

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

Chairman Randy Hayzlett called the meeting of the Arkansas River Litigation Funds Advisory Committee to order on Tuesday June 2, 2020, at 9:04 a.m. The meeting was held by teleconference.

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

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

Others in Attendance

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| Jason Norquest | GMD3 Assistant Manager |
| Trevor Ahring | GMD3, Engineer |
| David Barfield | Kansas Water Resources Consulting, LLC |
| Alex Torrance | KDA/DWR Arkansas River Bailiff |
| Rachel Duran | KDA/DWR |
| Bob Knoll | South Side Ditch Chairman |

Absent with Notice

Southside Alternate Delivery System

Kevin Salter reviewed with those in attendance the concepts of the alternate delivery system. Southside had been used to deliver water to the Farmers Ditch on numerous occasions. However, there were some maintenance issues that result of those deliveries. Farmers Ditch did provide sweat equity to help with the maintenance for one year. Complications of the agreement doomed prior written agreement to use the South Side to deliver to the Farmers Ditch. Several dry years have occurred and an agreement of compensation to the South Side may assist in moving forward. Kevin showed calculations that would reduce the transit loss using the ditch route instead of the river. The benefits of using the South Side to deliver water to the Farmers under certain conditions could reduce the total transit loss by half and reduce the transit loss by 40% between Deerfield and Farmers Partial Flume.

An amendment to the April 5th, 2017 Project Application for the South Side Delivery Service was presented. The amendment noted the following items that were discussed on May 28th and 29th by Bob Knoll, Doug Mai and Kevin Salter.

- Bob [Knoll] stated South Side Ditch is looking for to pay for Mark Newport's time related to delivering water through the South Side Ditch to the Farmers Ditch. This would not include Mark's time related to getting water through the South Side in advance of delivering water to the Farmers. Also, it would not include the normal South Side maintenance which includes mowing and spraying.

- South Side would also be reimbursed for material and labor costs to repair any damages as the result of delivering water to the Farmers.
- When the application was reviewed, it was determined that the following expenses were not included:
 - Mileage on pickup – 25 cents per mile plus actual fuel costs for miles attributed to making deliveries to the Farmers through the South Side.
 - Material costs to repair the South Side Ditch would be reimbursed at cost, subject to the annual limit under this application.
- This amendment would add the above expectations of what would and would not be reimbursed along with the addition mileage/fuel expense and material costs.

Randy Hayzlett stressed his understanding from Bob Knoll that the project would be a one-year project for \$6,000.00. The original application noted the project period from 4/01/2019 to 12-31-2020. Mark noted the application is just a matter of record, and to keep it simple and to move forward quickly an amendment is suitable. Troy Dumler suggested changing the amendment to read a one-year project ending 12/31/2020 and capping the project at \$6,000 for one year.

Rodney Kirchhoff and Dog Mai stressed their concerns on limiting this to just this year since they are currently getting water. Kevin replied this is more to help with efficiency and providing an alternative to maybe receive more water later in the year. Concerns were stressed by Farmers Ditch representatives regarding if everyone else would be getting water, why would all the cost be on the Farmers? Farmers expressed concern they are being held to unfair standards for the reduction in call and they suffer the possible adverse effects. It looks bad from their perspective. Makes it seem like they are being forced to use it instead of compromising. They all want the best for the water users. Again, it seems if the benefit is for everyone, it should not be just the Farmers that pays for it. Troy Dumler noted the Great Eastern has been operating this way for years with the Amazon.

Stanley Hines moved to accept the amendment presented today with the added wording Based on the committee discussions of June 2, 2020 the committee approves this application subject to a one-year pilot project capped at \$6,000. Thus, the end date for this application becomes 12/31/2020. Hal Scheuerman seconded. Motion passed by roll call.

Due to funds getting tight and reviewing the Projected Funds Worksheet, discussion was held on where the funding would come from. After careful consideration amongst the committee, **Hal Scheuerman moved to take money from the Technical Memo to update Dams, Hartland, Syracuse and Kendall, changing that to \$54,000 (\$18,000 each) and adding \$6,000 to SS ADS Pilot Operations Expense. Troy Dumler seconded. Motion passed by roll call with all in favor.**

Adjournment

Shane Knoll moved to adjourn the meeting at 10:16 a.m. Stanley Hines seconded.
Motion passed. Meeting adjourned.



Recording Secretary



Committee Chairman