

**IN THE TWENTY-FOURTH JUDICIAL DISTRICT
DISTRICT COURT OF EDWARDS COUNTY, KANSAS**

WATER PROTECTION ASSN. OF
CENTRAL KANSAS,

Plaintiff,

V.

CHRIS BEIGHTEL, P.E., IN HIS
OFFICIAL CAPACITY AS ACTING CHIEF
ENGINEER, DIVISION OF WATER
RESOURCES, KANSAS DEPARTMENT
OF AGRICULTURE,

Defendant,

V.

THE CITY OF HAYS, KANSAS AND
THE CITY OF RUSSELL, KANSAS,

Intervenors.

Case No. 2019-CV-000005

Pursuant to K.S.A. Chapter 77

**ACTING CHIEF ENGINEER'S MOTION
TO CORRECT AGENCY RECORD UNDER K.S.A. 77-620(f)**

Defendant Acting Chief Engineer Chris Beightel, by and through counsel of record, moves under K.S.A. 77-620(f) to correct the Agency Record in this matter by adding a filed spreadsheet-document's back page that only recently was discovered to have been inadvertently not copied and not included in the Agency Record that was filed on or about July 18, 2019.

Pursuant to K.S.A. 77-620(f) of the KJRA, the Court "may require or permit subsequent corrections . . . to the record." On or about July 18, 2019, Defendant caused the Agency Record

in this case to be filed with the Court, which record included a DWR spreadsheet-document at A.R. 3648 (found at item number 166 of the filed Agency Record Table of Contents). Defendant only recently has realized that, in the course of copying and including that spreadsheet in the Agency Record, the back page of the spreadsheet inadvertently was not copied and not included. That back page is attached hereto as **Exhibit A**.

In the interest of including a complete and accurate Agency Record in this case and complying with the correction-procedure provided by the KJRA, Defendant requests that the Court allow this minor, inadvertent copying error to be corrected pursuant to K.S.A. 77-620(f), by adding **Exhibit A** to the filed Agency Record herein.

Respectfully submitted,

/s/ Aaron B. Oleen

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CERTIFICATE OF SERVICE

I hereby certify that the above *Acting Chief Engineer's Motion to Correct Agency Record Under K.S.A. 77-620(f)* was electronically filed with the District Court Clerk using the Court's electronic filing system, which will cause service to be made on the following other counsel of record by the transmission of a notice of electronic filing on the date reflected on the electronic file stamp hereto:

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22,330	117			CORN				
TOTALS	117	126.0		126.0		117.0	76-84	9
22,331	90		ALFALFA					
	90		ALFALFA					
TOTALS	180	120.0	120.0		180.0		76-84	9
22,332	77			CORN				
	111			CORN				
TOTALS	188	125.0		125.0		135.0	76-84	9
22,333	50		ALFALFA					
TOTALS	50	33.0	33.0		50.0		76-83	8
22,334	95			CORN				
	95			CORN				
TOTALS	190	126.0		126.0		136.1	76-84	9
22,335	109			CORN				
	89			CORN				
TOTALS	198	132.0		132.0		142.6	76-85	10
22,338	89			CORN				
	73			CORN				
TOTALS	162	108.0		108.0		116.6	76-84	9
22,339	165			CORN				
TOTALS	165	110.0		110.0		118.8	76-84	9
22,340	162			CORN				
TOTALS	162	108.0		108.0		116.6	76-84	9
22,341	188		ALFALFA					
TOTALS	188	125.0	125.0		188.0		76-84	9
22,342	75			CORN				
TOTALS	75	134.0		134.0		75.0	76-90	15
22,343	169			CORN				
TOTALS	169	113.0		113.0		122.0	76-84	9
22,345	159		ALFALFA					
TOTALS	159	106.0	106.0		159.0		76-84	9
22,346	162			CORN				
TOTALS	162	130.0		130.0		140.4	76-85	10
27,760	244			CORN				
	227			CORN				
TOTALS	Limit to 396	264.0		264.0		285.1	77-95	19
29,816	90		ALFALFA					
	98		ALFALFA					
TOTALS	188	125.0	125.0		188.0		78-85	9
30,083	126			CORN				
TOTALS	126	0.0		0.0		69.7	78/90	14
30,084	147			CORN				
TOTALS	147	0.0		0.0		0.0	78-84	7
TOTAL	7,647.00	5097.7	2977.0	2121.7	4506.7	2250.1		

Exhibit A