

District to appeal lake ruling

MILTON TOWNSHIP — The debate over water levels on Lake Koshkonong is headed to the state appellate court.

The Rock Koshkonong Lake District Board voted unanimously Thursday night to appeal a circuit court decision upholding a denial from the Wisconsin Department of Natural Resources to raise the lake's level 7.2 inches in summer and eliminate winter drawdowns.

The district first made its request to the DNR in 2003. Since then, the case has moved through a series of appeals, including a circuit court decision released May 12.

The lake district can continue its battle at little cost to residents, district Chairman Brian Christianson wrote in a press release Thursday.

The district estimates landowners will pay a special assessment of \$5 per parcel for the appellate court case and an additional \$12.50 per parcel if the case goes to the Wisconsin Supreme Court.

It could be eight months or more before the appellate court releases a decision, said William O'Connor, attorney for the lake district. The two sides will file written briefs with the three-panel judge, and the panel could take anywhere from three to six months to make a decision, he said.

The DNR is not surprised by the lake district's decision to appeal but believes the circuit court was correct in its interpretation, said Ken Johnson, DNR water leader for the south central region.