

**BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MISSOURI**

In the Matter of The Tranquility Group, LLC)
for a Certificate of Convenience and Necessity)
Authorizing it to Own, Operate, Maintain,)
Control and Manage Water Systems in) Case No. WA-2015-0049
Taney County, Missouri)

APPLICATION

COMES NOW The Tranquility Group, LLC (d/b/a Branson Cedars Resort), pursuant to Sections 393.140, RSMo, 393.170, RSMo 2000, 4 CSR 240-2.060 and 4 CSR 240-3.600 (Water Certificate), and, for its Application states as follows to the Missouri Public Service Commission (Commission):

BACKGROUND

1. This Application is being filed by The Tranquility Group, LLC to obtain from the Commission a certificate of convenience and necessity to own, operate, maintain, control and manage water systems in Taney County, Missouri.

2. The Tranquility Group, LLC d/b/a Branson Cedars Resort is a Missouri limited liability company duly organized and existing under the laws of the State of Missouri with its principal office and place of business located at 769 State Highway 86, Ridgedale, Missouri 65739. Attached hereto as **Appendix 1** is a Certificate of Good Standing issued by the Missouri Secretary of State related to The Tranquility Group. The Tranquility Group has no pending action or final unsatisfied judgments or decisions against it from any state or federal agency or court which involve customer service or rates having occurred within three years from the date of this application. The Tranquility Group has no annual report fees or assessment fees which are currently overdue.

3. Communications regarding this application should be addressed to: Michael Hyams, Branson Cedars Resort, 769 State Highway 86, Ridgedale, Missouri 65739; Phone: (417) 689-1411, Email: mhyams.sanctuary@gmail.com.

CERTIFICATE

4. The Tranquility Group requests permission, approval, and a Certificate of Convenience and Necessity to own, operate, maintain, control and manage water systems for the public in areas of Taney County as set forth on the maps attached to this Application as Appendix 2. Legal descriptions of the areas to be certified are attached hereto as Appendix 3.

5. These areas generally encompass an existing development (Branson Cedars Resort) whose water systems are not currently regulated by the Commission. No other water service is currently available in this area.

6. There are approximately 52 residential connections currently being served by these water systems. When the development is finished, approximately 400 residential connections will be served. Attached hereto as Appendix 4 is a list of ten residents or landowners from the areas for which this certificate is sought.

7. The subject water systems have already been constructed and are in operation. Plans associated with construction of the system are unavailable as neither The Tranquility Group nor any of its predecessors were involved in the area when the system was constructed, but The Tranquility Group has instituted a plan to connect both of the existing wells (one at a 1,150' depth and one at an 850' depth) to better facilitate the flow and to create a redundant system in the event either well is affected by mechanical issues such as a lightning strike, pump failure, excessive draw down on present aquifer, etc. There are plans for further construction of a larger stand pipe as lots are developed within the development.

8. No other financing is planned, other than that which is currently in place.

9. Attached hereto as Appendix 5 is a document containing the proposed rates and estimated number of customers, revenues and expenses. The Tranquility Group does not currently expect any substantial changes in these estimates during the next three years of operation. The Tranquility Group proposes to generally use the sample rules and regulations for waters systems maintained by the Commission's Water Department to govern its provision of water service to this area.

10. The Tranquility Group is not aware of any franchise (either city or county) that would be required in order for it to provide service in these areas. A permit for the operation of this facility has been issued by the Missouri Department of Natural Resources (DNR), a copy of which is attached hereto as Appendix 6. The Tranquility Group is not aware of any other governmental approval that it must obtain.

11. The areas The Tranquility Group proposes to certificate with this application have a need for an operation water system and otherwise have no water service available. The Tranquility Group's preparation and experience in the operation of this water system gives it the ability to provide this service in an efficient manner. For these reasons, a grant of the Application will further the public convenience and necessity.

WHEREFORE, The Tranquility Group requests the Commission grant it permission, approval and a Certificate of Convenience and Necessity authorizing it to own, operate, maintain, control and manage waters systems for the public within the areas referred to above, and to issue such other orders as the Commission may be appropriate.

Respectfully submitted,

Michael Hyams
Agent/Member of
The Tranquility Group, LLC
Branson Cedars Resort
769 State Highway 86
Ridgedale, Missouri 65739
(417) 544-9051 (Phone)
(417) 544-9908 (Fax)
mhyams.sanctuary@gmail.com (E-mail)

NEALE & NEWMAN, LLP

By: 

Judson B. Poppen, #51070
Melissa E. Bade, #63698

1949 East Sunshine, Suite 1-130

P. O. Box 10327

Springfield, Missouri 65808

Telephone: (417) 882-9090

Facsimile: (417) 882-2529

Email: jpoppen@nnlaw.com

mbade@nnlaw.com

ATTORNEYS FOR THE
TRANQUILITY GROUP, LLC

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct written copy of the foregoing was served upon:

Kevin Thompson
Staff Attorney
Missouri Public Service Commission
E-mail: kevin.thompson@psc.mo.gov

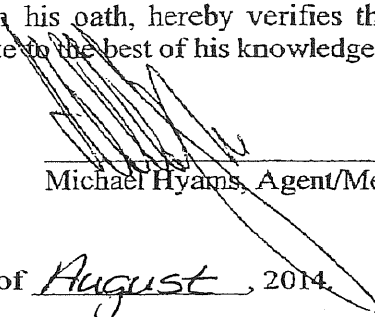
- by hand-delivering a copy to his/her office
- by mailing a copy to him/her, as prescribed by law
- by transmitting a copy to him/her by facsimile transmission
- by transmitting an electronic copy to him/her

on the 15th day of August, 2014.

VERIFICATION


STATE OF MISSOURI)
) ss.
COUNTY OF Taney)

Michael Hyams, first being sworn upon his oath, hereby verifies that the allegations contained in this Application are true and accurate to the best of his knowledge and belief.



Michael Hyams, Agent/Member

Subscribed and sworn before me this 14th day of August, 2014.



Notary Public
Printed Name: Vicki A. Epps

My Commission Expires: 9/6/15

VICKI A. EPPS
Notary Public - Notary Seal
State of Missouri
Commissioned for Taney County
My Commission Expires: September 06, 2015
Commission Number: 11875641

APPENDICES

Appendix 1	Certificate of Good Standing
Appendix 2	Platted Maps
Appendix 3	Legal Descriptions
Appendix 4	List of Ten (10) Residents/Landowners
Appendix 5	Rates and Estimated Number of Customers, Revenues, and Expenses
Appendix 6	DNR Permit

Appendix 1

CERTIFICATE OF GOOD STANDING

STATE OF MISSOURI



Jason Kander
Secretary of State

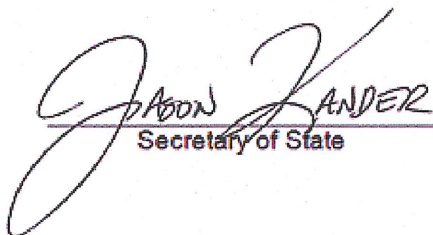
CORPORATION DIVISION
CERTIFICATE OF GOOD STANDING

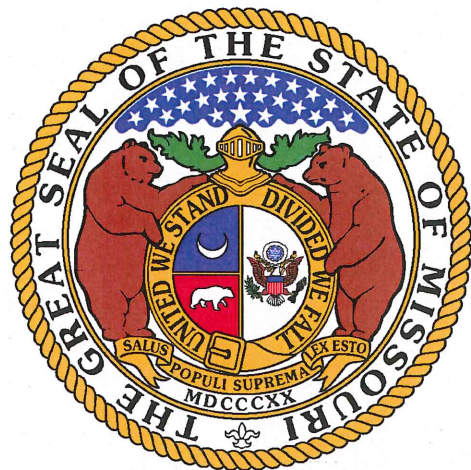
I, JASON KANDER, Secretary of State of the STATE OF MISSOURI, do hereby certify that the records in my office and in my care and custody reveal that

The Tranquility Group, LLC
LC0972647

was created under the laws of this State on the 3rd day of June, 2009, and is active, having fully complied with all requirements of this office.

IN TESTIMONY WHEREOF, I hereunto set my hand and cause to be affixed the GREAT SEAL of the State of Missouri. Done at the City of Jefferson, this 14th day of August, 2014.


Secretary of State



Certification Number: CERT-08142014-0024

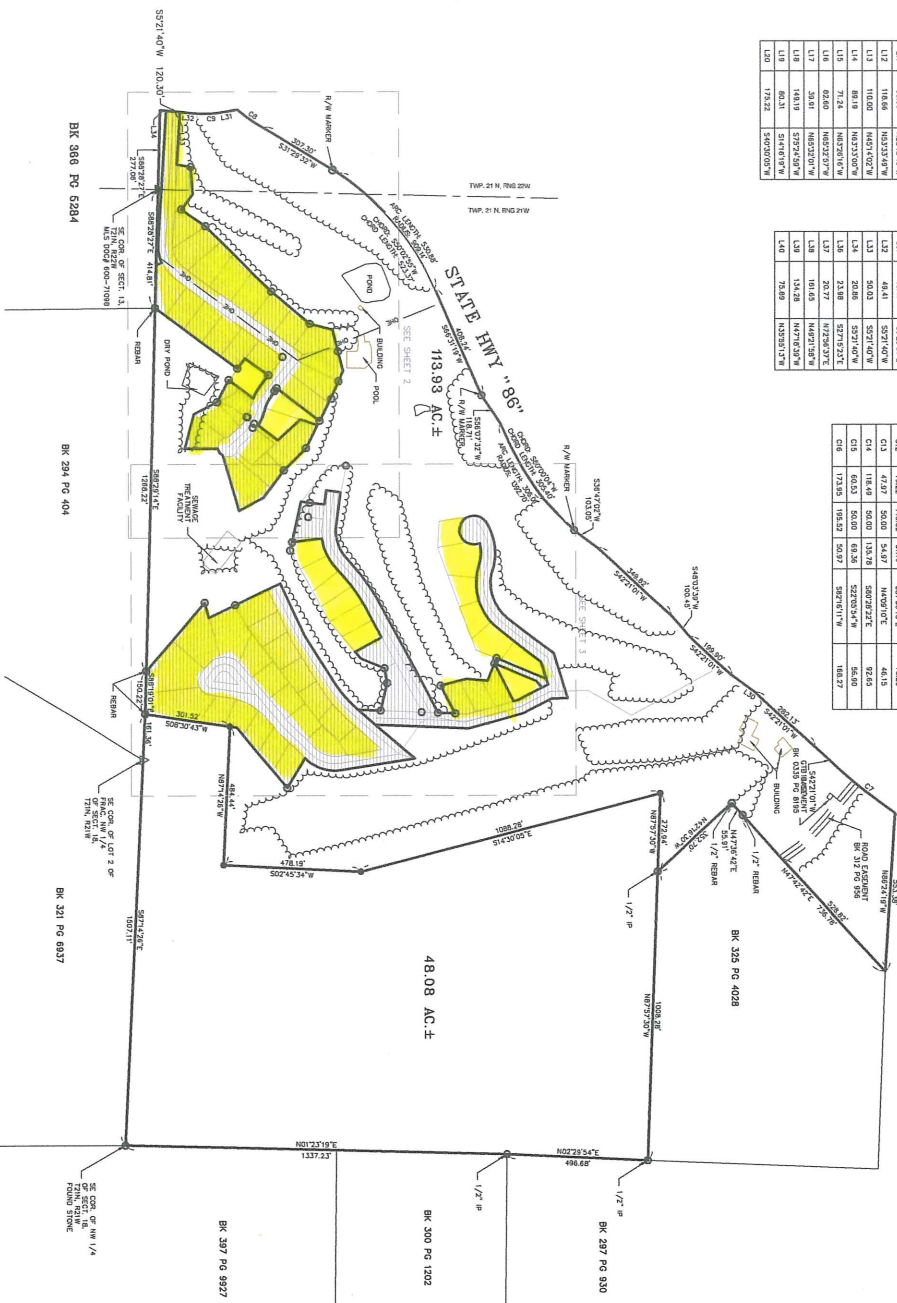
Appendix 2

PLATTED MAPS

Line #	Measured Dist	Bearing
L1	208.34	N67°27'21"W
L2	417	N62°27'21"W
L3	98.62	N43°01'07"E
L4	30.32	S67°29'52"E
L5	108.08	S29°14'47"W
L6	87.11	S27°21'41"E
L7	155.00	S10°32'52"E
L8	113.27	N62°27'21"W
L9	201.88	N81°21'02"E
L10	85.65	N62°27'21"W
L11	64.47	S92°33'05"E
L12	110.60	N61°10'07"W
L13	89.18	N63°10'07"W
L14	71.24	N62°29'10"W
L15	62.80	N65°23'37"W
L16	30.81	N65°23'37"W
L17	20.17	N62°29'10"W
L18	164.3	N43°01'07"E
L19	88.31	N71°25'39"W
L20	153.22	S42°03'07"W

Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C1	70.24	141.68	28.37	W87°13'27"E	63.52
C2	63.36	243.36	14.71	S59°53'38"E	63.52
C3	67.60	254.76	16.00	W10°54'18"W	64.60
C4	12.60	254.76	3.36	W73°53'54"E	12.60
C5	49.08	179.82	13.53	N69°05'26"W	49.81
C6	30.36	303.90	5.097	N66°53'18"E	29.89
C7	248.52	1007.12	2.84	S32°12'28"W	258.67
C8	155.00	1550.00	7.26	S22°25'45"W	164.67
C9	155.00	1550.00	14.86	S52°07'17"E	164.67
C10	155.00	1550.00	14.86	S52°07'17"E	164.67
C11	42.87	204.35	11.82	S78°07'47"E	43.89
C12	47.87	148.52	31.9	S78°07'47"E	78.25
C13	47.87	148.52	31.9	S78°07'47"E	78.25
C14	114.49	50.00	134.79	N60°29'27"E	92.65
C15	63.52	50.00	68.38	S22°03'27"E	64.60
C16	173.15	195.82	50.97	S28°18'17"W	188.27

Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C1	70.24	141.68	28.37	W87°13'27"E	63.52
C2	63.36	243.36	14.71	S59°53'38"E	63.52
C3	67.60	254.76	16.00	W10°54'18"W	64.60
C4	12.60	254.76	3.36	W73°53'54"E	12.60
C5	49.08	179.82	13.53	N69°05'26"W	49.81
C6	30.36	303.90	5.097	N66°53'18"E	29.89
C7	248.52	1007.12	2.84	S32°12'28"W	258.67
C8	155.00	1550.00	7.26	S22°25'45"W	164.67
C9	155.00	1550.00	14.86	S52°07'17"E	164.67
C10	155.00	1550.00	14.86	S52°07'17"E	164.67
C11	42.87	204.35	11.82	S78°07'47"E	43.89
C12	47.87	148.52	31.9	S78°07'47"E	78.25
C13	47.87	148.52	31.9	S78°07'47"E	78.25
C14	114.49	50.00	134.79	N60°29'27"E	92.65
C15	63.52	50.00	68.38	S22°03'27"E	64.60
C16	173.15	195.82	50.97	S28°18'17"W	188.27



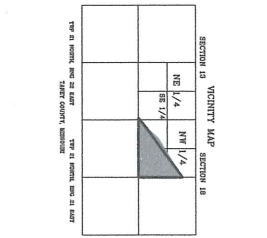
RECORDED EXHIBIT
 COMPILED FROM 319 PAGE 0108
 CITY MAP EXHIBIT NO. 319 PAGE 0108
 SIGNED AND SEALED BY ME
 ATTORNEY AT LAW
 BR 308 PG 5284

PROPERTY CLASSIFICATION: RURAL / SUBURBAN

LEGEND
 ● SET A BEAK
 ○ FOUND POINT
 ▲ CORNER OF RECORD
 △ COMPOUND POINT
 ○ CENTER OVER HOLE ELECTRIC
 ○ CENTER OVER HOLE ELECTRIC
 (u) MESSAGED
 (v) HIDDEN
 A/V, HIDDEN—MOV

DESCRIPTION FROM SURVEY FOR QUARANTY BANK...
 SECTION 18, TWP. 21 N. RANG. 21 W. & SECTION 13, TWP. 21 N. RANG. 22 W.
 CONTAINING 113.93 ACRES, MORE OR LESS, BEING SUBJECT TO ALL UTILITY EASEMENTS AND ROAD RIGHTS-OF-WAY.

SECTION 18, TWP. 21 N. RANG. 21 W. & SECTION 13, TWP. 21 N. RANG. 22 W.
 48.08 AC.±



NW 1/4 SECT. 18
 NE 1/4 SECT. 13

**BOUNDARY SURVEY FOR
 GUARANTY BANK**
 TANEY COUNTY, MISSOURI

09-14-10
 Drawn by
 Surveyed by
 Checked by
 Project # 2317
 Sheet # 2432

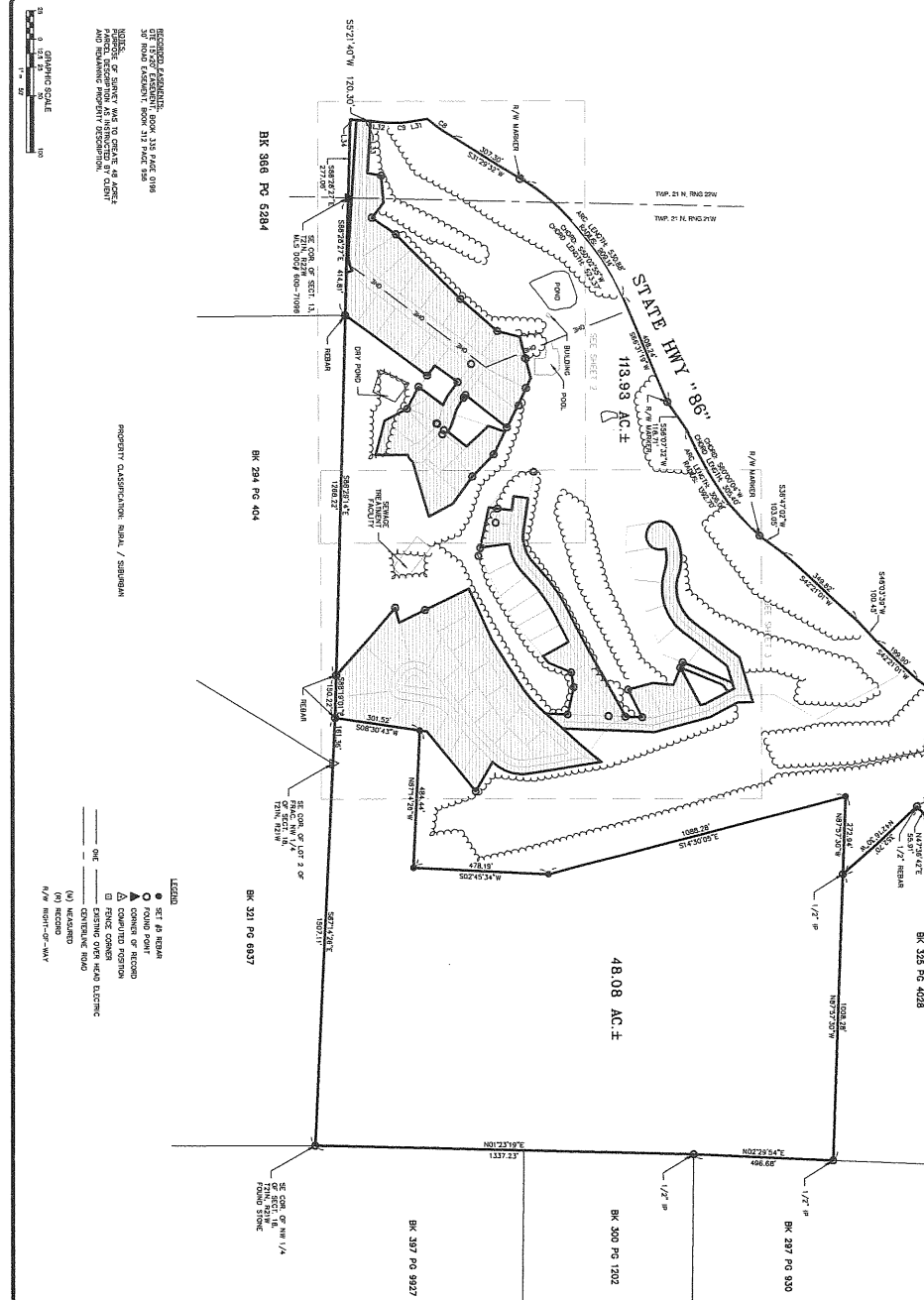
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 Lake of the Ozarks Office - (573) 365-2003
 Kansas City Office - (816) 327-2722
 New Orleans, LA Office - (504) 467-6009
 www.schultzsummers.com

PRELIMINARY
 NOT FOR CONSTRUCTION

Line #	Measured Dist.	Bearing
L1	339.73	N82°12'27"E
L2	451.7	N62°20'21"W
L3	94.83	N45°19'07"E
L4	303.2	S52°28'50"E
L5	183.06	S52°21'34"W
L6	87.11	S52°22'41"E
L7	125.26	S21°09'03"E
L8	115.83	N25°52'54"E
L9	208.88	N12°53'07"E
L10	35.65	N48°38'49"W
L11	116.66	N53°33'49"W
L12	110.03	N62°21'00"W
L13	86.13	N62°21'00"W
L14	71.24	N62°21'00"W
L15	62.63	N62°21'00"W
L16	23.91	N62°21'00"W
L17	25.77	N72°25'37"E
L18	104.33	N42°15'39"W
L19	48.11	S72°25'37"E
L20	113.22	S42°00'07"W

Line #	Measured Dist.	Bearing
L21	323.52	S40°07'34"W
L22	164.63	S31°14'24"W
L23	67.65	N07°39'46"W
L24	95.54	S52°28'50"E
L25	48.87	S52°21'34"W
L26	134.11	N62°21'00"W
L27	21.03	S21°09'03"E
L28	31.11	N12°53'07"E
L29	31.11	N12°53'07"E
L30	108.64	S38°23'27"W
L31	44.41	S52°21'00"W
L32	44.41	S52°21'00"W
L33	56.03	S52°21'00"W
L34	28.88	S52°21'00"W
L35	21.03	S52°21'00"W
L36	104.33	N42°15'39"W
L37	25.77	N72°25'37"E
L38	104.33	N42°15'39"W
L39	25.77	N72°25'37"E
L40	25.77	N72°25'37"E

Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C1	74.24	144.66	28.37	N82°12'27"E	66.32
C2	61.24	241.20	14.21	S52°21'00"E	65.21
C3	67.26	204.78	18.80	N45°19'07"E	64.50
C4	11.00	204.78	3.28	N72°25'37"E	11.00
C5	49.98	179.82	15.33	N62°21'00"E	48.89
C6	39.28	330.67	8.64	N62°21'00"E	39.65
C7	246.64	180.17	124	S38°23'27"E	246.62
C8	15.82	180.17	4.88	S38°23'27"E	15.82
C9	15.82	180.17	4.88	S38°23'27"E	15.82
C10	45.02	202.29	11.87	S52°21'00"E	44.83
C11	35.62	142.57	11.19	S52°21'00"E	34.24
C12	118.49	30.00	133.76	S52°21'00"E	46.13
C13	65.63	50.00	68.36	S52°21'00"E	26.69
C14	113.22	150.37	38.28	N42°15'39"E	104.87



DISCLAIMER: THIS SURVEY IS BASED ON THE INFORMATION PROVIDED BY THE CLIENT AND THE SURVEYOR HAS CONDUCTED A VISUAL INSPECTION OF THE PROPERTY AND HAS FOUND NO EVIDENCE OF ANY ENCUMBRANCES, EASEMENTS, OR OTHER INTERESTS THAT WOULD AFFECT THE RESULTS OF THIS SURVEY. THE SURVEYOR IS NOT RESPONSIBLE FOR ANY ERRORS OR OMISSIONS THAT MAY OCCUR IN THIS SURVEY.

PROPERTY CLASSIFICATION: RURAL / SUBURBAN

LEGEND:

- SET AS BOUNDARY
- FOUND POINT
- ▲ CORNER OF RECORD
- △ COMPUTED POINT
- EXISTING OPEN HOLE ELECTRIC
- EXISTING HOLE
- (A) RECORD
- (B) SECOND
- FOUND POINT
- FOUND STAKE

SECTION 13, TWP. 21 N., R. 22 W., S. 13 N., TWP. 21 N., R. 22 W., S. 13 N.

SECTION 14, TWP. 21 N., R. 22 W., S. 13 N., TWP. 21 N., R. 22 W., S. 13 N.

SECTION 15, TWP. 21 N., R. 22 W., S. 13 N., TWP. 21 N., R. 22 W., S. 13 N.

SECTION 16, TWP. 21 N., R. 22 W., S. 13 N., TWP. 21 N., R. 22 W., S. 13 N.

SECTION 17, TWP. 21 N., R. 22 W., S. 13 N., TWP. 21 N., R. 22 W., S. 13 N.

SECTION 18, TWP. 21 N., R. 22 W., S. 13 N., TWP. 21 N., R. 22 W., S. 13 N.

SECTION 19, TWP. 21 N., R. 22 W., S. 13 N., TWP. 21 N., R. 22 W., S. 13 N.

SECTION 20, TWP. 21 N., R. 22 W., S. 13 N., TWP. 21 N., R. 22 W., S. 13 N.

SECTION 21, TWP. 21 N., R. 22 W., S. 13 N., TWP. 21 N., R. 22 W., S. 13 N.

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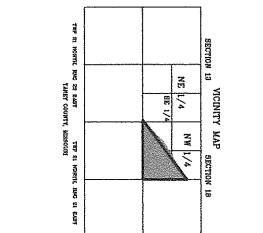
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SECTION 20, TWP. 21 N., R. 22 W., S. 13 N., TWP. 21 N., R. 22 W., S. 13 N.

SECTION 21, TWP. 21 N., R. 22 W., S. 13 N., TWP. 21 N., R. 22 W., S. 13 N.

SECTION 22, TWP. 21 N., R. 22 W., S. 13 N., TWP. 21 N., R. 22 W., S. 13 N.



GRAPHIC SCALE: 1" = 200'

DATE PREPARED: 09-14-10

PROJECT: 2517

BOUNDARY SURVEY FOR GUARANTY BANK

SECTION 18, TWP. 21 N., R. 22 W. & SECTION 13, TWP. 21 N., R. 22 W.

TANEY COUNTY, MISSOURI

Schultz & Summers Engineering

Civil Engineering - Land Surveying - Materials Testing

Southwest Missouri Office - (573) 686-0806

Lake of the Ozarks Office - (573) 365-2003

Branson Office - (417) 337-8320

New Orleans, LA Office - (504) 497-6009

WWW.SCHULTZANDSUMMERS.COM

PRELIMINARY NOT FOR CONSTRUCTION

SCHULTZ & SUMMERS ENGINEERING, INC.

1 OF 3

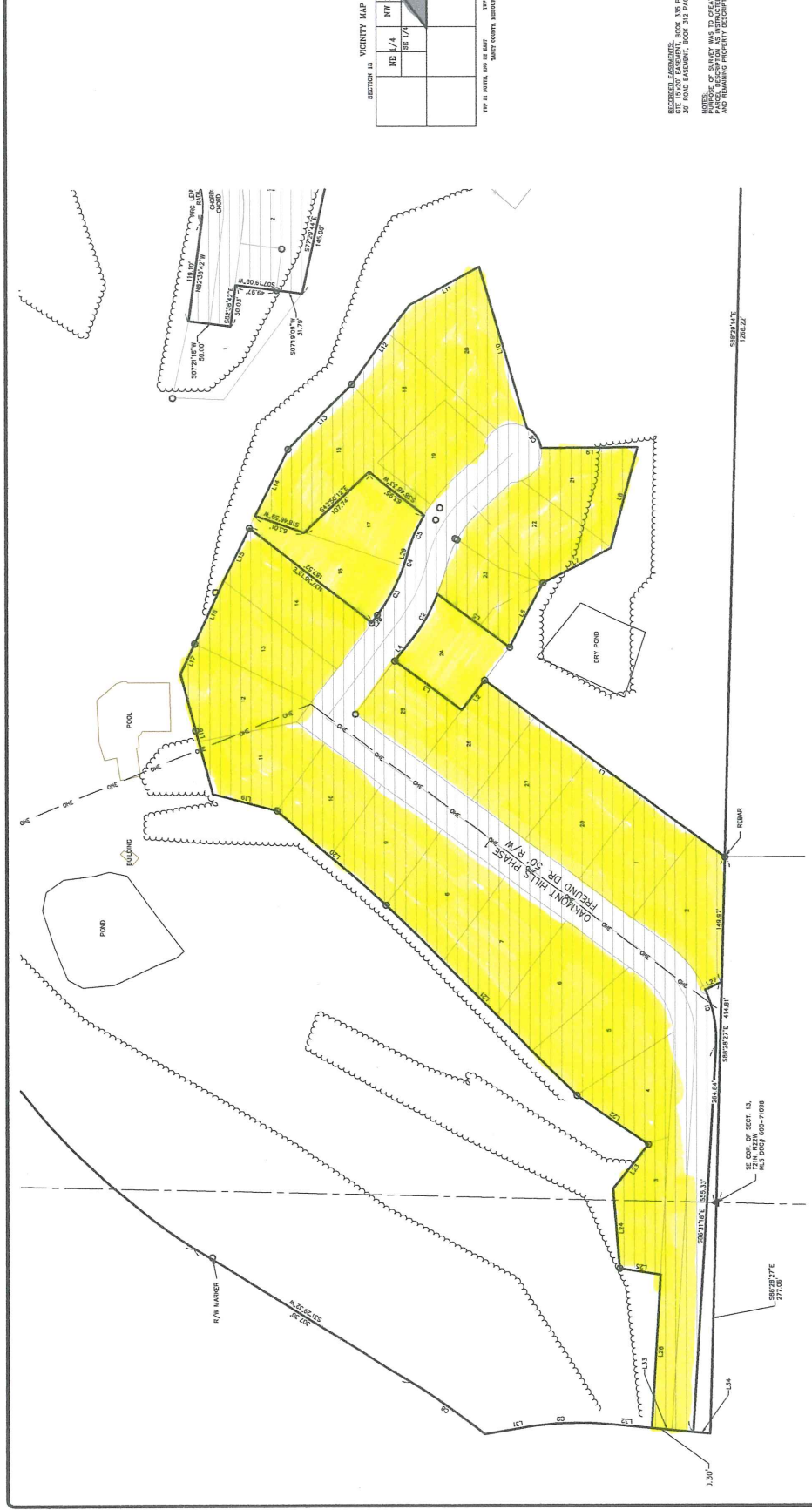
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09-14-10

09-14-10



RECORDS EXAMINED BY ME AND DATE 01/16/08
SITING OF MONUMENTS BY ME AND DATE 01/16/08
PREPARED BY ME AND DATE 01/16/08
DATE PREPARED



Curve #	Length	Radius	Delta	Chord	Direction	Chord Length
C1	76.24	141.68	28.37	97.97727'E		68.82
C2	85.39	251.76	14.71	55.3329'E		85.31
C3	104.05	403.35	14.66	37.23340°W		104.34
C4	122.82	282.26	11.92	57.9712'E		78.25
C5	46.06	179.82	15.63	106.6320°W		48.81
C6	30.56	35.00	50.02	105.4319°E		29.00
C7	245.84	180.72	7.44	53.3725°W		246.67
C8	103.04	403.35	14.66	53.0011°E		103.87
C9	104.63	403.35	14.66	53.0011°E		104.34
C10	46.07	282.26	11.92	57.9712'E		47.89
C11	78.22	145.52	31.19	147.5016°E		61.15
C12	104.05	403.35	14.66	37.2334°E		104.34
C13	173.95	103.52	58.82	52.7011°W		103.27

Line #	Measured Dist.	Division
L31	33.01	S43.0217°W
L32	104.05	S37.472°W
L33	65.84	S62.453°W
L34	65.84	S62.453°W
L35	49.87	S69.0437°W
L36	18.81	N60.5114°W
L37	22.87	S24.1019°E
L38	11.43	N32.847°W
L39	5.11	N74.9427°W
L40	100.45	S39.9237°W
L41	48.07	S22.501°E
L42	45.01	S22.501°E
L43	30.03	S55.551°W
L44	33.96	S77.023°E
L45	20.77	N72.8437°E
L46	16.65	N47.8136°W
L47	134.28	N47.8136°W
L48	75.89	N35.5013°W

Line #	Measured Dist.	Bearing
L49	20.08	N72.252°E
L50	115.27	N72.252°E
L51	105.00	N45.541°W
L52	105.00	N45.541°W
L53	105.00	N45.541°W
L54	80.19	N62.535°W
L55	71.24	N62.535°W
L56	82.60	N62.535°W
L57	38.91	N62.535°W
L58	145.19	S74.842°W
L59	80.31	S14.616°W
L60	175.22	S49.002°W

- LEGEND**
- SET IP REBAR
 - ▲ CORNER OF RECORD
 - ▲ COMPUTED POSITION
 - FENCE CORNER
 - EXISTING MONUMENT
 - (M) MEASURED
 - (F) RECORD
 - R/W RIGHT-OF-WAY
- PROPERTY CLASSIFICATION: RURAL / SUBURBAN



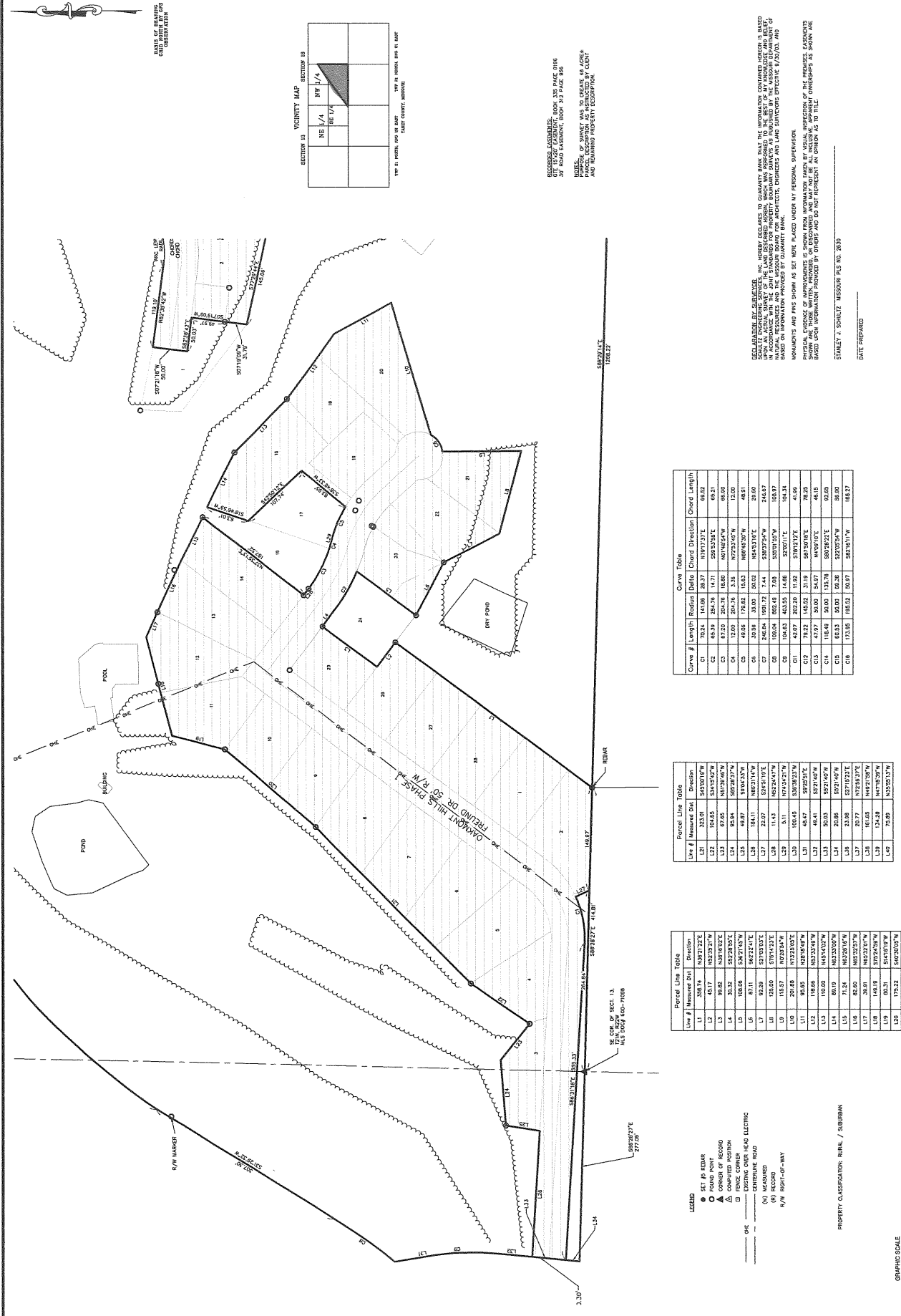
NW 1/4 SECT. 18
NE 1/4 SECT. 13

BOUNDARY SURVEY FOR
GUARANTY BANK

SECT. 18, TWP. 21 N, RANG. 21 W & SECT. 13, TWP. 21 N, RANG. 22 W
TANEY COUNTY, MISSOURI

Schultz & Summers Engineering
Civil Engineering - Land Surveying - Materials Testing
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www.schultzsummers.com
Lake of the Ozarks Office - (417) 337-8820
Southeast Missouri Office - (573) 685-0806

PRELIMINARY
NOT FOR CONSTRUCTION
SCHULTZ & SUMMERS ENGINEERING COMPANY



Curve Table

Curve #	Length	Radius	Delta	Chord	Direction	Chord Length
C1	70.24	141.06	20.37	87.973721'E	69.82	
C2	65.39	204.79	14.71	58.93581'E	65.21	
C3	67.20	204.79	14.85	89.48551'W	66.09	
C4	72.00	204.79	23.38	87.23335'W	72.00	
C5	35.56	35.05	90.00	88.33333'E	35.00	
C6	246.84	180.72	7.44	5.892354'W	244.07	
C7	100.63	802.43	7.08	5.50152'W	100.97	
C8	104.63	402.35	14.46	52.001'E	104.34	
C9	42.07	202.26	11.02	57.91371'E	41.99	
C10	79.22	145.02	31.19	57.30181'E	79.25	
C11	47.97	50.00	34.97	N45.910'E	46.13	
C12	116.64	50.00	136.78	56.99352'E	62.63	
C13	60.53	50.00	90.38	52.9351'W	56.00	
C14	173.95	105.31	50.97	55.9151'W	168.27	

Parcel Line Table

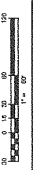
Line #	Measured Dist	Bearing
L1	333.01	S43.9501'W
L2	194.65	S41.5457'W
L3	27.65	N23.3040'W
L4	105.06	S59.2715'W
L5	66.84	S25.2520'W
L6	87.11	S67.2241'E
L7	62.28	S73.9331'E
L8	128.00	S75.7421'E
L9	115.87	N07.9254'W
L10	201.05	N17.2810'E
L11	95.85	N27.8497'W
L12	118.65	N33.3347'W
L13	143.10	N37.1300'W
L14	183.10	N43.3000'W
L15	312.84	N48.3600'W
L16	62.60	N45.5257'W
L17	38.01	N45.5257'W
L18	146.19	S19.2458'W
L19	60.31	N47.6197'W
L20	175.22	S49.7005'W

Parcel Line Table

Line #	Measured Dist	Bearing
L21	333.01	S43.9501'W
L22	194.65	S41.5457'W
L23	27.65	N23.3040'W
L24	105.06	S59.2715'W
L25	66.84	S25.2520'W
L26	87.11	S67.2241'E
L27	62.28	S73.9331'E
L28	128.00	S75.7421'E
L29	115.87	N07.9254'W
L30	201.05	N17.2810'E
L31	95.85	N27.8497'W
L32	118.65	N33.3347'W
L33	143.10	N37.1300'W
L34	183.10	N43.3000'W
L35	312.84	N48.3600'W
L36	62.60	N45.5257'W
L37	38.01	N45.5257'W
L38	146.19	S19.2458'W
L39	60.31	N47.6197'W
L40	175.22	S49.7005'W

LEGEND
 ● SET P REBAR
 ○ FOUND POINT
 ○ CORNER
 △ COMBINED POSTION
 □ FENCE CORNER
 ○ EMBLING OVER HEAD ELECTRIC
 ○ RECORDED
 ○ RECORDED
 R/W RIGHT-OF-WAY

PROPERTY CLASSIFICATION: RURAL / SUBURBAN



EXCESSIVE ACCURACIES
 CITY TO STATE EASIMENT, BOOK 338 PAGE 6196
 OF 1800 EASIMENT, BOOK 31 PAGE 866

NOTICE: THIS SURVEY WAS TO CREATE 64 ACRES
 PARCELS, INFORMATION AS PROVIDED BY CLIENT
 AND SURVEYING AND BOUNDARY INFORMATION.

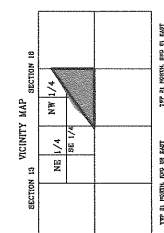
DECLARATION BY SURVEYOR
 I, SCHULTZ & SUMMERS ENGINEERING, INC. HEREBY DECLARES TO GUARANTY BANK THAT THE INFORMATION CONTAINED HEREON IS BASED
 ON A REASONABLE BELIEF THAT THE INFORMATION CONTAINED HEREON IS TRUE AND ACCURATE AND THAT THE SURVEYING AND BOUNDARY
 INFORMATION IS IN ACCORDANCE WITH THE CITY'S STANDARDS FOR PROPERTY BOUNDARY SURVEYS AS PROVIDED BY THE MISSOURI DEPARTMENT OF
 REVENUE, MISSOURI REVENUE COMMISSION, COMMISSIONER AND LAND SURVEYING DIVISION OF 2010, AND
 BASED ON INFORMATION PROVIDED BY GUARANTY BANK.

MONUMENTS AND THIS SHOWN AS SET HERE PLACED UNDER MY PERSONAL SUPERVISION

PHYSICAL EVIDENCE OF IMPROVEMENTS IS SHOWN FROM INFORMATION TAKEN BY VISUAL INSPECTION OF THE PREVIOUS SURVEYING
 RECORDS AND THIS SHOWN AS SET HERE PLACED UNDER MY PERSONAL SUPERVISION

DATE PREPARED: _____

SWITNEY A. SCHULTZ MISSOURI PLS. NO. 2630



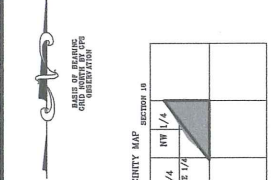
DATE OF BEARING
 AND DISTANCE
 MEASUREMENTS
 MADE AT THE
 FIELD

BOUNDARY SURVEY FOR
GUARANTY BANK

TANEY COUNTY, MISSOURI
SECT. 18, TWP. 21 N, RANG. 21 W & SECT. 13, TWP. 21 N, RANG. 22 W

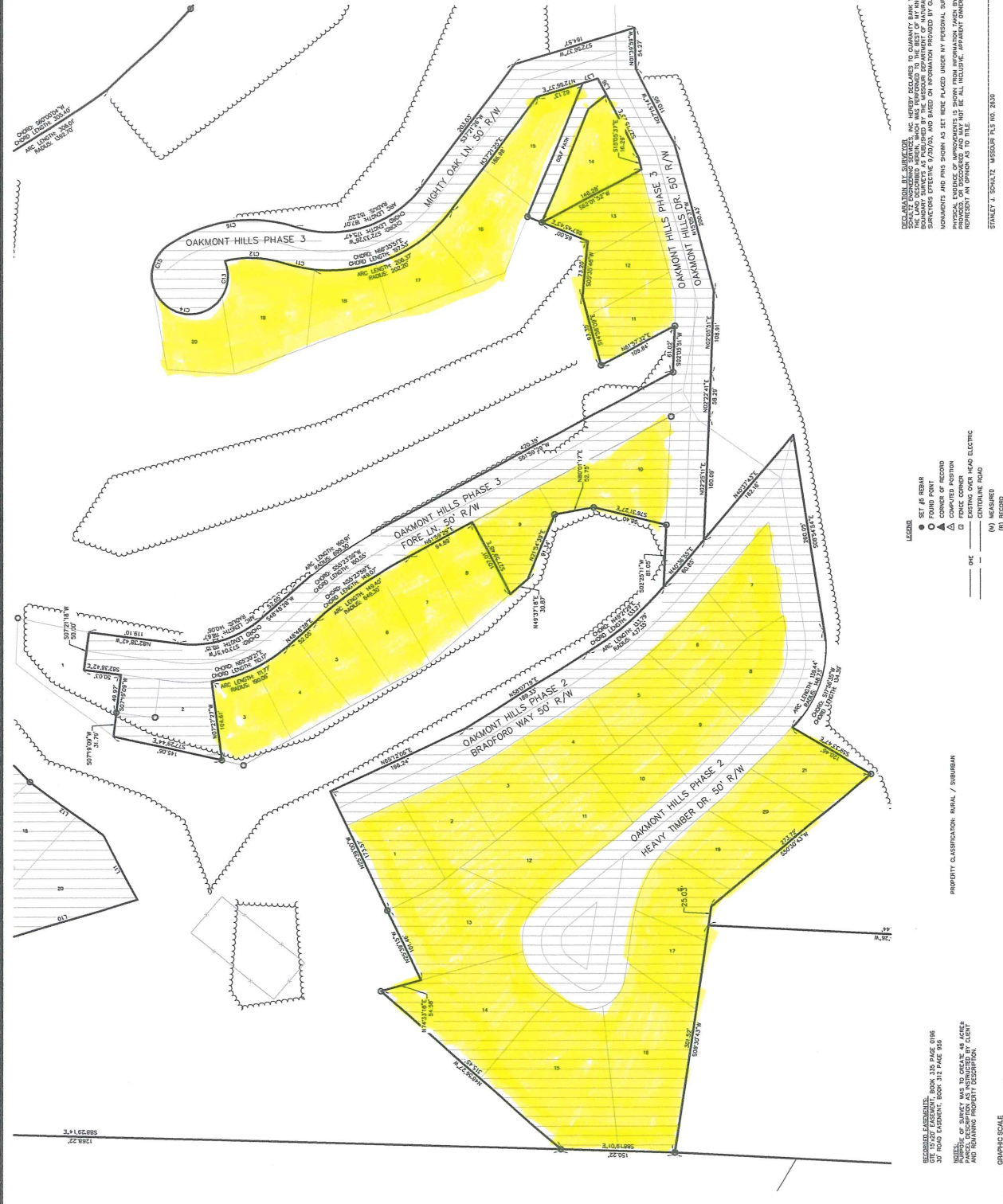
Schultz & Summers Engineering - Land Surveying - Materials Testing
Lake of the Ozarks Office - (417) 337-8820
New Orleans, LA Office - (504) 467-6009
www.schultzsummers.com

Schultz & Summers
Southeast Missouri Office - (573) 685-0806
PRELIMINARY
NOT FOR CONSTRUCTION



Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C1	70.24	141.68	28.37	N79°17'27"E	66.62
C2	65.29	204.76	14.71	S59°53'58"E	65.21
C3	87.20	204.76	16.80	N16°45'24"W	66.80
C4	12.00	204.76	3.36	N72°53'59"W	12.00
C5	48.06	782.82	10.53	N65°25'50"W	48.01
C6	100.04	1002.72	7.04	S33°17'49"W	246.07
C7	100.04	802.16	7.08	S35°01'52"W	108.97
C8	104.63	402.35	14.06	S20°01'1"E	104.34
C9	42.07	202.20	11.82	S70°12'1"E	41.89
C10	79.22	146.52	31.19	S97°50'18"E	78.25
C11	47.97	50.00	54.97	N4°00'10"E	46.15
C12	118.49	50.00	135.78	S69°28'2"E	92.65
C13	60.53	50.00	60.53	S22°05'54"W	50.80
C14	123.95	192.52	30.37	S87°34'11"W	188.27

Parcel	Area	Perimeter
1	121.50	321.50
2	104.68	321.50
3	67.65	187.35
4	184.11	570.16
5	49.87	170.16
6	184.11	570.16
7	22.07	127.14
8	114.43	302.44
9	51.17	171.51
10	100.65	330.23
11	48.41	171.51
12	50.83	150.12
13	28.86	150.12
14	23.88	127.14
15	20.77	127.14
16	161.63	442.71
17	134.28	361.63
18	141.91	361.63
19	51.49	141.91
20	179.22	540.20



- LEGEND
- SET OF REBAR
 - FOUND POINT
 - △ COMPUTED POSITION
 - FENCE CORNER
 - EXISTING OVER HEAD ELECTRIC
 - EXISTING UNDER HEAD ELECTRIC
 - (M) MEASURED
 - (C) COMPUTED
 - (R) RECORD
 - R/W RIGHT-OF-WAY

RECORD CLASSIFICATION: BURGLAR / SUBURBAN
PROPERTY CLASSIFICATION: BURGLAR / SUBURBAN
DATE PREPARED: 11/11/2010
DRAWN BY: J. SCHULTZ
CHECKED BY: J. SCHULTZ
DATE: 11/11/2010

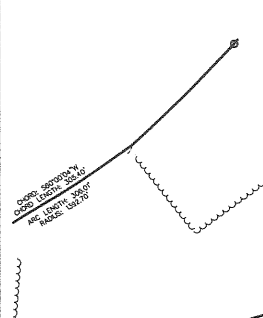
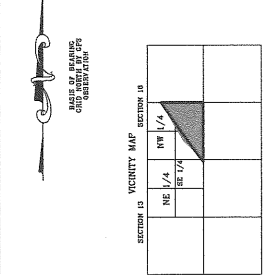
GRAPHIC SCALE
1" = 60'

NW 1/4 SECT. 18
NE 1/4 SECT. 13

BOUNDARY SURVEY FOR
GUARANTY BANK

Schultz & Summers Engineers
Lake of the Ozarks Office - (417) 337-8020
Southeast Missouri Office - (573) 686-0806
www.schultzsummers.com

PRELIMINARY
NOT FOR CONSTRUCTION



Parcel Line Table

Line #	Inscribed Dist.	Direction
L1	388.74	S20°21'22"E
L2	45.17	N62°32'21"W
L3	98.84	N36°16'02"E
L4	38.32	S57°28'55"E
L5	108.08	S32°21'45"W
L6	89.11	S52°25'41"E
L7	82.28	S27°03'01"E
L8	115.37	S71°17'51"W
L9	103.52	N72°04'11"E
L10	201.68	N47°25'00"W
L11	83.85	N28°16'49"W
L12	108.66	N63°33'49"W
L13	100.00	N63°13'07"W
L14	89.19	N63°33'00"W
L15	71.44	N43°25'16"W
L16	68.89	N48°37'8"W
L17	38.81	N48°32'07"W
L18	103.19	S72°52'07"W
L19	51.01	S41°01'00"W
L20	103.22	N42°20'00"W

Parcel Line Table

Line #	Inscribed Dist.	Direction
L21	323.01	S45°00'16"W
L22	104.65	S41°15'42"W
L23	67.65	N57°30'46"W
L24	95.94	S58°26'32"W
L25	46.87	S78°16'14"W
L26	184.11	N62°12'14"W
L27	22.07	S23°01'32"E
L28	115.11	N62°14'11"W
L29	108.45	S38°26'26"W
L30	100.45	S38°26'26"W
L31	48.47	S37°50'24"W
L32	48.41	S57°16'10"W
L33	50.03	S57°16'10"W
L34	200.00	S57°16'10"W
L35	231.88	S27°51'53"W
L36	200.00	S27°51'53"W
L37	200.00	S27°51'53"W
L38	181.65	N49°21'58"W
L39	131.28	N49°21'58"W
L40	78.89	N49°21'58"W

Curve Table

Curve #	Length	Radius	Delta	Chord	Chord Direction	Chord Length
C1	752.4	1438.8	26.37	797.737E		89.92
C2	85.28	167.5	1.85	S89°59'36"E		64.43
C3	85.28	167.5	1.85	N89°59'36"E		64.43
C4	12.00	200.00	3.36	N23°35'00"W		13.00
C5	48.00	176.82	15.63	N62°05'50"W		48.81
C6	30.56	35.00	80.02	N45°03'16"E		28.90
C7	248.84	1801.72	7.44	S30°27'54"W		246.67
C8	105.84	802.49	7.08	S30°01'55"W		108.97
C9	104.63	403.51	14.06	S27°01'17"E		104.34
C10	42.97	202.00	11.92	S78°12'12"E		41.99
C11	79.32	146.52	31.19	S87°50'18"E		78.35
C12	47.97	50.00	54.97	N49°01'17"E		46.15
C13	181.48	90.00	130.78	S82°28'22"E		92.85
C14	173.53	183.82	50.93	S85°10'16"W		168.27

DECLARATION BY SURVEYOR: I, STANLEY T. SCHULTZ, A PROFESSIONAL SURVEYOR IN THE STATE OF MISSOURI, DO HEREBY CERTIFY THAT I AM THE SURVEYOR OF THIS SURVEY AND THAT I AM A LICENSED SURVEYOR IN THE STATE OF MISSOURI. I HAVE PERSONALLY CONDUCTED THIS SURVEY AND I HAVE BEEN ASSISTED BY THE FOLLOWING ASSISTANTS: [List of assistants]. I HAVE BEEN ASSISTED BY THE FOLLOWING ASSISTANTS: [List of assistants]. I HAVE BEEN ASSISTED BY THE FOLLOWING ASSISTANTS: [List of assistants].

STANLEY T. SCHULTZ, MISSOURI FILE NO. 2830
DATE PREPARED

RECORDED ALTERNATE: BOOK 335 PAGE 518
30' ROAD VARIANCE: BOOK 312 PAGE 548
PARCELS OF SURVEY WERE CREATED BY A PLAN
AND REMAINING PROPERTY DESCRIPTION.

PROPERTY CLASSIFICATION: RURAL / SUBURBAN
CONTIGUOUS ROAD ELECTRIC
CONTIGUOUS ROAD
MEASURED
RECORDED
BOUNT-UP-WAY

GRAPHIC SCALE
1" = 50'

Appendix 3

LEGAL DESCRIPTIONS

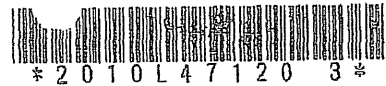
The following described real estate situated in Taney County, Missouri, to wit:

All of Oakmont Hills, **Phase 1** as recorded in Slide G, page 636, at the Taney County Recorder's office, Taney County, Missouri; recorded October 16, 2003.

All of Oakmont Hills, **Phase 2** as recorded in Slide I, page 283, at the Taney County Recorder's office, Taney County, Missouri; recorded January 18, 2007.

All of Oakmont Hills, **Phase 3** as recorded in Slide I, page 701, at the Taney County Recorder's office, Taney County, Missouri; recorded October 5, 2007.

All of Oakmont Hills, **Phase 4** to possibly be platted in the future within the general boundaries of the legal description set forth in the attached Special Warranty Deed filed in the Taney County Recorder's Office at Book 2010, Page 47120.



BOOK PAGE
2010L47120
 10/27/2010 10:55:07AM
 REC FEE:30.00
 NON-STD FEE:
 PAGES: 3
 REAL ESTATE DOCUMENT
 TANEY COUNTY, MISSOURI
 RECORDERS CERTIFICATION



Robt A. Dixon
 ROBERT A. DIXON

**SPECIAL WARRANTY DEED
 BY CORPORATION**

Dated: Oct. 21, 2010
 Grantor: Guaranty Bank, 1341 W. Battlefield, Springfield, MO 65807 ✓
 Grantee: Tranquility Group, L.L.C, 219 Eagle Point Drive, Branson, MO 65616

THIS INDENTURE, made on the 21st day of October, 2010, by and between GUARANTY BANK, a Missouri trust corporation with banking powers, Grantor, and Tranquility Group, L.L.C, a Missouri Limited Liability Company, Grantee. WITNESSETH:

That Grantor, for and in consideration of the sum of Ten Dollars (\$10.00), and other good and valuable considerations to it paid by the said Grantee, the receipt and adequacy of which is hereby acknowledged, does by these presents, GRANT, BARGAIN and SELL, CONVEY and CONFIRM, unto the said Grantee, and its successors and assigns, the following described lots, tracts or parcels of land, lying, being and situate in the County of Taney and State of Missouri, to-wit:

All that part of the Fractional Northwest Quarter of Section 18, Township 21 North, Range 21 West and all that part of the Southeast Quarter of the Northeast Quarter of Section 13, Township 21 North, Range 22 West, all in Taney County, Missouri, being more particularly described as follows:
 Commencing at the Southeast corner of the Northwest Quarter of said Section 18; Thence N 87° 14'26" W along the South line of said fractional Northwest Quarter of Section 18, 1507.11 feet to a rebar at the Southeast corner of Lot 16 of Oakmont Hills Phase 2 subdivision recorded on Slide-1 page 283 at the Taney County Recorder's Office and the point of beginning; Thence N 08° 30'43" E along the East line of said Oakmont Hills Phase 2 subdivision, 301.52 feet to a #5 rebar stamped PLS #368-D; Thence S 87° 14'26" E departing said East line, 484.44 feet to a #5 rebar stamped PLS #368-D; Thence N 02° 45'34" E, 478.19 feet to a #5 rebar stamped PLS #368-D; Thence N 14° 30'05" W, 1088.28 feet to a #5 rebar stamped PLS #368-D; Thence S 87° 57'30" E, 272.94 feet to a 1/2 inch rebar; Thence N 42° 16'30" W, 352.70 feet to a 1/2 inch rebar; Thence N 47° 36'42" E, 55.91

feet to a ½ inch rebar; Thence N 47° 42' 42" E, 736.78 feet to a point on the North line of said Section 18; Thence N 86° 24' 19" W, 553.38 feet to a point on the Right-of-Way for State Highway "86"; Thence along and with said Right-of-Way the following bearings and distances: Thence along a curve to the right having a radius of 1901.72 feet, an arc length of 246.84 feet, and a chord bearing of S 38° 37' 54" W to a point; Thence S 42° 21' 01" W, 114.83 feet to a point; Thence S 42° 21' 01" W, 282.13 feet to a point; Thence S 36° 38' 23" W, 100.45 feet to a point; Thence S 42° 21' 01" W, 199.90 feet to a point; Thence S 48° 03' 39" W, 100.45 feet to a point; Thence S 42° 21' 01" W, 349.82 feet to a point; Thence S 36° 47' 02" W, 103.05 feet to a Right-of-Way marker; Thence along a curve to the right having a radius of 1392.70 feet, an arc length of 306.01 feet, and a chord bearing of S 60° 00' 04" W; Thence S 56° 07' 32" W, 118.71 feet to a Right-of-Way marker; Thence S 66° 31' 19" W, 408.24 feet to a point; Thence along a curve to the left having a radius of 909.14 feet, an arc length of 530.88 feet, and a chord bearing of S 50° 02' 55" W; Thence S 31° 29' 32" W, 307.30 feet to a point; Thence along a curve to the right having a radius of 882.49 feet, an arc length of 109.04 feet, and a chord bearing of S 35° 01' 55" W, to a point; Thence S 09° 25' 51" E departing from said Right-of-Way, 48.47 feet to a point; Thence along a curve to the right having a radius of 403.55 feet, an arc length of 104.63 feet, and a chord bearing of S 02° 00' 11" E; Thence S 05° 21' 40" W, 120.30 feet to a point; Thence S 88° 28' 27" E, 277.06 feet to an aluminum monument; Thence S 88° 28' 27" E, 414.81 feet to a rebar; Thence S 88° 29' 14" E, 1268.22 feet to a rebar; Thence S 88° 19' 01" E, 150.22 feet to the point of beginning; LESS AND EXCEPT all of the lots in Oakmont Hills Phase 1 as recorded in Slide - G, page 636; and LESS AND EXCEPT all of the lots in Oakmont Hills Phase 2 as recorded in Slide - I, page 283; and LESS AND EXCEPT all of Lots Two (2), Nine (9), Eleven (11), Twelve (12) and Thirteen (13) of Oakmont Hills Phase 3 subdivision as recorded in Slide - I, page 701, at the Tancy County Recorder's Office, Tancy County, Missouri; All being subject to all utility easements and road Rights-of-Way AND EXCEPT ALL INTERESTS IN TIMESTIARES RECORDED AND UNRECORDED.

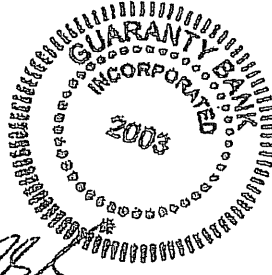
TO HAVE AND TO HOLD the premises aforesaid, with all and singular the rights, privileges, appurtenances, and immunities thereto belonging or in anywise appertaining unto the said Grantee, and unto its successors and assigns forever, the said Grantor hereby covenanting that:

- (1) It is lawfully seized of an indefeasible estate in fee in the premises herein conveyed;
- (2) It has good right to convey the same;

(3) The premises are free and clear of any encumbrances done or suffered by the said Grantor or those under whom the said Grantor claims except as aforesaid; and

(4) Grantor will Warrant and Defend the title to the said premises unto the Grantee and unto its successors and assigns forever, against the lawful claims and demands of all persons whomsoever except as to all general taxes for the year 2010 and thereafter, special taxes and assessments becoming a lien after date hereof, covenants, restrictions, reservations, easements, party wall agreements, community contracts, and building set back lines, all applicable zoning laws and ordinances, if any, and any other interests of record in the office of the Recorder of Deeds of Taney County, Missouri, and any and all time share interests in the Property whether the same are of record or otherwise.

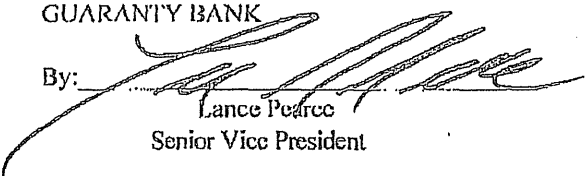
IN WITNESS WHEREOF, the hand and seal of the said grantor on the day and year first above written.



(Corporate Seal)

GUARANTY BANK

By:



Lance Pearce
Senior Vice President

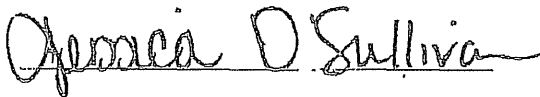
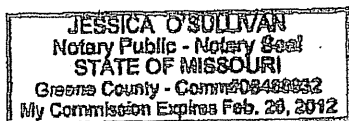
Attest: _____


STATE OF MISSOURI)

COUNTY OF Greene) ss.

On this 21st day of October, 2010, before me personally appeared Lance Pearce, to me personally known, who, by me first duly sworn, did say that he is Senior Vice President of Guaranty Bank and that the seal affixed to the foregoing instrument is the corporate seal of said corporation, and that the instrument was signed and sealed in behalf of said corporation by authority of its board of directors, and said Dana Elwell acknowledged said instrument to be the free act and deed of said corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Notarial Seal at my office in Springfield, Missouri, the day and year last above written.



END OF DOCUMENT

Appendix 4

LIST OF TEN (10) OWNERS/RESIDENTS WITHIN THE AREA TO BE CERTIFIED

**Michael & Darla Brower
228 Gerry Garlington Road
Monroe, LA 71203**

**Jerry & Annie Sales
708 Lake Road
Eureka, IL 61530**

**Charles & Brenda Chodrick
4514 North Oakwood Road
Enid, OK 73703**

**Eddie & Jennifer Cook
CMR 427, Box 1620
APO, AE 09630**

**Darin & Dana Lauer
24550 South Meadow Circle Road
Claremore, OK 74019**

**Dr. Floyd & Diane Simpson
5147 West Skyler Drive
Springfield, MO 65802**

**Brian & Shelly Younger
18410 Watson Way
Inola, OK 74036**

**Tony & Karen Clark
3516 Belmont Street
Denton, TX 76210**

**Mike & Peggy Moore
2681 Sutherland Drive
Thompson Station, TN 37179**

**Jeff & Debbie Fantin
24019 Madaca Lane # 101
Port Charlotte, FL 33954**

Appendix 5

RATES & ESTIMATED NUMBER OF CUSTOMERS, REVENUE, AND EXPENSES

Rates:

Flat Rate: \$85.00

Late Payment Fee: \$25.00

This rate does not include any municipal, state or federal taxes computed on either billing or consumption basis. Any such taxes applicable shall be added as separate items in rendering each bill.

Estimated Total Number of Customers: 400

Expenses: It is suspected that the expenses and required return on rate base for this operation will be generally equal to the revenues derived from the proposed rates.

Appendix 6

DNR PERMIT



Jeremiah W. (Jay) Nixon, Governor • Sara Parker Pauley, Director

DEPARTMENT OF NATURAL RESOURCES

www.dnr.mo.gov

MAR 23 2012

Taney County
Branson Cedars Resort
Permit No. MO 5282768

Mr. Michael Hyams
Branson Cedars Resort
422 Burk Road
Highlandville, Missouri 65669



Dear Mr. Hyams:

Enclosed is your PERMIT OF APPROVAL FOR A TRANSIENT NON-COMMUNITY WATER SYSTEM TO DISPENSE WATER TO THE PUBLIC (MO 5282768). I suggest it be framed and displayed where it will be visible to the public.

The permit signifies that your water system is a public water system and that it is in compliance with the requirements of the Missouri Safe Drinking Water Law and the Missouri Public Drinking Water Regulations. The permit will remain valid as long as the facilities are properly operated and maintained the water produced and distributed continues to meet chemical and microbiological standards, and the ownership remains unchanged.

If you have questions, please contact the Department of Natural Resources, Water Protection Program, or the Regional Office located in your area.

Sincerely,

WATER PROTECTION PROGRAM

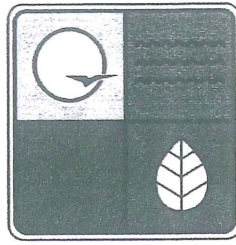
A handwritten signature in black ink, appearing to read "Sturgess".

Steven W. Sturgess, Chief
Public Drinking Water Branch

SWS:mjc

Enclosure

c: Southwest Regional Office



**MISSOURI
DEPARTMENT OF
NATURAL RESOURCES**



PERMIT OF APPROVAL

FOR A TRANSIENT NON-COMMUNITY WATER SYSTEM
TO DISPENSE WATER TO THE PUBLIC

PERMIT NO. MO 5282768

ISSUED TO

Tranquility Group LLC and the Board of Directors
dba Branson Cedars Resort

ISSUED IN ACCORDANCE WITH SECTION 640.115

REVISED STATUTES OF MISSOURI AND REGULATIONS (10 CSR 60)

PROMULGATED UNDER SECTION 640.100, RSMo.

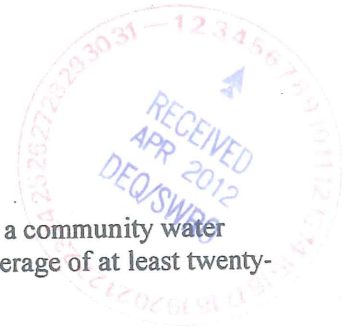
This permit applies only to transient non-community water systems with approval to dispense water to the public; it does not apply to other environmentally regulated areas.

MAR 23 2012

Date Issued

Steve Sturgess, Chief, Public Drinking Water Branch

I. Description of Branson Cedars Resorts Public Water System as of March 9, 2012



A. System Type: Transient Non-Community Public Water System

Transient Non-Community Public Water System: A public water system that is not a community water system, which has at least fifteen (15) service connections or regularly serves an average of at least twenty-five (25) individuals daily at least sixty (60) days out of the year.

B. Operator Certification Requirements:

Water Treatment System Classification	N/A
Water Distribution System Classification	N/A

1. All Public Water Systems classified as Community, Non-Transient Non-Community and those Transient Non-Community systems that use surface water or groundwater under the direct influence of surface water are required by 10 CSR 60-14 to hire a Certified Operator with the appropriate certification.
2. Water Treatment System Classifications: A, B, C, or D per Missouri Safe Drinking Water Law and Regulations 10 CSR 60-14.010 Table 1, as determined by the Department.
3. Water Distribution System Classifications: DS I, DS II, or DS III, per Missouri Safe Drinking Water Law and Regulations 10 CSR 60-14.010 Table 2, as determined by the Department.

C. Average Number of Persons Per Day Using System: 25

D. Number and Type of Service Connections: 49

Type of Connection	Count
Residential	49

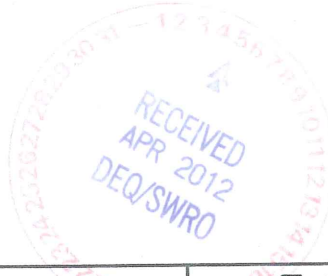
E. Sources:

Well Name	Date Constructed	Location	Well ID	Status	Casing Depth (ft)
Well No. 1	1986	Lat: 36.523 Long: -93.2545	WL 17884	Grandfathered Subject to the Conditions Listed in Section L	84
Well No. 2	1985	Lat: 36.5268 Long: -93.2536	WL 17885	Grandfathered Subject to the Conditions Listed in Section L	90

F. Treatment Facilities: Post Hypochlorination

G. Master Meter Connections: None

H. Emergency Sources of Water: None



I. Distribution Treatment Facilities: N/A

J. Type of Storage:

State Assigned ID	Type of Storage	Total Capacity (gallons)
ST 63075	Standpipe (Well No. 1)	20000
ST 63076	Ground Storage – East (Well No. 2)	9394
ST 63076	Ground Storage – West (Well No. 2)	11723
TOTAL STORAGE		41,117

K. System Status Dates:

System Dates	
System Activated as a Public Water System	February 16, 2006

L. Special Conditions:

1. If either well develops contamination problems or the public water supply becomes in violation of Missouri's Safe Drinking Water Regulations, the Department shall require the public water system to either:
 - i. connect to an approved public water supply or
 - ii. construct a new well according to state standards;
2. All conditions must be disclosed to potential buyers prior to the sale of the property.

M. Staff Recommendations:

On the basis of the review conducted in accordance with the Missouri Safe Drinking Water Law and Regulations 10 CSR 60-3.010, I recommend this Permit to Dispense Water be granted approval.

Kristin Bailey
 Kristin Bailey, E. I.
 Infrastructure Permits and Engineering Section
 Public Drinking Water Branch

3/9/12
 DATE

Maher Jaafari
 Maher Jaafari, P. E., Chief
 Infrastructure Permits and Engineering Section
 Public Drinking Water Branch

3/20/12
 DATE

N. Permit Documents:

The following document is incorporated by reference into the project:

The Report of Inspection completed on July 13, 2007 by Mr. Bill R. Arnold of the Missouri Department of Natural Resources' Southwest Regional Office.

II. General Conditions and Requirements

A. Duty to Comply

The Permittee shall comply with all applicable portions of the Safe Drinking Water Act, Missouri Safe Drinking Water Law and Regulations and the Revised Statutes of Missouri, to include all conditions and requirements of this permit. Failure to comply with any portion of this permit constitutes a violation of the Safe Drinking Water Act, Missouri Safe Drinking Water Law and Regulations and/or the Revised Statutes of Missouri and is grounds for enforcement action.

B. Permit Revocation

In accordance with Missouri Safe Drinking Water Law and Regulations the Department may modify or revoke this Permit to Dispense Water to the Public as listed in 10 CSR 60-3.010 (3) (B).

C. Permit Modification

Permit modification will be issued in accordance with Missouri Safe Drinking Water Law and Regulations 10 CSR 60-3.010

The Department may modify this Permit to Dispense Water to the Public at any time to include all newly promulgated requirements of the Safe Drinking Water Act, Missouri Safe Drinking Water Law and Regulations, and the Revised Statutes of Missouri, which are applicable to the public water system, to address requirements necessary to ensure compliance with the laws and regulations pertaining to safe drinking water, and to provide updated information as a result of any future permitted construction.

The Permittee must request a modification of the Permit to Dispense Water to the Public by notifying the Department when major modifications (i.e. additions or changes to the source(s), treatment or storage utilized by the public water supply) to the drinking water system are completed.

D. Transfer of Permit to Dispense Water to the Public

This Permit to Dispense Water to the Public is non-transferable, except with prior approval of the Department. To obtain Department approval of the transfer of this Permit to Dispense Water to the Public, the Permittee shall submit written notification to the Department at least ninety (90) days in advance of the proposed transfer. This notification shall include a Permit to Dispense Drinking Water application form which has been completed by the proposed new owner of the water system and proof of the pending transfer of ownership of the public water system. The proposed new owner must submit a managerial and financial review (as applicable) which illustrates how the system will be managed to insure its long term viability. If the Department approves the transfer, a new Permit to Dispense Water to the Public will be issued to the new owner of the system in accordance with 10 CSR 60-3.020.

E. Appeals

Any person aggrieved by an emergency order or the decision to revoke the Permit to Dispense may appeal within thirty days after the issuance of the order to the circuit court of the county in which the public water system is located or if the public water system is located in more than one county, to the circuit court of any such county. The circuit court shall within ten days after the filing of the appeal hear the cause and determine the same per the Revised Statutes of Missouri section 640.130.5.

F. Annual Fees

The Permittee shall remit payment of the primacy fee, laboratory services and program administration fees to the Department as required by 10 CSR 60 Chapter 16 and the Revised Statutes of Missouri RSMo 640.100, including any penalties or fines as authorized by Missouri Safe Drinking Water Law and Regulations and the Revised Statutes of Missouri.

Failure to remit the laboratory services and program administration fees will result in the Department of Natural Resources and Department of Health laboratory services being terminated for the calendar year and may result in the revocation of the Permit to Dispense Water to the Public.

G. Construction Permits

Construction, extension, alteration or modification of a public water system shall be in accordance with the rules and regulations of the safe drinking water commission. No construction, extension, alteration or modification can begin until written approval is given by the Department based on 10 CSR 60-3.010.

H. Operation and Maintenance

The Permittee shall comply with the operation and maintenance requirements of the Missouri Safe Drinking Water Law and Regulations, the Revised Statutes of Missouri and the Safe Drinking Water Act.

All community, non-transient non-community water systems, and those transient non-community water systems using surface water or groundwater under the direct influence of surface water, must have a certified Chief Operator to be in responsible charge of the public water system, as per 10 CSR 60-14.010.

Because backflow may cause a health hazard through transmission of contaminants via the public water system, the Continuing Operating Authority must prevent and eliminate any cross-connections within the water system as required by 10 CSR 60-11.010.

I. Inspection and Entry

The Continuing Operating Authority shall allow authorized representatives of the Department access to the system and records for the purpose of inspecting, monitoring, or sampling the public water supply source, distribution system or treatment facility for compliance with the Missouri Safe Drinking Water Law and Regulations. Authorized representatives of the Department, shall be allowed by the Continuing Operating Authority, upon presentation of credentials and at reasonable times, to enter upon Continuing Operating Authority's premises in which a water supply source, distribution system or treatment facility is located or in which any records are required to be kept under terms and conditions of the permit and or the Missouri Safe Drinking Water Law and Regulation.

J. Sanitary Surveys and Inspections

Sanitary Surveys and Inspections for Ground Water Treatment will be conducted per Missouri Safe Drinking Water Law and Regulations 10 CSR 60-4.025.

Ground water systems must provide, at the department's request, any existing information that will enable the department to conduct a sanitary survey or inspection.

A sanitary survey includes, but is not limited to, an onsite review, under the supervision of an engineer, of the water source(s) (identifying sources of contamination by using results of source water assessments or other relevant information where available), facilities, equipment, operation, maintenance, and monitoring compliance of a public water system in order to evaluate the adequacy of the system, its sources and operations, and the distribution of safe drinking water.

If a significant deficiency is identified, unless the department directs the ground water system to implement a specific corrective action, the ground water system must consult with the department regarding the appropriate corrective action within thirty (30) days of receiving written notice from the department of a significant deficiency, written notice from a laboratory that a ground water source sample was found to be fecal indicator-positive, or direction from the department that a fecal indicator-positive sample collected requires corrective action.

K. Emergency Procedures

The Permittee shall prepare and maintain an up-to-date emergency preparedness plan in accordance with 10 CSR 60-12.010

L. Monitoring and Reporting Requirements

The Permittee shall comply with the monitoring and reporting requirements of Missouri Safe Drinking Water Law and Regulations 10 CSR 60-4.010 through 10 CSR 60-4.110 and 10 CSR 60-7.010 through 10 CSR 60-7.020.

M. Civil and Criminal Liability

Except as authorized by statute and provided in permit conditions nothing in this permit shall be construed to relieve the Continuing Operating Authority from administrative, civil, or criminal penalties for noncompliance with the Missouri Safe Drinking Water Law and Regulation.

N. State and Federal Laws

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the Continuing Operating Authority from any responsibilities, liabilities, or penalties established pursuant to any applicable state statute or regulations.

O. Water Quality

In the event the Continuing Operating Authority becomes aware of any actual or imminent contamination or water system pressure dropping below 20 psi anywhere in the system (10 CSR 60-4.080) the Continuing Operating Authority will take immediate actions to avoid injury to consumers. These actions include, but are not limited to, customer notification and investigation into the sources(s) of contamination.

The Missouri public Drinking Water Regulations 10 CSR 60-7.010 requires systems to notify the department within 48 hours of failure to comply with any drinking water regulation except where a shorter period is specified by the Department.

The Continuing Operating Authority shall provide water which meets all quality criteria of state and federal law.

