
**Arkansas River Litigation Funds Advisory Committee
2009 E. Spruce
Garden City, Ks 67846
(620) 275-7147**

The meeting of the Arkansas River Litigation Funds Advisory Committee was called to order by Chairman, Randy Hayzlett on March 24, 2010 at 1:49 p.m. The meeting was held at the Southwest Kansas Groundwater Management District Office located at 2009 E. Spruce Street, Garden City, KS.

Present:

Randy Hayzlett	Al Knoll
Ron Conway	Steve Hines
Harold Knoll	Jason Norquest
Mark Rude	Patty Stapleton
Kevin Salter	Diane Coe (by phone)
Hal Scheuerman	Trevor Ahring

Absent with Notice:

Dave Brenn

Approve Agenda

Chairman Randy Hayzlett asked for discussion on the meeting agenda. Steve Hines moved to approve the agenda. Ron Conway seconded and motion passed with all in favor.

Approve Minutes

Mark Rude read the minutes from the February 18th, 2010 meeting. Corrections were stated. Hal Scheuerman moved to approve the minutes as corrected. Al Knoll seconded and the motion passed with all in favor.

Projects Update

South Side Ditch ADS

Mr. Hayzlett reported on the South Side Alternate Delivery System. He advised not much has changed since the February 18th, 2010 meeting. Sporer Land Development still needs to backfill around structures and the timeline for that is uncertain.

Randy Hayzlett, Ron Conway, Steve Hines and Hal Scheuerman were all in attendance at a Kearny County Commissioners meeting when construction for the bridges was discussed. The commissioners received and considered different bridge options. Kirk & Michael Engineering was also in attendance and provided valuable input. Through much discussion, a concrete culvert bridge was decided on for the county bridge. Bids will be sought soon by the County.

Randy reminded the committee of the conversation with Bobby Knoll and the access issue to his 10 acres on the north side of the canal at the new structure on the old return ditch. Randy advised he spoke with Ed Mighell again and the three options were reiterated.

1. Adding a deck onto the application structure.
2. Use the Canal Bank for access from the east.
3. Bridge across the canal but that doesn't get it over the service lateral.

Randy Hayzlett, Bobby Knoll and Jed Purdy reviewed the three options. Moving the ditch a little to the north was suggested. This would save Bob two sprinkler bridges. Jed's concern was the lateral service ditch on the north side, which he would like to keep active. The proposal to move the ditch was suggested to Ed Mighell. Ed advised it could be done and the lateral service ditch could still be active. Cost difference was not much. Discussion occurred regarding the benefits of straightening the bend.

Hal Scheuerman moved to approve the possible change regarding the bend on the South Side Canal. Ron Conway seconded. Motion passed with all in favor.

Mr. Hayzlett brought to the table a change order for \$11,500 from Stantec regarding Terracon Consultants. \$11,500 is the testing fee for the concrete and compaction of the liner. Mark stated the amount is for work performed and work to be performed. Mr. Conway moved to approve the change order of \$11,500 from Stantec regarding the fee from Terracon Consultants. Harold Knoll seconded the motion. Motion passed with all in favor.

Randy reminded the committee that the radial gates were approved at the last meeting for \$152,000 and stated that \$10,000 was the approximate cost of the screw gates. Ron Conway asked if tax was added onto their bill. Randy advised that nothing has been officially paid however; Southside Alternate Delivery is not tax exempt. After much discussion, Mark Rude will contact GMD3 auditor for further information.

Mark spoke to the committee about a Grant with Bureau of Reclamation. The Bureau of Reclamation put out their request for 50 / 50 cost share under their WaterSMART Program. There are two tiers of financial assistance that the agency could apply for. The first tier is \$300,000. The second tier is, One Million Dollars. However there are only a few available at the higher amount. Diane Coe reminded that the committee or the agency cannot double up on federal funding match accounting.

Lake McKinney Project

Ron updated the committee regarding the Lake McKinney Project. The tower is built on the outlet structure. The top deck will be prefab. Ron stated weather permitting forms for the outside of the tower would be taken off. They were starting to hook up the stem rods. The two bridges are complete but still need to be back filled. The inlet structure of the Amazon Ditch is as far as it will proceed until after the irrigation season. Work will start on the first drop structure below the inlet along with the dykes.

Ron shared a spreadsheet that he created to keep track of approval amounts and expenditures. The committee would like to see a tracking order of expenditures for all projects. Mark Rude and Patty will research and report back to the committee.

Ron shared an issue regarding the Emergency Action Plan. A year ago the Dam inspectors came out and advised Lake McKinney they will have to re-do their EAP. However, the inspectors were reviewing the plan from 2002. In 2008, a plan had been completed, but for some reason, the inspectors had not received it. Ron advised the 2008 plan was later forwarded to the inspectors. The 2008 EAP needs to have a re-up completed due to project revisions. Ed Mighell estimated \$6,000 to complete the re-up. The deadline to re-up is 180 days from 2-23-2010. Ed advised that the deadline can be met, and the re-up can be done before the completion of Lake McKinney. Ron asked the committee "Who stands the cost for the re-up, Arkansas River Litigation Funds Committee or Garden City Company?" A statute states it has to be done. Steve Hines recommended for Ron to find out what was paid in 2008 and report back to the committee at the next meeting.

Preferred Interstate Supply Evaluation Status (GMD3)

Mark Rude reported there was no change regarding the Preferred Interstate Supply Evaluation. Work has been completed internally on the first phase.

DWR

Kevin Salter advised that decisions need to be made regarding the gages. Do we install data recorder or a data recorder with paper backup?

Arrangements need to be completed with USGS for development of the radio bridge.

Steve Hines offered to supply Kevin Salter contacts regarding gages.

Expenditures

From discussion earlier in the meeting regarding the tax exempt question for the South Side, the auditors have stated the projects are being done through each local ditch entity. Even though the funds are being paid by Groundwater Management, the project activity is taxed.

Mark reviewed the expenditures per project with the committee. A difference occurred in the expenditures. Further research showed the expenditure report did not go back to the beginning of all payments. A new financial sheet will be handed out at the next meeting.

WaterSMART: Water & Energy Grants application

Mark spoke about the Water & Energy WaterSMART Grants from the Bureau of Reclamation for the projects. All applications are due by May 4th, 2010 at 4pm. Eligible applicants are irrigation water districts, tribes, State & / or Governmental Agencies with water and power authority. The Water and Energy Grants are to be used for efficiency improvements. There are two funding groups;

1. Anticipation of 30 – 40 grants up to \$300,000 each per grant
2. Anticipation of 4 – 8 grants nationally, up to One Million dollars per agreement.

Mark contacted a gentleman from Bureau of Reclamation whom is willing and able to help the agency achieve the completion of the grant. Through much discussion the committee would like a representative from the Bureau of Reclamation to discuss with the committee the grant and BOR relationship in more detail.

New Project request New application

Amazon Canal

Hal Scheurman reported the completion of two applications for the Amazon Canal.

One was for the removal and replacement of the Amazon Headgate structure at the diversion works in the Arkansas River. Completion date for this project is December 31st, 2011. Estimated total cost is \$750,000.00; Engineered expense \$500,000, engineering fee \$50,000, miscellaneous not in bid \$200,000. \$200,000 is the expense estimated for items and work that is not specifically detailed.

The second application covered engineering funds to review options for old flume located across sand creek west of Lakin, Kansas. Completion date is December 2010, with an estimated cost of \$25,000 for the initial study. Repair of the flume is highly recommended over reconstructing. This structure was built in 1954 with reclaimed materials from the sugar factory in Garden City, Kansas. Currently the flume is made out of wood, which is a high-fire hazard and inefficient due to leaking water.

Ron Conway moved to accept the application for assessment and repair discovery. Al Knoll seconded. Motion passed with all in favor.

Steve Hines moved to accept the Headgate application as a Fund project. Harold Knoll seconded. Motion passed with all in favor.

Frontier Ditch

Steve Hines presented the Frontier Ditch application with photos. The project would consist of replacing the flume across the West Bridge Creek, east of Coolidge. Updating the flume would insure delivery of the Arkansas River and John Martin water to the water rights on the Frontier ditch beyond the creek or about half of the share holders. Project completion date is April 1, 2011. Frontier Ditch would like to have financial support to have an engineer look at the project and receive an estimated project cost.

Diane Coe reminded that the applications need to be completed with a signature and officer title.

Hal moved to approve the acceptance of the Frontier Ditch application and forward to Kansas Water Office subject to verification of proper authorized signature. Ron seconded. Motion passed with all in favor.

Guidelines for future projects

No report at this time.

KWO Report

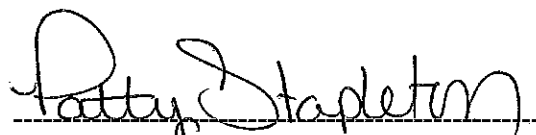
No report at this time.

Future Meeting

Mark will set up a meeting with a Bureau of Reclamation representative and will notify the committee.

Adjournment

Mark Rude moved to adjourn the meeting at 5:11 p.m. Al Knoll seconded. Motion passed with all in favor. Meeting adjourned.



Recording Secretary

Committee Chairman