

FOULSTON SIEFKIN LLP
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IN THE DISTRICT COURT OF GOVE COUNTY, KANSAS,
TWENTY THIRD JUDICIAL DISTRICT

JON and ANN FRIESEN; FRIESEN FARMS, LLC;)
DOYLE SADDLER; 1885 ENTERPRISES, LLC; JUSTIN)
SLOAN; TOM SLOAN; BERT STRAMEL; STRAMEL)
FARMS, INC.; FRED ALBERS; MARVIN ALBERS; FRANK)
BOUITS; DENISE J. BURROWS, TRUSTEE OF THE)
CHARLES SCHROEDER FAMILY TRUST; GARY E.)
COOPER; ELFRIEDE U. COOPER; GARY E. COOPER,)
TRUSTEE OF THE GARY E. COOPER AND MARY)
PAWLUS TRUSTS; COOPER GRAIN, INC.; CAMERON)
EPARD; F. DOYLE FAIR, TRUSTEE OF THE A.L.)
ABERCROMBIE MARITAL TRUST; LOIS L. FERGUSON;)
BRYAN FRAHM; MEADOW LAKE FARMS, INC.; LON)
FRAHM; FRAHM FARMLAND, INC.; LON FRAHM,)
TRUSTEE OF THE PEGGY FRAHM EVANS TRUST;)
SHEILA FRAHM; JAMES FRITZ; VINCENT V. GLAD and)
TENLEY S. GLAD, doing business as GLAD FARMS; PAT J.)
HAFFNER; WILBURN HOLLOWAY; DAVID HOUSTON;)
DOUGLAS IRVIN; IRVIN FARMS, INC.; SHARON K.)
MANN; JOHN P. McKENNA; BRENT MERANDA;)
BERWYN PETERSEN; S.Q.I. FARMS, INC.; PAUL STEELE;)
RICHARD A. STEFAN; JOSEPH G. WALDMAN; DENNIS)
WALKER; WALKER TESTING CO., INC.; KEVIN W.)
WARK; WARK PROPERTIES, LLC; PRAIRIE DOG)
PROPERTIES, LLC; KEVIN W. WARK, TRUSTEE OF THE)
BERRIE FAMILY TRUST; KEVIN W. WARK, TRUSTEE OF)
THE FLIPSE LIVING TRUST; DARREL E. WARK; DANIEL)
WAYAND; WENDY WEISHAAR; and DONALD RALL;)

Plaintiffs,)

vs.)

Case No.)

DAVID BARFIELD, P.E., THE CHIEF ENGINEER OF THE)

THE STATE OF KANSAS, DEPARTMENT OF)
AGRICULTURE, DIVISION OF WATER)
RESOURCES, in his official capacity,)
)
Defendant.)
)

PURSUANT TO K.S.A. CHAPTER 77

**NOTICE OF DISPUTED VALIDITY UNDER K.S.A. 75-764
(DISTRICT COURT – CIVIL)**

TO THE KANSAS ATTORNEY GENERAL:

Please be advised that the Plaintiffs dispute the validity of a Kansas statute or constitutional provision on grounds that the law violates the state constitution, federal constitution, or a provision of federal law. This dispute is made in the above-captioned case and the document title is: Petition for Judicial Review filed in the District Court of Gove County on June 13, 2018. The law Plaintiffs are challenging is K.S.A. 82a-1041.

This notice is served as required by K.S.A. 75-764 and Supreme Court Rule 148.

Respectfully submitted,

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By s/ David M. Traster
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Attorneys for Plaintiffs

CERTIFICATE OF SERVICE

On this 13th day of June, 2018, I certify that the original Notice of Disputed Validity was filed electronically with:

Teresa Lewis
Clerk of the District Court
P.O. Box 97
Gove, Kansas 67736

With copies by U.S. Mail and electronic mail to the following:

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With a copy by U.S. Mail to the following:

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By s/ David M. Traster
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