

THIS INSTRUMENT PREPARED BY  
AND SHOULD BE RETURNED TO:

Frederick J. Murphy, Jr., Esquire  
Boswell & Dunlap LLP  
Post Office Drawer 30  
245 South Central Avenue (33830)  
Bartow, FL 33831

## WATER SUPPLY ALLOCATION AGREEMENT

THIS **WATER SUPPLY ALLOCATION AGREEMENT** (THE "Agreement") is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2024, by and between Cassidy Property Investments, LLC an active Florida limited liability corporation, Weiberg Rd Development, LLC, an active Florida limited liability corporation and CH Dev, LLC an active Florida limited liability corporation, whose address is 346 East Central Ave, Winter Haven, Florida 33880 (collectively referred to as the "OWNER"), and the **TOWN OF DUNDEE, FLORIDA**, a municipal corporation created under the laws of the State of Florida ("TOWN").

### RECITALS

1. TOWN owns and operates a central water supply system and provides central water service throughout its exclusive service area.
2. OWNER owns property ("Property") upon which it currently owns and operates well(s) through which groundwater is supplied for agricultural or other uses on the Property. The Property is described in **Exhibit "A"** attached to and incorporated in this Agreement.
3. OWNER proposes to develop the Property which contemplates a conversion of land uses from agricultural or other uses to urban uses.
4. These urban uses will require the extension and delivery of domestic potable water service to the Property.
5. OWNER desires the extension of domestic potable water service to the Property.
6. TOWN is ready, willing, and able to extend such service subject to the terms and conditions of those certain CONCURRENCY DEVELOPER'S AGREEMENTS (collectively the "Agreements") entered into by the OWNER and TOWN regarding the Town's provision of water and wastewater services for the Property as well as other development matter associated with the Property and further subject to transfer of OWNER's water allocation associated with the well(s) located on the Property.
7. The Agreements are attached hereto as **Composite Exhibit "C"** and made a part hereof by reference.

8. OWNER is willing to agree to such water allocation.
9. The parties agree and acknowledge that each of them is authorized and empowered to enter into this Agreement.

**ACCORDINGLY**, in consideration of the above-referenced Recitals, and other good and valuable consideration the receipt and sufficiency of which are acknowledged by the parties, the parties agree as follows:

**SECTION 1. RECITALS.** The above-referenced factual recitals (WHEREAS clauses) and referenced exhibits are incorporated herein as true and correct statements which form a factual and material basis for the entry into this Agreement, and the factual recitals are hereby adopted as the findings supporting the entry into this Agreement between the TOWN and OWNER.

**SECTION 2. WATER ALLOCATION TRANSFER.** The OWNER hereby consents and agrees to transfer and transfers the water allocation (whether surface water, groundwater, or both) allocated by the Southwest Florida Water Management District ("SWFWMD") under consumptive use/water use permit no. 2046 & 12972, as more particularly described in **Exhibit "B"** attached to and incorporated in this Agreement, (and any other unpermitted water allocation associated with any wells on the Property) to the TOWN. The permitting quantity for the well(s) is currently 37,700 & 10,200 gallons per day ("GPD"). OWNER further agrees to transfer said permit to TOWN if necessary to effectuate the transfer of the water allocation to the TOWN and execute any documents and/or take any and all other actions determined necessary by the TOWN in order to effectuate the water allocation transfer of the well(s) and permit(s) to the TOWN as contemplated herein. Provided further that OWNER shall be responsible for any costs and/or actions required by SWFWMD and/or any agencies with jurisdiction in order to effectuate the water allocation transfer of the well(s) and permit(s) to the TOWN as contemplated herein. This transfer shall become effective upon the effective date of this Agreement. The Town, upon credit or increase to the Town WUP from SWFWMD arising out of the transfer of the Wells, shall allocate and assign any increase or credit to the Town's WUP to the Owner, or related entities, on a pro rata basis for the purpose of establishing concurrency for Owner's projects located within the Town's Chapter 180 Utility Service Area.

**SECTION 3. RECORDING.** OWNER agrees that TOWN may record this Agreement in the Public Records of Polk County, Florida.

**SECTION 4. EFFECTIVE DATE.** The Effective Date of this Agreement shall be the date on which the TOWN's governing body approves this Agreement.

**SECTION 5. COVENANT RUNNING WITH THE LAND.** OWNER agrees that its transfer of water allocation is a covenant running with the Property and shall be binding on future owners of the Property.

**SECTION 6. WATER SERVICE.** Upon the receipt of a credit and/or increase in the permitted capacity of Public Supply Water Use Permit (No.2046.006 & 12972.003) (the "Town WUP") arising out of the transfers (see **Exhibit "B"**) which are the subject of this Agreement, the TOWN shall provide water service to the OWNER, its successors or assigns for use on the Property.

SECTION 7. **SEVERABILITY**. If any part of this Agreement is found invalid or unenforceable by any court, such invalidity or unenforceability shall not affect the other parts of this Agreement if the rights and obligations of the parties contained therein are not materially prejudiced, and if the intentions of the parties can continue to be effected. To that end, this Agreement is declared severable.

SECTION 8. **GOVERNING LAW AND VENUE**. This Agreement shall be governed by and construed in accordance with the laws of the State of Florida. The parties agree that the exclusive venue for any litigation, suit, action, counterclaim, or proceeding, whether at law or in equity, which arises out of, concerns, or relates to this Agreement, any and all transactions contemplated hereunder, the performance hereof, or the relationship created hereby, whether sounding in contract, tort, strict liability, or otherwise, shall be exclusively in the state courts of competent jurisdiction in Polk County, Florida.

SECTION 9. **AUTHORITY TO EXECUTE AGREEMENT**. The signature by any person to this Agreement shall be deemed a personal warranty by that person that he or she has the full power and authority to bind the entity for which that person is signing.

SECTION 10. **CAPACITY**. No specific reservation of water or wastewater capacity is granted by TOWN under this Agreement EXCEPT as specifically stated herein.

SECTION 11. **ARMS LENGTH TRANSACTION**. Both parties have contributed to the preparation, drafting and negotiation of this Agreement and neither has had undue influence or control thereof. Both parties agree that in construing this Agreement, it shall not be construed in favor of either party by virtue of the preparation, drafting, or negotiation of this Agreement.

SECTION 12. **AMENDMENT AND ASSIGNMENT**. This Agreement may not be amended and/or assigned, unless evidenced in writing and executed by the parties hereto and approved by the TOWN's governing body.

SECTION 13. **PUBLIC RECORDS**. The OWNER covenants and agrees to:

13.1 Keep and maintain public records required by the TOWN to perform in accordance with the terms of this Agreement.

13.2 Upon request from the TOWN's custodian of public records, provide the TOWN with a copy of the requested records or allow the records to be inspected or copies within a reasonable time at a cost that does not exceed the cost provided in Chapter 119 of the Florida Statutes or as otherwise provided by law.

13.3 Ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed except as authorized by law for the duration of the Agreement term and following completion of the Agreement and/or any amendment(s) issued hereunder if the OWNER does not transfer the records to the TOWN.

13.4 Upon completion of the Agreement and/or any amendment(s) issued hereunder, transfer, at no cost, to the TOWN all public records in possession of the OWNER or keep and maintain public records required by the TOWN to perform the service. If the OWNER transfers all public records to the public agency upon completion of the Agreement and/or any amendment(s) issued hereunder, the OWNER shall destroy any duplicate public records that are exempt or confidential and exempt from public records disclosure requirements. If the OWNER

keeps and maintains public records upon completion of the Agreement and/or any Amendment(s) issued hereunder, the OWNER shall meet all applicable requirements for retaining public records. All records stored electronically must be provided to the TOWN, upon request from the TOWN's custodian of public records, in a format that is compatible with the information technology systems of the TOWN.

**IF THE OWNER HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO THE OWNER'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS AGREEMENT, CONTACT THE TOWN'S CUSTODIAN OF PUBLIC RECORDS, ERICA ANDERSON, AT 863-438-8330, EXT. 258, [eanderson@townofdundee.com](mailto:eanderson@townofdundee.com), 202 EAST MAIN STREET, DUNDEE, FLORIDA 33838.**

If the OWNER does not comply with a public records request, the TOWN shall enforce the Agreement and/or any amendment(s) issued hereunder which may include immediate termination of Agreement and/or any amendment(s) issued hereunder. **This Section shall survive the termination of this Agreement.**

***[Remainder of page intentionally left blank]***

**IN WITNESS WHEREOF**, the parties hereto have hereunder executed this Agreement on the date and year first above written.

**ATTEST:**

**TOWN OF DUNDEE, FLORIDA, a  
Florida municipal corporation**

\_\_\_\_\_  
Erica Anderson  
Town Clerk

\_\_\_\_\_  
Samuel Pennant  
Mayor

Approved as to form and correctness:

\_\_\_\_\_  
Frederick J. Murphy, Jr.  
Town Attorney

STATE OF FLORIDA  
COUNTY OF POLK

Before me, by means of ☐ physical presence or ☐ online notarization, the undersigned authority, this day personally appeared SAMUEL PENNANT, as Mayor of the Town of Dundee, Florida, a Florida municipal corporation, ☐ to me well known and known to me to be the individual described in and/or ☐ produced \_\_\_\_\_ as identification and who executed the forgoing instrument, and was authorized on behalf of said Town of Dundee, Florida, a Florida municipal corporation, to execute same, and he severally acknowledged before me that he executed the same for the purposes therein expressed.

WITNESS my hand and official seal this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

My Commission expires:

\_\_\_\_\_  
Notary Public in and for the State of Florida at Large

Lauren Durham  
Witness Signature

Lauren Durham  
Print witness name

Emily Cassidy  
Witness Signature

Emily Cassidy  
Print witness name

**OWNER**

Cassidy Property Investments, LLC

[Signature]  
By: Albert B Cassidy

Print Name:

Its: Manager

Date: October 3, 2024

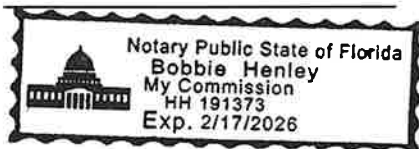
[CORPORATE SEAL]

STATE OF FLORIDA  
COUNTY OF Polk

Before me, by means of ☒ physical presence or ☐ online notarization, the undersigned authority, this day personally appeared Albert B Cassidy, as manager of Cassidy Property Investments, LLC a Limited Liability Co., who is personally known to me or ☐ produced \_\_\_\_\_ as identification and who executed the forgoing instrument, and was authorized on behalf of said \_\_\_\_\_, a \_\_\_\_\_, to execute same, and (s)he severally acknowledged before me that (s)he executed the same for the purposes therein expressed.

WITNESS my hand and official seal this 3<sup>rd</sup> day of October, 2024.

My Commission expires:



[Signature]  
Notary Public in and for the State of Florida at Large

Lauren Durham  
Witness Signature

Lauren Durham  
Print witness name

Emily Cassidy  
Witness Signature

Emily Cassidy  
Print witness name

**OWNER**

Weiberg Rd Development, LLC

By: Albert S Cassidy  
Print Name:

Its: Manager

Date: October 3, 2024

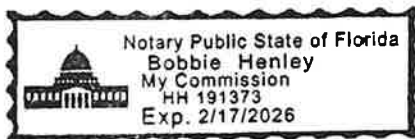
[CORPORATE SEAL]

STATE OF FLORIDA  
COUNTY OF Polk

Before me, by means of ☒ physical presence or ☐ online notarization, the undersigned authority, this day personally appeared Albert S Cassidy, as Manager of Weiberg Rd Development, a Limited Liability Company, who is personally known to me or ☐ produced \_\_\_\_\_ as identification and who executed the forgoing instrument, and was authorized on behalf of said \_\_\_\_\_, a \_\_\_\_\_, to execute same, and (s)he severally acknowledged before me that (s)he executed the same for the purposes therein expressed.

WITNESS my hand and official seal this 3<sup>rd</sup> day of October, 2024.

My Commission expires:



Bobbie Henley

Notary Public in and for the State of Florida at Large

Lauren Durham  
Witness Signature  
Lauren Durham  
Print witness name

Emily Cassidy  
Witness Signature  
Emily Cassidy  
Print witness name

**OWNER**

CH Dev, LLC  
[Signature]  
By: Albert B Cassidy  
Print Name:

Its: Manager

Date: October 3, 2024

[CORPORATE SEAL]

STATE OF FLORIDA  
COUNTY OF Polk

Before me, by means of ☒ physical presence or ☐ online notarization, the undersigned authority, this day personally appeared Albert B Cassidy, as manager of CH Dev, a Limited Liability Company, who is personally known to me or ☐ produced \_\_\_\_\_ as identification and who executed the forgoing instrument, and was authorized on behalf of said \_\_\_\_\_, a \_\_\_\_\_, to execute same, and (s)he severally acknowledged before me that (s)he executed the same for the purposes therein expressed.

WITNESS my hand and official seal this 3<sup>rd</sup> day of October, 2024.

My Commission expires:

[Signature]  
Notary Public in and for the State of Florida at Large





## **EXHIBIT “A”**

**PARCEL 272821-000000-021030**

THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 21,  
TOWNSHIP 28 SOUTH,  
RANGE 27 EAST, POLK COUNTY, FLORIDA.

**PARCEL 272821-000000-021010**

The Northeast 1/4 of the Northeast 1/ 4 of the Southeast 1/4 of Section 21, Township 28 South,  
Range 27 East, Polk County, Florida, LESS AND EXCEPT the right-of-way for 8th Street North.



# Town of Dundee

## PUBLIC UTILITIES

◆ 202 E. Main Street ◆ PO Box 1000 ◆ Dundee, Florida 33838 ◆ (863) 438-8330 ◆ Fax (863) 438-8333

August 28, 2024

Cassidy Property Investments, LLC  
Attn: Renne Heath  
346 E. Central Ave.  
Winter Haven, FL 33880

Dear Mr. Heath,

This correspondence is to verify that the previously signed agricultural WUP transfer letter dated 06/20/2022, for WUP 2046 permitted 37,700 gallons a day, is still accurate.

Per the attached letter, we show the following DID numbers and permitted quantity of gpd to be transferred to the Town of Dundee for permanent retirement is:

WUP number: 2046

• <u>DID No. 1</u>	<u>37,700 gallons/day (annual avg.)</u>
<u>TOTAL:</u>	<u>37,700 gallons/day (annual avg.)</u>

Please review and confirm that the above information is correct and that no changes to DID Numbers and/or gallons per day need to be made. This will accompany the Town's submittal to Southwest Florida Water Management District (SWFWMD) for transfer of the wells.

Please reply by email to verify that the above information is correct or if changes need to be made, to Melissa Glogowski at [MGlogowski@townofdundee.com](mailto:MGlogowski@townofdundee.com).

If you have any questions or concerns, please contact us at your earliest convenience.

Thank you,

Tracy Mercer  
Public Utilities & Special Projects Director

cc: signed WUP agreement

September 25, 2023

Tandra S. Davis  
Town Manager  
Town of Dundee  
202 Main St.  
Dundee, FL 33838-1000

Dear Ms. Davis:

As signed below, I am the permittee for the below-listed Southwest Florida Water Management District (SWFWMD) Water Use Permit (WUP). The property associated with this WUP is planned to transition from agricultural use to residential development (i.e. Land Use Transition) and will require the public supply of water provided by the Town of Dundee (Town). As such, the agricultural well(s) associated with the WUP listed below will be abandoned and the WUP will be retired in accordance with Southwest Florida Water Management District (SWFWMD) Rules regarding Mitigation Plus Recovery associated with Land Use Transition (LUT).

It is requested that permitted quantities from this agricultural WUP's be utilized by the Town to help offset the Town's potential well withdrawal impacts associated with its Public Supply WUP.

In accordance with the above, it is agreed that the following WUP's will be permanently retired:

- **WUP number:** 2046
- **Development:** Weiberg West
- **Permittee Name:** Cassidy Property Investments, LLC
- **List of all withdrawal points to be retired:** District ID Nos. 1
- Quantities to be retired from each withdrawal point. If only part of the historically used quantities are to be retired, specify what uses are associated with the quantities to be retired:

<b>Withdrawal Point ID:</b>	<b>Permitted Quantity:</b>
<ul style="list-style-type: none"><li>• <u>DID No. 1</u></li></ul>	<u>37,700 gallons/day (annual avg.)</u>
<b><u>Total:</u></b>	<b><u>37,700 gallons/day (annual avg.)</u></b>

As the permittee for the above WUP, which, when retired, will result in an elimination of groundwater quantities from this WUP's withdrawal points. My signature below confirms the following statements:

- It is agreed to permanently retire the historical use indicated for the above WUP.
- The Southwest Florida Water Management District has permission to modify the above WUP to decrease quantities to only those historically used quantities that are not being retired.

September 25, 2023

Tandra S. Davis  
Town Manager  
Town of Dundee  
202 Main St.  
Dundee, FL 33838-1000

Dear Ms. Davis:

As signed below, I am the permittee for the below-listed Southwest Florida Water Management District (SWFWMD) Water Use Permit (WUP). The property associated with this WUP is planned to transition from agricultural use to residential development (i.e. Land Use Transition) and will require the public supply of water provided by the Town of Dundee (Town). As such, the agricultural well(s) associated with the WUP listed below will be abandoned and the WUP will be retired in accordance with Southwest Florida Water Management District (SWFWMD) Rules regarding Mitigation Plus Recovery associated with Land Use Transition (LUT).

It is requested that permitted quantities from this agricultural WUP's be utilized by the Town to help offset the Town's potential well withdrawal impacts associated with its Public Supply WUP.

In accordance with the above, it is agreed that the following WUP's will be permanently retired:

- **WUP number:** 2046
- **Permittee Name:** Cassidy Property Investments, LLC
- **List of all withdrawal points to be retired:** District ID Nos. 1
- Quantities to be retired from each withdrawal point. If only part of the historically used quantities are to be retired, specify what uses are associated with the quantities to be retired:

Withdrawal Point ID:	Permitted Quantity:
• <u>DID No. 1</u>	<u>37,700 gallons/day (annual avg.)</u>
<b><u>Total:</u></b>	<b><u>37,700 gallons/day (annual avg.)</u></b>

As the permittee for the above WUP, which, when retired, will result in an elimination of groundwater quantities from this WUP's withdrawal points. My signature below confirms the following statements:

- It is agreed to permanently retire the historical use indicated for the above WUP.
- The Southwest Florida Water Management District has permission to modify the above WUP to decrease quantities to only those historically used quantities that are not being retired

I, the WUP 2046 permittee, agree that the above information is true and correct.

Cassidy Property Investments, LLC

Permittee/Owner

  
\_\_\_\_\_  
Authorized Signature  
Steven L. Cassidy, Manager  
Cassidy Property Investments, LLC

6/20/22  
\_\_\_\_\_  
Date



**WUP File of Record Report**  
**Permit: 2046.6**



**Report Cover Page**

**Selection Criteria:**

- Permit Number: 2046
- Permit Revision: 6
- Report Name: WUP File of Record Report

The information provided is based on the information available at the time of request. The information is believed to be accurate and complete, but is subject to the accuracy and completeness of information submitted to the District by permittees and other sources and is subject to the specific request made. The District does not warrant that the information is suitable for any particular use.

Report Generation Date: August 09, 2023

**Permit #:** 2046.006  
**Permit Dept:** Bartow  
**Permittee Name:** Cassidy Property Investments, LLC/ Attn: Joe Braddy  
**Address:** 346 E. Central Ave.  
 Winter Haven, FL 33880  
**Phone:** (863) 324-3698  
**Type:** Small General  
**Class:** Ownership Transfer  
**Project Name:** Olson Jordan Groves  
**Acres:**

**Application Received:** 03/10/2022  
**Issue Date:** 04/22/2022  
**Expire Date:** 03/10/2024

Owned	Controlled	Serviced	Leased	Total
30.26	0.00	9.78	0.00	40.04

**Total Quantities:**

	Avg GPD	Avg Drought GPD	Peak GPD	Max GPD
<b>Requested</b>	37,700	Not Specified	230,100	950,400
<b>Permitted</b>	37,700	51,400	230,100	950,400

**Pred Use Type:** Agricultural  
**WUCA:** Southern Water Use Caution Area  
**Basin:** Peace River  
**County:** Polk

Referencing:		
Township	Range	Section(s)
26	27	21

**Withdrawals:**

<b>District ID #:</b> 1		<b>User ID:</b> 1		<b>WD Status:</b> Existing		<b>Well Use:</b> Irrigation	
<b>WD Type:</b> Withdrawal of Groundwater		<b>Site Function:</b> Irrigation		<b>Site Operation:</b> No Further Info Necessary			
<b>Predom. Use:</b> Agricultural		<b>Monitor Use:</b>					
<b>Stand By Qty</b>	<b>Casing Diam</b>	<b>Casing Depth</b>	<b>Total Depth</b>	<b>WD Avg GPD</b>	<b>WD Peak GPD</b>	<b>WD Max GPD</b>	<b>Longitude</b>
	10	165	630	37,700	270,100	950,400	81° 36' 55.49"
<b>Latitude</b>		<b>Latitude</b>					
		28° 01' 44.46"					

**Use:**

District ID #	Use Type	Predominant Use Type	Use Avg GPD	Drought GPD	Use Peak GPD	Use Max GPD	Use Acreage	Suit Type	IRR Method
1	Cases	Agricultural	37,700	51,400	230,100	950,400	37.00	Candler	Low Volume Spray



**Tracy Mercer**

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**From:** Joe Braddy <jbraddy@cassidylanddev.com>  
**Sent:** Wednesday, September 18, 2024 12:33 PM  
**To:** Melissa Glogowski  
**Cc:** Tracy Mercer; Bobbie Henley  
**Subject:** RE: WUP 12972 for Dundee

Hello, Melissa.

The well for WUP 12972 is on parcel 272821-000000-021010 in Dundee. This parcel is in the development group for Brook Hollow Phase 1.

Weiberg West-Dundee was the working name for Brook Hollow Phase 1 during the entitlement period.

The WUP 12972 well isn't being used. The pump has been pulled and abandonment is under way.

I hope this clarifies things.

**Joe Braddy**

Cassidy Land Development, LLC  
346 E. Central Ave.  
Winter Haven, FL 33880  
jbraddy@cassidylanddev.com  
Office: 863-324-3698, ext. 223

**From:** Melissa Glogowski <mglogowski@townofdundee.com>  
**Sent:** Wednesday, September 18, 2024 12:19 PM  
**To:** Joe Braddy <jbraddy@cassidylanddev.com>  
**Cc:** Tracy Mercer <tmercer@Townofdundee.com>; Bobbie Henley <bhenley@cassidylanddev.com>  
**Subject:** RE: WUP 12972 for Dundee

**This email originated from outside of the organization. Use Caution clicking links or attachments.**

Joe,

Thank you for your email. I wanted to clarify something I noticed when saving the attachments for WUP 12972. One WUP 12972 Letter is named Brook Hollow Ph 1, while the other is just named WUP 12972.

The town shows WUP 12972, listed for Weiberg West. Can you please verify if that WUP is still being used for Weiberg West? If so, has the name of the development changed from Brook Hollow Ph 1 to Weiberg West, or is this an error?

I just wanted to verify that these are being saved correctly on our end.

If you have any questions, please don't hesitate to contact me.

Respectfully,

**Melissa Glogowski**  
Administrative Assistant

## Melissa Glogowski

---

**From:** Joe Braddy <jbraddy@cassidylanddev.com>  
**Sent:** Monday, September 9, 2024 1:15 PM  
**To:** Melissa Glogowski  
**Cc:** Tracy Mercer; Bobbie Henley  
**Subject:** WUP 12972 for Dundee  
**Attachments:** WUP 12972 Signed Letter - Dundee.pdf; WUP 12972 File of Record.pdf; WUP 12972 - Brook Hollow Ph 1 #450.pdf

To the best of my knowledge, the attached information regarding WUP 12972 is correct.

The WUP file of record is current.

Thank you.

**Joe Braddy**  
Cassidy Land Development, LLC  
346 E. Central Ave.  
Winter Haven, FL 33880  
jbraddy@cassidylanddev.com  
Office: 863-324-3698, ext. 223



# Town of Dundee

## PUBLIC UTILITIES

◆ 202 E. Main Street ◆ PO Box 1000 ◆ Dundee, Florida 33838 ◆ (863) 438-8330 ◆ Fax (863) 438-8333

August 28, 2024

CH Dev. LLC  
Attn: Rene Heath  
346 E. Central Ave.  
Winter Haven, FL 33880

Dear Mr. Heath,

This correspondence is to verify that the previously signed agricultural WUP transfer letter dated 06/20/2022, for WUP 12972 totaling 10,200 gallons a day, is still accurate.

Per the attached letter, we show the following DID numbers and total quantity of gpd to be transferred to the Town of Dundee for permanent retirement is:

WUP number: 12972

• <u>DID No. 1</u>	<u>10,200 gallons/day (annual avg.)</u>
<u>TOTAL:</u>	<u>10,200 gallons/day (annual avg.)</u>

Please review and confirm that the above information is correct and that no changes to DID Numbers and/or gallons per day need to be made. This will accompany the Town's submittal to Southwest Florida Water Management District (SWFWMD) for transfer of the wells.

Please reply by email to verify that the above information is correct or if changes need to be made, to Melissa Glogowski at [MGlogowski@townofdundee.com](mailto:MGlogowski@townofdundee.com)

If you have any questions or concerns, please contact us at your earliest convenience.

Thank you,

Tracy Mercer  
Public Utilities & Special Projects Director

cc: signed WUP agreement

Oct. 2, 2023

Tandra S. Davis  
Town Manager  
Town of Dundee  
202 Main St.  
Dundee, FL 33838-1000

Dear Ms. Davis:

As signed below, I am the permittee for the below-listed Southwest Florida Water Management District (SWFWMD) Water Use Permit (WUP). The property associated with this WUP is planned to transition from agricultural use to residential development (i.e. Land Use Transition) and will require the public supply of water provided by the Town of Dundee (Town). As such, the agricultural well(s) associated with the WUP listed below will be abandoned and the WUP will be retired in accordance with Southwest Florida Water Management District (SWFWMD) Rules regarding Mitigation Plus Recovery associated with Land Use Transition (LUT).

It is requested that permitted quantities from this agricultural WUP's be utilized by the Town to help offset the Town's potential well withdrawal impacts associated with its Public Supply WUP.

In accordance with the above, it is agreed that the following WUP's will be permanently retired:

- **WUP number:** 12972
- **Development:** Weiberg West
- **Permittee Name:** CH Dev LLC
- **List of all withdrawal points to be retired:** District ID Nos. 1
- Quantities to be retired from each withdrawal point. If only part of the historically used quantities are to be retired, specify what uses are associated with the quantities to be retired:

Withdrawal Point ID:	Permitted Quantity:
• <u>DID No. 1</u>	<u>10,200 gallons/day (annual avg.)</u>
<b><u>Total:</u></b>	<b><u>10,200 gallons/day (annual avg.)</u></b>

As the permittee for the above WUP, which, when retired, will result in an elimination of groundwater quantities from this WUP's withdrawal points. My signature below confirms the following statements:

- It is agreed to permanently retire the historical use indicated for the above WUP.
- The Southwest Florida Water Management District has permission to modify the above WUP to decrease quantities to only those historically used quantities that are not being retired

Oct. 2, 2023

Tandra S. Davis  
Town Manager  
Town of Dundee  
202 Main St.  
Dundee, FL 33838-1000

Dear Ms. Davis:

As signed below, I am the permittee for the below-listed SWFWMD Water Use Permit (WUP) number. The property associated with this WUP is planned for residential development and will require the public supply of water provided by the Town of Dundee (Town). As such, the one agricultural well associated with this WUP will be abandoned and the WUP will be retired.

It is requested that permitted quantities from this agricultural WUP be transferred to the Town to help offset the Town's additional well withdrawals associated with its public supply WUP.

In accordance with the above, it is agreed that the following WUP will be permanently retired:

- WUP number: 12972
- Permittee Name: CH Dev LLC
- List of all withdrawal points to be retired: DID 1
- Quantities to be retired from each withdrawal point. If only part of the historically used quantities are to be retired, specify what uses are associated with the quantities to be retired:

Withdrawal Point ID:	Permitted Quantity:
<u>DID 1</u>	<u>10,200</u> gallons/day (annual avg.)
TOTAL	<u>10,200</u> gallons/day (annual avg.)

As the permittee for the above WUP, which, when retired, will result in an elimination of groundwater quantities from this WUP's one withdrawal point, my signature below confirms the following statements:

- It is agreed to permanently retire the historical use indicated for the above WUP.
- The Southwest Florida Water Management District has permission to modify the above WUP to decrease quantities to only those historically used quantities that are not being retired.

I, the WUP 12972 permittee, agree that the above information is true and correct.

CH Dev LLC  
Permittee/Owner

  
Authorized Signature

10/2/23  
Date

September 25, 2022

Tandra S. Davis  
Town Manager  
Town of Dundee  
202 Main St.  
Dundee, FL 33838-1000

Dear Ms. Davis:

As signed below, I am the permittee for the below-listed Southwest Florida Water Management District (SWFWMD) Water Use Permit (WUP). The property associated with this WUP is planned to transition from agricultural use to residential development (i.e. Land Use Transition) and will require the public supply of water provided by the Town of Dundee (Town). As such, the agricultural well(s) associated with the WUP listed below will be abandoned and the WUP will be retired in accordance with Southwest Florida Water Management District (SWFWMD) Rules regarding Mitigation Plus Recovery associated with Land Use Transition (LUT).

It is requested that permitted quantities from this agricultural WUP's be utilized by the Town to help offset the Town's potential well withdrawal impacts associated with its Public Supply WUP.

In accordance with the above, it is agreed that the following WUP's will be permanently retired:

- **WUP number:** 12972
- **Permittee Name:** CH Dev LLC
- **List of all withdrawal points to be retired:** District ID Nos. 1
- Quantities to be retired from each withdrawal point. If only part of the historically used quantities are to be retired, specify what uses are associated with the quantities to be retired:

Withdrawal Point ID:	Permitted Quantity:
• <u>DID No. 1</u>	<u>10,200 gallons/day (annual avg.)</u>
<b><u>Total:</u></b>	<b><u>10,200 gallons/day (annual avg.)</u></b>

As the permittee for the above WUP, which, when retired, will result in an elimination of groundwater quantities from this WUP's withdrawal points. My signature below confirms the following statements:

- It is agreed to permanently retire the historical use indicated for the above WUP.
- The Southwest Florida Water Management District has permission to modify the above WUP to decrease quantities to only those historically used quantities that are not being retired.

I, the WUP 12972 permittee, agree that the above information is true and correct.

CH Dev LLC


Permittee/Owner

\_\_\_\_\_  
Authorized Signature

Albert B. Cassidy, Manager

CH Dev LLC

\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Authorized Signature

Joe D. Braddy, Authorized Agent

CH Dev LLC and The Cassidy Organization

\_\_\_\_\_  
Date

6/20/22



Report Cover Page

**Selection Criteria:**

- Permit Number: 12972
- Permit Revision: 3
- Report Name: WUP File of Record Report

The information provided is based on the information available at the time of request. The information is believed to be accurate and complete, but is subject to the accuracy and completeness of information submitted to the District by permittees and other sources and is subject to the specific request made. The District does not warrant that the information is suitable for any particular use.

**Permit #:** 12972.003  
**Permit Dept:** Bartow  
**Permittee Name:** Ch Dev, LLC/Attn: Albert Cassidy  
**Address:** 346 E. Central Ave.  
 Winter Haven, FL 33880  
**Phone:** (863) 324-3698  
**Type:** Small General  
**Class:** Ownership Transfer  
**Project Name:** Dundee Block  
**Acres:**

**Application Received:** 01/18/2022  
**Issue Date:** 01/31/2022  
**Expire Date:** 08/13/2035

**Total Quantities:**

Owned	Controlled	Serviced	Leased	Total
10.00	0.00			10.00

Requested	Permitted	Avg GPD	Avg Drought GPD	Peak GPD	Max GPD
		10,200	Not Specified	62,200	648,000
		10,200	13,900	62,200	720,100

**Pred Use Type:** Agricultural  
**WUCA:** Southern Water Use Caution Area  
**Basin:** Peace River  
**County:** Polk

Referencing:		
Township	Range	Section(s)
28	27	21

**Withdrawals:**

District ID #: 1

WD Type: Withdrawal of Groundwater

Predom. Use: Agricultural

Monitor Type:

User ID: 1

WD Status: Existing

Site Function: Irrigation

Monitor Use:

Well Use: Irrigation

Site Operation: No Further Info Necessary

Stand By Qty	Casing Diam	Casing Depth	Total Depth	WD Avg GPD	WD Peak GPD	WD Max GPD	Latitude	Longitude
	10	190	600	10,200	62,200	720,100	28° 01' 54.19"	81° 36' 48.44"

**Use:**

District ID #

Use Type

Cinus

Predominant Use Type

Agricultural

Use Avg GPD

10,200

Drought GPD

13,900

Use Peak GPD

62,200

Use Max GPD

720,100

Use Acreage Soil Type

10.00 Candler

IRR Method

Low Volume Spray