



STATE OF WISCONSIN
DEPARTMENT OF JUSTICE

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CIRCUIT COURT
DANE COUNTY, WI
2016CV002816

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March 10, 2017

The Honorable Valerie Bailey-Rihn
Circuit Court Judge, Branch 3
Dane County Courthouse
215 South Hamilton Street, Room 8107
Madison, WI 53703

Re: *Clean Wisconsin v. DNR*
Case No. 16-CV-2816 (Consolidated)

Dear Judge Bailey-Rihn:

The parties have reached an agreement regarding dismissal of pre-consolidated Dane County Case No. 16-CV-2816, and are filing a stipulation for partial dismissal and proposed order for your review.

If you find the stipulation satisfactory and sign the proposed order, the mootness issue raised in DNR's motion to dismiss Case No. 16-CV-2816 need not be addressed at the hearing on March 16.

Sincerely,

/s/ Jennifer L. Vandermeuse
Jennifer L. Vandermeuse
Assistant Attorney General

JLV:ajw

Enclosures

c: Carl Sinderbrand

STATE OF WISCONSIN

CIRCUIT COURT
BRANCH 3

DANE COUNTY

CLEAN WISCONSIN, INC.,
and PLEASANT LAKE
MANAGEMENT DISTRICT,

Petitioners,

v.

Case Nos. 16-CV-2816, et seq.

WISCONSIN DEPARTMENT OF
NATURAL RESOURCES,

Respondent.

STIPULATION FOR PARTIAL DISMISSAL

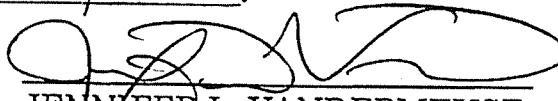
The above-captioned matter having originated with nine separate Petitions for Judicial Review of nine decisions from the Wisconsin Department of Natural Resources (DNR), which approved applications to construct and operate nine or more high capacity wells, and DNR having moved to dismiss the Petition for Judicial Review in pre-consolidated Dane County Case No. 16-CV-2816 on the ground that Agri-Alliance Land, LLC has surrendered its right to construct and operate the high capacity well that DNR had approved on September 30, 2016, and DNR having confirmed by letter that in light of Agri-Alliance Land, LLC's surrender, the September 30, 2016 approval for high capacity well No. 74302 has no force and effect, and a

new application must be submitted and DNR must issue a new high capacity well approval before the construction and operation of any new high capacity well could occur on that property, and the parties having communicated regarding DNR's motion to dismiss pre-consolidated Dane County Case No. 16-CV-2816 and the correspondence attached thereto,

IT IS HEREBY STIPULATED by and between the parties, through their respective counsel, that an Order may be entered without further notice, as follows:


The Petition for Judicial Review in original pre-consolidated Dane County Case No. 16-CV-2816, concerning DNR's September 30, 2016, decision to approve Agri-Alliance Land, LLC's high capacity well application, is hereby dismissed without prejudice and without costs.

Dated this 10th day of March, 2017.


JENNIFER L. VANDERMEUSE
Assistant Attorney General
State Bar #1070979

Attorney for Respondent

Dated this 9th day of March, 2017.


CARL A. SINDERBRAND
State Bar # 1018593

Attorney for Petitioners

