

## **Delay in Facilities Hinders Fire Protection**

Cross Timbers Water Supply Corporation began a plan to build a second elevated water tank to supply water and water for fire protection to its Members in February 2010. The first efforts involved an engineering report supporting the need and location for the elevated tank. Secondly, Cross Timbers applied to the Town of Bartonville for permits to build the elevated tank. Objections arose immediately from residents located around the proposed elevated tank. Those parties convinced the Town of Bartonville to reject the request for a permit. Subsequent appeals to the Town fell on deaf ears and litigation followed. The Denton County District Court approved the building of the elevated water tank in May 2012 and issued a building permit. Construction began in the summer of 2012 continued until March 2013 when the elevated water tank was 85% complete. Litigation again ensued to stop completion of the elevated water tank. In the summer of 2014, Cross Timbers and the Town of Bartonville settled litigation between the parties. However, other parties located further away from the elevated water tank initiated another lawsuit against both the Town of Bartonville and Cross Timbers.

In December 2014, the Town of Bartonville rezoned the property where the elevated water tank is located to Public/Semi-Public use and issued a Conditional Use Permit for an elevated water tank and a Building Permit for the elevated water tank. Again litigation ensued; this time by Bartonville residents located in the Saddlebrook Estates subdivision located a half mile from the elevated tank. The two lawsuits were combined, a trial occurred in July 2015, and these two lawsuits are on appeal in the Second Court of Appeals in Fort Worth awaiting a decision.

In 2012 and again in 2015, Cross Timbers advised the Towns of Bartonville, Copper Canyon, and Double Oak and its Members, that it has had to limit the installation of fire hydrants on its system in order to ensure water capacity is available for delivery to its Members. Normally, an elevated water tank has reserve capacity in it to provide water for fighting fires. However, due to the demand for water from its Members for domestic use (washing, bathing, cooking, cleaning, irrigation, etc.) the amount of water capacity for fire-fighting purposes in its current elevated water tank is deficient. Without the second elevated water tank, Cross Timbers will continue to provide water for domestic use, but may not have water capacity available should a fire, or fires, occur. As a result most development of homes and businesses has ceased.

Cross Timbers Water has water supplies from seven wells that we own and from the Upper Trinity Regional Water District (primarily Lake Lewisville water). This gives us an ample water supply to meet domestic (non-fire fighting) water needs. The second elevated tank is needed to ensure water capacity for fire-fighting purposes.

With demand for water growing, Cross Timbers Water is prepared to meet looming challenges. However, until the second elevated water tank is completed, water capacity to meet fire-fighting purposes remains uncertain.

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