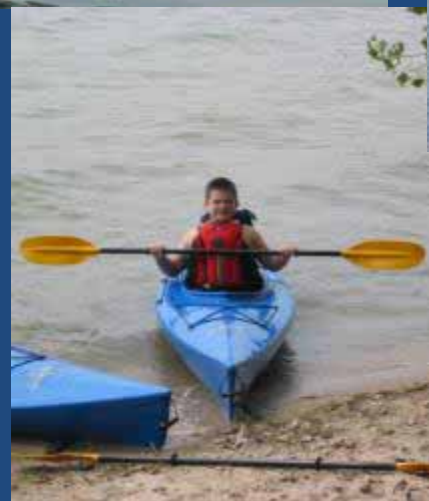
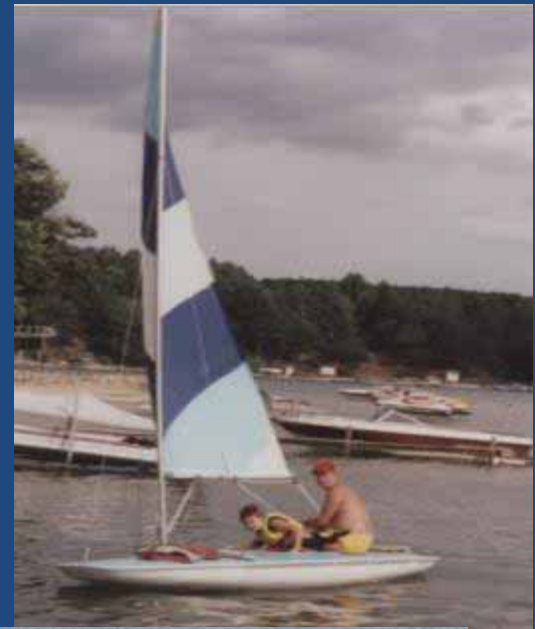


“Coalesce” = Grow Together

- Panel moderator: Denny Caneff
- Panelists: Dan Trudell
Francie Rowe
Scott Froehlke



Pleasant Lake



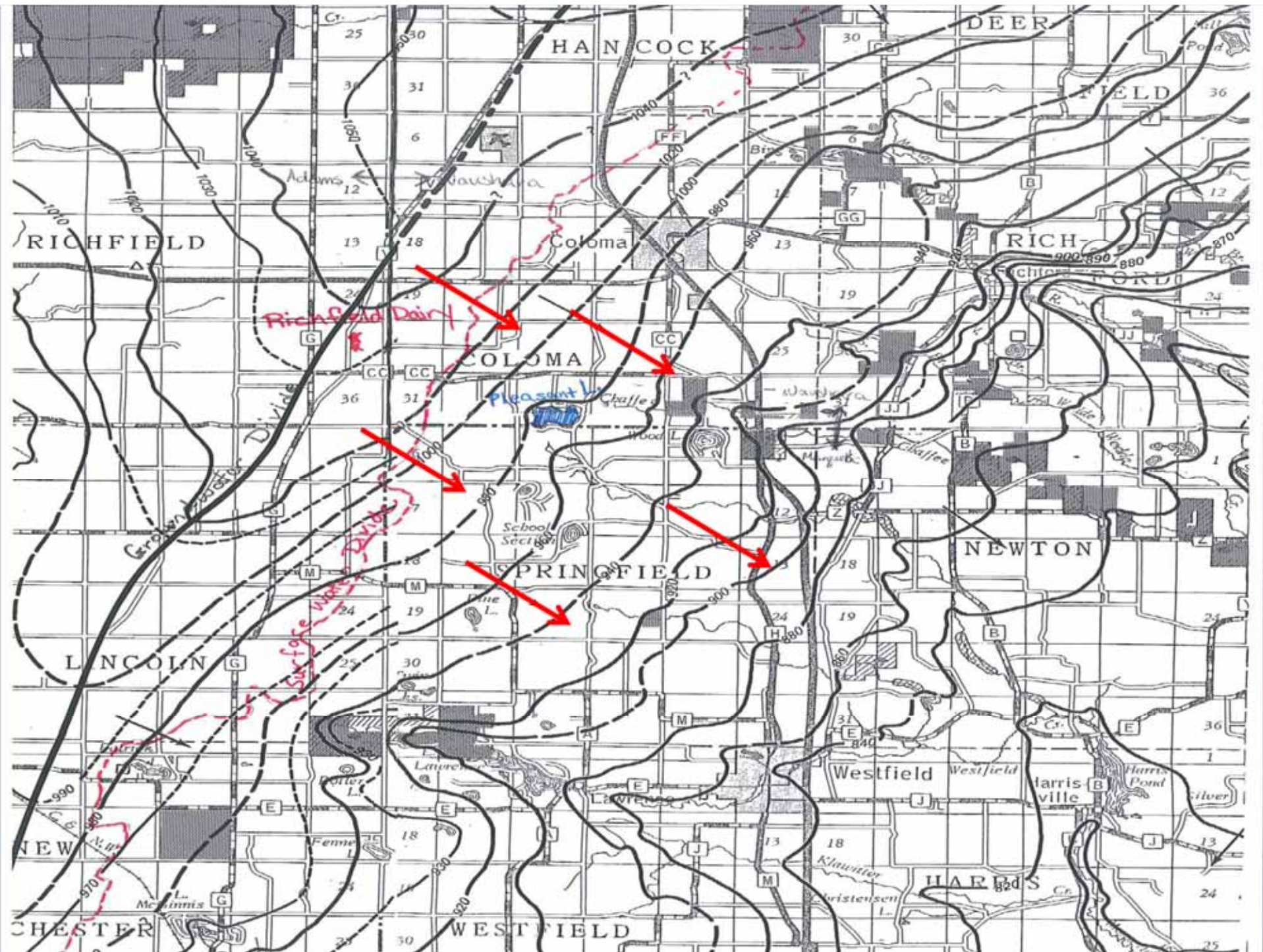
**Pleasant Lake,
Waushara County, Wisconsin**

Richfield Dairy, LLC



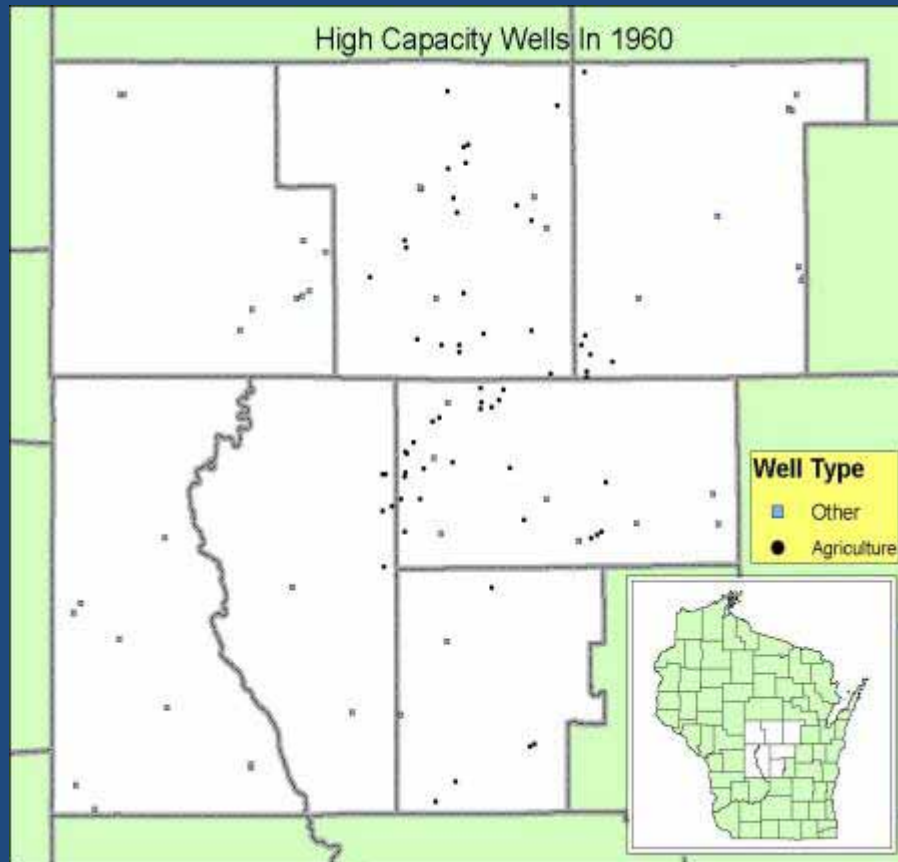
July 2010



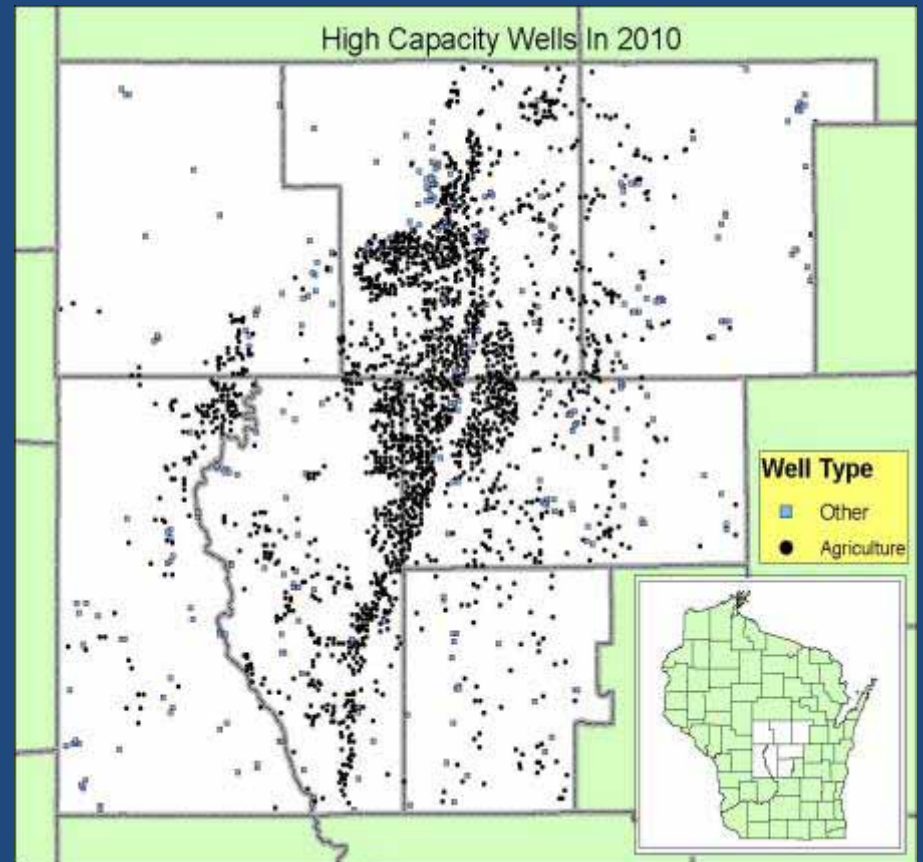


Concerns:

1. **Water quantity – Pumping of two new high capacity wells will bring down the water level in Pleasant Lake**
2. **Water quality**
 - *E. coli* contamination to the groundwater
 - addition of nitrates and phosphates to the ground water
3. **Air quality**
4. **Traffic on County Highway CC**



Sand County 1960

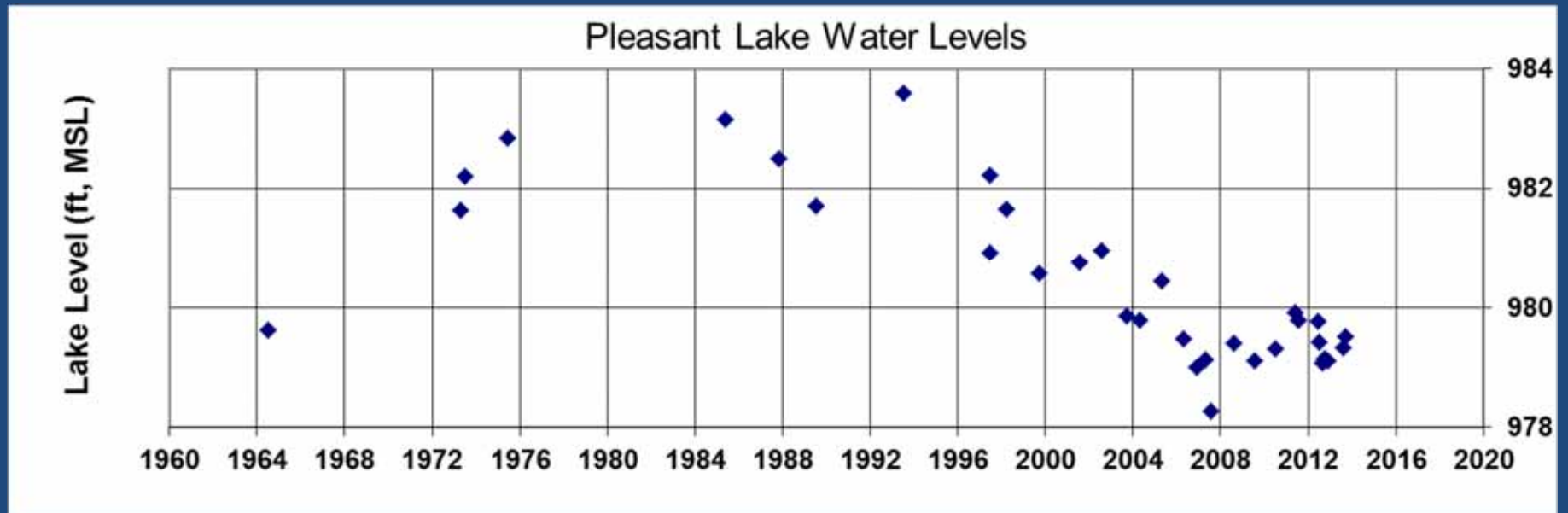


Sand County 2010

Central Sands Irrigation

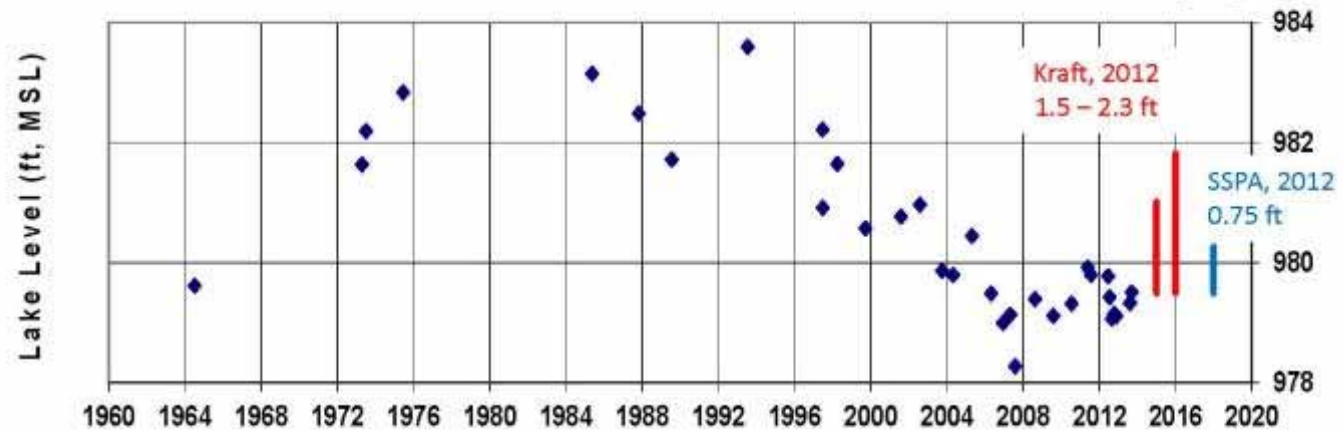


Pleasant Lake, Waushara County

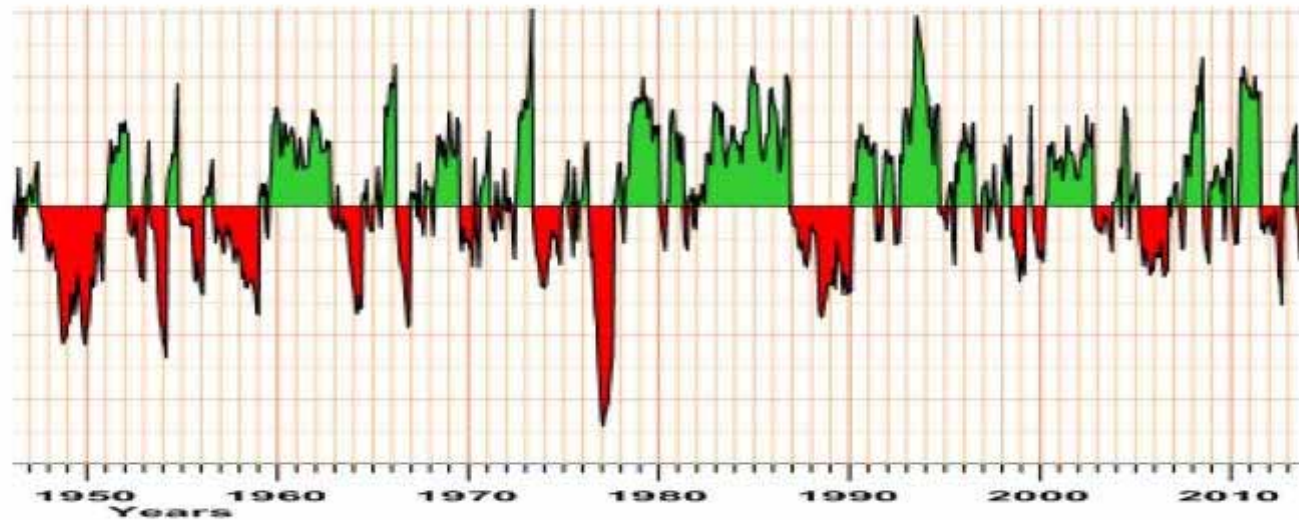


Waushara County Data

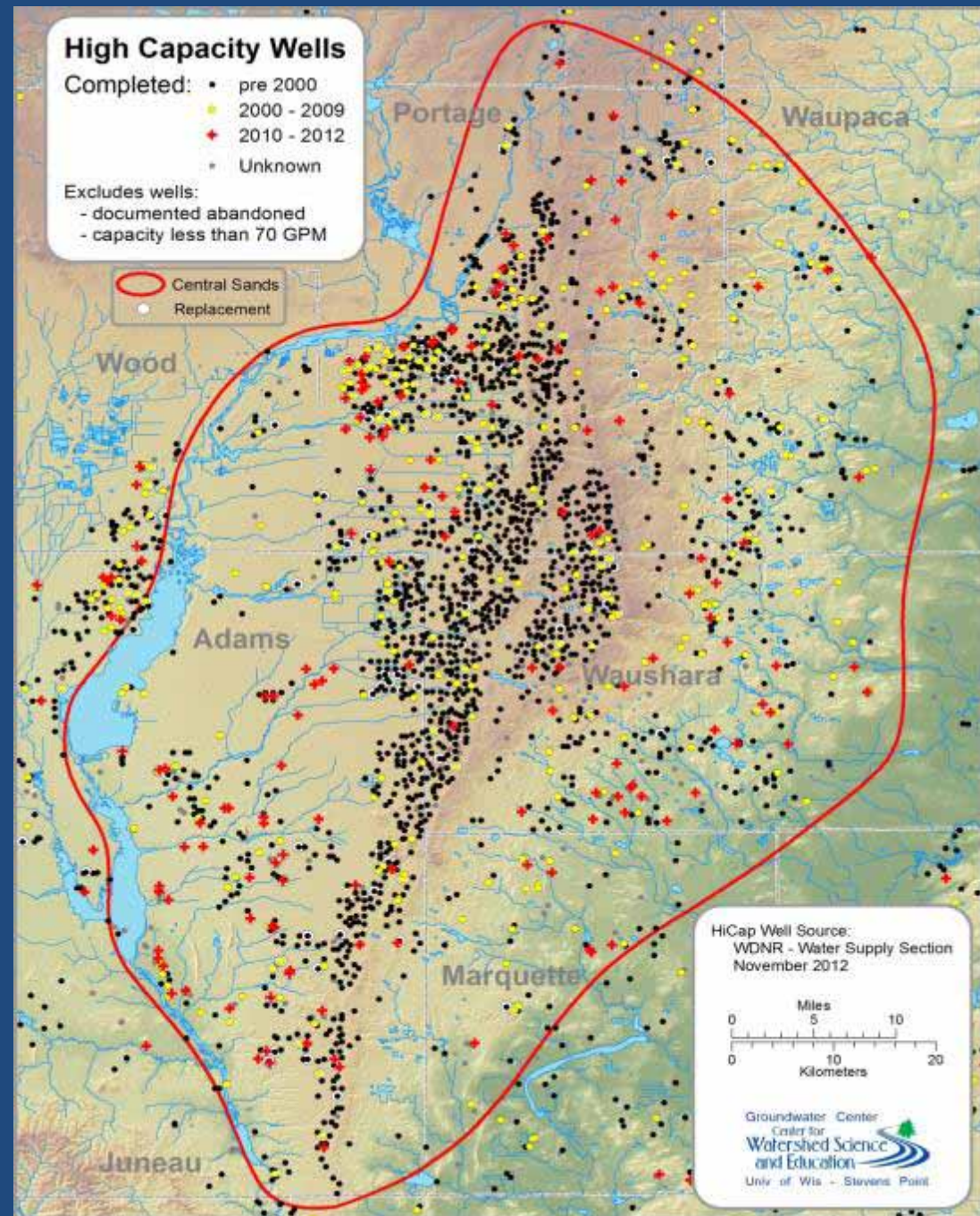
Pleasant Lake Water Levels and Estimated Decline due to Pumping



Palmer Drought Severity Index for Central Wisconsin



Over 3,000 High Capacity Wells in Central Wisconsin in 2013



From: *Walking on Water: Essays for the Central Sands*, p. 8

Central Sands “missing water”



Long Lake



Fish Lake



Little Plover River



Patrick Lake



Pine-Hancock Lake



Huron Lake

Lake Beulah Management District v. WDNR

2011 WI 54

SUPREME COURT OF WISCONSIN

Case No.: 2008AP1178

Clearing Title:

Lake Beulah Management District,
Petitioner-Appellant-Cross-Respondent,

Lake Beulah Protective and Improvement
Association,
Co-Petitioner-Co-Appellant-Cross-
Respondent,

v.

State of Wisconsin Department of Natural
Resources,
Respondent-Respondent,

Village of East Troy,
Intervening-Respondent-Respondent-
Cross-Appellant-Petitioner.

REVIEW OF A DECISION OF THE COURT OF APPEALS
2010 WI App 86
Reported at: 327 Wis. 2d 222, 787 N.W. 2d 924
(Ok. App. 2010 - Published)

Decision Filed: July 8, 2011
Director of State: [Redacted]
Date Announced: April 13, 2011

Source of Appeal:

Case: CIRCUIT COURT
County: WALWORTH COUNTY
Judge: ROBERT J. KENNEDY

Jurisdiction:

Opinion(s): SIKELAN, J. concurs (Opinion filed).
Dissent(s):
Not Determined(s):

Attorneys:

For the intervening-respondent-respondent-cross-appellant-
petitioner Village of East Troy there were briefs by Paul G.
Kent and Barbara A. Reider, Stafford Rosenbaum LLP, Madison and
oral argument by Paul G. Kent.



Lake Beulah Management Dist. v. DNR *Wisconsin Supreme Court* *Ruled*

1. “the DNR has the authority and a general duty to consider whether a proposed high capacity well may harm waters of the state”
2. “the DNR must consider the environmental impact of a proposed high capacity well when presented with sufficient concrete, scientific evidence of potential harm to waters of the state”

Pleasant Lake Management District v. Wisconsin DNR / Milk Source, LLC



Pleasant Lake, Waushara County

State of Wisconsin
DEPARTMENT OF NATURAL RESOURCES
101 S. Webster Street
Box 7921
Madison WI 53707-7921

Scott Walker, Governor
Cathy Stepp, Secretary
Telephone 608-266-7621
Toll Free 1-888-633-7423
TTY Access via relay - 711



December 20, 2011

Peter McKeever
Anne Bensky
Garvey McNeil & Associates, S.C.
One Odessa Court
Madison, WI 53719

RE: Petition for a Contested Case Hearing under section 227.42, Wis. Stats.

Dear Mr. McKeever and Ms. Bensky:

On December 2, 2011, the Wisconsin Department of Natural Resources ("DNR") received a petition from you on behalf of the Pleasant Lake Management District seeking a contested case hearing under section 227.42, Wis. Stats. The petition was hand delivered and received at the Office of the Secretary of DNR on December 2. The hearing was requested regarding the conditional high capacity well approval for two potable wells to be located in the Town of Richfield, Adams County, issued by DNR to Milk Source Holdings, L.L.C., on November 3, 2011.

Your petition for hearing is granted with respect to, and the hearing itself will be limited to, the following issues relating to the conditional high capacity well approval:

1. Whether DNR properly considered the environmental impact of the proposed high capacity wells on the waters of Pleasant Lake and other waters of the state, including the groundwater aquifer and nearby private wells, when DNR was presented with scientific evidence of potential harm to waters of the state.
2. Whether DNR correctly exercised its expertise in water resources management, its discretion and its duty as trustee of public trust resources when DNR determined that the proposed high capacity wells would not cause a significant adverse impact on the waters of the state and DNR granted the conditional approval to Milk Source Holdings, L.L.C.
3. When considering whether to condition or deny a proposed high capacity well approval, does DNR have legal authority to take into account the cumulative impacts caused by existing drawdown of groundwater and surface waters, or is DNR's legal authority limited to considering only the potential adverse environmental impacts of the proposed high capacity well or wells for which an approval is being considered?

Insofar as your petition for hearing seeks to raise any other issues not specifically identified above, it is denied.

This decision shall become effective unless a written request for judicial review to contest the decision is filed with DNR within thirty (30) days after the date this notice is mailed. All requests shall be filed either by delivery to the Office of the Secretary of DNR at 101 South Webster Street, Madison, Wisconsin, or by certified mail addressed to the Office of the Secretary, DNR, P.O. Box 7921, Madison, Wisconsin 53707. Such a request for judicial review shall name the DNR as the respondent.



Contested Case Hearing Granted

December 20, 2011

1. Whether DNR properly considered the environmental impact of the proposed high capacity wells on the waters of Pleasant Lake and other waters of the state, including the groundwater aquifer and nearby private wells, when the DNR was presented with scientific evidence of potential harm to waters of the state.
2. Whether the DNR correctly exercised its expertise in water resource management, its discretion and its duty as trustee of public trust resources when DNR determined that the proposed high capacity wells would not cause a significant adverse impact on the waters of the state and DNR granted the conditional approval to Milk Source Holdings, LLC.
3. When considering whether to condition or deny a proposed high capacity well approval, does DNR have legal authority to take into account the cumulative impacts caused by existing drawdown of groundwater and surface waters, or is DNR's legal authority limited to considering only the potential adverse environmental impacts of the proposed high capacity well or wells for which an approval is being considered?

Central Sands Water Action Coalition



**Central Sands Water
Action Coalition**

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[CONTACT US](#)

[GALLERY](#)

Home

Central Sands Water Action Coalition (CSWAC) is a coalition of groups in Central Wisconsin that have joined together to protect water in this unique region of the state. We advocate for the fair use of water resources among the diverse interests that live in the region. The mistaken belief that there is an unlimited supply of water in the Central Sands region has led to irresponsible use of the resource. We believe that smart, science-driven decision-making can guarantee that there is enough water for everyone.



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CSWAC Members

[Marquette County Lakes Association](#)
[Waushara County Watershed Lakes Council](#)
[Pine Lake Association](#)
[Huron Lake Association](#)
[Long Lake District](#)
[Pleasant Lake District](#)
[Friends of the Central Sands](#)
[Friends of the Tomorrow/Waupaca River](#)
[Friends of the Little Plover River](#)
[Friends of Mirror and Shadow Lakes](#)
[Frank Hornberg Trout Unlimited Chapter](#)
[Central Wisconsin Nature Center](#)
[River Alliance of Wisconsin](#)

CSWAC Goals

Protect Unimpacted Waters –Keep harm from developing!

- Protect surface waters from excessive pumping based on standards for protection of habitat, navigation, biota, and recreational use.
- New high capacity well permit requests are reviewed for environmental impact before being issued.
- Pumpers work together to share groundwater when a critical point is reached.



CSWAC Goals

Impacted Waters – Do no more harm !

Surface waters that exhibit actual or likely harm

- Identify healthy water levels and flow regimes
- No new pumping until permanent management solutions are implemented

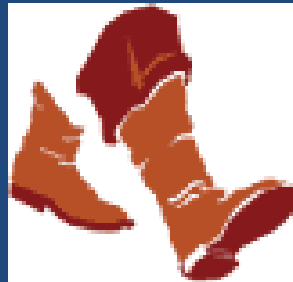


CSWAC Goals

Impacted Waters – Restore to health!

- Identify healthy water levels and flow regimes, and use them to guide restoration
- Pumping amounts are managed to maintain healthy surface water conditions





THE BRICO FUND



**Central Sands Water
Action Coalition**



**SIERRA
CLUB**
FOUNDED 1892



**Friends
of the
Central Sands**

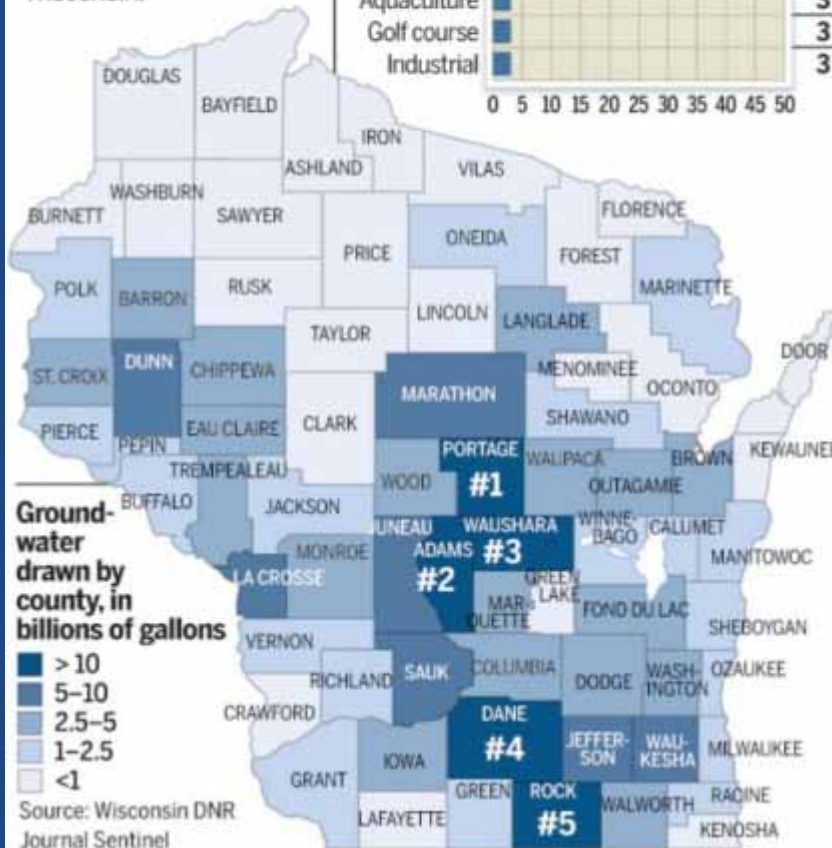
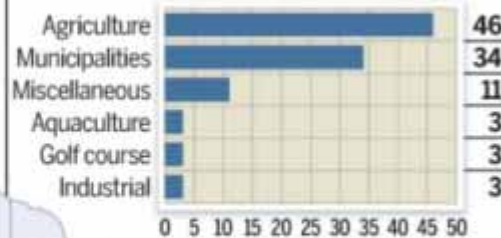


2012 Wisconsin Pumping

Wells kept busy in 2012

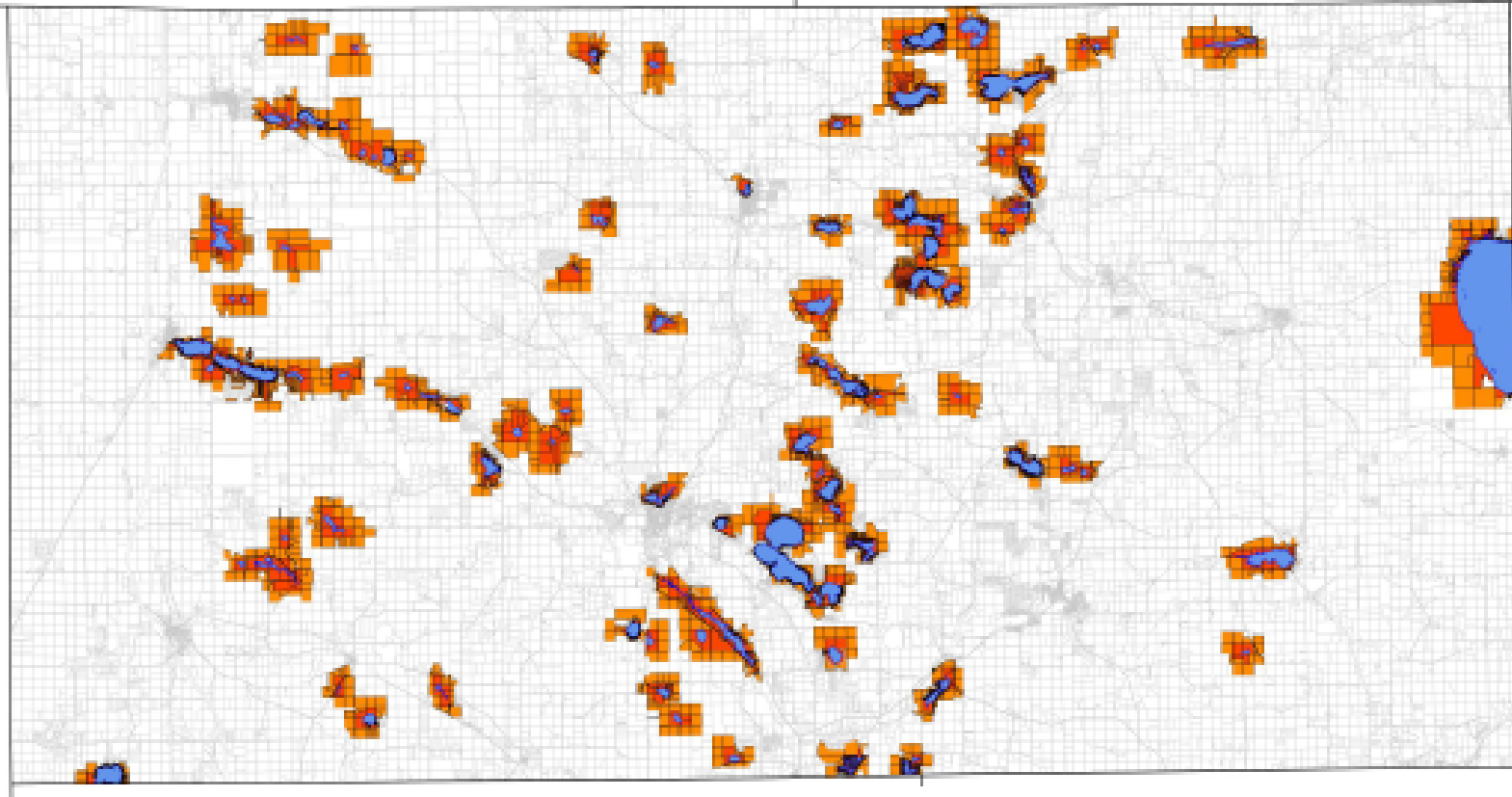
The drought of 2012 sharply increased pumping of groundwater, especially in central Wisconsin.

Groundwater drawn by use, in percent



Waushara County Property Tax Study

Waushara County Properties adjacent to Lakes



Tax Statistics

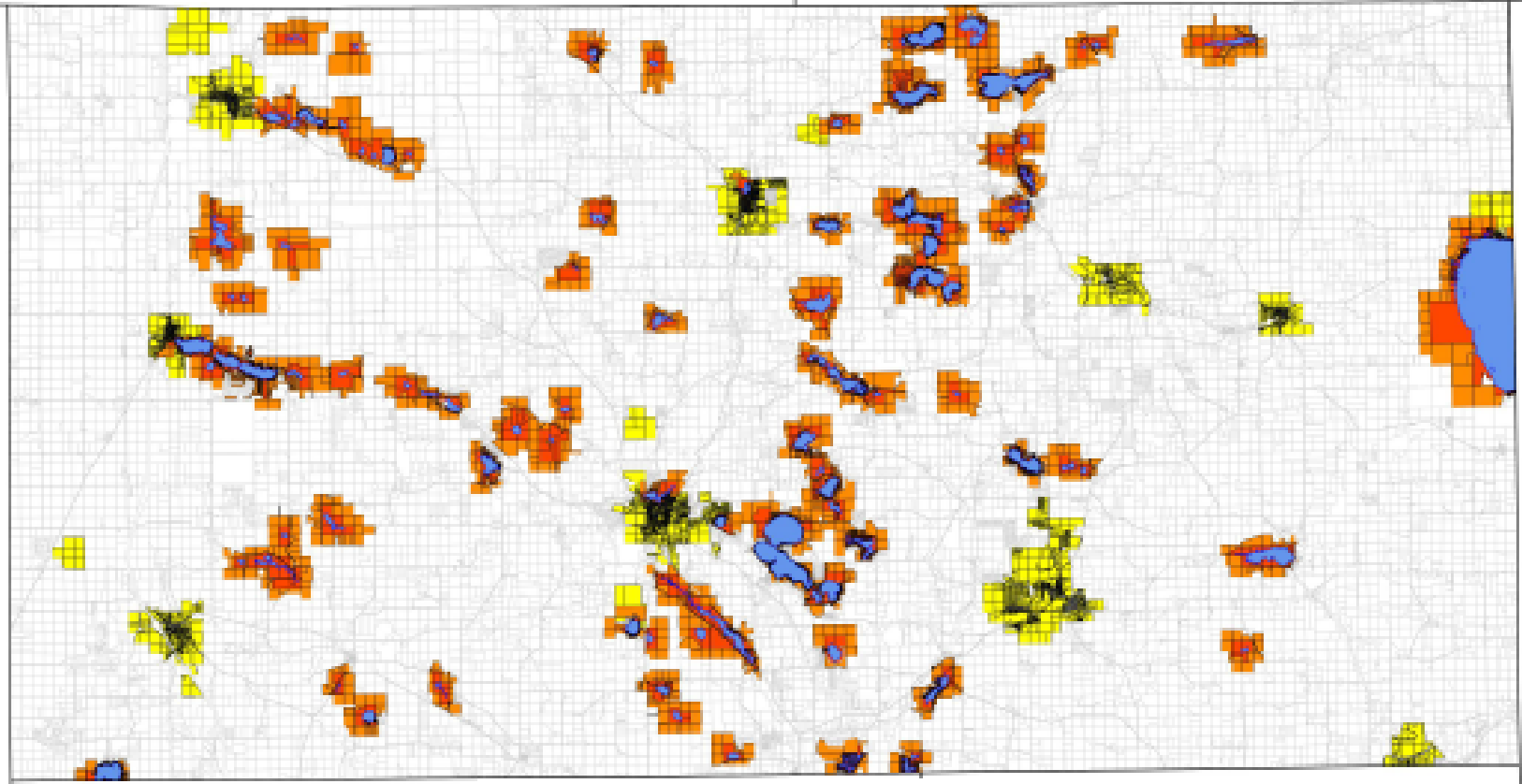


- Lakes Larger than 10,000 sq. ft.
- Level 1 - Adjacent to Lake
- Level 2 - Adjacent to Level 1
- Level 3 - Rest of Properties

	All Properties	Level 1	Level 2	Level 3
<i>Number of Properties</i>	31205	3840	2757	24608
<i>Acreage</i>	30989.95	12511.67	28998.87	340385.00
<i>Average Acreage</i>	12.49	3.25	10.52	14.16
<i>Total Taxes</i>	\$41,901,262.93	\$12,557,239.45	\$2,902,638.31	\$26,441,385.17
<i>Average Tax Value</i>	\$1,342.77	\$3,262.47	\$1,052.82	\$1,074.90
<i>Taxes per Acre</i>	\$107.47	\$1,003.64	\$100.09	\$75.90
<i>% of Total Properties</i>		12%	9%	79%
<i>% of Total Acreage</i>		3%	7%	89%
<i>% of Property Tax Revenue</i>		30%	7%	63%

Waushara County Property Tax Study

Waushara County Properties



- Lakes Larger than 10,000 sq. ft.
- Level 1 - Adjacent to Lake
- Level 2 - Adjacent to Level 1
- Level 3 - Located in Cities, Not Level 1/2
- Level 4 - Rest of Properties
- County Boundaries

Tax Statistics

	All Properties	Level 1	Level 2	Level 3	Level 4
<i>Number of Properties</i>	31205	3649	2757	4751	19848
<i>Acreage</i>	302699.95	12511.67	28999.87	12623.62	335764.38
<i>Average Acreage</i>	12.49	3.25	10.52	2.66	16.92
<i>Total Taxes</i>	\$41,901,262.93	\$12,557,239.45	\$2,902,538.31	\$6,734,740.21	\$19,706,544.96
<i>Average Tax Value</i>	\$1,342.77	\$3,262.47	\$1,052.82	\$1,417.54	\$992.88
<i>Taxes per Acre</i>	\$107.47	\$1,003.64	\$100.09	\$533.50	\$58.69
% of Total Properties		12%	9%	16%	64%
% of Total Acreage		3%	7%	3%	86%
% of Property Tax Revenue		30%	7%	16%	47%



Groundwater

