

# Minutes: \_\_\_\_\_ Northwest Kansas Groundwater Management District 4 June 5, 2008 Board Meeting

## 1. OPEN MEETING, ATTENDANCE AND AGENDA

The June board meeting was opened at 10:05 A.M. CDT, June 5, 2008 in the district offices, Colby, KS by President Scott Maurath.

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

Board Members absent were: Lon Frahm.

Others present for some or all of the meeting were: Wayne Bossert, Ray Luhman, Dan Simmering – GMD 4 staff; Scott Ross and Scott Voss – DWR; and Bill Golden, KSU.

## 2. CONSENT AGENDA

*Jon Friesen moved for approval of the consent agenda including: 1) the April 13, 2008 minutes; and 2) receipt of the April and May financial reports including the April, 2008 expenditures totaling \$25,966.62, and the May, 2008 expenditures totaling \$27,523.65. Monty Biggs seconded the motion which passed unanimously.*

## 3. MANAGER'S REPORT

Manager covered the items contained in the board meeting packet. In addition to these 4 items, 4 more were covered as follows:

a) The elimination of the ground and surface water program from the 2008 Farm Bill and its replacement with Sec. 2510. Agricultural Water Enhancement Program. A handout was provided which contained a description of the section. This section appears to be a program that can accommodate the same kinds of efforts we were doing under the ground and surface water program – if NRCS supports such activities.

b) A Cooperator is being requested by KSU Extension to study the impacts of aging pressure regulators on water application efficiency. They asked for one or two cooperators in a high priority area of GMD 4. The particulars were discussed, but no board members were interested. The board was asked to consider other irrigators in their areas and get back with staff.

c) A cooperator is being requested by a private concern in Wichita, KS who is promoting the growing of mint as an economically better alternative to irrigating corn and other crops currently irrigated in NW Kansas. He wants to quantify how much irrigation is needed. He asked for a cooperator in the Colby area to run a 4-5 year trial on irrigating mint. The board suggested he contact KSU Experiment Farm who is better equipped for such trials.

d) The 2007 water use data has been received and is being processed. Thus far, staff has corrected a number of reports with obvious errors (transpositions etc.). Staff is suggesting we notify each of these people about their errors and to inform them that we have corrected them, but future mistakes of these kinds could prove problematic. The board had no objection.

## 4. UNFINISHED BUSINESS – No unfinished business.

## 5. NEW BUSINESS

a. **Waiver Request – 28,511:** Ray briefed the board on the situation requiring a waiver. After discussion and questions, *Jeff Deeds moved to approve the waiver request since both wells are under the same file number and therefore must be in the same local source of supply. Shane Mann seconded the motion which passed unanimously.*

### b. Enhanced Management – 4 topics:

1) Task 4 Preparation: Staff presented 6 maps and graphs of data which would be expected to provide the participating public with sufficient hydrologic knowledge of the area to become effective participants in the Task 4 phase. During discussion, it was suggested that “how the selected areas were set” be added. Another suggestion was to add the observation well locations to the map showing the HPA area. There were some who felt the suggested maps and graphs were too much information that could actually harm the goal of active discussions. Based on this it was alternatively suggested that all the data be available, but not formally presented until it is needed or asked for in discussions. Another suggestion was that a board member or board members chair the HPA meetings rather than staff. No decisions were made as this topic was more or less tabled until the July meeting so as to give everyone more time to consider the best presentation approach.

Staff suggested the board consider buying a laptop computer and a projector to facilitate the Task 4 presentations. Staff was asked to secure bids for board consideration.

2) Task 3 Update: Staff presented the Goeff Bohling report requested earlier. It was designed to tell us what the accuracy of the current observation well network was statistically. The fact that the variability of the water level table is relatively low, the current observation well density provides a reasonable level of expected accuracy when considering changes in the water table. Moreover, the areas of highest standard deviation were outside of any high priority area. As such, staff felt the current observation well network was sufficient enough to satisfy Task 3 of our adopted protocol. Following discussion and questions, *Roger Zwegardt moved to accept the current data accuracy and move on to Task 4. Doug David seconded the motion which passed unanimously.*

3) BoR monitoring well grant: With the data accuracy considered adequate enough to continue, there is no need for the BoR grant to add additional observation wells. Staff was asked to relay this decision to the Kansas Water Office along with their appreciation of the offer.

4) Shared Personnel: Following discussion, the board felt it would be a better expenditure of funds to support water use retirements or some other water use conservation or reduction efforts rather than administrative support for the protocol process. Staff was asked to relay this message to the Kansas Water Office along with their appreciation for the offer.

c. **Proposed IGUCA Regulation Review:** Staff presented a proposed GMD4 regulation on a local IGUCA review process. It was reviewed point by point. During discussion, Scott Ross indicated that DWR was working on a suite of regulations regarding IGUCA’s, impairment complaints, and a few other issues, and that he saw none of the elements included in our proposed regulation that was not also included in their draft regs. Jeff Deeds asked if the wording in subparagraph (2) required that just 3 of the non-agency representatives be from the IGUCA area or, if there were more than 3, all of them had to be from the IGUCA area? Staff responded that the intent was to have all non-agency representatives be from the IGUCA area. New wording to make the intention was suggested. It was also asked if the timing of a local reg was right in light of the DWR reg process reported on by Scott Ross? Following more discussion, *Monty Biggs moved to start our proposed regulation (with the suggested clarification language regarding the non-agency representatives) though the process. Doug David seconded the motion which passed unanimously.*

**d. Modeling Session – Bill Golden:** Bill Golden stood for questions or comments regarding the latest economic model run. Staff began with the observation that the limited irrigation scenario appeared to have the least economic impact the region, and that one way of implementing limited irrigation is via a multi-year allocation process. The question was asked: Can the model accommodate such an allocation process and if so, how can it be done? Bill responded that the model can accommodate this approach, and that there are 2 ways to do so – one easy and the other not as easy. The easy way would be to annually input a new crop mixture table based on what crop decisions the producers will be making within their allocation periods – whether they be 3 or 5 year blocks.

**e. WTAP Regulations & Participation Discussion:** Staff covered the proposed regulations and specifically the most significant change of offering a bid process not to exceed a pre-set base rate rather than the “fair market value” process in current regulation. The new process allowed the SCC to set the base rate attractive enough to interest water right owners. One item that did not change was the formal closure of areas to new appropriations to be eligible – something our board had been reluctant to do thus far. In discussion, it was generally felt that the program incentives were attractive enough to warrant our participation, but the risk of closing the areas and the pilot program being eliminated, still remained. It was decided to ask the chief engineer if DWR would be receptive to conditionally closing (by administrative order) our high priority areas such that if the WTAP program does not continue, the high priority areas in which no WTAP funds were spent would be un-closed and allowed again to continue under the currently existing GMD new development regulations. Staff was asked to place this item on the July agenda along with any response by chief engineer Barfield.

## **6. DWR REPORT**

Scott Ross reported: a) the Republican River compact is now in arbitration over differences in the accounting process. The arbitration is on a fast track and should be completed by the end of 2008. The decision is non-binding and may or may not result in re-filing the suit before the US Supreme Court; b) No problems with the metering program and that he is pleased with its implementation thus far; c) DWR is working on a batch of regulations including IGUCA regs; and d) Burke Griggs has been hired to replace the retiring Lee Rolfs as DWR attorney.

## **7. OPEN SESSION - PUBLIC QUESTIONS/COMMENTS - None**

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

The July meeting is set for July 10, 2008 (Budget hearing, setting assessment rates and meeting with Representative Faber).

The August meeting will be August 7, 2008 (meeting with chief engineer Dave Barfield).

## **9. ADJOURNMENT**

*Without no other business, Monty Biggs moved for adjournment at 3:25 PM, CDT, June 5, 2008. Dave Mann seconded the motion which passed unanimously.*

Respectfully submitted:

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Bill Nondorf, Secretary