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Southwest Florida Water Management District

6-24-02

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Executive Director

Gene A. Heath
Assistant Executive Director

William S. Bilenky
General Counsel

August 6, 2002

Ms. Ann Cole, Clerk
Division of Administrative Hearings
The DeSoto Building
1230 Apalachee Parkway
Tallahassee, Florida 32399-1550

Subject: Sumter Citizens Against Irresponsible Development, Inc., et al. v. Southwest Florida Water Management District and The Villages of Lake Sumter, Inc. - DOAH Case Nos. 02-1122 and 02-1123

Dear Ms. Cole:

As required by Subsection 120.57(1)(k), Florida Statutes, enclosed for filing in the above-referenced cases is a copy of the Final Order approved by the District Governing Board on July 30, 2002.

Please contact me at the District's Brooksville office, extension 4660, if you have any questions about this matter.

Sincerely,

Margaret M. Lytle
Assistant General Counsel

MML
Enclosure

S:\MyFiles\MargLtr\DOAH\FOLKSumter.wpd

FIT

02 AUG 12 PM 12:14
RECEIVED
ADMINISTRATIVE HEARINGS
DIVISION OF ADMINISTRATIVE HEARINGS
TALLAHASSEE, FLORIDA

DWD-6603

for

BEFORE THE SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

ORDER NO. SWF 02-051

FILED
02 AUG 12 PM 12:44
DISTRICT CLERK
SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
TALLAHASSEE, FLORIDA

SUMTER CITIZENS AGAINST IRRESPONSIBLE
DEVELOPMENT, INC., KENNETH ROOP, AUBREY
VARNUM, and T. DANIEL FARNSWORTH,

Petitioners,

vs.

CASE NOS. 02-1122
02-1123
02-1124

SOUTHWEST FLORIDA WATER MANAGEMENT
DISTRICT and THE VILLAGES OF LAKE-SUMTER,
INC.,

Respondents,

and

NORTH SUMTER UTILITY COMPANY, L.L.C., and
THE VILLAGES WATER CONSERVATION
AUTHORITY, L.L.C.,

Intervenors.

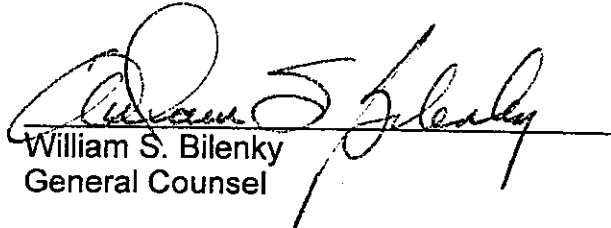
NOTICE OF ENTRY OF FINAL ORDER

Notice is hereby given that the attached Final Order (No. SWF-02-051) in the above-styled proceeding was entered by the Southwest Florida Water Management District (the District) on July 30, 2002 and was filed with the Agency Clerk and therefore rendered on July 30, 2002. This Notice is given and a copy of the attached Final Order mailed to the attorney or representative of record for each party in the proceeding as required by Section 120.569(1), Florida Statutes (F.S.).

In accordance with Section 120.569(1), F.S., each party is hereby informed that the following judicial review may be available: A party who is adversely affected by final agency action may seek review of the action in the appropriate District Court of Appeal

pursuant to Section 120.68, F.S., by filing a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, within thirty (30) days after the rendering of the final action by the District.

PLEASE BE GOVERNED ACCORDINGLY.


William S. Bilenky
General Counsel

CERTIFICATE OF SERVICE

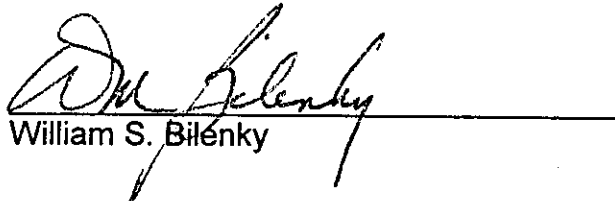
I HEREBY CERTIFY that a true and correct copy of the foregoing Notice of Entry of Final Order and attached Final Order have been sent by United States mail or hand-delivered to the following this 31st day of July 2002.

John R. Thomas, Esquire
Thomas & Associates, P.A.
233 Third Street, Suite 101
St. Petersburg, Florida 33701

Michael A. Skelton, Esquire
11007 North 56th Street, Suite 204
Temple Terrace, Florida 33617

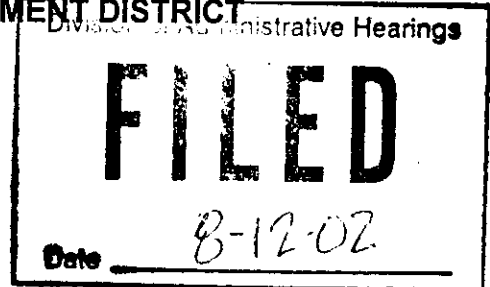
Margaret M. Lytle, Assistant General Counsel
Steve Rushing, Senior Attorney
Southwest Florida Water Management District
2379 Broad Street
Brooksville, FL 34604-6899

Martha Harrell Chumbler, Esquire
Nancy G. Linnan, Esquire
Carlton Fields Law Firm
Post Office Drawer 190
Tallahassee, Florida 32302


William S. Bilenky

BEFORE THE GOVERNING BOARD OF THE
SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT

ORDER NO. SWF 02-051



SUMTER CITIZENS AGAINST IRRESPONSIBLE
DEVELOPMENT, INC., KENNETH ROOP, AUBREY
VARNUM, and T. DANIEL FARNSWORTH,

Petitioners,

vs.

CASE NOS. 02-1122
02-1123
02-1124

SOUTHWEST FLORIDA WATER MANAGEMENT
DISTRICT and THE VILLAGES OF LAKE-SUMTER,
INC.,

Respondents,

and

NORTH SUMTER UTILITY COMPANY, L.L.C., and
THE VILLAGES WATER CONSERVATION
AUTHORITY, L.L.C.,

Intervenors.

FINAL ORDER

THIS CAUSE was heard by the Governing Board of the Southwest Florida Water Management District pursuant to Sections 120.569 and 120.57(1), Florida Statutes (F.S.), for the purpose of issuing a final order in the above-styled proceeding, including consideration of the Recommended Order of the Administrative Law Judge, Don W. Davis (the ALJ), the exceptions filed by Petitioners, SUMTER CITIZENS AGAINST IRRESPONSIBLE DEVELOPMENT, INC., KENNETH ROOP, AUBREY VARNUM, and T. DANIEL FARNSWORTH, and the response to exceptions filed by Respondent, THE VILLAGES OF LAKE-SUMTER, INC. and Intervenors NORTH

SUMTER UTILITY COMPANY, L.L.C. and THE VILLAGES WATER CONSERVATION AUTHORITY, L.L.C. (the Applicants).

1. On June 24, 2002, the ALJ issued his Recommended Order in this matter, a copy of which is attached hereto as Exhibit "A."

2. On July 9, 2002, Petitioners filed timely exceptions to the Recommended Order. On July 15, 2002, the Applicants filed a timely response to Petitioners' exceptions.

3. The Governing Board has reviewed the Recommended Order and it is hereby adopted and incorporated herein by reference in its entirety.

4. The Governing Board has also reviewed the exceptions filed by Petitioners and the response filed by the Applicants, and rejects all of the exceptions for the reasons expressed in the Rulings on Exceptions to Recommended Order, which are attached hereto and incorporated herein by reference as Exhibit "B."

WHEREFORE, the Governing Board hereby issues Water Use Permit Nos. 20012236.000 and 20012239.000 and Environmental Resource Permit No. 43020198.001, copies of which are attached hereto as Exhibits "C", "D", and "E", respectively.

DONE AND ORDERED by the Governing Board of the Southwest Florida Water Management District this 30 day of July 2002 in Brooksville, Hernando County, Florida.

SOUTHWEST FLORIDA WATER
MANAGEMENT DISTRICT

Approved as to Legal Form and
Content
Margaret M. Lytle
Attorney

By: [Signature]
Ronnie E. Duncan, Chair

Attest: [Signature] for
Heidi B. McCree, Secretary

(Seal)

Filed this 30th day of
July 2002.

[Signature]
Deputy Agency Clerk

COPIES FURNISHED:

John R. Thomas, Esquire
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St. Petersburg, Florida 33701

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