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(850) 412-2000 FAX: (877) 604-5230 KATHRYN.COWDERY@RUDEN.COM

November 5, 2004

Blanca S. Bayo, Director Division of Commission Clerk and Administrative Services Florida Public Service Commission 2540 Shumard Oak Boulevard Betty Easley Building, Room 110 Tallahassee, Florida 32399-0850 Via Hand Delivery

SUV -5 PM 2: 30 SUM -5 PM 2: 30 SUMMISSION CLERK

Re:

Docket No. 041141-WS

Application for Original Water and Wastewater Certificates of Authorization and Initial Rates and Charges for Hidden Valley SPE LLC d/b/a Orange Lake, in Lake County, Florida.

Dear Ms. Bayo:

Enclosed for filing, on behalf of Hidden Valley SPE LLC d/b/a Orange Lake (the "Utility"), are an original and four copies of this letter: the Utility's response to Staff's information request letter dated as of October 22, 2004 and subsequent informal information requests. By this letter I am requesting a one week extension of time to provide verification that the water and wastewater systems have been in existence since 1985, and to provide a copy of the depreciation schedule from Hidden Valley's most recent tax return with utility assets identified.

1. Please explain how the certificate of merger and special warranty deed convey the land to the utility.

The Special Warranty Deed dated as of October 9, 2003 conveyed the land from CP Limited Partnership to Rees F. Davis, Jr., as Trustee of Hidden Valley Real Estate Trust ("the Trust"). The Trust subsequently merged with and into Hidden Valley SPE LLC (the "Utility"), with the surviving entity being the Utility. The Certificate of Merger, dated as of October 16, 2003, and recorded in the Public Records of Lake County, Florida, evidences such merger. Title to the land owned by the Trust was, as a matter of law, transferred to the Utility (i.e., the surviving entity) via the merger. No additional conveyance document is needed to show evidence of ownership of the land by the Utility: The Certificate of Merger and Special Warranty Deed effect this conveyance. This property became a Hometown America property when Chateau Communities, Inc., merged into Hometown America, LLC on or about October 16, 2003.

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RUDEN, McCLOSKY, SMITH, SCHUSTER & RUSSELL, P.A.

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2. It appears that the utility provides water for irrigation. Is the irrigation water raw or potable water? Is it metered?

The Utility provides potable irrigation water. It is metered at four delivery points at the front entrance of the park.

3. Paragraph 7 of the application states the development is built out with 244 units (242 manufactured home lots, office, and parking), and there is no plan for expansion or for the utility to serve any additional customers. Paragraph 10 states the utility proposes to provide water and wastewater service to 244 manufactured home lots, 4 irrigated green, common areas, a community swimming pool, and to the wastewater treatment plant. Attachments N and O show 248 water and 242 wastewater factored ERCs. Please provide a schedule showing the number of residential and general service water and wastewater customers by meter size.

A Schedule showing residential and general service customers by meter size is as follows:

Residential Customers (all 5/8 x 3/4 inch meters) Water/Wastewater	241
General Service Customers (all 5/8 x ³ / ₄ inch meters)	
Irrigation Customers - Water Only	4
Park Office Water/Wastewater	1
Pool Water Only	1
Wastewater Plant Water Only	1

Based on water consumption data for the 12-months ended December 2002, the residential class average use per month was 7,882 gallons and the general service class average use per month was 13,905 gallons.

4. Are there any utility customers that are not metered? If so, please explain.

There are no unmetered customers and no models.

5. Please provide a statement indicating whether the utility is maintaining its books and records in accordance with the National Association of Regulatory Utility Commissioners' uniform system of accounts and whether those records are maintained in Florida as required by Rule 25-30.110 and 115, Florida Administrative Code.

Currently, the Utility is exempt as a landlord providing service without specific compensation to its residents. Once the Utility obtains its wastewater certificate and begins billing its customers, it will begin maintaining its books and records in accordance with the NARUC uniform system of accounts and those records are maintained in Florida as required by Fla. Admin. Code Rule 25-30.110 and 115.

6. Attachment J shows that meters were installed in 2000. Why were the meters installed? Have the meters been read? Has any information been provided to the Hidden Valley residents regarding their monthly water usage?

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The meters were installed in 2000 as required by paragraph 12 of the St. Johns River Water Management District Consumptive Use Permit Number 2-069-0372NFM dated as of May 11, 1993. A copy of this permit is attached hereto as Attachment "A." Please note that this permit was subsequently renewed on May 1, 2001 as Consumptive Use Permit Number 2565 and that a renewal application for permit No. 2565 is currently pending with the agency. All meters are read by Futec. Cards showing monthly consumption are sent to the residents, and the park manager gets a consumption summary each month. The monthly summary is used by the park manager as a tool to identify customers who use high amounts of water, possibly due to leaks. Those situations are followed up by a notice regarding high water usage, and those customers' meters are checks by park maintenance.

7. Please explain the basis for the gallons used to determine the water and wastewater gallonage charges.

Actual billing usage data was used to calculate the variable usage charges.

8. The actual name of the development served by the utility is Hidden Valley SPE LLC d/b/a Orange Lake. The two prospectuses approved by the Florida Department of Business and Professional Regulation refer to the development as Orange Lake Manufactured Home Community. In reviewing the prospectuses, it appears that the development at some time in the past was called Orange Lake Mobile Home Village. To the extent that people have referred to the development as "Orange Lake Mobile Home Park," it is done on an informal basis.

Please let me know if you have any questions.

Sincerely,

Kathryn G.W. Cowdery

Cc: Stephanie Clapp (via hand delivery)
Tom Waldon (via hand delivery)



Henry Dean, Executive Directo

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904/730-8270 - 407/984-4940 --

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CHATEAU CAND DEVELOPMENT COMPANY ATTR: RAYMOND SEIGNEURIE 19500 HALL ROAD MT CLEMENS, MI 48044

SUBJECT: CONSUMPTIVE USE PERMIT NO. 2-069-0372NFN

ENCLUSED TO THE PERMIT AND THE FORMS NECESSARY FOR SUBMITTING INFORMATION TO COMPLY WITH CONDITIONS OF THE PERMIT AS AUTHORIZED BY THE GOVERNING BOARD OF THE ST. JOHNS RIVER WATER MANAGEMENT DISTRICT ON MAY 11, 1995. ALSO ATTACHED IS FORM EN-1 WHICH IS USED TO INDICATE THE PERSON WHO WILL BE RESPONSIBLE FOR REPORTING YOUR COMPLIANCE INFORMATION. DESIGNATING ONE PERSON TO BE RESPONSIBLE FUR REPURTING THIS INFORMATION WILL SIMPLIFY THE COMPLIANCE PROCESS BY ALLOWING US TO CONTACT THE PERSON MOST FAMILIAR WITH THIS INFORMATION AND ENABLE USE TO KEEP OUR FILES UP-TO-DATE FOR ANY FUTURE REFERENCE. PLEASE RETURN FORM EN-1 COMPLETED WITH YOUR, FIRST, REPURE TO THE DISTRICT. ALL COMPLIANCE INFORMATION MUST BE SUBMITTED ID THE DISTRICT'S PALAIKA OFFICE P. 0. 80% 14292 PALAIKA L FLUBIDA _ 341/8=1429.

PERMIT ISSUANCE DOES NOT RELIEVE YOU FROM THE RESPONSIBILITY OF UBTAINING PERMITS FROM ANY FEDERAL, STATE, AND/OR LOCAL AGENCIES ASSERTING CUNCURRENT JURISDICTION FOR THIS WORK. THE ENCLOSED PERMIT WILL EXPIRE ON MAY 11, 2000.

ANT THE EVENT YOU SELL YOUR PROPERTY, THE PERMIT WILL BE TRANSFERRED TO THE NEW UWNER IF WE ARE NOTIFIED BY YOU WITHIN THIRTY DAYS OF THE RECORDING OF THE SALE. PLEASE ASSIST US IN THIS MATTER SO AS TO MAINTAIN A VALID PERMIT FOR THE NEW PROPERTY OWNER.

THE PERMIT ENCLUSED IS A LEGAL DOCUMENT AND SHOULD SE KEPT WITH YOUR OTHER IMPORTANT DOCUMENTS. PLEASE READ THE PERMIT CAREFULLY SINCE YOU ARE RESPONSIBLE FOR COMPLIANCE WITH ANY PROVISOS WHICH ARE A PART OF THIS PERMIT. PROVISO COMPLIANCE IS A LEGAL REQUIREMENT AND YOUR ASSISTANCE IN THIS MATTER WILL BE GREATLY APPRECIATED.

JOB E. HILL, CHAIRMAN LEESBURG

Joseph D. Collins, VICE CHAIRWAN JACKSONVILLE

Jesse J. Parrish, III, TREASURER TITUSVILLE

Lenore N. McCollagh, SECRETARY

ORANGE PARK

Merritt C. Fore **OCALA**

Ralph E. Simmons FERNANDINA BEACH

Saundra H. Gray DE BARY

Patricia T. Harden SANFORD

James H. Williams OCALA

CHATEAU LAND DEVELOPMENT COMPANY MAY 11, 1995

ACCURDING TO CHAPTER 400-2.401 AND SECTION 6.4 OF THE CONSUMPTIVE WATER USE HANDBUOK, A PERMANENT TAG IS ISSUED BY THE DISTRICT FOR WELL IDENTIFICATION. THIS TAG MUST BE PROMINENTLY DISPLAYED AT THE SITE OF WITHDRAWAL BY PERMANENTLY AFFIXING THE TAG TO THE PUMP, HEADGATE, VALVE, OR OTHER WITHDRAWAL FACILITY. FAILURE TO DISPLAY A WELL TAG SHALL CONSTITUTE VIOLATION OF A PERMIT CONDITION AND MAY, IF WILLFUL, BE GROUNDS FOR REVOCATION OF THE PERMIT. PLEASE REFER TO YOUR COPY OF 40C-2 IF YOU NEED FURTHER CLARIFICATION.

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MESSAGE YOU WILLIESTING ENCLOSED A COPY OF THE MAP SUBMITTED WITH YOUR A APPLICATION, WITH EACH WELL'S LOCATION AND NUMBER IDENTIFIED. WHEN PLACING THE TAG ON THE WELL, REFER TO THIS MAP TO ENSURE PROPER WELL IDENTIFICATION.

IF YOU HAVE ANY QUESTIONS CONCERNING YOUR PERMIT COMPLIANCE INFORMATION, THE ATTACHED FORMS OR WELL TAGS, CONTACT ME AT 904-529-4274.

THANK YOU FUR YOUR INTEREST IN OUR WATER RESOURCES.

SINCERELY

ROSLE PARKER, DATA CONTROL TECHNICIAN

DIVISION OF PERMIT DATA SERVICES

GRILD

ENCLUSURES: PERMIT WITH COMPLIANCE FORMS MAP WELL TAGIST

CC: DISTRICT PERMIT FILE NAUMI WHIINEY FARNER, WARLEY & ASSOCIATES, INC. ATIN: KOBERT & FARNER. SOU NORTH SINCLAIR AVENUE TRAVARES, FL 52778

ST. JOHNS RIVER WATER MANAGEMENT DISTRICT Post Office Box 1429 Palatka, Florida 32078-1429

Z=US	Y-0372NFM			DATE ISSUED_	MAY:112	1993
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USE OF GR	COUND WATER PUPULATIO					AN .
LOCATION						
LAKE COUR	// TOWNSHIP		,	ZA EAST		
ISSUED TO:						
RATHUND S	AND DEVELOP Eleneurie L Ruad S/ MI 4504		MPANY			,
Permittee agrees to ho damages, claims, of liab thereto, is by reference	pilities which may a	rise from pern	Water Manager nit Issuance, Said	ment District and d application, incl.	its successors hading all plans an	umless from any and a d specifications attached
This permit does not c relieve the permittee f All structures and works	rom complying wit	th any law, re	egulation or req	uirement affecting	the rights of o	
This Permit may be re- Florida Statutes and 4				uant to the appro	opriate provision	s of Chapter 373 or 403
PERMIT IS CONDITION	ED UPON:					
SEE CONDI	FETQN2 ON Y	TTACHED	"EXHIBIT	A", DATED	MAY 11,	1993
	,					
AUTHORIZED BY: St. Jo	ohns River Water M	lanagement D	istrict			
Department of Resource	e Management	Coverning E	Board			·
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"EXHIBIT A"

CONDITIONS EDR. ISSUANCE OF PERHIT NUMBER 2-059-05724FM

CHATEAU LAND DEVELOPMENT COMPANY

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PARTY CONTRACTOR

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- 1. DISTRICT AUTHORIZED STAFF, UPON PROPER IDENTIFICATION, WILL HAVE PERMISSION TO ENTER, INSPECT AND OBSERVE PERMITTED AND RELATED FACILITIES IN ORDER TO DETERMINE COMPLIANCE WITH THE APPROVED PLANS, SPECIFICATIONS AND CONDITIONS OF THIS PERMITS
 - NOTHING IN THIS PERMIT SHOULD BE CONSTRUED TO LIMIT THE AUTHORITY OF THE ST. JOHNS RIVER WATER MANAGEMENT DISTRICT TO DECLARE A WATER SHORTAGE AND ISSUE ORDERS PURSUANT TO SECTION 3/3.7/3, FLORIDA STATUTES, OR TO FORMULATE A PLAN FOR IMPLEMENTATION DURING PERIODS OF WATER SHORTAGE, PURSUANT TO SECTION 3/3.240, FLORIDA STATUTES. IN THE EVENT A WATER SHORTAGE, IS DECLARED BY THE DISTRICT GOVERNING BOARD, THE PERMITTEE MUST ADHERE TO THE WATER SHORTAGE RESTRICTION AS SPECIFIED BY THE DISTRICT, EVEN THOUGH THE SPECIFIED WATER SHORTAGE RESTRICTIONS MAY BE INCONSISTENT WITH THE TERMS AND CONDITIONS OF THIS PERMIT.
 - PRIOR TO THE CONSTRUCTION, MODIFICATION, OR ABANDONMENT OF A WELL, THE PERMITTEE MUST OBTAIN A WATER WELL CONSTRUCTION PERMIT FROM THE ST. JOHNS RIVER WATER MANAGEMENT DISTRICT OR THE APPROPRIATE LOCAL GOVERNMENT PURSUANT TO CHAPTER 40C-3, FLORIDA AUMINISTRATIVE CODE. CONSTRUCTION, MODIFICATION, OR ABANDONMENT OF A WELL WILL REQUIRE MODIFICATION OF THE CONSUMPTIVE USE PERMIT WHEN SUCH CONSTRUCTION, MODIFICATION OR ABANDONMENT IS OTHER THAN THAT SPECIFIED AND DESCRIBED ON. THE CONSUMPTIVE USE PERMIT APPLICATION FORM.
 - 4. LEAKING OR INOPERATIVE WELL CASINGS, VALVES, OR CONTROLS MUST BE REPAIRED OR REPLACED AS REQUIRED TO ELIMINATE THE LEAK OR MAKE THE SYSTEM FULLY OPERATIONAL.
 - 5. LEGAL USES OF WATER EXISTING AT THE TIME OF PERMIT APPLICATION MAY NOT BE SIGNIFICANTLY ADVERSELY IMPACTED BY THE CONSUMPTIVE USE. IF UNANTICIPATED SIGNIFICANT ADVERSE IMPACTS OCCUR, THE DISTRICT SHALL REVOKE THE PERMIT IN WHOLE OR IN PART TO CURTAIL OR ABATE THE ADVEKSE IMPACTS, UNLESS THE IMPACTS CAN BE MITIGATED BY THE PERMITTEE.
 - 6. UFF-SITE LAND USES EXISTING AT THE TIME OF PERMIT APPLICATION MAY NOT BE SIGNIFICANTLY ADVERSELY IMPACTED AS A RESULT OF THE CONSUMPTIVE USE. IF UNANTICIPATED SIGNIFICANT ADVERSE IMPACTS OCCUR, THE DISTRICT SHALL REVURE THE PERMIT IN WHOLE OR IN PART TO CURTAIL OR ABATE THE ADVERSE IMPACTS, UNLESS THE IMPACTS CAN BE MITIGATED BY THE PERMITTEE.

- Z-D69-D372NEM

 Z-D69-SECTION 4UC-1.61Z.
- 8: A DISTRICT-ISSUED IDENTIFICATION TAG SHALE BE PROMINENTED DISPLAYED AT EACH WITHDRAWAL SITE BY PERMANENTLY AFFIXING SUCH TAG TO THE PUMP, HEADGATE, VALVE OR OTHER WITHDRAWAL FACILITY AS PROVIDED BY SECTION 40C-2.401, FLORIDA ADMINISTRATIVE CODE. PERMITTEE SHALL NOTIFY THE DISTRICT IN THE EVENT THAT A REPLACEMENT TAG IS NEEDED.
 - 9- IF THE PERMITTEE DOES NOT SERVE A NEW PROJECTED DEMAND LOCATED WITHIN THE SERVICE AREA UPON WHICH THE ANNUAL ALLOCATION WAS CALCULATED, THE ANNUAL ALLOCATION WILL BE SUBJECT TO MODIFICATIONS
- TO. IF WATER SOURCE IS FROM WELLS, PERMITTEE MUST DEVELOP. IMPLEMENT, AND SUBMIT TO THE DISTRICT A WELLFIELD OPERATING PROGRAM WITHIN SIX (6) MONTHS OF PERMIT ISSUANCE. THIS PROGRAM MUST EXPLAIN WHICH WELLS ARE PRIMARY, SECONDARY, STANDBY (RESERVE), THE ORDER OF PREFERENCE IN TURNING ON WELLS, CRITERIA FOR SHUTTING DOWN AND RESTARTING WELLS, AND ANY UTHER ASPECTS OF WELLFIELD MANAGEMENT AND OPERATION.
 - TT. ON THE TENTH DAY FOLLOWING THE MONTH OF RECORD. PERMITTEE MUST SUBMIT TO THE DISTRICT COPIES OF THE DER MONTHLY WATER TREATMENT PLANT REPORTS ON A MONTHLY BASIS FULLUWING THE MONTH OF RECORD. THE PERMIT NUMBER MUST BE ATTACHED TO ALL REPORTS.
 - 12. THE PERMITTEE MUST ENSURE THAT ALL SERVICE CONNECTIONS ARE METERED.
 - TREATED EFFLUENT MUST BE USED AS IRRIGATION WATER WHEN IT BECOMES AVAILABLE, ECONOMICALLY FEASIBLE, AND PERMISSIBLE UNDER APPLICABLE STATE AND FEDERAL STATUTES OR REGULATIONS PROMULGATED THEREUNDER.
 - WHENEVER FEASTBLES THE PERMITTEE MUST USE NATIVE VEGETATION THAT REMUIRES LITTLE SUPPLEMENTAL IRRIBATION FOR LANDSCAPING WITHIN THE SERVICE AREA OF THE PROJECT.
 - 15. THIS PERMIT WILL EXPIRE 7 YEARS FROM THE DATE OF ISSUANCE.
 - 16-MAXIMUM ANNUAL GROUNDWATER WITHDRAWALS FOR HOUSEHOLD USE MUST NOT EXCEED:

45-80 MGALS IN 1993,

Z-DOY-USYZNFM

54_75_MGALS:IN 1994,

21_05_MGALS:IN 1995,

54_75_MGALS:IN 1996,

58_40_MGALS:IN 1997,

62_09_MGALS:IN 1998 AND

65_70_MGALS:IN 1999.

17. MAXIMUM DAILY GROUNDWATER WITHDRAWALS FOR HOUSEHOLD USE MUST

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224 MGALS IN 1993, 226 MGALS IN 1994, 228 MGALS IN 1990, 30 MGALS IN 1997, 32 MGALS IN 1997, 34 MGALS IN 1998 AND, 36 MGALS IN 1999.

- TE- MAXIMUM DAILY GROUNDWATER WITHDRAWALS FOR FIRE PROTECTION MUST NOT EXCEED 1-UU MGALS/DAY-
- INSTALL IN-LINE TOTALIZING FLOW METERS ON WELL NOTS T AND 22 AS LISTED ON THE APPLICATION. THESE METERS MUST MAINTAIN 95% ACCURACY, BE VERIFIABLE AND BE INSTALLED ACCORDING TO MANUFACTURER SPECIFICATIONS.
 - ZU. TUTAL WITHDRAWALS FROM WELL NO'S 1 AND 2 AS LISTED ON THE APPLICATION MUST BE RECORDED CONTINUOUSLY, TOTALLED MONTHLY, AND REPURIED TO THE DISTRICT AT LEAST EVERY SIX MONTHS FROM THE INTITATION OF THE MONITORING USING FORM NO. EN-50.
 - THE PERMITTEE MUST MAINTAIN ALL METERS OR OTHER DISTRICT APPROVED FLUW MEASURING DEVICES. IN CASE OF FAILURE OR BREAKDUWN UF ANY METER OR OTHER DEVICE. THE DISTRICT MUST BE NOTIFIED IN WRITING WITHIN 5 DAYS OF ITS DISCOVERY. A DEFECTIVE METER OR OTHER DEVICE MUST BE REPAIRED OR REPLACED WITHIN 5U DAYS OF ITS DISCOVERY.
- THE PERMITTEE MUST HAVE ALL FLOW METERS CHECKED FOR ACCURACY

 ALLEAST ONCE EVERY 3 YEARS WITHIN 30 DAYS OF THE

 ANNIVERSARY DATE OF PERMIT ISSUANCE, AND RECALIBRATED IF THE

 DIFFERENCE BETWEEN THE ACTUAL FLOW AND THE METER READING IS

 GREATER THAN 3%. DISTPICT FORM NO. EN-51 MUST BE SUBMITTED

 TO THE DISTRICT WITHIN 10 DAYS OF THE

 INSPECTION/CALIBRATION.
 - 25. It AT ANY TIME WITHIN PERMIT DURATION IT BECOMES PRACTICAL, AND ECONOMICALLY AND TECHNICALLY FEASIBLE, THE PERMITTEE MUST PROVIDE ON ACCEPT RECLAIMED WATER FOR USE...

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CAN ELECTATO REDUCE THE NUMBER OF IRRIGATION DAYS OR LENGTHWAY THE NUMBER OF TRAIGHTON DAYS OR LENGTHWAY OF IRREGATION CYCLE.

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- 25. WITHIN I YEAR OF PERMIT ISSUANCE, THE PERMITTEE MUST SUBMIT THE RESULTS OF A COMPREHENSIVE UNACCOUNTED FOR MATER AUDIT THE AUDIT MUST DEFERMINE THE LOCATION OF ANY LEAKS AND REPAIR THEMA IDENTIFY UNAUTHORIZED OR UNMETERED USES CHECK PUMP EFFICIENCY, DEFINE A LONG TERM LEAK DETECTION AND REPAIR PROGRAM, AND INCLUDE A CHECK ON THE CONDITION OF HIDRARTS: AND VALVES, AND CALIBRATION OF ALL: METERS ...
- WATHIN 5 MONTHS OF PERMIT ISSUANCE THE CLUB HOUSES AND ANY PUBLIC BUILDINGS MUST BE EQUIPPED WITH LOW-FLOW PLUMBING FIXTURES.
- \$27. IN ADDITION TO THE WATER CONSERVATION CONDITIONS LISTED ON THIS PERMIT, THE PERMITTEE MUST IMPLEMENT THE CONSERVATION PLAN DATED AS RECEIVED BY THE DISTRICT ON APRIL 17, 1992 AND FEBRUARY 25% 1993 IN ACCORDANCE WITH THE STREET CONTAINED THEREIN ... A REPORT DETAILING THE PROGRESS OF PLAN IMPLEMENTATION MUST BE SUBMITTED TO THE DISTRICT ON NOVEMBER 71 - . 1790-
 - Z8 -SUURCE CLASSIFICATION IS COMFINED OR SEMI-CONFINED AQUIFER (69.55 MGALS/YR).
 - 29. USE CLASSIFICATION IS YOU HOUSEHOLD, 10% WATER UTILITY AND ESSENTIAL.