



GMD 4 Board Meeting Notice and Packet:

(Packet release date: October 27, 2011)

November 3, 2011 (Thursday) -- 10:00 AM CDT -- District Offices

Attached is the November 3, 2011 board packet associated with this meeting

AGENDA

1. Open Meeting and approval of agenda: ----- 10:00 A.M.
2. Consent Agenda
 - a. Previous Meeting Minutes – August 11, 2011 (pg 2)
 - b. August, September & October, 2011 Expenditures & Financial Report (pg 8)
3. Manager's Report, Information & Updates (pg 19)
4. Unfinished Business
 - a. None (pg 19)
5. New Business
 - a. LEMA Statute Draft (pg 20)
 - b. Staff Contracts (pg 22)
 - c. HPA Index Well Contract Draft (pg 22)
6. Agency Reports (pg 23)
7. Open Session (pg 23)
8. Scheduling Future Meetings (dates, agendas, etc.) (pg 23)
9. Adjournment (pg 24)

Board members who cannot attend please call 785-462-3915 or email wab@gmd4.org prior to 8:15 a.m. day of meeting

**Minutes: _____ Northwest Kansas Groundwater Management District 4
November 3, 2011 Board Meeting**

1. OPEN MEETING, ATTENDANCE AND AGENDA

The November 3, 2011 board meeting was opened at 10:00 A.M. CDT, in the District Offices at 1175 S. Range, Colby, KS by President Scott Maurath.

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

Dave Rietcheck	Scott Maurath	Roger Zwegardt
Monty Biggs	Mitch Baalman	Brent Rogers
Shane Mann	Doug David	

Board Members absent were: Jon Friesen, Jeff Deeds and Lon Frahm

Others present for some or all of the meeting were: Wayne Bossert and Ray Luhman – GMD 4 staff; and David Means – DWR.

President Maurath called for any additions, corrections or deletions from the published agenda. There were no additions or deletions to the agenda but staff asked the President to note that the Secretary was not in attendance and that the appointment of a Secretary Pro Tem was suggested. President Maurath appointed Monty Biggs as Secretary Pro Tem.

2. CONSENT AGENDA

Shane Mann moved for approval of the consent agenda including: 1) the August 7, 2011 minutes as presented; and 2) receipt of the August, September and October, 2011 financial reports showing expenditures totaling \$55,268.77, \$23,795.56, and \$30,983.35 respectively. Roger Zwegardt seconded the motion which passed unanimously by voice vote (no abstentions or "nay" votes).

3. MANAGER'S REPORT

Wayne Bossert directed the board's attention to page 19 of the board packet which contained all the items in the written manager's report. Manager also discussed 5 additional items as follows:

1) KGS Field Trip: June 6-8, 2012 are the target dates for the upcoming KGS field trip that will be headquartered in Colby, Kansas. Items under consideration at this time are: Irrigation 101; Drought tolerant corn; Bonney Reservoir and Republican River Compact Issues; Arikaree Breaks Geology; Norton Reservoir; Decatur County archeology site (buffalo jump); High Priority Area SD-6 design and directions; and the oil & gas industry operations, including hydraulic fracturing. It is a great opportunity and KGS extended an invitation to the GMD 4 board president.

2) WTAP Update: Manager reported that there have been two interested contacts thus far, but no commitments. GMD 4 staff have sent personal letters to all the AWEP participants and are following these up with personal phone calls. To date all calls have been made except a couple.

3) Proposed 5-year Rolling Average: In replacement of the Emergency Drought Term Permits, GMD 3 is proposing the use of a 5-year rolling average procedure for the future. They are asking that the concept be looked at and comments provided to them. The basic formula for what any water right owner can pump in the upcoming calendar year is: their previous 4 years total reported water use minus their original water right face value times 5. If adopted, the thinking is that this approach will instill a conservation mindset in water use because doing so will allow one

to use the conserved water later if needed. If the calculated year's quantity gets overpumped, the rolling average process reduces the next year amount accordingly. No motion made, but the board expressed concern that the process might allow extra decision-making and water use management that could allow more water use over each 5-year period than would occur naturally under the existing annual appropriation caps.

4) RMA Update: Manager reported that RMA has announced that there would be no pilot limited irrigation insurance program in 2012 as was planned, but that the agency would continue working on it hoping to offer it in 2013.

5) Robert Glennon Talk: Manager reported that the Robert Glennon presentation was interesting with Dr. Glennon managing to step on just about everyone's toes. He scoffed at weather modification activities aimed toward water management, decried the ethanol debacle and lambasted the municipal water rate structures mostly used in America. Two of the 3 questions following the presentation were on his ethanol comments.

4. UNFINISHED BUSINESS:

a. None

5. NEW BUSINESS

a. LEMA Language: The board reviewed the final draft of the LEMA statute language and had no corrections, additions or deletions. Staff reported that the bill draft was in the Revisor of Statutes office undergoing final review. It was expected to be pre-filed in the 2012 Kansas Legislative Session. No motion made.

b. Staff Contracts: *Dave Rietcheck moved to enter into executive session for 15 minutes to discuss personnel contracts with no other persons initially included. Shane Mann seconded the motion. Motion passed unanimously by voice vote (no abstentions or "nay" votes).* In just a few minutes manager Wayne Bossert was requested in to answer questions. The executive session ended in 15 minutes with no board action having been taken.

Back in open session, Dave Rietcheck moved that the total salaries line item be increased by 3.535% with manager Wayne Bossert responsible for all staff salary increases from within the allotted budget. Shane Mann seconded the motion which passed unanimously by voice vote (no abstentions or "nay" votes).

c. Proposed Index Well Agreement: Staff proposed a short, one-page agreement regarding the index wells for board consideration. There was a question about the longevity of the contract - just 15 years. It was suggested that the contract be made for a longer term - 25 years - with the same options to adjust the term with both parties agreeing in writing. There was another question about the contract's applicability on future landowners. Staff indicated that the required filing of the agreement in the Register of deeds was supposed to make the agreement binding on all future landowners. With no other questions or comments, the board, without a motion, indicated acceptance of the draft agreement with the term suggestion amended.

6. DWR REPORT

David Means reported that there were 1,137 emergency drought term permits filed to date, but that the total could increase up to the filing deadline of December 31, 2011 as more and more

water right owners reconcile their 2011 pumping totals in anticipation of the annual water use report filings.

7. OPEN SESSION - PUBLIC QUESTIONS/COMMENTS

None.

8. SET NEXT MEETING DATE AND CONSIDER FUTURE AGENDA ITEMS

There was some confusion over the December meeting in that the board packet indicated a December 8 meeting date, while staff was indicating a December 15 meeting date. Staff was asked to reconcile the confusion and email the board with the actual meeting date and other specifics. No action taken on any 2012 meeting dates.

9. ADJOURNMENT

With no other business and no objections, Scott Maurath adjourned the meeting at 12:25 P.M., CDT, November 3, 2011.

Respectfully submitted:


Jeff Deeds, Secretary