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2 **SOUTH FLORIDA WATER MANAGEMENT DISTRICT**

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4 **RESOLUTION NO. 2006-\_\_\_\_\_**

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6 **A RESOLUTION OF THE GOVERNING BOARD OF THE SOUTH FLORIDA**  
7 **WATER MANAGEMENT DISTRICT TO AUTHORIZE DISTRICT STAFF TO FILE**  
8 **SUIT AND TAKE ALL APPROPRIATE ACTION, INCLUDING THE AUTHORITY**  
9 **TO SETTLE THE MATTER SUBJECT TO THE APPROVAL OF THE EXECUTIVE**  
10 **DIRECTOR, AGAINST OSCAR LUIS DANIEL A/K/A “BUCK” DANIEL, R BAR**  
11 **ESTATES, INC. AND ALL OTHER APPROPRIATE PARTIES IN THE 19<sup>TH</sup>**  
12 **JUDICIAL CIRCUIT IN AND FOR OKEECHOBEE COUNTY OR OTHER**  
13 **APPROPRIATE JURISDICTION REGARDING: UNPERMITTED,**  
14 **UNAUTHORIZED, UNLAWFUL CONSTRUCTION, OPERATION AND/OR**  
15 **MAINTENANCE OF “WORKS” WITHOUT PROPER PERMIT AUTHORIZATION,**  
16 **UNAUTHORIZED USE OF SURFACE WATER FOR IRRIGATION, AND**  
17 **CONSUMPTIVE USE OF WATER WITHOUT A PERMIT IN SEC. 36/TWP. 37**  
18 **S/RGE. 34E OKEECHOBEE COUNTY, FLORIDA, AND/OR OTHER UNLAWFUL**  
19 **ACTIVITIES INCLUDING BUT NOT LIMITED TO VIOLATIONS OF SECTION**  
20 **373.219 AND 373.413, FLORIDA STATUTES AND CHAPTERS 40E-2 AND 40E-**  
21 **4, FLORIDA ADMINISTRATIVE CODE.**  
22

23 **WHEREAS**, Sections 373.044, 373.083(1), (2) and 373.129, Florida Statutes,  
24 authorize the South Florida Water Management District to enforce provisions of Chapter  
25 373, Florida Statutes, rules, regulations, and orders;

26 **WHEREAS**, Oscar Lewis Daniel a/k/a “Buck” Daniel and R Bar Estates, Inc., and/or  
27 others unknown have not complied with provisions of Chapter 373, Florida Statutes, and  
28 Title 40E, Florida Administrative Code.

29  
30 **BE IT RESOLVED BY THE GOVERNING BOARD OF THE SOUTH FLORIDA**  
31 **WATER MANAGEMENT DISTRICT:**

32 To authorize District staff to file suit and take all appropriate action, including the  
33 authority to settle the matter subject to the approval of the Executive Director, against Mr.  
34 Oscar Luis Daniel a/k/a “Buck” Daniel, R Bar Estates, Inc. and all other appropriate parties  
35 in the 19<sup>th</sup> Judicial Circuit in and for Okeechobee County or other appropriate jurisdiction  
36 regarding: unpermitted, unauthorized, unlawful construction, operation and/or maintenance  
37 of “works” without proper permit authorization, unauthorized use of surface water for  
38 irrigation, and consumptive use of water without a permit in Sec. 36/Twp. 37 S/Rge. 34E  
39 Okeechobee County, Florida, and/or other unlawful activities including but not limited to  
40 violations of Section 373.219 and 373.413, Florida Statutes and Chapters 40E-2 and 40E-  
41 4, Florida Administrative Code.

1           This Resolution shall take effect immediately upon adoption.

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3   **PASSED** and **ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_ 2006.

4

5   Approved:  
6   Legal Form Approved

SOUTH FLORIDA WATER MANAGEMENT  
DISTRICT

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8

9   By:\_\_\_\_\_

By:\_\_\_\_\_

Chairperson

10

11   (Corporate Seal)

ATTEST:

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By:\_\_\_\_\_

Assistant Secretary

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