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McGINNIS LOCHRIDGE

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January 13, 2014

State Office of Administrative Hearings  
300 West 15th Street, Suite 502  
Austin, Texas 78701

Via Hand Delivery

Re: Docket No. 952-13-5210; Application of End Op, L.P. for Well Registration, Operating Permits, and Transfer Permits; Before the State Office of Administrative Hearings

Dear Sir or Madam:

Enclosed are the original and one copy of *End Op, L.P.'s Agreed Motion Requesting a Status Conference*. Please return the extra copy, file-marked, to the messenger delivering same.

Thank you for your assistance with this matter.

Sincerely,



Julie Wise  
Legal Secretary to Russell S. Johnson

:jjw  
Enclosures

cc: Mr. David Lein, Counsel for LPGCD's General Manager (w/encl.)  
Mr. Michael A. Gershon, Counsel for Aqua WSC (w/encl.)

SOAH DOCKET NO. 952-13-5210

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APPLICATIONS OF END OP, L.P. § BEFORE THE STATE OFFICE  
FOR WELL REGISTRATION, § OF  
OPERATING PERMITS AND § ADMINISTRATIVE HEARINGS  
TRANSFER PERMITS

**END OP, L.P.'S AGREED MOTION REQUESTING A STATUS CONFERENCE**

TO THE HONORABLE JUDGE O'MALLEY:

End Op, L.P. ("End Op") submits this agreed motion and respectfully requests that the State Office of Administrative hearings schedule a status conference as described below, and would show as follows:

**Request for a Status Conference Held in Person Before the End of January 2014**

All parties to this proceeding have agreed that a status conference held in person before the end of January 2014 is necessary to update the Court on the following recent development in the case. End Op and Aqua Water Supply Corporation ("Aqua WSC") have reached an agreement that: (1) includes an agreement to include proposed permit conditions sufficient to mitigate any potential impacts on Aqua WSC if the conditions are included; (2) requires End Op and Aqua WSC to proceed forward with the Hearing on the Merits on February 11-14, 2014, with some modification to the process by which End Op and Aqua shall present evidence, and examine or cross-examine witness(es); and (3) requires End Op and Aqua WSC to file agreed stipulations and exhibits before the Hearing on the Merits on February 11-14, 2014. The agreement between End Op and Aqua does not alter the hearing process as between the General Manager and End Op or the General Manager and Aqua WSC.

The parties respectfully request an in-person hearing anytime on January 23, 27, or 30 or anytime after 1:30 p.m. on January 29, at which End Op and Aqua can provide further details on

the terms of their agreement and intent to move forward with a modified process between Aqua and End Op at the hearing.

**Certificate of Conference**

The undersigned counsel has conferred by telephone and email with the counsel of record for each of the parties to this hearing regarding End Op's intent to submit this motion, and certifies that all parties agree to this motion.

**Request for Relief**

End Op respectfully requests that the Court:

- (1) schedule a status conference to be held in person anytime on January 23, 27, or 30 or anytime after 1:30 p.m. on January 29; and
- (2) grant such other and further relief, whether in law or in equity, whether special or general, to which the parties may show themselves to be justly entitled.

Respectfully submitted,

MCGINNIS, LOCHRIDGE & KILGORE, L.L.P  
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And

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(512) 289-4262  
(512) 233-5917 EFAX

By:

*Stacey V. Reese*

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Stacey V. Reese

ATTORNEYS FOR END OP L.P.

CERTIFICATE OF SERVICE

I hereby certify that on January 13, 2014, a true and correct copy of the foregoing *Agreed Motion Requesting a Status Conference* was filed by hand delivery with SOAH and then served on the following in accordance with the rules of the State Office of Administrative Hearings and the Texas Rules of Civil Procedure on the following counsel of record:

Mr. Michael A. Gershon  
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Via Facsimile

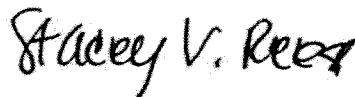
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Via Facsimile

*Attorneys for The General Manager of the  
Lost Pines Groundwater Conservation District*

By:



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Stacey V. Reese