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**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. 82a-1901 and K.A.R. 5-14-3a.

**MOTION FOR EXTENSION TO MODIFY THE
SCHEDULING ORDER AND EXTEND THE DEADLINE TO
SUBMIT AN EXPERT REPORT**

COMES NOW Equus Beds Groundwater Management District, Number 2, by and through its attorney (hereinafter "the District") by and through counsel Thomas A. Adrian of Adrian & Pankratz, P.A., and David J. Stucky, with its Motion to Modify the Scheduling Order and Extend the Deadline to Submit an Expert Report, and in support of said Motion, states as follows:

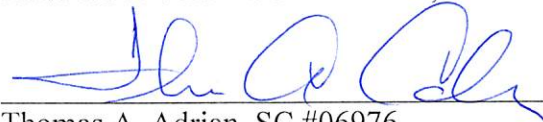
1. Pursuant to the existing Scheduling Order, expert reports are currently due on February 15, 2019.
2. The District plans to submit multiple expert reports.
3. The District has worked diligently with its experts to ensure that the reports are filed in a timely fashion. The experts are well aware of the present deadline and have been working feverishly to produce the reports in a timely fashion.

4. In fact, the District hopes to file one or more of its expert reports by the current, requisite deadline.
5. However, it is apparent that it might not be feasible to file one or more of the expert reports by the February 15th deadline.
6. This is due to a whole variety of reasons. Foremost, the City has spent years studying and completing its model. Thus, it is quite easy for the City to meet the expert deadline because its experts have already long completed the necessary work and have had a head start of years over the experts of the District. On the other hand, the District's experts are expected to compress, into a mere matter of months, the same analysis that the City's experts have conducted over several years. Thus, as an overarching reason for an extension, despite the diligence of the District's experts, the requisite deadline was very difficult to meet.
7. Additionally, many of the model runs and outputs in the City's model are not well detailed or documented. As a consequence, to fully understand the City's model, the District's experts had to conduct extra work to make up for this lack of content.
8. Further, the District's experts had difficulty obtaining the original Equus Beds Groundwater Flow Model from USGS due to the government shutdown. Certainly, the government shutdown was wholly outside of the control of the District's experts. This caused delay in arriving at a final expert report.
9. Finally, the District, and the District's attorneys, wish to have a chance to review and potentially discuss the expert reports in advance of the reports being submitted. This requires time and the ability to coordinate numerous calendars.

10. Consequently, the District is asking for an extension to Monday, February 18, 2019, to file the expert reports. Of course, the other parties can be afforded the same revised deadline.
11. This short extension will not cause any prejudice to the other parties. In fact, the upcoming weekend is a three-day holiday weekend and government offices will be closed on Monday. Thus, no party should experience any prejudice as a result of the short deadline.
12. This also should not impact any other deadlines, except for potentially the deposition deadline. Understandably, any prudent decision of a party on whether to conduct a deposition must be made after expert reports are filed. However, it is not expected that the short delay in the expert deadline should materially impact the ability to complete depositions in a timely fashion.

WHEREFORE, the District respectfully prays for a short extension on the expert deadline as specified in this Motion, and for such other relief as the Hearing Officer deems just and reasonable.

RESPECTFULLY SUBMITTED,



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Attorneys for Equus Beds Groundwater

Management District Number 2

CERTIFICATE OF FILING AND SERVICE

We, Thomas A. Adrian and David J. Stucky, do hereby certify that a true and correct copy of the above was served by () mail, postage prepaid and properly addressed by depositing the same in the U.S. mail; () fax; (x) email; and/or () hand delivery on the 14th day of February, 2019, to:

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and the original sent by () mail, () fax, (x) email, and/or () electronically filed to/with:

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