



EXHIBIT 14-A

Exhibit 14A
RECEIVED
SEP 7 2004
MPWMD

MONTEREY PENINSULA
WATER MANAGEMENT DISTRICT

5 HARRIS COURT, BLDG. G
POST OFFICE BOX 85
MONTEREY, CA 93942-0085 • (831) 658-5601
FAX (831) 644-9558 • <http://www/mpwmd.dst.ca.us>

Please PRINT OR TYPE all information. Applications must be received within twenty-one (21) days after an appealable decision has been made pursuant to District Rule 70. To be considered for an appeal hearing, please submit a completed application and include a non-refundable processing fee (\$250 for less than half acre-foot of water, \$500 for half - one acre-foot of water, and \$750 for more than one acre-foot of water); other information as necessary which may include 5 years of water records from purveyor. The Board will support or deny your appeal based on the pertinent information you have provided. Submission of an incomplete application may constitute grounds for denial of your request.

APPLICATION FOR APPEAL

APPLICANT INFORMATION

- Applicant's Full Name: Las Villas Nogales Home Owner's Association
Mailing Address: 623 Lighthouse Avenue
City: Pacific Grove State: Ca. Zip: 93950
Phone Number(s): Work (831 655)-4708 Home () same
- Name of Agent(s) to Represent Applicant: Eric L. Marsh, Secretary
Mailing Address: same
City: _____ State: _____ Zip: _____
Phone Number(s): Work () _____ Home () _____

PROPERTY INFORMATION

- Full Name of Property Owner: Las Villas Nogales Homeowner's Association
Mailing Address: 623 Lighthouse Ave.
City: Pacific Grove State: Ca. Zip: 93950
Phone Number(s): Work (831 655) 4708 Home () same
- Property Address: 137 E. Carmel Valley Road -
City: Carmel Valley State: Ca. Zip: 93924
- Assessor's Parcel Number: 189-542-003 - _____
- Property Area: Acres: .1134 Square Feet: 4,940 Other: 38' x 130'
- Past Land Use: HOA seperate parcel--grass
- Present Land Use: HOA seperate parcel.
- Proposed Land Use: Residential lot.
Existing buildings? Yes _____ No X
Types of uses and square footage: undeveloped.

SUBMITTED BY APPLICANT

PROJECT INFORMATION

**If additional space is needed for response to any questions, please continue on a separate piece of paper and attach it to the back of this application.*

- 1. Type of Project: X New Construction Remodel/Addition
- 2. Proposed New Use: (Please refer to the District's current Fixture Unit/Use Category sheet for assistance with this question.)

1 Residential No. Dwellings Total No. Fixture Units (Residential Only) 14

Commercial/Industrial/Governmental

Type of Use: Square Footage:

X Other (Specify): Determination of Water Credit availability.

- 3. Current Zoning Classification:

1a Vacant residential

- 4. Name of the water company which services the property:

California American

- 5. Do you feel this project will use less water than that calculated by the District? If so, please explain how much you believe the project will use, and the basis on which you make this assumption.

- 6. Has this project been approved by the local jurisdiction? If so, please list or attach a copy of all conditions which have been imposed on the project. (Attach a copy of these conditions and approvals received.)

No submitted as of this date. Waiting for water credit determination.

- 7. Does the applicant intend to obtain a municipal or county building permit for the project within ninety (90) days following the granting of a water connection permit? If not, when will water be needed at the site?

The time frame is currently unidentified.

I declare under penalty of perjury that the information in the application and on accompanying attachments is correct to the best of my knowledge and belief.

Signature of Applicant

Date/Location

NOTE TO APPLICANT: You may attach written findings for the Board to review and consider in support of the action you have requested.

Official Use Only

Fee Received

\$ 250.00

Receipt No.

Hand Receipt

Check No.

2325

Bank Routing No.

322271627

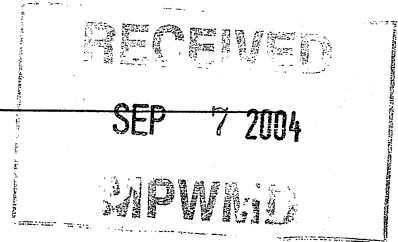
Received by

D. Martin



**MONTEREY PENINSULA
WATER MANAGEMENT DISTRICT**

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August 17, 2004

Mr. Eric Marsh
Las Villas Nogales, Homeowner's Association
623 Lighthouse Avenue
Pacific Grove, California 93950

Subject: APN 189-542-013

Dear Mr. Marsh:

This letter responds to your inquiry regarding the use of Water Use Credits from properties adjacent to the subject property to develop or sell the subject property with credits.

According to the ownership records on file with Monterey County, the subject parcel is not under identical ownership with the other parcels referenced in your letter (APNs: 189-542-009, 010, 011, and 012). To utilize Water Use Credits from one property to another, the properties must be (1) contiguous to one another, (2) under identical ownership, and (3) the same type of use. These criteria must be current at the time a water permit is issued that utilizes a Water Use Credit.

Sincerely,

A handwritten signature in black ink, appearing to read "Stephanie Pintar".

Stephanie Pintar
Water Demand Manager

cc: David Laredo

LAS VILLAS NOGALES, HOME OWNER'S ASSOCIATION

Eric L. Marsh, Secretary/Treasurer
623 Lighthouse Avenue, Pacific Grove Ca. 93950
Phone: (831) 655-4708, FAX: (831) 658-0151, EricLMarsh@AOL.COM

July 11, 2004

RECEIVED
SEP 7 2004

MPWMD

Re: Las Villas Nogales Home Owner Association (LVNHOA) and the possible water credits available through water conservation on existing parcels for the development of another parcel owned by the LVNHOA;

Dear Monterey Peninsula Water Management District;

Upon visiting your office today, I was advised by Gabby that we should write for a legal determination or the feasibility of garnering additional water units for the development or sale with credits of an additional lot the LVNHOA owns in common with it's members (A.P. No. 189-542-003). See attached.

The LVNHOA consists of six parcels, four (A.P. No. 189-542-009, 010, 011, 012) which are bound together by the LVNHOA development and owned separately by the individual homeowners who also make up the LVNHOA and who also each own a 25% undivided interests in LVNHOA and two additional parcels which are currently being used as common area (A.P. No. 189-542-013) and a separate legal tax parcels (A.P. No. 189-542-003).

Currently the four developed properties, 137-1, 2, 3, & 4 E. Carmel Valley Road, Carmel Valley Ca. 93924, each have (4) high flow dishwashers, (4) high flow washing machines, (4) no instant access hot water and (9) non ultra low flow toilets. In considering the conversion of these to ultra-low-flow appliances and fixtures it appears that we could obtain enough water credits to either build or sell the extra lot with water credits to build an additional 2 bathroom house with a kitchen and laundry. (See attached calculations)

In reviewing the project, Gabby seemed to think there was an issue with the "Site" definition and the subsection "... (2) for which there is unity of ownership...". So I think that's where we need clarification in that we four owners of one entity, LVNHOA, wish to conserve water on our individual homes, which are all part of the LVNHOA, and apply that credit to a lot, which we own in common, via an undivided interest in as the owner's of the LVNHOA. We each own a recorded undivided 25% interest in the HOA as well as the common area parcel and the extra lot.

To close we would appreciate a legal determination on this matter and until then, sincere

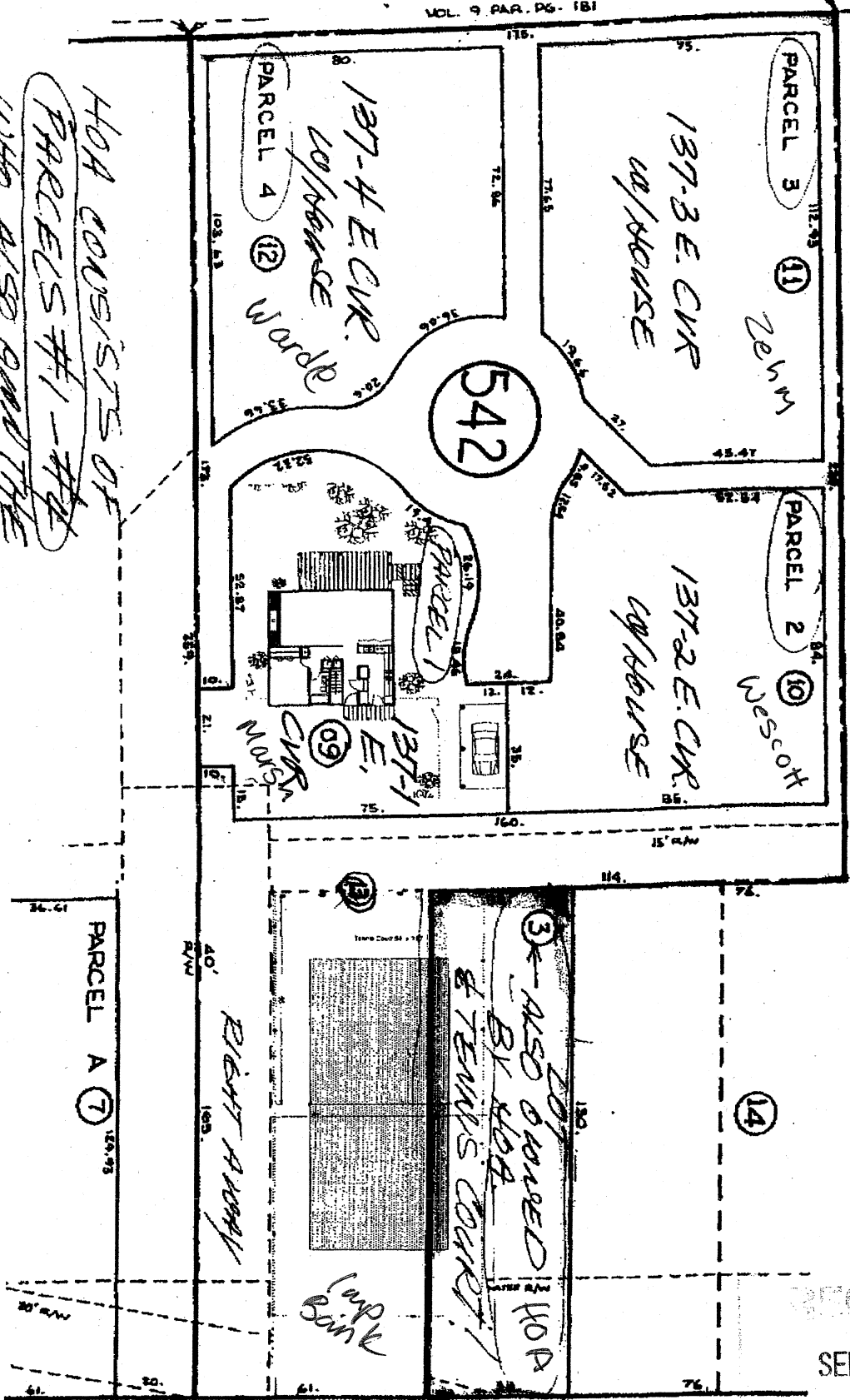
Best Regards,

Eric Marsh

SUBMITTED BY APPLICANT

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HOA CONSISTS OF
 PARCELS #1-#4
 WHO ALSO OWN THE
 TENNIS COURT AND
 LOT NEXT TO IT.

BACK NO. 189.
 PLOT NO. 542.
 189-542-013 = COMMON AREA
 189-542-002 = EXTRA LOT

CARMEL VALLEY

SUBMITTED BY APPLICANT

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|| SITE - shall mean any unit of land which qualifies as a parcel or lot under the Subdivision Map Act, and shall include all units of land: (1) which are contiguous to any other parcel (or are separated only by a road or easement), and (2) for which there is unity of ownership, and (3) which have an identical present use. The term "Site" shall be given the same meaning as the term "Parcel". ||

Added by Ordinance No. 60 (6/15/92)

SMALL WATER DISTRIBUTION SYSTEM – “Small Water Distribution System” shall mean a water distribution system with less than 50 connections.

Added by Ordinance No. 92 (1/28/99)

SOURCE OF SUPPLY - "Source of Supply" means the ground water, surface water, reclaimed water sources, or any other water resource where a person, owner or operator gains access by a water-gathering facility.

Added by Ordinance No. 3 (7/11/80); Amended by Ordinance No. 96 (3/19/2001)

SOUTHERN COASTAL SUBAREA-- “Southern Coastal Subarea” means one of the subdivisions of the Southern Seaside Subbasin. Its boundary is shown on a map maintained at the offices of the Water Management District, as that map may be amended from time to time.

Added by Ordinance No. 105 (12/16/2002)

SOUTHERN SEASIDE SUBBASIN-- “Southern Seaside Subbasin” means one of the major divisions of the Seaside Ground Water Basin. This is a set of geologic formations that stores, transmits, and yields water in the Seaside area. This subbasin is comprised of the Southern Coastal Subarea and the Laguna Seca Subarea.

Added by Ordinance No. 105 (12/16/2002)

STAGE 1 WATER CONSERVATION – “Stage 1 Water Conservation” shall mean the first stage in the District’s Expanded Water Conservation and Standby Rationing Plan that takes action to maintain Cal-Am water use in the MPWRS below regulatory constraints by increasing conservation activities and preparing for further stages of conservation and rationing.

Added by Ordinance No. 92 (1/28/99)

STAGE 2 WATER CONSERVATION – “Stage 2 Water Conservation” shall mean the second stage in the District’s Expanded Water Conservation and Standby Rationing Plan that takes action to maintain Cal-Am water use in the MPWRS below regulatory constraints by requiring landscape water budgets for large irrigators of over three acres, large residential users and users with dedicated landscape water meters.

Added by Ordinance No. 92 (1/28/99)

SUBMITTED BY APPLICANT

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 SEP 7 2004
 MPWA

LAS VILLAS NOGALES, HOME OWNER'S ASSOCIATION

ERIC L. MARSH
 SECRETARY/TREASURER
 623 LIGHTHOUSE AVENUE
 PACIFIC GROVE CA. 93950
 PHONE: (831) 655-4708
 FAX: (831) 658-0151
 EricLMarsh@AOL.COM

July 11, 2004

Re: Las Villas Nogales Home Owner Association (LVNHOA) possible water credits available through water conservation;

<u>WATER FIXTURE</u>	<u>CREDIT:</u>	<u>UNIT AVAIL:</u>	<u>COST:</u>	<u>TOTALS:</u>
Ultra Low-Flow Dishwasher 7.66 gal.	.5 FU	137-1, 2, 3, 4	\$ 600 ea.	2 FU
Ultra Low-Flow Washing Machine must be built in front loader 18 gal	1 FU	137-1, 2, 3, 4	\$1,300 ea.	4 FU min.
Instant-Access Hot Water System	.5	137-1, 2, 3, 4	\$ 500 ea.	2 FU min.
2 Liter Ultra Low flush reduces required toilet unit from 1.7 to 1.0	.7 FU	137-1, 2 low flow 137-2, 3 High flow 137-3, 2 low flow 137-4, 2 low flow	\$. Per.	1.4 FU 2.1 FU 1.4 FU 1.4 FU

Total possible Units: 14.3 FU min.

Estimated costs include \$100 installation on Maytag D/W, Whirlpool W/M (27" w, 38" High front loader) & Toilets.

Required Units	2	New toilets 1.0 gals	1.3	2.6
	2	Bath tubs/Shower over	2.0	4.0
	3	Water basins, (2 Master)	2.0	2.0
	1	Kitchen sink/DW	2.0	2.0
	1	ULF Wash machine	1.0	1.0

Total Units Needed: 11.6 FU

These are the calculations for possible units obtainable with conservation measures and estimated units required for a new home. The costs are from BID appliance and Hy/Low Plumbing.

SUBMITTED BY APPLICANT

MONTEREY PENINSULA
WATER MANAGEMENT DISTRICT

5 Harris Ct. Bld G, P.O. Box 85, Monterey, CA 93940 Ph: (408) 658-5600 Fax: (408) 644-9560

Receipt Number: 16979
Date: ~~Feb~~8, 2004

***** RECEIPT *****

Description	Amount Paid
Appeals Application	250.00
===== *** TOTAL ***	250.00 =====

Receipt Account Transaction 7102-
Receipt info: 137 E Carmel Valley

***** PAYMENT FROM: *****
Name March Eric
Company Las Villas Nogales
Street # 137 St. Name E Carmel Valley Road PO Box #
City Carmel Valley State CA Zip 93924-



Monterey Peninsula Water Management District

DISCLOSURE STATEMENT
(EX PARTE COMMUNICATIONS)

Name or description of project, action, etc.: LAS VILLAS NOGALES HOA.

Names and addresses of all persons authorized to communicate with the Board of Directors on this matter:

Name	Address
<u>ERIC L. MARSH, SECRETARY</u>	<u>623 LIGHTHOUSE AVE. PACIFIC GROVE CA 93950</u>

This *Disclosure Statement* is completed in my capacity as the Applicant for matter referenced in the first line, or as an authorized Agent of the Applicant. My signature evidences I am duly authorized to act on behalf of all individuals and/or entities that have an ownership interest in this matter (exceptions shall be noted by checking this box and providing a complete explanation as an attachment to this *Disclosure Statement*).

I understand this *Disclosure Statement* is required to list the names and addresses of all persons authorized to communicate with the Directors of the Water Management District on this matter. I further understand and agree to revise and amend this *Disclosure Statement* whenever any other person is authorized to communicate regarding this matter. Oral disclosure of agents shall not satisfy this requirement.

I understand and agree that failure to disclose the name of individuals who shall communicate with the District Board Members on behalf of the applicant shall subject the matter referenced above to immediate review and denial. Further, I understand that if denial is based on failure of either the applicant or of an authorized agent of the applicant to comply with these disclosure requirements, no request for approval of an identical or similar matter shall be granted for a period of twenty-four (24) months from the date this matter is denied.

I declare the foregoing to be true and correct of my own personal knowledge. I have signed this form this 7 day of SEPTEMBER. This form is signed in the City of MONTEREY, State of CALIFORNIA.

[Signature]
Name (print)
ERIC L. MARSH
Signature