



Control Number: 43965



Item Number: 115

Addendum StartPage: 0

43965

RECEIVED

SOAH DOCKET NO. 582-03-2282  
TCEQ DOCKET NO. 2003-0033-UCR 2014 DEC 17 AM 7:53

APPLICATION OF DENTON COUNTY	§	BEFORE THE STATE OFFICE OF
FRESH WATER SUPPLY DISTRICT NO.	§	FILING CLERK
10 TO AMEND WATER AND SEWER	§	
CERTIFICATES OF CONVENIENCE	§	OF
AND NECESSITY NOS. 13021 AND 20923	§	
IN DENTON COUNTY, APPLICATION	§	
NOS. 34068-C AND 34069-C	§	ADMINISTRATIVE HEARINGS

**ORDER NO. 5**

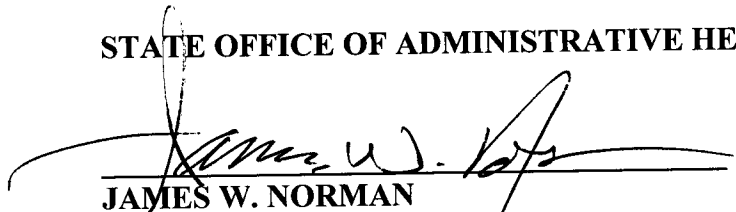
**CONCERNING MOTIONS TO DISMISS BY DENTON COUNTY FRESH WATER SUPPLY DISTRICT No. 10 AND MAHARD EGG FARM, INC.**

On June 3, 2003, Denton County Fresh Water Supply District No. 10 (District) filed a motion to dismiss the remaining intervenors in this case, Mahard Egg Farm, Inc. and Prosper Independent School District (Prosper ISD). On June 26, 2003, Prosper ISD filed its opposition to District's motion to dismiss. On July 3, 2003, Mahard Egg Farm, Inc. (Mahard) filed a motion to dismiss District's application and its opposition to District's motion to dismiss.

A preliminary conference is already set in this case for **July 21, 2003, at 9:00 a.m.** to consider discovery disputes and other pending matters. The motions to dismiss will be considered at that time. **On or before July 17, 2003**, District shall respond to Mahard's motion to dismiss, Prosper ISD shall respond to Mahard's motion to dismiss, and the Executive Director shall respond to both motions. To the extent it is necessary to produce evidence at the July 21 preliminary conference, the burden will be on the proponent of a particular motion.

**Issued this 7<sup>th</sup> day of July, 2003.**

**STATE OFFICE OF ADMINISTRATIVE HEARINGS**



**JAMES W. NORMAN**  
Administrative Law Judge

# FAX TRANSMITTAL

State Office of Administrative Hearings  
P.O. Box 13025  
Austin, Texas 78711-3025  
(512) 475-4993

TO:	FAX NUMBER:
Blas Coy	239-6377
Docket Clerk (TCEQ)	239-3311
Mark Zeppa-Denton Cty Water	346-6847
Lara K. Nehman, Sheridan Gilkerson-TCEQ	239-0606
Kerry Russell-City of Prosper	512/864-7744
John Turney-Mahard Egg Farm, Inc.	476-1513
Drew Watkins-Prosper ISD	972-346-9247

FROM:	Tracy-Lynne Lewis, Assistant to Judge James W. Norman
FAX #:	(512) 475-4994
DATE:	July 7, 2003
# OF PAGES:	(Including this Page) 3

The information contained in this facsimile message is privileged and confidential information intended only for the use of the above-named recipient(s) or the individual or agent responsible to deliver it to the intended recipient. You are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone, and return the original message to us at the above address via the U.S. Postal Service. Thank you.

\*\*\*\*\*  
 \*\*\* MULTI TX/RX REPORT \*\*\*  
 \*\*\*\*\*

TX/RX NO                    2528  
 INCOMPLETE TX/RX  
 TRANSACTION OK            (1)    92396377  
                                   (2)    92393311  
                                   (3)    93466847  
                                   (4)    92390606  
                                   (5)    915128647744  
                                   (6)    94761513  
                                   (7)    99723469247

ERROR

## FAX TRANSMITTAL

State Office of Administrative Hearings  
 P.O. Box 13025  
 Austin, Texas 78711-3025  
 (512) 475-4993

TO:	FAX NUMBER:
Blas Coy	239-6377
Docket Clerk (TCEQ)	239-3311
Mark Zeppa-Denton Cty Water	346-6847
Lara K. Nehman, Sheridan Gilkerson-TCEQ	239-0606
Kerry Russell-City of Prosper	512/864-7744
John Turney-Mahard Egg Farm, Inc.	476-1513
Drew Watkins-Prosper ISD	972-346-9247
FROM:	Tracy-Lynne Lewis, Assistant to Judge James W. Norman
FAX#:	(512) 475-4994
DATE:	July 7, 2003
# OF PAGES:	(Including this Page) 3