

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)Case No. 18 WATER 14014
in Harvey and Sedgwick Counties, Kansas.)
)

Pursuant to K.S.A. 82a-1901 and K.A.R. 5-14-3a.

PREHEARING BRIEFING ORDER
ON GMD2'S MOTION FOR RECONSIDERATION AND FOR LEAVE TO HAVE
ADDITIONAL MOTIONS CONSIDERED OUT OF TIME


On October 10, 2019, Equus Beds Groundwater Management District No.2 (GMD2) electronically submitted their Motion for Reconsideration and for Leave to Have Additional Motions Considered Out of Time, and its Renewed Motion in Limine to Exclude Expert Testimony of the City.

As referenced in the Status Conference Order dated August 9, 2019, and the Prehearing Order on GMD2's Revised Motion for Summary Judgment Based on Supplemental Discovery Answers Received from City issued on October 9, 2019, the Presiding Officer is loathe to continue the administrative hearing in this case any further. The formal phase of the hearing is scheduled to be held December 10, 11 and 12, 2019, with a public comment period the morning of December 13, 2019.

In the interest of keeping to the current hearing schedule, the following briefing schedule is ordered:

Written responses to the district's Motion for Reconsideration and for Leave to Have Additional Motions Considered Out of Time are due no later than midnight on Wednesday, October 30, 2019. Written responses in the form of emails will not be considered. However, the written responses are expected to be submitted in the form of email attachments. The matter will be decided on the briefs; no oral argument is planned. Whether the district's Renewed Motion in Limine to Exclude Expert Testimony of the City will be considered will depend on the resolution of the motion that is the subject of this briefing schedule.

IT IS SO ORDERED, THIS 15th DAY OF OCTOBER, 2019.


Constance C. Owen
Presiding Officer

CERTIFICATE OF SERVICE

On this 15th day of October 2019, I hereby certify that the original of the foregoing Prehearing Briefing Order on GMD2'S Motion for Reconsideration and for Leave to Have Additional Motions Considered Out of Time was sent by electronic mail to the following:

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Constance C. Owen
Presiding Officer