

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

<b>In the Matter of the City of Wichita's Phase II Aquifer Storage and Recovery Project In Harvey and Sedgwick Counties, Kansas.</b>	) ) ) ) ) _____)	<b>Case No. 18 WATER 14014</b>
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Pursuant to K.S.A. 82a-1901 and K.A.R. 5-14-3a.

**DWR's MOTION TO SUSPEND DISCOVERY DEADLINE AND THE  
OBLIGATION OF DWR TO ANSWER GMD2's WRITTEN DISCOVERY**

COMES NOW the Kansas Department of Agriculture, Division of Water Resources ("DWR"), by and through counsel, Aaron B. Oleen, and pursuant to K.S.A. 60-206(b)(1)(A) and K.A.R. 5-14-3a, moves Presiding Officer David W. Barfield, Chief Engineer, to suspend the currently scheduled September 17, 2018, discovery deadline in this matter as well as DWR's identical deadline to answer GMD2's written discovery, pending the outcome of the upcoming September 18, 2018, motions hearing. In further support thereof, DWR states as follows:

1. Pursuant to the Pre-Hearing Conference Order issued by the Presiding Officer on July 23, 2018, discovery in this matter closes on September 17, 2018.
2. On August 16, 2018, GMD2 propounded various written discovery on DWR, to which DWR must respond by September 17, 2018.
3. On September 7, 2018, Wichita responded to a pending time-extension motion from GMD2 by moving to have stricken GMD2's written discovery propounded on Wichita and to have GMD2 removed as a party from these proceedings.
4. The Presiding Officer has scheduled a hearing for September 18, 2018, to address the aforementioned motions and other outstanding issues in this matter.

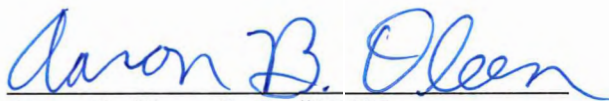
5. Because the Presiding Officer will decide on September 18, 2018, whether GMD2 remains a party in these proceedings and thus whether GMD2 is even entitled to engage in formal discovery, it makes sense to relieve DWR of a potentially moot discovery burden and suspend September 17 as both the close of discovery and as DWR's deadline to answer the written discovery propounded by GMD2.

6. If the Presiding Officer denies Wichita's motion and allows GMD2 to remain a party to these proceedings, then DWR requests a reasonable extension of time regarding the close of discovery and of DWR's deadline to answer GMD2's written discovery.

7. This request is not made for purposes of undue delay but is made in the interest of efficient and organized judicial administration.

WHEREFORE, DWR requests that the currently scheduled September 17, 2018, discovery deadline in this matter, as well as DWR's identical deadline to answer GMD2's written discovery, be suspended pending the outcome of the upcoming September 18, 2018, motions hearing; that if GMD2 remains a party to these proceedings, that DWR be granted a reasonable extension of time to answer GMD2's written discovery; and for such other and further relief as the Presiding Officer deems just and equitable.

Respectfully submitted,



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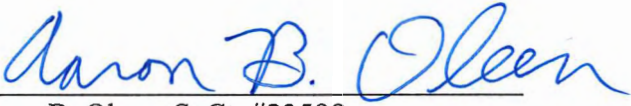
## CERTIFICATE OF SERVICE

I certify that on this 12<sup>th</sup> day of September, 2018, the above *DWR's Motion to Suspend Discovery Deadline and the Obligation of DWR to Answer GMD2's Written Discovery* was electronically filed with the Presiding Officer for this matter and that copies were sent via e-mail to the following:

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