three ArcGIS licenses. We are entitled to a 10% discount through the state MPA. A quote was received for \$4,050 for three basic licenses. Spatial Analyst license may be needed in the future. Training may also be needed once the software has been acquired.

Mitchell Baalman moved to purchase the software. The motion was seconded by Jeff Deeds and passed unanimously by voice vote (no abstentions or "nay" votes).

#### d. Refrigerator

The district office is in need of a refrigerator. Shannon Cain showed the board an advertisement of what we were wanting to purchase. The projector was also having troubles and a new one may need purchased. More research on projectors was desired before purchasing.

Scott Maurath moved to purchase the refrigerator. The motion was seconded by Doug David and passed unanimously by voice vote (no abstentions or "nay" votes).

6: Agency Reports

Mark Billinger of DWR/Stockton Field Office reported that their office has had numerous complaints, mostly with surface water, due to the lack of rain. They have more than usual field inspections to complete this summer and review of new applications. Discussion was had on Webster Reservoir. The Webster Irrigation District will not be operating this summer due to lack of water in storage for release.

7. OPEN SESSION-Public Questions/Comments:

8. Scheduling Future Meetings:

The June Monthly Meeting to be held at the GMD 4 office on June 4th at 9 A.M.

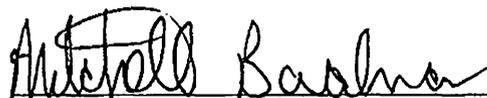
The July Monthly Meeting to be held at the GMD 4 office on July 9th at 9 A.M.

The August Monthly Meeting to be held at the GMD 4 office on August 6th at 9 A.M and to include the Budget Hearing

9. ADJOURNMENT

*With no other business and no objections, Mitchell Baalman moved to adjourn the meeting at 12:36. The motion was seconded by Shane Mann and passed unanimously by voice vote (no abstentions or "nay" votes).*

Respectfully submitted:

  
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Jeff Deeds, Secret

Mitchell Baalman, appointed secretary

**Minutes: Northwest Kansas Groundwater Management District 4  
June 11, 2015 Board Meeting**

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

The June 11th board meeting was opened at 9:02 am CDT at the GMD 4 Office in Colby Kansas by President, Brent Rogers.

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

Shane Mann, Lynn Goossen  
Roger Zweygardt, Dave Rietcheck,  
Mitchell Baalman, Brent Rogers, and Scott Maurath

Others present for some or all of the meeting were: Ray Luhman, Shannon Cain and Dan Simmering– GMD 4 staff; Kelly Stewart- DWR/Stockton; Steve Wilson, Jon Friesen, Bert Stramel & Karen Flanagan.

Board members absent were: Monty Biggs, Jeff Deeds, Justin Sloan & Doug David

Brent Rogers asked to move Steve Wilson (new business) before old business.

Shannon Cain presented three items be added to the agenda:

- a.) KSU Study to new business,
- b.) Governor's Conference sponsorship to old business
- c.) Appoint Acting Secretary

Dave Rietcheck moved Mitchell Baalman be nominated Acting Secretary. The motion was seconded by Shane Mann and passed unanimously by voice vote (no abstentions or "nay" votes).

**2. CONSENT AGENDA**

Brent Rogers asked if there were any concerns over the consent agenda, consisting of the May 7, 2015 Minutes and Expenditures for the month of May. Receipt of the May financial report showing monthly expenditures totaling \$54,750.50 in May were approved.

Shane Mann noted on the third page of the draft minutes that he did not reconvene the meeting following the NW KS Groundwater Conservation Foundation Meeting. Brent Rogers agreed that

he had reconvened the meeting. It was corrected that Brent Rogers reconvened the meeting, not Shane Mann.

Shane Mann moved the minutes for the month of May be approved as corrected. The motion was seconded by Lynn Goossen and passed unanimously by voice vote (no abstentions or "nay" votes).

Scott Maurath moved the Expenditures for the month of May be accepted The motion was seconded by Mitchell Baalman and passed unanlmsously by voice vote (no abstentions or "nay" votes).

### 3. MANAGER'S REPORT

Ray Luhman gave an update on the roof contract. He informed the board that we have a signed contract with the five year guarantee as requested. The contractor cannot guarantee the roof won't leak, but will guarantee that they will fix it if it does.

The proposed rule and regulation to close the Ogallala to new appropriations has been sent to the Division of Water Resources. They are currently in the 90 day period for review.

Ray Luhman and Shannon Cain went to Greensburg for the Kansas Water Authority Meeting. They listened to the four western Regional Planning Teams give their reports to the KWA and shared with the board the format those presentations were made. Shane Mann also attended this meeting as he is the chairman for the Upper Smoky Hill Regional Planning Team. He shared that it was clear all of Kansas has water problems, just different problems depending on region. They are still wanting public comments and will move forward at the next KWA meeting in August at Oakley.

The RCPP grant through NRCS awards soil probes with the use of a crop consultant. The program will require the producer to purchase a soil moisture probe and show water conservation by using the probe. If this can be demonstrated, NRCS will issue the producer a check at the end of the year for the probe.

Ray Luhman also reported that the WTAP program approved one application within the district.

### 4. UNFINISHED BUSINESS:

#### a. Goal Discussion

Prior to the board meeting, members were mailed a set of maps showing the townships and sections with a greater than 1% average annual decline using data from 2009-2013. Based on the methodology presented at the May board meeting, three townships were randomly chosen to show how each point of diversion within those example townships would be affected in the amount of inches they would be reduced. Data showing water table elevations for previous years was requested, but was stressed using the 2009-2013 data for reported water use needed to remain no earlier than that. The district was not completely metered until 2009 so errors in reporting with hours and rate could skew data.

Discussion was also had on why some areas in the HPA were not triggered. Those areas have more saturated thickness, but as the water table lowers in those townships, they will eventually be triggered.

A suggestion was made that everyone needed to be reduced by 5%, but another suggestion made to only those in the 1% triggered areas should be reduced by 5%. The idea of taking 5% reduction of the entire township then divvy up the remaining 95%. Others thought that a greater reduction should be made. It was agreed that pumping 24 inches should not be allowed and applying the TH-05 proposal would eliminate that. It was also mentioned that any township in excess of safe yield be reduced by at least 5%.

Townships that are triggered should be reviewed every 3-5 years to see if improvements have been made. Those townships that have not been triggered should be reviewed annually.

b. TH-5

Bert Stramel reported that no progress had been made, but from looking at the map sets presented, he had concern that there were two townships within TH-5 that would not be triggered by the 1% decline and they would want to be left alone. Further discussion was had on how those townships could become triggered in the future as water table elevation declined and that would need to be monitored annually.

Jon Friesen had several questions on the maps for clarification and understanding. He thought the plan had merit and suggested to the board using the NIR for that county and that there needed to be a 10% reduction in that for five years.

c. Grants

Shannon Cain gave a summary of the available grants. RCPP needed to have a preproposal submitted by July 8<sup>th</sup> if we were going to apply. KLA had contacted GMD 4 with a proposal to apply for water savings at the feedlots within the district. A savings of about 600 AF would result. The Board decided that the minimal water savings was not enough to justify the time and effort to be spent on the RCPP grant.

The Dane G. Hansen grant is issued monthly with a minimum of \$5000. Board members to return next meeting with ideas.

d. Governor's Conference Sponsorship

Ray Luhman reported that GMD 5 has elected not to support the sponsorship at the Governor's Conference. The other GMD's were either undecided or would only sponsor if the others did as well.

Dave Rietcheck moved to rescind the motion to support the sponsorship with the other GMD's at the Governor's Conference. The motion was seconded by Shane Mann and passed unanimously by voice vote (no abstentions or "nay" votes).

## 5. NEW BUSINESS

### a. Steve Wilson

Steve Wilson proposed a "Zero In Twenty" plan. The plan was given to Board members prior to the meeting for review and outlined the idea of zero depletion of the aquifer in 20 years. Steve presented a review of his plan. Ray Luhman prepared a spreadsheet prior to the meeting that represented some numbers relative to the idea. The data showed that zero depletion in 20 years would require aggressive reductions. Steve expressed his liking of starting low and working up instead of drastic reductions to begin with. He was unsure of the numbers included in his plan, but wanted everyone in the district to participate.

Consensus in discussion showed that producers currently conserving should not be punished and that excessive pumping needed to be stopped. The idea of acres under the pivot only should be included in the inches per acre calculation and exclude any acres that may be under an end gun. The majority also liked the idea of slow process of reductions and 16" being the maximum allowed. If drastic reductions were to be implemented quickly then flexibility measures needed to be included. Steve's plan did not include flexibility due to the slow process of reductions.

### b. Regional Advisory Committee

The Kansas Water Authority will be developing these committees at the August meeting in Oakley. All of GMD 4 is within the Upper Republican area. We need to nominate either Ray, Shannon and/or board members. It was agreed that the decision be tabled until we have a better understanding on what is needed.

### c. KSU Study

Nathan Hendricks, Department of Agricultural Economics, Kansas State University contacted us for a letter of support for a study titled "Local Approaches towards Effective Collective Management of Groundwater Resources".

Dave Rietcheck moved a letter of support be given for the study. The motion was seconded by Roger Zwegardt and passed unanimously by voice vote (no abstentions or "nay" votes).

## 6: Agency Reports

Kelly Stewart of the Stockton Field Office reported on Mobile WRIS. Mark Billinger was in Manhattan for training and would be returning with a unit to pilot. Kelly said they would be happy to show us for potential inclusion in the technology. He also reported that all streams in the Stockton Field Office, except the Saline River, was above MDS.

## 7. OPEN SESSION-Public Questions/Comments:

Shane Mann suggested that we move the open session up the agenda to one of the first items on the list. It was discussed to leave the open session, but to create a Public Forum Item to follow the Consent Agenda.

Shane Mann moved to include a Public Forum item on the agenda after Consent Agenda. The motion was seconded by Dave Rietcheck and passed unanimously by voice vote (no abstentions or "nay" votes).

## 8. Scheduling Future Meetings:

The July Monthly Meeting to be held at the GMD 4 office on July 9th at 9 A.M. Staff contracts will be discussed. Due to wheat harvest, the date could be moved to July 16<sup>th</sup>.

The August Monthly Meeting to be held at the GMD 4 office on August 13th at 9 A.M and to include the Budget Hearing

## 9. ADJOURNMENT

*With no other business and no objections, Shane Mann moved to adjourn the meeting at 11:48* The motion was seconded by Mitchell Baalman and passed unanimously by voice vote (no abstentions or "nay" votes).

Respectfully submitted:

  
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Mitchell Baalman, Acting Secretary

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*Agenda Item 2 - Consent Agenda – Previous Minutes and Financial Reports*

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**\*\* D R A F T Minutes \*\***

**Minutes: Northwest Kansas Groundwater Management District 4  
July 9, 2015 Board Meeting**

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

The July 9th board meeting was opened at 9:00 am CDT at the GMD 4 Office in Colby Kansas by President, Brent Rogers.

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

Shane Mann, Lynn Goossen Jeff Deeds, Monty Biggs,  
Roger Zwegardt, Dave Rietcheck, Justin Sloan  
Mitchell Baalman, Brent Rogers, and Scott Maurath

Others present for some or all of the meeting were: Ray Luhman, Shannon Cain, Rita Wade and Dan Simmering – GMD 4 staff; Jeff Mason – Vignery & Mason; Kelly Stewart & Nick Hixson-DWR/Stockton; Jody McCain & Karen Flanagan.

Board members absent were: Doug David

**2. CONSENT AGENDA**

Brent Rogers asked if there were any concerns over the consent agenda, consisting of the June 11, 2015 Minutes and Expenditures for the month of June. Receipt of the June financial report showing monthly expenditures totaling \$46,641.42 in June were approved.

Dave Rietcheck moved the minutes and expenditures for the month of June be accepted. The motion was seconded by Roger Zwegardt and passed unanimously by voice vote (no abstentions or "nay" votes).

**3. OPEN FORUM**

Brent Rogers asked if there was anything to be presented in Open Forum. No responses were given.

#### 4. MANAGER'S REPORT

Ray Luhman informed the Board that the new roof is expected to be put on this fall.

The proposed rule and regulation change is still in the process. DWR proposed a small change in the wording that related to new applications. Ray agreed the change should be made and that the proposed rule and regulation was well received by DWR. Kelly Stewart commented that he agreed as he has been included in the process. DWR will come back to the Board with their changes. Once it is agreed on, a public hearing will be scheduled.

The Kansas Water Congress will be meeting August 6-7<sup>th</sup>, 2015 in Lawrence. Ray and Shannon will be attending. Any board members that would also like to attend need to notify Shannon by Friday afternoon.

Email has been the preferred communication for notifications to board members. With the use of cell phones, text messaging would be more effective. All present board members gave their cell phone numbers to be emailed to other board members.

A question was asked on the probe program and the progress with it. Shannon reported that all approved probe applications have been paid for.

#### 5. UNFINISHED BUSINESS:

##### a. Goal Discussion

Board members were given questions to consider for discussion prior to the meeting consisting of potential plan components. Discussion was started with going through the questions. Not all questions were discussed, but good ideas came from the ones that were.

Using the 1% average annual decline as a trigger is well received by most members. Concern still exists with boundaries. Using townships as the area of focus for triggers is also well received, but more data on breaking that down into half and quarter townships is desired.

The years of data for water table elevations was discussed. It was agreed that the more years of data to use, the better. Using the updated water table elevations for 2004 through 2013 would be the best data set to use.

The question of what years to use in computing historical average inches per acres was also discussed. Ray Luhman showed the board a spreadsheet showing the various outcomes for each scenario. Members expressed the need for more information with comparisons. In discussing the number of acres to be used, the process used in the SD-6 LEMA was thought to work well.

Transfers of water were mentioned in the conversation. Some mixed feelings exist, but board members agreed that if transfers were allowed, they could only be within the area of consideration for a trigger. Water could not be transferred from a township, or other designated area, that was not triggered into an area that is.

b. TH-5

Nothing reported on the progress in TH-5.

c. Grants

Several possibilities for grants were suggested. In efforts to get others to conserve water and the costs involved with the soil moisture probes, potential funding for EC mapping and consultant training were suggested. With the rise of technology and the soil moisture probes, training for crop consultants is needed. Shannon will contact several crop consultants to inquire about interest in training for certification.

d. Regional Advisory Committee

GMD 4 would like representation on the new RAC's being formed. Deadline for application is soon. Discussion was had on who should apply for the position. It was suggested that staff member should serve instead of a board member.

Jeff Deeds moved to have Shannon Cain apply for the GMD 4 position on the RAC. The motion was seconded by Mitchell Baalman and passed unanimously by voice vote (no abstentions or "nay" votes).

## 6. NEW BUSINESS

a. Health Insurance

GMD 4 staff recently learned the current method of issuing health insurance for employees is not in compliance with ACA. Stiff penalties will incur if we continue to use this method after July 1, 2015. Solutions and insurance options were discussed.

Scott Maurath moved that due to the ACA rules, the board will no longer honor health insurance benefits specified in contracts for Shannon Cain, Dan Simmering and Rita Wade after June 30, 2015. Motion was seconded by Monty Biggs and passed unanimously by voice vote (no abstentions or "nay" votes).

Shane Mann moved that the Board go into executive session for 20 minutes to discuss nonelected personnel with the staff and attorney. The motion was seconded by Mitchell Baalman and passed unanimously by voice vote (no abstentions or "nay" votes).

The Board went into Executive Session at 10:57 A.M. for the purpose of discussing nonelected personnel. The Board came out of executive session at 11:17 A.M.

Shane Mann moved that Rita Wade receive a \$465 monthly merit raise, Dan Simmering to receive a \$435 monthly merit raise and Shannon Cain to receive a \$300 monthly merit raise until

the end of 2015 at the manager's discretion. Motion was seconded by Dave Rietcheck and passed unanimously by voice vote (no abstentions or "nay" votes).

#### **b. Staff Contracts and Benefits**

Scott Maurath moved the Board go into executive session until 12:00 P.M. with Ray Luhman and attorney, Jeff Mason then other staff members individually. Motion was seconded by Dave Rietcheck and passed unanimously by voice vote (no abstentions or "nay" votes).

During the executive session Board Member, Justin Sloan, left the meeting.

Shane Mann moved the Board extend the executive session until 12:30 P.M. Motion was seconded by Mitchell Baalman and passed unanimously by voice vote (no abstentions or "nay" votes).

Jeff Deeds moved the Board extend the executive session until 1:05 P.M. Motion was seconded by Mitchell Baalman and passed unanimously by voice vote (no abstentions or "nay" votes).

At 1:05 P.M. the Board came out of executive session.

Scott Maurath moved the Board not offer health insurance to employees. Motion was seconded by Lynn Goossen and passed unanimously by voice vote (no abstentions or "nay" votes).

Scott Maurath moved to offer staff contracts to four named employees for the 2016 calendar year. Motion was seconded by Mitchell Baalman and passed unanimously by voice vote (no abstentions or "nay" votes).

#### **7. Agency Reports**

Kelly Stewart of the Stockton Field Office left the meeting early, but gave his report to Shannon Cain prior to leaving. He reported to her on the developments of WRIS Mobile. The Stockton Field Office had received one to pilot and even brought it to GMD 4 staff to look at. There are several issues that are being worked out and the software is still in the development phases. He is still hopeful this will be a productive tool for all.

#### **8. OPEN SESSION-Public Questions/Comments:**

Closing the gates at Bonny Reservoir was mentioned. With the recent rains, it was suggested the gates be closed and not charge Colorado with evaporation. It was suggested that Kelly Stewart or David Barfield be contacted in regards to this.

The Kansas Water Authority meeting previously scheduled in Oakley on August 19-20, 2015 was moved to Hutchinson.

9. Scheduling Future Meetings:

The August Monthly Meeting to be held at the GMD 4 office on August 13th at 9 A.M. The Budget Hearing is scheduled for 11:00 A.M. on the same day.

10. ADJOURNMENT

*With no other business and no objections, Monty Biggs moved to adjourn the meeting at 1:15 P.M. The motion was seconded by Lynn Goossen and passed unanimously by voice vote (no abstentions or "nay" votes).*

Respectfully submitted:



Jeff Deeds, Secretary

**Minutes: Northwest Kansas Groundwater Management District 4  
August 13, 2015 Board Meeting**

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

The August 13th board meeting was opened at 9:06 am CDT at the GMD 4 Office in Colby Kansas by Vice President, Shane Mann.

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

Shane Mann, Lynn Goossen Jeff Deeds, Doug David,  
Roger Zwegardt, Dave Rietcheck, Justin Sloan  
Mitchell Baalman, and Scott Maurath

Others present for some or all of the meeting were: Ray Luhman, Shannon Cain, Rita Wade and Dan Simmering - GMD 4 staff; Jeff Mason - Vignery & Mason; Kelly Stewart - DWR/Stockton; Jody McCain

Board members absent were: Monty Biggs & Brent Rogers

**2. CONSENT AGENDA**

Shane Mann asked if there were any concerns over the consent agenda, consisting of the July 9, 2015 Minutes and Expenditures for the month of July. Receipt of the July financial report showing monthly expenditures totaling \$38,342.94 in July were approved.

Dave Rietcheck moved the minutes and expenditures for the month of July be accepted. The motion was seconded by Lynn Goossen and passed unanimously by voice vote (no abstentions or "nay" votes).

**3. OPEN FORUM**

Shane Mann asked if there was anything to be presented in Open Forum. No responses were given.

**4. MANAGER'S REPORT**

**EXHIBIT**

Ray Luhman informed the Board there was nothing new to report on the roof.

He, Shannon Cain and Justin Sloan attended the Kansas Water Congress in Lawrence. Several good presentations were heard from Burke Griggs, KGS and others. A brief summary of the presentation highlights was given. One presentation from Burke Griggs gave a great review of the history of the KWAA and brought up the Garetson impairment case in SW Kansas. Discussion was had among the Board about the case.

Shannon then asked the Board for fall newsletter suggestions. Justin Sloan requested some information on the Aquaduct. She also gave some information on the upcoming RRCA & KWA meetings.

Ray Luhman then informed the Board of our visit to Tri-State Irrigation in St. Francis and what was learned with Ian De Waal. Roger Zweygardt and Dave Rietcheck were also there to learn more about the soil moisture probes and how the technology can be used for water savings.

## **5. UNFINISHED BUSINESS:**

### **a. Goal Discussion**

Board members were given a document with questions prior to the July meeting. Not all questions had been reviewed at the July meeting so the Board continued to work through the remaining questions.

Discussion was started with the question of what should be the maximum inches per acre allowed. Several Board members like the idea of using either the 50% or 80% Net Irrigation Requirements as the data is science based. The NIR data is old and it was thought that it should be updated. Other Board members like using the "olympic average" where the low and high average water use is discarded then averaged. Data to show the difference was requested and to continue the discussion with the comparison data.

Non-irrigation water use was reviewed in relation to reductions. It was agreed that they should be required to take some reduction.

In relation to the areas with less than 1% average annual decline, it was discussed that a maximum quantity should be set, but not

necessarily a reduction. It is not the intent to reduce those that are already conserving and utilizing best management practices. In these areas, the water table data should be reviewed every year to determine if the decline has become greater than 1%. In the areas with greater than 1% average annual decline, the water table elevations should be reviewed every five years to determine if reductions should still be implemented.

Other items discussed were if the reductions should be aggressive or progressive and if flexibility, such as umbrella accounts, should be allowed. Most Board members thought the progressive approach to reductions would be best and that it was the umbrella accounts that sold the SD6 LEMA and that some flexibility should be considered.

Lastly, the discussion of if there should be a maximum number of inches per acre a water right can be reduced. Most agreed there should not be a limit to the amount of reduction.

#### **b. Proposed Rule and Regulation Revised Wording**

Some language in the proposed rule and regulation change was altered to clean it up. The language change would not change the intent of the regulations and both Ray Luhman and DWR agreed on the language.

Scott Maurath moved to submit the proposed rule and regulation as presented to the Board with the modified language. The motion was seconded by Mitchell Baalman and passed unanimously by voice vote (no abstentions or "nay" votes).

#### **c. TH-5**

Nothing reported on the progress of TH-5.

#### **d. Grants**

After discussion on the requirements to become a certified crop advisor, the list and costs to fund were more than the Board wished to support. The problem is crop advisors telling producers to pump when their soil moisture probes indicate a full profile. Crop advisors and producers need to be more educated on

the technology involved and how it can save water. No grants needed at this time, but a program for education of producers and crop advisors in the field needs to be developed in coordination with others. The program to be implemented with a possible district-wide LEMA to provide a solution in reductions.

## **6. NEW BUSINESS**

### **a. PUBLIC HEARING ON PROPOSED BUDGET 2016**

At 11:30am Shane Mann opened the Budget Hearing. There were members of the public present that gave no additional testimony. Staff provided testimony to increase the proposed budget. Copy of changes attached to these minutes.

Shane Mann asked if there was any additional discussion regarding the 2016 GMD4 Operating Budget and there was none. *Dave Rietcheck motioned to close the 2016 Budget Hearing. Jeff Deeds seconded the motion which passed unanimously via voice vote (no "abstentions" or "nay" votes.)*

### **b. APPROVAL OF THE 2016 OPERATING BUDGET**

If the proposed 2016 were approved, assessment rates for water would be \$0.418. In 2010 the rates were increased to purchase the new building. Now that the new building has been purchased, Justin Sloan thought the assessment rates should be lowered back to the 2010 level and the reductions to be taken from the Upkeep or Remodel/Purchase line items in the budget. Other members voiced that more work needed to be done to the building and that assessment rates were dropping in 2016 from previous years.

*Scott Maurath motioned to approve the following resolution for the 2015 Budget :*

*WHEREAS the district membership during the 40th Annual Meeting adopted the proposed 2016 operating budget of \$489,190.00 for consideration at a subsequent public hearing; and*

*WHEREAS the board scheduled, duly noticed and conducted a public hearing regarding the tentatively adopted, proposed 2016 operating budget on August 13, 2015; and*

*WHEREAS all testimony and public comment was duly considered;*

***BE IT THEREFORE RESOLVED THAT the 2016 operating budget for the Northwest Kansas Groundwater Management District No. 4 shall be approved for \$496,397.00 – as followed:***

	2016 Proposed		2016 Final Assessed	
<b>110 POSTAGE</b>		<b>\$3,400.00</b>		<b>\$4,000.00</b>
111 Newsletter	2500		2500	
112 General	900		1500	
<b>120 PRINTING</b>		<b>\$3,500.00</b>		<b>\$3,500.00</b>
121 Newsletter	3200		3200	
122 Administrative	300		300	
<b>130 DUES</b>	2500	<b>\$2,500.00</b>	2500	<b>\$2,500.00</b>
<b>140 SUBSCRIPTIONS</b>	2700	<b>\$2,700.00</b>	2700	<b>\$2,700.00</b>
<b>150 INSURANCE</b>		<b>\$13,675.00</b>		<b>\$13,682.00</b>
151 Office	12500		12500	
152 Public Officials' Liability	900		900	
153 Auto				
154 Workmans' Comp.				
155 Inland Marine				
156 Unemployment	275		282	
<b>160 TELEPHONE</b>	6900	<b>\$6,900.00</b>	6900	<b>\$6,900.00</b>
<b>170 SALARIES AND BENEFITS</b>		<b>\$329,900.00</b>		<b>\$332,600.00</b>
171 Gross Sal, Kpers, SS, Etc.	313100		332600	
172 Health Insurance	16800		0	
<b>180 TRAVEL</b>		<b>\$13,000.00</b>		<b>\$13,000.00</b>
181 Board	10000		10000	
182 Staff	3000		3000	
<b>190 VEHICLES</b>		<b>\$6,275.00</b>		<b>\$6,275.00</b>
191 Repairs/Maintenance	1200		1200	
192 Operation	4900		4900	
193 Tags	175		175	
194 Purchase/Lease				
<b>200 CONTRACTED SERVICES</b>		<b>\$32,300.00</b>		<b>\$28,300.00</b>
201 Accounting	4500		5500	
202 Legal	7800		7800	
203 Misc. Support	20000		15000	
204 Water Sampling	0		0	
205 Drilling	0		0	
206 Weather Modification	0		0	
<b>210 PUBLICATIONS</b>		<b>\$500.00</b>		<b>\$500.00</b>
211 Legal Notices	500		500	
<b>220 COOP PROGRAMS</b>		<b>\$0.00</b>		<b>\$0.00</b>
221 Administrative				
222 Equipment				
223 Contracted Studies				
224 Education Program				
<b>230 ADMINISTRATIVE</b>		<b>\$9,500.00</b>		<b>\$10,400.00</b>
231 Office Supplies	3100		3500	
232 Copy Machine	1750		1750	
233 Computer Maint	3000		3500	
234 Postage Meter Lease	650		650	
235 Bank Charges				
236 Field Supplies	1000		1000	
<b>240 NEW EQUIPMENT</b>		<b>\$5,900.00</b>		<b>\$12,900.00</b>
241 Field	1400		1400	
242 Office	4500		11500	
<b>250 CONTINGENCY RESERVE</b>	0	<b>\$0.00</b>	0	<b>\$0.00</b>
<b>260 FACILITY</b>		<b>\$58,640.00</b>		<b>\$58,640.00</b>
261 Rent	840		840	

262 Upkeep	25000		25000	
263 Remodel/Purchase	25000		25000	
264 Building Utilities	7800		7800	
REIMBURSED EXPENSES				
300 FOUNDATION		\$500.00		\$500.00
305 Foundation Subscriptions				
325 Foundation Telephone				
345 Foundation Accounting	200		200	
350 Foundation Legal	300		300	
370 Foundation Tech Support	0		0	
	\$489,190.00	\$489,190.00	\$496,397.00	\$496,397.00

With no further discussion *Doug David* seconded the motion which passed by voice vote 8-1. *Justin Sloan* voted "nay".

**c. SET 2016 ASSESSMENTS**

Staff indicated that assessment rates of \$.05 per acre on land and \$0.418 on water would be required to support the previously adopted 2016 budget of \$496,397. Following discussion, *Mitchell Baalman* moved that the following resolution be adopted:

*WHEREAS* the board held a budget hearing on August 13, 2015 and considered all public testimony and comment and adopted a 2016 total operating budget of \$496,397.00; and

*WHEREAS* KSA 82a-1030 requires that a land assessment and/or water user charge be levied in order to fund the approved budget; and

*WHEREAS* there exists as of August 13, 2015 2,833,748 acres of land eligible for assessment and 848,325.1 acrefeet of water eligible for the water user charge for the 2016 operating budget; and

*WHEREAS* after due consideration of all testimony it is the board's decision that a 2016 budget of \$496,397 should be provided assessment support;

**BE IT THEREFORE RESOLVED THAT** the land assessment and water user charge for the 2016 operating budget shall be set at:

\$.05 per acre of assessable land; and  
\$.418 per assessable acrefoot of water.

*Dave Rietcheck* seconded the motion and with no further discussion the motion passed 8-1. *Justin Sloan* voted "nay".

## **7. Agency Reports**

Kelly Stewart of the Stockton Field Office/DWR reported the Mobile WRIS project was in a holding pattern as the developers were still ironing out problems and was uncertain of the time frame. He is hopeful in being able to share information with GMDs. He also reported that his staff were in the field checking the 2012 MYFAs. Everybody in the area is staying within their allocations. This is not the case in SW and SC Kansas. Civil penalties are being issued. They also just did a review of the 2014 overpumpers. He was glad that the list keeps getting smaller each year. Ray Luhman asked him about the Project Term Permits being issued in SW Kansas. Kelly agreed that there was a pressure to find a solution and this is what they came up with. He has not been engaged in all conversation associated with them.

## **8. OPEN SESSION-Public Questions/Comments:**

Mitchell Baalman commented that the Salina Journal recently had an article on how the KBI was involved in meter tampering. Discussion was had on what was known about the investigation.

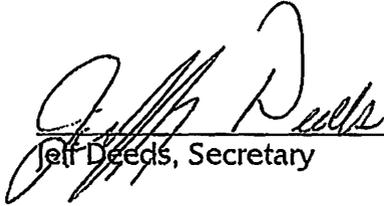
## **9. Scheduling Future Meetings:**

The September Monthly Meeting to be held at the GMD 4 office on September 3rd at 9 A.M.

## **10. ADJOURNMENT**

*With no other business and no objections, Lynn Goossen moved to adjourn the meeting at 12:37 P.M. The motion was seconded by Doug David and passed unanimously by voice vote (no abstentions or "nay" votes).*

Respectfully submitted:

  
\_\_\_\_\_  
Jeff Deeds, Secretary

**Minutes: Northwest Kansas Groundwater Management District 4  
September 3, 2015 Board Meeting**

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

The September 3 board meeting was opened at 9:00 am CDT at the GMD 4 Office in Colby Kansas by President, Brent Rogers.

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

Shane Mann, Lynn Goossen Jeff Deeds, Brent Rogers,  
Roger Zwegardt, Dave Rietcheck, Justin Sloan,  
Mitchell Baalman, Monty Biggs and Scott Maurath

Others present for some or all of the meeting were: Ray Luhman, Shannon Cain, Rita Wade and Dan Simmering – GMD 4 staff; Jeff Mason – Vignery & Mason; Mark Billinger - DWR/Stockton; Jody McCain; Karen Flannigan, Linda Franklin & Bert Stramel

Board members absent were: Doug David

**2. CONSENT AGENDA**

Brent Rogers asked if there were any concerns over the consent agenda, consisting of the August 13, 2015 Minutes and Expenditures for the month of August. Receipt of the August financial report showing monthly expenditures totaling \$35,749.14 in August were approved.

Mitchell Baalman moved the minutes and expenditures for the month of August be accepted. The motion was seconded by Dave Rietcheck and passed unanimously by voice vote (no abstentions or "nay" votes).

**3. OPEN FORUM**

Brent Rogers asked if there was anything to be presented in Open Forum. No responses were given.

**4. MANAGER'S REPORT**

Ray Luhman reported on a variety of topics. The roof contractor came by to take some measurements. Still do not know when they will begin construction.

DWR is sending out letters to stakeholders on the rule and regulation proposed change to close the Ogallala of GMD 4 to new appropriations.

**EXHIBIT**

The RCPP grant process has been stalled due to funds being temporarily held. The program is scheduled to continue once the funds are released.

We received a competitor quote for insurance. The current insurance company was contacted to counter-bid. After receiving both quotes, it was decided to stay with the current insurance company.

LEPG contacted us about their new domestic well application and fee. It is required in all district counties except Graham. If anyone plans to have a domestic well drilled or re-drilled, the application and fee will need to be filed with LEPG first.

An Aflac representative visited with district staff this week. Several policies are available for staff and board members. A minimum of three people need to sign up to get the company discount.

A reporter from California contacted Ray this week. He had many questions and wanted contact information for area irrigators and board members. Ray will let him know that the names of the board members are on our website, but he would not provide contact information.

The Governor's Conference on the Future of Water in Kansas is November 18-19, 2015 in Manhattan. If any board members would like to attend with district staff, please contact the office by September 17<sup>th</sup> so registration and reservations can be made for all who would like to attend.

Northwest Kansas Technical College in Goodland is developing a precision agriculture program. It has been suggested we contact them in regard to assisting in developing the curriculum and promotion, and also trying to coordinate with their staff on continuing education projects. Shannon has emailed the college, but will call as she has not received a response.

Shannon attended the Kansas Water Authority meeting on August 20<sup>th</sup>. The newly developed RAC's and suggested members were approved and their goals were discussed. She provided a list to the board of who was on the Upper Republican RAC.

She also sent a survey out to the cost-share probe program recipients to get feedback on how the probes were beneficial, or not. Several responses had been received. A brief report on those responses was reported to the board.

## 5. UNFINISHED BUSINESS:

### a. Goal Discussion

An email was forwarded to the board from Brownie Wilson and Jim Butler of KGS regarding the size of individual management units. Jim advised that using sub-

township level was risky. Justin Sloan feels the areas should be much smaller than even the sub-township level.

Lynn Goossen mentioned a map of Nebraska that has their areas (NRD's) with triggers labeled. Bert Stramel was able to obtain the map for copies to the board. The map shows the areas much larger than the township level and some with triggers.

Other discussion was had on the legal standpoint. Jeff Mason advised the board that we have to have a rational reason for a reduction. Something is needed as a trigger. The idea of using the 1% average annual decline as a trigger was favored.

Looking at the data presented from previous meetings and looking at the NIR data given in the packets, the idea of reducing everybody to the calculated 100% NIR for corn for the respective counties, the areas with 0-1% average annual decline be reduced to the 80% NIR and any areas above 1% be reduced to the 50% chance rainfall was liked as it kept the methodology simple for understanding. Board asked to see the average inches per acre by county for previous years as well as several township examples.

**b. TH-5**

Bert Stramel informed the board that a letter had been drafted. As they have been busy, he was hoping to see meetings resume in November or December.

**6. NEW BUSINESS**

**a. Annual Meeting**

In order to prepare for the vendor expo as desired at the annual meeting a date of February 10<sup>th</sup> has been set in order to know how large a venue will be needed for the annual meeting. Several other ideas were brought up on who should speak, a meal and times. Those ideas to be discussed at a later time.

**7. Agency Reports**

Mark Billinger of DWR in Stockton reported there has been some interest in SW Kansas for WCA's. He was asked about the stream flows in the office.

He reported they are all staying above MDS, except for the Saline, for now. RRCA had their annual meeting in Lincoln, Nebraska recently. He reported the meeting went well and that temporary agreeance on pipelines to remain in compliance were discussed. Permanent solutions are still being discussed.

Mitchell Baalman asked Mark about how he reports the discussions during GMD 4 meetings. Mark stated that he usually creates a small summary of the main ideas discussed. He wanted to express his respect for the board and the decisions they are making. DWR is unable to make many of those decisions due to many factors. He understood our concern with needing DWR to do more enforcement, but at this time, could not be done due to lack of staff and funding.

#### 8. OPEN SESSION-Public Questions/Comments:

Mitchell Baalman commented he was in Minnesota the previous week and had discussion with several there on the Missouri River. His discussion lead him conclude that in order for the Aquaduct to happen, many Native American tribes would have to sign off. He did not think that would happen.

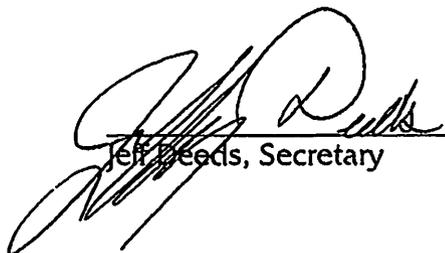
#### 9. Scheduling Future Meetings:

The November Monthly Meeting to be held at the GMD 4 office on November 5th at 9 A.M.

#### 10. ADJOURNMENT

*With no other business and no objections, Shane Mann moved to adjourn the meeting at 11:25 A.M. The motion was seconded by Jeff Deeds and passed unanimously by voice vote (no abstentions or "nay" votes).*

Respectfully submitted:



\_\_\_\_\_  
Jeff Deeds, Secretary

**Minutes: Northwest Kansas Groundwater Management District 4  
November 12, 2015 Board Meeting**

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

The November 12 Board meeting was opened at 9:00 am CDT at the GMD 4 Office in Colby Kansas by President, Brent Rogers.

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

Shane Mann, Lynn Goossen, Jeff Deeds, Brent Rogers,  
Roger Zwegardt, Dave Rietcheck, and Scott Maurath

Others present for some or all of the meeting were: Ray Luhman, Shannon Cain, Rita Wade and Dan Simmering – GMD 4 staff; Kelly Stewart and Lane Letourneau – DWR; Tracy Streeter - KWO; Weston McCary – NWKS Tech College; Ian DeWaal – Tri-State Irrigation; Jody McCain; Karen Flannigan, Linda Franklin & Bert Stramel. Present for Open Session only was Mrs. Sloan's Colby FFA class.

Board members absent were: Doug David, Mitchell Baalman, Justin Sloan and Monty Biggs.

**2. CONSENT AGENDA**

Brent Rogers asked if there were any concerns over the consent agenda, consisting of the September 3, 2015 Minutes and Expenditures for the month of September and October. Receipt of the financial report showing monthly expenditures totaling \$35,314.26 in September and \$30,724.60 in October were approved.

**Scott Maurath moved the minutes and expenditures for the months of September and October be accepted. The motion was seconded by Dave Rietcheck and passed unanimously by voice vote (no abstentions or "nay" votes).**

**3. OPEN FORUM**

Brent Rogers asked if there was anything to be presented in Open Forum. No responses were given.

**4. MANAGER'S REPORT**

Ray Luhman reported that the roof construction could begin as early as next week. Shannon Cain reported on the Upper Republican RAC meeting held in Colby. The committee voted to adopt goals #1, 2 & 4 as priority. Next meeting will be held in January.

**EXHIBIT**

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At the time of the manager's report, an update on the proposed rule and regulation was not known. Lane Letourneau was able to obtain the status during the meeting and later reported that it was currently at the Department of Administration. Will go to the Attorney General Office and then for a 60 day hearing.

Little is still known on the RRCP Grant for soil moisture probes. More information should be available by the end of the year. Shannon Cain reported the need for education on the soil moisture probes were conveyed and asked the Board if they supported several seminars to educate producers and crop consultants on soil moisture probes. The idea was supported and encouraged, especially for crop consultants.

Given the RRCP Grant, it was decided that a NW KS GW Conservation Foundation meeting was needed next month to decide on a possible soil moisture probe program and details.

Shannon Cain has met with Weston McCary of NW KS Technical College on the Precision Agriculture Program he is developing. Weston discussed his hands-on approach to technology for his students and a desire to partner with GMD 4. Board members encouraged the partnership and looked forward to the program being successful in NW Kansas.

The Board decided to have the Christmas party at the office like last year with food catered from City Limits. The date will be on December 16<sup>th</sup> at 1 pm with the Christmas party to follow the meeting.

## **5. UNFINISHED BUSINESS:**

### **a. Goal Discussion**

The idea proposed at the August meeting resulted in data showing little water savings. That data was emailed to the Board in September. It was redistributed at the meeting for discussion. The Board agreed the township level was a good area to focus on, but there are mixed feelings on restriction in areas with no decline. It was expressed those areas should not be reduced as they do not have a problem. Others thought that they should be pumping no more than the NIR for corn in their county.

After further discussion an example of Gove County was presented where everybody would be reduced to the 80% NIR for corn which is 15.3"/acre. If their township was in an area with a decline less than 1%, they would be restricted to the 50% NIR which is 13.1"/acre. Anything above a 1% decline would result in a 20% reduction of the 80% NIR, or 12.2"/acre in Gove County. Staff will generate data and maps for this scenario using the olympic average of inches per acre. The idea of giving the flexibility of a five year permit and not exceeding the yearly authorized quantity was also favored. Umbrella accounts as in the SD6 LEMA was not favored.

### **b. TH-5**

Bert Stramel reported that in the area reviewing the maps and data made public, this group did not see a reason to move forward, but would like to be left on the agenda for another month.

## **6. NEW BUSINESS**

### **a. KDA – Water Rules and Regulations Proposed Changes**

Lane Letourneau was present to discuss several proposed changes to the DWR Rules and Regulations for feedback. The proposed changes were outlined on a handout and to be discussed at the Governor's Conference next week. The first of the proposed changes is to limit the movement of a point of diversion to no more than 300 feet. There were mixed feelings about this proposed change due to varying circumstances. The second proposed change is to make harsher penalties for exceeding authorized quantity of water. This was favored and suggested that suspension penalties were favored over fines. The third proposed change was fines for not submitting a Water Use Report. The same idea with strict suspension was favored over fines for this infraction. The last was the authority to seal meters. The DWR currently seals meters, but clear language needs to be developed giving the DWR the authority to seal meters to the pipe.

Other conversation was had on suspensions and it was favored the infractions should stay with a water right, not the owner, but a period of forgiveness should also be granted if no infraction had been made for a specified amount of time. When an infraction is made, it should be recorded in the Register of Deeds. The DWR is drafting a rule to allow them to record these infractions on a water right instead of depending on the water right owner to do so.

### **b. Updating the GMD 4 Groundwater Model**

Ray Luhman and Shannon Cain attended a meeting in Hays with KWO, KGS, DWR and all GMD's to discuss groundwater modeling. GMD 4 has a groundwater model, but it needs updated. If we need that sooner than in the time frame given, extra money may be needed to expedite that and money may be needed to continue with maintenance once the model has been updated and complete. Plans for all GMD models to interact are the idea for the future. The Board was in favor of getting it completed and would like to see the cost for a faster timeline.

### **c. Franklin WCA**

The Franklin family of Sherman County has created a management plan for a WCA. The proposed plan was mailed to the Board members prior to the meeting for review. The plan covers six wells all owned by the Franklins and proposing to limit use to no more than 4,800 acre feet in three consecutive 5-year periods.

**Lynn Goossen moved the plan be recommended for approval. The motion was seconded by Shane Mann and passed unanimously by voice vote (no abstentions or "nay" votes).**

## **7. Agency Reports**

Kelly Stewart of DWR/Stockton Field Office did not have anything new to report. Lane Letourneau gave an update on the information obtained with the proposed rule and regulation change for GMD 4.

Roger Zwegardt asked Tracy Streeter of Bonnie Reservoir and shutting the gates. Tracy discussed the desired outcomes on the Upper Republican. He also briefly discussed the Aquaduct. The KWA has ended discussion of the plan for now. He added that it did open their eyes to the potential of the Missouri River being a larger water resource for Kansas than currently thought.

#### **8. OPEN SESSION-Public Questions/Comments:**

Shane Mann reported that he was on a panel at the Future of Agriculture in Kansas put on by his church in Quinter. He felt it was an attack on irrigated agriculture. Several attendees openly voiced their opposition to irrigation.

Sara Sloan's Colby FFA students attended the open session and asked several questions of the Board. Various questions related to policy, overpumping and water use opinions were answered by Board members and staff.

#### **9. Scheduling Future Meetings:**

The December Monthly Meeting to be held at the GMD 4 office on December 16th at 1 P.M. The January Monthly Meeting and Revised Budget Hearing to be held January 14<sup>th</sup> at 10 A.M.

#### **10. ADJOURNMENT**

*With no other business and no objections, Dave Rietcheck moved to adjourn the meeting at 11:42 A.M. The motion was seconded by Roger Zwegardt and passed unanimously by voice vote (no abstentions or "nay" votes).*

Respectfully submitted:

  
\_\_\_\_\_  
Jeff Deeds, Secretary

## MINUTES OF THE DIRECTORS MEETING

### NORTHWEST KANSAS GROUNDWATER CONSERVATION FOUNDATION

August 13, 2015

The August 2015 board meeting of the Northwest Kansas Groundwater Conservation Foundation was opened by Vice President Shane Mann at 12:38 P.M. in the district offices of the Northwest Kansas Groundwater Management District No. 4.

Present were the following directors: Mitch Baalman, Doug David, Justin Sloan, Shane Mann, Scott Maurath, Roger Zweygardt, Dave Rietcheck, Jeff Deeds and Lynn Goossen

Directors absent were: Brent Rogers and Monty Biggs

Others present for some or all of the meeting were: Ray Luhman, Shannon Cain, Rita Wade and Dan Simmering- GMD 4 staff; Jeff Mason, District Attorney; Jody McCain

#### 1. ADDITIONS/DELETIONS/CORRECTIONS TO AGENDA

Jeff Mason commented that the agenda, Item 2 needed to be changed to July 9, 2015 Instead of June 11, 2015.

#### 2. APPROVAL OF June 11, 2015 MINUTES

Shane Mann asked If there were any concerns of the July 9, 2015 Minutes.

Scott Maurath moved the Minutes for the July 9, 2015 meeting be accepted. The motion was seconded by Roger Zweygardt and passed unanimously by voice vote (no abstentions or "nay" votes).

#### 3. FINANCIALS

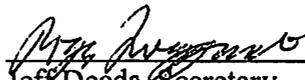
Wayne Bossert needs to be removed from the signature card for the financials and a motion was needed for the bank to show only Brent Rogers, Dave Rietcheck, Ray Luhman, Shannon Cain & Rita Wade be on the signature cards for any and all financials. Also, the current by-laws state the Program Account is to be "used in its entirety each year". The checking account will need to have a minimum of \$2500 at the end of the year to earn interest and avoid checking account fees. The Foundation could change the by-laws and keep \$2500 in the checking account or pay the fee.

Lynn Goossen moved to remove Wayne Bossert from the signature card. The motion was seconded by Jeff Deeds and passed unanimously by voice vote (no abstentions or "nay" votes).

Roger Zweygardt moved that Brent Rogers, Dave Rietcheck, Ray Luhman, Shannon Cain & Rita Wade be on the signature cards for any and all financials. The motion was seconded by Mitchell Baalman and passed unanimously by voice vote (no abstentions or "nay" votes).

Scott Maurath moved to change the by-laws and include the checking account to have a minimum balance of \$2500. The motion was seconded by Mitchell Baalman and passed unanimously by voice vote (no abstentions or "nay" votes).

A motion to adjourn the meeting was made by Lynn Goossen. The motion was seconded by Dave Rietcheck and passed unanimously by voice vote (no abstentions or "nay" votes).

  
\_\_\_\_\_  
Jeff Deeds, Secretary

**Minutes: Northwest Kansas Groundwater Management District 4  
November 12, 2015 Board Meeting**

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

The November 12 Board meeting was opened at 9:00 am CDT at the GMD 4 Office in Colby Kansas by President, Brent Rogers.

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

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Roger Zwegardt, Dave Rietcheck, and Scott Maurath

Others present for some or all of the meeting were: Ray Luhman, Shannon Cain, Rita Wade and Dan Simmering – GMD 4 staff; Kelly Stewart and Lane Letourneau – DWR; Tracy Streeter - KWO; Weston McCary – NWKS Tech College; Ian DeWaal – Tri-State Irrigation; Jody McCain; Karen Flannigan, Linda Franklin & Bert Stramel. Present for Open Session only was Mrs. Sloan's Colby FFA class.

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**EXHIBIT**

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The Board decided to have the Christmas party at the office like last year with food catered from City Limits. The date will be on December 16<sup>th</sup> at 1 pm with the Christmas party to follow the meeting.

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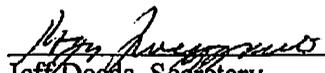
#### **9. Scheduling Future Meetings:**

The December Monthly Meeting to be held at the GMD 4 office on December 16th at 1 P.M. The January Monthly Meeting and Revised Budget Hearing to be held January 14<sup>th</sup> at 10 A.M.

#### **10. ADJOURNMENT**

*With no other business and no objections, Dave Rietcheck moved to adjourn the meeting at 11:42 A.M. The motion was seconded by Roger Zwegardt and passed unanimously by voice vote (no abstentions or "nay" votes).*

Respectfully submitted:

  
\_\_\_\_\_  
Jeff Deeds, Secretary

## MINUTES OF THE DIRECTORS MEETING

### NORTHWEST KANSAS GROUNDWATER CONSERVATION FOUNDATION

August 13, 2015

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#### 1. ADDITIONS/DELETIONS/CORRECTIONS TO AGENDA

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Scott Maurath moved the Minutes for the July 9, 2015 meeting be accepted. The motion was seconded by Roger Zwegardt and passed unanimously by voice vote (no abstentions or "nay" votes).

#### 3. FINANCIALS

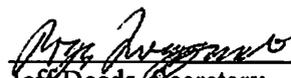
Wayne Bossert needs to be removed from the signature card for the financials and a motion was needed for the bank to show only Brent Rogers, Dave Rietcheck, Ray Luhman, Shannon Cain & Rita Wade be on the signature cards for any and all financials. Also, the current by-laws state the Program Account is to be "used in its entirety each year". The checking account will need to have a minimum of \$2500 at the end of the year to earn interest and avoid checking account fees. The Foundation could change the by-laws and keep \$2500 in the checking account or pay the fee.

Lynn Goossen moved to remove Wayne Bossert from the signature card. The motion was seconded by Jeff Deeds and passed unanimously by voice vote (no abstentions or "nay" votes).

Roger Zwegardt moved that Brent Rogers, Dave Rietcheck, Ray Luhman, Shannon Cain & Rita Wade be on the signature cards for any and all financials. The motion was seconded by Mitchell Baalman and passed unanimously by voice vote (no abstentions or "nay" votes).

Scott Maurath moved to change the by-laws and include the checking account to have a minimum balance of \$2500. The motion was seconded by Mitchell Baalman and passed unanimously by voice vote (no abstentions or "nay" votes).

A motion to adjourn the meeting was made by Lynn Goossen. The motion was seconded by Dave Rietcheck and passed unanimously by voice vote (no abstentions or "nay" votes).

  
Jeff Deeds, Secretary

**Minutes: Northwest Kansas Groundwater Management District 4  
December 16, 2015 Board Meeting**

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

The December 16 Board meeting was opened at 1:00 pm CDT at the GMD 4 Office in Colby, Kansas by Vice President, Shane Mann.

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

Shane Mann, Lynn Goossen, Mitchell Baalman, Justin Sloan,  
Roger Zwegardt, Dave Rietcheck, Monty Biggs and Scott Maurath

Others present for some or all of the meeting were: Ray Luhman, Shannon Cain, Rita Wade and Dan Simmering – GMD 4 staff; Kelly Stewart - DWR; Weston McCary – NWKS Tech College; Ian DeWaal & Zach Zwegardt – Tri-State Irrigation; Karen Flannigan & Gregg Graff - KWA

Board members absent were: Doug David, Jeff Deeds & Brent Rogers

Shane Mann appointed Roger Zwegardt as acting Secretary.

Ray Luhman added two items to the agenda. The Prairie Museum be added as item “c” under New Business and The Proposed 300’ Limited Movement of a Point of Diversion by DWR be added as item “d” under New Business.

**2. CONSENT AGENDA**

Shane Mann asked if there were any concerns over the consent agenda, consisting of the November 12, 2015 Minutes and Expenditures for the month of November. Receipt of the financial report showing monthly expenditures totaling \$29,846.25 in November were approved.

**Mitchell Baalman moved the minutes and expenditures for the month of November be accepted. The motion was seconded by Lynn Goossen and passed unanimously by voice vote (no abstentions or “nay” votes).**

**3. OPEN FORUM**

Lynn Goossen reported that TH-5 is still waiting and no progress has been made.

**4. MANAGER’S REPORT**

**EXHIBIT**

Shannon Cain passed around the final version of the flyers for the Soil Moisture Probe Workshops and gave an update on the development of the workshops. Discussion was had on the distribution of the flyers and suggestions made on where to post them.

The SD-6 Advisory Committee met at Gary Moss's shop. Attendees reported that the LEMA is working. Many of those that were initially opposed are talking about its success. The Committee discussed the process for another LEMA with only two years left and the time needed for the legal process so no interruptions would be made. Producers in the area are in favor of another LEMA, but feel other areas should be doing the same thing.

An update on the Annual Meeting developments was given. It was suggested that the trade show portion begin at 12 PM with the Annual Meeting beginning at 1:30. Each vendor would be allowed a few minutes to discuss their products/services during the meeting. We will go to JD's in Hoxie for lunch.

Shane Mann inquired about House Bill 2245 with impairment language. Gregg Graff shared that KDA is revising the bill from last year and should have it to the GMD's in a couple of weeks.

The Governor's Conference was also discussed. Several of the breakout sessions were very informative.

## **5. UNFINISHED BUSINESS:**

**At 2:00, Scott Maurath moved the meeting should be relocated to City Limits Convention Center due to construction noise. The motion was seconded by Mitchell Baalman and passed unanimously by voice vote (no abstentions or "nay" votes).**

**The meeting reconvened at 2:15 by Vice President, Shane Mann.**

### **a. Goal Discussion**

Discussion was had on the data using the proposed NIR idea at the November meeting. This plan seemed to be favored and suggested to be framework for a district wide LEMA. Further discussion was had on potential flexibility, carrying water over from a five year plan, what about municipalities and stockwater users and the legal process of developing the LEMA.

**Mitchell Baalman moved the district should start preliminary discussions with DWR/KDA on a GMD 4 district-wide LEMA. The motion was seconded by Scott Maurath and passed unanimously by voice vote (no abstentions or "nay" votes).**

### **b. TH-5**

Nothing to report.

## **6. NEW BUSINESS**

### **a. Management Program**

Ray Luhman reported the Management Program needs to be revised. It was suggested the current one be readopted and modified soon.

**Scott Maurath moved the plan be readopted. The motion was seconded by Dave Rietcheck and passed unanimously by voice vote (no abstentions or “nay” votes).**

### **b. Additional Remodel Options**

With the new roof construction underway, discussion was had on the next remodel project. Expanding the Board room was a priority. It was suggested we take out the cabinets and the North wall. A door where the teller window is now was also a suggestion.

### **c. Prairie Museum**

The Prairie Museum in Colby will apply for a traveling Smithsonian Institute exhibit on water. The Board was given a list of the goals for the exhibit. The museum requests support from GMD 4 by providing programs at the museum and a letter of support for the exhibit. Many favored the support as it fits into the educational component of the district.

With the topic of media, Shannon Cain reported that KXXX had contacted her in regards to a potential radio show. More information is forthcoming once sponsors have been secured. Weston McCarry, of NW Tech College, informed the Board the college has a media curriculum with students that would enjoy and get experience by providing us with assistance in developing YouTube videos, advertising, etc.

### **d. The Proposed 300' Limited Movement of a Point of Diversion by DWR**

The DWR is proposing to limit the change in point of diversion to 300' spacing from the original well. This proposed regulation is to prevent water users from chasing deeper portions of the aquifer. There are some exceptions to the proposed regulation. The problem of chasing water does not appear to be a problem within GMD 4 so the proposed regulation should be opposed.

**Lynn Goossen moved GMD 4 to oppose the proposed regulation on 300' limited movement of a point of diversion. The motion was seconded by Roger Zweygardt and passed unanimously by voice vote (no abstentions or “nay” votes).**

## 7. Agency Reports

Kelly Stewart of DWR/Stockton Field Office reported that they will begin their portion of the annual water level measurements December 17<sup>th</sup>. DWR and KGS will be measuring many wells in the district over the course of the next month. He also reported the Franklin WCA was in its final form and has been sent to the Franklins for their signature. The GMD 4 proposed rule and regulation change to close the Ogallala portion of the district will go to the Attorney General's office this week then go to the Department of Administration. Water Use Reports will be mailed after the first of the year. Water users are encouraged to report online.

## 8. OPEN SESSION-Public Questions/Comments:

Justin Sloan inquired about a disgruntled employee that came to the GMD 4 office anonymously last summer to inquire about the penalties for turning meters backwards. No further contact had been made by the employee.

## 9. Scheduling Future Meetings:

The January Monthly Meeting to be held at the GMD 4 office on January 14th at 10 A.M. Further goal discussion, management plan and the revised budget hearing to be included on the agenda.

## 10. ADJOURNMENT

*With no other business and no objections, Lynn Goossen moved to adjourn the meeting at 3:47 P.M. The motion was seconded by Monty Biggs and passed unanimously by voice vote (no abstentions or "nay" votes).*

Respectfully submitted:

  
\_\_\_\_\_  
Roger Zweygardt, Acting Secretary

**MINUTES: Northwest Kansas Groundwater Management District 4  
January 14, 2016 Board Meeting**

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

The January 14th Board meeting was opened at 10:00 am CDT at the GMD 4 Office in Colby, Kansas by President, Brent Rogers.

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

Mitchell Baalman, Justin Sloan, Doug David, Brent Rogers,  
Roger Zwegardt, Dave Rietcheck, Jeff Deeds, Monty Biggs and Scott Maurath

Others present for some or all of the meeting were: Ray Luhman, Shannon Cain, Rita Wade and Dan Simmering – GMD 4 staff; Jeff Mason – Attorney; Mark Billinger - DWR; Jodie McCain, Bert Stramel, Karen Flannigan & Gregg Graff - KWA

Board members absent were: Shane Mann & Lynn Goossen

Ray Luhman added several items to the agenda. WCA should be added to the Managers Report. Budget for 2017, Proposed Regulation Discussion, W-TAP Application and Bank Discussion all to be added to new business.

**2. CONSENT AGENDA**

Brent Rogers asked if there were any concerns over the consent agenda, consisting of the December 16, 2015 Minutes and Expenditures for the month of December. Receipt of the financial report showing monthly expenditures totaling \$71,850.68 in December were approved.

**Mitchell Baalman moved the minutes and expenditures for the month of December be accepted. The motion was seconded by Jeff Deeds and passed unanimously by voice vote (no abstentions or “nay” votes).**

**3. OPEN FORUM**

Nothing presented during Open Forum.

**4. MANAGER’S REPORT**

Shannon reported the Soil Moisture Probe Workshops were going well with about 30-40 in attendance at each one. Goodland and St Frances will be next week. Several board members attended and made comment on the discussions they heard at the workshops. Justin Sloan was contacted by the K State experiment station in Colby  
*February 10, 2015 Board Packet – Page 2*

**EXHIBIT**

as they were not notified of the workshops. Jonathan Aguilar from K-State Research and Extension in Garden City has been their representative at the workshops.

For the Annual Meeting it was decided that Brent Rogers would conduct the meeting as President, Jeff Deeds would do the minutes, Dave Rietcheck would present the budget and audit and Justin Sloan would conduct the election.

Ray reported that at this time there is no update on the rule and regulation change to close the Ogallala portion of the district. A hearing is to be scheduled soon.

Ray also reported the Franklin WCA has been signed and is in place.

## **5. UNFINISHED BUSINESS:**

### **a. Goal Discussion**

Ray Luhman reported that Lane Letourneau and David Barfield would possibly make it to the March meeting for discussion on a district-wide LEMA. Ray has had some discussion already with them on adjusting inches per acre values of the LEMA without hearings. If worded properly, it may be possible.

Other discussion was had on the details of the proposed plan. Shannon will collect the ideas from Board members and redistribute prior to the next meeting.

### **b. TH-5**

Bert Stramel reported that he would take the current plan to the group and provide feedback next month.

### **c. Management Program**

Potential revisions for the management program were included in the packet. Ray Luhman briefly described them. It is a draft and will change if the district adopts a district-wide LEMA. Board is to look at the revisions for next month.

## **6. NEW BUSINESS**

### **a. ATTORNEY CONTRACT**

Jeff Mason submitted his contract for services to the Board noting that there were no changes from the previous year.

**Doug David moved to accept the attorney contract. The motion was seconded by Roger Zweygardt and passed unanimously by voice vote (no abstentions or “nay” votes).**

**b. PUBLIC HEARING ON REVISED BUDGET 2016**

At 11:01 am Mitchell Baalman moved to open the Revised 2016 Budget Hearing. The motion was seconded by Dave Rietcheck and passed unanimously by voice vote (no abstentions or “nay” votes).

There were members of the public present that gave no additional testimony. Staff provided testimony on the revised proposed budget.

Brent Rogers asked if there was any additional discussion regarding the 2016 GMD4 Operating Budget and there was none. *Jeff Deeds motioned to close the 2016 Revised Budget Hearing. Scott Maurath seconded the motion which passed unanimously via voice vote (no “abstentions” or “nay” votes.)*

Following discussion, Scott Maurath moved to adopt the following resolution::

*WHEREAS the 2016 budget of \$496,397.00 approved originally on August 13, 2015 requires amending in order to incorporate the 2015 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 2016 final operating budget shall be adopted as revised based on its presentation by GMD 4 staff during the lawfully conducted public hearing. The final 2016 operating budget of \$700,630.00 shall be:*

	2016 Revised	
<b>110 POSTAGE</b>		\$4,000.00
111 Newsletter	\$2,500.00	
112 General	\$1,500.00	
<b>120 PRINTING</b>		\$3,600.00
121 Newsletter	\$3,200.00	
122 Administrative	\$400.00	
<b>130 DUES</b>	\$2,500.00	\$2,500.00
<b>140 SUBSCRIPTIONS</b>	\$3,000.00	\$3,000.00
<b>150 INSURANCE</b>		\$12,785.00
151 Office	\$12,500.00	
152 Public Officials' Liability		
153 Auto		
154 Workmans' Comp.		
155 Inland Marine		
156 Unemployment	\$285.00	
<b>160 TELEPHONE</b>	\$6,900.00	\$6,900.00
<b>170 SALARIES AND BENEFITS</b>		\$335,000.00
171 Gross Sal, Kpers, SS, Etc.	\$335,000.00	
172 Health Insurance		
<b>180 TRAVEL</b>		\$15,000.00
181 Board	\$12,000.00	
182 Staff	\$3,000.00	
<b>190 VEHICLES</b>		\$6,275.00
191 Repairs/Maintenance	\$1,200.00	
192 Operation	\$4,900.00	

193 Tags	\$175.00	
194 Purchase/Lease		
<b>200 CONTRACTED SERVICES</b>		<b>\$34,800.00</b>
201 Accounting	\$7,000.00	
202 Legal	\$7,800.00	
203 Misc. Support	\$20,000.00	
204 Water Sampling		
205 Drilling		
206 Weather Modification		
<b>210 PUBLICATIONS</b>		<b>\$600.00</b>
211 Legal Notices	\$600.00	
<b>220 COOP PROGRAMS</b>		<b>\$2,000.00</b>
221 Administrative		
222 Equipment		
223 Contracted Studies		
224 Education Program	\$2,000.00	
<b>230 ADMINISTRATIVE</b>		<b>\$10,900.00</b>
231 Office Supplies	\$3,500.00	
232 Copy Machine	\$1,750.00	
233 Computer Maint	\$3,500.00	
234 Postage Meter Lease	\$650.00	
235 Bank Charges		
236 Field Supplies	\$1,500.00	
<b>240 NEW EQUIPMENT</b>		<b>\$12,900.00</b>
241 Field	\$1,400.00	
242 Office	\$11,500.00	
<b>250 CONTINGENCY RESERVE</b>	<b>\$91,230.00</b>	<b>\$91,230.00</b>
<b>260 FACILITY</b>		<b>\$158,640.00</b>
261 Rent	\$840.00	
262 Upkeep	\$25,000.00	
263 Remodel/Purchase	\$125,000.00	
264 Building Utilities	\$7,800.00	
<b>REIMBURSED EXPENSES</b>		
<b>300 FOUNDATION</b>		<b>\$500.00</b>
305 Foundation Subscriptions		
325 Foundation Telephone		
345 Foundation Accounting	\$200.00	
350 Foundation Legal	\$300.00	
370 Foundation Tech Support	\$0.00	
	<b>\$700,630.00</b>	<b>\$700,630.00</b>

*Mitchell Baalman seconded the motion which passed unanimously by voice vote (no abstentions or “nay” votes).*

**c. KANSAS WATER CONGRESS/LEGISLATIVE SESSION**

The Kansas Water Congress will have a meeting February 2<sup>nd</sup> and 3<sup>rd</sup> in Topeka. A Roundtable discussion will also occur with the other GMD's and a Legislative social. Mitchell Baalman, Scott Maurath and Jeff Deeds agreed to attend.

**d. APPROVAL OF THE 2017 OPERATING BUDGET**

Staff presented the proposed 2017 operating budget to be approved for inclusion into the annual meeting packet for eligible voter consideration at the annual meeting. Following discussion, *Mitchell Baalman moved to approve the proposed 2017 budget be proposed to the eligible voters at the February 10<sup>th</sup>, 2016 annual meeting in Hoxie. This budget shall be:*

	2017 Proposed	
<b>110 POSTAGE</b>		<b>\$3,500.00</b>
111 Newsletter	\$2,000.00	
112 General	\$1,500.00	
<b>120 PRINTING</b>		<b>\$3,100.00</b>
121 Newsletter	\$2,700.00	
122 Administrative	\$400.00	
<b>130 DUES</b>	\$2,000.00	<b>\$2,000.00</b>
<b>140 SUBSCRIPTIONS</b>	\$3,000.00	<b>\$3,000.00</b>
<b>150 INSURANCE</b>		<b>\$12,785.00</b>
151 Office	\$12,500.00	
152 Public Officials' Liability		
153 Auto		
154 Workmans' Comp.		
155 Inland Marine		
156 Unemployment	\$285.00	
<b>160 TELEPHONE</b>	\$5,600.00	<b>\$5,600.00</b>
<b>170 SALARIES AND BENEFITS</b>		<b>\$345,000.00</b>
171 Gross Sal, Kpers, SS, Etc.	\$345,000.00	
172 Health Insurance		
<b>180 TRAVEL</b>		<b>\$15,000.00</b>
181 Board	\$12,000.00	
182 Staff	\$3,000.00	
<b>190 VEHICLES</b>		<b>\$4,375.00</b>
191 Repairs/Maintenance	\$1,200.00	
192 Operation	\$3,000.00	
193 Tags	\$175.00	
194 Purchase/Lease		
<b>200 CONTRACTED SERVICES</b>		<b>\$34,800.00</b>
201 Accounting	\$7,000.00	
202 Legal	\$7,800.00	
203 Misc. Support	\$20,000.00	
204 Water Sampling		
205 Drilling		
206 Weather Modification		
<b>210 PUBLICATIONS</b>		<b>\$600.00</b>
211 Legal Notices	\$600.00	
<b>220 COOP PROGRAMS</b>		<b>\$2,000.00</b>
221 Administrative		
222 Equipment		
223 Contracted Studies		
224 Education Program	\$2,000.00	
<b>230 ADMINISTRATIVE</b>		<b>\$10,900.00</b>
231 Office Supplies	\$3,500.00	
232 Copy Machine	\$1,750.00	
233 Computer Maint	\$3,500.00	

234 Postage Meter Lease	\$650.00	
235 Bank Charges		
236 Field Supplies	\$1,500.00	
<b>240 NEW EQUIPMENT</b>		<b>\$3,400.00</b>
241 Field	\$1,400.00	
242 Office	\$2,000.00	
<b>250 CONTINGENCY RESERVE</b>	<b>\$0.00</b>	<b>\$0.00</b>
<b>260 FACILITY</b>		<b>\$45,640.00</b>
261 Rent	\$840.00	
262 Upkeep	\$12,000.00	
263 Remodel/Purchase	\$25,000.00	
264 Building Utilities	\$7,800.00	
<b>REIMBURSED EXPENSES</b>		
<b>300 FOUNDATION</b>		<b>\$500.00</b>
305 Foundation Subscriptions		
325 Foundation Telephone		
345 Foundation Accounting	\$200.00	
350 Foundation Legal	\$300.00	
370 Foundation Tech Support	\$0.00	
	<b>\$492,200.00</b>	<b>\$492,200.00</b>

*Dave Rietcheck seconded the motion which passed unanimously by voice vote (no abstentions or “nay” votes).*

#### **e. PROPOSED REGULATIONS**

At 9 am on January 15, 2016, DWR will hold a statewide webinar on the proposed regulation changes. Board members are encouraged to listen. Information was emailed to board members.

#### **f. WTAP**

A WTAP application was received for a water right in 14-9-42, Sherman County that would dismiss two wells with 246 acre-feet.

**Dave Rietcheck moved to recommend approval of the WTAP application. The motion was seconded by Mitchell Baalman and passed unanimously by voice vote (no abstentions or “nay” votes).**

#### **g. BANK DISCUSSION**

The auditors have requested we have an annual discussion on where the banking is done for the district. All funds for the district are kept at The Bank and seems to be working well. The NW KS Groundwater Conservation Foundation keeps funds at Bankwest and F & M.

**Roger Zwegardt moved to keep the funds at their current banks. The motion was seconded by Monty Biggs and passed unanimously by voice vote (no abstentions or “nay” votes).**

### **7. Agency Reports**

Mark Billinger of DWR reported that annual well measurements went smoothly. They are currently doing work on the unconfined Dakota in the eastern portion of the field office area. Nothing to report at this time on WRIS Mobile. They have chosen about 100 wells per county to do random compliance checks on during the year.

**8. OPEN SESSION-Public Questions/Comments:**

It was suggested that the proposed map draft be incorporated into the annual meeting materials. We could see about putting it in the packet as well as on a bulletin board.

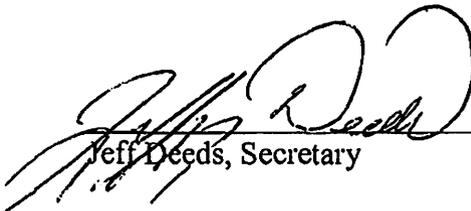
**9. Scheduling Future Meetings:**

The February Monthly Meeting to be held at the 4-H Building in Hoxie on February 10th at 10 am. Further discussion on the “nuts and bolts” to be discussed. The annual meeting to follow at 1:30 pm.

**10. ADJOURNMENT**

*With no other business and no objections, Dave Rietcheck moved to adjourn the meeting. The motion was seconded by Jeff Deeds and passed unanimously by voice vote (no abstentions or “nay” votes).*

Respectfully submitted:



\_\_\_\_\_  
Jeff Deeds, Secretary

**Minutes: Northwest Kansas Groundwater Management District 4  
February 10, 2016 Board Meeting**

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

The February 10th Board meeting was opened at 10:08 am CST at the Sheridan County 4H Building in Hoxie, Kansas by President, Brent Rogers.

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

Justin Sloan, Shane Mann, Lynn Goossen, Brent Rogers,  
Roger Zwegardt, Dave Rietcheck, Jeff Deeds and Monty Biggs

Present for some or all of the meeting were 14 other persons including representatives from KDA, KWO and the Chief Engineer. The sign in sheet for the meeting is available to view for attendance.

Board members absent were: Mitchell Baalman, Scott Maurath and Doug David

Ray Luhman added several items to the agenda. Rule and Regulation update to be added to the manager's report and the audit to be added to new business.

**2. CONSENT AGENDA**

Brent Rogers asked if there were any concerns over the consent agenda, consisting of the January 14, 2016, Minutes and Expenditures for the month of January. Receipt of the financial report showing monthly expenditures totaling \$83,358.73 in January were approved.

**Dave Rietcheck moved the minutes and expenditures for the month of January be accepted. The motion was seconded by Monty Biggs and passed unanimously by voice vote (no abstentions or "nay" votes).**

**3. OPEN FORUM**

Nothing presented during Open Forum.

**4. MANAGER'S REPORT**

**EXHIBIT**

Ray Luhman informed the board we were unable to attend the Kansas Water Congress due to the snow storm. David Barfield gave a summary of the meeting that included a panel discussion.

No concerns were expressed about the Annual Meeting and how it was to be conducted.

Ray reported that a hearing on the Rule and Regulation was to occur at 10 am on April 4<sup>th</sup>, 2016. A call-in was available at the GMD 4 office for anyone that would want to come.

The RAC meeting was canceled, but rescheduled for February 18<sup>th</sup>, 2016 at 10 am.

Shannon Cain asked the board of any news they wanted in the newsletter. The proposed district wide LEMA was suggested.

## **5. UNFINISHED BUSINESS:**

### **a. Goal Discussion**

After a brief overview of the proposed district wide LEMA was presented by Ray Luhman, discussion was had with David Barfield, Lane Letourneau, Tracy Streeter, Chris Beightel and Susan Metzger. Many questions were asked for clarification on several topics. They stated that the proposed LEMA had a good framework and that support would be given. It was suggested the board create a goal statement.

### **b. TH-5**

Nobody present to give an update and nothing received to be presented.

### **c. Management Program**

Ray Luhman recommended the Management Program discussion be tabled for now.

## **6. NEW BUSINESS**

### **a. ANNUAL MEETING**

Brent Rogers informed he was going to present the map and give a brief overview during the new business portion of the meeting.

**At 11:32 am Jeff Deeds moved to recess the monthly board meeting for the annual meeting. The motion was seconded by Shane Mann and passed unanimously by voice vote (no abstentions or “nay” votes).**

*At 3:15P.M. President Brent Rogers reconvened the February 10<sup>th</sup> Board of Directors Meeting.*

#### **b. ELECTION OF OFFICERS**

***Election of Officers:** Lynn Goossen nominated Justin Sloan for Board President, Shane Mann seconded the nomination. Roger Zweygardt nominated Brent Rogers for Board President, Monty Biggs seconded the nomination. Nominations were ceased, and Brent Rogers was elected Board President with six votes and two votes for Justin Sloan. Roger Zweygardt nominated Shane Mann for Vice President, Lynn Goossen seconded the nomination. Nominations were ceased, and it was passed unanimously by voice vote (no "abstentions" or "nay" votes.) Lynn Goossen nominated Jeff Deeds for Secretary, Roger Zweygardt seconded the nomination. Nominations were ceased, and it was passed unanimously by voice vote (no "abstentions" or "nay" votes.) Shane Mann nominated Dave Rietcheck as Treasurer, Monty Biggs seconded the nomination. Nominations were ceased, and it was passed unanimously by voice vote (no "abstentions" or "nay" votes.)*

#### **c. AUDIT**

A copy of the audit report was handed out for review.

**Shane Mann moved the audit be adopted. The motion was seconded by Dave Rietcheck and passed unanimously by voice vote (no abstentions or "nay" votes).**

### **7. Agency Reports**

David Barfield reported that he will give an update at the annual meeting about the proposed regulation on 300' spacing. The language has changed and the updated proposal will be emailed. He also reported that the City of Hays has filed change in use made of water applications for the R-9 Ranch water rights. They have also filed a Water Transfer application.

Tracy Streeter reported they have hired Richard Rockel to be the KWO representative for the Upper Republican RAC. He also reported they plan to update our groundwater model in a couple of years. The GMD 2 model will need to be completed first. KWO is developing Water Technology Farms and would like to have one in our district. May 18<sup>th</sup> will be the next KWA meeting in Oakley.

Shannon Cain asked Chris Beightel for a WRIS Mobile update. He informed us they are almost ready to make it available.

Jonathan Aguilar with K-State Research and Extension is developing a spreadsheet to assist producers with calculating their pumping.

Ian de Waal has been involved with NRCS and the RCPP grant. He provided an update on the issues related to the nozzle spacing and approval of the grant.

**8. OPEN SESSION-Public Questions/Comments:**

Shannon Cain asked the board what they wanted to do with the globes taken down from the roof remodel. It was suggested to sell them online.

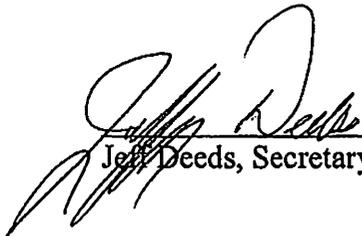
**9. Scheduling Future Meetings:**

The March Monthly Meeting to be held at the GMD 4 office on March 9th at 10 am.

**10. ADJOURNMENT**

*With no other business and no objections, Dave Rietcheck moved to adjourn the meeting. The motion was seconded by Jeff Deeds and passed unanimously by voice vote (no abstentions or "nay" votes).*

Respectfully submitted:

  
\_\_\_\_\_  
Jeff Deeds, Secretary

**41st Annual Meeting Minutes – Hoxie, Kansas – Feb 10th 2016**

41st Annual Meeting Minutes – Sheridan County 4H Building, Hoxie, Kansas, February 10<sup>th</sup>, 2016

The 41th annual meeting was opened at 1:30 P.M. CST, February 10, 2016 at the Sheridan County 4H Building, Hoxie, Kansas. Board members present were:

- |                |              |
|----------------|--------------|
| Dave Rietcheck | Jeff Deeds   |
| Roger Zwegardt | Lynn Goossen |
| Justin Sloan   | Brent Rogers |
| Shane Mann     | Monty Biggs  |

Others present were: Staff: Ray Luhman, Shannon Cain, Dan Simmering, Rita Wade; Adam Dees - attorney; Susan Metzger – KDA; DWR: David Barfield, Lane Letourneau, Chris Beightel, Kelly Stewart and Jodie Barker; Tracy Streeter – KWO; Jonathan Agullar – K-State Research and Extension

There were 43 total persons in attendance. The attendance roster is available from the district office.

President Brent Rogers opened the meeting with a welcome and introductions of the board, staff, state agency staff, and former board members present.

Chief Engineer, David Barfield, gave a presentation on several topics of interest. He discussed the Republican River Compact and the augmentation projects occurring in Nebraska and Colorado. Other topics of the presentation were Quivira Wildlife Refuge, water transfer update with the City of Hays, statewide rule and regulation changes in legislation, WCA's and an update on the SD 6 LEMA. Several questions about the augmentation projects were asked and opinions expressed. It was suggested by an attendee the GMD 4 Board of Directors attend the tri-state compact meetings.

President Rogers then turned over the meeting to Jeff Deeds for presentation of the 40th annual meeting minutes, Colby, Kansas, February 11, 2015. Jeff directed attention to the annual meeting minutes printed in the annual meeting packet (page 4) and gave everyone a chance to review them. Bert Stramel presented a correction on page 5. The minutes state "No opposition to the Goal Statement was expressed." And that statement should be omitted from the minutes. There being no questions or comments, it was moved by Bert Stramel and seconded by Tom Sloan that the 40th annual meeting minutes be approved with correction. The motion passed unanimously by voice vote.

Dave Rietcheck next presented the 2017 proposed operating budget. Dave reported that the 2017 budget was \$492,200. With no further questions or comments, the proposed 2017 budget of \$492,200 was moved and seconded to be approved on a unanimous voice vote.

Dave Rietcheck next presented the 2015 calendar year audit. Dave directed attention to the audit report contained in the annual meeting packet at page 9 and asked everyone to review the report. He summarized by reporting that the district brought in \$667,644; spent \$463,416. The total cash on hand reported as \$204,228. Dave finally noted that the Foundation (not affiliated with the district) had a December 31, 2015 balance of \$488,437. Following review and with no questions or comments, it was moved and seconded the audit be approved on a unanimous voice vote.

Justin Sloan next conducted the board elections. Justin opened Position 8 (Sheridan County) announcing that Mitchell Baalman was the single candidate that had pre-filed. Justin opened the floor for additional nominations for Position 8. With no additional nominations, Alan Townsend moved that nominations for Position 8 cease and a unanimous ballot be cast for Mitchell Baalman. Dave Schamberger seconded the motion. With no further discussion, the motion passed unanimously by voice vote.

Justin opened Position 9 (Graham County) announcing that Doug David was the single candidate that had pre-filed. Justin opened the floor for additional nominations for Position 9. With no additional nominations,

**EXHIBIT**

Tom Sloan moved that nominations for Position 9 cease and a unanimous ballot be cast for Doug David. Steve Bremenkamp seconded the motion. With no further discussion, the motion passed unanimously by voice vote.

Justin opened Position 10 (Logan County) announcing that Scott Maurath was the single candidate that had pre-filed. Justin opened the floor for additional nominations for Position 10. With no additional nominations, Dave Mann moved that nominations for Position 10 cease and a unanimous ballot be cast for Scott Maurath. Dave Schamberger seconded the motion. With no further discussion, the motion passed unanimously by voice vote.

Justin opened Position 11 (Gove County) announcing that Shane Mann was the single candidate that had pre-filed. Justin opened the floor for additional nominations for Position 11. With no additional nominations, Dennis Rogers moved that nominations for Position 11 cease and a unanimous ballot be cast for Shane Mann. Bill Miller seconded the motion. With no further discussion, the motion passed unanimously by voice vote.

With no contested positions, there was no need to mark ballots.

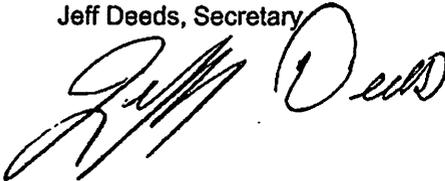
Following the election, the vendors each were given a few minutes to present their product(s) and/or services.

Brent Rogers then presented the proposed district wide LEMA. He gave an overview of the framework and answered several questions concerning the flexibility.

It was moved and seconded that the 41st annual meeting of the Northwest Kansas Groundwater Management District No. 4 be adjourned.. With no objections, President Rogers declared the 40<sup>th</sup> annual meeting of the Northwest Kansas Groundwater Management District No. 4 adjourned.

Respectfully submitted

Jeff Deeds, Secretary

A handwritten signature in black ink, appearing to read "Jeff Deeds". The signature is written in a cursive, flowing style with a large initial "J" and "D".

**MINUTES: Northwest Kansas Groundwater Management District 4  
March 9, 2016 Board Meeting**

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

The March 9th Board meeting was opened at 10:05 am CST at the NW KS GMD 4 Office in Colby, Kansas by President, Brent Rogers.

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

Justin Sloan, Shane Mann, Lynn Goossen, Brent Rogers,  
Roger Zwegardt, Dave Rietcheck, Jeff Deeds, Monty Biggs  
Mitchell Baalman, Scott Maurath and Doug David

Present for some or all of the meeting were GMD 4 staff, Adam Dees – attorney and 14 other persons. The sign in sheet for the meeting is available to view for attendance.

No board members were absent.

**2. CONSENT AGENDA**

Brent Rogers asked if there were any concerns over the consent agenda, consisting of the February 10, 2016, Minutes and Expenditures for the month of February. Receipt of the financial report showing monthly expenditures totaling \$33,955.76 in February were approved.

**Dave Rietcheck moved the minutes and expenditures for the month of February be accepted. The motion was seconded by Roger Zwegardt and passed unanimously by voice vote (no abstentions or “nay” votes).**

**3. OPEN FORUM**

A variety of discussions were presented from public attendees. There was concern the proposed District Wide LEMA should have a vote and how the voting process, if one were to be conducted, would be handled. Other concern was given for communication efforts and it was suggested we go back to a quarterly newsletter. The Board and GMD 4 staff added the proposed District Wide LEMA was still very infant and that when it was more definite, letters would be sent to all stakeholders.

**4. MANAGER’S REPORT**

#### **4. MANAGER'S REPORT**

Dave Rietcheck attended a field trip organized by Greg Cure to see the Colorado Augmentation Pipeline. He reported on the field/trip and what he saw.

The Kansas Water Office is trying to create Water Technology Farms and would like to have one in the district area if anyone would be interested.

The hearing for the updated Rule and Regulation change will be April 4<sup>th</sup> at 10 am at the office. It is open to the public.

Shannon Cain reported the RAC meeting held February 18 decided to concentrate on other goals set by the planning committee as the main goal could be met by GMD 4.

#### **5. UNFINISHED BUSINESS:**

##### **a. Goal Discussion**

Ray Luhman presented a chart and graphs showing the historical pumping, by county, indicating the water savings for the proposed program. The chart and graphs also showed water savings for the idea of more water saved if a water right was further restricted to the maximum inches per acre pumped from 2009 through 2013. Lengthy discussion was had on how the plan saved water and if further restrictions needed to be made.

The Board then went through the results from the homework to decide on details. Votes were taken for each of the following:

- Should municipalities be reduced? 9 in favor, 2 against
- Should stockwater be reduced? 6 in favor, 5 against
- All were in favor of taking the recreation and industrial water rights on a case-by-case basis.
- What acres should be considered? All agreed the maximum acres reported from 2009-2013 should be considered.
- Flexibility should be included within a 16 mile radius, but water cannot be moved from a township with a lower decline rate to a higher decline rate.
- All were in favor of allowing a carry-over amount.
- Alternative metering rules should mimic SD-6.
- Violations were discussed. DWR is trying to increase their fines for overpumping. It was suggested we go with those, but meter tampering should be a two year suspension.

**At 12:15 pm Shane Mann moved to recess the monthly board meeting for lunch. The motion was seconded by Roger Zweygardt and passed unanimously by voice vote (no abstentions or "nay" votes).**

**At 1:35 pm Shane Mann moved to reconvene the monthly board meeting. The motion was seconded by Monty Biggs and passed unanimously by voice vote (no abstentions or “nay” votes).**

**b. TH-5**

Bert Stramel reported there was nothing at the time to report.

**c. Management Program**

Suggested to be tabled for a future meeting.

**6. NEW BUSINESS**

**a. KDA – Update and potential new rules and regulations**

Kelly Stewart presented a handout discussing four rule and regulation changes they are considering and desiring feedback for. The first is allowing stockwater and irrigation rights to be combined. The second involves allowing longer term permits. The third, they want to define the years 2003 through 2012 to establish water use history. Lastly, DWR wants a simpler way of computing consumptive use.

**7. Agency Reports**

Kelly Stewart reported that Westside Dairy in SW Kansas now has a WCA and will save 15% on past water usage.

**8. OPEN SESSION-Public Questions/Comments:**

Ray Luhman inquired about moving forward with expanding the board room. It was favored to have the work started.

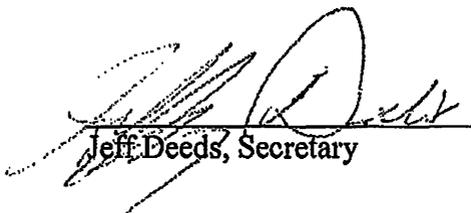
**9. Scheduling Future Meetings:**

The April Monthly Meeting to be held at the GMD 4 office on April 7th at 9 am.

**10. ADJOURNMENT**

*With no other business and no objections, Dave Rietcheck moved to adjourn the meeting. The motion was seconded by Shane Mann and passed unanimously by voice vote (no abstentions or “nay” votes).*

Respectfully submitted:



Jeff Deeds, Secretary

**MINUTES: Northwest Kansas Groundwater Management District 4  
March 9, 2016 Board Meeting**

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Justin Sloan, Shane Mann, Lynn Goossen, Brent Rogers,  
Roger Zwegardt, Dave Rietcheck, Jeff Deeds, Monty Biggs  
Mitchell Baalman, Scott Maurath and Doug David

Present for some or all of the meeting were GMD 4 staff, Adam Dees – attorney and 14 other persons. The sign in sheet for the meeting is available to view for attendance.

No board members were absent.

**2. CONSENT AGENDA**

Brent Rogers asked if there were any concerns over the consent agenda, consisting of the February 10, 2016, Minutes and Expenditures for the month of February. Receipt of the financial report showing monthly expenditures totaling \$33,955.76 in February were approved.

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A variety of discussions were presented from public attendees. There was concern the proposed District Wide LEMA should have a vote and how the voting process, if one were to be conducted, would be handled. Other concern was given for communication efforts and it was suggested we go back to a quarterly newsletter. The Board and GMD 4 staff added the proposed District Wide LEMA was still very infant and that when it was more definite, letters would be sent to all stakeholders.

**4. MANAGER’S REPORT**

**EXHIBIT**

#### **4. MANAGER'S REPORT**

Dave Rietcheck attended a field trip organized by Greg Cure to see the Colorado Augmentation Pipeline. He reported on the field trip and what he saw.

The Kansas Water Office is trying to create Water Technology Farms and would like to have one in the district area if anyone would be interested.

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#### **5. UNFINISHED BUSINESS:**

##### **a. Goal Discussion**

Ray Luhman presented a chart and graphs showing the historical pumping, by county, indicating the water savings for the proposed program. The chart and graphs also showed water savings for the idea of more water saved if a water right was further restricted to the maximum inches per acre pumped from 2009 through 2013. Lengthy discussion was had on how the plan saved water and if further restrictions needed to be made.

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**b. TH-5**

Bert Stramel reported there was nothing at the time to report.

**c. Management Program**

Suggested to be tabled for a future meeting.

**6. NEW BUSINESS**

**a. KDA – Update and potential new rules and regulations**

Kelly Stewart presented a handout discussing four rule and regulation changes they are considering and desiring feedback for. The first is allowing stockwater and irrigation rights to be combined. The second involves allowing longer term permits. The third, they want to define the years 2003 through 2012 to establish water use history. Lastly, DWR wants a simpler way of computing consumptive use.

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Kelly Stewart reported that Westside Dairy in SW Kansas now has a WCA and will save 15% on past water usage.

**8. OPEN SESSION-Public Questions/Comments:**

Ray Luhman inquired about moving forward with expanding the board room. It was favored to have the work started.

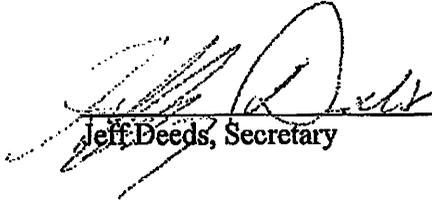
**9. Scheduling Future Meetings:**

The April Monthly Meeting to be held at the GMD 4 office on April 7th at 9 am.

**10. ADJOURNMENT**

*With no other business and no objections, Dave Rietcheck moved to adjourn the meeting. The motion was seconded by Shane Mann and passed unanimously by voice vote (no abstentions or “nay” votes).*

Respectfully submitted:



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Jeff Deeds, Secretary

## Rita Wade

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**From:** Rita Wade <rwade@gmd4.org>  
**Sent:** Monday, March 14, 2016 4:07 PM  
**To:** Colby Free Press; 'Goodland Star News'; 'Gove County Advocate'; 'Hill City Times'; 'Hoxie Sentinel'; 'Oakley Graphic (graphic@st-tel.net)'; 'Oberlin Herald (oberlin.ads@nwkansas.com)'; Saint Francis Herald; 'Square Deal'; 'Western Times (westerntimes@wbsnet.org)'  
**Subject:** Upcoming Meetings  
**Attachments:** LEMA Meetings.docx

Would you please print this Public Service Announcement as you have time and space.

Rita Wade  
NW KS Groundwater  
Management District No 4  
P O Box 905 – 1290 West Fourth  
Colby KS 67701  
785-462-3915  
rwade@gmd4.org

## Rita Wade

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**From:** Rita Wade <rwade@gmd4.org>  
**Sent:** Monday, March 14, 2016 4:11 PM  
**To:** 'KGCR (KGCR@KGCR.ORG)'; 'KKCI KWGB Goodland KLOE (cjgriggs03@gmail.com)'; 'kxxxkqls@rockingmradio.com'; 'openline@highplainsradio.net'  
**Cc:** 'Shannon Cain'  
**Subject:** Upcoming meetings  
**Attachments:** LEMA Meetings.docx

Would you please air this Public Service Announcement as you have time. Thank you. If you have questions, please contact Shannon Cain at 785-462-3915 or [scain@gmd4.org](mailto:scain@gmd4.org)

Rita Wade  
NW KS Groundwater  
Management District No 4  
P O Box 905 – 1290 West Fourth  
Colby KS 67701  
785-462-3915  
[rwade@gmd4.org](mailto:rwade@gmd4.org)

**EXHIBIT**

This is your opportunity to listen, learn and respond. Everyone involved in agriculture is encouraged to attend one of these four meetings.

The Northwest Kansas Groundwater Management District 4 will be conducting four meetings to educate the public about the proposed District-Wide Local Enhanced Management Area (LEMA). The plan will be presented at the meetings and opportunity will be given for the public to provide feedback. The meetings will be held at the following dates and times:

Any questions, please contact Shannon Cain, GMD 4 Assistant Manager at 785-462-3915 or visit [www.gmd4.org](http://www.gmd4.org) for more information

**EXHIBIT**

## Rita Wade

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**From:** Rita Wade <rwade@gmd4.org>  
**Sent:** Tuesday, March 15, 2016 8:21 AM  
**To:** rluhman@gmd4.org  
**Subject:** Press and Radio Announcement

Here's what we sent to the newspapers and the radio stations

The Northwest Kansas Groundwater Management District 4 will be conducting four meetings to educate the public about the proposed District-Wide Local Enhanced Management Area (LEMA). This is your opportunity to listen and learn and to see how your water right may be affected. The plan will be presented at the meetings and opportunity will be given for feedback. The meetings will be held at the following dates and times:

**March 23 – Hoxie Elks Lodge, Hoxie KS 1:30 CDT**  
**March 24 – Convention Center, Colby KS 1:30 CDT**  
**March 25 - 4-H Building, St Francis KS 1:30 CDT**  
**March 30 – Union Hall, NW KS Technical College 1:30 MDT**

All water users are encouraged to attend one of these four meetings.  
Any questions, please contact Shannon Cain, GMD 4 Assistant Manager at 785-462-3915 or visit [www.gmd4.org](http://www.gmd4.org) for more information



PROPOSED DRAFT

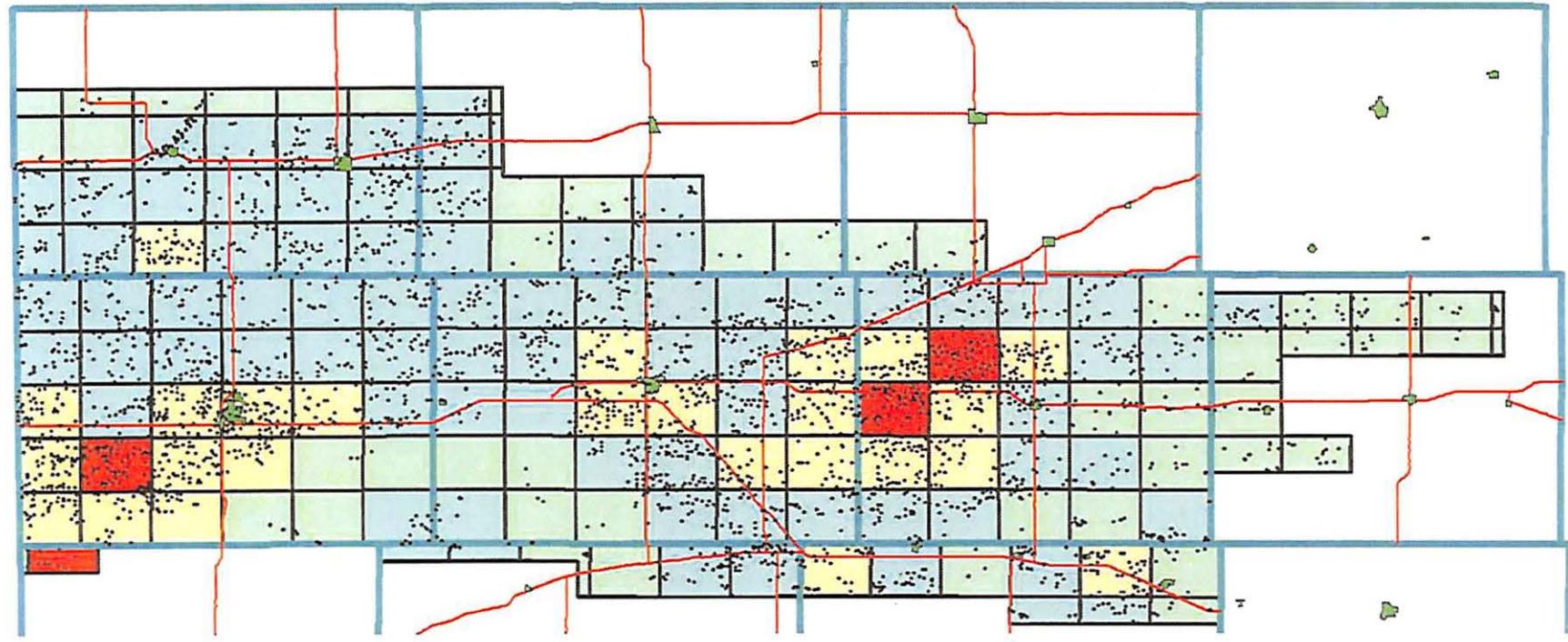
GMD 4 WELLS  
 SHADED TOWNSHIPS  
 GREEN - NO DECLINE OR MAX PUMP 2009 - 2013 < SAFE YIELD  
 BLUE - 0% - 1% PER YEAR DECLINE 2004 - 2013  
 YELLOW - 1% - 2% PER YEAR DECLINE 2004 - 2013  
 RED - > 2% PER YEAR DECLINE 2004-2013

5-YEAR ALLOCATIONS

	GREEN	BLUE	YELLOW/RED
CN	77.0	68.5	61.6
DC	74.0	63.5	59.2
GH	73.5	62.0	58.8
GO	76.5	65.5	61.2
LG	79.0	69.5	63.2
RA	75.5	66.0	60.4
SD	75.0	64.5	60.0
SH	78.5	70.5	62.8
TH	77.0	67.5	61.6
WA	80.5	71.5	64.4

AVERAGE ANNUAL AMOUNTS

	GREEN	BLUE	YELLOW/RED
CN	15.4	13.7	12.32
DC	14.8	12.7	11.84
GH	14.7	12.4	11.76
GO	15.3	13.1	12.24
LG	15.8	13.9	12.64
RA	15.1	13.2	12.08
SD	15.0	12.9	12.00
SH	15.7	14.1	12.56
TH	15.4	13.5	12.32
WA	16.1	14.3	12.88



*Exhibit*  
*27.1*

**MINUTES: Northwest Kansas Groundwater Management District 4  
April 7, 2016 Board Meeting**

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

The April 7th Board meeting was opened at 9 am CST at City Limits Convention Center in Colby, Kansas by President, Brent Rogers.

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

Justin Sloan, Shane Mann, Lynn Goossen, Brent Rogers,  
Roger Zwegardt, Dave Rietcheck, Jeff Deeds, Monty Biggs  
Mitchell Baalman, Scott Maurath and Doug David

Present for some or all of the meeting were GMD 4 staff, Jeff Mason – attorney and 18 other persons. The sign in sheet for the meeting is available to view for attendance.

No board members were absent.

Ray Luhman requested several items be added to the agenda. To be added under Manager Report: Rule and Regulation Hearing, Probe cost-share and signatures cards at banks. Under New Business, KWA sponsorship to be added.

Justin Sloan asked that the website to be also added under new business.

**Shane Mann moved that Mitchell Baalman be the acting secretary in the absence of Jeff Deeds. The motion was seconded by Dave Rietcheck and passed unanimously by voice vote (no abstentions or “nay” votes).**

Jeff Deeds joined the meeting at a later time and resumed secretary duties.

**2. CONSENT AGENDA**

Brent Rogers asked if there were any concerns over the consent agenda, consisting of the March 9, 2016, Minutes and Expenditures for the month of March. Receipt of the financial report showing monthly expenditures totaling \$36,645.55 in March were approved. Concern was expressed with the cost of renting rooms for the public meetings and board room remodel. Discussion was had at previous board meetings about the remodel and the potential for public meetings.

**Monty Biggs moved the minutes and expenditures for the month of March be accepted. The motion was seconded by Lynn Goossen and passed by voice vote with Justin Sloan opposed.**

**3. OPEN FORUM**

**EXHIBIT**

Several members of the public provided comments. Clarification was provided on the inclusion of current projects when determining the maximum acres and the proposed 16 mile flexibility radius. Mike Schultz with the City of Brewster gave comment on municipal conservation. Other comment was made to the Board on including efficiency in discussions other than just reductions.

#### **4. MANAGER'S REPORT**

Shannon reported on the RAC meeting that took place Monday, April 4<sup>th</sup>. As the GMD 4 Board is working on a district wide LEMA, the RAC is looking into focusing on other goals. One of those goals being the Republican River issue that David Barfield reported another information meeting in St. Francis would be soon. RMA had also been approved for all of GMD 4.

Ray reported the Rule and Regulation change hearing was held April 4<sup>th</sup>. The new regulation will be in effect 15 days after the notification is published.

Shannon Cain is now Shannon Kenyon and signature cards need to be resigned at the banks where we hold accounts.

Ray reported the Upper Republican NRD in Nebraska had a cost-share program through EQIP. Contact with NRCS has been made to inquire more about potentially being able to apply for this program in Kansas.

#### **5. UNFINISHED BUSINESS:**

##### **a. District LEMA Discussion and Formulation**

Discussion was had on the public meetings and other plans previously sent to board members. Comments and notes taken by staff and board members were presented. Several issues were addressed. Rainfall differences from west to east were discussed as Ray Luhman provided data from 1998 through 2015 rainfall for April through October. Another issue evolved during several of the meetings concerning getting sued for taking a property right. Ray Luhman had consulted with Burke Griggs and Jeff Mason concurred that the state owns the water and has the ability to regulate. It is not a taking.

Roger Zweygardt presented a plan for consideration that caps all water rights at a 22"/acre. Everybody with average inches less than that would be reduced 2" until those that use less than 12" annually would be held to what they are currently averaging. Flexibility would not be included other than on a 5 year allocation. It was suggested the current proposed plan be put aside and data be looked at on the water savings for capping the large pumpers to 22" and to 18".

##### **b. TH-5**

Bert Stramel reported there was nothing at the time to report as plans keep changing. He wanted clarification on the 4 townships now within the TH-5 as a high priority area. Depending on what evolves, the high priority protocol will change. Bert reported that he would like for TH-5 to remain on the agenda.

### **c. Management Program**

Suggested to be tabled for a future meeting. Waiting on plans to develop to include updates.

## **6. NEW BUSINESS**

### **a. KWA**

Tracy Streeter contacted Shannon Kenyon about possibly sponsoring the BBQ for the KWA on May 18<sup>th</sup>.

**Shane Mann moved GMD 4 should provide a \$250 sponsorship to the KWA for the BBQ. The motion was seconded by Mitchell and passed by voice vote with Justin Sloan opposed.**

### **b. WEBSITE**

Concern was expressed for the website and improvements were needed to make it more aesthetic and mobile friendly. Shannon stated she would get with Crystal Pounds to see about having the website redone.

## **7. Agency Reports**

Kelly Stewart reported WRIS Mobile had worked out the glitches and that is was back in the field for testing. Will keep us updated on when that will be available to GMD 4. They have also hired a Water Conservation Specialist that starts May 8<sup>th</sup>.

## **8. OPEN SESSION-Public Questions/Comments:**

Jason Norquist from GMD 3 reported that the RCPP grant had some problems and they were working with NRCS to try and fix those so that more producers would be eligible.

Weston McCarry of NW Tech College reported that the Kansas Water Workforce will be conducting several meetings.

Question was had about water right buyouts. The interest is there, but not the money.

The state is trying to tax water usage to 1 cent per 1000 gallons. Testimony will be heard on April 19<sup>th</sup>.

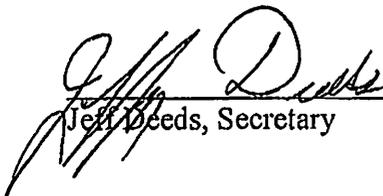
## **9. Scheduling Future Meetings:**

The May Monthly Meeting to be held at the GMD 4 office on May 12th at 9 am.

## 10. ADJOURNMENT

*With no other business and no objections, Dave Rietcheck moved to adjourn the meeting. The motion was seconded by Monty Biggs and passed unanimously by voice vote (no abstentions or "nay" votes).*

Respectfully submitted:



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Jeff Deeds, Secretary

## MINUTES

### MINUTES: Northwest Kansas Groundwater Management District 4 May 12, 2016 Board Meeting

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

The May 12th Board meeting was opened at 9 am CST at GMD 4 office in Colby, Kansas by President, Brent Rogers.

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

Shane Mann, Lynn Goossen, Brent Rogers,  
Roger Zwegardt, Dave Rietcheck, Jeff Deeds, Monty Biggs  
Mitchell Baalman and Scott Maurath

Present for some or all of the meeting were GMD 4 staff, Jeff Mason – attorney; Mike McKenna; Vernon and Karen Flannigan; Kelly Stewart and Steven Walters – DWR; Jodie McCain; and Larry Barrett

Justin Sloan and Doug David were absent.

#### 2. CONSENT AGENDA

Brent Rogers asked if there were any concerns over the consent agenda, consisting of the April 7, 2016, Minutes and Expenditures for the month of April. Receipt of the financial report showing monthly expenditures totaling \$36,942.79 in April were approved.

**Dave Rietcheck moved the minutes and expenditures for the month of April be accepted. The motion was seconded by Lynn Goossen and passed unanimously by voice vote (no abstentions or “nay” votes).**

#### 3. OPEN FORUM

Only comment made was how nice the newly remodeled board room looked.

#### 4. MANAGER’S REPORT

Ray reported on the Sheridan 6 Advisory meeting held on April 20<sup>th</sup> in Hoxie. Well measurement data was distributed at this meeting and discussion was held on the potential for a district wide LEMA and thoughts of continuing with the SD 6 LEMA currently in place. There was also discussion on how the irrigators in this area are “doing more with less”.

Shannon distributed a draft KWA agenda to be held next week in Oakley. Several members do plan on attending one or both days.

**EXHIBIT**

Shannon informed the board on the progress of redoing the website. Crystal is near ready to provide a draft website for review before she makes it live. Members of the board indicated they want a link to the newsletter and minutes on the front page and would like to see the draft before it goes live.

The new rule and regulation to close the Ogallala in GMD 4 will be effective May 13, 2016.

Ray distributed the bill that was paid for the board room remodel. Everyone seemed pleased at the quality of work and the cost.

## **5. UNFINISHED BUSINESS:**

### **a. District LEMA Discussion and Formulation**

Ray distributed comparative data on several plans that have been suggested. Discussion was had on the various components of each plan. As new section level data from KGS should be coming soon, it was suggested to wait for that data for future analysis. The year 2009 was also looked at closely as it was an unusually wet year with many crops being hailed out. Using that year for data was not favorable. After further discussion, the board would like to see data for a plan where the entire district is capped at 20"/acre. Those areas with a greater than 1% average annual decline would be reduced by 2"/acre if they were averaging 16-20"/acre historically. Those pumping 13-15.9"/acre historically would be reduced 1" and those below 11.9"/acre would not be reduced.

b.

c. TH-5

Nothing to report.

### **c. Management Program**

A copy of the management plan with proposed changes was previously sent to board members for review. Discussion was had on a few details. No changes were made.

**Jeff Deeds moved to submit the management plan to the state and make any small editorials. The motion was seconded by Mitchell Baalman and passed unanimously by voice vote (no abstentions or "nay" votes).**

## **6. NEW BUSINESS**

### **a. Building and Finance Committee**

A bid to have part of the front and back lawn converted to concrete was passed to the board. Members thought that the work needed to wait until next year. Taking out the drive up window would be less costly.

**Dave Rietcheck moved that Ray Luhman to look into the cost of converting the drive up window into a door. The motion was seconded by Shane Mann and passed by voice vote (no abstentions or “nay” votes).**

## **7. Agency Reports**

Kelly Stewart introduced Steven Walters. He is the new Water Conservation Specialist in the Stockton Field Office. Kelly also reported that a bill was passed and signed to allow for a \$1000 fine for water use reports not submitted by June 1<sup>st</sup>. The water right could also be suspended until the report is submitted. He also informed the board the 2015 water use report has been quality checked and is in WRIS. WRIS Mobile had more bugs and is back at Burns & McDonald for further improvements. MYFA’s can now be approved for a change in place of use.

## **8. OPEN SESSION-Public Questions/Comments:**

Vernon Flannigan expressed concern about the proposed plan being fair to those irrigators already conserving. He feels it is discrimination to reduce anyone that is already conserving.

Larry Barrett expressed his concern for being able to understand what the board was discussing throughout the meeting. It was suggested he come into the office for further discussion.

Jeff Mason informed the board the 501(3)(c) status could be reinstated. He submitted a tax form required and it was accepted to infer the reinstatement but no documentation has been received yet.

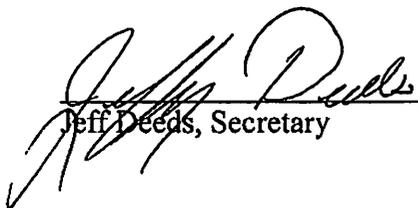
## **9. Scheduling Future Meetings:**

The June Monthly Meeting to be held at the GMD 4 office on June 2nd at 9 am.

## **10. ADJOURNMENT**

*With no other business and no objections, Lynn Goossen moved to adjourn the meeting. The motion was seconded by Dave Rietcheck and passed unanimously by voice vote (no abstentions or “nay” votes).*

Respectfully submitted:

  
\_\_\_\_\_  
Jeff Deeds, Secretary

**MINUTES: Northwest Kansas Groundwater Management District 4  
June 2, 2016 Board Meeting**

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

The June 2nd Board meeting was opened at 9:07 am CST at GMD 4 office in Colby, Kansas by Vice President, Shane Mann.

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

Shane Mann, Mitchell Baalman, Scott Maurath  
Roger Zwegardt, Dave Rietcheck and Jeff Deeds

Present for some or all of the meeting were Ray Luhman, Shannon Kenyon and Dan Simmering - GMD 4 staff, Jeff Mason – attorney; Mike McKenna; Karen Flannigan; Weston McCary; Jace Chipperfield; Kelly Stewart and Steven Walters – DWR; Jodie McCain

Justin Sloan, Doug David, Lynn Goossen, Brent Rogers and Monty Biggs were absent.

**2. CONSENT AGENDA**

Shane Mann asked if there were any concerns over the consent agenda, consisting of the May 12 2016, Minutes and Expenditures for the month of May. Receipt of the financial report showing monthly expenditures totaling \$34,174.26 in May were approved.

**Jeff Deeds moved the minutes and expenditures for the month of May be accepted. The motion was seconded by Dave Rietcheck and passed unanimously by voice vote (no abstentions or “nay” votes).**

**3. OPEN FORUM**

Karen Flannigan commented the method of determining historical inches per acre was unfair to those already conserving water.

**4. MANAGER’S REPORT**

Ray gave a report on the KWA meeting. All RAC’s reported on their progress and water issues around the state. The only thing of concern was the Blue Ribbon Task Force and the idea of taxing irrigation water.

After the KWA meeting the GMD managers met to discuss WRIS Mobile. A conference call was had with GIS Workshops about developing our own app for use with field work. Staff will be coordinating with the other GMD’s to obtain a quote for a base model.

**EXHIBIT**

## **5. UNFINISHED BUSINESS:**

### **a. District LEMA Discussion and Formulation**

Ray discussed the updated map with the 2014 and 2015 water level data included and where the areas of decline were improving and worsening. Discussion was had about components of the various plans currently being developed. Several ideas came from the discussion. It was requested that a maximum number of acre-feet pumped district wide be established and then determine the amount needed to be cut. The question was asked as to what percent that would require of those pumping between 20 and 12 inches per year to obtain that.

### **b. TH-5**

Nothing to report and remove from agenda.

### **c. Website**

Shannon projected the proposed website for the Board to review and asked for suggestions. Many suggestions were made and will be passed on to Crystal Pounds to make the changes.

## **6. NEW BUSINESS**

### **a. Staff Contracts**

**Jeff Deeds moved the Board go into executive session at 11:00 am for 30 minutes with Ray Luhman and attorney, Jeff Mason then other staff members individually. Motion was seconded by Mitchell Baalman and passed unanimously by voice vote (no abstentions or "nay" votes).**

**Scott Maurath moved the Board extend the executive session until 12:00 P.M. Motion was seconded by David Rietcheck and passed unanimously by voice vote (no abstentions or "nay" votes).**

**Jeff Deeds moved the Board extend the executive session until 12:15 P.M. Motion was seconded by Mitchell Baalman and passed unanimously by voice vote (no abstentions or "nay" votes).**

**Mitchell Baalman moved the Board extend the executive session until 12:30 P.M. Motion was seconded by Scott Maurath and passed unanimously by voice vote (no abstentions or "nay" votes).**

At 12:30 P.M. the Board came out of executive session.

Roger Zwegardt moved to offer Rita Wade a contract of \$48,500, Dan Simmering a contract of \$65,000, Ray Luhman a contract of \$105,000 and Shannon Kenyon a contract of her current salary and to pay half her tuition expenses up to \$7500 per year for three years. While tuition is being provided, she is to maintain longevity with GMD 4 or reimburse tuition funds paid by GMD 4. Motion was seconded Mitchell Baalman and passed unanimously by voice vote (no abstention of "nay" votes.)

#### 7. Agency Reports

Kelly Stewart informed the Board of a pilot project being developed on a term permit for dual use of irrigation and stockwater. He also stated that the Ogallala portion of the district was officially closed on May 13<sup>th</sup>. Not of concern to GMD 4, but approval of applications outside of the district that would have a 1% impact to the Republican River would be denied.

#### 8. OPEN SESSION-Public Questions/Comments:

Nothing to report

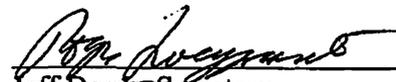
#### 9. Scheduling Future Meetings:

The July Monthly Meeting to be held at the GMD 4 office on July 14th at 9 am.

#### 10. ADJOURNMENT

*With no other business and no objections, Mitchell Baalman moved to adjourn the meeting. The motion was seconded by Jeff Deeds and passed unanimously by voice vote (no abstentions or "nay" votes).*

Respectfully submitted:

  
~~Jeff Deeds, Secretary~~

Roger Zwegardt - acting secretary

**MINUTES: Northwest Kansas Groundwater Management District 4  
July 14, 2016 Board Meeting**

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

The July 14th Board meeting was opened at 9:02 am CST at GMD 4 office in Colby, Kansas by President, Brent Rogers.

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

Brent Rogers, Shane Mann, Mitchell Baalman, Scott Maurath  
Roger Zwegardt, Dave Rietcheck, Lynn Goossen, Doug David and Justin Sloan

Present for some or all of the meeting were Ray Luhman, Shannon Kenyon and Dan Simmering - GMD 4 staff, Jeff Mason – attorney; Karen Flannigan; Kelly Stewart, Nick Hixson and Steven Walters – DWR; Jodie McCain

Jeff Deeds and Monty Biggs were absent.

Ray Luhman requested several items to be added to the agenda: Management Program for item C in Old Business and GIS Workshops for item A in New Business. Lynn Goossen requested Staff Contracts be added to New Business for Executive Session under item B in New Business.

**Shane Mann moved Roger Zwegardt be the acting secretary in the absence of Jeff Deeds. The motion was seconded by Doug David and passed unanimously by voice vote (no abstentions or “nay” votes).**

**2. CONSENT AGENDA**

Brent Rogers asked if there were any concerns over the consent agenda, consisting of the June 2, 2016, Minutes and Expenditures for the month of June. Receipt of the financial report showing monthly expenditures totaling \$34,187.35 in June were approved.

**Scott Maurath moved the minutes and expenditures for the month of June be accepted. The motion was seconded by Dave Rietcheck and passed unanimously by voice vote (no abstentions or “nay” votes).**

**3. OPEN FORUM**

Karen Flannigan commented the board needed to create a plan that was fair.

**4. MANAGER’S REPORT**

**EXHIBIT**

The Kansas Water Congress will be held July 26 and 27<sup>th</sup> in Wichita. Please let the office know by Monday if you plan to attend so reservations can be made. An agenda was passed around.

The Kansas Water Authority will meet August 31<sup>st</sup> and September 1<sup>st</sup> in Emporia. Staff do not plan on attending.

Budget Hearing is set for August 4<sup>th</sup>. Date had to be decided prior to the July meeting for publication purposes. It was arranged for the Budget Committee to meet at the GMD 4 office on Thursday, July 28<sup>th</sup> at 10 am.

Ray Luhman distributed the proposed budget for the hearing and discussed the facility line item due to carry over. He also informed the board that he signed a contract with Amber Hagerman to assist with assessments. Contract is for \$100.00 per hour to be billed in 15 minute increments.

There will be a Water Technology Farm tour on August 2<sup>nd</sup>. We will leave the GMD 4 office by 8 am for any board members or staff that would like to attend.

## **5. UNFINISHED BUSINESS:**

### **a. District LEMA Discussion and Formulation**

Ray distributed a list of the three plans currently being discussed and the details of each one. Data was then distributed to show the townships with 0.5 – 1% decline. Discussion was lead back to the first plan, but numbers needed to be adjusted. Board members to think of those numbers to be discussed at next meeting. It was also discussed the idea of a carry-over amount not to exceed one year.

### **b. Website**

The proposed new website was reviewed. It was suggested to locate a link for the real time data on the index wells.

**Mitchell Baalman moved the new website to go live. The motion was seconded by Lynn Goossen and passed unanimously by voice vote (no abstentions or “nay” votes).**

Spencer Casey of Casey Designs is retiring. GMD 4 will need to find another source to host the website and provide email. Shannon reported that she had done price comparison with various companies and suggested the district remain with Rackspace for email and host the website with Expiry that currently holds the domain name.

**Mitchell Baalman moved to use Expiry for hosting and Rackspace for email. The motion was seconded by Roger Zweygardt and passed unanimously by voice vote (no abstentions or “nay” votes).**

### **c. Management Program**

Ray said the management program had been reviewed by DWR and now needs to be resubmitted. A few minor changes and the replacement of the SD-6 section with the SD-6 order was all that was done.

**Scott Maurath moved to resubmit the revised management program. The motion was seconded by Mitchell Baalman and passed unanimously by voice vote (no abstentions or “nay” votes).**

## **6. NEW BUSINESS**

### **a. GIS Workshops**

All GMD's have received a counter offer for a program similar to WRIS Mobile. Discussion was had on what the program does and the cost shared by all GMD's.

**Dave Rietcheck moved to move forward if the other GMD's participate with a maximum cost to GMD 4 of \$29,000. The motion was seconded by Roger Zwegardt and passed with eight votes for and one against. Justin Sloan was the dissenting vote.**

### **b. Staff Contracts**

**Lynn Goossen moved to go into executive session until 12:05 with the GMD 4 Board and managers to discuss employee contracts. The motion was seconded by Shane Mann and passed unanimously by voice vote (no abstentions or “nay” votes).**

The Board returned to the regular meeting at 12:05. No action taken.

## **7. Agency Reports**

Kelly Stewart gave clarification on the Upper Republican map he handed out at the last meeting. The areas highlighted on the map he previously indicated that one may be able to get an application approved in those areas, but clarified that a new application would not be approved in those areas.

He also informed everyone that all change applications and orders are now required to be put on their website.

## **8. OPEN SESSION-Public Questions/Comments:**

Nothing to report

## **9. Scheduling Future Meetings:**

The August meeting will be held August 4<sup>th</sup> at the GMD 4 Office at 9 am. The Budget Hearing will be conducted at this meeting.

## 10. ADJOURNMENT

*With no other business and no objections, Shane Mann moved to adjourn the meeting. The motion was seconded by Dave Rietcheck and passed unanimously by voice vote (no abstentions or "nay" votes).*

Respectfully submitted:

  
\_\_\_\_\_  
Roger Zweygardt, Acting Secretary

**Minutes: Northwest Kansas Groundwater Management District 4  
August 4, 2016 Board Meeting**

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

The August 4th board meeting was opened at 9:03 am CDT at the GMD 4 Office in Colby, Kansas by President, Brent Rogers.

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

Shane Mann, Lynn Goossen Jeff Deeds, Monty Biggs,  
Roger Zwegardt, Brent Rogers, Justin Sloan  
Mitchell Baalman, and Scott Maurath

Others present for some or all of the meeting were: Ray Luhman, Shannon Cain, Rita Wade and Dan Simmering – GMD 4 staff; Jeff Mason – Vignery & Mason; Steven Walters - DWR/Stockton; Jody McCain; Dewayne Kersenbrock; Jace Chipperfield; Karen Flanigan and Darvin Strutt

Board members absent were: Doug David and Dave Rietcheck

**Roger Zwegardt moved that Lynn Goossen be the Acting Treasurer. The motion was seconded by Jeff Deeds and passed unanimously by voice vote (no abstentions or “nay” votes).**

Ray Luhman requested several items to be added to the Managers Report: Darvin Strutt to review the insurance policy; Meeting with KDA in October; WCA in GMD 1; Water Technology Farm Field Day and K-State Extension Field Day

**2. CONSENT AGENDA**

Brent Rogers asked if there were any concerns over the consent agenda, consisting of the July 14, 2016 Minutes and Expenditures for the month of July. Receipt of the July financial report showing monthly expenditures totaling \$32,500.53 in July were approved.

**Mitchell Baalman moved the minutes and expenditures for the month of July be accepted. The motion was seconded by Roger Zwegardt and passed unanimously by voice vote (no abstentions or “nay” votes).**

**3. OPEN FORUM**

Brent Rogers asked if there was anything to be presented in Open Forum. No responses were given.

**4. MANAGER’S REPORT**

**EXHIBIT**

Ray Luhman and Shannon Kenyon attended the Kansas Water Congress in Wichita. A brief overview of the presentations heard was reported.

Shannon gave an update on the RAC meeting. The committee would like to conduct Water Informational Events. The idea of the committee holding this event in conjunction with the GMD 4 Annual Meeting will be added to the agenda for September.

Shannon also attended the Water Technology Farm Field Day and reported the events that took place.

There will be a Field Day at the K-State Research and Experiment Station in Colby on August 23<sup>rd</sup> if anyone would like to attend. A flyer showing the events for the day was distributed.

Ray discussed what we know about a large WCA being formed in Wichita County. The WCA is within GMD 1 and consists of Cargill and other area producers.

A letter with proposed legislation on flexibility between stockwater and irrigation was handed out at the Kansas Water Congress. Those documents were distributed to the board and discussed.

Darvin Strutt of Strutt Insurance discussed the insurance policy. He handed out a summary of what was insured and for how much.

KDA and the GMD's will have a meeting in Manhattan on October 3<sup>rd</sup> to discuss relationships between the agency and districts.

## **5. UNFINISHED BUSINESS:**

### **a. Goal Discussion**

Board members were given the latest revisions to the district-wide LEMA proposal. The plan proposes areas between 0.5% and 1% average annual declines be put on an 18 inch maximum, areas between 1% and 2% use the 80% chance rainfall NIR for their zone and any area above 2% use the 50% NIR for their zone. Nobody in an area above 0.5% would be allowed to pump in excess of 18" or be reduced by more than 25%. Data would be periodically reviewed and allocated amounts adjusted accordingly. The plan would offer no flexibility and would have a five year allocation. If flexibility is desired, a producer would need to enroll in a WCA.

**Mitchell Baalman moved to send the plan to KDA for input. The motion was seconded by Scott Maurath and passed unanimously by voice vote (no abstentions or "nay" votes).**

**Jeff Deeds moved to recess the monthly board meeting to conduct the public budget hearing at 10:30 am. The motion was seconded by Monty Biggs and passed unanimously by voice vote (no abstentions or "nay" votes).**

**6. NEW BUSINESS**

**a. PUBLIC HEARING ON PROPOSED BUDGET 2016**

At 10:30 am Brent Rogers opened the Budget Hearing. There were members of the public present that gave no additional testimony. Staff provided testimony to increase the proposed budget. Copy of changes attached to these minutes.

Brent Rogers asked if there was any additional discussion regarding the 2017 GMD4 Operating Budget and there was none. *Monty Biggs motioned to close the 2017 Budget Hearing. Jeff Deeds seconded the motion which passed unanimously via voice vote (no "abstentions" or "nay" votes.)*

**b. APPROVAL OF THE 2017 OPERATING BUDGET**

*Jeff Deeds motioned to approve the following resolution for the 2017 Budget :*

*WHEREAS the district membership during the 41st Annual Meeting adopted the proposed 2017 operating budget of \$492,200 for consideration at a subsequent public hearing; and*

*WHEREAS the board scheduled, duly noticed and conducted a public hearing regarding the tentatively adopted, proposed 2017 operating budget on August 4, 2016; and*

*WHEREAS all testimony and public comment was duly considered;*

***BE IT THEREFORE RESOLVED THAT the 2017 operating budget for the Northwest Kansas Groundwater Management District No. 4 shall be approved for \$469,915 – as followed:***

	2017 Final Assessed	
<b>110 POSTAGE</b>		<b>\$6,200.00</b>
111 Newsletter	\$4,700.00	
112 General	\$1,500.00	
<b>120 PRINTING</b>		<b>\$5,200.00</b>
121 Newsletter	\$4,800.00	
122 Administrative	\$400.00	
<b>130 DUES</b>	<b>\$2,000.00</b>	<b>\$2,000.00</b>
<b>140 SUBSCRIPTIONS</b>	<b>\$3,000.00</b>	<b>\$3,000.00</b>
<b>150 INSURANCE</b>		<b>\$12,800.00</b>
151 Office	\$12,500.00	
152 Public Officials' Liability		
153 Auto		
154 Workmans' Comp.		
155 Inland Marine		
156 Unemployment	\$300.00	
<b>160 TELEPHONE</b>	<b>\$5,600.00</b>	<b>\$5,600.00</b>
<b>170 SALARIES AND BENEFITS</b>		<b>\$348,900.00</b>
171 Gross Sal, Kpers, SS, Etc.	\$348,900.00	
172 Health Insurance		
<b>180 TRAVEL</b>		<b>\$15,000.00</b>

181 Board	\$12,000.00	
182 Staff	\$3,000.00	
<b>190 VEHICLES</b>		<b>\$4,375.00</b>
191 Repairs/Maintenance	\$1,200.00	
192 Operation	\$3,000.00	
193 Tags	\$175.00	
194 Purchase/Lease		
<b>200 CONTRACTED SERVICES</b>		<b>\$34,800.00</b>
201 Accounting	\$7,000.00	
202 Legal	\$7,800.00	
203 Misc. Support	\$20,000.00	
204 Water Sampling		
205 Drilling		
206 Weather Modification		
<b>210 PUBLICATIONS</b>		<b>\$600.00</b>
211 Legal Notices	\$600.00	
<b>220 COOP PROGRAMS</b>		<b>\$2,000.00</b>
221 Administrative		
222 Equipment		
223 Contracted Studies		
224 Education Program	\$2,000.00	
<b>230 ADMINISTRATIVE</b>		<b>\$10,900.00</b>
231 Office Supplies	\$3,500.00	
232 Copy Machine	\$1,750.00	
233 Computer Maint	\$3,500.00	
234 Postage Meter Lease	\$650.00	
235 Bank Charges		
236 Field Supplies	\$1,500.00	
<b>240 NEW EQUIPMENT</b>		<b>\$4,400.00</b>
241 Field	\$2,400.00	
242 Office	\$2,000.00	
<b>250 CONTINGENCY RESERVE</b>		<b>\$0.00</b>
<b>260 FACILITY</b>		<b>\$13,640.00</b>
261 Rent	\$840.00	
262 Upkeep	\$5,000.00	
263 Remodel/Purchase	\$0.00	
264 Building Utilities	\$7,800.00	
<b>REIMBURSED EXPENSES</b>		
<b>300 FOUNDATION</b>		<b>\$500.00</b>
305 Foundation Subscriptions		
325 Foundation Telephone		
345 Foundation Accounting	\$200.00	
350 Foundation Legal	\$300.00	
370 Foundation Tech Support		
	\$469,915.00	\$469,915.00

***WHEREAS KSA 82a-1030 requires that a land assessment and/or water user charge be levied in order to fund the approved budget; and***

***WHEREAS there exists as of August 4, 2016 2,842,812 acres of land eligible for assessment and 840,362 acrefeet of water eligible for the water user charge for the 2017 operating budget; and***

***WHEREAS after due consideration of all testimony it is the board's decision that a 2017 budget of \$469,915 should be provided assessment support;***

***BE IT THEREFORE RESOLVED THAT the land assessment and water user charge for the 2017 operating budget shall be set at:***

***\$.05 per acre of assessable land; and  
\$.35 per assessable acrefoot of water.***

***Mitchell Baalman seconded the motion which passed unanimously via voice vote (no "abstentions" or "nay" votes.)***

## **7. Agency Reports**

Steven Walters of the DWR Stockton Field Office reported he was having discussion with three or four potential WCA's within GMD 4. The office is currently reviewing the short overpump list.

## **8. OPEN SESSION-Public Questions/Comments:**

Jace Chipperfield made comment that the proposed District-Wide LEMA was more palatable. It was suggested that we need to define what would happen after five years. Are we going to reduce 10%? Details of the plan have not yet been determined, but will once we receive comment from DWR.

Brent Rogers asked about Quivera Wildlife Refuge and what the latest update on that was.

Comment was also made on a review of the Wet Walnut IGUCA was planned.

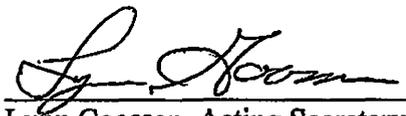
## **9. Scheduling Future Meetings:**

The September Monthly Meeting to be held at the GMD 4 office on September 1st at 9 A.M.

## **10. ADJOURNMENT**

***With no other business and no objections, Lynn Goossen moved to adjourn the meeting at 11:18 A.M. The motion was seconded by Roger Zwegardt and passed unanimously by voice vote (no abstentions or "nay" votes).***

Respectfully submitted:



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Lynn Goossen, Acting Secretary

## **Minutes: Northwest Kansas Groundwater Management District 4 September 1, 2016 Board Meeting**

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

The September 1st board meeting was opened at 9:03 am CDT at the GMD 4 Office in Colby, Kansas by President, Brent Rogers.

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

Shane Mann, Lynn Goossen Jeff Deeds, Monty Biggs,  
Roger Zwegardt, Brent Rogers, Justin Sloan,  
David Rietcheck, Mitchell Baalman, and Scott Maurath

Others present for some or all of the meeting were: Ray Luhman, Shannon Cain, Rita Wade and Dan Simmering – GMD 4 staff; Jeff Mason – Vignery & Mason; Kelly Stewart & Steven Walters - DWR/Stockton; Jody McCain; Karen Flanagan

Board members absent were: Doug David

Ray Luhman requested that RRCA to be added to the Manager's Report.

### **2. CONSENT AGENDA**

Brent Rogers asked if there were any concerns over the consent agenda, consisting of the August 4th, 2016 Minutes and Expenditures for the month of August. Receipt of the August financial report showing monthly expenditures totaling \$47,309.14 in August were approved.

**Jeff Deeds moved the minutes and expenditures for the month of August be accepted. The motion was seconded by Mitchell Baalman and passed unanimously by voice vote (no abstentions or "nay" votes).**

### **3. OPEN FORUM**

Brent Rogers asked if there was anything to be presented in Open Forum. No responses were given.

### **4. MANAGER'S REPORT**

Shannon Kenyon is preparing the Fall Newsletter and asked if there were any topics the board would like to include. Suggestions made were WCA's, RRCA update, McCarty Dairy conservation, and proposed LEMA

**EXHIBIT**

The Governor's Conference is scheduled for November 14<sup>th</sup> and 15<sup>th</sup>. Any board members that would like to attend should let staff know before the next monthly meeting so reservations can be made.

Ray Luhman reported the district signed a contract with GIS Workshops to begin work on developing a mobile field work app. Cost would be spread out over three years budgets.

Ray asked if there were any board members that would like to attend a meeting on October 3, 2016 in Manhattan between DWR, KDA and the GMD's. Several topics were of interest for discussion at this meeting.

Shannon attended the annual RRCA meeting in Burlington. Two resolutions were passed and communicated to the board.

## **5. UNFINISHED BUSINESS:**

### **a. Goal Discussion**

After much discussion on the current proposed plan, the board requested a month to discuss with producers in their areas before taking it to public meetings. If the board decides to take it to the public, letters would be sent to all water use correspondents with notification of the meetings.

### **b. Annual Meeting**

The idea was presented at last month's meeting to suggest to the Upper Republican RAC to hold their education day in conjunction with the district's annual meeting. Board members thought that would be a good idea and potentially bring more people to the meeting.

## **6. NEW BUSINESS**

### **a. NEWSLETTER DISCUSSION**

The building finance committee discussed doing a couple of postcard mailings in between the two newsletters to inform water users of meeting dates and any other pertinent information. After discussion, the following motions were passed:

**Shane Mann moved the monthly board meetings be the first Thursday of the month at 9 am. The motion was seconded by Monty Biggs and passed unanimously by voice vote (no abstentions or "nay" votes).**

**Monty Biggs moved the newsletter be published twice per year and postcards be mailed as needed. The motion was seconded by Dave Rietcheck and passed unanimously by voice vote (no abstentions or "nay" votes).**

## **7. Agency Reports**

Kelly Stewart reported that most of his report was covered in the Manager's Report. He was to give an update on the RRCA meeting, regulation changes on consumptive use calculations, and statute changes to the WCA language that would provide for flexibility. He did report the 2015 overpumpers had been determined and penalty orders were to be mailed. There were only a handful in GMD 4. Lastly, David Barfield will be in town next week and will sign the GMD 4 Management Plan at that time.

#### **8. OPEN SESSION-Public Questions/Comments:**

Shane Mann asked Jeff Mason on the status of the NW Kansas Groundwater Foundation's 501(3)(c) status. Jeff said he was gathering the final documents from Rita and hoped to send it in soon. It was suggested we have a foundation meeting soon to determine another probe program.

Ray Luhman asked about SD6 and if anybody heard anything from the producers within the LEMA. It was noted that they would probably renew.

Scott Maurath asked DWR for clarification on the WCA's and he was getting questions on details. Kelly Stewart reported that they were individual plans and that it would be different for each WCA.

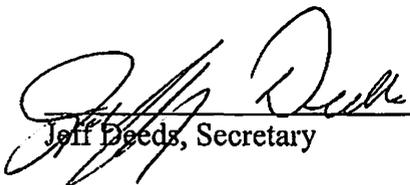
#### **9. Scheduling Future Meetings:**

The October Monthly Meeting to be held at the GMD 4 office on October 6th at 9 A.M.

#### **10. ADJOURNMENT**

*With no other business and no objections, Roger Zwegardt moved to adjourn the meeting at 11:35 A.M. The motion was seconded by Dave Rietcheck and passed unanimously by voice vote (no abstentions or "nay" votes).*

Respectfully submitted:

  
\_\_\_\_\_  
Jeff Deeds, Secretary

## **Minutes: Northwest Kansas Groundwater Management District 4 October 6, 2016 Board Meeting**

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

The October 6 board meeting was opened at 9:00 am CDT at the GMD 4 Office in Colby, Kansas by President, Brent Rogers.

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

Shane Mann, Lynn Goossen Jeff Deeds, Monty Biggs,  
Roger Zwegardt, Brent Rogers, Doug David,  
Mitchell Baalman, and Scott Maurath

Others present for some or all of the meeting were: Ray Luhman, Shannon Cain, Rita Wade and Dan Simmering – GMD 4 staff; Jeff Mason – Vignery & Mason; Kelly Stewart & Steven Walters - DWR/Stockton; Jody McCain; Karen Flanigan; Bill Golden, Matt Sanderson and Greg Graff

Board members absent were: Dave Rietcheck and Justin Sloan

Ray Luhman requested the following be added to the Manager's Report:

- b. Midwest Energy
- c. Water Technology Farms
- d. Reschedule KDA/DWR meeting
- e. GIS Workshops
- f. Management Program

### **2. CONSENT AGENDA**

Brent Rogers asked if there were any concerns over the consent agenda, consisting of the September 1st, 2016 Minutes and Expenditures for the month of September. Receipt of the September financial report showing monthly expenditures totaling \$32,168.45 in September were approved.

**Scott Maurath moved the minutes and expenditures for the month of September be accepted. The motion was seconded by Mitchell Baalman and passed unanimously by voice vote (no abstentions or "nay" votes).**

### **3. OPEN FORUM**

Mitchell Baalman informed the other board members he may have to step out of the meeting periodically to conduct personal business.

**EXHIBIT**

#### 4. MANAGER'S REPORT

The Governor's Conference is November 14 & 15. Any board member that would like to attend should get with Shannon prior to 3 pm on October 11, 2016 so reservations can be made.

Shannon went to a meeting with Midwest Energy on new technology they would like to make available to their customers on water reporting. She discussed the product they would like to present.

Shannon also had a meeting with several people about Water Technology Farms in the GMD 4 District. A plan to put technology into the hands of multiple producers was in the works and grants being applied for through the KWO.

A meeting between KDA, DWR and the GMD's was schedule for October 3<sup>rd</sup>, but had to be canceled. Several dates have been proposed for a new meeting. Board will be informed of that date and encouraged to attend when it becomes available.

Shannon has a meeting on October 7<sup>th</sup> with GIS Workshops to view where they are at with our field technology app.

Ray reported the Management Program was approved by DWR. A public hearing will be held on November 3<sup>rd</sup> during our next monthly board meeting. A quorum is required for that meeting.

Ray reported that Greg Graff and Sean Miller had drafted some legislative concepts that are still being developed. The drafts are still very preliminary and may propose changes to the GMD Act to increase water user charges.

#### 5. UNFINISHED BUSINESS:

##### a. Goal Discussion

Ray Luhman made a few suggestions on possibly tweaking the current proposed LEMA. Discussion was had that led the board to go with what they had.

**Mitchell Baalman moved that GMD 4 take the current plan and map to the public. The motion was seconded by Roger Zweygardt and passed unanimously by voice vote (no abstentions or "nay" votes).**

Discussion was then had on when to do the meetings and letters that would be mailed to Water Use Correspondents. It was suggested to wait till after Thanksgiving and GMD 4 staff could choose those dates without approval from the board.

## **b. Annual Meeting**

Shannon reported the Annual Meeting would be in conjunction with the 2017 Water Talk Series hosted by KWO and RMA on February 1, 2017, at the Goodland Technical College. A brief overview of the day's events and business conducted was presented.

## **6. NEW BUSINESS**

### **a. NEWSLETTER DISCUSSION**

Shannon presented several newsletter formats to the board with suggestions on making changes. Cost was discussed between what we have been doing and what could be done by keeping it local or having another company do the printing.

**Doug David moved to use the new format and that it should be glossy. Furthermore, staff was directed to pursue outside printing. The motion was seconded by Mitchell Baalman and passed unanimously by voice vote (no abstentions or "nay" votes).**

### **b. BILL GOLDEN & MATT SANDERSON**

Bill Golden discussed with the board his plans for a large grant that was received. GMD 4 is getting some of that to update the economic study. Matt Sanderson is a sociologist that discussed a study he is doing on why water users would change to save or extend the aquifer. He may be contacting board members and staff for his study.

## **7. Agency Reports**

Kelly Stewart reported the overpump list had about a dozen violations within GMD 4. A few had penalties and others just a warning. They are receiving more tablets for the WRIS Mobile app. He fielded questions from the board about increases in lake levels.

## **8. OPEN SESSION-Public Questions/Comments:**

Dan Simmering reported he met with Steve Knobbe as they installed telemetry on the Seegmiller index well. It should be online by next week.

Shane Mann received a letter from Governor Brownback. Concern was expressed on the push for animal agriculture over grain agriculture.

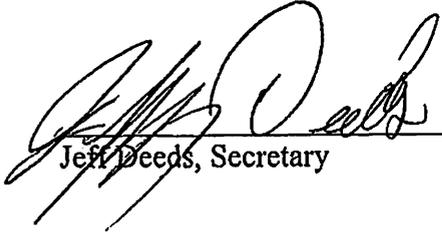
## **9. Scheduling Future Meetings:**

The November Monthly Meeting to be held at the GMD 4 office on November 3rd at 9 A.M. The Management Program Hearing will begin at 11 am.

## **10. ADJOURNMENT**

*With no other business and no objections, Lynn Goossen moved to adjourn the meeting at 10:30 A.M. The motion was seconded by Monty Biggs and passed unanimously by voice vote (no abstentions or "nay" votes).*

Respectfully submitted:



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Jeff Deeds, Secretary

## Rita Wade

---

**From:** Rita Wade <rwade@gmd4.org>  
**Sent:** Tuesday, November 01, 2016 11:37 AM  
**To:** Colby Free Press (colby.legals@nwkansas.com); 'Goodland Star News'; 'Gove County Advocate'; 'Hill City Times'; 'Hoxie Sentinel'; 'Oakley Graphic (graphic@st-tel.net)'; 'Oberlin Herald (oberlin.ads@nwkansas.com)'; Saint Francis Herald; 'Square Deal'; 'Western Times (westerntimes@wbsnet.org)'  
**Subject:** Press Release  
**Attachments:** LEMA meetings - press.docx

Would you put this notice in your newspaper as you have time and space. We're trying to notify all interested persons of the time and place of upcoming meetings beginning in late November. Being presented will be the proposed changes in the Management Program which will affect the irrigation and farming practices within the boundaries of the NW KS Groundwater Management District No 4.

Rita Wade  
NW KS Groundwater  
Management District No 4  
P O Box 905 – 1290 West Fourth  
Colby KS 67701  
785-462-3915  
rwade@gmd4.org

**EXHIBIT**

## Rita Wade

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**From:** Rita Wade <rwade@gmd4.org>  
**Sent:** Tuesday, November 01, 2016 11:44 AM  
**To:** Colby Free Press (colby.legals@nwkansas.com); 'Goodland Star News'; 'Gove County Advocate'; 'Hill City Times'; 'Hoxie Sentinel'; 'Oakley Graphic (graphic@st-tel.net)'; 'Oberlin Herald (oberlin.ads@nwkansas.com)'; Saint Francis Herald; 'Square Deal'; 'Western Times (westerntimes@wbsnet.org)'  
**Cc:** Shannon Kenyon (skenyon@gmd4.org); rluhman@gmd4.org  
**Subject:** Press Release  
**Attachments:** LEMA meetings - press.docx

Would you please print the attached press release in your newspaper as you have time and space. We are trying to notify all interested persons of the time and place of these informational meetings, taking place in late November and early December throughout the NW KS Groundwater Management District. The meetings will detail proposed changes that will affect irrigation and farming practices within the boundaries of the District.

Rita Wade  
NW KS Groundwater  
Management District No 4  
P O Box 905 – 1290 West Fourth  
Colby KS 67701  
785-462-3915  
rwade@gmd4.org

**EXHIBIT**

The Northwest Kansas Groundwater Management District 4 (GMD 4) is going back to the public with a new proposed District-Wide Local Enhanced Management Area (LEMA). The proposed LEMA will affect water users within the district boundaries of GMD 4.

Letters with additional information and maps will be mailed to all water use correspondents and are encouraged to inform their landowners of the proposed plan and information about the four public meetings scheduled.

Everyone is invited to attend the public meetings being held across the district. At these meetings the proposed plan will be presented to the public and opportunity for the public to ask questions and provide feedback will be the focus. **All meetings begin at 1:30 pm local time and locations and dates are: November 29<sup>th</sup> at Colby City Limits Convention Center; November 30<sup>th</sup> at Northwest Technical College, Student Union Hall; December 1<sup>st</sup> at the Cheyenne County 4-H Building; and December 5<sup>th</sup> at the Hoxie Elks Lodge. All meetings begin at 1:30 local time.**

If you cannot attend one of the four public meetings and would like to provide feedback or comment, please contact Ray Luhman or Shannon Kenyon at 785-462-3915.

**EXHIBIT**

## Rita Wade

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**From:** Rita Wade <[rwade@gmd4.org](mailto:rwade@gmd4.org)>  
**Sent:** Tuesday, November 01, 2016 12:59 PM  
**To:** 'The Sheridan Sentinel'  
**Subject:** RE: Press Release

Thank you!

**From:** The Sheridan Sentinel [<mailto:thesheridansentinel@gmail.com>]  
**Sent:** Tuesday, November 01, 2016 11:47 AM  
**To:** 'Rita Wade' <[rwade@gmd4.org](mailto:rwade@gmd4.org)>  
**Subject:** RE: Press Release

Yes, we will get this in for you in this week's issue.

Viktorija

**From:** Rita Wade [<mailto:rwade@gmd4.org>]  
**Sent:** Tuesday, November 1, 2016 11:37 AM  
**To:** Colby Free Press <[colby.legals@nwkansas.com](mailto:colby.legals@nwkansas.com)>; 'Goodland Star News' <[star.news@nwkansas.com](mailto:star.news@nwkansas.com)>; 'Gove County Advocate' <[advocate@ruraltel.net](mailto:advocate@ruraltel.net)>; 'Hill City Times' <[times@ruraltel.net](mailto:times@ruraltel.net)>; 'Hoxie Sentinel' <[sentinel@ruraltel.net](mailto:sentinel@ruraltel.net)>; 'Oakley Graphic' <[graphic@st-tel.net](mailto:graphic@st-tel.net)>; 'Oberlin Herald' <[oberlin.ads@nwkansas.com](mailto:oberlin.ads@nwkansas.com)>; Saint Francis Herald <[sf.herald@nwkansas.com](mailto:sf.herald@nwkansas.com)>; 'Square Deal' <[squaredeal114@sbcglobal.net](mailto:squaredeal114@sbcglobal.net)>; 'Western Times' <[westerntimes@wbsnet.org](mailto:westerntimes@wbsnet.org)>  
**Subject:** Press Release

Would you put this notice in your newspaper as you have time and space. We're trying to notify all interested persons of the time and place of upcoming meetings beginning in late November. Being presented will be the proposed changes in the Management Program which will affect the irrigation and farming practices within the boundaries of the NW KS Groundwater Management District No 4.

Rita Wade  
NW KS Groundwater  
Management District No 4  
P O Box 905 – 1290 West Fourth  
Colby KS 67701  
785-462-3915  
[rwade@gmd4.org](mailto:rwade@gmd4.org)

**EXHIBIT**

## Rita Wade

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**From:** Rita Wade <rwade@gmd4.org>  
**Sent:** Wednesday, November 02, 2016 3:58 PM  
**To:** Shannon Kenyon (skenyon@gmd4.org)  
**Subject:** FW: Press Release

**From:** Hill City Times [mailto:times@ruraltel.net]  
**Sent:** Wednesday, November 02, 2016 3:28 PM  
**To:** Rita Wade <rwade@gmd4.org>  
**Subject:** Re: Press Release

Rita, I hope that all of your news releases on LEMA meetings were the same. I received ten copies and just printed off one. Let me know if you had any changes, please! Thanks, Jim Logback, The Hill City Times

----- Original Message -----

**From:** Rita Wade  
**To:** Colby Free Press ; Goodland Star News ; Gove County Advocate ; Hill City Times ; Hoxie Sentinel ; Oakley Graphic ; Oberlin Herald ; Saint Francis Herald ; Square Deal ; Western Times  
**Sent:** Tuesday, November 01, 2016 12:36 PM  
**Subject:** Press Release

Would you put this notice in your newspaper as you have time and space. We're trying to notify all interested persons of the time and place of upcoming meetings beginning in late November. Being presented will be the proposed changes in the Management Program which will affect the irrigation and farming practices within the boundaries of the NW KS Groundwater Management District No 4.

Rita Wade  
NW KS Groundwater  
Management District No 4  
P O Box 905 – 1290 West Fourth  
Colby KS 67701  
785-462-3915  
[rwade@gmd4.org](mailto:rwade@gmd4.org)

**Minutes: Northwest Kansas Groundwater Management District 4  
November 3, 2016 Board Meeting**

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

The October 6 board meeting was opened at 9:00 am CDT at the GMD 4 Office in Colby, Kansas by President, Brent Rogers.

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

Shane Mann, Lynn Goossen, Roger Zwegardt, Brent Rogers,  
Mitchell Baalman, and Scott Maurath

Others present for some or all of the meeting were: Ray Luhman, Shannon Cain, Rita Wade and Dan Simmering – GMD 4 staff; Jeff Mason – Vignery & Mason; Steven Walters - DWR/Stockton; Jody McCain; Karen Flanigan and Greg Graff

Board members absent were: Dave Rietcheck, Justin Sloan, Jeff Deeds, Monty Biggs & Doug David

**Shane Mann moved that Mitchell Baalman be appointed secretary in the absence of Jeff Deeds. The motion was seconded by Lynn Goossen and passed unanimously by voice vote (no abstentions or “nay” votes).**

**2. CONSENT AGENDA**

Brent Rogers asked if there were any concerns over the consent agenda, consisting of the October 6, 2016 Minutes and Expenditures for the month of October. Receipt of the October financial report showing monthly expenditures totaling \$32,282.47 in October were approved.

**Scott Maurath moved the minutes and expenditures for the month of September be accepted. The motion was seconded by Mitchell Baalman and passed unanimously by voice vote (no abstentions or “nay” votes).**

**3. OPEN FORUM**

The new format for the newsletter was well liked.

Ray Luhman commented that he has visited with several people in the office about the proposed District-Wide LEMA and some are saying that the cuts are not enough.

Mitchell Baalman reported that he would be meeting with the Mossbargers on Tuesday about the District-Wide LEMA and his opinions expressed to them would be his own and not of the GMD 4 Board.

**EXHIBIT**

#### **4. MANAGER'S REPORT**

Shannon Kenyon gave a summary of the last KWA meeting. The Blue Ribbon Task Force is not currently seeking funding from taxing irrigation water. They plan to ask for a sales tax increase.

There will be a meeting in Great Bend on November 21<sup>st</sup> at 1pm with the GMD's and DWR. Board members are encouraged to attend and an open meeting will be announced on the website.

The Governor's Water Conference is coming up. Registration is full.

#### **5. UNFINISHED BUSINESS:**

##### **a. District LEMA Public Meetings Discussion**

Ray Luhman presented the board with the memo that is planned to be mailed to all water use correspondents. Suggested changes to the font were made before printing and mailing.

It was suggested that a presentation be made about how the zones and colors were created so the public knows the strategy for formulation of those areas.

Ray Luhman also mentioned that he was working with DWR in determining the areas of alluvium as they possibly would not be affected by the District-Wide LEMA.

Steven Walters would like 5-10 minutes at our public meetings to discuss WCA's.

#### **6. NEW BUSINESS**

##### **a. Management Program Hearing.**

**At 11:01 am Mitchell Baalman moved to open the management program hearing. The motion was seconded by Scott Maurath and passed unanimously by voice vote (no abstentions or "nay" votes).**

Ray Luhman said no written testimony was received as it was required to be submitted five days before the hearing. With no testimonies, the hearing can be closed.

**Roger Zwegardt moved to close the management program hearing. The motion was seconded by Mitchell Baalman and passed unanimously by voice vote (no abstentions or "nay" votes).**

**Scott Maurath moved to approve the following resolution:**

**WHEREAS** the chief engineer, division of water resources, Kansas department of agriculture approved the proposed Revised Management Program on September 19, 2016; and

**WHEREAS** a public hearing on the district's proposed, revised management program was conducted pursuant to KSA 82a-1029 on November 3, 2016 at the legally noticed time and place; and

**WHEREAS** no testimony was heard from district members; and

**WHEREAS** the board duly considered all testimony provided;

**BE IT THEREFORE RESOLVED THAT** the board of directors adopts the proposed revised management program as approved by the chief engineer, with no modifications; and

**BE IT FURTHER RESOLVED THAT** the revised management program is to become effective November 4, 2016.

The motion was seconded by Mitchell Baalman and passed unanimously by voice vote (no abstentions or “nay” votes).

#### **b. Christmas Party Discussion**

It was suggested that we do the Christmas Party at City Limits Bar and Grill this year. Appetizers will be ordered. Dinner and drink orders to be made individually.

### **7. Agency Reports**

Steven Walters of DWR reported that all of the alluvial wells have been measured and are up about two feet. They had a regional meeting to discuss IGUCA review process. He also gave a brief update on the City of Hays. Their applications to convert irrigation to municipal use is still in process. Approval of those applications will then require the application of the Water Transfer Act.

### **8. OPEN SESSION-Public Questions/Comments:**

Greg Graff said that GMD 1 was beginning LEMA talks again and would like to use our framework as a starting point. They will also be doing their annual meeting the day after ours and will be mimicking the same format in conjunction with the RAC.

### **9. Scheduling Future Meetings:**

The December Monthly Meeting to be held at the GMD 4 office on Wednesday, December 7th at 1:30 P.M.

**At 10:25 Shane Mann moved to recess the monthly meeting to go into a NW KS Groundwater Conservation Foundation meeting. The motion was seconded by Mitchell Baalman and passed unanimously by voice vote (no abstentions or “nay” votes).**

**At 11:00 Shane Mann moved to reopen the monthly GMD 4 meeting. The motion was seconded by Mitchell Baalman and passed unanimously by voice vote (no abstentions or “nay” votes).**

## **10. ADJOURNMENT**

*With no other business and no objections, Roger Zweygardt moved to adjourn the meeting. The motion was seconded by Lynn Goossen and passed unanimously by voice vote (no abstentions or “nay” votes).*

Respectfully submitted:

  
\_\_\_\_\_  
Mitchell Baalman, Acting Secretary

## Rita Wade

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**From:** Rita Wade <rwade@gmd4.org>  
**Sent:** Wednesday, November 16, 2016 9:36 AM  
**To:** 'KGCR (KGCR@KGCR.ORG)'; 'KKCI KWGB Goodland KLOE (cjgriggs03@gmail.com)';  
'kxxxkqls@rockingradio.com'; 'openline@highplainsradio.net'; ROCKING M RADIO  
(CURTISAMFN@HOTMAIL.COM)  
**Subject:** Public Service Announcements  
**Attachments:** LEMA meetings - press.docx

Attached is a public service announcement regarding details for upcoming meetings in the Northwest Kansas area, relating to conservation of groundwater in this the local Groundwater Management District. Would you please announce the dates of the meetings and as many details of this announcement as you have time. Thank you very much for your help in informing the listening public of this important step in conservation.

Rita Wade  
NW KS Groundwater  
Management District No 4  
P O Box 905 – 1290 West Fourth  
Colby KS 67701  
785-462-3915  
rwade@gmd4.org

**EXHIBIT**

## Rita Wade

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**From:** Rita Wade <rwade@gmd4.org>  
**Sent:** Friday, November 18, 2016 1:50 PM  
**To:** Rocking M Radio, Inc  
**Subject:** Public Service announcement  
**Attachments:** LEMA meetings - press.docx

Would you announce these upcoming meetings as you have time? Thanks for your help.

Rita Wade  
NW KS Groundwater  
Management District No 4  
P O Box 905 – 1290 West Fourth  
Colby KS 67701  
785-462-3915  
rwade@gmd4.org

# NORTHWEST KANSAS GROUNDWATER MANAGEMENT DISTRICT NO. 4

PO Box 905  
1290 West 4th  
Colby, KS 67701-0905  
(785) 462-3915

## MEMORANDUM

DATE: November 7, 2016  
FROM: Ray Luhman  
RE: District-Wide LEMA  
TO: GMD 4 Water Use Correspondents

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Enclosed you will find a map and some details on the district-wide LEMA that is being proposed by the Board of Directors for GMD #4. While this plan is not as restrictive as the one previously presented I do believe that it will save some water, and at the same time, it will make the issue of water use more important to everyone.

The Board has scheduled a series of informational meetings for late November and early December. The meetings will be held as follows:

November 29, 2016  
Colby City Limits Convention Center  
Colby, KS  
1:30 PM CST

November 30, 2016  
NW Tech Union Hall  
Goodland, KS  
1:30 PM MST

December 1, 2016  
Cheyenne County 4H Building  
St. Francis, KS  
1:30 CST

December 5, 2016  
Hoxie Elks Lodge  
Hoxie, KS  
1:30 CST

This memo is being sent to all water use correspondents in the District. If you are a tenant PLEASE MAKE SURE the landowner(s) are made aware of this program and the meeting dates.

If you have any questions, comments, etc. please plan on attending one or more of the informational meetings, or contact us at the District office.

**EXHIBIT**

43

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## **LATEST DISTRICT-WIDE PROPOSAL**

1. Use newest section level township decline map.
2. Use the zone map to determine amounts allocated.
3. <0 – no action
4. 0 – 0.5 – no action
5. 0.5 – 1 – 18 inch maximum
6. 1 – 2 – use the 80% chance value from the zone map
7. >2 – use the 50% chance value from the zone map
8. Total allocation will be 5 times the annual amounts determined above.

No pumpage in 1-2 or > 2 in excess of 18 inches. No right will experience a greater than 25% reduction except those being reduced to the 18 inch maximum.

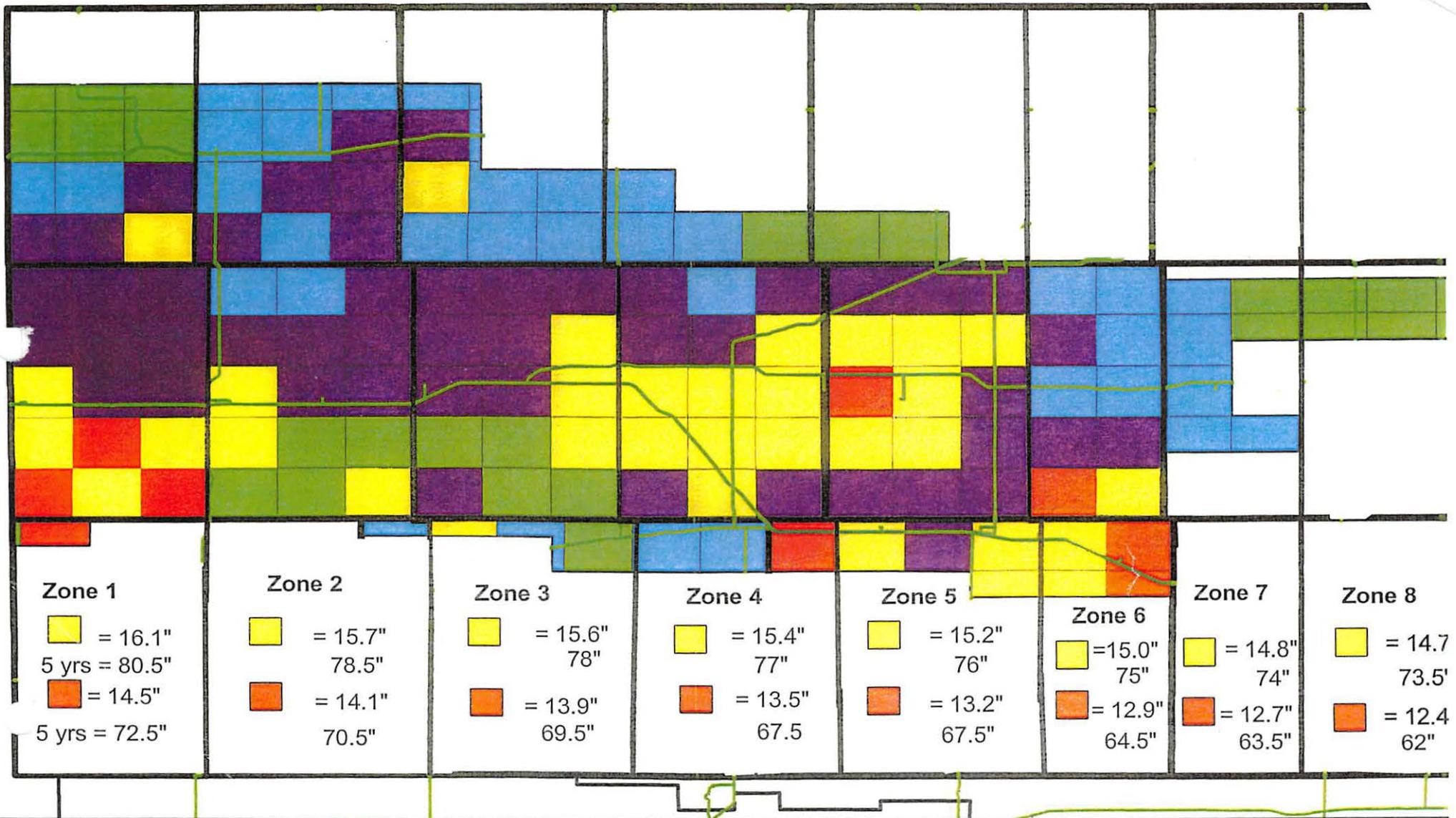
No flexibility. If flexibility is desired recent usage would have to be taken into account, or person could pursue a WCA.

Stockwater will be held to a maximum of 12 gal/hd/day based on licensed feedlot capacity.

Municipalities would be encouraged to work toward reducing unaccounted water, and would also be encouraged to reduce gal/person/day consumption.

Other users would be encouraged to use best management practices.

Data would be periodically reviewed to determine if there was a change in the depletion category of any township. Allocated amounts could/would be adjusted after these reviews.



Prepared by Shannon Kenyon GMD 4

-  Townships with 2%+ Average Annual Decline in 2004-2015
-  Townships with 1-2% Average Annual Decline in 2004-2015
-  Townships with 0.5 - 1% Average Annual Decline in 2004-2015 (18 inch maximum restriction)
-  Townships with 0-.5% Average Annual Decline in 2004-2015
-  Townships with no decline 2004-2015



## December Minutes

### **Minutes: Northwest Kansas Groundwater Management District 4 December 7, 2016 Board Meeting**

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

The December 7th board meeting was opened at 1:43 pm CDT at the GMD 4 Office in Colby, Kansas by President, Brent Rogers.

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

Shane Mann, Lynn Goossen Jeff Deeds,  
Roger Zwegardt, Brent Rogers, Justin Sloan,  
David Rietcheck, and Scott Maurath

Others present for some or all of the meeting were: Ray Luhman, Shannon Cain, Rita Wade and Dan Simmering – GMD 4 staff; Jeff Mason & Adam Dees – Vignery & Mason; Kelly Stewart - DWR/Stockton; Jody McCain; Karen Flanigan

Board members absent were: Doug David, Monty Biggs, and Mitchell Baalman

Ray Luhman requested that Employee Contracts and GAP Resolution be added to New Business.

#### **2. CONSENT AGENDA**

Brent Rogers asked if there were any concerns over the consent agenda, consisting of the November 3, 2016 Minutes and Expenditures for the month of November. Receipt of the November financial report showing monthly expenditures totaling \$34,381.90 in November were approved.

**Lynn Goossen moved the minutes and expenditures for the month of November be accepted. The motion was seconded by Roger Zwegardt and passed with seven votes for and one against by Justin Sloan.**

#### **3. OPEN FORUM**

Brent Rogers asked if there was anything to be presented in Open Forum. No responses were given.

**EXHIBIT**

#### **4. MANAGER'S REPORT**

Ray Luhman gave a brief summary of what occurred at the Governor's Water Conference. Several speakers presented and there were panel discussions. One of those involving SD-6.

The SD-6 Advisory Committee met and will be holding a stakeholder meeting on Monday, December 12<sup>th</sup> at 1:30 in Hoxie. The committee will gather after hearing from the stakeholders to make recommendation to the board. If the LEMA decides to renew, a one year carryover is being proposed.

KDA/DWR Great Bend Meeting was productive. Several board members attended and reported they felt that GMD 4 was doing very well in comparison to the other districts with emphasis on the management plan. The consumptive use conversation seemed to be unproductive. Discussion was had on the regulation and being able to change that with a public hearing as opposed to a statute change.

#### **5. UNFINISHED BUSINESS:**

##### **a. District LEMA Public Meetings Feedback**

At each of the meetings questions and comments were taken and given to the board of directors for review. After review of those questions and comments several items were discussed with the use of diary restrictions, potential reductions in five years, carry-over amount, and the need for a goal. The board formulated this goal:

*To raise awareness of the amount of water used annually district-wide with a goal not to exceed 1.67 million acre-feet of water from irrigation over five years within townships declining 0.5% or greater.*

**Lynn Goossen moved to adopt this goal. The motion was seconded by Dave Rietcheck and passed unanimously by voice vote (no abstentions or "nay" votes).**

Additional discussion was had on the term of this LEMA. Several ideas were discussion from only a five year LEMA to a permanent LEMA.

**Dave Rietcheck moved to propose the LEMA for five years. The motion was seconded by Lynn Goossen and passed with seven votes for and one against by Scott Maurath.**

#### **6. NEW BUSINESS**

**a. Attorney Contract**

Jeff Mason presented the annual attorney contract. Nothing different from last year.

**Scott Maurath moved to accept the contract. The motion was seconded by Dave Rietcheck and passed unanimously by voice vote (no abstentions or “nay” votes).**

**b. Employee Contracts**

Employee contracts had been previously approved by the board of directors, but needed signatures.

**a. GAAP 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 2017 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 2017.

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 7th day of December, 2016 that the Board of Directors waives the requirements of K.S.A. 75-1120aJ(a) as they apply to the Northwest Kansas Groundwater Management District No. 4, for the year ended 2016.

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.

**Jeff Deeds moved to adopt the resolution. The motion was seconded by Roger Zweygardt and passed unanimously by voice vote (no abstentions or “nay” votes).**

**7. Agency Reports**

Kelly Stewart of DWR reported there increased WCA talks in the area.

Lynn Goossen inquired with Kelly about a question he received of new wells in Graham County. Kelly said those were in the Ogallala fringe and not within GMD 4 district.

**8. OPEN SESSION-Public Questions/Comments:**

Karin Flanigan reported that the public meetings were difficult to hear and see the projector. From what she has heard, the majority of people can live with it and want to move forward.

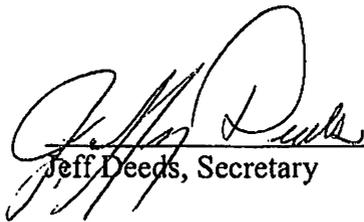
**9. Scheduling Future Meetings:**

The January monthly meeting will be held January 5<sup>th</sup> at 9 am. A quorum is needed due to the Revised Management Program Hearing.

**10. ADJOURNMENT**

*With no other business and no objections, Dave Rietsch moved to adjourn the meeting at 4:25 PM. The motion was seconded by Lynn Goossen and passed unanimously by voice vote (no abstentions or "nay" votes).*

Respectfully submitted:

  
\_\_\_\_\_  
Jeff Deeds, Secretary

**Minutes: Northwest Kansas Groundwater Management District 4  
January 5, 2017 Board Meeting**

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

The January 5th board meeting was opened at 9:20 am CST at the GMD 4 Office in Colby, Kansas by President, Brent Rogers.

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

Shane Mann, Lynn Goossen Jeff Deeds, Doug David  
Roger Zwegardt, Brent Rogers, Justin Sloan, Monty Biggs  
David Rietcheck, Mitchell Baalman, and Scott Maurath

Others present for some or all of the meeting were: Ray Luhman, Shannon Kenyon, Rita Wade and Dan Simmering – GMD 4 staff; Adam Dees – Vignery & Dees; Jody McCain; Karen Flanigan; Dwayne Kersenbrock, and Bert Stramel

Ray Luhman requested that the meetings at Burlington and St. Francis be added to the Managers' Report. It was also requested that the following be added to New Business:

- d. District Name (on detailed agenda, not main page)
- e. Attorney Matters
- f. Audit Contract
- g. Consumptive Use

**2. CONSENT AGENDA**

Brent Rogers asked if there were any concerns over the consent agenda, consisting of the December 7, 2016 Minutes and Expenditures for the month of December. Receipt of the December financial report showing monthly expenditures totaling \$53,233.26 in December were approved.

**Scott Maurath moved the minutes and expenditures for the month of December be accepted. The motion was seconded by Mitchell Baalman and passed with all but one vote for. One opposed vote from Justin Sloan.**

**3. OPEN FORUM**

Brent Rogers asked if there was anything to be presented in Open Forum. No responses were given.

**EXHIBIT**

#### **4. MANAGER'S REPORT**

Ray Luhman reported on a meeting attended in Burlington, Colorado with the Republican River Water Conservation District and board members from some Eastern Colorado Groundwater Management Districts. The GMD's within the area are looking at the possibility of restrictions similar to a LEMA and requested input from Ray and Steven Walters of DWR.

The KDA, DWR, and KWO held a meeting in St. Francis on January 4<sup>th</sup> as an informational meeting to present the latest on the Republican River Compact. David Barfield gave a presentation on the compact and what the Supreme Court ruled. Dick Wolfe, the Colorado State Engineer, also commented on the compact, augmentation pipeline, and Bonnie Reservoir.

There was a Water Technology Farm meeting with Ian DeWaal, Weston McCary, and the KWO with GMD 4 to move forward with the WTF's in the area. If board members are aware of anyone willing to participate, more will be discussed with the group next week.

#### **5. UNFINISHED BUSINESS:**

##### **a. District LEMA**

A copy of a draft request for a District-Wide LEMA was given to board members. Review and discussion of the document was had. A to-do list prior to next month's meeting for revisions was drafted. The following items need to be addressed in the document:

- Address the overlap in place of use with different color townships. Point of diversion should be given first consideration but subject to appeal process.
- Remove drought contingency
- Remove MYFA language
- Under 2(c) should have language to say that municipal use is to address their unaccounted for water and (d) to say all other water users use best management practices.
- Discuss the dairies allocation
- Make an Attachment 5 that presents the appeals process.

**At 11:30 am Shane Mann moved to suspend the January Monthly Meeting to conduct the Budge Hearing. The motion was seconded by Jeff Deeds and passed unanimously by voice vote (no "nay" votes).**

#### **6. NEW BUSINESS**

##### **a. Budget Hearing**

At 11:30 am Shane Mann moved to open the Revised 2017 Budget Hearing. The motion was seconded by Mitchell Baalman and passed unanimously by voice vote (no “nay” votes).

There were members of the public present that gave no additional testimony. Staff provided testimony on the revised proposed budget.

Brent Rogers asked if there was any additional discussion regarding the 2017 GMD4 Operating Budget and there was none. *Monty Biggs motioned to close the 2017 Revised Budget Hearing. Dave Rietcheck seconded the motion which passed unanimously via voice vote (no “nay” votes.)*

Following discussion, Mitchell Baalman moved to adopt the following resolution::

*WHEREAS the 2017 budget of \$469,915,.00 approved originally on August 4, 2016 requires amending in order to incorporate the 2016 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 2017 final operating budget shall be adopted as revised based on its presentation by GMD 4 staff during the lawfully conducted public hearing. The final 2017 operating budget of \$645,732 shall be:*

	2017 Revised	
110 POSTAGE		\$5,000.00
111 Newsletter	\$3,000.00	
112 General	\$2,000.00	
120 PRINTING		\$5,200.00
121 Newsletter	\$4,800.00	
122 Administrative	\$400.00	
130 DUES	\$2,000.00	\$2,000.00
140 SUBSCRIPTIONS	\$3,700.00	\$3,700.00
150 INSURANCE		\$12,800.00
151 Office	\$12,500.00	
152 Public Officials' Liability		
153 Auto		
154 Workmans' Comp.		
155 Inland Marine		
156 Unemployment	\$300.00	
160 TELEPHONE	\$5,600.00	\$5,600.00
170 SALARIES AND BENEFITS		\$352,000.00
171 Gross Sal, Kpers, SS, Etc.	\$352,000.00	
172 Health Insurance		
180 TRAVEL		\$15,000.00

181 Board	\$12,000.00	
182 Staff	\$3,000.00	
<b>190 VEHICLES</b>		<b>\$4,775.00</b>
191 Repairs/Maintenance	\$1,600.00	
192 Operation	\$3,000.00	
193 Tags	\$175.00	
194 Purchase/Lease		
<b>200 CONTRACTED SERVICES</b>		<b>\$23,800.00</b>
201 Accounting	\$6,000.00	
202 Legal	\$7,800.00	
203 Misc. Support	\$10,000.00	
204 Water Sampling		
205 Drilling		
206 Weather Modification		
<b>210 PUBLICATIONS</b>		<b>\$1,000.00</b>
211 Legal Notices	\$1,000.00	
<b>220 COOP PROGRAMS</b>		<b>\$2,000.00</b>
221 Administrative		
222 Equipment		
223 Contracted Studies		
224 Education Program	\$2,000.00	
<b>230 ADMINISTRATIVE</b>		<b>\$9,900.00</b>
231 Office Supplies	\$3,500.00	
232 Copy Machine	\$1,750.00	
233 Computer Maint	\$2,500.00	
234 Postage Meter Lease	\$650.00	
235 Bank Charges		
236 Field Supplies	\$1,500.00	
<b>240 NEW EQUIPMENT</b>		<b>\$12,400.00</b>
241 Field	\$2,400.00	
242 Office	\$10,000.00	
<b>250 CONTINGENCY RESERVE</b>	<b>\$156,417.00</b>	<b>\$156,417.00</b>
<b>260 FACILITY</b>		<b>\$33,640.00</b>
261 Rent	\$840.00	
262 Maintenance	\$10,000.00	
263 Remodel/Purchase	\$15,000.00	
264 Building Utilities	\$7,800.00	
<b>REIMBURSED EXPENSES</b>		
<b>300 FOUNDATION</b>		<b>\$500.00</b>
305 Foundation Subscriptions		
325 Foundation Telephone		
345 Foundation Accounting	\$200.00	
350 Foundation Legal	\$300.00	
370 Foundation Tech Support		
	<b>\$645,732.00</b>	<b>\$645,732.00</b>

*Jeff Deeds seconded the motion which passed unanimously by voice vote (no "nay" votes).*

**b. SD-6 LEMA Renewal**

The SD-6 Advisory Committee has made recommendation to the board to renew the SD-6 LEMA in 2018. A draft LEMA Request was given to the board for review.

**Shane Mann moved to finalize the request for review next month. The motion was seconded by Lynn Goossen and passed unanimously by voice vote (no “nay” votes).**

**c. Annual Meeting**

Shannon Kenyon gave a brief overview of how the annual meeting will be conducted. The monthly meeting will be at 9:30 AM MST in Goodland. The annual meeting will begin at 1:30 with lunch being at Crazy R's. Jeff Deeds will conduct the minutes portion of the annual meeting with Dave Rietcheck doing the budget, and Justin Sloan to conduct the election.

**d. District Name**

Confusion in locating us in phone books, on the web, and other documents needs to be consistent. Our official name is Northwest Kansas Groundwater Management District #4, but not all use the full name as a mix of acronyms is generally used. We can't control how others use it. As the website is GMD 4, it is suggested that the Facebook page also reflect the same name.

**e. Attorney Contract**

We received a letter stating the Jeff Mason had been suspended until June 24<sup>th</sup>. We have the option of staying with the firm or finding another attorney.

**Shane Mann moved to continue with Vignery & Dees. The motion was seconded by Mitchell Baalman and passed by voice vote with one opposed by Justin Sloan.**

Appropriate paperwork was signed by Brent Rogers and given to Adam Dees.

**f. Audit Contract**

Auditors sent a contract with a one-year contract option and a three-year contract option. It was suggested that we look into other CPA's to do our audit in the future. Bids can be taken.

**Scott Maurath moved to sign the one-year contract. The motion was seconded by Monty Biggs and passed by voice vote with one opposed by Justin Sloan.**

Brent Rogers signed the one year contract for the 2016 Audit.

**g. Consumptive Use**

KDA is requesting to change their regulations on consumptive use. The new regulation would refer to a map with reduction quantities by county when converting from irrigation

to stockwater. Based on the current language using the original base right and not historical use, the district staff have been opposing this regulation change.

**Shane Mann moved the district strongly disagree with the changing of this regulation as currently proposed. The motion was seconded by Mitchell Baalman and passed unanimously by voice vote (no "nay" votes).**

**7. Agency Reports**

No agencies present to give report.

**8. OPEN SESSION-Public Questions/Comments:**

Brent Rogers asked if there was anything to be presented in Open Session. No responses were given.

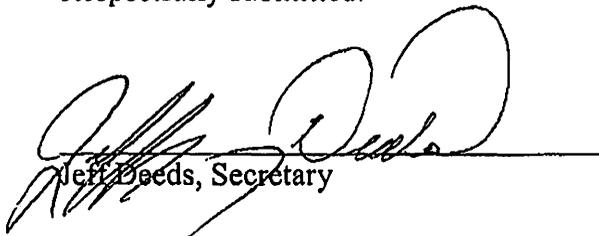
**9. Scheduling Future Meetings:**

The February monthly meeting will be held February 1st at 9:30 am MTN at NW Tech College

**10. ADJOURNMENT**

*With no other business and no objections, Lynn Goossen moved to adjourn the meeting at 12:35 PM The motion was seconded by Dave Rietcheck and passed unanimously by voice vote (no "nay" votes).*

Respectfully submitted:

  
Jeff Beeds, Secretary

## Rita Wade

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**From:** Rita Wade <rwade@gmd4.org>  
**Sent:** Monday, January 09, 2017 1:31 PM  
**To:** Colby Free Press (colby.legals@nwkansas.com); 'Goodland Star News'; 'Gove County Advocate'; 'Hill City Times'; 'Hoxie Sentinel'; 'Oakley Graphic (graphic@st-tel.net)'; 'Oberlin Herald (oberlin.ads@nwkansas.com)'; Saint Francis Herald; 'Square Deal'; 'Western Times (westerntimes@wbsnet.org)'; 'KGCR (KGCR@KGCR.ORG)'; 'KKCI KWGB Goodland KLOE (cjgriggs03@gmail.com)'; 'kxxxkqls@rockingmradio.com'; 'openline@highplainsradio.net'; Rocking M Radio, Inc  
**Subject:** Annual meeting notice  
**Attachments:** 2017 Water Talk Series.pdf; annual meeting notice.docx

Attached is a public notice for our Annual Meeting and a flyer for the Water Talk Series for 2017. Both are scheduled for February 1, 2017 but we wanted to get the information in your hands as early as possible. Thank you for printing – airing this as you have time and space. If you have questions or need additional information, please contact the office and we'll try to help.

Rita Wade  
Northwest Kansas Groundwater  
Management District No 4  
P O Box 905-1290 West Fourth  
Colby KS 67701  
785-462-3915  
[rwade@gmd4.org](mailto:rwade@gmd4.org)

NORTHWEST KANSAS GROUNDWATER  
MANAGEMENT DISTRICT ANNUAL MEETING SCHEDULED

The 42<sup>nd</sup> Annual Meeting for the Northwest Kansas Groundwater Management District No 4 has been scheduled for **Wednesday, February 1, 2017** in the Union Hall building on the campus of Northwest Kansas Technical College, 1209 Harrison Street, Goodland, Kansas. The meeting will begin at **1:30** Mountain standard time.

Items of interest will include:

- 2016 year in review
- Approval of 41<sup>st</sup> Annual Meeting Minutes
- 2016 Financial Report
- Adoption of Proposed 2018 Operating Budget
- Election of Board positions for Cheyenne, Sherman-Wallace and Thomas counties
- Report on current Management Program
- Any other item of interest pertaining to activities effecting the district

Come early and plan to attend the 2017 Water Talk Series beginning at 9 A.M. MTN. A series of presenters will be talking about Limited Irrigation Crop Insurance by USDA-RMA, Water Technology Farms, groundwater level changes, regional goals, and conservation and management tools. Vendors will also be for questions on products and services.

Everyone is invited to attend . Questions or more information can be obtained from the web site at [www.gmd4.org](http://www.gmd4.org) or by contacting the district offices at 1290 West Fourth, Colby, Kansas, 785-462-3915 or e-mailing at [skenyon@gmd4.org](mailto:skenyon@gmd4.org) or [ruluhman@gmd4.org](mailto:ruluhman@gmd4.org)

**EXHIBIT**

# WATER TALK SERIES 2017

## GOODLAND, KANSAS

### TOPICS TO BE COVERED

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- 66 New for 2017 - Limited Irrigation Crop Insurance coverage offered by USDA-RMA
- 66 Annual Meeting for GMD No. 4
- 66 Kansas Water Technology Farms
- 66 Regional goals for Kansas water future
- 66 Local groundwater level changes
- 66 Conservation and water management tools

### CONTACT

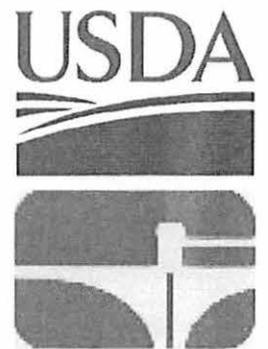
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#### Kansas Water Office

900 SW Jackson St. Ste. 404, Topeka, KS

**Richard Rockel, Water Resource Planner**

Richard.Rockel@kwo.ks.gov • 785-296-3185



Groundwater  
Management District  
No. 4



**FEBRUARY 1, 2017 • 9 A.M. MOUNTAIN TIME**  
**NORTHWEST KANSAS TECHNICAL COLLEGE AUDITORIUM**  
**EXHIBIT**

## **Minutes: Northwest Kansas Groundwater Management District 4 February 1, 2017 Board Meeting**

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

The February 1st board meeting was opened at the Northwest Kansas Technical College in Goodland, Kansas by President, Brent Rogers.

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

Shane Mann, Lynn Goossen, Jeff Deeds, Doug David  
Roger Zwegardt, Brent Rogers, Justin Sloan, Monty Biggs  
David Rietcheck, Mitchell Baalman, Nate Emig and Scott Maurath

Others present for some or all of the meeting were: Ray Luhman, Shannon Kenyon, Rita Wade and Dan Simmering – GMD 4 staff; Adam Dees – Vignery & Dees; Lane Letourneau, Kelly Stewart, and Steven Walters – DWR; Tracy Streeter – KWO; Jace Mosbarger; Greg Graff; Rick Stenzel; Jody McCain; Dwayne Kersenbrock,

### **2. CONSENT AGENDA**

Brent Rogers asked if there were any concerns over the consent agenda, consisting of the January 5, 2017 Minutes and Expenditures for the month of January. An updated receipt of the January financial report was distributed showing monthly expenditures totaling \$38,290.06 in January were approved.

Dave Rietcheck moved the minutes and expenditures for the month of January be accepted. The motion was seconded by Mitchell Baalman and passed unanimously by voice vote (no “nay” votes).

### **3. OPEN FORUM**

Brent Rogers asked if there was anything to be presented in Open Forum. No responses were given.

### **4. MANAGER’S REPORT**

Ray Luhman reported on SB-46 that updates the WCA language. Discussion was had among board members and KDA about the proposed bill. Ray indicated that he did not have a problem with it so testimony will not be of issue.

SB-48 was also discussed concerning impairment. The DWR wants language to require an impairment complaint to be filed through the DWR and not through the courts. Ray Luhman discussed his concerns about the bill with DWR and it was noted that those concerns would be taken back to their group.

**EXHIBIT**

Another bill was discussed that was submitted by Representative Tom Sloan. The proposed bill would create irrigation fees.

**Monty Biggs moved to oppose the bill. The motion was seconded by Roger Zwegardt and passed unanimously by voice vote (no “nay” votes).**

Ray Luhman also reported that a bill was to be submitted to raise the assessment cap for the GMD's. It was unknown if that bill was or will be submitted.

The Kansas Water Congress is next week for any board members wanting to attend.

Shannon Kenyon gave an update on her meter reading calculator mobile application research. Members expressed desire to move forward. They will take a look at an example found online and provide input at next meeting.

Ray Luhman also informed the BOD that a spreadsheet with District Wide LEMA accounting would be published to the website once he felt comfortable with it.

## **5. UNFINISHED BUSINESS:**

### **a. District LEMA**

The District Wide LEMA discussion was postponed until after the annual meeting to include new members. A copy of the draft request was distributed before the meeting for review. Justin Sloan presented numbers for dairy and feedlot reductions. He proposes to reduce the yellow townships to 85% of the KDA allowable gallons per head per day based on permitted capacity and the red townships to 74% of the same. Language with this will be put into the request for review at the next meeting.

Discussion was also had about wanting a clause allowing for a carry-over quantity. The idea for a carry-over was favored, but quantity was debated. Members are to think about it and return next month with what they think.

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

Ray Luhman pointed out the changes he made to the document since last meeting.

**Shane Mann moved to accept the revised request and submit to the Chief Engineer. The motion was seconded by Dave Rietcheck and passed unanimously by voice vote (no “nay” votes).**

### **c. Annual Meeting**

Clarification was made on voting and election procedures.

**At 10:58 a.m., Mitchell Baalman moved for the monthly meeting of the GMD 4 Board of Directors to be recessed until after the Annual Meeting. The motion was seconded by Roger Zwegardt and passed unanimously by voice vote (no “nay” votes).**

**At 2:32 p.m., Lynn Goossen moved to reopen the monthly meeting of the GMD 4 Board of Directors. The motion was seconded by Jeff Deeds and passed unanimously by voice vote (no “nay” votes).**

**Shane Mann moved to nominate Brent Rogers as the President. The motion was seconded by Lynn Goossen and passed unanimously by voice vote (no “nay” votes).**

**Lynn Goossen moved to cease nominations and cast unanimous ballot for Brent Rogers. The motion was seconded by Jeff Deeds and passed unanimously by voice vote (no “nay” votes).**

**Doug David moved to nominate Shane Mann as the Vice President. The motion was seconded by Scott Maurath and passed unanimously by voice vote (no “nay” votes).**

**Lynn Goossen moved to cease nominations and cast unanimous ballot for Shane Mann. The motion was seconded by Roger Zwegardt and passed unanimously by voice vote (no “nay” votes).**

**Lynn Goossen moved to nominate Jeff Deeds as the Secretary. The motion was seconded by Mitchell Baalman and passed unanimously by voice vote (no “nay” votes).**

**Roger Zwegardt moved to cease nominations and cast unanimous ballot for Jeff Deeds. The motion was seconded by Shane Mann and passed unanimously by voice vote (no “nay” votes).**

**Shane Mann moved to nominate Justin Sloan as the Treasurer. The motion was seconded by Mitchell Baalman and passed unanimously by voice vote (no “nay” votes).**

**Lynn Goossen moved to cease nominations and cast unanimous vote for Justin Sloan. The motion was seconded by Monty Biggs and passed unanimously by voice vote (no “nay” votes).**

## **6. NEW BUSINESS**

### **a. Waiver Request of K.A.R. 5-24-6**

Ray Luhman asked the board for a waiver request of the board so a change application could be approved.

**Lynn Goossen moved to provide a waiver for 5-24-6. The motion was seconded by Mitchell Baalman and passed unanimously by voice vote (no “nay” votes).**

### **b. Water Congress Membership**

Dave Brenn asked Ray Luhman if a representative from GMD 4 would like to serve on a committee to revive the Kansas Water Congress. No volunteers came forth.

## 7. Agency Reports

Kelly Stewart stated that WCA's were going to include closed areas outside the GMD. He also reported that more producers have been utilizing the online WUR.

## 8. OPEN SESSION-Public Questions/Comments:

Jace Mosbarger, candidate for SH/WA Position 4, thanked the BOD for the hard work they do. He stated that if he is elected that he hopes he could be a valuable resource.

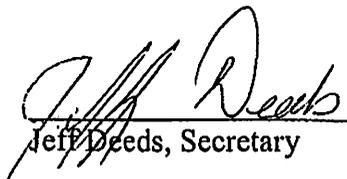
## 9. Scheduling Future Meetings:

The March monthly meeting will be held March 2nd at 9 am CST at the GMD 4 office in Colby.

## 10. ADJOURNMENT

*With no other business and no objections, Lynn Goossen moved to adjourn the meeting. The motion was seconded by Roger Zwegardt and passed unanimously by voice vote (no "nay" votes).*

Respectfully submitted:

  
\_\_\_\_\_  
Jeff Deeds, Secretary

**Minutes: Northwest Kansas Groundwater Management District 4  
March 2, 2017 Board Meeting**

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

The March 2nd board meeting was opened at the GMD 4 office in Colby, Kansas by Vice President, Shane Mann.

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

Shane Mann, Lynn Goossen, Roger Zwegardt, Justin Sloan, Mitchell Baalman and Nate Emig

Board members absent:

Jeff Deeds, Scott Maurath, Brent Rogers, Monty Biggs, and Doug David

Others present for some or all of the meeting were: Ray Luhman, Shannon Kenyon, Rita Wade and Dan Simmering – GMD 4 staff; Adam Dees – Vignery & Dees; Kelly Stewart, – DWR; Jody McCain; Dwayne Kersenbrock; Bert Stramel and Karen Flannigan

In the absence of Jeff Deeds, Mitchell Baalman volunteered to be acting secretary.

Ray Luhman requested several items be added to the agenda: Under Manager's Report – e. Soil Moisture Probes & f. SD6 LEMA. Under New Business: a. Audit & b. Mulberry Lane Farms WCA.

**2. CONSENT AGENDA**

Shane Mann asked if there were any concerns over the consent agenda, consisting of the February 1, 2017 Minutes and Expenditures for the month of February. An updated receipt of the February financial report was distributed showing monthly expenditures totaling \$33,769.19 in February were approved.

**Mitchell Baalman moved the minutes and expenditures for the month of February be accepted. The motion was seconded by Roger Zwegardt and passed unanimously by voice vote (no "nay" votes).**

**3. OPEN FORUM**

Shane Mann asked if there was anything to be presented in Open Forum. No responses were given.

**4. MANAGER'S REPORT**

Ray Luhman reported on the Kansas Water Congress. Shannon Kenyon and Lynn Goossen also attended. The panel discussion during the congress was entertaining. Afterward a roundtable

**EXHIBIT**

discussion was had with the other GMD's and a legislative reception that evening that was not as well attended as in past years.

Board member contact information was sent in the board packets. Several changes need to be made to the contact list and it was suggested the list be added to the website.

Shannon Kenyon has begun work on the spring newsletter and would like ideas for articles. It was suggested that information on the water meter app be included and a WCA update. Management was reminded that postcards were also to be going out with significant dates every two months.

Ray Luhman provided an overview of all the bills in the current legislative session. Sean Miller of Capitol Strategies provided a document that contained a summary of the current actions for each bill. Question was asked about the consumptive use bill. It was clarified that the consumptive use issue was not a regulation, not a bill, and Kelly Stewart of DWR provided an update on where that was in the process of getting adopted.

A Soil Moisture Sensor Field Demonstration is being held March 21<sup>st</sup>, 2017 at the WTF in Holcomb, KS. Shannon Kenyon will be attending if any board members would like to as well.

DWR has communicated with GMD 4 that the renewal of SD-6 LEMA looks to be in order and hearings can be scheduled. We are looking at holding both of those hearing in mid-May.

## **5. UNFINISHED BUSINESS:**

### **a. District LEMA**

A revised request was sent in the board packets. After review, more revisions need to be included. Much discussion was had on including language of a carry-over into the next potential LEMA.

**Lynn Goossen moved to include a carry-over amount up to a maximum of 10% LEMA allocation in the purple, yellow, and red areas. The motion was seconded by Mitchell Baalman and passed unanimously by voice vote (no "nay" votes).**

### **b. Water Meter App**

Dwayne Kersenbrock discussed the app they were having made. Board members were interested and seemed more impressed than the existing one from Nebraska. Dwayne said they should have a version in May and would try to get the developer to meet with the board. The discussion was tabled until then.

## **6. NEW BUSINESS**

### **a. Audit**

The audit report was distributed to members. Ray Luhman pointed out some points from the included letters.

**Roger Zweygardt moved to accept the audit. The motion was seconded by Mitchell Baalman and passed unanimously by voice vote (no “nay” votes).**

#### **b. Mulberry Lane Farms WCA**

A management plan for a new WCA in Sherman County was presented to the board as GMD 4 has 45 days to comment. A copy of the management plan was distributed to board members. A summary of the details of the plan was discussed.

**Mitchell Baalman moved to support the WCA The motion was seconded by Lynn Goossen and passed unanimously by voice vote (no “nay” votes).**

#### **7. Agency Reports**

Kelly Stewart discussed the water use report deadlines and fees. Incomplete water use reports are also being fined. If they are not submitted and complete by June 1<sup>st</sup> then the water right could be suspended.

#### **8. OPEN SESSION-Public Questions/Comments:**

Roger Zweygardt asked if Bill Golden could come do the same presentation from the Water Talk Series. Ray Luhman said he'd check into it. More discussion was had on how the annual meeting went. There was a missed opportunity to educate the audience while the votes were being counted and as several board members wanted to attend some of the talks and couldn't, it was requested the annual meeting not be in conjunction with the Water Talk Series in the future.

#### **9. Scheduling Future Meetings:**

The April monthly meeting will be held April 6th at 9 am CST at the GMD 4 office in Colby.

#### **10. ADJOURNMENT**

***With no other business and no objections, Lynn Goossen moved to adjourn the meeting. The motion was seconded by Justin Sloan and passed unanimously by voice vote (no “nay” votes).***

Respectfully submitted:

  
\_\_\_\_\_  
Mitchell Baalman, Acting Secretary

**Minutes: Northwest Kansas Groundwater Management District 4  
April 6, 2017 Board Meeting**

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

The April 6th board meeting was opened at the GMD 4 office in Colby, Kansas by President, Brent Rogers.

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

Shane Mann, Lynn Goossen, Roger Zweygart, Justin Sloan, Mitchell Baalman, Jeff Deeds, Scott Maurath, Brent Rogers, Monty Biggs, and Nate Emig

Board members absent:

Doug David

Others present for some or all of the meeting were: Ray Luhman, Shannon Kenyon, Rita Wade and Dan Simmering – GMD 4 staff; Adam Dees – Vignery & Dees; Steven Walters- DWR; Jody McCain; Ian DeWaal; Dewayne Kersenbrock; Pat McKenna; Bert Stramel and Karen Flannigan

**2. CONSENT AGENDA**

Brent Rogers asked if there were any concerns over the consent agenda, consisting of the March 2, 2017 Minutes and Expenditures for the month of March. A receipt of the March financial report was previously distributed showing monthly expenditures totaling \$33,491.02 in March were approved.

**Mitchell Baalman moved the minutes and expenditures for the month of February be accepted. The motion was seconded by Jeff Deeds and passed unanimously by voice vote (no “nay” votes).**

**3. OPEN FORUM**

Brent Rogers asked if there was anything to be presented in Open Forum. No responses were given.

**4. MANAGER’S REPORT**

Shannon Kenyon reported on the Soil Moisture Probe Field Day presented by K-State. The event was well attended with various types of probes demonstrated.

Ray Luhman provided a legislative update. Sean Miller of Capitol Strategies sent a 2017 “First Adjournment” Legislative Update that was presented.

**EXHIBIT**

There was a question presented about the status of the consumptive use regulation change. It is currently at the Attorney General's office. If that is implemented, GMD 4 should design their own regulation.

Ray Luhman reported the SD-6 LEMA hearings would be held May 31<sup>st</sup>, 2017 in Hoxie at the Courthouse.

A letter from KDA was sent to all GMD BOD. A copy was distributed to GMD 4 Board members. The letter outlined GMD management program update recommendations.

Updated BOD contact information was distributed to board members present.

## **5. UNFINISHED BUSINESS:**

### **a. District LEMA**

Ray Luhman explained the new map included in the packet. He removed the areas with 15 feet or less of saturated thickness and it triggered some townships to turn a different color.

**Shane Mann moved to adopt the new map. The motion was seconded by Mitchell Baalman and passed unanimously by voice vote (no "nay" votes).**

Ray Luhman then distributed language for the proposed DW LEMA request that outlined penalties for meter tampering.

**Scott Maurath moved to adopt the new map. The motion was seconded by Monty Biggs and passed unanimously by voice vote (no "nay" votes).**

Other discussion was had on the data used. Several ideas were presented to increase observation wells. Other changes to the proposal were highlighted and individually discussed.

**Scott Maurath moved to approve the proposed DWR LEMA request with discussed changes. The motion was seconded by Shane Mann and passed unanimously by voice vote (no "nay" votes).**

**Monty Biggs moved to submit the DWR LEMA request to the Chief Enginee . The motion was seconded by Mitchell Baalman and passed with one opposed vote from Justin Sloan.**

### **b. Water Meter App**

An app was currently being created for another individual. The developer of that app will bring it to GMD 4 once it is completed. Lynn Goossen and Shane Mann expressed interest in being on a temporary committee in developing the app to contour GMD 4's needs.

**c. GIS Workshops**

Ray and Shannon gave a brief update on development of the mobile GIS. The web version is running much better than previously reported and getting closer to transfer that data into a working mobile app.

**d. Committees**

Previously developed committees were revisited. As Dave Rietcheck is no longer on the BOD, Nate Emig will take his place on the Publicity and Community Committee.

**6. NEW BUSINESS**

**a. Meter Testing**

A motion was made years ago that restricted GMD 4 staff from performing nonintrusive meter inspections unless a regulation required one. There are some instances where having staff conduct a meter inspection would be a useful service to the public.

**Scott Maurath moved to allow staff to conduct meter inspections at their discretion. The motion was seconded by Roger Zweggart and passed unanimously by voice vote (no “nay” votes).**

**b. Pressure Transducers**

A call was received wanting to purchase our used pressure transducers.

**Shane Mann moved to sell the pressure transducers at \$1500 each with no warranty. The motion was seconded by Mitchell Baalman and passed unanimously by voice vote (no “nay” votes).**

**c. Justin Sloan Resignation**

Justin Sloan presented his letter of resignation to the BOD.

**Lynn Goossen moved to accept the resignation. The motion was seconded by Shane Mann and passed unanimously by voice vote (no “nay” votes).**

As Justin was the treasurer, a new treasurer will need to be elected.

**Mitchell Baalman moved to nominate Roger Zweggardt as the Treasurer. The motion was seconded by Shane Mann and passed unanimously by voice vote (no “nay” votes).**

**Jeff Deeds moved to cease nominations and cast unanimous vote for Roger Zweggardt. The motion was seconded by Lynn Goossen and passed unanimously by voice vote (no “nay” votes).**

**Brent Rogers then appointed Roger Zwegardt to replace Justin Sloan on the Finance and Facility committee.**

**7. Agency Reports**

Steven Walters of DWR stated the penalty regulation hearing would be in Manhattan on May 22. He also reported on a few changes of Mulberry Farms WCA. DWR is also starting to issue NONCs for those producers who have not looked at their meter all year long. Other questions and comments were had about the Wichita WCA and the LEMA forming in GMD 3.

**8. OPEN SESSION-Public Questions/Comments:**

Ian DeWaal added to the discussion on the Wichita WCA and commented on the K-State Field Day activities near Holcomb.

Mitchell Baalman told the BOD he was invited to talk to the LEMA group in GMD 3 on April 19<sup>th</sup> and would invite any other board members to attend with him.

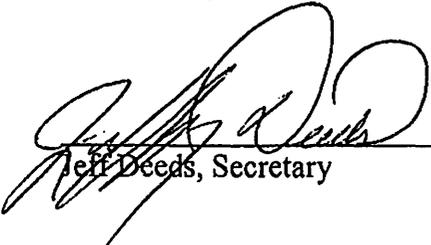
**9. Scheduling Future Meetings:**

The May monthly meeting will be held May 4th at 9 am CDT at the GMD 4 office in Colby.

**10. ADJOURNMENT**

*With no other business and no objections, Monty Biggs moved to adjourn the meeting. The motion was seconded by Nate Emig and passed unanimously by voice vote (no “nay” votes).*

Respectfully submitted:



\_\_\_\_\_  
Jeff Deeds, Secretary

**Minutes: Northwest Kansas Groundwater Management District 4  
May 4, 2017 Board Meeting**

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

The May 4th board meeting was opened at the GMD 4 office in Colby, Kansas by President, Brent Rogers.

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

Shane Mann, Lynn Goossen, Roger Zwegardt, Mitchell Baalman, Brent Rogers, Monty Biggs, Karen Flanagin, and Nate Emig

Board members absent:

Doug David, Jeff Deeds, and Scott Maurath

Others present for some or all of the meeting were: Ray Luhman, Shannon Kenyon, Rita Wade and Dan Simmering – GMD 4 staff; Adam Dees – Vignery & Dees; Steven Walters- DWR; Jonathan Aguilar – KSU Research and Extension

Ray Luhman requested to add “ c. Attorney” for New Business. It was also decided to move nomination of the open board position to after the manager’s report.

**Shane Mann nominated Mitchell Baalman as the acting secretary in Jeff Deeds absence. The motion was seconded by Roger Zwegardt and passed unanimously by voice vote (no “nay” votes).**

**2. CONSENT AGENDA**

Brent Rogers asked if there were any concerns over the consent agenda, consisting of the April 6, 2017 Minutes and Expenditures for the month of April. A receipt of the April financial report was previously distributed and an updated amount given to board members at the meeting showing monthly expenditures totaling \$41,802.14 in April were approved.

**Roger Zwegardt moved the minutes and expenditures for the month of April be accepted. The motion was seconded by Monty Biggs and passed unanimously by voice vote (no “nay” votes).**

**3. OPEN FORUM**

Brent Rogers asked if there was anything to be presented in Open Forum. No responses were given.

**4. MANAGER’S REPORT**

EXHIBIT

Ray Luhman gave a brief update on legislative issues. Not much has been going on with regards to water issues and they are currently in veto session.

The GMD 3 LEMA was discussed. Mitchell Baalman attended a meeting among the stakeholders of the area and reported they want a vote.

Shannon Kenyon gave a brief update on the RAC.

## **5. UNFINISHED BUSINESS:**

### **a. District LEMA**

Ray Luhman reported that David Barfield wanted more information. Ray will provide that to him next week. It is believed that enough data has been submitted to conduct the first hearing in maybe June or July. Other discussion was had on potential legal challenges with the implementation of the District-Wide LEMA.

### **b. Water Meter App**

We continue to wait for an app to be developed for another entity. Once that is presented to us, Shane Mann and Lynn Goossen have interest in viewing it and potentially tailoring it for our needs.

### **c. GIS Workshops**

Still being developed. A new app version was released, but not much has been fixed since the previous download. The web version still seems to work great.

## **6. NEW BUSINESS**

### **a. Thomas County Board Position**

Ken McCarty and Karen Flanagan have both expressed interest in being nominated for the position.

**At 9:34 am Lynn Goossen moved the board of directors go into executive session until 9:45 to discuss the candidates for the open position. The motion was seconded by Monty Biggs and passed unanimously by voice vote (no “nay” votes).**

**Lynn Goossen moved to return from executive session at 9:40. The motion was seconded by Roger Zweygardt and passed unanimously by voice vote (no “nay” votes).**

**Shane Mann moved to appoint Karen Flanagan for the Thomas County 5 position. The motion was seconded by Lynn Goossen and passed unanimously by voice vote (no “nay” votes).**

## **b. Building Projects**

After some discussion it was suggested we put the teller cages for sale on Nex-Tech for a potential buyer to make an offer. Scott Ross did not call back after a price was given to him for the transducers. It was decided we call him to have him make an offer.

## **c. Attorney**

Adam Dees will be leaving Vignery & Dees and will be working for another firm out of Hays. He expressed a desire to retain GMD 4 as a client at the new firm beginning June 2<sup>nd</sup>. Questions were asked of Adam in regards to future plans of Vignery & Dees and the reinstatement of Jeff Mason.

**At 11:07 Shane Mann moved to go into executive session for 10 minutes to discuss attorney matters. The motion was seconded by Lynn Goossen and passed unanimously by voice vote (no "nay" votes).**

**At 11:15 Monty Biggs moved to come out of executive session early. The motion was seconded by Lynn Goossen and passed unanimously by voice vote (no "nay" votes).**

**Mitchell Baalman moved to contract with Adam Dees at the new firm. The motion was seconded by Lynn Goossen and passed unanimously by voice vote (no "nay" votes).**

## **7. Agency Reports**

Steven Walters of DWR reported the study on the Lower Republican for potential new reservoirs was not feasible. Funds from the compact settlement will be used elsewhere in that basin. He also reported on the Wichita County LEMA and its progress. The Hayden WCA has not recently moved forward with development.

Jonathan Aguilar with K-State Research and Extension reported on the five Water Technology Farms in SW Kansas, but wanted to know more about potential farms starting in NW Kansas.

## **8. OPEN SESSION-Public Questions/Comments:**

Brent Rogers reported that a doctoral student from London called and he gave her an interview.

The SD6 Hearing will be on May 31st. Not more than five board members can attend.

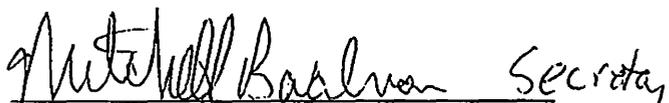
## **9. Scheduling Future Meetings:**

The June monthly meeting will be held June 1st at 9 am CDT at the GMD 4 office in Colby.

## **10. ADJOURNMENT**

***With no other business and no objections, Shane Mann moved to adjourn the meeting. The motion was seconded by Roger Zweygardt and passed unanimously by voice vote (no "nay" votes).***

Respectfully submitted:

  
Mitchell Baalman Secretary  
Mitchell Baalman, Acting Secretary

**Minutes: Northwest Kansas Groundwater Management District 4  
June 8, 2017 Board Meeting**

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

The June 8th board meeting was opened at the GMD 4 office in Colby, Kansas by President, Brent Rogers.

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

Shane Mann, Lynn Goossen, Roger Zwegardt, Mitchell Baalman, Brent Rogers, Jeff Deeds, Karen Flanagan, and Nate Emig

Board members absent:

Doug David, Monty Biggs, and Scott Maurath

Others present for some or all of the meeting were: Ray Luhman, Shannon Kenyon, Rita Wade and Dan Simmering – GMD 4 staff; Adam Dees – attorney; Kelly Stewart and Steven Walters- DWR; Dwayne Kersenbrock, Dave Rietcheck, and Scott Ross.

Ray Luhman requested to add “ b. Attorney Contract and c. Waiver Request” under New Business.

**2. CONSENT AGENDA**

Brent Rogers asked if there were any concerns over the consent agenda, consisting of the May 4th, 2017 Minutes and Expenditures for the month of May. A receipt of the May financial report was previously distributed and an updated amount given to board members at the meeting showing monthly expenditures totaling \$32,622.59 in May were approved.

**Mitchell Baalman moved the minutes and expenditures for the month of May be accepted. The motion was seconded by Shane Mann and passed unanimously by voice vote (no “nay” votes).**

**3. OPEN FORUM**

Brent Rogers asked if there was anything to be presented in Open Forum. No responses were given.

**4. MANAGER'S REPORT**

Ray Luhman gave an update on the SD 6 LEMA hearings held on May 31<sup>st</sup>. The hearings were brief. There was one public testimony in the first hearing for support of the LEMA.

**EXHIBIT**

**At 11:15 am Shane Mann moved the board of directors go into executive session until 11:45 with Adam Dees and individual staff members to discuss salary contracts. The motion was seconded by Karen Flanagan and passed unanimously by voice vote (no “nay” votes).**

**At 11:45 am Lynn Goossen moved to extend the executive session until 12:00 with Adam Dees and individual staff members to discuss salary contracts. The motion was seconded by Shane Mann and passed unanimously by voice vote (no “nay” votes).**

**Roger Zwegardt moved to offer staff contracts as discussed in executive session. The motion was seconded by Jeff Deeds and passed unanimously by voice vote (no “nay” votes).**

#### **b. Attorney Contract**

Adam Dees has moved to a firm in Hays, KS. Brent Rogers signed the contract that allows him to represent GMD 4 at that firm.

#### **c. Waiver Request**

Scott Ross presented a report to the board on Water Right #49,686. The water right was initially denied because it was filed after the moratorium on new water rights in the Ogallala formation of GMD 4. Scott presented data that suggests the water right is in the Saline River alluvium and not the Ogallala although they are hydraulically connected. Ray Luhman stated he would change his recommendation based on the findings of the well being alluvial and not Ogallala.

### **7. Agency Reports**

Kelly Stewart reported on the consumptive use hearings to be held on July 25<sup>th</sup>. Several places are available to participate in the hearing. Kelly will check to see if Colby can be added to the list so locals do not have to drive to Stockton.

### **8. OPEN SESSION-Public Questions/Comments:**

No public questions or comments were made.

### **9. Scheduling Future Meetings:**

The July monthly meeting will be held July 6th at 9 am CDT at the GMD 4 office in Colby.

### **10. ADJOURNMENT**

***With no other business and no objections, Roger Zwegardt moved to adjourn the meeting. The motion was seconded by Jeff Deeds and passed unanimously by voice vote (no “nay” votes).***

Brent Rogers and Mitchell Baalman testified in support of the LEMA at the second hearing.

Ray attended a meeting in Deerfield concerning the formation of a LEMA in that area. He spoke on the process involved in creating a LEMA.

Shannon Kenyon gave an update on the fieldwork activities. All wells within the yellow and red townships are being checked this year by either GMD 4 or DWR. Collaboration on paperwork and data entry have developed communication for the project. Kelly Stewart gave his update on the fieldwork that DWR was conducting.

## **5. UNFINISHED BUSINESS:**

### **a. District LEMA**

After much conversation with DWR, multiple revisions to the Proposed District-Wide LEMA were made. A copy of that document with the changes highlighted were distributed among the board members. Discussion was had on those changes and how the hearings would be handled.

**Mitchell Baalman moved the Proposed District-Wide LEMA be resubmitted with changes. The motion was seconded by Jeff Deeds and passed unanimously by voice vote (no "nay" votes).**

### **b. Water Meter App**

GMD 4 staff and Lynn Goossen met with the water meter app developers prior to the monthly meeting. A proposal was distributed for the board to review and a short computer demonstration was shown. Several questions were posed about the product that Shannon will forward on to the developers. Board members would like to review the proposal and talk with the developers either in person or by phone at the next meeting.

### **c. GIS Workshops**

Still being developed. A brief update was given from the updates noted in an email.

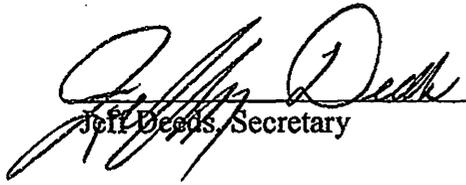
### **d. Building Projects**

Shannon has advertised the teller cages twice with no responses. It was suggested they be advertised again as free if someone removes them for free.

## **6. NEW BUSINESS**

### **a. Staff Contracts**

Respectfully submitted:



Jeff Deeds, Secretary

## Minutes

### **Minutes: Northwest Kansas Groundwater Management District 4 July 12, 2017 Board Meeting**

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

The July 12th board meeting was opened at the GMD 4 office in Colby, Kansas by President, Brent Rogers.

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

Shane Mann, Lynn Goossen, Roger Zwegardt, Mitchell Baalman, Brent Rogers, Scott Maurath, Karen Flanagan, and Nate Emig

Board members absent:

Doug David, Monty Biggs, and Jeff Deeds

Others present for some or all of the meeting were: Ray Luhman, Shannon Kenyon, Rita Wade and Dan Simmering – GMD 4 staff; Adam Dees – attorney; Kelly Stewart and Steven Walters- DWR; Dwayne Kersenbrock

**Shane Mann moved Mitchell Baalman be the acting secretary in the absence of Jeff Deeds. The motion was seconded by Scott Maurath and passed unanimously by voice vote (no “nay” votes).**

Ray Luhman requested to add “ e. DWR Rules and Regulation Testimony under Unfinished Business.

#### **2. CONSENT AGENDA**

Brent Rogers asked if there were any concerns over the consent agenda, consisting of the June 8, 2017 Minutes and Expenditures for the month of June. A receipt of the June financial report was previously distributed showing monthly expenditures totaling \$35,462.05 in June were approved.

**Mitchell Baalman moved the minutes and expenditures for the month of June be accepted. The motion was seconded by Roger Zwegardt and passed unanimously by voice vote (no “nay” votes).**

#### **3. OPEN FORUM**

Brent Rogers asked if there was anything to be presented in Open Forum. No responses were given.

**EXHIBIT**

#### **4. MANAGER'S REPORT**

Shannon Kenyon reported that AquaSpy would provide special pricing to irrigators within GMD 4 that wish to install soil moisture probes.

On July 18<sup>th</sup>, Governor Brownback will be at Hoxie Feeders. A purpose for the visit is not clear, but everyone is encouraged to attend. Less than six board members should be in attendance.

The Kansas Water Congress is July 27 & 28<sup>th</sup>. An agenda was distributed among the board. Anyone that wishes to attend needs to notify the office by Monday so registration and reservations can be made.

#### **5. UNFINISHED BUSINESS:**

##### **a. District LEMA**

A letter from David Barfield was received by GMD 4. The letter accepts the District-Wide LEMA proposal and sets the first hearing for August 23<sup>rd</sup>, 9 am at the Cultural Arts Center. Notification of the hearing will be mailed out to all landowners later this week. Discussion was had on having the hearing advertised on the website as well as a postcard being mailed a couple of weeks prior to the hearing.

##### **b. Water Meter App**

A video call was had with Nathaniel Watts and Aaron Kruse about the water meter app. They gave a quick presentation and was followed up with questions from the board. The board agreed they should get feedback from the public to survey the interest within the district on how many would utilize the app with the cost.

##### **c. GIS Workshops**

Still being developed. A brief update was given and they are making progress.

##### **d. Building Projects**

Teller cages have been removed. Discussion was had on what type of flooring should replace the old. Most agreed that the carpet squares were the best option and that bids should be taken to replace all of the carpeting.

##### **e. DWR Regulation Testimony**

Ray Luhman passed around a copy of testimony he would like to present for the public hearing scheduled on July 25<sup>th</sup> in regards to consumptive use. Several board members thought it would be a good idea to go to Manhattan for this hearing instead of a phone call. Several board members also discussed going.

**Scott Maurath moved the testimony is acceptable to present at the July 25<sup>th</sup> hearing. The motion was seconded by Karen Flanagin and passed unanimously by voice vote (no “nay” votes).**

## **6. NEW BUSINESS**

### **a. NW Tech Recommendation**

Shannon Kenyon gave an update on the NW Tech technology farms and the progress and donations made to date. They would like to apply for Hansen Foundation grants and would like our recommendation.

**Shane Mann moved that GMD 4 provide recommendation for NW Tech to receive a Hansen grant. The motion was seconded by Roger Zwegardt and passed unanimously by voice vote (no “nay” votes).**

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## **7. Agency Reports**

Kelly Stewart presented that 1,845 notifications of the District-Wide LEMA hearing in August were being mailed to owners and water use correspondents. He also reviewed the Gary Roberts application further to determine there is Ogallala involved and he could not support approval of the application. He also gave an update on a recent settlement conference involving the suspension of water rights due to falsifying a Water User Report. There is a web tool being developed where water right owners can enter their water right number and their LEMA allocation will be visible. They are still working on the Mulberry WCA. Penalty regulations are also in the process of revamping.

## **8. OPEN SESSION-Public Questions/Comments:**

Karen Flanagin asked to clarify what Multi-year Flex Accounts were.

Adam Dees provided an update on the Foundation’s 501(c)(3) status and that September 5<sup>th</sup> should be the end of the period they are allowed.

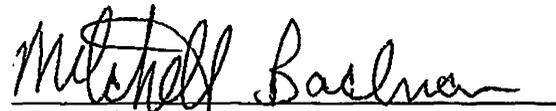
## **9. Scheduling Future Meetings:**

The August monthly meeting will be held August 3rd at 9 am CDT at the GMD 4 office in Colby.

## **10. ADJOURNMENT**

***With no other business and no objections, Mitchell Baalman moved to adjourn the meeting. The motion was seconded by Lynn Goossen and passed unanimously by voice vote (no “nay” votes).***

Respectfully submitted:

  
\_\_\_\_\_  
Mitchell Baalman, Acting Secretary

## **Minutes: Northwest Kansas Groundwater Management District 4 August 3, 2017 Board Meeting**

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

The August 3rd board meeting was opened at the GMD 4 office in Colby, Kansas by President, Brent Rogers.

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

Jeff Deeds, Lynn Goossen, Roger Zwegardt, Mitchell Baalman, Brent Rogers, Scott Maurath, Karen Flanagin, Monty Biggs, and Nate Emig

Board members absent:

Doug David & Shane Mann

Others present for some or all of the meeting were: Ray Luhman, Shannon Kenyon, Rita Wade and Dan Simmering – GMD 4 staff; Adam Dees – attorney; Kelly Stewart and Steven Walters- DWR; Dwayne Kersenbrock

### **2. CONSENT AGENDA**

Brent Rogers asked if there were any concerns over the consent agenda, consisting of the July 12, 2017 Minutes and Expenditures for the month of July. A receipt of the July financial report was previously distributed showing monthly expenditures totaling \$45,437.77 in July were approved.

**Scott Maurath moved the minutes and expenditures for the month of July be accepted. The motion was seconded by Karen Flanagin and passed unanimously by voice vote (no “nay” votes).**

### **3. OPEN FORUM**

Brent Rogers asked if there was anything to be presented in Open Forum. No responses were given.

### **4. MANAGER’S REPORT**

Ray Luhman reported on the Governor’s event held at Hoxie Feedyard on July 18<sup>th</sup>. The event was well attended with several speakers present. Some concerns were raised as the Governor incorrectly mentioned sustainability of the SD 6 area.

Ray Luhman and Shannon Kenyon both attended the Kansas Water Congress in Garden City last week. There were a few good discussions that came from the gathering. It was discussed that the Congress was possibly not a good use of our funds considering what it is used for. With several other GMD’s considering discontinuing their membership, it was suggested to the GMD 4 BOD that they also consider when membership becomes due.

**EXHIBIT**

Ray Luhman went to Manhattan to give testimony in the consumptive use hearing. David Barfield was the hearing officer. Based on the outcome of the hearing, GMD 4 may consider adopting new regulations.

McCrometer is closing their Aurora office. All correspondence will have to resume with Hemet, CA which raises concern as they are unaware of Kansas rules and regulations.

Shannon Kenyon and Dan Simmering gave a fieldwork update. Dan had to refrain from LEMA compliance checks to conduct SD 6 checks. He will be soon conducting checks on 5-5-11.

A legislative update was provided at the Kansas Water Congress. Those bills that did not pass this year can still be acted on next year. Each of the bills that are still alive were presented.

Shannon Kenyon then gave some calendar updates for upcoming events.

## **5. UNFINISHED BUSINESS:**

### **a. District LEMA**

Ray Luhman provided the entire proposed testimony to the board. Written testimony is required by August 9<sup>th</sup>. The hearing will be held on August 23<sup>rd</sup> at 9 am CDT with Connie Owens at the hearing officer.

**Mitchell Baalman moved to adopt the testimony as GMD 4 Board of Directors testimony. The motion was seconded by Jeff Deeds and passed unanimously by voice vote (no "nay" votes).**

### **b. Water Meter App**

After discussion last month, board members discussed the app with potential users. Few producers thought the app would help them, but very few agreed. It was thought that the app was a great product, but not enough producers would use to justify cost.

**Roger Zwegardt moved to inform the developers that the board is not interested at this time. The motion was seconded by Mitchell Baalman and passed unanimously by voice vote (no "nay" votes).**

### **c. GIS Workshops**

Dan Simmering discussed how he has been using the tablet and he is pleased since the recent communication with the developers.

### **d. Building Projects**

Two bids for carpeting were distributed to the board of directors. One from Office Works and the second from the NWKS Decorating Center.

Jeff Deeds moved to accept the bid by the NWKS Decorating Center. The motion was seconded by Lynn Goossen and passed unanimously by voice vote (no “nay” votes).

Lynn Goossen moved to open the budget hearing at 10:31. The motion was seconded by Mitchell Baalman and passed unanimously by voice vote (no “nay” votes).

**6, NEW BUSINESS:**

**a. PUBLIC HEARING ON PROPOSED BUDGET 2018**

At 10:31 am Brent Rogers opened the Budget Hearing. There were members of the public present that gave no additional testimony. Staff provided testimony to the proposed budget.

Brent Rogers asked if there was any additional discussion regarding the 2018 GMD4 Operating Budget and there was none. *Lynn Goossen motioned to close the 2018 Budget Hearing. Mitchell Baalman seconded the motion which passed unanimously via voice vote (no “abstentions” or “nay” votes.)*

**b. APPROVAL OF THE 2017 OPERATING BUDGET**

*Scott Maurath motioned to approve the following resolution for the 2018 Budget :*

*WHEREAS the district membership during the 42<sup>nd</sup> Annual Meeting adopted the proposed 2018 operating budget of \$479,165 for consideration at a subsequent public hearing; and*

*WHEREAS the board scheduled, duly noticed and conducted a public hearing regarding the tentatively adopted, proposed 2018 operating budget on August 3, 2017; and*

*WHEREAS all testimony and public comment was duly considered;*

***BE IT THEREFORE RESOLVED THAT the 2018 operating budget for the Northwest Kansas Groundwater Management District No. 4 shall be approved for \$457,515 – as followed:***

	2018 Final Assessed	
<b>110 POSTAGE</b>		<b>\$5,000.00</b>
111 Newsletter	\$3,000.00	
112 General	\$2,000.00	
<b>120 PRINTING</b>		<b>\$5,200.00</b>
121 Newsletter	\$4,800.00	
122 Administrative	\$400.00	
<b>130 DUES</b>	<b>\$2,000.00</b>	<b>\$2,000.00</b>
<b>140 SUBSCRIPTIONS</b>	<b>\$3,700.00</b>	<b>\$3,700.00</b>
<b>150 INSURANCE</b>		<b>\$11,300.00</b>
151 Office	\$11,000.00	
152 Public Officials' Liability		
153 Auto		
154 Workmans' Comp.		
155 Inland Marine		
156 Unemployment	\$300.00	

<b>160 TELEPHONE</b>	\$4,500.00	\$4,500.00
<b>170 SALARIES AND BENEFITS</b>		\$346,000.00
171 Gross Sal, Kpers, SS, Etc.	\$346,000.00	
172 Health Insurance		
<b>180 TRAVEL</b>		\$14,000.00
181 Board	\$12,000.00	
182 Staff	\$2,000.00	
<b>190 VEHICLES</b>		\$4,075.00
191 Repairs/Maintenance	\$1,600.00	
192 Operation	\$2,300.00	
193 Tags	\$175.00	
194 Purchase/Lease		
<b>200 CONTRACTED SERVICES</b>		\$27,000.00
201 Accounting	\$6,000.00	
202 Legal	\$10,000.00	
203 Misc. Support	\$11,000.00	
204 Water Sampling		
205 Drilling		
206 Weather Modification		
<b>210 PUBLICATIONS</b>		\$1,000.00
211 Legal Notices	\$1,000.00	
<b>220 COOP PROGRAMS</b>		\$2,000.00
221 Administrative		
222 Equipment		
223 Contracted Studies		
224 Education Program	\$2,000.00	
<b>230 ADMINISTRATIVE</b>		\$5,900.00
231 Office Supplies	\$2,500.00	
232 Copy Machine	\$1,000.00	
233 Computer Maint	\$1,000.00	
234 Postage Meter Lease	\$650.00	
235 Bank Charges		
236 Field Supplies	\$750.00	
<b>240 NEW EQUIPMENT</b>		\$4,000.00
241 Field	\$1,000.00	
242 Office	\$3,000.00	
<b>250 CONTINGENCY RESERVE</b>	\$0.00	\$0.00
<b>260 FACILITY</b>		\$21,340.00
261 Rent	\$840.00	
262 Maintenance	\$14,000.00	
263 Remodel/Purchase	\$0.00	
264 Building Utilities	\$6,500.00	
<b>REIMBURSED EXPENSES</b>		
<b>300 FOUNDATION</b>		\$500.00
305 Foundation Subscriptions		
325 Foundation Telephone		
345 Foundation Accounting	\$200.00	
350 Foundation Legal	\$300.00	
370 Foundation Tech Support		
	\$457,515.00	\$457,515.00

***WHEREAS KSA 82a-1030 requires that a land assessment and/or water user charge be levied in order to fund the approved budget; and***

*WHEREAS there exists as of August 3, 2017 2,854,524 acres of land eligible for assessment and 847,604 acrefeet of water eligible for the water user charge for the 2018 operating budget; and*

*WHEREAS after due consideration of all testimony it is the board's decision that a 2018 budget of \$457,515 should be provided assessment support;*

*BE IT THEREFORE RESOLVED THAT the land assessment and water user charge for the 2018 operating budget shall be set at:*

*\$.05 per acre of assessable land; and  
\$.37 per assessable acrefoot of water.*

*Monty Biggs seconded the motion which passed unanimously via voice vote (no "nay" votes.)*

## **7. Agency Reports**

Kelly Stewart presented that KDA has made a public release of the upcoming LEMA hearing on August 23<sup>rd</sup>. A webtool that was created to ease the findings of proposed LEMA quantities is available on the KDA website. A link to that is on the GMD 4 website.

## **8. OPEN SESSION-Public Questions/Comments:**

Question was had about the NWKS Groundwater Conservation Foundation. Adam Dees reported what he knew of his contact with the IRS.

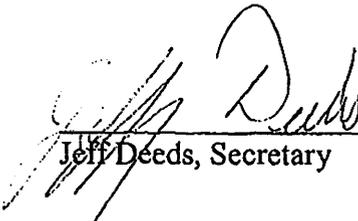
## **9. Scheduling Future Meetings:**

A board meeting was scheduled for August 23<sup>rd</sup>, 2017 at 9 am. The August monthly meeting will be held September 7th at 9 am CDT at the GMD 4 office in Colby.

## **10. ADJOURNMENT**

*With no other business and no objections, Roger Zwegardt moved to adjourn the meeting. The motion was seconded by Lynn Goossen and passed unanimously by voice vote (no "nay" votes).*

Respectfully submitted:

  
\_\_\_\_\_  
Jeff Deeds, Secretary

**Minutes: Northwest Kansas Groundwater Management District 4  
September 7, 2017 Board Meeting**

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

The September 7<sup>th</sup> board meeting was opened at the GMD 4 office in Colby, Kansas by President, Brent Rogers.

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

Jeff Deeds, Lynn Goossen, Roger Zwegardt, Mitchell Baalman, Brent Rogers, Scott Maurath, Karen Flanagan, Monty Biggs, and Shane Mann

Board members absent:

Doug David & Nate Emig

Others present for some or all of the meeting were: Ray Luhman, Shannon Kenyon, Rita Wade and Dan Simmering – GMD 4 staff; Adam Dees – attorney; Kelly Stewart and Steven Walters- DWR; Aaron Popelka – KLA; Jason Timmerman; Jon Friesen; Bert Stramel; Darvin Strutt – Strutt Insurance

**2. CONSENT AGENDA**

Brent Rogers asked if there were any concerns over the consent agenda, consisting of the August 3, 2017 Minutes and Expenditures for the month of August. A receipt of the August financial report was previously distributed showing monthly expenditures totaling \$45,747.34 in August were approved.

**Mitchell Baalman moved the minutes and expenditures for the month of August be accepted. The motion was seconded by Jeff Deeds and passed unanimously by voice vote (no “nay” votes).**

**3. OPEN FORUM**

Brent Rogers asked if there was anything to be presented in Open Forum. No responses were given.

**4. MANAGER’S REPORT**

Shannon Kenyon attended the Water Technology Farm Field Day at NW Tech. She reported on the progress of Precision Agriculture program and the technology currently in the field.

Shannon Kenyon also attended the RRCA annual meeting in Burlington. Utilizing Bonnie Reservoir was mentioned at the meeting but no action was taken or discussed.

**EXHIBIT**

The Kansas Health Foundation was in Hoxie on August 30<sup>th</sup>. Shannon Kenyon and Mitchell Baalman met with them to provide education on water issues in western Kansas. With the majority of attendees being from eastern Kansas, it was productive for educating on western Kansas water issues.

The Prairie Museum in Colby is having luncheon talks next week for those who wish to attend and take a look at the Smithsonian exhibit.

## **5. UNFINISHED BUSINESS:**

### **a. District LEMA**

Ray Luhman provided the board with a supplemental testimony for the initial District-Wide LEMA hearing. The supplemental testimony provides additional information in regards to the testimonies heard at the hearing on August 23<sup>rd</sup>, 2017.

**Jeff Deeds moved to submit the supplemental testimony as GMD 4 Board of Directors testimony. The motion was seconded by Mitchell Baalman and passed unanimously by voice vote (no “nay” votes).**

Aaron Popelka with KLA had provided a letter to the board that outlines their issues and suggestions with the District-Wide LEMA. After reviewing the document Ray Luhman provided two potential new ways to address stockwater. After discussion it was decided to only encourage stockwater water users to maintain 90% of the specified regulatory amount and to modify the process when converting from irrigation to non-irrigation use. The following language was created for part 2). Allocations – Non-irrigation in the proposed District Wide LEMA:

“a) Livestock and poultry use will be encouraged to maintain their use at 90% of the said amount provided by K.A.R. 5-3-22 based on the maximum amount supportable by the number of animals authorized by a current facility permit. At no time will a stockwater right be authorized to pump more than its authorized quantity.

d) When converting from irrigation to non-irrigation use, the base water right will be converted under the procedures in K.A.R. 5-5-9, 5-5-10, or Groundwater Management District #4 regulations, and the appropriate non-irrigation Local Enhanced Management Area allocation will apply as found in Section 2 for the remainder of the Local Enhanced Management Area period. “

Parts b), c), and e) will remain as proposed. As the changes in the stockwater language are different than the proposed District Wide LEMA, these changes will have to be presented at the second hearing.

**Shane Mann moved to adopt the new language for stockwater. The motion was seconded by Roger Zwegardt and passed unanimously by voice vote (no “nay” votes).**

Additional discussion was had on irrigation water right restrictions. Those decisions would be handled on a case-by-case basis through the proposed appeals process.

**Jeff Deeds moved to go into executive session at 10:10 am for 20 minutes for board, staff, and attorney relations. The motion was seconded by Mitchell Baalman and passed unanimously by voice vote (no "nay" votes).**

**Shane Mann moved to go into executive session at 10:30 am for 15 minutes for board, staff, and attorney relations. The motion was seconded by Lynn Goossen and passed unanimously by voice vote (no "nay" votes).**

**b. GIS Workshops**

An addendum to the contract with GIS Workshops was authorized. It contained additional deliveries by GIS Workshops at no charge to the GMD's. Progress is slow but coming.

**c. Building Projects**

With the new carpet it was decided that the drafting table is not used anymore and should be sold. Discussion was had on furniture and educational displays to go in the lobby area.

**Scott Maurath moved to list the drafting table as surplus. The motion was seconded by Jeff Deeds and passed unanimously by voice vote (no "nay" votes).**

**6. NEW BUSINESS**

**a. Newsletter**

The fall newsletter will be completed soon. Potential articles of interest suggested NW Tech, updates on SD 6 LEMA and proposed District Wide LEMA, soil moisture probes, WCA's, and the new late water use penalties.

**b. Governor's Conference**

The Governor's Conference is November 8 & 9. Anybody who wants to go needs to let staff know by the October 5<sup>th</sup> board meeting.

**c. Insurance**

Every year Darwin Strutt provides the board a line item list of the insurance the district has for everything. Discussion was had on a few items having less worth than the listed amount. Staff will review the policy.

**d. GMD 3 Letter**

A draft letter from GMD 3 concerning their issues with communication and coordination with the Chief Engineer.

**Shane Mann moved to provide no comment on the document. The motion was seconded by Scott Maurath and passed unanimously by voice vote (no "nay" votes).**

**e. Graham County Position**

Doug David is currently the elected member for Graham County. Brent Rogers agreed to call him to ask him to provide regular attendance at the monthly board meetings or to resign.

**7. Agency Reports**

Kelly Stewart noted that change in regulations 5-5-9, 5-5-10, and 5-5-16 (formerly consumptive use) would be effective September 22<sup>nd</sup>. The late water use report penalties will also change on September 22<sup>nd</sup>. Late reports filed prior to June 1<sup>st</sup> will receive a fine of \$250 per water right and \$1000 with a possible suspension after June 1<sup>st</sup>.

**8. OPEN SESSION-Public Questions/Comments:**

Question was had about the NWKS Groundwater Conservation Foundation. Adam Dees reported on the progress.

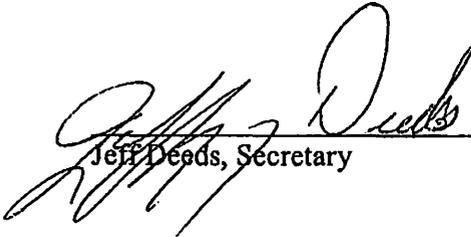
**9. Scheduling Future Meetings:**

A board meeting was scheduled for October 5<sup>th</sup>, 2017. Consumptive use regulations within GMD 4 should be on the agenda and a NW KS Groundwater Conservation Foundation meeting should be held.

**10. ADJOURNMENT**

*With no other business and no objections, Lynn Goossen moved to adjourn the meeting. The motion was seconded by Monty Biggs and passed unanimously by voice vote (no "nay" votes).*

Respectfully submitted:

  
\_\_\_\_\_  
Jeff Deeds, Secretary

# **Minutes: Northwest Kansas Groundwater Management District 4 October 5th, 2017 Board Meeting**

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

The October 5th board meeting was opened at the GMD 4 office in Colby, Kansas by President, Brent Rogers.

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

Jeff Deeds, Lynn Goossen, Roger Zwegardt, Mitchell Baalman, Brent Rogers, Scott Maurath, Karen Flanagan, Monty Biggs, Nate Emig, and Shane Mann

Board members absent:

Doug David

Others present for some or all of the meeting were: Ray Luhman, Shannon Kenyon, Rita Wade and Dan Simmering – GMD 4 staff; Adam Dees – attorney; Kelly Stewart and Steven Walters- DWR; Aaron Popelka – KLA; Jon Friesen; Bert Stramel; Dwayne Kersenbrock; Sharon Stramel; Jerry McKenna; Mike McKenna.

Ray Luhman requested that under New Business “c. Administrative Assistant Position” should be added.

## **2. CONSENT AGENDA**

Brent Rogers asked if there were any concerns over the consent agenda, consisting of the September 7, 2017, Minutes and Expenditures for the month of September. A receipt of the September financial report was previously distributed showing monthly expenditures totaling \$36,805.99 in September were approved.

Scott Maurath moved the minutes and expenditures for the month of September be accepted. The motion was seconded by Mitchell Baalman and passed unanimously by voice vote (no “nay” votes).

## **3. OPEN FORUM**

Sharon Stramel gave testimony at the District-Wide LEMA hearing in August. She felt she had been misunderstood after reading the Order issued by DWR stating that she was in support of the LEMA. Ray Luhman informed her that she needed to contact DWR and/or Connie Owens to address that issue. Jon Friesen expressed concern with the date of the second hearing scheduled for November 14<sup>th</sup> as many stakeholders will be harvesting. He requested the date be moved back.

## **4. MANAGER’S REPORT**

Ray reported that the hearing officer issued a final order on the first LEMA hearing. He also mentioned the Governor’s Conference coming up in November.

## **5. UNFINISHED BUSINESS:**

### **a. District LEMA**

Ray Luhman reported that the second hearing had been set for November 14<sup>th</sup> and 15<sup>th</sup> if a second day is needed. The hearing officer will be David Barfield. Ray is currently working on written testimony and will present it to

**EXHIBIT**

the Board of Directors at the November 2<sup>nd</sup> meeting. Discussion was had on moving the date back to accommodate harvest.

**Shane Mann moved to request to DWR the hearing date be moved back to November 28<sup>th</sup>. The motion was seconded by Lynn Goossen and did not pass with six members opposed.**

**b. GIS Workshops**

They are still developing the items agreed to on the contract addendum.

**c. Building Projects**

This item can be taken off the agenda as there is nothing more to discuss.

**d. Governor's Water Conference**

None of the Board of Directors was interested in going.

**e. Graham County Board of Directors Position**

Brent Rogers contacted Doug David about his attendance at the meetings. Doug was open to the idea of resigning if someone could be found to replace him. Brent has asked several people in the area, but there has not been much interest.

**6. NEW BUSINESS**

**a. Education Panels**

Shannon Kenyon acquired the used paper panels from the Prairie Museum's Water Ways exhibit. She also had four more banners made as there was interest in an educational display in the main office area.

**b. Consumptive Use Regulation**

With the recent regulation change on use made of water, the question of did GMD 4 wish to create a regulation. KLA submitted a letter to GMD 4 that was distributed to the Board requesting no action from GMD 4.

**Shane Mann moved to table the discussion until March 2018. The motion was seconded by Mitchell Baalman and passed unanimously by voice vote (no "nay" votes).**

**Jeff Deeds moved to enter executive session with the Board of Directors, staff, and attorney at 9:40 for 30 minutes to discuss the administrative assistant position. The motion was seconded by Lynn Goossen and passed unanimously by voice vote (no "nay" votes).**

**Shane Mann moved to go into recess for 10 minutes. The motion was seconded by Karen Flanigan and passed unanimously by voice vote (no "nay" votes).**

\* **Shane Mann moved to go into executive session at 10:20 am for 30 minutes. The motion was seconded by Karen Flanigan and passed unanimously by voice vote (no "nay" votes).**

*Amend - enter executive session with the Board of Directors, staff and attorney to discuss the administrative position.*

**c. Administrative Assistant Position**

Brent Rogers appointed Karen Flanigan, Mitchell Baalman, and Lynn Goossen to the hiring committee for an administrative assistant.

**Scott Maurath moved to delegate authority to the committee to conduct interviews and hire as discussed. The motion was seconded by Nate Emig and passed unanimously by voice vote (no “nay” votes).**

## **7. Agency Reports**

Pat Haffner had applied for a new water right before the moratorium that GMD 4 recommended for approval. Kelly Stewart has had impairment concerns with the application as Theis has shown to have significant impact. Pat Haffner will have to prove there will be no impact for the application to be approved.

## **8. OPEN SESSION-Public Questions/Comments:**

Nate Emig wanted to make sure the postcard that will be sent out for the second hearing mentions that both oral and written testimony will be options.

Bert Stramel thought that we were dismissive to Sharon Stramel earlier in the Open Forum and he was disappointed in how it was handled.

Mike McKenna is concerned about using the Cultural Arts Center again for the second hearing for multiple reasons. He was informed that the second hearing would not be conducted there, but at the City Limits Convention Center.

Lynn Goossen stated that if anyone were to give oral testimony at the second hearing, they should have it written ahead of time.

Scott Maurath reminded everyone the resumes received are privileged information. Everyone that is not on the hiring committee turned them over to staff for shredding.

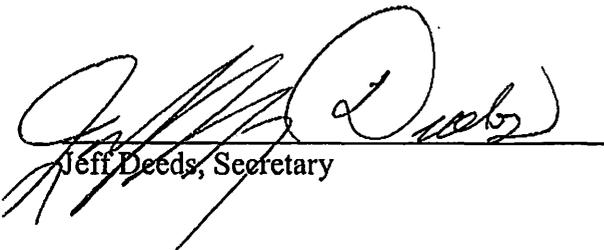
## **9. Scheduling Future Meetings:**

A board meeting was scheduled for November 2<sup>nd</sup>, 14<sup>th</sup>, and 15<sup>th</sup>.

## **10. ADJOURNMENT**

*With no other business and no objections, Scott Maurath moved to adjourn the meeting. The motion was seconded by Monty Biggs and passed unanimously by voice vote (no “nay” votes).*

Respectfully submitted:



Jeff Deeds, Secretary

**Minutes: Northwest Kansas Groundwater Management District 4  
November 2nd, 2017 Board Meeting**

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

The November 2<sup>nd</sup> board meeting was opened at the GMD 4 office in Colby, Kansas by President, Brent Rogers.

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

Jeff Deeds, Lynn Goossen, Roger Zweygardt, Mitchell Baalman, Brent Rogers, Karen Flanagin, Monty Biggs, Nate Emig, and Shane Mann

Board members absent:

Doug David & Scott Maurath

Others present for some or all of the meeting were: Ray Luhman, Shannon Kenyon, Rita Wade and Dan Simmering – GMD 4 staff; Adam Dees – attorney; Kelly Stewart and Steven Walters- DWR; Richard Rockel and Alex Davis – KWO; Jon Friesen; Bert Stramel; Mike McKenna; & Doyle Sadler. *Jody McCain - GMD 4 Staff.*

Ray Luhman requested that under New Business “e. Management Program Review

**2. CONSENT AGENDA**

Brent Rogers asked if there were any concerns over the consent agenda, consisting of the October 5<sup>th</sup>, Minutes and Expenditures for the month of October. A receipt of the October financial report was previously distributed showing monthly expenditures totaling \$36,066.59 in October were approved.

Shannon Kenyon noted that on page 4 of the board packet the motion at the top needs to read “Shane Mann moved to go into executive session at 10:20 am for 30 minutes with the Board of Directors, staff, and attorney to discuss the administrative position.”

**Shane Mann moved the minutes and expenditures for the month of October be accepted with the change as presented. The motion was seconded by Mitchell Baalman and passed unanimously by voice vote (no “nay” votes).**

**3. OPEN FORUM**

Nothing was brought before the Board of Directors

**4. MANAGER’S REPORT**

**EXHIBIT**

Ray Luhman reported that he and Shannon went to a meeting in Hays with the other GMD's and DWR on a more detailed version of calculating Theis. He learned of more resources available on DWR website and had a good increase in the GMD assessment cap discussion with the other GMD's.

Shannon Kenyon reported there were a few issues with the Northwest Kansas Groundwater Conservation Foundation but they were being positively addressed. Application has been made to the Hansen Foundation for matching funds. Should hear word within the month.

## **5. UNFINISHED BUSINESS:**

### **a. District LEMA**

Ray Luhman and Adam Dees have developed testimony for the LEMA hearing on November 14<sup>th</sup>. A review of the proposed testimony is needed with a motion to present prior to the hearing. A brief summary of the pre-hearing conference call was discussed. The main points of that conference call involved several motions from David Traester representing Intervenors. The Intervenors request to post-pone the hearing for a later date for discovery purposes. They also wish for the Chief Engineer to consider cross-examination of witnesses. Both David Traester and Adam Dees made arguments for the Chief Engineer to hear. We have submitted a written reply to that conference call and the Chief Engineer is to announce a decision on Friday.

Roger Zweygardt moved to go into executive session for 20 minutes with the Board of Directors, attorney, and staff to discuss the proposed written testimony for the November 14<sup>th</sup> hearing. The motion was seconded by Mitchell Baalman and passed unanimously by voice vote (no "nay" votes).

Shane Mann moved to approve submission of the GMD 4 testimony after grammar check. The motion was seconded by Jeff Deeds and passed unanimously by voice vote (no "nay" votes).

### **b. GIS Workshops**

Update will be available today. Dan has been using the tablet in the field more frequently.

### **c. Administrative Assistant Position**

Jody McCain has been hired as the new administrative assistant. Her first official day was November 1<sup>st</sup>. There were many good applicants. Karen Flanagan mailed letters to everyone that applied. Mitchell Baalman noted the great job and effort Karen took in spear-heading the process of hiring a new administrative assistant.

### **e. Graham County Board of Directors Position**

Brent Rogers notified the Board of Directors that Doug David had contacted him via text message. He intends to send a letter of resignation. Once that letter is received, GMD 4 staff will advertise for the position in the Hill City Times and a new member will have to be appointed.

## **6. NEW BUSINESS**

### **a. Education Panels**

Shannon Kenyon had four educational panels made for the lobby area. She asked the Board of Directors to take a look and make suggestions on any more if wanted for taking to the annual meeting and other educational functions.

### **b. Christmas Party**

The board was asked what they wished to do for a Christmas party this year. It was decided that it would be at City Limits like last year but to be in the room east of the salad bar with heat since last year it was crowded and cold.

### **c. Annual Meeting**

Discussion was had about past annual meeting programs. The 2018 Annual Meeting will be held on February 7<sup>th</sup> at 1:30 depending on availability at the City Limits Convention Center. It was suggested we ask Weston McCary from the Northwest Technical College Precision Agriculture Program to be the speaker.

### **d. Auditor Contract**

Two options for contract with Adams, Brown, Beran, & Ball for an audit. One option was a one year contract and the second was a three year contract. Both options included filing of the 990-N for the Northwest Kansas Groundwater Conservation Foundation.

Jeff Deeds moved to sign the one year contract with Adams, Brown, Beran, & Ball for the audit. The motion was seconded by Monty Biggs and passed unanimously by voice vote (no "nay" votes).

### **e. Management Plan**

As no changes in the management plan are projected at the current time, Mitchell Baalman moved to adopt the following resolution for the management plan:

*WHEREAS the current management plan was approved on September 19, 2016; and*

*WHEREAS the board reviewed the current management plan; and*

*WHEREAS no revisions to the current management plan are needed as of the date of this resolution;*

*BE IT THEREFORE RESOLVED THAT the management plan approved on September 19, 2016 is readopted.*

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

#### **f. Authorized Financial Signatures**

Due to Rita Wade’s retirement, Jody McCain, the hired administrative assistant will need authorized to sign financial documents for the district.

Lynn Goossen moved to adopt the following resolution for authorization of financial signatures.

*WHEREAS Rita Wade is retiring from the Northwest Kansas Groundwater Management District #4 on December 1, 2017; and*

*WHEREAS Jody McCain was hired as the Administrative Assistant beginning November 1, 2017;*

*BE IT THEREFORE RESOLVED THAT Rita Wade be removed from financial documents for the Northwest Kansas Groundwater Management District #4 and Jody McCain added to the financial documents as authorized representative for financial transactions.*

#### **7. Agency Reports**

DWR – Kelly Stewart reported that next week they will have a staff meeting in Manhattan about the WCA process. DWR intends to make it easier and create some draft regulations. Currently the WCA’s in GMD 4 have stalled. There is a WCA being sought in the Kearny/Finney region with 50-70 water rights to be involved. He also reported on the Pat Haffner application that was initially denied. DWR has received additional information from Mr. Haffner’s hired consultant and still stands as denied.

KWO – Richard Rockel reported on the interim committee meeting with the Special Committee of Natural Resources on Tuesday, October 31. KWO is still seeking \$8 million from the State General Fund. They are currently committing \$500,000 for technology and expanding the Water Technology Farm concept. They continue to seek additional grants. He also reported the irrigation use fee is still floating around for consideration from some committee members.

#### **8. OPEN SESSION-Public Questions/Comments:**

Jon Friesen stated that as a member of the GMD, the Board of Directors represents its members. The intent of the Intervenor is not to destroy the GMD. He suggested for a dialogue with the Board of Directors.

Doyle Sadler gave a document (see attachment) to Adam Dees and stated he was not going to give up 200 acre-feet of water without a fight.

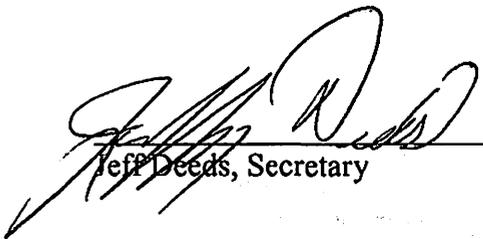
**9. Scheduling Future Meetings:**

A board meeting was scheduled for December 7<sup>th</sup> at 1:30 pm.

**10. ADJOURNMENT**

*With no other business and no objections, Monty Biggs moved to adjourn the meeting. The motion was seconded by Shane Mann and passed unanimously by voice vote (no "nay" votes).*

Respectfully submitted:



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Jeff Deeds, Secretary

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As a farmer and irrigator in GMD #4 in Thomas County, these are my comments and concerns on the proposed LEMA.

1. No board members gave testimony in support of LEMA at the August 21 hearing. If this is the best plan; at the very least, the board president should have given the information. This presentation was given by an employee of the district. The manager's comments about the annual meeting were not valid and should be withdrawn.
2. If this is a local control district, why was a representative of the state of Kansas giving comments? The only comments that have value come from those who own the water rights. The state should stay neutral.
3. Kansas Geological Survey comments on the observation wells are misleading. The only information that an observation well provides is only relevant to that well. The nearest observation well to my wells is  $\frac{3}{4}$  of a mile. That well is not drilled to shale but mine are. The top of the shale is not a level surface. There are old erosion channels in the shale so saturation thickness will vary greatly.
4. Boundaries of the LEMA: A reading of the Kansas Statutes states that a LEMA must be within the boundaries of the GMD. This LEMA plan creates 4 LEMAs. Each are within the boundaries of the GMD. The statutes say nothing about the boundaries of the GMD being the boundaries of a LEMA. By using the boundaries of GMD #4 for the LEMA, a complete new GMD is being established. This proposed area wide LEMA will be a new GMD with new rules and regulations. When GMD #4 was established, landowners and water right holders voted to establish the GMD. A vote should be held to establish this new GMD. An examination of the proposed boundaries show that water restrictions are being applied to older water rights and little restrictions given to younger water rights. This does not follow Kansas Basic Water Law taken from the Kansas Dept of Agriculture web site. Basic water law quotes "first in time first in right". I believe these boundaries are political and not based on science. The wells on the proposed boundaries should be measured.
5. Drought provisions in this plan are nonexistent. My area of Thomas county has been the driest for the last 5 years. Under this plan, I would have used all of my allotment within three years. No one can predict if the growing season is going to be wet or dry. This issue needs to be addressed.
6. Those board members who do not have wells in the most restricted areas must

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refrain from voting on this proposal. This is a major conflict of interest.

7. Conservation of the Ogallala aquifer is important. Basic water law must be remembered. If acre feet are to be reduced, it must apply equally to all water rights.

8. Economics: Irrigation and farming in GMD #4 is a multi-billion dollar investment. This LEMA plan will effect this investment in ways that can not be predicted. I do not believe a small board should make this decision. The precedent for voting on LBMA's has been established in Southwest Kansas.

I have read the testimony given by Scott E. Ross and concur with his conclusions.

Respectfully,



Doyle E. Saddler

MS Physical Geography, BS Geology  
1375 County Road 26  
Colby, Kansas 67701