

**STATE OF FLORIDA
SUWANNEE RIVER WATER MANAGEMENT DISTRICT**

SEVEN SPRINGS WATER COMPANY,

Petitioner,

v.

**SUWANNEE RIVER WATER
MANAGEMENT DISTRICT,**

Respondent.

Renewal WUP App. No. 2-041-218202-3

**DOAH Case Nos. 20-1329 and 20-3581
(consolidated)**

**RESPONDENT SUWANNEE RIVER WATER MANAGEMENT DISTRICT'S
EXCEPTIONS TO RECOMMENDED ORDER**

Pursuant to §120.57(1)(k), Fla. Stat. (2020) and Florida Administrative Code Rule 28-106.217, Respondent, SUWANNEE RIVER WATER MANAGEMENT DISTRICT (the "DISTRICT"), submits the following exceptions to the Administrative Law Judge's Recommended Order dated January 20, 2021 ("RO") as follows:

1. The DISTRICT takes exception to **RO paragraph 8** as follows: while RO paragraph 8 is correct that Seven Springs identified itself as a "bulk water provider to the adjacent bottled water facility" in its application, Chapter 373, Fla. Stat., District Rule Chapter 40B-2, F.A.C., and the District's Applicant's Handbook do not recognize (or even mention) such a use, and, pursuant to Chapter 373, Fla. Stat., Chapter 40B-2, F.A.C., and the Applicant's Handbook, such a use does not exist (*Joint Ex. 1, Tr. 393:20-24, 394:3-10, 500:17-25, 501:1-6, 561:4-25, 562:1-3*). Since there is no definition of "bulk water" or "bulk water provider" in Chapter 373, Fla. Stat., Chapter 40B-2, F.A.C., or the Applicant's Handbook – the Application was processed under the statutes and rules applicable to a Beverage Processing Use (*Tr. 561:4-25, 562:1-3*), pursuant to which Seven Springs' application was recommended for denial.