

**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  
FINAL EXHIBIT AND WITNESS LIST**

Pursuant to the Prehearing Order and the revised schedule entered herein by the Presiding Officer, the Water Protection Association of Central Kansas and Edwards County, Kansas (collectively “Intervenors”) hereby serve their final exhibit list, exhibits 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 as required under the Prehearing Order revised schedule.

Dated June 23, 2023  
Overland Park, Kansas

**LEE SCHWALB LLC**

By/s/Charles D. Lee

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**CERTIFICATE OF SERVICE**

I hereby certify that on June 23, 2023, the foregoing was electronically served to all counsel of record by email as follows:

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ATTORNEY FOR THE KANSAS DEPARTMENT OF  
AGRICULTURE

/s/ Charles D. Lee

**EXHIBIT 1**  
**Intervenor's Expected Witness List**

Edward Harvey  
Harvey Economics  
469 South Cherry Street - Suite 100  
Denver, Colorado 80246

Susan Walker  
Harvey Economics  
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Denver, Colorado 80246

Steven P. Larson  
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1801 Rockville Pike - Suite 220  
Rockville, Maryland

Patrick Janssen, Water PACK President  
P.O. Box 207  
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KWO Office  
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Topeka, KS 66612

John Janssen, GMD5/CKWBA  
125 S Main St.  
Stafford, KS 67578  
Richard Wenstrom, PE  
2171 120th Ave.  
Kinsley, Kansas 67547

**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  
807 E 4<sup>th</sup> St.  
Kinsley, KS 67547

Stan Stark, CEO, Alliance Ag and Grain  
371 NW 10th Ave.  
Pratt, KS 67124

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

Dennis McKinney, State FSA Director  
1220 S Main Street  
Greensburg, Kansas 67054

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

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

Cheryl Lovette, Kinsley Commissioner  
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Kinsley, KS 67547-1129

Billy L. Brokar, Edwards County  
Commissioner  
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Kinsley, KS 67547-1091

Laverne Wetzel, Edwards County  
Commissioner  
312 Massachusetts Ave.  
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Leland Rolfs  
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Topeka, KS 66609

Travis Brunner, Sunrise ABS  
4417 Vista Drive  
Hays, KS 67601

## Intervenors' Exhibit List

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

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

<b>WP01131</b>	<b>WP01199</b>	<b>Feb. 11, 2011</b>	<b>Big Bend GMD5 Model Peer Review</b>
<b>WP01201</b>	<b>WP01207</b>	<b>March 17, 2017</b>	<b>Middle Arkansas River Subbasin: Groundwater Level Analysis</b>
<b>WP01208</b>	<b>WP01322</b>	<b>1991</b>	<b>Estimates of Freshwater Storage and Potential Natural Recharge for Principal Aquifers in Kansas</b>
<b>WP01323</b>	<b>WP01356</b>	<b>Nov. 24, 2016</b>	<b>R9 Ranch Consumptive Use Analysis</b>
<b>WP01357</b>	<b>WP01492</b>	<b>June 4, 2005</b>	<b>Middle Arkansas River Subbasin: Second Opinion Water Budget Analysis</b>
<b>WP01494</b>	<b>WP01694</b>		<b>Documents Mr. Barfiled indicated he relied on previously identified as KDA 003444-003644</b>
<b>WP 01695</b>	<b>WP 01851</b>	<b>June 8, 2023</b>	<b>Deposition of Toby Dougherty</b>
<b>WP 01852</b>	<b>WP 01862</b>	<b>June 8, 2023</b>	<b>Deposition of John Braun</b>
			<b>Deposition Exhibits, Dougherty and Braun</b>
			<b>Any Exhibits Identified By Any Other Party and Necessary for Rebuttal</b>
			<b>All documents identified by any other party</b>
			<b>All documents produced in discovery by any party</b>
			<b>Demonstrative electronic or physical exhibits</b>
			<b>Documents necessary for rebuttal</b>