

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

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

**ORDER REGARDING THE DESIGNATION OF PARTIES  
FOR THE FORMAL PHASE OF THE PUBLIC HEARING**

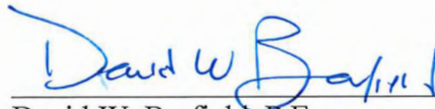
**COMES NOW**, David W. Barfield, Chief Engineer, Division of Water Resources, Kansas Department of Agriculture (“Chief Engineer”), who hereby issues the following order regarding the designation of parties for the formal phase of the public hearing regarding the proposed changes to Phase II of the City of Wichita’s Aquifer Storage and Recovery Project (“Project”).

1. The public hearing regarding the Project is being conducted pursuant to K.A.R. 5-14-3a, which allows persons to make a timely application for intervention as a party to the formal phase of the public hearing.
2. In order to fulfill the intent of K.A.R. 5-14-3(c), all persons who have a property interest that could be adversely affected by the action or proposed action may seek to intervene as a formal party.
3. On October 15, 2018, multiple water right owners, represented by Tessa Wendling, timely filed a Motion to Intervene as required by the Pre-Hearing Conference Order.
4. Upon review of the information submitted in the Motion to Intervene, the Chief Engineer has determined that Patrick and Bonnie Wendling did not present sufficient evidence that they own a water right that is likely to be affected by changes to the Project because their listed water right is located outside the Basin Storage Area and the natural flow of groundwater in the area will not create an impact on their water right.
5. All other parties requesting to intervening have shown sufficient evidence that they could be affected by changes to the Project.
6. All other persons not designated as formal parties maintain the right to present comments during the informal phase of the public hearing regarding the Project.

**THEREFORE**, having considered the Motion to Intervene, the Chief Engineer hereby designates Richard Basore, Josh Carmichael, Judy Carmichael, Bill Carp, Carol Denno, Steve

Jacob, Terry Jacob, Michael J. McGinn, Michael P. and Susannah M. McGinn, Bradley Ott, Tracy Pribbenow, Robert Seiler, and David Wendling as parties for the formal phase of the public hearing regarding the Project.

IT IS SO ORDERED, THIS 26<sup>th</sup> DAY OF OCTOBER 2018.



David W. Barfield, P.E.  
Chief Engineer, Division of Water Resources  
Kansas Department of Agriculture

Prepared by:

/s/  
Kenneth B. Titus #26401  
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Kansas Department of Agriculture  
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## CERTIFICATE OF SERVICE

On this 26<sup>th</sup> Day of October 2018, I hereby certify that the original of the foregoing was sent by electronic mail to:

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Various Landowners  
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KDA Staff Person