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 from Edwards County, Kansas

OAH Case No. 23AG0003 AG

Pursuant to the Kansas Water Transfer Act

NOTICE OF SUBMISSION

Kansas Department of Agriculture (KDA) was directed to submit a filing by Friday June 30, 2023, of any written public comments received by KDA in accordance with the amended notice.

Pursuant to this court order KDA is submitting Exhibit A, forty-five pages of written comments, submitted. No reductions have been made.

I, Kate Langworthy, affiant herein, do hereby affirm and verify that the written comments are a true and correct copy submitted for public comment to be seen by the Water Transfer Hearing Panel in the care of the Chief Engineer. I further affirm that all comments were considered legible and identifiable.

Respectfully submitted,

s/Kate Langworthy
Kate Langworthy # 29310
Staff Attorney
Kansas Department of Agriculture
1320 Research Park Drive
Manhattan, Kansas 66502

TEL: (785) 564-6715 FAX: (785) 564-6777 Kate.Langworthy@ks.gov

Attorney for the Kansas Department of Agriculture

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing Notice of Submission was served by uploading it to OAH Case No. 23AG0003 which will send notice by electronic mail to the following:

Stephanie A. Kramer, Chief Counsel Stephanie.Kramer@ks.gov Kansas Department of Agriculture 1320 Research Park Drive Manhattan, KS 66502

Attorneys for the Kansas Department of Agriculture

Lynn D. Preheim
lynn.preheim@stinson.com
Christina J. Hansen
christina.hansen@stinson.com
STINSON LLP
1625 N. Waterfront Parkway, Suite 300
Wichita, KS 67206

Attorneys for the Big Bend Groundwater Management District No. 5

David M. Traster, KS #11062 1551 N. Waterfront Parkway, Suite 100 Wichita, KS 67206-4466 T: 316-291-9725|F: 316-267-6345 dtraster@foulston.com Daniel J. Buller, KS #25002 7500 College Boulevard, Suite 1400 Overland Park, KS 66210-4041 T: 913-253-2179|F: 866-347-9613 dbuller@foulston.com

and,

Donald F. Hoffman, KS #09502 donhoff@eaglecom.net

and,

Melvin J. Sauer, Jr., KS #14638 melsauer@eaglecom.net DREILING, BIEKER & HOFFMAN, LLP 111 W. 13th Street P.O. Box 579 Hays, KS 67601-0579

T: 785-625-3537|F: 785-625-8129

Attorneys for the City of Hays, Kansas

Kenneth L. Cole, KS #11003 4 S. Kansas P.O. Box 431 Russell, KS 67665-0431 T: 785- 483-3711|F: 785-483-2983 cole_ken@hotmail.com

Attorneys for the City of Russell, Kansas

Charles D. Lee clee@leeschwalb.com Myndee M. Lee mlee@leeschwalb.com P.O. Box 26054 Overland Park, KS 66225

and,

Micah Schwalb mschwalb@leeschwalb.com Lee Schwalb 4450 Arapahoe Avenue, Suite 100 Boulder, CO 80303

Attorneys for Water PACK

Mark Frame framelaw@yahoo.com P.O. Box 37 Kinsley, KS 67547 Attorney for Edwards County

/s/Kate Langworthy
Kate Langworthy, KS # 29310