

BEFORE THE KANSAS DEPARTMENT OF AGRICULTURE  
DIVISION OF WATER RESOURCES

In The Matter of the Designation of the )  
Groundwater Management District No. 4 )  
District-Wide Local Enhanced Management Area )  
in Cheyenne, Decatur, Rawlins, Gove, Graham, )Case No. 002-DWR-LEMA-2017  
Logan, Sheridan, Sherman, Thomas, and )  
Wallace Counties in Kansas. )  
\_\_\_\_\_)

**MOTION FOR CONTINUANCE**

COME NOW, the Intervenors, and move the Chief Engineer for an Order continuing the hearing in the above-captioned matter now scheduled for November 14, 2017. In support of said Motion, the Intervenors assert the following:

1. The Intervenors have recently retained counsel to represent their interests in the LEMA proceeding.
2. The impact the proposed Plan will have on the Intervenors' water rights is unclear at this time and additional information is required to fully understand the impact on their water rights and farming operations.
3. The Plan was originally proposed of June of 2017, at the beginning of the irrigation season.
4. The LEMA process has occurred entirely during the 2017 growing season when irrigators are busiest.
5. Additional time is required to gather such information.
6. A full and careful and preparation for a hearing in November is not possible because greater than normal rainfall in some areas of the GMD promises to delay the fall harvest and because of the press of other matters.

7. Due process requires that persons affected by proposed governmental action be given adequate notice, an opportunity to be heard, and to be represented by counsel. The opportunity to be heard requires adequate time for preparation.

8. Adequate preparation for the LEMA hearing will require the gathering information in the hands of others including information from both the Division of Water Resources and the Groundwater Management District.

WHEREFORE, the Intervenor request that the Chief Engineer continue the hearing now scheduled for November 14, 2017, and that he set the matter for a Prehearing Conference.

Respectfully submitted,

FOULSTON SIEFKIN LLP

By: 

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ATTORNEY FOR INTERVENORS

## CERTIFICATE OF SERVICE

On this 10th day of October 2017, I hereby certify that the original of the foregoing was sent by electronic mail and by U.S. First Class Mail, postage prepaid to:

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and true and correct copies were sent by the same methods to:

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