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FLOYD E. WHEELER
(1905 - 1995)

December 19, 2005

Attorney Michael Cain
Wisconsin Department of Natural Resources
101 S. Webster Street
Madison, WI 53707

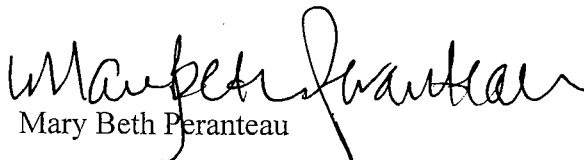
Re: *In the Matter of the Review of the Water Level Decision for Lake Koshkonong and the Indianford Dam on the Rock River in Rock County, Wisconsin Case No. 3-SC-2003-28-3100LR*

Dear Mike:

Enclosed and served upon you please find Joint Petitioner's First Data Request To Wisconsin Department Of Natural Resources. Please note the request that responsive documents be made available for inspection. Please call me if you have any questions. Thank you.

Very truly yours,

WHEELER, VAN SICKLE & ANDERSON, S.C.


Mary Beth Peranteau

MBP/jw
Enclosure

cc: William S. Coleman, Jr.
Arthur J. Harrington
Charles V. Sweeney
Michael E. Grubb
Andrew R. Griggs

**Before The
State Of Wisconsin
DIVISION OF HEARINGS AND APPEALS**

In the Matter of the Review of the Water Level
Decision for Lake Koshkonong and the Indianford
Dam on the Rock River in Rock County,
Wisconsin

Case No. 3-SC-2003-28-3100LR

**JOINT PETITIONERS' FIRST DATA REQUEST TO
WISCONSIN DEPARTMENT OF NATURAL RESOURCES**

Joint Petitioners Rock-Koshkonong Lake District, Rock River-Koshkonong Association, Inc. and Lake Koshkonong Recreation Association, Inc., by their attorneys, request that the Wisconsin Department of Natural Resources respond to the following data requests within thirty (30) days, pursuant to Wis. Admin. Code § NR 2.11(2), Wis. Stat. ch. 804, and ¶ 16 of the scheduling order.

Joint petitioners request that hard copies of responsive documents be made available for inspection.

DATA REQUESTS

1. All records in the Department's possession relating to the circuit court and court of appeals proceedings in Shearer et al. v. Department of Natural Resources, Case No. 82 CV 392 ("Shearer").

2. All correspondence, reports and other documents reflecting the Department's consideration of applications by, or award of grant monies to, any party in Shearer or in the current contested case proceeding for studies or assessments related to wetlands and/or floodplains.

3. All correspondence, reports and other documents reflecting the Department's consideration of applications or award of grant monies for the placement of structures in Lake Koshkonong, including but not limited to wetland berms and rip-rap.

4. All correspondence, memoranda and other documents reflecting any communication between DNR and any other party in this proceeding (other than Joint Petitioners), between January 1, 2002 and the present.

5. Drafts of any lake management plan for Lake Koshkonong authored by Don Bush or other DNR personnel.

6. All data, reports and summaries underlying the opinions of the following named DNR expert to be offered in this proceeding:

- (a) Bob Hay
- (b) Cathy Bleser
- (c) Mike Cross
- (d) Doug Fendry
- (e) Charlie Kilian

7. Identify by author, title and date any publications relied on by the following named DNR experts in any testimony to be offered in this proceeding:

- (a) Bob Hay
- (b) Cathy Bleser
- (c) Mike Cross
- (d) Doug Fendry
- (e) Charlie Kilian

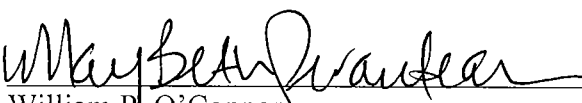
8. Hard copies of the following corrupted and unreadable computer files, previously produced by the Department on CD:

FileName	Format
secchi	cgm
Open Records	pst
kosh-levels	SYD
Default	Other
New Message	msg
New Message (9)	msg
New Message (8)	msg
Lake Koshkonong Beaver Dam coordination	msg
Lake Koshkonong Water Level Order	msg
Lake Koshkonong meeting	msg
Lake K	msg
Koshkonong-Beaver Dam meeting	msg
Open Records	pst
Koshkonong EIR and transmittal letter	msg
Kosh EA	Other
ppt16C	tmp
FW	msg
EIR request	msg
Koshkonong meeting Minutes (final)	msg
Kosh EA__	Other
trochp	pst
FW DRAFT Koshkonong meeting minutes	msg
FW EIR request	msg
FW Lake K	msg
ppt170	tmp
secchi	bmp
kosh20034 discharge	Other

Dated: December 19, 2005.

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