BRODHEAD CREEK REGIONAL AUTHORITY

www.bcrawater.com
410 Mill Creek Road | East Stroudsburg, PA 18301 | (570) 421-3232

August 4, 2026

Mr. James DePetris, CEO
Legend Properties, Inc.
1000 Fayette Street
Conshohocken, PA 19428

Re: Water Service Status – Smithfield Township Service Area
Smithfield Gateway Project – Data Center Conditional Use ("Project")
Denial of Request for Water Will Serve Letter

Dear Mr. DePetris:

The Brodhead Creek Regional Authority ("BCRA" or "Authority") is in receipt of your written email request that a Water Will Serve Letter be provided for the above-referenced Project. Be advised that the Project is not eligible for a Water Will Serve Letter pursuant to BCRA Resolution 2022-03 and, therefore, your request for a Water Will Serve Letter is denied. Accordingly, this letter is not a Will Serve Letter nor a letter which allots, allocates, and/or reserves any capacity for your Project. This letter is informational only and provides the status of available water to the Smithfield Township area as of the date of this letter.

The Project, per your letter, is currently being considered for Conditional Use by Smithfield Township. Per BCRA Rules and Regulations, the Project does not currently possess standing for issuance of either a Will Serve Letter or a Reservation Agreement with the BCRA, as required by the aforesaid Resolution. As such, the Authority cannot provide a Will Serve letter. In order to demonstrate standing, your Project is required to have a land development plan accepted for review, in this case, by Smithfield Township. Once the land development plan is accepted for review, you, as applicant, are then permitted to submit an Application for Water Reservation in accordance with Resolution 2022-03. Only approved Applications for Water Reservations receive Will Serve Letters from the Authority. Reservations of capacity and Water Purchases are available on a first-come, first-serve basis in accordance with Resolution 2022-03. Be advised this letter does not address the Authority's transmission abilities to service your project or any other areas within the Smithfield Service Area. This letter applies solely to the availability of water to purchase from East Stroudsburg Borough pursuant to agreements.

Please be advised of the following status for water service within the Smithfield Township water district. As of the date of this letter, the Authority utilizes approximately 150,000 gallons per day (gpd) of its allocated 400,000 gpd from the Borough of East Stroudsburg.

If you should have any questions, please do not hesitate to contact me.

Very truly yours,

David S. Horton
Manager

cc: Chris Borger – BCRA Operations Manager
John C. Prevoznik – BCRA Solicitor (email copy)
Kelly Lewis – Borough of East Stroudsburg Manager (email copy)