

Clean Wisconsin: Wisconsin's waters win in Clean Wisconsin High Capacity Well Case

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MADISON, WI —In a critical ruling for Wisconsin's waters, Dane County Circuit Court ordered the DNR to vacate, or invalidate, seven high-capacity well permits and remand one for consideration. Clean Wisconsin sued the DNR in October of 2016, after the agency issued a series of high-capacity well permits that disregarded its own scientific analysis of the impacts the wells would have on neighboring water bodies. The proposed wells would be located primarily in the Central Sands region of Wisconsin, where groundwater depletion is already a serious problem.

"Wisconsin's Constitution directs DNR to protect our water for everyone in the state, not just for the benefit of the few," said Katie Nekola, General Counsel for Clean Wisconsin. "Today's decision recognizes that duty and requires DNR to vacate or remand these well permits.

"These huge wells pump millions of gallons of water every day, in an area of the state where streams are drying up and lake levels are falling," said Nekola. "Water is not infinite; it's DNR's job to manage water withdrawals so that a few users don't take more than their share, at the expense of private wells and public waters."

DNR's decision to issue the permits, which had been "on hold," came after Attorney General Brad Schimel's opinion that DNR did not have the authority to impose permit conditions on those wells. DNR often places conditions on permit approvals that help prevent environmental damage; however, after the AG's opinion, it ceased

doing so.