

# Minutes: \_\_\_\_\_ Northwest Kansas Groundwater Management District 4 March 8, 2007 Board Meeting

## 1. OPEN MEETING, ATTENDANCE AND AGENDA

The March board meeting was opened at 10:10 a.m. CST, March 8, 2007 in the district offices, Colby, KS by Vice President Mitch Baalman.

Board members present for some or all of the meeting were: Jeff Deeds, Lon Frahm, Shane Mann, Dave Rietcheck, Scott Maurath, Monty Biggs, Bill Nondorf, Mitch Baalman and Jon Friesen.

Board Members absent were: Doug David and Roger Zweygardt

Others present for some or all of the meeting were: Wayne Bossert, Ray Luhman, Dan Simmering – GMD 4 staff; Jeff Mason – GMD 4 attorney; and Scott Voss and Kelly Stewart – DWR.

There were no changes to the agenda.

## 2. CONSENT AGENDA

*Bill Nondorf moved for approval of the consent agenda including: 1) the February 21, 2007 minutes; and 2) the February financial report including the February, 2007 expenditures totaling \$32,062.30. Monty Biggs seconded the motion which passed unanimously.*

## 3. MANAGER'S REPORT

Manager covered the items within the board packet plus 3 additional items: a) Announcement that the proposed WTAP regulations were scheduled for public hearing May 1 in Norton (NW Regional Library facility) and May 2 in St. John, KS (Ira Gooding Public Library) both hearings to start at 7:00 p.m.; b) The new Farm Program's EQIP program was to see increased funding and is being proposed to also include a regional water enhancement program additionally funded at \$175 million; c) SB 194 (requiring public officials to get KORA and KOMA training has been replaced by Substitute SB 194 which requires said officials to be aware of the legal requirements of KORA and KOMA.

## 4. UNFINISHED BUSINESS

a. **Protocol Data Review:** This item was tabled until the April meeting.

## 5. NEW BUSINESS

a. **Re-consideration of GMD 4 High Priority Areas:** Staff presented the background material contained in the board packet and answered questions. *Dave Rietcheck moved that the identified ¼ Township 4-36 in Rawlins County and the identified ¼ Township 9-29 in Sheridan County be eliminated as high priority areas based upon Task 3 conclusions that the high priority sections triggering these two areas just barely exceed the lower end triggers set by process and as such they do not meet the spirit of the process. Furthermore, the Task 3 process should be considered the justification for this motion without requiring the establishment of new triggers and re-running the entire process again. Lon Frahm seconded the motion. In discussion, DWR questioned the elimination of the Rawlins County ¼ Township 4-36 since it appears to be the same area which includes GMD 4's only active impairment complaint study. Staff confirmed*

*that the impairment area is NOT contained in the subject ¼ Township. With no further discussion, the motion passed unanimously.*

**b. Foundation Re-direction Discussions:** Upon request last meeting from Jon Friesen, this agenda item was included for discussion under new business. Jon asked if there were concerns over the GMD earmarking the amount of money currently set aside for the NW Kansas Groundwater Conservation Foundation (\$323,985.00) with no specific schedule for using these funds? He suggested last month that supporting the EQIP Ground and Surface Water program by providing the 4<sup>th</sup> year payment to those acres in the quick response areas of GMD 4 might be a good way to put these idle funds to use. Jeff Mason was asked about the legal issues in changing the direction of the Foundation as suggested. In reply, Jeff said the Articles of Incorporation and the By-Laws appeared to him to be general enough to allow it. Since the grant requests were more specific and did not include this type of support, any grant money already collected could not be likely spent for the new direction ideas. Since there are no such funds it seems a moot point and the re-direction of the Foundation as discussed is supportable. It was noted that any future grant requests should specifically include all the programs for which expenditures might be made. No action was taken.

**c. 2008 EQIP Quick Response Areas:** The issue was the final designation of the 2008 EQIP program QRA's for GMD 4. Following some background information and discussion, *Lon Frahm moved that the Sheridan County QRA that is to replace the Thomas County QRA for the 2008 program match exactly the Sheridan County High Priority Area as established in agenda item 5. a. above – noting that the ¼ Township 9-29 has been eliminated. Moreover, the adjacent ¼ Township 8-31 in Thomas County is to be included. Dave Rietcheck seconded the motion which passed unanimously.*

**d. KSU Economic Model Data Discussion:** Manager reported that modeler Bill Golden was contacted about incorporating additional data to derive crop/water production curves – specifically requesting that he consider the production data contained in the KSU Crop Water Allocator software downloadable from the KSU MIL webpage. Bill Golden responded that he'd put this data in review form and run it by the board again. No action taken.

**e. URBAC Applications:** Manager reported on Lon Frahm's appointment to the Kansas Water Authority and subsequent resignation from the URBAC as the GMD representative. Options were discussed and it was decided that Manager Wayne Bossert (currently sitting as the Public At Large position) would amend his BAC application to include interest in the GMD position and resign from the Public At Large position. Dave Rietcheck would apply for both the Agriculture and the Public At Large positions – both of which will be coming open in June (Bossert's resigning from the At Large position and the Agriculture position's normal schedule). It is assumed that manager Wayne Bossert will be the only application for the GMD position vacated by the resignation of Lon Frahm. No motion made.

## 6. DWR REPORT

Kelly Stewart reported that the 2007 BRO orders have been drafted and should be sent out next week or as soon as DWR legal staff clears them. Kelly also told the board that about 60 wells just outside GMD 4 in the Republican River basin have been ordered to meter. He finally reported that the surface water irrigation district reservoirs have been receiving inflows of late and all are talking about making irrigation releases this year – varying from several inches to full allotments.

## 7. OPEN SESSION - PUBLIC QUESTIONS/COMMENTS

Lon Frahm reported that KGS staff asked him what the mindset of western Kansas water users was regarding the future water-scape? Were the users out here concerned about state takeover? What were their interests? Lon reported his response as being: the users out here

do not seem too worried overall and in his estimation they were happy the GMD board was there to take care of things and watch the water-scape. Until a crisis arises, there does not seem to be any well organized movements for any issues.

**8. SET NEXT MEETING DATE AND CONSIDER FUTURE AGENDA ITEMS**

April 5, 2007

May 31, 2007.

**9. ADJOURNMENT**

*Upon motion by Bill Nondorf and a second by Monty Biggs, the March board meeting was adjourned at 12:20 p.m., March 8, 2007.*

Respectfully submitted:

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Bill Nondorf, Secretary