



SOUTH FLORIDA WATER MANAGEMENT DISTRICT

LOWER WEST COAST REGIONAL SERVICE CENTER 2301 McGregor Boulevard, Fort Myers, FL 33901
(239) 338-2929 • FL WATS 1-800-248-1201 • Suncom 748-2929 • Fax (239) 338-2936 • www.sfwmd.gov/lwc/

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SEP 15 2008

**HENDRY COUNTY
ADMINISTRATION**

Water Use Regulation Division

September 12, 2008

HENDRY COUNTY
PO BOX 2340
LABELLE, FL-33975

Dear Sir or Madam

Overpump NOTICE OF NON-COMPLIANCE

Permit Number 26-00096-W
Project Name: PORT LABELLE UTILITIES SOUTH WELL
County: HENDRY COUNTY
Permit Issued: 17-JUL-2008

The purpose of this letter is to inform you of non-compliance issues with your Water Use Permit from the South Florida Water Management District. According to District records, the aforementioned permittee may have exceeded their permitted allocation. Please reference the attached cumulative pumpage record for the subject property. It is the position of this agency that a violation of the consumptive use permit may have occurred due to the failure of the permittee to limit its annual or maximum monthly withdrawal to the amounts specified.

Prior to thirty days from the date of this letter, please provide information regarding the reason for this apparent violation of your permit conditions. In addition, please note that any future violation of this limiting condition will result in this matter being referred to our Enforcement section. Once an enforcement action is initiated, civil penalties and associated costs will be assessed.

We appreciate your prompt attention to this matter prior to thirty days from the date of this letter, as well as your future diligence in the timely observance of the conditions of issuance of your water use permit. If you have any questions or require further information regarding the permit limiting conditions, please contact me.

Sincerely,

Toby Schwetje
Scientist 2
Lower West Coast Water Use Division
Phone: (239) 338-2929 Extn: 7739
Fax: (239) 338-2936
tschwetj@sfwmd.gov

Melissa Roberts
Chad Brcka
Permit File

Certified Mail No. 7006 2150 0001 9096 6132
Return Receipt Requested

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OCT 09 2008

BY:

Water Use Division
 Water Use Summary Report
 Permit 26-00096-W
 PORT LABELLE UTILITIES SOUTH WELL

From 01-OCT-2005 To 31-AUG-2008 Land Use: PWS

Requirement: Water Use Report (Allocated water used) - 26-00096-W Annual withdrawal Status: Active
 Entity: PERMIT - PORT LABELLE UTILITIES SOUTH WELL

Reporting Period	Date Collected	Water Use (MGY)	Spec Value (MGY)	% of Spec	Comments
31-AUG-08	30-JUN-2008	150.788	117.000	128.88%	
31-JUL-08	31-MAY-2008	148.304	117.000	126.76%	
30-JUN-08	30-APR-2008	148.297	117.000	126.75%	
31-MAR-08	31-MAR-2008	148.530	117.000	126.95%	
29-FEB-08	29-FEB-2008	148.324	117.000	126.77%	
31-JAN-08	31-JAN-2008	144.352	117.000	123.38%	
31-DEC-07	31-DEC-2007	143.098	117.000	122.31%	
30-NOV-07	30-NOV-2007	144.072	117.000	123.14%	
31-OCT-07	31-OCT-2007	144.137	117.000	123.19%	
30-SEP-07	30-SEP-2007	145.589	117.000	124.44%	
31-AUG-07	31-AUG-2007	142.808	117.000	122.06%	
31-JUL-07	31-JUL-2007	140.797	117.000	120.34%	
30-JUN-07	30-JUN-2007	141.131	117.000	120.62%	
31-MAY-07	31-MAY-2007	142.791	117.000	122.04%	
30-APR-07	30-APR-2007	143.908	117.000	123%	
31-MAR-07	31-MAR-2007	144.969	117.000	123.91%	
28-FEB-07	28-FEB-2007	144.788	117.000	123.75%	
31-JAN-07	31-JAN-2007	144.909	117.000	123.85%	
31-DEC-06	31-DEC-2006	145.100	117.000	124.02%	

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 Reporting Period

Reporting Period	Date Collected	Water Use (MGY)	Spec Value (MGY)	% of Spec	Comments
30-NOV-06	30-NOV-2006	145.197	117.000	124.1%	
31-OCT-06	31-OCT-2006	145.808	117.000	124.62%	
30-SEP-06	30-SEP-2006	141.035	117.000	120.54%	
31-AUG-06	31-AUG-2006	138.887	117.000	118.71%	
31-JUL-06	31-JUL-2006	138.352	117.000	118.25%	
30-JUN-06	30-JUN-2006	137.432	117.000	117.46%	
31-MAY-06	31-MAY-2006	133.890	117.000	114.44%	
30-APR-06	30-APR-2006	131.297	117.000	112.22%	
31-MAR-06	31-MAR-2006	128.345	117.000	109.7%	
28-FEB-06	28-FEB-2006	124.425	117.000	106.35%	
31-JAN-06	31-JAN-2006	122.708	117.000	104.88%	
31-DEC-05	31-DEC-2005	120.227	117.000	102.76%	
30-NOV-05	30-NOV-2005	119.383	117.000	102.04%	
31-OCT-05	31-OCT-2005	116.623	117.000	99.68%	
Average for the period:		139.403			