

ADRIAN & PANKRATZ, P.A.  
Attorneys at Law  
Old Mill Plaza, Suite 400  
301 N. Main St.  
Newton, KS 67114  
Phone: (316) 283-8746  
Fax: (316) 283-8787

**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**

**Case No. 18 WATER 14014**

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

**DISCLOSURE OF EXPERT WITNESSES**

Pursuant to K.S.A. 60-226(b)(6), and in compliance with the Hearing Officer's scheduling order, Equus Beds Groundwater Management District Number 2 discloses the following expert witnesses who may testify at the administrative hearing of this matter.

Equus Beds Groundwater Management District Number 2 reserves the right to supplement these disclosures for any reason, including but not limited to the following (1) ongoing factual discovery; (2) ongoing investigation by attorneys and experts for all parties; and (3) ongoing expert discovery including, but not limited to, the depositions of the various experts identified by all parties.

In addition, Equus Beds Groundwater Management District Number 2 reserves the right to designate any expert identified by any other party to this hearing, any rebuttal experts as needed, and to call at the hearing all individuals that have any knowledge or expertise in this matter. Equus Beds Groundwater Management District Number 2 also reserves the right to call rebuttal experts with respect to any testimony introduced at the administrative hearing by any other party.

Equus Beds Groundwater Management District, Number 2's experts' reports reflect the general testimony that each expert is prepared to give. Equus Beds Groundwater Management District Number 2 reserves the right to have these experts comment on other subjects or issues when they are deposed or testify in the case. Equus Beds Groundwater Management District Number 2's experts' opinions are held to a reasonable degree of certainty/probability in their field and are based on their background, training and experience as well as the research concerning the City of Wichita's ASR Permit Modification Proposal (hereinafter "Proposal"), water permits, water rights, water permit applications, water law, water regulations, and other relevant discovery materials.

Equus Beds Groundwater Management District Number 2 reserves the right to update this expert witness disclosure as discovery unfolds and consistent with any expert witness deadlines set by the Hearing Office in the future.


Subject to the above, Equus Beds Groundwater Management District, Number 2 discloses the following experts:

1. Tim Boese
2. Stephen Flaherty
3. David Pope

The above individuals will generally testify about the City of Wichita's Aquifer Maintenance Credits (AMCs) Proposal submitted as part of the Proposal, and the current Kansas water law and regulation compliance and administration impacts of the AMC Proposal. They will also generally testify about the City of Wichita's Proposed ASR Minimum Index Levels as proposed by the Proposal and the drought modeling submitted by the City.

Dated this \_\_\_ day of September, 2018.

RESPECTFULLY SUBMITTED,

A handwritten signature in blue ink, appearing to be 'T. Adrian', is written over a horizontal line.

Thomas A. Adrian, SC #06976  
tom@aplawpa.com

David J. Stucky, SC #23698  
ADRIAN & PANKRATZ, P.A.  
dave@aplawpa.com

Attorneys for Equus Beds Groundwater  
Management District Number 2

**CERTIFICATE OF FILING AND SERVICE**

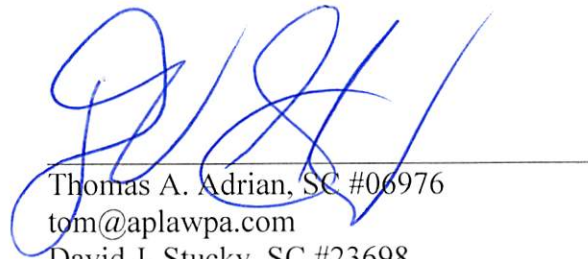
We, Thomas A. Adrian and David J. Stucky, do hereby certify that a true and correct copy of the above was served by (  ) mail, postage prepaid and properly addressed by depositing the same in the U.S. mail; (  ) fax; (  ) email; and/or (  ) hand delivery on the \_\_\_ day of September, 2018, to:

Aaron Oleen  
Division of Water Resources  
Kansas Department of Agriculture  
1 320 Research Park Drive  
Manhattan, Kansas 66502

Brian K. McLeod  
Deputy City Attorney  
City Hall - 13th Floor  
455 N. Main  
Wichita, Kansas 67202

and the original sent by (  ) mail, (  ) fax, (  ) email, and/or (  ) electronically filed to/with:

State of Kansas  
Division of Water Resources  
Kansas Department of Agriculture  
1320 Research Park Drive, 3rd Floor  
Manhattan, KS 66502



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Thomas A. Adrian, SC #06976  
tom@aplawpa.com  
David J. Stucky, SC #23698  
ADRIAN & PANKRATZ, P.A.  
dave@aplawpa.com  
Attorneys for Equus Beds Groundwater  
Management District Number 2

Tim Boese:

**Work Experience:**

1992 – Present: Equus Beds Groundwater Management District No. 2.

1. Hydrologic Technician: 1992 – 2005
2. Hydrologist: 2005 -2007, including Interim Manager for parts of 2006 & 2007
3. Manager: November 2007 to present

**Education:**

Bachelor of Science – Fort Hays State University

Experience and knowledge in: Equus Beds Aquifer, groundwater management, and Kansas water rights, laws, and regulations.

**Additional:**

Serve / Served on the following committees & associations:

1. Kansas Corporation Commission Oil & Gas Advisory Committee
2. NRCS Kansas Technical Committee
3. City of Wichita Water Utilities Advisory Committee
4. Sedgwick County Stormwater Technical Advisory Committee
5. Kansas Geological Survey Advisory Council
6. Kansas Groundwater Management Districts Association (KGMDA)
7. Groundwater Management Districts Association (GMDA)

Stephen Flaherty:

Related Work Experience

Equus Beds Groundwater Management District No. 2 - Hydrogeologist (Present)  
Apache Corporation - Exploration/Development Geologist (2012)  
Natural Resources Conservation Service (NRCS) – Water Resources Engineer Aid (2011)  
Bureau of Land Management Eastern States Office - Assistant Land Law Examiner (2008)  
Pason Systems - Field Geologist (2008)

Geology Related Publications

Surficial geology of the Woodstock, IL 7.5 minute Quadrangle, McHenry County, Illinois, scale 1:24000 ,  
2016, Journal of Maps (First Author)  
Hydrogeologic implications of surficial geologic mapping and three-dimensional modeling of glacial  
outwash deposits within the Woodstock, IL 7.5 minute Quadrangle, 2013, Illinois State University Theses  
and Dissertations, (First Author)  
High resolution shallow aquifer modeling in McHenry County Illinois, 2012, 2012 GSA Charlotte, NC,  
(First Author)  
High resolution shallow aquifer modeling in McHenry County Illinois, 2012, 2012 AAPG Houston, TX,  
(First Author)  
Miscellaneous acknowledgements for peer reviewed articles in the field of Hydrogeology

Teaching and Presentations

Wisconsin Geological and Natural History Survey, 2013, aquifer modeling keynote speaker  
Illinois State University invited lecturer, 2013, Hydrogeology Lecture  
Illinois State University / University of Illinois, 2013 Geology Teachers Assistant / Research Assistant  
Brigham Young University Idaho, 2011, Teachers Assistant

Education & Training

Groundwater flow and Transport Modeling with GMS training course - Aquaveo, August 2014  
Master of Science in Hydrogeology, 2013 Illinois State University  
Bachelor of Science in Geology, 2011, Brigham Young University – Idaho

**David L. Pope, P.E.**  
3644 SW Stonybrook Dr.  
Topeka, KS 66614  
Telephone: 785/221-0807  
Email: [david.popeconsulting@gmail.com](mailto:david.popeconsulting@gmail.com)

### **Experience:**

- Administered Kansas water law dealing with surface water and groundwater, including permitting, perfection of water rights, changes to existing water rights, water administration during periods of shortage, compliance and enforcement and promulgation of rules and regulations.
- Provided leadership for Missouri River management through Missouri River Basin Association and the organization of Missouri River Association of States and Tribes. Knowledge of federal projects, programs and processes, including reservoir operations, mitigation and efforts to recover endangered species. Genuine respect for cultural differences of people in the Missouri River Basin, including American Indian Tribes, States and various stakeholders with a wide range of interests.
- Actively participated in resolution of two major interstate river compact lawsuits before the U. S. Supreme Court. This included the extensive Arkansas River Compact litigation with Colorado and leading the state team in the settlement of the Republican River Compact case with Nebraska and Colorado. Served as an expert witness in trial before Special Master. Significant experience participating in alternative dispute resolution processes in various circumstances.
- Extensive work in the legislative context, including working with members, committees and other interested parties at state and congressional level. Washington D.C. experience includes significant involvement in securing support for funding Missouri River mitigation and recover programs.
- Have worked with various federal agencies such as the Corps of Engineers and Bureau of Reclamation on projects and reservoir operations, U. S. Department of Agriculture on implementation of conservation programs, U.S. Fish and Wildlife Service on protection of national wildlife refuges, ecosystems and endangered species and the U.S. Geological Survey on research and data collection programs. Developed rapport with other States, Tribal members, local governments, landowners, water users, and public/private organizations with an interest in water and/or natural resources.

### **Employment:**

2007 – Present **Pope Consulting, LLC, Topeka, KS.**  
Owner and Principal. Provides consulting services to clients related to water and natural resources management, water law administration,

interstate water issues, and the resolution of complex problems related to natural resources. Mr. Pope currently provides consulting services to companies and individual water users regarding water management issues. Past clients have included the Missouri River Association of States and Tribes, where Mr. Pope served as Executive Director and provided administrative services, leadership and policy advice to board of directors. He has also provided consulting services to the State of Kansas regarding interstate water disputes and served as an expert witness, as well as helped multiple parties with the settlement of complex water disputes and litigation.

1983 – 2007

**State of Kansas, Department of Agriculture, Topeka, KS.**  
Chief Engineer-Director, Division of Water Resources. Held the position that by law is responsible for administration of Kansas laws and programs related to the conservation, management, use & control of water and watercourses. Actively participated in the natural resources cabinet team to coordinate programs and provide consensus advice to the Governor related to water and natural resources issues. Presented testimony and was extensively involved in legislative and congressional matters. Represented state on four interstate river compacts, and was the Governor's representative on several interstate organizations related to water, including Western States Water Council and river basin associations. Provided leadership and technical support for interstate water litigation to enforce compacts and served as an expert witness on several occasions. Administration of agency functions, including personnel and fiscal management for a staff of around 100. Directed programs, set priorities and carried out statutory duties. Promulgated rules and established policy related to water allocation and administration of water related laws. Resolved water disputes between users during periods of shortage. Was responsible for administration of laws related to dams, stream obstructions and levees for the protection of public safety, property and the environment. Coordinated agency programs with local, state and federal agencies, organizations and individuals. Made a large number of presentations on water and related topics at meetings and conferences throughout the country. Provided leadership for the protection of the state's interest in interstate rivers and aquifer systems and worked to resolve disputes when they occurred.

1978 – 1983

**State of Kansas, Department of Agriculture, Topeka, KS.**  
Assistant Chief Engineer, Division of Water Resources. Provided staff supervision and program management, legislative and policy support; carried out significant delegated authority in support of the Chief Engineer and agency, including decisions related to permitting. Served as Presiding Officer for Administrative Hearings.



1976 – 1978 **Southwest Kansas Groundwater Management, District #3,** Garden City, KS. Manager. Directed staff, developed and administered local water management programs and policies under the policy direction of the Board of Directors.

1971 – 1976 **Kansas State University,** Manhattan and Garden City, KS. Assistant Professor and Extension Irrigation Engineer. Carried out educational programs and research related to the conservation, management and wise use of water resources. Disseminated research results through meetings, tours, demonstrations and field projects. Wrote several publications on water conservation and management.

**Education:** **Oklahoma State University,** Stillwater, Oklahoma. Master of Science, 1971, Bachelor of Science, 1970. Agricultural Engineering with specialization in water resources and irrigation engineering.

**Professional Registration:**

State of Kansas, Registered Professional Engineer, license #8020.

**Awards and Honors:**

**Phi Kappa Phi,** Oklahoma State University, 1971; **Young Engineer of the Year, 1984,** and **Member of the Year, 1997,** Kansas Section of the American Society of Agricultural and Biological Engineers; **Honorary Life Member, 1986,** Groundwater Management Districts Association; **Headgate Award, 2004,** Four States Irrigation Council; **Outstanding Government Engineer, 2005,** Kansas Society of Professional Engineers; **Fox Award, 2007,** Kansas Water Office; and **Distinguished Service Award, 2007,** Kansas Water Congress.

**Agencies, Organizations and Professional Societies:**

**American Society of Agricultural and Biological Engineers,** Member and Past President, (Kansas Section); **Kansas and National Societies of Professional Engineers,** Member. **Missouri River Association of States & Tribes,** Past Executive Director; **Missouri River Basin Association,** Past President; **Kansas Water Authority,** Past Member; **State Conservation Commission,** Past Member; **Western States Water Council,** Past Member and Committee Chair; **Association of Western States Engineers,** Honorary Member and Past President; **Interstate Council on Water Policy,** Past Board Member and Chairman; **USGS National Cooperative Water Program Review Task Force,** Past Member; and **Groundwater Management Districts Association,** Past Member and President;