

Minutes: _____ Northwest Kansas Groundwater Management District 4 January 28, 2009 Board Meeting

1. OPEN MEETING, ATTENDANCE AND AGENDA

The January board meeting was opened at 10:10 A.M. CST, January 28, 2009 in the district offices, Colby, KS by President Scott Maurath.

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

Bill Nondorf	Scott Maurath	Jeff Deeds
Roger Zweygart	Mitch Baalman	Shane Mann
Monty Biggs		

Board Members absent were:

Lon Frahm	Doug David	Jon Friesen
Dave Rietcheck		

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

2. CONSENT AGENDA

Shane Mann moved for approval of the consent agenda including: 1) the December 18, 2008 minutes; and 2) receipt of the December financial reports including the December, 2008 expenditures totaling \$30,301.10. Jeff Deeds seconded the motion which passed unanimously.

3. MANAGER'S REPORT

Manager covered the items contained in the board meeting packet concerning the Republican River Compact settlement agreement status; the High Priority Area (HPA) meeting schedule for round 2; and DWR activity on proposed regulations for impairment complaints and IGUCAs. An update on WTAP was also provided which reported that Governor Sebelius has swept \$1.2 million from the program funds which will likely reduce GMD 4 successful applications from 17 to 10 or 11. The Governor's action is being debated by the Legislature now who can sweep the funds even further, approve the sweep as recommended by the Governor or restore some or all the swept funds. The board asked staff to request a status update from SCC to all the GMD 4 applicants.

4. UNFINISHED BUSINESS

a. **Bill Golden Request:** Staff reported that the issue has been solved so this agenda item can be removed.

5. NEW BUSINESS

a. **Office Rent Discussions:** Colby Bowl owner Charles Schwanke provided the board an annual rental history for the district and a proposal to scale the rent upward over the next 4 years to match local market rates (both documents attached to these minutes). It was noted that the proposal (covering 2009 through 2012 rental rates) had GMD 4 paying electric and natural gas utilities in addition to the rent. Following discussion, *Jeff Deeds moved that staff work up a draft contract for a 4-year rental contract proposing a graduated annual rental rate based on Colby Bowl's proposal with the conditions that: 1) a reasonable allowance for electricity and natural gas be included in the rental rate; and 2) GMD 4 is provided an annual consideration and escape clause from the contract. Moreover, the draft contract be reconsidered by the board at the*

February 18, 2009 board meeting. Roger Zwegardt seconded the motion which passed unanimously.

b. AWEP Application Proposal: Staff proposed consideration of GMD 4 submitting an Agricultural Water Enhancement Program (AWEP) application to NRCS for a WTAP-like program in one or more of the established HPAs. Prior to discussion, the AWEP program rules were read and discussed. Following discussion, staff was asked to prepare an application for a WTAP-like program including just HPA area SH-1 for board review at the February 18, 2009 meeting.

c. CHPA Discussion/Comments – Round 1: Staff passed out copies of all HPA meeting comments and characterized the high points of the group. The board was invited to read each one and note the comments made by the participants.

6. DWR REPORT

Scott Ross (DWR) reported that the agency was in a staff hiring freeze and that his office was short 3 slots which may not get filled for some time. Despite the manpower shortage, they will complete the 4th year of the GMD 4 meter orders and the remaining Republican River Basin meter orders.

Regarding the Republican River Compact Settlement Agreement, the arbitrator's ruling is due out soon. His preliminary report is due around May, 2009 and his final report is due around June, 2009.

The Colorado augmentation pipeline is still under consideration, but Kansas has yet to see the final project proposal which was supposed to be completed and submitted earlier. He reported that Kansas is still holding out for compact water to be delivered to Kansas as appropriate.

7. OPEN SESSION - PUBLIC QUESTIONS/COMMENTS

None

8. SET NEXT MEETING DATE AND CONSIDER FUTURE AGENDA ITEMS

March – March 5, 2009.

April – April 2, 2009.

The Annual meeting is next on February 18, 2009 in Colby.

9. ADJOURNMENT

With no other business, Monty Biggs moved for adjournment. Shane Mann seconded the motion which passed unanimously. The meeting was adjourned at 12:35 PM, CST, January 28, 2009.

Respectfully submitted:

Bill Nondorf, Secretary