

**BEFORE THE OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF KANSAS**

IN THE MATTER OF THE APPLICATION OF
THE CITIES OF HAYS, KANSAS
AND RUSSELL, KANSAS FOR APPROVAL TO
TRANSFER WATER FROM EDWARDS
COUNTY PURSUANT TO THE KANSAS
WATER TRANSFER ACT

OAH Case No. 23AG0003 AG

**WATER PACK AND EDWARDS COUNTY
PRELIMINARY EXHIBIT AND WITNESS LIST**

Pursuant to the Prehearing Order and the revised schedule entered by the Presiding Officer, the Water Protection Association of Central Kansas and Edwards County, Kansas (collectively “Intervenors”) hereby serve their preliminary exhibit and witness list on all parties. Included are names of witnesses who Intervenors expect to call (Exhibit 1), names of witnesses who Intervenors may call if necessary (Exhibit 2), and identified exhibits that Intervenors may offer (Exhibit 3).

This list does not include the names of any rebuttal witnesses or potential expert witnesses. Intervenors will provide the names of its expert witnesses and requisite supporting documents as required under the Prehearing Order revised schedule.

Dated May 15, 2023
Overland Park, Kansas

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CERTIFICATE OF SERVICE

I hereby certify that on May 15, 2023, the foregoing was electronically served to all counsel of record by email as follows:

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KANSAS DEPARTMENT OF AGRICULTURE

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Manhattan, KS 66502

ATTORNEY FOR THE KANSAS DEPARTMENT OF
AGRICULTURE

/s/ Charles D. Lee _____

EXHIBIT 1
Intervenor's Expected Witness List

Patrick Janssen, Water PACK President
P.O. Box 207
Kinsley, KS 67547

John Janssen, GMD5/CKWBA
125 S Main St.
Stafford, KS 67578

Richard Wenstrom, PE (home)
2171 120th Ave.
Kinsley, Kansas 67547

Leroy Wetzel
2167 20th Ave
Offerle, KS 67563

EXHIBIT 2
Intervenor's Contingent Witnesses List

Steve Habiger,
Kinsley Commissioner
721 Marsh Ave.
Kinsley, KS 67547-1129

Dr. Jimmie Hansel, CEO,
Edwards County Medical Center
620 W 8th St
Kinsley, KS 67547

Kyle Eberle, COO
Alliance Ag and Grain
313 N. Main
Spearville, KS 67876

Heather Strate,
Economic Development, Edwards County
P.O. Box 161
721 Marsh Ave.
Kinsley, KS 67547

Dennis McKinney
State FSA Executive Director
3600 Anderson Avenue
Manhattan, KS 66503

Jay Dill, Kinsley City Manager
721 Marsh Ave.
Kinsley, KS 67547

Rod Craft, Kinsley Vice Mayor
721 Marsh Ave.
Kinsley, KS 67547-1129

Cheryl Lovette, Kinsley Commissioner
721 Marsh Ave.
Kinsley, KS 67547-1129

Billy L. Brokar
Edwards County Commissioner
312 Massachusetts Ave., #1
Kinsley, KS 67547-1091
Laverne Wetzel

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Edwards County Commissioner
312 Massachusetts Ave., #1
Kinsley, KS 67547-1091

Mica Schnoebelen
Edwards County Commissioner
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Kinsley, KS 67547-1091

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Innovative Livestock Services Inc.
2006 Broadway Ave
Great Bend, KS 67530

Ty Stucky
American Ag Credit
4105 N Ridge Road
Wichita, KS 67205
316-721-1100

Lon Frahm
1453 County Road O
Colby, KS 67701

Leland Rolfs
4214 SE Michigan Ave.
Topeka, KS 66609

Travis Brunner
Sunrise ABS
4417 Vista Drive
Hays, KS 67601

Hon. J. Michael Hayden

Pam or Steve Wetzel
151 S Road
Offerle, Kansas 67563

**EXHIBIT 3
Intervenors' Exhibit List**

Beg Doc#	End Doc#	Doc. Date	Doc. Title
WP0001	WP00048	Nov/Dec 2005	<i>Kansas Wildlife & Parks Magazine</i>
WP00049	WP00053	April 8, 2019	Ellis County Commission, Order of Business
WP00054	WP00057	April 8, 2019	Ellis County Commission Meeting Minutes
WP00058	WP00078	April 19, 2005	Governor's Budget Amendment No. 2
WP00079	WP00083	April 12, 2019	Hutchinson News Article
WP00084	WP00101	April 21, 2005	KDWP Commission Meeting
WP00102	WP00166	June 8-10, 2005	Kansas Field Guide Conference
WP00167	WP00278	June 2018	Kansas Health Foundation Demographic
WP00279	WP00358	June 12-14, 1996	Kansas Water Issues, 1996 Field Conference
WP00359	WP00378	January 22, 2004	KDWP Commission Meeting Minutes
WP00379	WP00380	November 21, 2000	KGS Aquifer Types and Terminology
WP00381	WP00402	June 23, 2004	KDWP Meeting Minutes
WP00403	WP00403		Member Map
WP00404	WP00529	June 2006	Numerical Model of the Middle Arkansas River Subbasin
WP00530	WP00532	June 19, 2019	Public Comments

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WP00533	WP00533	April 23, 2005	Hutchinson New Article
WP00534	WP00539	July 16, 2003	Issue Paper and Preliminary Draft Upper AK Basin Section, KS Water Plan
WP00540	WP00540		South Brown Central Plat
WP00541	WP00541		South Brown West Plat
WP00542	WP00543		Trenton North and South Plat
WP00544	WP00549	February 10, 2022	The Value of Groundwater in the High Plains Aquifer of Western Kansas
WP00550	WP00550	July 1, 2021	US Census Bureau Quick Facts
WP00551	WP00559	October 29, 1990 to August 13, 2022	Water PACK Articles of Incorporation
WP00560	WP00563	April 5, 2019	Wenstrom Letter to KDA
WP00564	WP00568	January 3, 2023	WP Members and R9 Report, Acre Value
WP00569	WP00620	December 20, 2018	The Value of Water in GMD5
WP00621	WP00642	October 11, 2018	Big Bend Groundwater Management District Number 5, Revised Management Program
WP00643	WP00853	Transcribed July 19, 2019	Transcript of Public Informational Meeting in Greensburg, KS on June 21, 2018 and accompanying documents.
WP00854	WP00902	Jan. 28, 2020	Deposition of David Barfield, P.E.
WP00903	WP00910	October 2, 1986	Field Inspection Report
WP00911	WP00918	Aug. 27, 2018	Keller Bliesner Engineering, LLC correspondence with Inline Comments from Balleau Groundwater Inc.
WP00919	WP01130	June 23, 2010	Hydrologic Model of GMD5 and Appendices

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WP01131	WP01199	Feb. 11, 2011	Big Bend GMD5 Model Peer Review
WP01201	WP01207	March 17, 2017	Middle Arkansas River Subbasin: Groundwater Level Analysis
WP01208	WP01322	1991	Estimates of Freshwater Storage and Potential Natural Recharge for Principal Aquifers in Kansas
WP01323	WP01356	Nov. 24, 2016	R9 Ranch Consumptive Use Analysis
WP01357	WP01492	June 4, 2005	Middle Arkansas River Subbasin: Second Opinion Water Budget Analysis
WP01494	WP01694		Documents Mr. Barfiled indicated he relied on previously identified as KDA 003444- 003644
			Any Exhibits Identified By Any Other Party and Necessary for Rebuttal