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Serving the Community Since 1965

SERVICES DISTRICT

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148 SOUTH WILSON STREET POST OFFICE BOX 326 NIPOMO, CA 93444 - 0326
(805) 929-1133 FAX (805) 929-1932 Website address: ncsd.ca.gov

March 8, 2012

Mr. Harold Snyder
P. O. Box 926
Nipomo, California 93444
kochcal@earthlink.net

Dear Mr. Snyder:

SUBJECT: FEBRUARY 26, 2012 PUBLIC DOCUMENT REQUEST

Please accept this letter in response to your letter of February 26, 2012, received on February 27, 2012, which the Nipomo Community Services District (District) interprets as a request for public records. This response has been reviewed by District Legal Counsel, Jon Seitz, and is the person responsible for raising any objections referenced in this response.

Your letter of February 26, 2012, states in relevant part:

"The following is a list of the reasonably identifiable public records which I request copies of:

1. My understanding is that there are a number of parcels that NCS D has provided water service to or is in the process of providing services that have paid a supplemental water fee and that those parcels will be getting a reduction in or be considered as having paid their supplemental water assessment if the project is approved.

I am making a public record request for a digital/electronic copy of the following information on each parcel that has paid a fee.

PROPERTY OWNER NAME
MAILING ADDRESS
SITE ADDRESS
APN#
ACREAGE
The date the fee was collected
Amount of the fee collected
Will serve approval date
Will serve tract number

DISTRICT RESPONSE:

The District objects to request #1 in that it does not describe and identifiable record or records of the District as required by Government Code Section 6253(b). The term "a fee" as used in the above paragraph is overly broad and ambiguous. Subject to the District's interpretation that "a fee" refers to the Supplemental Water fee in the previous paragraph, then the District will provide a previously constructed spreadsheet on a CD in response to this Request, subject to the following:

- A. Pursuant to Government Code Section 6254.16 the following information is exempt from disclosure and will be redacted.
- Property Owner Name
 - Property Owner Home Address
- B. The spreadsheet does not reflect the Will Serve approval date, the APN # for all parcels, the Project address for all parcels or the acreage. The District is not required to create a record that does not exist (Government Code Section 6252(e)).

If you desire to proceed, please contact Lisa Bognuda at (805) 929-1133 for a date and time for delivery of the CD.

2. I am also making a request for the same list for Rural Water Company.

DISTRICT RESPONSE:

Subject to the District's interpretation of this Request, to the District's knowledge, no such document/record exists.

3. I am also making a request for the same list for Golden State Water Company".

DISTRICT RESPONSE:

Subject to the District's interpretation of this Request, to the District's knowledge, no such document/record exists.

Very Truly Yours,

NIPOMO COMMUNITY SERVICES DISTRICT



Michael S. LeBrun
General Manager

Harold Snyder
P.O. Box 926
Nipomo, CA 93444

RECEIVED
FEB 27 2012
NIPOMO COMMUNITY
SERVICES DISTRICT

February 26, 2012

Michael LeBrun,
Nipomo Community Services District (NCSD)
148 Wilson Street, P.O. Box 326
Nipomo, CA 93444

mlebrun@ncsd.ca.gov
(805) 929-1133 Phone
(805) 929-1932 Fax

Dear Michael LeBrun:

This letter is a request for public records which are in the possession of the Nipomo Community Services District pursuant to the California Public Records Act (Govt. Code 6250, et seq.).

The following is a list of the reasonably identifiable public records which I request copies of:

1. My understanding is that there are a number of parcels that NCSD has provided water service to or is in the process of providing services that have paid a supplemental water fee and that those parcels will be getting a reduction in or be considered as having paid their supplemental water assessment if the project is approved

I am making a public record request for a digital/electronic copy of the following information on each parcel that as paid a fee

PROPERTY OWNER NAME
MAILING ADDRESS
SITE ADDRESS
APN #.
ACREAGE
The date the fee was collected
Amount of the Fee collected.
Will serve approval date
Will serve tract number

2. I am also making a request for the same list for Rural Water Company.
3. I am also making a request for the same list for Golden State Water Company.

If a portion of the information contained in the records we have requested is exempt from disclosure by express provisions of law, Govt. Code 6254 requires segregation and deletion of that material in order that the remainder of the information may be released.

Please take note that Govt. Code 6256 requires the Nipomo Community Services District to determine, within ten (10) days after receipt of this request, whether the Nipomo Community Services District will comply with this request. If the Nipomo Community Services District decides not to comply with all or any portion of this request, Govt. Code 6256 requires notification to us of the reasons for the determination not later than ten (10) days from your receipt of this request. Further, Govt. Code 6256.2 prohibits the use of any provision of the Public Records Act to delay access for the purposes of inspecting public records. Govt. Code 6256.2 also requires that any notification of denial of this request for records must set forth the names and titles or positions of each person responsible for the denial.

Also as before my understanding is the coping cost is \$15 per CD or DVD.I you have any questions please let me know.

Thank You

A handwritten signature in black ink, appearing to read "Harold Snyder", with a horizontal line extending to the right from the end of the signature.

Harold Snyder