



3/1/20 TESPA ISSUES STATEMENT REGARDING STATUS OF EP PROJECT

Initially, EP's permit applications were scheduled to be considered at an administrative hearing in April 2020. Upon EP's request, the Administrative Law Judge abated (put on hold) the proceeding to afford EP time to evaluate whether Kinder Morgan's pipeline would interfere with the water project to the extent that it would result in EP withdrawing its applications.

The pipeline's potential interference has raised a legitimate question of whether the hearing on the EP applications will still happen. As of the date this statement, EP has neither withdrawn its applications nor provided TESPA with any indication it will do so.

The hearing on EP's applications is still scheduled to occur November 9-17, 2020. Until the applications are formally withdrawn, TESPA remains committed to presenting its evidence at the hearing that the BSEACD should deny the applications, or, alternatively, significantly reduce the volume of any authorized groundwater production.

TESPA anticipates receiving additional information when the abatement period officially ends on April 3, 2020. TESPA continues to monitor the situation. Please contact TESPA's Executive Director, [Patrick Cox](#), for any additional information.