

EXHIBIT 8-K

Table 3: Estimated September Ranch Water Demand Based On Site-Specific Conditions And Required Demand Calculation Formulas

Demand Component	Average Demand	# Units	Water Use (AFY)
Market-Rate Units	0.535	73	39.055
Inclusionary Units	0.239	15	3.585
Workforce Units	0.293	7	2.051
Equestrian Center	3 (existing/baseline)	—	3.000
<i>Total Deliveries</i>		—	<i>SUBTOTAL:</i> 47.691
Treatment Loss	10% Total Deliveries	—	4.769
System Loss	7% Total Deliveries	—	3.338
			<b>TOTAL:</b> 55.798

**SURVEY OF AVAILABLE WATER DEMAND DATA**

In its Judgment requiring the County to vacate its certification of the EIR, the Monterey County Superior Court indicated the County should collect additional data on water use for residential subdivisions within the County, consider September Ranch water demand (direct and cumulative) in light of this data, and circulate the information and analysis for public review. The County made numerous requests for data from MPWMD, and obtained a significant quantity of data on water use within the MPWMD boundaries, including detailed water use data for several comparable communities within the same geographical area as, and with similar topography to, September Ranch. This data is shown in the Survey of Available Water Demand Data for 2008, shown below.<sup>24</sup> Comparable water use data for some subdivisions, however, was unavailable. California American Water Co. (Cal-Am), which supplies approximately 85% of the water within MPWMD's boundaries, does not provide water use data broken down by type of residential property. As explained by MPWMD:

because of privacy concerns, [Cal-Am] does not supply any customer-specific disaggregated water consumption data to MPWMD. We are pursuing this issue with the California Public Utilities Commission (CPUC), but at this time we only receive the aggregated monthly and annual consumption data shown in the attachments. Accordingly, we are not able to provide [Cal-Am] consumption data that distinguishes between larger homes/lots (larger than 10,000 sq. ft. or 1 acre) and similar workforce or inclusionary homes.<sup>25</sup>

The County understands that on February 20, 2009, the California Public Utilities Commission recognized a settlement under which Cal-Am must release segregated data to MPWMD for Cal-Am's Ambler, Hidden Hills and Ryan Ranch water supply divisions pursuant to a nondisclosure agreement.<sup>26</sup> At this point, it is unclear whether any of the data will, or can, be provided to the County under the terms

<sup>24</sup> Additional years' data charts are attached in Appendix B.

<sup>25</sup> Email correspondence from Darby Fuerst, Monterey Peninsula, to Alana Knaster, County of Monterey (December 18, 2008).

<sup>26</sup> California Public Utilities Commission Decision 09-02-006, Application of California-American Water Company (U210W) for an Order (Feb. 20, 2009).