



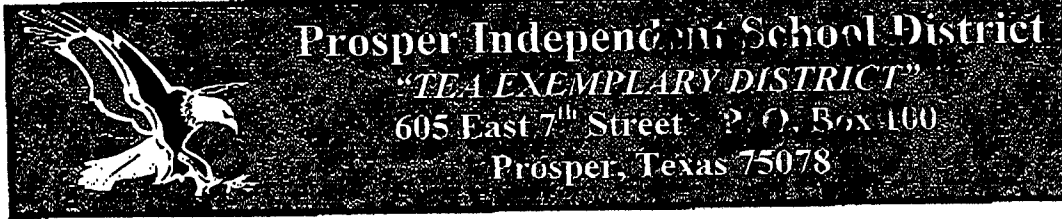
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Item Number: 59

Addendum StartPage: 0

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**J. Drew Watkins**  
Superintendent of Schools  
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June 26, 2003  
State Office of Administrative Hearings  
Att: Judge James W. Norman  
Fax: (512) 475-4994

SOAH DOCKET NO. 582-03-2282  
TCEQ DOCKET NO. 2003-0033-UCR


ORDER NO. 3

CONCERNING DENTON COUNTY FRESH WATER SUPPLY DISTRICT NO. 10 MOTION  
TO DISMISS INTERVENOR

Prosper Independent School District OPPOSES the motion to dismiss the school district as an intervenor in the afore-mentioned case. According to the Mayor of Prosper, Charles Niswanger, the City Administrator, Jennifer Finley, and the City Planner, Doug Mousel, the City DID NOT withdraw its opposition to the application in a pleading filed on June 10, 2003; therefore, there is no basis for the district's motion.

Moreover, since the district's application included possible school sites, Prosper ISD maintains its contention regarding the uncertainty that the proposed fresh water district can provide adequate service for one and possibly two school sites that will result in the projected 3,500+ additional students (three times our current student population) in our district that will need to be served in that area.

Sincerely,

  
Drew Watkins

*"Children First"*

**RM&R**RUSSELL, MOORMAN & RODRIGUEZ, L.L.P.  
ATTORNEYS AT LAW

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June 27, 2003

**VIA FACSIMILE**

Honorable Judge James Norman  
State Office of Administrative Hearings  
P O Box 13025  
Austin, Texas 78711-3025

Re: *Withdrawal of Protest and Request for Public Meeting and Contested Hearing;  
Application of Denton County Fresh Water Supply District No. 10 to Amend  
Certificate of Convenience and Necessity (CCN) No. 13021 and No. 20923 in  
Denton County, Texas.*

Dear Judge Norman:

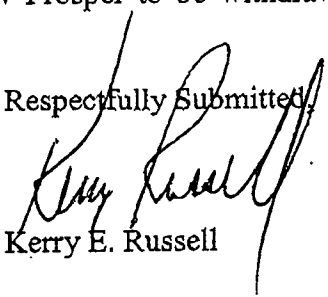
This letter is in response to the Opposition of Denton County Fresh Water Supply District No. 10's ("District") Motion to Dismiss Intervenors, filed by Prosper Independent School District ("ISD") on June 26, 2003. ISD alleges that the Town of Prosper ("Prosper") did not withdraw its opposition to the District's application.

Prosper and the District have reached a settlement and in accordance with the terms of that settlement agreement, the District has amended the area requested in its application. Pursuant to that settlement, Prosper withdrew its opposition to the amended District application and affirmatively stated its support for the issuance of the requested amendment to the District.

In fact, Prosper filed a letter withdrawing its request for a public meeting and contested case hearing with the Texas Commission on Environmental Quality ("TCEQ") Chief Clerk's Office on June 10, 2003. On this same date a Statement of Support by Prosper was filed with this court.

Prosper respectfully requests that you allow Prosper to be withdrawn from the above-mentioned docketed matter.

Respectfully Submitted,



Kerry E. Russell

June 27, 2003  
Judge Norman

cc: Service List  
Ms. Jennifer Finley  
Mr. Richard Abernathy