

16 Q. Okay. I mean, do you have to turn motors on
17 or engines on or open valves?

18 A. Yes, sir.

19 Q. Yes to all of that?

20 A. Yes, sir.

...

19

13 Q. Okay. Is there -- is there one waste water
14 treatment system or are there several parallel systems
15 all working at the same time, several aerators,
16 several contact areas and --

17 A. We have one aeration basin, we have one
18 clarifier and one contact chamber.

19 Q. Okay.

20 A. We also have a digester and a legume.

21 Q. What's a digester? How does that fit in?

22 A. Sludge that's in the bottom of -- that --
23 sludge that is collected is put into this aerobic
24 digester. Oxygen is fed into this digester to keep
25 the bacteria active.

1 Q. And that's before -- that's kind of the last
2 stage before you haul off the sludge?

3 A. Correct.

4 Q. And so there's one digester?

5 A. Correct.

6 Q. So it's basically a system of just one part
7 for each function?

8 A. Correct.

...

15 Q. Okay. I'm going to hand you a map. At the
16 bottom it says, "Prosper WWTP USGS MAP, Page 1 of 2,
17 June 1 of 2002." Have you ever seen anything like
18 this before?

19 A. I've seen topo maps and USGS maps. I don't
20 know that I've seen this particular one.

21 Q. Do you see the circle at the top of this map?

22 A. Yes, I do.

23 Q. Do you recognize what that is?

24 A. That would be -- a large portion of it is
25 Prosper.

1 Q. Okay. In this circled area at the top?

2 A. Yes, sir.

3 Q. And it says that the -- it looks like it
4 says, "WWTP site," and then an arrow pointing to a
5 square. Do you see that?

6 A. Yes, sir.

7 Q. And would that represent where the Prosper
8 waste water treatment plant is?

9 A. It does, sir.

10 Q. And this is what we call -- I guess this is
11 the St. Louis, San Francisco railroad track. Is that
12 what that's called?

13 A. Yes, sir.

14 Q. And that goes -- it looks like it goes
15 basically west of the town of Prosper?

16 A. The railroad track does sit on the western
17 border of the city limits.

18 Q. And the treatment plant is just almost
19 adjacent to the railroad tracks, right to the west of
20 it?

21 A. Correct.

22 Q. Do these dots represent where actual homes or

23 businesses are located and represent actual, I guess,
24 sites for waste water discharge from either residents
25 or businesses? And I'll just tell you, I think I took

23

1 this map out of the TCEQ files.

2 A. It looks to be a fair representation of where
3 home sites would be, yes, sir.

4 Q. The lines that come into the wastewater
5 treatment plant, are they gravity lines or force
6 mains?

7 A. We have three that come in, and all three are
8 gravity.

9 Q. And in which direction do they extend from
10 the wastewater treatment plant?

11 A. North, south and east.

12 Q. Okay. Well, when you say north, for example,
13 you mean just due north?

14 A. One goes north by northeast, following the
15 line of the railroad track.

16 Q. Okay.

17 A. One comes out due east into the old town,
18 approximately along the 7th Street road easement. The

19 other one comes and serves -- it comes out the south

20 end and then goes back to the east.

21 Q. Okay. And do you know the approximate

22 distances of these -- these are all gravity lines.

23 Correct?

24 A. Yes, sir.

25 Q. Do you know the approximate distance, say,

24

1 the north, northeast line goes?

2 A. I have no idea.

3 Q. Would it be a mile, would it be a half a

4 mile?

5 A. It probably would be somewhere between half a

6 mile and a mile.

25

...

9 Q. Okay. Are there any gravity lines that

10 extend west of the treatment plant?

11 A. No, sir.

...

...

6 Q. Okay. I'm going to hand to you a map
7 that's -- and I'm going to represent to you it was
8 taken out of the town of Prosper's application to
9 amend its present CCN.

10 A. Okay.

11 Q. Okay? And we're not going to mark this as an
12 exhibit, because it's going to be part of your
13 application, but I will use it to -- for questioning
14 purposes. This is called the "Sewer CCN map, town of
15 Prosper, Texas." It also says underneath that,
16 "Collin and Denton County, Texas, July 2002." And it
17 was taken out of the application -- actually, it was
18 taken out of the Appendix Exhibit 100 as part of
19 Prosper's written testimony. Would the green area
20 represent -- the green area on this map, which has
21 slashes, would that represent the present CCN for
22 Prosper?

23 A. The way it's been instructed to me, yes, sir.

...

...

22 Q. Now, on this map, the waste water treatment
23 plant, the Prosper Waste Water Treatment Plant, is
24 approximately where 7th Street is located, as far as
25 the same latitude? Would that be correct?

1 A. It would be close to that, between 5th Street
2 and 7th Street.

3 Q. 5th Street and 7th Street?

4 A. Yes, sir.

5 Q. Immediately west of the -- it says here
6 Burlington Northern Santa Fe Railroad Tracks. Is that
7 right?

8 A. Correct.

9 Q. So earlier when I was -- when you were
10 testifying about the -- the USGS map, I think I made
11 reference to railroad tracks as the St. Louis,
12 San Francisco. Does it have different names?

13 A. I believe under the USGS map, it was
14 originally labeled as the St. Louis, Santa Fe [sic].

15 Q. Okay.

16 A. But it's currently operated by Burlington

17 Northern Santa Fe.

18 Q. Same railroad, then?

19 A. Yes, sir.

20 Q. It's the railroad tracks that go through

21 town?

22 A. Yes, sir.

23 Q. And the waste water treatment plant is

24 immediately adjacent to that?

25 A. Correct.

30

1 Q. Around -- somewhere between 5th and 7th

2 Streets?

3 A. Correct.

4 Q. Now, this area of the CCN west of the

5 railroad tracks -- the whole area of your present CCN

6 west of the railroad tracks all the way to County Line

7 Road No. 6, are you -- are you providing waste water

8 service to anybody in that area?

9 A. Yes, sir.

10 Q. And who -- and who is that to?

11 A. Currently we have two businesses that we're

12 providing sewage so.

13 Q. And where are they located?

14 A. They are located west of Burlington Northern

15 Railroad track on County Road 4.

16 Q. And how far west of the railroad track?

17 A. The furthest -- for the furthest, or --

18 Q. Well, you said there are two businesses.

19 Right?

20 A. There's two businesses.

21 Q. Two individual businesses?

22 A. Yes, sir.

23 Q. What are the businesses?

24 A. Hope Lumber and Bruce Miller Nursery.

25 Q. Okay. The first one is Hope Miller?

31

1 A. Hope Lumber.

2 Q. Hope Lumber. And where is Hope Lumber

3 located?

4 A. They are directly on the railroad tracks.

5 Q. Okay. Around -- is that County Road 48?

6 A. That's County Road 4.

7 Q. County Road 4. Right next to the railroad

8 tracks?

9 A. Correct.

10 Q. Is that a short distance from the waste water
11 treatment plant?

12 A. It's the distance we discussed earlier, half
13 a mile to a mile north.

14 Q. Okay. And where -- the other business, its
15 name is?

16 A. Bruce Miller Nurseries.

17 Q. And where is it located?

18 A. Directly next to -- directly west of Hope
19 Lumber.

20 Q. Okay. Other than those two individual
21 business connections, are there any other waste water
22 service connections west of the railroad tracks?

23 A. Not currently.

24 Q. In fact, are there any residential
25 developments existing west of the railroad

32

1 transactions?

2 A. We have one that is -- that we're having a
3 preconstruction on soon, directly north of those two

4 businesses.

5 Q. Any construction start?

6 A. Not yet, no, sir.

7 Q. Okay. Now, are you familiar with the area

8 that Prosper wants to take into its CCN? And I think

9 on this map, it's a white or kind of gray shaded area

10 immediately west of the green area.

11 A. Yes, sir.

12 Q. And just to expedite this, that area is

13 bounded by the County Line Road or Road 6 on the east,

14 Parben Road (phonetic) on the north, Farm to Market

15 1385 on the west and U.S. 380 on the south. Is that

16 correct?

17 A. Correct.

18 Q. Incidentally, have you traveled these roads

19 that we've been talking about?

20 A. Yes, sir.

21 Q. And are you generally familiar with the area?

22 A. Yes, sir.

23 Q. Okay. Do you know if there are any existing

24 residential subdivisions in this new area that

25 Prosper is seeking to annex to its CCN?

1 A. I would not be knowledgeable of any of that
2 information.

3 Q. Okay. You don't know of any?

4 A. Correct.

5 Q. Okay.

6 A. I don't know of any that have applied, is
7 what I'm saying.

8 Q. I mean, what I'm asking is, do you know if
9 there are existing residential subdivisions in this
10 area that Prosper is seeking to annex as part of its
11 CCN? I mean, have you seen any?

12 A. There are --

...

15 Q. Okay. My question is, you know the area
16 we're talking about, the area that the town of Prosper
17 proposes to annex to its CCN.

18 A. Yes, sir.

19 Q. And you're familiar with the area?

20 A. Yes, sir.

21 Q. You've driven the roads around the area?

22 A. Yes, sir.

23 Q. My question is, have you seen any residential

24 developments in that area? And when I say
25 residential, I mean existing on the ground.

34

1 A. There are some mobile home parks over on
2 1385.

3 Q. Okay. And are you providing waste water
4 service to those mobile home parks?

5 A. Not currently, no, sir.

6 Q. Do you know approximately how many mobile
7 home -- when you say a mobile home park, you mean a
8 park that consists of several mobile homes?

9 A. Yes, sir.

10 Q. And there's several of these parks?

11 A. There's two of them.

12 Q. Two of them? Do you know about how many
13 units each of them has?

14 A. Not offhand, no, sir.

15 Q. Do you know how long they've been there?

16 A. No, sir.

17 Q. And you've been in Prosper since 1988?

18 A. Correct.

19 Q. Were they there when you came to Prosper?

20 A. Yes, they were.

21 Q. Are you serving -- are you providing any
22 waste water service in this area, the proposed area to
23 be annexed?

24 A. Not currently, no, sir.

25 Q. Has anybody formally requested waste water

35

1 service in this area?

2 A. Not that I've been made aware of.

...

19 Q. Are you familiar with the Fishtrap properties
20 or the Glenbrook Estates subdivision?

21 A. Yes, sir.

22 Q. Do you know how Prosper plans to provide
23 waste water service to that subdivision?

24 A. I have seen maps of proposals that the
25 engineer has given us, but nothing as far as designs.

36

1 Q. Has the City made any -- has the City Council
2 made any decision about how it's going to provide
3 waste water service to Glenbrook Estates?

4 A. No, sir.

5 Q. Has any line been proposed from the present
6 waste water -- the Prosper Waste water Treatment Plant
7 across this new area? And when I use the term "new
8 area," I'm talking about the area that Prosper hopes
9 to annex to its CCN. Has there been any line proposed
10 from the Prosper Waste Water Treatment Plant to the
11 western edge of the new area?

12 A. Can you define "proposed"?

13 Q. Well, is there an easement or any kind of an
14 easement that has been designated or acquired where a
15 waste water line could be laid?

16 A. No easements have been acquired, no, sir.

17 Q. Are you aware of any engineering plans that
18 have been prepared for a waste water line from the
19 treatment plant to the western edge of the new area?

20 A. There is some proposal lines that were drawn
21 by Hunter & Associates for cost studies only.

22 Q. Okay. Are those engineering plans?

23 A. They are not engineering plans, they are
24 rough sketches.

25 Q. Would you have any idea how much it would

1 cost to acquire the easement?

2 A. No, sir.

3 Q. Do you have any idea how much it would cost

4 to build the line?

5 A. No, sir.

6 Q. Would this be a gravity flow or a force main?

7 A. It depends on which way it flows.

8 Q. Well, if it's flowing from the western edge

9 of this new area to the waste water -- Prosper Waste

10 Water treatment Plant, would it be a gravity flow or

11 would it be a force main?

12 A. It would be a force main.

13 Q. And is that because the drainage is to the

14 west?

15 A. Yes, sir.

16 Q. Both -- and does -- Doe Creek is the waterway

17 that flows through this area, is that correct, that

18 branch?

19 A. That is one of them, yes, sir.

20 Q. What is the other one?

21 A. It eventually becomes Button Branch.

22 Q. Does that flow also to the west?

23 A. Yes, sir.

...

38

23 Q. Is the town of Prosper receiving waste water
24 service from any other waste water service provider?

25 A. No, sir.

39

1 Q. Is the town of Prosper in any contractual
2 arrangement with any other waste water service
3 provider at the present?

4 A. No, sir.

5 Q. I may have asked this, but excuse me if I
6 have. Did you testify that at the present, other than
7 the mobile park homes, there's no residential
8 subdivision construction going on in the proposed new
9 area? Was that your testimony?

10 A. That affects us, correct.

11 Q. Okay. Have you -- have you been in any kind
12 of working arrangement with North Texas Municipal
13 Water District?

14 A. I have been in meetings with them, yes, sir.

15 Q. For what purposes?
16 A. To discuss expansion.
17 Q. Of what?
18 A. Of lines from north Texas up to our city
19 limits.
20 Q. To provide what?
21 A. To provide water and to provide sewer.
22 Q. Okay. And how many meetings have you been
23 in?
24 A. I've been in one.
25 Q. And when did that occur?

40

1 A. I do not remember the date.
2 Q. Has it been within the last year?
3 A. Yes, sir.
4 Q. Has it been within the last six months?
5 A. I don't recall.
6 Q. And who all was at that meeting?
7 A. Myself, Jennifer Finley, the town
8 administrator, and represents from North Texas
9 Municipal Water District.
10 Q. And about how long a meeting was it; how long

11 did it last?

12 A. I would say an hour, an hour and a half.

13 Q. And was any -- were any minutes of that

14 meeting drawn up?

15 A. No, sir.

16 Q. Any document prepared as a result of that

17 meeting?

18 A. Not that I've been made aware of.

19 Q. Do you know Randall L. Dobbs?

20 A. Yes, sir.

21 Q. Was he at that meeting?

22 A. Yes, sir.

23 Q. At that meeting, did you discuss contract or

24 did you --

25 A. Not that I recall.

...

42

...

22 Q. Okay. And you have not received any request

23 for waste water service from the proposed new area.

24 Is that correct?

25 A. Not that I've been made aware of.

Map

Exhibit
Little Deposition
Exhibit No. 1

(Original map with Tammy Holquin-Burke)

Little

1 service in this area?

2 A. Not that I've been made aware of.

3 Q. In the present CCN area that is west of the
4 railroad tracks, besides the two businesses you are
5 presently serving, has anybody formally requested
6 waste water service?

7 A. The one subdivision that is fixing to start
8 construction.

9 Q. It has actually requested waste water
10 service?

11 A. Yes, sir.

12 Q. And how would you -- how would you serve
13 that?

14 A. They will have to have a lift station to pump
15 back to the main that travels along Burlington
16 Northern Railroad.

17 Q. Has a lift station been constructed yet?

18 A. Not yet.

19 Q. Are you familiar with the Fishtrap properties
20 or the Glenbrook Estates subdivision?

21 A. Yes, sir.

22 Q. Do you know how Prosper plans to provide
23 waste water service to that subdivision?

24 A. I have seen maps of proposals that the
25 engineer has given us, but nothing as far as designs.