

FILED
DATE 5/3/11

BEFORE THE GOVERNING BOARD OF THE
SOUTHWEST FLORIDA WATER MANAGEMENT DISTRICT
SWF 11-011

HENRY C. ROSS,

Petitioner,

vs.

DOAH Case No. 10-10214
WUP No. 20000742.010

CITY OF TARPON SPRINGS, and
SOUTHWEST FLORIDA WATER
MANAGEMENT DISTRICT,

Respondents.

FINAL ORDER

THIS CAUSE was heard by the Governing Board of the Southwest Florida Water Management District (District) pursuant to Sections 120.569 and 120.57(1), Florida Statutes, for the purpose of issuing a final order in the above-styled proceeding, including consideration of the Amended Recommended Order of Administrative Law Judge (ALJ) David M. Maloney, and the exceptions filed by Respondent, City of Tarpon Springs (City).

1. On April 22, 2011, the ALJ issued his Amended Recommended Order in this matter, a copy of which is attached hereto as Exhibit "A".

2. On April 28, 2011, the City filed exceptions to the Amended Recommended Order.

3. The Governing Board has reviewed the exceptions filed by the City, and accepts all of the exceptions for the reasons set forth in the Ruling on Exceptions to Amended Recommended Order, which is attached hereto and incorporated herein by reference as Exhibit "B".

4. The Amended Recommended Order recommends that the Governing Board issue a final order determining that Henry C. Ross lacks standing, dismissing his Petition for Administrative Hearing, and issuing the City's Water Use Permit. The Governing Board has reviewed the Amended Recommended Order and it is hereby adopted and incorporated herein by reference.

WHEREFORE, the Governing Board hereby dismisses the Petition for Administrative Hearing filed by Henry C. Ross and issues Water Use Permit No. 20000742.010 to the City of Tarpon Springs, a copy of which is attached hereto as Exhibit "C".

DONE AND ORDERED by the Governing Board of the Southwest Florida Water Management District this 24th day of May 2011, in Brooksville, Hernando County, Florida.

SOUTHWEST FLORIDA WATER
MANAGEMENT DISTRICT

By: Ronald E. Oakley
Ronald E. Oakley, Chair

Approved as to Legal Form and Content
Anthony
Attorney

Attest: H. Paul Sentt, Jr.
H. Paul Sentt, Jr., Secretary

(Seal)

Filed this 25th day of
May, 2011.

W. Gary M. Lee
Deputy Agency Clerk