

Dear Cross Timbers Water Supply Member:

By now you are probably aware, that a jury found in favor of two Saddlebrook homeowners who do not want construction of the elevated water tower in Bartonville completed. The court entered an order requiring the tower to be destroyed. Our legal team has filed a motion requesting that the Court review and modify the judgment or conduct a new trial. Unfortunately, a final decision on the fate of the elevated tower may still be months away. It is important to note that this litigation only addressed whether or not Cross Timbers Water was subject to the rules of the Saddlebrook Homeowners Association. The litigation did not consider any need for the elevated water tower for fire fighting, future domestic water supply or public safety. These were simply not issues considered in the lawsuit.

Your Board of Directors feels that the Court erred in its interpretation of the Jury's verdict as well as issues of jurisdiction and public safety. If Homeowners associations were allowed to determine the needs of public utilities, it is unlikely we would have the level of electric, water or telephone service we enjoy today.

To clarify the importance of public safety needs and the rights of the public at large, Cross Timbers Water Supply has asked for a new trial as well as a stay on demolishing the partially completed elevated water tower.

Cross Timbers Water has communicated with the Towns within our certificated area our need for a second water tower for public safety. Our notices to the Towns began in 2012 and culminated with our most recent determination in 2015. Cross Timbers is authorized and required to provide water for domestic use within our certificated area. This 20 square mile area is roughly defined as Copper Canyon, Double Oak, Bartonville, Unincorporated areas of Denton County and a small portion of Flower Mound. Water utilities such as Cross Timbers are specifically exempted by law from any requirement to provide water for fire suppression or fire fighting. Cross Timbers has voluntarily maintained fire hydrants throughout its system for several years. While not legally required, the Board of Directors has determined that this is a valuable service to its members and will maintain our fire suppression capabilities as long as practical.

In order to meet our mandated domestic water service we will not be adding fire hydrants to new commercial or residential areas. We will install properly sized water lines and connections for fire hydrants so that fire suppression can be supported when additional elevated storage is available.

Cross Timbers has a well planned water resource plan which provides safe and clean domestic water throughout our certificated area. A combination of deep wells and water supply contracts with the Upper Trinity Regional Water District assures that we have an adequate supply of water now and in the future. While we have an adequate water supply, the ability to deliver that water at good pressure is dependent on elevated tanks. We designate portions of the current elevated tank to domestic water, fire fighting, and emergency supplies. Since January 2009 we have exhausted the domestic water reserve and used the fire fighting reserve for domestic water purposes on 99 occasions.

As development continues in our area, we will continue to dip into the fire fighting reserve more frequently. The additional elevated water tank will allow us to maintain adequate reserves for fire suppression as well as meet our domestic water demands.

You need have no concerns that your domestic water supply is in any danger of interruption or shortage. A moratorium on new fire hydrants and commercial fire sprinkler systems will enable us to continue our support of the current fire hydrants on our system. We are confident that a positive resolution will be made that will eliminate any need to reduce our support of fire suppression in the future.

Thank you

Patrick McDonald

President, Cross Timbers Water Supply Board of Directors.