

STATE OF KANSAS
BEFORE THE DIVISION OF WATER RESOURCES
KANSAS DEPARTMENT OF AGRICULTURE

In the Matter of the City of Wichita's
Phase II Aquifer Storage and Recovery Project
In Harvey and Sedgwick Counties, Kansas.

} Case No. 18 WATER 14014
}

Pursuant to K.S.A. 77-521(a) and K.S.A. 60-224(a).

MOTION FOR EXTENSION OF TIME TO REQUEST DISCOVERY, DESIGNATE
EXPERT WITNESSES AND EXHIBITS AND CONTINUE HEARING.

COME NOW, Richard Basore, Josh Carmichael, Judy Carmichael, Bill Carp,
Carol Denno, Steve Jacob, Terry Jacob, Michael J. McGinn, Bradley Ott, Tracy
Pribbenow and David Wendling ("Intervenors"), by and through their attorney Tessa M.
Wendling, and moves the Hearing Officer, pursuant to K.S.A. 60-206(b)(1)(A) and any
other applicable statutes or regulations, to allow it an extension to request discovery,
designate expert witnesses and continue the hearing. Movant further States:

1. The Intervenors filed a timely Motion to Intervene as a Party on October 15,
2018.
2. The Intervenors Motion to Intervene as a Party was granted on October, 26,
2018.
3. The Chief Engineer issued the Scheduling Order on October 5, 2018 directing a
close of discovery on November 13, 2018, deadline to submit final witness and
exhibit lists on November 20, 2018 and a Hearing date on December 11, 2018.
4. Due to the issues in this matter requiring a full and complete analysis by the
Intervenors, the ability to submit discovery requests and thoroughly review the

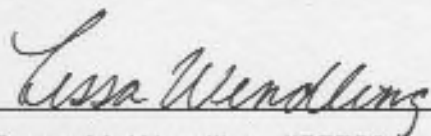
responses is essential to the Interveners meaningful participation as a Party. Additionally, the Interveners received a request for Interrogatories on November 1, 2018 which will require the Interveners to complete discovery in order to answer. The Interveners plan to serve written interrogatories and K.S.A. 60-233 allows thirty (30) days to respond. To allow adequate time for all parties to complete discovery the Interveners move the Hearing Officer to allow forty five (45) additional days for the close of discovery.

5. Due to the complex and specialized scientific nature of the issue the Interveners require experts to meaningfully participate as a party. The Interveners and their experts need access to discovery documents before finalizing exhibit lists. One of the expert's engaged by the Interveners has been out of the country and only recently available. Additionally, the expert witness(es) will need adequate time to review the City of Wichita's model. The Interveners move the Hearing Officer to allow forty five (45) additional days to submit final witness and exhibit lists.
6. The extension of time is reasonable and necessary due to the complexity and quantity of information contained in the City of Wichita's proposal, exhibits and related material. Due to the additional time needed for discovery and experts the Interveners move the Hearing Officer continue the hearing date to a date thirty (30) days following the submission of final witness and exhibit lists.

WHEREFORE the Interveners request the Hearing Officer for an order granting their motion for extension of the discovery, expert and exhibit due dates and continue

hearing date as indicated above, and for such other and further relief as the Hearing Officer deems just and proper.

Respectfully submitted,

A handwritten signature in cursive script that reads "Tessa Wendling". The signature is written in black ink and is positioned above a horizontal line.

Tessa M. Wendling, #27768
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CERTIFICATE OF FILING AND SERVICE

On this 3rd day of November, 2018, I, Tessa M. Wendling, do hereby certify that a scanned version of the original of the foregoing was sent by electronic mail to:

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