

Tuesday, November 01, 2016

**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 Tuesday, November 1, 2016 at 1:11p.m. The meeting was held at the Southwest Kansas Groundwater Management District Office located at 2009 E. Spruce Street, Garden City, KS.

Introductions: Introductions were completed.

A moment of silence was given in memory of Al Knoll. Chairman Hayzlett commented on the important role Mr. Knoll played in his role as a member of the committee for many years.

Members Present by phone or in person (*Voting):

Randy Hayzlett *	Committee Chairman and South Side Ditch Representative
Troy Dumler*	Committee Vice-Chairman and Great Eastern Representative
Steve Hines*	Frontier Ditch Representative
Shane Knoll *	Garden City Ditch Representative
Hal Scheuerman*	Amazon Ditch Representative
David Becker*	Finney County Water Users / Farmers Ditch Representative
Diane Knowles	KWO Planner
Kevin Salter	Interstate water engineer, KDA /DWR
Mark Rude	Committee Treasurer, GMD3 Executive Director
Patty Stapleton	Committee Recording Secretary, GMD3 Office Administrator

Others in Attendance

Brandy Cole	KDA/DWR
Trevor Ahring	GMD3 Engineer
Jason Norquest	GMD3 Assistant Manager
Carleen Schweer	Farmers Ditch
Rachel Duran	KDA/DWR

Absent

Mike Meyer	Water Commissioner, KDA/DWR
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Agenda and Meeting Minutes Approval

Chairman Randy Hayzlett asked for discussion on the meeting agenda. Discussion was held on Farmers / Garden City Ditch Headgate. Should that be separate or kept together on the agenda as headgates for both entities. After much discussion Steve Hines moved to approve the agenda as presented. Shane Knoll seconded. Motion passed with all in favor.

April 6th, 2016 Minutes Review

Mark Rude read the minutes from the April 6th, 2016 meeting. Several revisions were made throughout the reading. Steve Hines moved to approve the April 6th, 2016 minutes with the corrections noted. Troy Dumler seconded. Motion passed to accept the revised minutes.

Financial Report

Mark Rude reported on the financials from April 2016 to November 1, 2016. Troy Dumler moved to approve the financials as presented. Steve Hines seconded. Motion passed with all in favor.

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UPDATE: ACTIVE Projects Approved for Funding.

Amazon Flume Replacement and added expense

Hal Scheuerman was contacted by phone for an update on the Amazon Flume Replacement and added expense. Hal stated that everything is about complete. Finalizing some odds and ends and will have amounts in the near future to close the project.

South Side Phase II Construction

Randy Hayzlett met with concrete and steel contractors and the project should start in November. Randy stated the engineer tried to increase their costs based on final project cost, but Randy was successful in keeping the engineering to their original costs bid.

Steve Hines mentioned that 2018 was noted in the application as the completion date. He questioned if the completion date needed to be changed to 2019. After some discussion, Randy stated the South Side Ditch will ask for additional time at later date if it appears to be needed.

DWR LAWMA Decree Operations study

An invoice and payment voucher was submitted for payment in the amount of \$32,370.80. The invoice was for engineering consulting services provided by Spronk Water Engineers for the period September 1st, 2015 through September 30th, 2016. A copy of the voucher and invoice was provided for all to review.

Kevin Salter with DWR, reviewed the submitted invoice and the tasks completed to date, noting that one issue has been resolved with additional review. He stated this project allowed for additional effort to resolved disputed issues with the LAWMA Colorado water court decree. The project was approved at a prior meeting for \$70,000.

Willis Technology Farm

No invoice has been submitted to date for the Willis Technology Farm. Mark Rude reminded those present that funds are not paid until work has been completed. Proper process has to be followed: invoice of work completed along with a payment voucher has to be submitted to GMD3. Once the proper documents are in GMD3 office signatures will be gathered for approval of payment and then a check will be cut. Diane Knowles, KWO, suggested that an appropriate invoice will be submitted for \$10,000 for work completed or equipment purchased.

Roth / Garden City Company Water Technology Farm.

Mark Rude will complete the application for Roth Farms / Garden City Company Water Technology Farm project. An invoice and payment voucher will be submitted by Troy Dumler for reimbursement of paid expenses.

Troy Dumler stated there was good turnout, approximately 100 plus people attend the field day which was held at the end of August.

APPLICATION AND POTENTIAL APPLICATIONS for consideration or follow up.

Stateline Compact Flume Replacement, Frontier Ditch

Steve Hines reported they want the project to be placed on the Compact agenda to discuss how it will be funded. Chairman Hayzlett as an ARCA representative indicated that the flume would be discussed at some point during the December 2016 compact meeting.

Other Frontier Concept.

Steve Hines submitted an application for George Austin to develop the Muskingum River routing from Stateline to Garden City gauge. Currently the Muskingum River routing method is used to credit the Stateline delivery of Kansas Account releases from John Martin Reservoir. Estimated project cost is \$50,000. According to Steve Hines, the project goal is to better estimate the transit losses in river from the Kansas/Colorado state line and hopefully allow efficient use of water.. The application was tabled until the next meeting of the committee. Steve Hines asked the committee for a listing of additional information required to consider this application.

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Farmers / Garden City Ditch Headgates

David Becker has contacted an engineer who is requesting additional information about the existing structure. There are problems with the levy due to ATV activity on the river (ATVs have driven over it causing it to decrease and could breach). Additionally, vandalism to the existing headgates was noted. Mr. Becker stated he is hopeful that an application for the Farmers Headgates will be submitted in the near future. Mark Rude stated GMD3 has drone pictures and footage that can be provided to the engineer.

GMD3 Reconnaissance Feasibility of a panhandle pipeline acquisition.

Mark Rude proposed a GMD3 Reconnaissance Feasibility of a pipeline(s) for the acquisition and import of 400,000 acre feet from the Oklahoma panhandle Ogallala Aquifer to replace aquifer losses from Colorado Compact violations. Oklahoma is not closed to new allocations and 6.1 million acre feet are still available for allocation going off of Oklahoma model calculation. The feasibility study would consider how to use existing oil/gas pipelines to move the water, completing research of the option to lease/buy, and other related issues. Mark hopes to mitigate losses from the Ark River violations as documented in the *Kansas v. Colorado* trial and open further talks with Oklahoma.

Mark stated the proposal is projected at \$40,000 to \$50,000 to complete a reconnaissance feasibility study.

An additional concept that Mark presented was looking at Hartland, Kendall, and/or Syracuse reservoir sites. These sites have been previously evaluated and Mark is suggesting updating the costs for these reservoir sites. The question was asked if existing ponds/lakes could be used that already take water?

Timing of LAWMA winter return flows:

Kevin Salter introduced the topic of LAWMA winter return flows which is one of the disputed LAWMA Colorado water court decree issues. He explained how these winter time return flows are currently returned to the river by allocating a percentage of augmentation station flows in April and May for the winter returns. It has been expressed that such winter return flows be put into the river during the November 1st to March 31st period which might help to keep some of the flows a little fresher and replaces the depletions that have occurred in the system. The question was asked to the advisory committee "What is the preference of the ditches and should it (river flow) be brought up in talks with Colorado?" Colorado has stated that Kansas could use water better in summer when called.

1. Keep the current method, with possible tweaks to provide a specific quantity and use augmentation stations below the Buffalo headgate.
2. Have these returns released throughout winter to get return flows down the system with appropriate transit losses added.
3. Forget putting the winter return flows into the river and instead put water into the Kansas Section 2 account. This has not been brought up with Colorado and do not know if they would agree. Kevin wanted to see if there was an interest in this first.
4. Use of recharge pits which would return water to the river.

Rachel Duran will provide an email summarizing the options presented.

Colorado Water Court status of Holly Farms

Mark Rude called the Colorado Courts today (November 1st.) Regarding Colorado Water Court application 14CW3004 and found that all but five of the objectors have stipulated in in this case. If stipulations are not reached beforehand, trial is scheduled for November 2017. Court enforces the stipulations when the decree is issued. Troy Dunler noted that the recent costs have been minimal.

Status of Fund Annual Reports.

Mark Rude stated the 2014 and 2015 Annual Reports only need the in-kind contributions to CREP. Trevor Ahring is working on the 2016 report and stated will be presented at the proper time. Randy Hayzlett stated to make it a priority to get caught up and get reports presented on a timely basis.

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Review of Action Items

1. Steve Hines would like a list of information needed for further consideration of the Muskingum River Routing Study between the Kansas/Colorado state line and Garden City. He would like this before December 1st.
2. Mark Rude will draft Roth /Garden City Company Water Technology Farm Application to cover water quality study and weather station and will submit for KWO Approval.
3. GMD3 will provide drone footage and pictures to Farmers engineer related to the headgate replacement.
4. Farmers will provide additional information for replacement of their headgates.
5. Mark Rude will put together dollar figures for updating reservoir studies for Hartland, Syracuse and or Kendall sites.
6. Garden City, KS DWR will put together an email regarding LAWMA winter time return flows.
7. GMD3 will provide the past two annual draft reports to KWO
8. Current annual draft report will be presented (to committee) and forwarded to KWO at least two weeks before presenting to the Legislature.

Public Forum

There was no public announcements / forum.

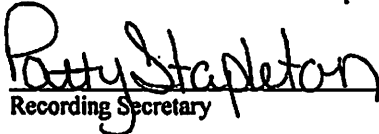
Future Meeting

Next meeting tentatively set for December 19th, 2016 at 1p.m.at the GMD3 Board Room.

Adjournment

Steve Hines moved to adjourn the meeting at 3:59 p.m.

David Becker seconded. Motion passed. Meeting was adjourned.


Recording Secretary


Committee Chairman