



## **Denton County 128 Development, LLC**

**5956 Sherry Lane • Suite 1000**

**Dallas, Texas • 75225**

**Tel. 214-546-5400 • Fax. 214-722-1578**

**Email: [james@mabreypartnersllc.com](mailto:james@mabreypartnersllc.com)**

**[www.preceptrealestatellc.com](http://www.preceptrealestatellc.com)**

Tuesday, June 16, 2015

Ms Helen-Eve Liebman  
Director of Planning & Development Services  
City of Celina  
142 N. Ohio Street  
Celina, TX 75009

**Re: General Development Plan – 127.897 Acres @ FM 1385 & Crutchfield Road -  
("Property")**

Dear Ms. Liebman:

We received the notice from the City that the Property is "subject to annexation in the near future". Denton County 128 Development, LLC submits the attached general development plan for Highland Trails, a 127.897 acre subdivision at the northeast corner of Crutchfield Road and FM 1385 in accordance with **Sec. 10.03.083 General development plan** of Celina's Code of Ordinances. Section 10.03.083 is referenced as a required step for the approval of a Major subdivision plat according to **Sec. 10.03.082(b)(2) - Statutory procedures** and according to Sec. 10.03.083(i)(2) must be approved prior to the submittal of an application for a construction plat:

*(i)(2) The commission shall approve, conditionally approve or disapprove a general development plan. The approval of a general development plan constitutes authorization by the city for the property owner to submit application for a construction plat, subject to compliance with any conditions attached to the approval of the general development plan.*

The attachment constitutes a completed application for the initial authorization for Denton County 128's planned use of the Property in accordance with Section 43.002, Local Government Code, and a plan for development in accordance with Section 245.002, Local Government Code.

Once we receive authorization to do so as described in Section 10.03.083 (i)(2), we will follow this General Development Plan with an application for a construction plat and plans for our first phase of development.

Aqua Texas, the CCN holder for water and sewer services to the Property, informed us about your meeting in which you stated your desire to seek a "single certification" of the CCN under Section 13.255 of the Water Code. Please note that Section (j) of Section 13.255 does not provide for this. Aqua Texas is a private, "for profit" company. According to Section (j), Section 13.255 of the Water Code "shall apply only in a case where:" (1) the retail public utility that is authorized to serve in the certificated area that is annexed or incorporated by the municipality is a nonprofit water supply or sewer service corporation, a special utility district under Chapter 65, Water Code, or a fresh water supply district under Chapter 53, Water Code.

We are filing the following permits in order to supply water to the site:

- 1) North Texas Ground Water Conservation District (NTGCD) Well Drilling Permit
- 2) Denton County Well Drilling Permit
- 3) TCEQ Approval to Construct a Public Water Supply Well

Regarding wastewater service: Aqua Texas already filed an application for a wastewater discharge permit with the TCEQ and received approval of same TPDES PERMIT NO WQ0014234001.

We have met several times with city staff concerning this development. If however, you feel the need for an additional meeting, please feel free to call or e-mail with a proposed date and time.

Sincerely,



James L. Mabrey, Manager  
**Denton County 128 Development, LLC**

**Attachments:**

General Development Plan  
Deed for Proof of Ownership

JLM:anp



Glen E. Lewis  
Director of Corporate Development  
Aqua Texas, Inc.  
1106 Clayton Lane, Suite 400W  
Austin, Texas 78723  
512-990-4400 ext 56104  
512-990-4410 (Fax)  
512-529-4280 (Cell)  
gelewis@aquaamerica.com

---

**From:** james@mabreypartnersllc.com [mailto:james@mabreypartnersllc.com]  
**Sent:** Wednesday, August 26, 2015 7:13 PM  
**To:** Waldock, Darryl G.  
**Cc:** Dunnahoe, Stephen M.; Lewis, Glen E.; Matt Van Hattem - Collier Consulting  
**Subject:** RE: Highland Trails - DRAFT - TCEQ Well Submittal Packet

Ok, well the hearing is Monday, so seems a little tough to do. hopefully everyone is available the next 2 days.

Thanks,

James L. Mabrey  
**Mabrey & Partners, LLC**  
5956 Sherry Lane, Suite 1000  
Dallas, TX 75225  
Ph: (214) 546-5400  
[james@mabreypartnersllc.com](mailto:james@mabreypartnersllc.com)  
[www.preceptcalculators.com](http://www.preceptcalculators.com)

---

**From:** Waldock, Darryl G. [mailto:DGWaldock@aquaamerica.com]  
**Sent:** Wednesday, August 26, 2015 8:32 AM  
**To:** james@mabreypartnersllc.com  
**Cc:** Dunnahoe, Stephen M.; Lewis, Glen E.; Matt Van Hattem - Collier Consulting  
**Subject:** Highland Trails - DRAFT - TCEQ Well Submittal Packet

James,

Matt called me on this issue, however your request can't be

accomplished until we have signed agreements with your group for the overall development. After that is done, we will need to review the Collier drawings before they are submitted to the TCEQ.

For clarification, Aqua doesn't have any agreement with Collier for this work.

Thanks Darryl



Darryl Waldock  
Area Manager - North Texas  
Aqua Texas, Inc.  
9450 Silver Creek Road  
Fort Worth, TX 76108  
817-367-1401  
Avaya: 57101

---

**From:** [james@mabreypartnersllc.com](mailto:james@mabreypartnersllc.com) [<mailto:james@mabreypartnersllc.com>]  
**Sent:** Tuesday, August 25, 2015 2:03 PM  
**To:** [james@mabreypartnersllc.com](mailto:james@mabreypartnersllc.com); Matt Van Hattem  
**Cc:** Dunnahoe, Stephen M.; Waldock, Darryl G.  
**Subject:** Highland Trails - DRAFT - TCEQ Well Submittal Packet  
**Importance:** High

Darryl,

Need to get this filed this week before annexation that takes place Monday – can you please give Matt permission to do so? [see below]

Thanks,

James L. Mabrey  
**Mabrey & Partners, LLC**  
5956 Sherry Lane, Suite 1000  
Dallas, TX 75225  
Ph: (214) 546-5400  
[james@mabreypartnersllc.com](mailto:james@mabreypartnersllc.com)  
[www.preceptrealestatellc.com](http://www.preceptrealestatellc.com)

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**From:** Matt Van Hattem [<mailto:matt@collierconsulting.com>]  
**Sent:** Friday, August 21, 2015 10:27 AM  
**To:** [james@mabreypartnersllc.com](mailto:james@mabreypartnersllc.com)  
**Subject:** Highland Trails DRAFT TCEQ Well Submittal Packet

James,

I finished the DRAFT packet for the TCEQ permit last night. All I need is a statement from Aqua Texas (email) stating that I can submit these using their information. Then we can seal them and send them to Austin.

Thank you,

**Matt Van Hattem**

Senior Engineering Tech



**Collier Consulting, Inc.**

P.O. Box 1137

590 E. South Loop

Stephenville, TX 76401

Office: (254) 968-8741

Fax: (254) 968-8725

Cell: (254) 592-1883

TBPE: F-8170

Texas HUB & NCTRCA/SCTRCA WBE Firm

[www.collierconsulting.com](http://www.collierconsulting.com)



Glen E. Lewis  
Director of Corporate Development  
Aqua Texas, Inc.  
1106 Clayton Lane, Suite 400W  
Austin, Texas 78723  
512-990-4400 ext 56104  
512-990-4410 (Fax)  
512-529-4280 (Cell)  
gelewis@aquaamerica.com

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**From:** James@mabreypartnersllc.com [mailto:James@mabreypartnersllc.com]  
**Sent:** Monday, May 18, 2015 10:56 AM  
**To:** Dunnahoe, Stephen M.  
**Cc:** Lewis, Glen E.  
**Subject:** RE: PID

Ok, that is what I was afraid of.... I don't see that happening.

Thanks,  
James L. Mabrey

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**From:** Dunnahoe, Stephen M. [mailto:SMDunnahoe@aquaamerica.com]  
**Sent:** Monday, May 18, 2015 9:12 AM  
**To:** James@mabreypartnersllc.com  
**Cc:** Lewis, Glen E.  
**Subject:** RE: PID

In your case (ETJ of Celina) we'd have to have them sponsor.

Steve

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**From:** James@mabreypartnersllc.com [mailto:James@mabreypartnersllc.com]  
**Sent:** Saturday, May 16, 2015 9:03 AM  
**To:** Dunnahoe, Stephen M.  
**Cc:** Lewis, Glen E.  
**Subject:** PID

Steve,

You guys have mentioned PIDs a few times. We are actually working on some of those - however doesn't it require the permission/consent of the city when it is in their ETJ? Maybe there is a quirk in the law I don't know about. Don't you have to have the county or the city

sponsored the PID? Perhaps there is another way to do it, I would like to hear about it.

James L. Mabrey

**Mabrey & Partners, LLC**

5956 Sherry Lane, Suite 1000

Dallas, TX 75225

Ph: (214) 546-5400

[james@mabreypartnersllc.com](mailto:james@mabreypartnersllc.com)

[www.pieceofrealestatellc.com](http://www.pieceofrealestatellc.com)



## AQUA

Glen E. Lewis  
Director of Corporate Development  
Aqua Texas, Inc.  
1106 Clayton Lane Suite 400W  
Austin, Texas 78723  
512-690-4400 ext 56104  
512-690-4410 (Fax)  
512-526-4280 (Cell)  
gelewis@aquatexas.com

---

From: James@mhreypartnersllc.com [mailto:James@mhreypartnersllc.com]

Sent: Tuesday, March 24, 2015 11:32 AM

To: Matt Van Hattem

Cc: Dunnahoo, Stephen M., Lewis, Glen E., Hughbert Collier, Waldo, Darryl G

Subject: RE: Prosper Point - Fire Hydrant Flow Standards - Health & Safety Code 341.0359

Matt - the fire district boundaries are different than ETJ's. It is in the Aubrey fire department prote by the 2012 International Fire Code as you pointed out

Steve - I would just have a legal department confirm that fire flow is determined by 2012 International Fire Code regardless of whether it is in a city, ETJ, or just out in the county

Thanks,  
James L. Mabrey

---

From: Matt Van Hattem [mailto:matt@collierconsulting.com]

Sent: Tuesday, March 24, 2015 11:06 AM

To: James@mhreypartnersllc.com

Cc: Dunnahoo, Stephen M., Lewis, Glen E., Hughbert Collier, Waldo, Darryl G

Subject: RE: Prosper Point - Fire Hydrant Flow Standards - Health & Safety Code 341.0359

James,

After looking at the ETJ map for Denton County, the proposed subdivision is in the Celina ETJ. Across the highway is the Aubrey ETJ. I have contacted the fire chief in the city of Celina. I have also contacted the fire chief at the City of Aubrey per request. The Celina fire chief was the only one who has responded so far.

City of Celina Fire Flow Requirements (Mark Mettler/Fire Chief)

According to the 2012 International Fire Code, Section B105.1, these homes will be considered construction Type V-B. These homes may vary in size from 1500 to 6000 square feet. For argument sake, we will calculate the fire flow for a fairly large home. If a home in the sub-division reaches 4801-6200 square feet, we must have 2,000 gpm for a two (2) hour duration.

If the homes do not exceed 3600 square feet, the minimum requirement is 1000 gpm for one hour. Spacing for hydrants is an average 500 feet.

I will begin sizing the equipment that is needed for these flows unless I hear an objection. Mark Mettler stated that these are the required flows for subdivisions within the city limits and ETJ.

Thank you,

**Matt Van Hattem**  
Senior Engineering Tech



Collier Consulting, Inc.  
P.O. Box 1337  
590 E. South Loop  
Stephenville, TX 76401  
Office: (254) 968-8741  
Fax: (254) 968-8725  
Cell: (254) 592-1883

TYPE: F-8170  
Texas HUB & NCTRCA/SCRCA WBE Firm

[www.collierconsulting.com](http://www.collierconsulting.com)

---

From: Waldo, Darryl G. [mailto:DWaldo@aquatexas.com]

Sent: Friday, March 20, 2015 8:13 AM

To: Matt Van Hattem - Collier Consulting

Cc: Dunnahoo, Stephen M., Lewis, Glen E.

Subject: Prosper Point - Fire Hydrant Flow Standards - Health & Safety Code 341.0359

Matt,

If the City of Celina do not have a set of rules on this, then the attached is the only guideline that we will need to follow.

Thanks Darryl

## AQUA

Darryl Waldo  
Area Manager - North Texas  
Aqua Texas, Inc.  
9450 Silver Creek Road  
Fort Worth, TX 76108  
817-367-1401  
Araya: 571101

---

From: Matt Van Hattem [mailto:matt@collierconsulting.com]

Sent: Wednesday, March 18, 2015 8:32 PM

To: James@mhreypartnersllc.com

Cc: Hughbert Collier, Dunnahoo, Stephen M.

Subject: RE: 176

James,

It is my understanding that TCEQ has a rule stating that if providing fire flow the distribution pressure cannot fall below 20 psi during an event. This is from memory. More than likely the ETJ may have more stringent rules on fire flow. I will look tomorrow.

Steve - Do you know off hand?

On Mar 18, 2015 8:23 PM, "James@mhreypartnersllc.com" <James@mhreypartnersllc.com> wrote:  
Matt

Is the fire flow a ICI Q req now?

Stephen - who mandates the fire flow standards?

...

James I. Mabrey

From: Matt Van Hattem (mailto:matt@collierconsulting.com)  
Sent: Wednesday, March 18, 2015 5:33 PM  
To: James@mabreypartnersllc.com  
Cc: Hughbert@collierconsulting.com  
Subject: RE: 176

James

I am looking for the fire flow needed for the subdivision. There is a fire flow needed, I will then size the storage tank(s) needed to accommodate the fire flow. The storage tank(s) needed to accommodate the fire flow will be sized about 10% larger because of the fire flow needed.

Have you designated a location for your water plant (would be better if you do not want to pursue a sanitary control easement for the water plant)?

Thank you

**Matt Van Hattem**  
Senior Engineering Tech

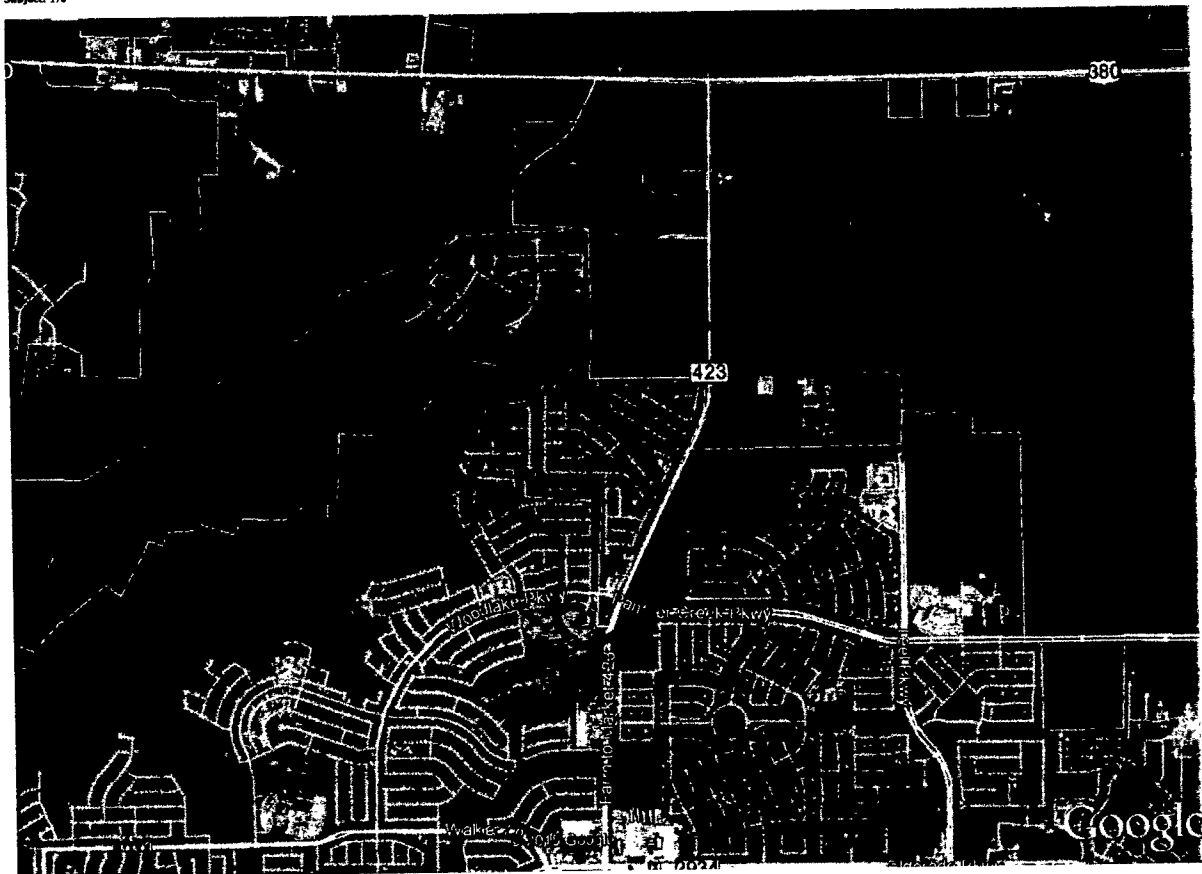


Collier Consulting, Inc.  
P.O. Box 1117  
590 E. South Loop  
Stephenville, TX 76401  
Office: (254) 562-8741  
Fax: (254) 562-8725  
Cell: (254) 592-1882

TXBE F 8170  
Texas HUB & NCTCA/SCTPLA WBE Firm

[www.collierconsulting.com](http://www.collierconsulting.com)

From: James@mabreypartnersllc.com (mailto:James@mabreypartnersllc.com)  
Sent: Monday, March 16, 2015 5:32 PM  
To: Matt Van Hattem (matt@collierconsulting.com); hughbert@collierconsulting.com  
Subject: 176





Glen E. Lewis  
Director of Corporate Development  
Aqua Texas, Inc.  
1106 Clayton Lane, Suite 400W  
Austin, Texas 78723  
512-990-4400 ext 56104  
512-990-4410 (Fax)  
512-529-4280 (Cell)  
gelewis@aquaamerica.com

---

**From:** James@mabreypartnersllc.com [mailto:James@mabreypartnersllc.com]  
**Sent:** Tuesday, June 16, 2015 8:51 AM  
**To:** Dunnahoe, Stephen M.  
**Cc:** Waldock, Darryl G.; Lewis, Glen E.  
**Subject:** RE: Prosper Point - UTRWD Water Request/ Repsonse  
**Importance:** High

Darryl, Steve and Glen,

For the last week I have been desperately trying to get a hold of you regarding a very important matter on the water Wells.

Collier Consulting has been designing a "well program" based on the assumption that Aqua requires 1.2 gal/min from the Wells, ostensibly to take care of fire flow requirements. In another project in which we are considering a well, the standard is .6/gal min with fire flow being taken care of by storage, pumping etc. this is a huge swing in capital outlay that affects both the developer and Aqua.

As you have noticed by the response from UTRWD, they are not going to be participating because they require Celina's approval, so we need to move on this as soon as possible. We would like to file an application for general development plan with the city of Celina today, so it is critical I get this information.

Thanks,  
James L. Mabrey

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**From:** Dunnahoe, Stephen M. [mailto:SMDunnahoe@aquaamerica.com]  
**Sent:** Monday, June 08, 2015 9:06 AM  
**To:** James@mabreypartnersllc.com

**Cc:** Waldock, Darryl G.

**Subject:** Prosper Point - UTRWD Water Request/ Repsonse

James,

There were some scheduling conflicts for a conference call. I will have to set it up later in the week. I will let you know as soon as I can.

**AQUA**

**Steve Dunnahoe**

**Business Development**

**Aqua Texas**

O: 817.367.1403 M: 817.822.3779





Glen E. Lewis  
Director of Corporate Development  
Aqua Texas, Inc.  
1106 Clayton Lane, Suite 400W  
Austin, Texas 78723  
512-990-4400 ext 56104  
512-990-4410 (Fax)  
512-529-4280 (Cell)  
gelewis@aquaamerica.com

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**From:** James@mabreypartnersllc.com [mailto:James@mabreypartnersllc.com]  
**Sent:** Tuesday, March 24, 2015 10:15 AM  
**To:** Dunnahoe, Stephen M.  
**Cc:** Waldock, Darryl G.; Lewis, Glen E.  
**Subject:** RE: Prosper Point - Wholesale Water UTRWD

Okay, please ask them what they think the timeframe will be as well. Thanks

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**From:** Dunnahoe, Stephen M. [mailto:SMDunnahoe@aquaamerica.com]  
**Sent:** Tuesday, March 24, 2015 10:14 AM  
**To:** James@mabreypartnersllc.com  
**Cc:** Waldock, Darryl G.; Lewis, Glen E.  
**Subject:** Prosper Point - Wholesale Water UTRWD

James,

I would hope that I hear something today. The aerial we sent last week was misdirected to another Jason Pierce. Later today if I haven't heard something I will call to get a status and get back to you.



Steve Dunnahoe  
Business Development  
Aqua Texas  
O: 817.367.1403 M:817.822.3779



**From:** [James@mabreypartnersllc.com](mailto:James@mabreypartnersllc.com) [<mailto:James@mabreypartnersllc.com>]  
**Sent:** Tuesday, March 24, 2015 9:51 AM  
**To:** Dunnahoe, Stephen M.  
**Subject:** RE:

Steve, what's the latest on Upper Trinity Regional Water District? Have you spoken with Jason Pierce?

Thanks,  
James L. Mabrey

**From:** Dunnahoe, Stephen M. [<mailto:SMDunnahoe@aquaamerica.com>]  
**Sent:** Thursday, March 19, 2015 2:51 PM  
**To:** [James@mabreypartnersllc.com](mailto:James@mabreypartnersllc.com)  
**Subject:**



Glen E. Lewis  
Director of Corporate Development  
Aqua Texas, Inc.  
1106 Clayton Lane, Suite 400W  
Austin, Texas 78723  
512-990-4400 ext 56104  
512-990-4410 (Fax)  
512-529-4280 (Cell)  
gelewis@aquaamerica.com

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**From:** James@mabreypartnersllc.com [mailto:James@mabreypartnersllc.com]  
**Sent:** Thursday, May 14, 2015 8:59 AM  
**To:** Dunnahoe, Stephen M.  
**Cc:** Lewis, Glen E.  
**Subject:** RE: Prosper Point UTRWD Water Request

See below

Thanks,  
James L. Mabrey

---

**From:** Dunnahoe, Stephen M. [mailto:SMDunnahoe@aquaamerica.com]  
**Sent:** Wednesday, May 06, 2015 11:43 AM  
**To:** James@mabreypartnersllc.com  
**Cc:** Lewis, Glen E.  
**Subject:** FW: Prosper Point UTRWD Water Request

James,

I believe only the last question is directed at Aqua.



Steve Dunnahoe  
Business Development

**Aqua Texas**

O: 817.367.1403 M:817.822.3779



**From:** Jason Pierce [<mailto:jpierce@utrwd.com>]  
**Sent:** Wednesday, May 06, 2015 11:17 AM  
**To:** Dunnahoe, Stephen M.  
**Subject:** RE: Prosper Point UTRWD Water Request

Stephen - -

Good morning. We received Aqua's request for wholesale water and wastewater service dated March 26 for the 128-acre residential development in northeast Denton County. In reviewing the request, we have a few questions/comments:

1. Please provide a development schedule, including when service will need to be available. Development will begin as soon as we have secured an agreement with Upper Trinity Regional Water District for water.
2. What is the expected water demand (such as peak day load) at build-out? 578 units X whatever Darrell says for Peak.
3. Does Aqua plan to use treated water from Upper Trinity for irrigation purposes within the development? Yes
4. For water service to the remaining portions of your CCN outside of the proposed development, is that area included in your request?

Thank you for your assistance in providing this information. It may be advisable to schedule a meeting after we have reviewed this information.

If you have any questions or need clarification, please feel free to contact me. I look forward to working with you in providing water and wastewater services to the proposed development.

**Jason L. Pierce | Manager of Watershed & Contract Services**  
Upper Trinity Regional Water District  
PO Drawer 305 | Lewisville, TX 75067  
T: 972-219-1228 | F: 972-219-7521 | D: 469-635-8151  
[JPierce@utrwd.com](mailto:JPierce@utrwd.com) | [www.utrwd.com](http://www.utrwd.com) | Sign up for [Upper Trinity's E-News](#)

Aqua 000869





Licensed Service Mark of Texas Water Development Board

**From:** Dunnahoe, Stephen M. [<mailto:SMDunnahoe@aquaamerica.com>]

**Sent:** Monday, March 30, 2015 9:53 AM

**To:** Jason Pierce

**Subject:** Prosper Point UTRWD Water Request

Jason,

My sincerest apologies. In my haste I did not attach the signed version.

Thank you

**AQUA.**

**Steve Dunnahoe**

**Business Development**

**Aqua Texas**

O: 817.367.1403 M:817.822.3779



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Glen E. Lewis  
Director of Corporate Development  
Aqua Texas, Inc.  
1106 Clayton Lane, Suite 400W  
Austin, Texas 78723  
512-990-4400 ext 56104  
512-990-4410 (Fax)  
512-529-4280 (Cell)  
gelewis@aquaamerica.com

---

**From:** James@mabreypartnersllc.com [mailto:James@mabreypartnersllc.com]  
**Sent:** Tuesday, February 24, 2015 3:19 PM  
**To:** Lewis, Glen E.  
**Cc:** Dunnahoe, Stephen M.; Waldock, Darryl G.  
**Subject:** RE: Prosper Point Water & Wastewater Agreements

Glen,

That date and time works for me.

Thanks,  
James L. Mabrey

---

**From:** Lewis, Glen E. [mailto:GELewis@aquaamerica.com]  
**Sent:** Tuesday, February 24, 2015 3:09 PM  
**To:** James@mabreypartnersllc.com  
**Cc:** Dunnahoe, Stephen M.; Waldock, Darryl G.  
**Subject:** RE: Prosper Point Water & Wastewater Agreements

James, as I have previously stated, Aqua Texas is not interested in selling its service area nor in any manner being relieved of the responsibility of providing retail water and sewer service within our CCN. We believe we have the capability of supplying water and wastewater to your project based upon the agreements you have in your possession, without Celina's involvement. I have tentatively made an appointment for you to meet our President, Bob Laughman, in our Fort Worth office at 9450 Silver Creek Road on March 16<sup>th</sup> at 3:00 PM should you wish to discuss the matter further. Please let me know if the date and time is acceptable.

Thank you,

Glen



Glen E. Lewis  
Director of Corporate Development  
Aqua Texas, Inc.  
1106 Clayton Lane, Suite 400W  
Austin, Texas 78723  
512-990-4400 ext 56104  
512-529-4280 (Cell)  
512-990-4410 (Fax)  
[gelewis@aquaaamerica.com](mailto:gelewis@aquaaamerica.com)

---

**From:** [James@mabreypartnersllc.com](mailto:James@mabreypartnersllc.com) [<mailto:James@mabreypartnersllc.com>]  
**Sent:** Tuesday, February 24, 2015 2:23 PM  
**To:** Lewis, Glen E.  
**Cc:** Dunnahoe, Stephen M.; Waldock, Darryl G.  
**Subject:** RE: Prosper Point Water & Wastewater Agreements

Glen,

Please let me know what your response is to the \$3500 per lot (water and sewer) paid at the time building permits are pulled. I know that is significantly higher than any monetary award that would be given from the TCEQ to pay damages for the money you spent obtaining and maintaining the sewer discharge permit. This would allow us to move forward right now and if things work out with the city fine, if not we just go with the proposed agreement on the table. Otherwise, this will cause a delay in our project until the city makes their final decision which could be a few months away. They have already informed us that any deal with them to create a PID would involve decertifying the CCN. I think they are working on this concept with other developers in the area and are pretty adamant about having one unified water system controlled by the city.

Thanks,  
James L. Mabrey

---

**From:** Lewis, Glen E. [<mailto:GLEwis@aquaaamerica.com>]  
**Sent:** Thursday, January 29, 2015 1:04 PM  
**To:** [James@mabreypartnersllc.com](mailto:James@mabreypartnersllc.com)  
**Cc:** Dunnahoe, Stephen M.; Waldock, Darryl G.  
**Subject:** RE: Prosper Point Water & Wastewater Agreements

James, I have a 1:00 call tomorrow afternoon that is scheduled for an hour. 2:30 will work for me.



Glen E. Lewis  
Director of Corporate Development  
Aqua Texas, Inc.  
1106 Clayton Lane, Suite 400W  
Austin, Texas 78723  
512-990-4400 ext 56104

512-529-4280 (Cell)  
512-990-4410 (Fax)  
[gelewis@aquaaamerica.com](mailto:gelewis@aquaaamerica.com)

**From:** [James@mabreypartnersllc.com](mailto:James@mabreypartnersllc.com) [<mailto:James@mabreypartnersllc.com>]  
**Sent:** Thursday, January 29, 2015 1:00 PM  
**To:** Lewis, Glen E.  
**Cc:** Dunnahoe, Stephen M.; Waldock, Darryl G.  
**Subject:** RE: Prosper Point Water & Wastewater Agreements

Gentlemen, can we do this call same time tomorrow? trying to get through a closing today that is dragging out a bit.

Thanks,  
James L. Mabrey

**From:** Lewis, Glen E. [<mailto:GLEwis@aquaaamerica.com>]  
**Sent:** Monday, October 27, 2014 9:50 AM  
**To:** [James@mabreypartnersllc.com](mailto:James@mabreypartnersllc.com)  
**Cc:** Dunnahoe, Stephen M.; Waldock, Darryl G.  
**Subject:** Prosper Point Water & Wastewater Agreements

James, attached are the proposed Water and Wastewater Service Agreements for the Prosper Point Project. Once you have reviewed the documents and if you determine to purchase wholesale water from Upper Trinity, we will make an official request for service.

I look forward to your comments.

Glen

**AQUA**

Glen E. Lewis  
Director of Corporate Development  
Aqua Texas, Inc.  
1106 Clayton Lane, Suite 400W  
Austin, Texas 78723  
512-990-4400 ext 56104  
512-529-4280 (Cell)  
512-990-4410 (Fax)  
[gelewis@aquaaamerica.com](mailto:gelewis@aquaaamerica.com)

**From:** [James@mabreypartnersllc.com](mailto:James@mabreypartnersllc.com) [<mailto:James@mabreypartnersllc.com>]  
**Sent:** Monday, October 27, 2014 7:31 AM  
**To:** Lewis, Glen E.  
**Cc:** Dunnahoe, Stephen M.  
**Subject:** RE: 128 ac  
**Importance:** High

Glen,

We have been working on this for over a year and have a builder that wants to move forward. Please finish the agreements for water and wastewater as soon as possible. Additionally, we need to make an official request for service from Upper Trinity Regional Water District. [See attached]

Thanks,  
James L. Mabrey

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**From:** Lewis, Glen E. [<mailto:GLELewis@aquaamerica.com>]  
**Sent:** Friday, October 10, 2014 8:58 AM  
**To:** [James@mabreypartnersllc.com](mailto:James@mabreypartnersllc.com)  
**Subject:** RE: 128 ac

James, sometime next week.

Glen

**AQUA.**

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[gelewis@aquaamerica.com](mailto:gelewis@aquaamerica.com)

---

**From:** [James@mabreypartnersllc.com](mailto:James@mabreypartnersllc.com) [<mailto:James@mabreypartnersllc.com>]  
**Sent:** Friday, October 10, 2014 6:43 AM  
**To:** Lewis, Glen E.  
**Subject:** RE: 128 ac

Glen,

When can I get the agreements?

Thanks,  
James L. Mabrey

---

**From:** Lewis, Glen E. [<mailto:GLELewis@aquaamerica.com>]  
**Sent:** Thursday, October 02, 2014 1:23 PM  
**To:** [James@mabreypartnersllc.com](mailto:James@mabreypartnersllc.com)  
**Subject:** RE: 128 ac

James, I've set up a conference call for 8 so we could include Darryl. Please let me know if you don't get the invitation.

Glen



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[gelewis@aquaaamerica.com](mailto:gelewis@aquaaamerica.com)

**From:** [James@mabreypartnersllc.com](mailto:James@mabreypartnersllc.com) [<mailto:James@mabreypartnersllc.com>]  
**Sent:** Thursday, October 02, 2014 12:47 PM  
**To:** Lewis, Glen E.; Dunnahoe, Stephen M.  
**Subject:** RE: 128 ac

Ok, 8am is good. Please call me @ 214.546.5400

Thanks,  
James L. Mabrey

**From:** Lewis, Glen E. [<mailto:GLEwis@aquaaamerica.com>]  
**Sent:** Thursday, October 02, 2014 12:46 PM  
**To:** [James@mabreypartnersllc.com](mailto:James@mabreypartnersllc.com); Dunnahoe, Stephen M.  
**Subject:** RE: 128 ac

James, Steve is one the road and my afternoon is full. What about tomorrow morning? I'm available between 8 and 10.

Glen



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512-529-4280 (Cell)  
512-990-4410 (Fax)  
[gelewis@aquaaamerica.com](mailto:gelewis@aquaaamerica.com)

**From:** James@mabreypartnersllc.com [mailto:James@mabreypartnersllc.com]  
**Sent:** Thursday, October 02, 2014 11:29 AM  
**To:** Lewis, Glen E.; Dunnahoe, Stephen M.  
**Subject:** RE: 128 ac

Stephen and Glen,

Can we set up a call today?

Thanks,  
James L. Mabrey

---

**From:** Lewis, Glen E. [mailto:GLEwis@aquaamerica.com]  
**Sent:** Wednesday, May 14, 2014 1:07 PM  
**To:** James@mabreypartnersllc.com; Dunnahoe, Stephen M.  
**Subject:** RE: 128 ac

I'll get the other agreement to you as soon as I receive it from Darryl.

Glen

Glen E. Lewis  
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(512) 990-4410 - Fax  
(512) 529-4280 - Cell  
[gelewis@aquaamerica.com](mailto:gelewis@aquaamerica.com)

---

**From:** James@mabreypartnersllc.com [mailto:James@mabreypartnersllc.com]  
**Sent:** Wednesday, May 14, 2014 12:41 PM  
**To:** Lewis, Glen E.; Dunnahoe, Stephen M.  
**Subject:** RE: 128 ac

Ok, well in our camp "everything is for sale"... so doesn't hurt to ask.... let's keep moving forward.

Thanks,  
James L. Mabrey

---

**From:** Lewis, Glen E. [mailto:GLEwis@aquaamerica.com]  
**Sent:** Wednesday, May 14, 2014 12:37 PM  
**To:** James@mabreypartnersllc.com; Dunnahoe, Stephen M.  
**Subject:** RE: 128 ac

James, the permit is not for sale.

Glen E. Lewis  
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[gelewis@aquaamerica.com](mailto:gelewis@aquaamerica.com)

**From:** [James@mabreypartnersllc.com](mailto:James@mabreypartnersllc.com) [<mailto:James@mabreypartnersllc.com>]  
**Sent:** Wednesday, May 14, 2014 12:32 PM  
**To:** Lewis, Glen E.; Dunnahoe, Stephen M.  
**Subject:** RE: 128 ac

Ok, ... I will check this out. Would still like to get a number to buy the permit if you would work that up for us. Thanks.

**From:** Lewis, Glen E. [<mailto:GLEwis@aquaamerica.com>]  
**Sent:** Wednesday, May 14, 2014 12:29 PM  
**To:** [James@mabreypartnersllc.com](mailto:James@mabreypartnersllc.com); Dunnahoe, Stephen M.  
**Subject:** RE: 128 ac

James, I'm sorry for the delay but I work in a world that requires vetting. I completed the two agreements a little over two weeks ago and sent them to our corporate counsel in Bryn Mawr. After receiving his comments, I sent them to Darryl Waldock for his review. Yesterday I received the attached draft of the Water Supply Agreement. I inquired about the Wastewater Agreement and was told he would be reviewing it last night. I have not received his comments but expect them to be forthcoming. I will send the document to you as soon as I receive it.

In the mean time, I look forward to your comments on the water agreement.

Thanks for your patience. We will get this done.

Glen

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**From:** [James@mabreypartnersllc.com](mailto:James@mabreypartnersllc.com) [<mailto:James@mabreypartnersllc.com>]  
**Sent:** Wednesday, May 14, 2014 12:05 PM  
**To:** Lewis, Glen E.; Dunnahoe, Stephen M.  
**Subject:** RE: 128 ac

Glen,

I received the email below 3 weeks ago. Not sure what the holdup is, perhaps some corporate restructuring, but it does not appear we are going to get an agreement done to serve us.



What do you think about this –

We purchase the rights to the Sewer Permit and provide our own water? I am told it would take us 9 months to do our own sewer permit and we just don't have time for that, BUT we have been trying to work an agreement out for 6 months to no avail – can't wait on that either.

Please come up with a figure that would make financial sense so we can consider that option.

Thanks,  
James L. Mabrey

---

**From:** Lewis, Glen E. [<mailto:GLELewis@aquaamerica.com>]  
**Sent:** Wednesday, April 23, 2014 8:10 AM  
**To:** [James@mabreypartnersllc.com](mailto:James@mabreypartnersllc.com); Dunnahoe, Stephen M.  
**Subject:** RE: 128 ac

Thanks for both of these James.

Glen

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---

**From:** [James@mabreypartnersllc.com](mailto:James@mabreypartnersllc.com) [<mailto:James@mabreypartnersllc.com>]  
**Sent:** Tuesday, April 22, 2014 4:19 PM  
**To:** Lewis, Glen E.; Dunnahoe, Stephen M.  
**Subject:** 128 ac

Glen – survey – boundary is good, but I think one of the easements regarding wastewater was released. JLM

*Aqua Development Company*  
*Don Timmann, VP*

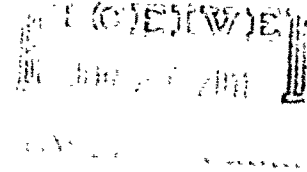
P.O. Drawer 305 • Lewisville, TX 75067

(972) 219-1228 • Fax: (972) 221-9896



REGIONAL WATER DISTRICT

June 7, 2011



Office of the Chief Clerk  
Texas Commission on Environmental Quality  
MC105  
P. O. Box 13087  
Austin, TX 78711-3087

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**  
**7010 1870 0003 5202 5311**

**RE: TPDES Permit No. 14234-001**  
**Aqua Development, Inc.**

To Whom It May Concern:

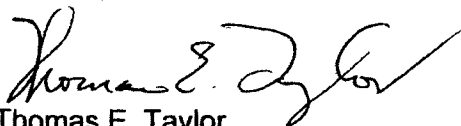
Upper Trinity Regional Water District has received notice that Aqua Development (formerly AquaSource Development Company) is seeking renewal of the above referenced wastewater discharge permit for its proposed treatment plant near Farm-to-Market Road 1385 and Crutchfield Road in northeast Denton County. On December 2, 2002, Upper Trinity entered into a Wastewater Service Agreement with AquaSource (the "Agreement") as part of a settlement of Upper Trinity's opposition to its original discharge permit.

The Agreement contains certain provisions relating to Aqua Development's future participation in Upper Trinity's regional wastewater treatment system. Specifically, Section 2.1 of the Agreement requires Aqua Development "to request TCEQ insert provisions consistent with this Agreement into the requested discharge permit and any renewals thereof", including the requirement that Aqua Development connect to Upper Trinity's regional wastewater treatment system. In addition, this Section requires that the Agreement be attached to the above referenced discharge permit. At the time of the Agreement, regional wastewater service was not available.

However, as of the date of this letter, regional wastewater service is now available to Aqua Development. Upper Trinity has extended a major wastewater trunk main from its Doe Branch lift station to generally the intersection of Good Hope and Parvin Roads. Said trunk main is relatively close to Aqua Development's site of its future wastewater treatment plant.

We request that the Commission require Aqua Development to connect to the regional system, in lieu of constructing a community plant. In the alternative, TCEQ could insert the required provisions, as outlined above, as part of Aqua Development's wastewater discharge permit renewal. For your reference and use, I am enclosing a copy of the Agreement. Should you have any questions or need further assistance, please contact me or Jason Pierce, Manager of Contract Services, at 972-219-1228. Thank you for your assistance in this matter.

Sincerely,



Thomas E. Taylor  
Executive Director

TET/JP/nka

Encl: Wastewater Service Agreement dated December 2, 2002

c: Aqua Development Company  
Rod Hogan, Interim City Manager, City of Celina  
Lance Vanzant, Board Representative, City of Celina  
Chris Boyd, General Manager, Mustang Special Utility District  
John F. Boyle, General Counsel, UTRWD  
Larry N. Patterson, Director of Operations & Water Resources  
Jason L. Pierce, Manager of Contract Services

