



2. The general public has developed a similar entitlement. This is of equal, if not greater, importance to DWR as an agency. The public has already been formally noticed (and re-noticed) that this formal-phase hearing will occur. A public expectation has been created that these proceedings will be concluded publicly and after full evidentiary disclosure, after which the Presiding Officer will consider all evidence submitted into the record and make an informed decision. Truncating the proceedings at this stage would jeopardize DWR's credibility as an agency as well as leave jilted those members of the public who might disagree with GMD2's and Intervenors' views regarding this matter.

3. These proceedings should be allowed to conclude in the full and normal course as contemplated when they began. The Motions should be denied.

WHEREFORE, DWR requests that GMD2's and Intervenors' Motions be denied; and for such other and further relief as the Presiding Officer deems just and equitable.

Respectfully submitted,



Aaron B. Oleen, S. Ct. #23588  
1320 Research Park Drive  
Manhattan, Kansas 66502  
TEL: (785) 564-6715  
FAX: (785) 564-6777  
aaron.oleen@ks.gov  
*Attorney for KDA-DWR*

## CERTIFICATE OF SERVICE

I certify that on this 18<sup>th</sup> day of March, 2019, the above *DWR's Consolidated Response in Opposition to GMD2's and Intervenors' Motion to Dismiss and Motion for Summary Judgment* was electronically filed with the Presiding Officer for this matter and that copies were sent via e-mail to the following:

### **Presiding Officer**

1320 Research Park Drive  
Manhattan, KS 66502  
david.barfield@ks.gov  
kenneth.titus@ks.gov

### **Intervenors**

1010 Chestnut  
Halstead, KS 67056  
twendling@mac.com

### **Equus Beds Groundwater Management District No. 2**

313 Spruce  
Halstead, KS 67056  
tboese@gmd2.org  
tom@aplawpa.com  
stucky.dave@gmail.com  
leland.rolfs@sbcglobal.net

### **City of Wichita**

Department of Public Works & Utilities  
455 North Main Street  
Wichita, KS 67202  
jpajor@wichita.gov  
bmcleod@wichita.gov



Aaron B. Oleen, S. Ct. #23588