

NO. 07-11-00153-CV
IN THE COURT OF APPEALS
FOR THE SEVENTH DISTRICT OF TEXAS
AT AMARILLO
PANEL A
FEBRUARY 2, 2012

MESA WATER, L.P. AND
G&J RANCH, INC., APPELLANTS

v.

TEXAS WATER DEVELOPMENT BOARD, APPELLEE

FROM THE 201ST DISTRICT COURT OF TRAVIS COUNTY;
NO. D-1-GN-10-000819; HONORABLE SCOTT H. JENKINS, JUDGE

Before CAMPBELL and HANCOCK and PIRTLE, JJ.

MEMORANDUM OPINION

Appellants, Mesa Water, L.P., and G&J Ranch, Inc., have filed an unopposed motion to dismiss this appeal because the issue in controversy is no longer at issue. No decision of this Court having been delivered to date, we grant the motion. Accordingly, the appeal is dismissed. See TEX. R. APP. P. 42.1(a)(1). As there was no contrary agreement of the parties included in appellant's motion, all costs related to this appeal are assessed against appellants. See TEX. R. APP. P. 42.1(d). If dismissal will prevent appellee from seeking relief to which it would otherwise be entitled, the Court directs

appellee to file a timely motion for rehearing. No motion for rehearing from appellants will be entertained.

Mackey K. Hancock
Justice