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Subject: Wichita ASR Update
Date: Monday, September 10, 2018 11:57:28 AM
Attachments: [20180907161939897.pdf](#)
[Public informational meeting Postcard.pdf](#)

As everyone is aware, there are a number of issues that have come up since our last phone call.

1. Attached are the affidavits for publication for the Kansas Register and Newton Now for the agreed upon hearing date. The same announcement was in the Wichita Eagle and Hutchinson News, but we don't have the affidavits yet. A second notice is also schedule to run the first week of October. I've also attached a copy of the notice that went out to advertise the July 28 public information meeting held in Halstead. Coupled with the information already submitted by DWR, everyone should now have a copy of all the notices about these applications that were sent out.
2. **GMD2** – Tom you indicated on Friday that you wanted to respond to DWR's letter about notices, are you also planning to respond to the Motion filed by the City on Friday? If so, do you know when we might anticipate such a response?
3. Since all of this is intertwined to some degree, the Chief Engineer would like to **hold another phone conference** to discuss these issues. We would like to get something scheduled for **Thursday afternoon** in light of the Monday deadline for discovery.
4. Finally, it is our hope that all the issues raised in the last week can be dealt with in a single order to get this hearing back on track. Please keep in mind that the public nature of this hearing means that it is not like a normal administrative hearing or district court date involving a single water right owner that can continually be rescheduled. **It is important to have a firm schedule in place so actual water right owners can be given notice of the public hearing and have a meaningful opportunity to participate in this process.** To that end, it would be greatly appreciated if the parties (GMD2, Wichita, and DWR) could get together before our next conference call and figure out if this process is feasible for everyone going forward and jointly submit a hearing schedule. The alternative will be a schedule set by the Chief Engineer, which may include appropriate limitations on the scope of discovery as allowed by KAR 5-14-3a. I think it is also helpful for you to know that the Chief Engineer is considering ordering DWR to send out notification to those water rights between 1,000 feet and ½ mile. This would include the same letter previously sent with 14 days to submit comments. This can likely be accomplished within a few days, so it should not add significant time to the process.

Please let me know about your availability of Thursday afternoon. Thanks.

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