

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

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

ORDER TO MODIFY HEARING AND SCHEDULE

COMES NOW, David W. Barfield, Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, who, after conferring with all parties, hereby orders that the public hearing in the above referenced matter, originally scheduled for October 22, 2018, shall be rescheduled to December 11, 2018 in Wichita, Kansas. The hearing shall commence at 9:00 a.m. at American Ag Credit, located at 4105 North Ridge Road, Wichita, Kansas, 67205, and shall continue as long as necessary for the full disclosure of relevant facts. If a second day is necessary for the completion of the hearing, proceedings will continue at the same location on December 12, 2018, also commencing at 9:00 a.m.

Upon request of the City of Wichita, the new applications filed by the City and originally scheduled to be considered at the public hearing in this matter, will be dismissed and the hearing shall be limited to the following remaining issues set forth in the Pre-Hearing Order, dated July 23, 2018:

- a. Should the bottom of the basin storage area be lowered as proposed by the City of Wichita?
- b. Should the modifications to the applicable accounting procedures be approved to allow the accumulation of Aquifer Maintenance Credits or AMCs?

As previously stated in the Pre-Hearing Conference Order, the City shall bear the burden of proof, proving by a preponderance of the evidence that the proposed changes to the project should be approved. The proposed changes must meet the requirements set forth for Aquifer Storage and Recovery projects in K.A.R. 5-12-1 *et al.* and the requirements set forth in K.S.A. 82a-708b, including that the proposed changes are reasonable and will not cause impairment and that the proposed changes relate to the same local source of supply. Whether or not a change is reasonable should consider the affect upon the public interest. All other matters set forth in the Pre-Hearing Conference Order shall remain in effect in so far as they do not conflict with this and subsequent orders.

Further, the City of Wichita shall provide the version of the model used to develop its proposal, including model input files, as requested by Equus Beds Groundwater District No. 2 on CD by close of business on Friday, September 28, 2018 along with a brief explanation of

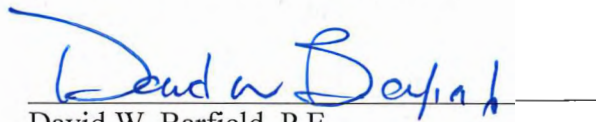
differences from the previous version of the model provided to Equus Beds Groundwater District No. 2 in 2016. A copy shall also be provided to the Division of Water Resources.

Further, the parties shall confer and jointly submit a hearing schedule on or prior to October 2, 2018.

Once the hearing schedule is set, the Division of Water Resources shall provide notice of the change in hearing date and scope to those previously notified, including re-publication the notice in area newspapers.

This order shall be sent to all parties that have requested prior notification and shall be posted online by the Division of Water Resources.

IT IS SO ORDERED, THIS 27th DAY OF SEPTEMBER, 2018.



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

CERTIFICATE OF SERVICE

On this 27th day of September 2018, I hereby certify that the original of the foregoing was sent by electronic mail to:

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