

Wednesday, September 9th, 2015

**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 Wednesday, Sept. 9th, 2015 at 1:37 p.m. The meeting was held at the Southwest Kansas Groundwater Management District Office located at 2009 E. Spruce Street, Garden City, KS.

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
Al Knoll *	Garden City Ditch Representative
Hal Scheuerman*	Amazon Ditch Representative
Diane Knowles	KWO Basin Planner
Mike Meyer	Water Commissioner, KDA/DWR
Kevin Salter	Interstate water engineer, KDA /DWR
Mark Rude	Committee Treasurer, GMD3 Executive Director
Patty Stapleton	Committee Recording Secretary, GMD3 Office Administrator
Jason Norquest	GMD3 Assistant Manager

Others in Attendance by phone or in person

Brandy Cole	KDA/DWR
Trevor Ahring	GMD3 Engineer
Jackie McClaskey	Secretary of Agriculture
Rachel Duran	KDA/DWR
Chris Beightel	KDA/DWR
Susan Metzger	Deputy Secretary for KDA
David Barfield	Chief Engineer, KDA/DWR
Greg Foley	Executive Director, KDA/Division of Conservation
Jonathan Aquilar,	KSU
Greg Graff	GMD1 Board

Absent

Ty Brookover*	Farmers Ditch Representative
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Agenda and Meeting Minutes Approval

Chairman Randy Hayzlett asked for discussion on the meeting agenda. Hal Scheuerman moved to approve the agenda as presented. Al Knoll seconded. Motion passed with all in favor.

April 20th, 2015 Minutes

Steve Hines moved to approve April 20th minutes as printed. Al Knoll seconded. Motion passed with all in favor.

June 4th, 2015 Minutes

June 4th, 2015 minutes were corrected. Hal Scheuerman made a motion to approve as revised. Steve Hines seconded. Motion passed with all in favor.

Financial Report

Mark Rude reported on the financials for July through September 2015. Steve Hines moved to approve the financial as presented. Hal Scheuerman seconded. Motion passed with all in favor.

Wednesday, September 9th, 2015

Review of last Ditch Report:

Kevin will provide another report electronically.

Update: Active Projects approved for funding

Amazon Flume Replacement

Hal Scheuerman reported a preconstruction meeting will be held this Friday, September 11th, 2015 at 9am. The project start date is October 1, 2015.

South Side Phase II Engineering

Randy Hayzlett stated that approval had been granted for \$70,000 for engineering the check and offtake structures. He stated they had contracted with Stantec to do the job and upon review of the site Stantec stated that wasn't the job they had originally planned on. After Stantec reviewed the job site a new bid was given in the amount of \$240,000.00, which is well above the original projected cost of \$70,000.00. Total estimated cost of the project was 3.4 million dollars. Randy Hayzlett spoke with Tracy Streeter about the project regarding the possibility of going with contractors not necessarily full blown engineers. Randy asked Chief Engineer, David Barfield his thoughts of going with general contractors. Mr. Barfield response questioned the statutory requirements for the project to be engineered. Randy did not know of any permitting guidelines stating it had to be designed by an engineer. More research will be completed by Randy Hayzlett & Chief Engineer Barfield.

Frontier Return Gage

Steve Hines reported that it's in and working fine.

KDA LAWMA decree Application

Discussion from the last meeting indicated that the application needed to be amended showing it was received from KDA. The amendment did occur afterwards. Chris Beightel stated that contractors have been notified to start work. Waiting on letter from Mark Rude to Tracy Streeter.

Reimbursement of Projects Fund Activity

South Side head gate and diversion structure

Randy Hayzlett turned the committees' attention to the application for removal and replacement of headgate structure on Arkansas River. Attached to the application is the first and final bill from Schmeiser Construction Company in the amount of \$88,520.00. Hal Scheuerman moved to approve the project and send on up the line. Steve Hines seconded. Motion passed.

Considerations for future funding assistance

Denial of West Consultants

A letter from Tracy Streeter was handed out for all to review. The letter stated Mr. Streeter's decision to disapprove the funding request from the Western Water Conservation Projects Fund for the West Consultants Basin Study Project, Phase 1. Consensus of the committee was to elaborate on the reasons as to why the funding request was disapproved. Diane Knowles will speak with Tracy Streeter to discuss letter.

Paleo-River Channel Aquifer Study

More information gathered and discussed in the future. Two presentations have been seen; one from Don Whitemore and the other was XRI. Don Whitemore's concept was to pursue the project to define the Paleo river channel. XRI demonstrated the aerial result, being willing to fly into Colorado a little bit for the Holly Dairy outlook. Mark Paleo-River is the freshest water supply for that area, however, it is outside the GMD3.

Channel Maintenance /Ditch Delivery Options

It was mentioned the Farmers Ditch likes their water going down the river rather than alternative routes. Farmers Ditch was not present to discuss delivery options. Kevin Salter stated that we are losing 50 to 60 percent of water between Kendall and their measuring system.

Wednesday, September 9th, 2015

Additional Action Item Follow-Up

Mark will review the details of the Matrix and discuss at the next meeting.

Local Issue Matrix-

Status of Ark Valley Conduit Project

Kevin announced the Ark Valley Conduit is in the construction planning phase. To get the project on the ground and constructed work is proceeding on the final layouts of where the pipeline will be and working on easements. Construction has not started to date.

Fountain Creek Storage Development Issue

Within the last couple of weeks another draft report was put out to consultant Fountain Creek Greenway and Watershed District. A review will be done, however it appears to be similar from the previous draft report submitted by the same consultant.

Randy Hayzlett, Rachel Duran and Kevin Salter went to the Ark River Forum and also attended a meeting of the Fountain Creek technical advisory committee. Information provided at the Fountain Creek technical advisory committee mainly flood events over 10,000cfs.

Colorado Groundwater Use Rules

David Barfield handed out a copy of Colorado Use Rules to those present. Colorado Use Rules is the abbreviated title of *Rules and Regulations Governing the Diversion and Use of Tributary Ground Water in the Arkansas River Basin, Colorado*. Mr. Barfield started the overview of the Colorado's (Groundwater) Use Rules Presentation, providing a timeline of Colorado Legislation and highlights of the Use Rules. Mr. Salter presented the terminology, outlined the designated groundwater basins, and continued with Rule explanations and examples. The power point slides can be found as a print out in the Arkansas River Litigations Minutes Book.

The next presentation in December could be on Augmentation.

Member Reports/Public Forum

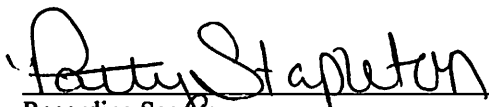
Secretary McClaskey asked is this the type of meeting / discussion that the committee is wanting. Randy Hayzlett stated this was very good meeting, and appreciated the attendance.

Future Meeting

The next meeting is tentatively set for the afternoon of December 10th, 2015.

Adjournment

Hal Scheuerman moved to adjourn the meeting at 4:25 p.m. Steve Hines seconded. Motion passed. Meeting was adjourned.


Recording Secretary


Committee Chairman