

December 19th, 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, December 19th, 2016 at 9:08a.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
Hal Scheuerman*	Amazon Ditch Representative
David Becker*	Finney County Water Users / Farmers Ditch Representative
Diane Knowles	KWO 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

Others in Attendance

Brandy Cole	KDA/DWR
Trevor Ahring	GMD3 Engineer
Dave Brenn	Kansas Water Congress
Jason Norquest	GMD3 Assistant Manager

Absent

Shane Knoll *	Garden City Ditch Representative
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Agenda and Meeting Minutes Approval

Chairman Randy Hayzlett asked for discussion on the meeting agenda. Discussion was held to add Frontier Ditch to Item 5 (between b & c) and then wording was revised on Item B to read Farmers Ditch Headgate. Steve Hines moved to approve the agenda as revised. Troy Dumler seconded. Motion passed with all in favor.

November 1st, 2016 Minutes Review

Mark Rude read the minutes from the November 1st, 2016 meeting. Steve Hines moved to approve the November 1st, 2016 minutes as read. Dave Becker seconded. Motion passed to accept the minutes as read.

Financial Report

Mark Rude reported on the financials from November 1, 2016 to December 19th, 2016. Hal Scheuerman moved to approve the financials as presented. Steve Hines seconded. Motion passed with all in favor.

In reviewing the financial statement it was noted to be more diligent on funding and documenting funds for projects. The reason was to assure that adequate funds are available to complete the projects that are underway.

December 19th, 2016

Annual GMD3 Audit and draft Annual Legislative Report

Mark stated a pre-audit had been completed. The official audit will be done January 12th, 2017.

Mark reviewed the Annual Draft 2017 Legislative Report. Asked the committee to send edits to Trevor Ahring by end of the week (December 23rd).

UPDATE: Active Projects Approved for Funding

Amazon Flume

Hal Scheuerman stated that project is complete, the only expense left for payment is to Kearny County Farmers Irrigation Association. He handed out an expense list that was paid by Kearny County Farmers Irrigation Association for a total \$7,400.00. Hal is looking for guidance on repayment to Kearny County Farmers. After much discussion, Steve Hines moved to pay 1/2 of the \$7,400.00. Troy Dumler seconded. Motion passed with all in favor.

South Side Phase II Construction

Randy Hayzlett stated the South Side Phase II construction is underway (gate replacement). Amos Construction is doing the work and to date \$77,970.00 paid. Cold weather has been a factor, but progress is being made. What isn't done before spring will be replaced next fall after the irrigation season.

DWR LAWMA Decree Operations

Kevin Salter with DWR stated the LAWMA Decree Operation is still a work in progress.

Willis Technology Farms

The KWO is waiting for a bill from K-State for the Willis Technology Farms to provide an expense that can be reimbursed. A voucher will be submitted once the bill is received.

Roth / Garden City Company Water Technology Farm

Troy Dumler with Garden City Company stated a weather station was ordered. No application for the Roth/Garden City Company Water Technology Farm has been completed to date.

Application and Potential Applications for Consideration of Follow-up

Stateline Compact Flume replacement, Frontier Ditch Update

Steve Hines announced the two States (Colorado and Kansas) have been in discussions about source of funding and replacing the flumes. Kevin Salter suggested that the Arkansas River Compact Administration (ARCA) might be willing to pay some of the costs. The next step is to get an estimate of replacement costs. He also noted that USGS said they do not have the funds for this purpose. Randy Hayzlett suggested approaching the U.S. Bureau of Reclamation (USBR) about engineering that might be needed.

Farmers Ditch Headgate

David Becker reviewed Farmer's Ditch Headgate Replacement -Phase 1. Farmers is looking to replace the wooden gates with steel gates to prevent tampering with those gates. Gate tampering has been a problem. An estimate of \$68,500.00 was received from KAW Valley Engineering, INC. for the proposal of Civil Design Services for FCWUA Head Gates. Hal Scheuerman moved to approve phase one of Farmers Ditch Headgate, total cost \$68,500. Troy Dumler seconded. Motion passed with all in favor. Dave Becker abstained.

December 19th, 2016

Frontier Project

The Extension of the Muskingum River Routing method from the Stateline to Garden City, KS. Kevin suggests it could be useful tool that could be used when the amount of water needed for a call is being determined. The estimate cost to extend this model is \$50,000.00 and has a completion date projected in 2017. Hal Scheuerman moved to approve the extension of the Muskingum River Routing Method from the Stateline to Garden City, KS for \$50,000.00 with a projected completion date of 2017. Troy Dumler, seconded. Motion passed with all in favor.

GMD3 Technical Memorandum: Import 400,000af to replace aquifer loss from past Colorado compact violations

GMD3 Technical Memorandum Application has not been completed. Since there is no application, Mark Rude will bring back to the table at the next meeting. The committee consensus is that this continues to be reviewed subject to additional information and an application being submitted.

Technical memorandum updating past surface water storage sites

Mark Rude provided information on Arkansas River mainstem past surface water storage sites that had been considered (Kendal, Hartland, and others). A technical memorandum would consider the old information for Syracuse, Kendall and the Heartland Dam and update them all with current number on cost estimate. Mark believes that \$20,000 per reservoir (\$60,000.00) is needed for this project. Due to needing more information, Mark will place back on the agenda at the next Committee meeting. The committee consensus is that this continues to be reviewed subject to additional information and an application being submitted.

Motion to stop taking additional applications for funding

Hal Scheuerman made a motion not to accept any additional / new projects until the list of applications currently approved or pending are further defined. Doing this will help calculate the monies that may be available for projects down the road and also confirms monies will be available for the current projects. Some discussion of wording of such a motion that would allow those projects just underway to proceed. The motion was tabled until the next meeting to develop appropriate language.

Timing of LAWMA Winter Return Flows

Kevin Salter stated there was nothing new to report as of this date and reminded the Associated Ditches of the options to consider. He was looking forward to a fuller discussion at the Associated Ditches Annual Meeting in January (2017).

Kevin also announced that Rachel Duran has submitted her resignation with DWR. After much discussion of Rachel Duran's role in interstate water, Steve Hines moved to write letter to Chief Engineer Barfield to fill Rachel's spot at GC DWR as soon as possible. Hal Scheuerman seconded. Motion passed.

Colorado Water Court Status of Holly Farms Case (14CW3004)

No update regarding the Colorado Water Court for Holly Farms Case. Still a question if Garden City Company has standing in this case. It was also noted that some parties had stipulated but others (possibly three) had not.

Review of Action Items

A review of all the action items for the meeting was discussed.

1. Comments on draft annual report to the legislature back to Trevor by 12/23;
2. GMD#3 will complete applications for technical memo on the 400,000 AF transfer;
3. GMD#3 will complete application for technical memo updating potential reservoir storage sites updates;
4. Calculate costs for current and future projects and discuss at next meeting to assure adequate funding is available to complete those projects;
5. Cleaned up and signed Frontier application on the extension of the Muskingum method for the reach between the Stateline and Garden City, Kansas; and
6. Resolution for a letter supporting the filling of the IWI position.

Public Forum

David Brenn noted that the Kansas Water Congress would hold their annual winter meeting on February 8, in Topeka, KS at Ramada Inn.

Mr. Brenn also noted that the summer conference would be at the GCCC (Garden City Community College) either the last Thursday / Friday of July or first Thursday / Friday of August. Announcement will be made when final date is set.

Mark Rude commented on a letter from GMD#3 to KWA supporting efforts of David Pope, Lee Rolfs, Burke Griggs and John Peck related to the filing fees for major water transportation projects. The GMD#3 letter also noted that the litigation fund has been swept and that those funds needed to be restored.

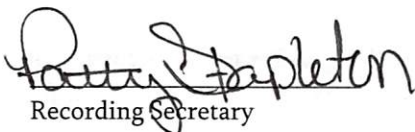
Future Meeting

Future meeting date is tentatively set for February 22, 2017 at 9:00 a.m.

Adjournment

Steve Hines moved to adjourn the meeting at 12:04 p.m.

David Becker seconded. Motion passed. Meeting was adjourned.


Recording Secretary


Committee Chairman