For many years I had tried to convince Wayne Dannehl, a long time visitor and then resident of Osprey lake to write the history of Squaw/Osprey Lake. Alas, that never happened, so I decided to try and gather as much information as I could and then sort it chronologically. My hope was that as we received the information we could just slot it into the date of the information and the story of Osprey Lake would emerge.

Several people helped with this project and I'd like to acknowledge Mick Bruce, Carole Dannehl, Tim Larson, Dan Tyrolt, Max Wolter and the staff at the LCO College Library. These people shared their time and recollections with me and played a role in putting together this history, for that I thank them.

I've tried, as best as I could to make this history gramatically correct without any misspellings, when you find some please grant me a little literary indulgence.

May Squaw/Osprey Lake continue to give you, and your families, the same pleasure it has given me over the last 32 years.

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Osprey (Squaw) Lake History

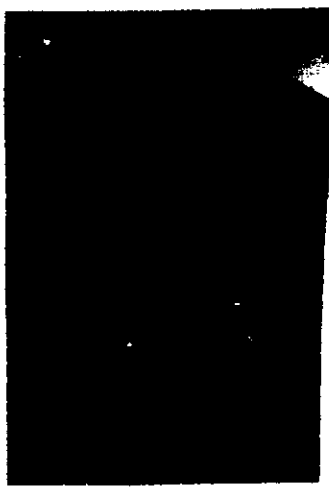
By PJ Schaefer

Contents

The July 13, 1986 issue of the Hayward Visitor in their column "Historical Vignettes, authored by long time Hayward resident and historian Eldon Marple wrote a piece entitled " The Cover Up Murders." Which was the story of a Mrs Hill. Mrs Hill was the mother of Edward G Hill who purchased "a rough, swampy piece cutover land south of Hiway B where there was a log cabin and a barn of sorts in the quarter-section at the north end of Squaw Lake."

THE VISITOR 7-13-84 w.F. Hay

Historical Vignette



ELDON MARPLE, whose column on the historical background of our area appears regularly in THE VISITO grew up on a pioneer farm near Round Lake, worked in logging camps as a youth, and graduated from Hayw High School and the University of Wisconsin. He has been a teacher, employee in several government agenc in the United States and overseas, and upon his retirement returned to Sawyer County to make his hor Among his many interests he studies the history of Indian and European settlement of America, and is v active in the Sawyer County Historical Society.

The "Cover-Up" Murders

The mystery which is caused by a suddenly missing person developed one afternoon in the Round Lake community in late April, 1917, a mile east of the thoroughfare between Big and Little Round Lakes. It involved suspicion, charges of foul play, the usual search by a posse of volunteer neighbors, and in this case a body which should have been present but was never found. The presence of a freshly plowed field heightened the element of intrigue.

Unfortunately, we do not have a 1917 volume of the *Sawyer County Record* so we could not get a contemporary reporter's story of what happened after a Mrs. Hill was reported missing. As I remember the story, she got off the four-twenty train in Hayward and found her way to the office of Tom McClaine, a real estate dealer, where she requested information of the location of her son's farm. Sometime before 1912 Agent McClaine of the American Immigration Company had sold this man, Edward G. Hill, a rough, swampy piece of cutover land south of Hwy. "B" where there was a log cabin and a barn of sorts on the quarter-section at the north end of Squaw Lake. Since it was closing time for the office and he would drive past the short road to the Hill farm on his way home,

[Continued on p. 19]

Historical Vignettes

McClaine (or his son Marcus; the stories differ) offered her a ride and she accepted. Since the Hill access road was impassable, he let her off at the highway and the last he saw of her, as he later reported, she was trudging through the mud down this road to her son's house a quarter-mile away, carrying her suitcase. [Tony Grey says that it was Marcus, and that he delivered her in the farm yard.] Mr. McClaine — whichever one — thought no more about the incident until he saw Hill a day or so later. When asked how his mother was, the man professed to know nothing of her — he had not seen her in months! Since she had confided to Mr. McClaine that she was carrying a large sum of money for her son so that he could pay off on his land, the agent became alarmed and organized a search for the lady. Neighbors were quickly gathered into a posse; there was even a delegation from Hayward, and we thoroughly combed the surrounding woods. The adjacent swampy bog which is now part of Little Round Lake was waded through, but its lily pads were undisturbed. A recent brush fire had left the area about the farm with a good tracking base in the fresh ashes but no foot-

[Continued on p. 43]

Historical Vignettes

prints were found. The only item attributed to her was a piece of black cloth on a barbwire fence which could have been from her clothing.

James Hamblin told me that he was a member of the searching party. When some bloodhounds were brought in he was delegated to help handle them. He said that they could not follow any trail since the fresh acrid ashes destroyed the spoor, but the dogs did show interest in a portion of a field which Hill had plowed the day after his mother had arrived. However, no sign of a grave was found.

Mr. McClaine took an active part in the search for he felt somewhat responsible since he had been the last person to see her alive — the Hills denied that they had ever seen her. His position in the affair was tenuous but few persons seriously considered attributing blame — or duplicity — to him.

Herman Froemel says that he was a close friend of the four Hill children, and that they were suddenly silent when the subject of their missing grandmother was brought up. They often hinted that there were strange spirits afoot around the place at night and that doors difficult to open in the daytime swung freely ajar at midnight!

There was no definite evidence of foul play, no *corpus delicti* — only a missing old lady who had hardly been noticed by anyone. It was even said that she never did come here and that McClaine had made up the story. After the frantic search was over, no culprit was designated, the land reverted to the American Immigration Company, and the Hill family left the community. But for a few of us older people, we still wonder about the disappearance of "the little old lady" down by "Haywire" Hill's place!

Marcus McClaine, pictured with Eldon's father, Charles W. Marple (at right).

In an article written by Eldon Marple for the Hayward Visitor on August 16,1965 Mr. Marple is writing about the early history of area lakes, where he says:

"Round Lake was first known as Chaqua Lake, evidently of French origin. According to Paul Carroll, the Ojibwa name is Ka-wa-wee-age-a-mog sogiagon. (Again the spelling is my own) The older Indians with whom I was aquainted who lived at the Round Lake Village fifty years ago, maintained that there was an outlet on the East side of Little Round Lake into Squaw Lake, and I can remember seeing the old creek bed. There was a spring runoff through it, but it dried up in the summer. This was long before there was a connecting channel dug between the two lakes. The present channel was dug in the WPA days and a little control dam was put in. Squaw Creek runs into Lac Courtes Orielles, which is how northern pike got into Lac Courtes Orielles. Someone put northerns into Little Round Lake in the dark of the moon and many feel it has been harmful to the Muskies in Lac Courtes Orielles. I can well remember when Squaw Creek was a good brook trout stream."

According to Mick Bruce in the early 1930's Oscar and Signe Anderson purchased from Rodney and Elsie Hill the Hill Farm. Oscar was a machinist from Rockford, Illinois. Oscar's doctor advised him to retire or prepare to die. So Oscar and Signe moved to Squaw Lake. Over the years, as other 40 acre sections came up for sale, mostly from lumber companies, the Andersons purchased them.

Eventually, the Andersons owned all the property around the lake, with the exception of 90 acres on the Southeast side which was owned by Sam Frogg and a strip of land between Little Round and Squaw lakes which was owned by Bob Carlson.

Oscar could often be seen riding on his big caterpillar tractor as he improved his property. To create roads and driveways through the swamps and lowlands he would "corduroy" log structures and back fill them with soil. In the late 1930s Oscar and his caterpillar created a peninsula out of 3 small islands at the north end of Squaw Lake and then built his house with lumber sawn from the property.

QUESTIONABLE REAL ESTATE DEALS

Over the years Osprey Lake has had more than it's share of questionable real estate deals, including swindles, betrayals, and out right lies.

In 1960 Oscar Anderson had a friend named Carl Nyman. Carl was a machinist, poultry farmer, politician and in the real estate business. He was chairman of the Hayward Town Board, member of Sawyers County Board supervisors, and was elected to the Wisconsin State Assembly as a member of the Wisconsin Progressive party in 1937.

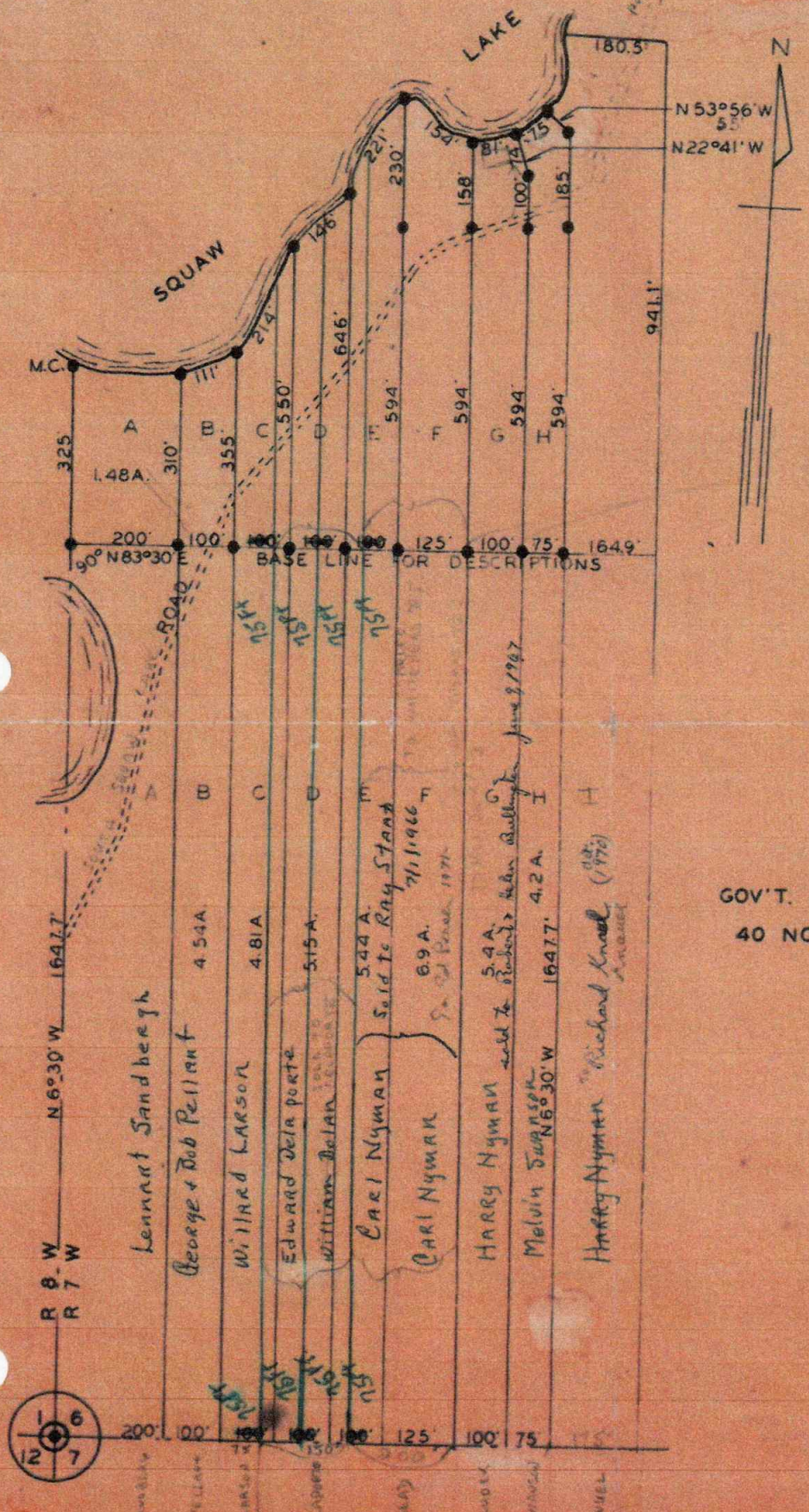
For years Carl had asked Oscar to sell him a "40" on the southeast side of the lake. Oscar resisted because he did not want the property developed. Carl assured him that he was just looking for a place for himself and had no plans to develop the property. Finally, in 1960 Oscar relented and sold Carl Nyman the "40" he was interested in. By 1962, the "40" had been carved into 10 properties and all sold. See map in attachments

Samuel J Frogg was a well known and respected member of the Lac Courtes Orielles tribe who had the property on the Southwest side of the lake which today is known as the Tanglewood Parkway area. Apparently Mr. Frogg met the Lund brothers and may have had a few too many drinks, the result being he was swindled out of his property. The story, as I heard it was members of the LCO were so mad that they refused to give them an easement t their ill-gotten property and, maybe it was a coincidence but the stream which led to the property always seemed to have a number of trees which had been cut across it. Thereby making their property landlocked and almost impossible to get to with out an effort.

The Nyman Brothers, Carl and Harry, purchased the 40 acre tract of land on the Southeast side of Squaw Lake in1961. Carl Nyman was a friend of Oscar Anderson and had tried to buy some property on Squaw Lake for a long time. Oscar finally agreed to sell him the 40 with an agreement that Carl would not lot it off. There must have been a misunderstanding because by October of 1962 the property had been subdivided into 10 lots.

Harry Nyman was a carpenter in the Rockford, Illinois area and the lots were originally sold to friends of his from Rockford. Harry built the first cabin (no owned by the Schaefer family) in 1962. Melvin Swanson was a friend of Harry's and bought the lot next door. Ed Dellaporte and Bob Pellant were teaching together at East High School in Rockford and soon they had acquired 2 lots. Bob Pellant married Birgitta Sandbergh and Birgitta's brother Lennart acquired the lot just South of them. Willard Larson was also in the construction business was also one of the original property buyers from Carl and Harry's development. Finally, Richard Knauel was a professor at Northern Illinois University.

THIS MAP WAS FOUND WHEN BARB + PJ SCHAEFER MOVED INTO THEIR CABIN IN 1992.



SUBDIVISION OF
GOV'T. LOT 3 SECTION 6 TOWNSHIP
40 NORTH RANGE 7 WEST

SCALE 1" = 200'
● IRON PIPE

SURVEY FOR NYMAN BROS.

BY EDW. E. GOBLER
WIS. REG. S-527
OCT 1962

Throuout time there have been numerous conflicts, between various parties, over how the water of Sawyer County should be managed. Osprey Lake was part of one such conflict that ran from the late 1930's into the 21st century.

I am going to quote the history of the conflict in our area from the 2007 Round Lake Chain Management Plan:

"Historically Big Round Lake was connected to Little Round Lake by a wetland area and channel. There was an outlet from Little Round lake into Osprey Lake (formerly known as Squaw Lake) and from there to Lac Courte Oreilles Lake by a natural watercourse east of the constructed channel under Carlson Road. As the area became more populated, the wetland area between Big and Little Round was filled in for the construction of Highway B, leaving a small slit between the lakes. The natural outlet from Little Round was also filled in for the construction of a private road.

In the 1930's there was a prolonged drought that depleted lake water levels in the region. In 1937 Sawyer County requested permission to divert surplus water from the North Fork of the Chippewa River to Round Lake to restore water levels that had dropped as much as 10 feet below previous levels. Round Lake was considerd a premiere lake, vital to tourism and the tax base, and the restoration of normal water levels was a high priority. As a solution, the Tiger Cat dam was designed to create a flowage and raise the water levels enabling water to reach Round Lake by diversion canals linking small lakes. Canal 1 joined the Tiger Cat flowage to Burns Lake, Canal 2 joined Burns Lake to Placid Lake; Canal 3 conducted the water from Placid to a natural depression or slough; and Canal 4 connected the slough with Round Lake and included a control dam to regulate the amount of water into Round Lake (Lake Placid Dam-DNR File Number 57.31). The project was completed in 1940 and water levels did return to normal on Big Round. The gates on the Placid Lake dam were closed October 28,1940.

Although the dam remained closed, water levels on Big Round continued to rise. In order to maintain normal water level elevations an outlet for Big and Little Round lakes was necessary. In 1942 two 36" culverts were installed at Hwy B between the lakes and by 1943 an outlet channel from Little Round to Osprey Lake was constructed under Carlson Road with a Dam (DNR File Number 57.34) at the outlet of Little Round. A normal water elevation of 77.0 feet was established by the Public Service Commission in 1941. During this period the outlet stream from Osprey Lake was spanned by a bridge on World's End Resort Road. In a 1950 correspondence from JC Cavill, General Superintendent of the Department of the Interior to the Public Service Commission of Wisconsin, a reference is made to two 24" culverts under World's End Resort Road. In 1970 this portion of the road was abandoned and reconstructed slightly downstream as part of

the new County Highway NN. There are currently three 36" culverts at the stream crossing.

Initial normal elevation of the pond created by the Tiger Cat Dam (DNR 57.30) was 90.0 feet. In 1949 application was made to raise the level to 90.5 to provide for better navigation between various lakes in the Tiger Cat system. During the subsquent Public Service hearing, concerns were raised by individuals on Round and Lac Courtes Orielles lakes and further study of how water levels bewteen the 3 systems were related was requested. In June 1950 the Public Service Commission concluded their findings and granted the 90.5 level provided: diversion from Tiger Cat to Round requires permission from the Public Service Commission; the diversion control structure at Lake Placid must be locked; and the partially constructed channel from Little Round to Osprey Lake be kept blocked at the elevation of natural ground level to allow excess water to flow towards Osprey Lake by natural ground contours.

There is a long history of complaints regarding water levels on Big Round, Little Round and Osprey Lakes. Several agencies including the Public Service Commission, Army Corps of Engineers and the Department of Natural resources have made surveys and reviewed the various orders and historic records pertaining to the water levels. Additional comments regarding water levels within the chains have been made by Tiger Cat Flowage property owners, the Lac Courtes Orielles Tribe and the town of Bass Lake Board of Supervisors. The levels of the various lakes are affected by rainfall, ground water seepage, and the increased impervious surfaces that are a result of development. There are also multiple control points which affect water levels within the chain. The primary water level control for a specific water body within the chain is dependent on the hydraulic situation.

On July 1, 2004 Sawyer County filed a petition with the WDNR requesting clarification of the orders relating to the water level on Round Lake.

In part to help address the 7-1-2004 Sawyer County requested a work group, including all interested parties, to be put together to come up with recommenations on what was best for the on going management of the Round Lake Chain. This group released their finding in January of 2007 entitled *ROUND LAKE CHAIN MANAGEMENT PLAN.*

The study group put together the following recommendations pertaining to water levels:

* Abandoning the Little Round Lake Dam
* removal of the wetland fill for the snowmobile trail crossing Osprey Creek;
* removing and actively managing beaver dams on Osprey Creek;
*lowering the CTH NN culverts; and
*changing the Little Round Lake Dam order to reflect management.

BRUCE FAMILY

In the 1950's, the Bruce Family headed by Russell (Lucky) and Billie, who were in the restaurant business in the Quad Cities area, headed for Siren Wisconsin. They took a wrong turn and ended up in the Hayward area instead. The found a resort they liked (Moncel's on Round Lake) and decided to stay in the Hayward area.

In 1960, while driving East on Highway B they saw a small sign advertising a cabin for rent. That cabin was cabin #1 of Oscar Anderson. They began staying on Squaw Lake in 1960.

In 1967 Oscar Anderson approached the Bruce family to see if they would be interested in buying his property. Oscar was looking for someone he felt would preserve the property as it was and not lot it off. Lucky and Billie Bruce decided to buy the Anderson property and did so in 1967. Lucky and Billie asked Billie's relatives Orville and Dorothy Spinka (AKA as Babe and Dottie) to maintain the property for them while they were busy running their Maid Rite restaurants in the Quad Cities.

Dottie and Babe managed the property for the Bruce family from 1968 until 1981 when they sold their restruants and moved to Hayward. According to their son Mic they ran the 2 cabins more as a hobby and to keep them busy.

Billie was famous for feeding her chipmunks and ducks, and it was not unusual to see a hundred ducks flying around their resort every morning and then fly back to their evening resting grounds by Twin Lake. Unfortunatly, there were several conflicts in the Fall when duck hunters would set up their blinds on the island adjacent to the resort, wait for the ducks and blast away. More than once Lucky had to kick them out.

THUNDERBIRD ACRES

In 1949 Oscar Anderson, with help from Larry and Elmer Ahrenkiel built his year round home and first cabin to rent, cabin #1.

Ten years later, They built Cabin #2

Cabin #1 was 2 bedrooms and bath, later expanded in early 2000's when the Bryan Renton Family purchased cabin #1 and Cabin #2 from Russell (Lucky) and Billie Bruce.

Currently the resort property, was divided into 3 lots; the primary home is owned by the Hutter family, Cabin #1 is owned by the McGrath Family and Cabin #2 is owned by the Barker Family.

The name Thunderbird Acres came about because all the Bruce family members drove Thunderbirds.

SAM FROGG

Born in a wigwam on July5, 1898, he was known by 2 Ojibwe names: Bashkwadaah and Ozhinin. Sam learned to hunt and fish in the traditional way from his father John. They made many trips into the woods where they trapped muskrat and mink for their furs, which they sold for cash. They also hunted deer for their table.

Sam attended the government's Bureau of Indian Boarding school in Hayward, where like so many of his generation, he was punished for speaking *Ojibwemowin.* Though memories of that experience stayed with him his entire life, he continued to speak in his native tongue until he died in 1982.

Sam and his wife Agnes (Denomie Lemieux Gokee) lived on property that is today owned by the Riegelman family. There they raised 9 children. According to Mick Bruce, at some point in time, Sam was swindled out of his property by members of the Lund family. Bob Riegelmanman said he was told the property was transferred to the Lund family in a poker game.

FIND A GRAVE comments that Sam was " a veteran of WW 1. A gifted individual, he traveled extensively thruout the United States and abroad, as well as regionally, lecturing on Indian history, religion, and culture. He attended the Cultural Exchange Conference in France as an American Indian Nation representative. He was privileged to present the American Indian Headdress to Queen Elizabeth and also an American Indian Headdress to the King of Sweden."

He could often be seen on Main Street in Hayward wearing his leathers and headdress where he posed with many tourists and their families for photos.

Samuel James Frogg, oil on canvas, 31x43 inches, 1979, Lac Courte Oreilles Reservation

RENAMING OF THE LAKE

In the late 1990's, (I can't remember exactly when) I was in a meeting with people who later developed into the Round Lake Chain Management study committee. At a side chat I had with Mic Isham of LCO he asked me if I had heard anything about renaming the lake from Squaw to Osprey Lake? I told him I had not.

It appeared that some tribal folks had had some informal discussions with some of the property owners on the lake. My supposition is that they spoke with the Knauls, Whiteheads and probably Bruces. Mic commented that Mrs Whitehead had suggested that if there was to be a name change, it should be changed to Osprey Lake in honor of the nesting pair of Osprey that inhabited a nest on top of a tall pine tree which is now on the Schneiders property.

I told Mic I wasn't against changing the name but was curious why the tribe was interested in a name change. Mic explained to me that in the LCO culture "squaw" was a very derogatory term. Perhaps a polite way to describe it was "squaw" was a slang term for a woman's private parts.

Even though this was years before the formal beginning of OLPOA I recognized that the tribe was a significant property owner of our lake and that if they wanted to change the name, we as their neighbors should do the neighborly thing and change it.

Finally, the name change occurred in the late Fall of 2001.

Another change also took place then. The road which led to the Bruce's Thunderbird acres property was changed from Squaw Lake road to Thunderbird Road.

FISHERIES

The history of the Osprey Lake fish populations has evolved from a primary Walleye, Perch and Smallmouth Bass Lake to primarily a Bass fishery. The reasons are many; Largemouth Bass spawn before walleyes thus getting first crack at the food and Bass fry actually feed on Walleye fry; over the last 30 years the water temperatures have risen shinking Walleye habitat; the increasing population of Northern Pike also may have contributed to the decline in the Walleye population of Osprey Lake.

In 2005 Wayne Dannehl and PJ Schaefer were discussing the low densities of Walleyes in the lake. Wayne was reminising about when he first came to Squaw Lake in the 1960's and they would catch a lot of Walleyes easily. So these 2 guys decided to try and bring back the Walleye population, without any scientific understanding of why the Walleyes had declined in the first place, their logic was Walleyes were here before we should be able to bring them back. Wayne and PJ began to solicit funding and raised enough money to purchase "extended growth" Walleyes from the LCO fish hatchery which was in the process of growing their hatchery.

Over the next 10 years OLPOA partnered with LCO Hatchery, Walleyes for Northwest Wisconsin, and other Osprey Lake property owners to purchase and stock approximately 7580 "extended growth" Walleyes. An objective review of the success of this stocking led OLPOA to conclude that, for whatever reason, our attempt at stocking did not work. Consequently, OLPOA decided to stop fund raising to put in more "Extended Growth" Walleyes.

At the same time we decided to halt stocking "Extended Growth" Walleyes the Governor of Wisconsin decided that if the state could increase the Walleye population thruout Northern Wisconsin, that would help the tourism industry greatly. Governor Walker was able to enact legislation which increased the funding of Wisconsin hatcheries to enable them to stock "Extended Growth" Walleyes thruout Northern Wisconsin. As part of the legislation, every lake in Northern Wisconsin was allocated a number of fish to be stocked. Osprey Lake was targeted to receive about 2150 "Extended Growth" Walleyes every other year.

In a 2022 conversation with Max Wolter, who is the WDNR Fisheries manager for Sawyer County, PJ asked if it was prudent to keep putting "Extended Growth" Walleyes into Osprey lake based on their poor survival success rate? Max

replied that it probably did not make scientific sense to do so but because the law said Osprey Lake was to receive 2150 fish every other year and no one had any interest in trying to revise the state law, Osprey Lake will continue to receive "Extended Growth" Walleyes.

Squaw/Osprey Lake has enjoyed a long time reputation as a lake which could produce nice Crappies. Every year someone would catch Crappies over 15" in length, a true trophy. In recognition of that success, the WDNR created a regulation meant to protect the Panfish of Osprey Lake from their overharvest in the spring of the year. That regulation said the May and June bag limit for panfish on Osprey Lake would be 15 fish, and no more than 5 of any panfish type was allowed. What that regulation did not consider was that many of the Crappies which they were intending to protect were being caught by ice fisherman in January and February. Outside of the May-June regulation, the bag limit for panfish on Osprey Lake was 25 per person per day 50 in total possession. New technology began to evolve in the early 2020's which allowed fishherman to drill one hole, put their transducer into the hole, and determine that the Crappies were 30-40-or 50 feet away and determine the direction and depth they were in. During the winter of 2021 the Crappies on Osprey Lake got clobbered! OLPOA began conversations with WDNR about reducing the limit from 25 to a lesser amount. During those conversations OLPOA learned that the process to change a regulation was very cumbersom and took several years. After more discussions Max agreed to help fast forward the process and suggested that we try to revise the current May-June regulation to a 12 month regulation, which is what we are trying to do.

We are fortunate to have documentation from WDNR and LCO of their past stocking and survey history. Those histories and surveys follow here:

SUMMARY FISHING RECORD
Form 3600-63

Department of Natural Resources

County	Waters
Sawyer	Squaw Lake
Sampling Objective	**Number and Location of Stations (Habitat)**
Walleye Recruitment	Entire shoreline except for SW 'sloughs'
Period Fished (Dates)	
10/10/91	

GEAR

Boom Shocker (Hours)	Time
1.2 game * 0.4 non-game/pan	X Night _____ Day

Visual Hours	Time of Day	Haul Seine (Length)	Mesh	Area Covered
Angling (Hours)	**Time of Day**	**Trap Net (No. of Net Lifts)**	**Mesh**	**Depth**
Minnow Seine (No. Hauls)	**Area Covered**	**Gill Net (No. of Feet x No. of Lifts)**	**Mesh Size**	**Depth**

Other (Hours or Lifts)	Characteristics
	cloudy, calm H_2O 50° F

FISHING RESULTS

Species	No.	Modal Size(s)	Size Range	Catch/Unit
Walleye	66	7.0, 10.0, 14.0	4.5-19.9	55.0
LMB	89	9.0, 11.0	2.1-17.0	74.2
SMB	40	6.0, 10.0	3.0-17.0	33.3
N. Pike	39	11.5, 13.5 22.0, 28.5	9.5-32.0	32.5
W. Sucker	2	N/A	17.5-19.0	1.7
Bluegill	113	5.7, 7.1	1.5-7.8	282.5
Y. Perch	23	6.6, 7.0	5.7-9.1	57.5
Rock Bass	6	N/A	3.5-6.1	15.0
Pumpkinseed	2	N/A	1.5-4.4	5.0
Black Crappie	1	3.4	3.4	2.5

Observations T.A. crew (Todd + Sam Quagon). Good walleye repro.- no need for stocking. Good sunfish diversity and nice bluegill size tructure.

Signed (Compiler)	Date

Rev. 10-70

*2 dippers: Spooner's "small " unit. Also 1 mud-minnow; 4 golden shinners, 1 yellow bullhead.

Card: Have You Got FWP

SUMMARY FISHING RECORD
Form 3600-63

Department of Natural Resources

ty: Sawyer	Waters: Osprey	MWBC: 2395100
Sampling Objective: Baseline Monitoring	Number and Locations of Stations (Habitat)	Source
	Miles Actually Shocked = 3.2	LM
	Acres = 208	LM
Period Fished (Dates): 09/19/05	Total Miles of Shoreline = 6.0	LM
	Total Miles of Shockable Shoreline = 6.0	LM

GEAR

Boomshocker (Hours): NA		Time: √ Night	Day	
Visual Hours	Time of Day	Haul Seine (Length)	Mesh Size	Area Covered
Angling (Hours)	Time of Day	Trap Net (No. of Net Lifts)	Mesh Size	Depth
Minnow Seine (No. of Hauls)	Area Covered	Gill Net (No. of Feet x No. of Lifts)	Mesh Size	Depth
Other (Hours or Lifts) Boomshocker(s): 1 Dip Netter(s): 2		Mini-boomshocker(s): Dip Netter(s):	Characteristics Walleye Recruitment Code:	NR-2

FISHING RESULTS

Species	No.	Modal Size(s)	Size Range	Catch/Unit	
Walleye (Age 0+)	1	None	7.0 - 7.4	NA / hour	0.31 / mile
Perns Index NA YOY / acre					
Walleye (Age 1+)	0		-	NA / hour	0.00 / mile
Walleye (Other)	1	None	11.5 - 11.9	NA / hour	0.31 / mile
Smallmouth Bass	13	None	2.0 - 16.9	NA / hour	4.06 / mile
Largemouth Bass	44	6.0 - 6.4	2.0 - 20.4	NA / hour	13.75 / mile
Muskellunge	0		-	NA / hour	0.00 / mile
Northern Pike	11	21.0 - 21.4	7.0 - 27.4	NA / hour	3.44 / mile

OBSERVATIONS

Other Species	Abundance	Size Range	Other Species	Abundance	Size Range
Bluegill	Abundant	1.5 - 8.4	Brown Bullhead	Present	10.8
Pumpkinseed	Present	3.5 - 6.4	Black Bullhead	Present	8.0
Black Crappie	Present	11.6	Yellow Bullhead	Present	11.8
Yellow Perch	Common	3.0 - 6.4	Bluntnose Minnow	Common	2..2 - 3.2
Rock Bass	Present	3.5 - 8.1	Golden Shiner	Present	2.5 - 4.0
Warmouth	Present	5.0	Common Shiner	Present	5.5
White Sucker	Present	8.0 - 12.4			
Rainbow Darter	Present	1.9			

1) Tank Mortality: None 2) Weather: NA 3) Reliability: Medium

4) Stocking:

5) Comments:

Rev. 10-70

Signed (Compiler): Jamison L. Wendel Date: 12/07/05

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artment of Natural Resources

GAMEFISH ELECTROFISHING DATA COLLECTION SHEET (FALL)
Form 3600F-186
8-95

Lake: Osprey MWB Code: 2395100 Date: 09/19/05 County: Sawyer Collector(s): Warwick, Pratt, Christel

Target Fish: All Species Survey Type: Baseline Monitoring Mark Given: None Water Temperature: 66-68°F Station: Portion of Shoreline

Adverse Conditions: High water temperature Gear Type: Boomshocker Distance Shocked: 3.2 miles

Volts: 250 Amps: 4.0 Current Type: [X]AC [ ]DC [ ]Pulsed DC Pulse Rate: None Duty Cycle: None

Shocking Start Time: NA Shocking End Time: NA Generator Start Hour: NA Generator End Hour: NA

Number of Dippers: [ ]1 [X]2 Entire Shoreline Shocked: [ ]Y [X]N [ ]I Dipnet Mesh Size: 3/16 inch bar H20 Clarity: NA

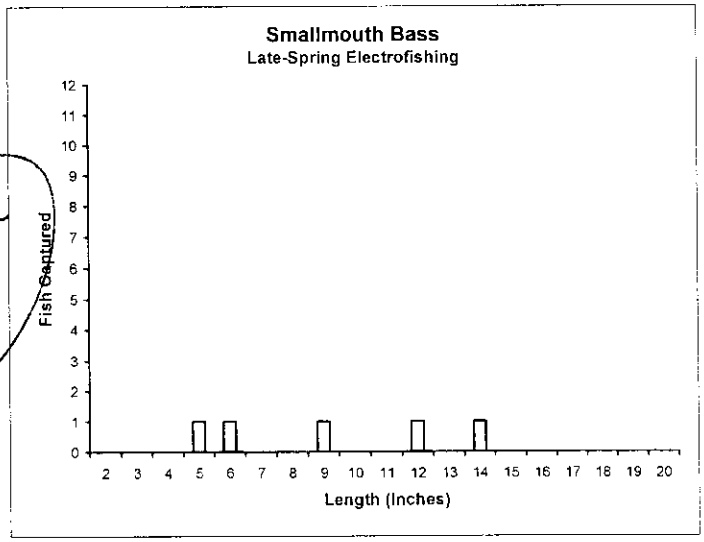
	Northern Pike		Muskellunge		Largemouth Bass		Smallmouth Bass			Northern Pike		Muskellunge	
inches	Unclipped	Clipped	Unclipped	Clipped	Unclipped	Clipped	Unclipped	Clipped	inches	Unclipped	Clipped	Unclipped	Clipped
<1.5									24.5-24.9				
1.5-1.9									25.0-25.4				
2.0-2.4					2		1		25.5-25.9				
2.5-2.9									26.0-26.4				
3.0-3.4					2		1		26.5-26.9				
3.5-3.9									27.0-27.4	1			
4.0-4.4					4		1		27.5-27.9				
4.5-4.9									28.0-28.4				
5.0-5.4					3		2		28.5-28.9				
5.5-5.9									29.0-29.4				
6.0-6.4					7				29.5-29.9				
6.5-6.9									30.0-30.4				
7.0-7.4	1				1		2		30.5-30.9				
7.5-7.9									31.0-31.4				
8.0-8.4					4		1		31.5-31.9				
8.5-8.9									32.0-32.4				
9.0-9.4					2		2		32.5-32.9				
9.5-9.9									33.0-33.4				
10.0-10.4					2				33.5-33.9				
10.5-10.9					2				34.0-34.4				
11.0-11.4					1				34.5-34.9				
11.5-11.9					1				35.0-35.4				
12.0-12.4									35.5-35.9				
12.5-12.9					2				36.0-36.4				
13.0-13.4					1		1		36.5-36.9				
13.5-13.9	1								37.0-37.4				
14.0-14.4					2				37.5-37.9				
14.5-14.9					2		1		38.0-38.4				
15.0-15.4									38.5-38.9				
15.5-15.9					1				39.0-39.4				
16.0-16.4					1				39.5-39.9				
16.5-16.9							1		40.0-40.4				
17.0-17.4	1								40.5-40.9				
17.5-17.9									41.0-41.4				
18.0-18.4									41.5-41.9				
18.5-18.9	1								42.0-42.4				
19.0-19.4									42.5-42.9				
19.5-19.9	1				1				43.0-43.4				
20.0-20.4	1				3				43.5-43.9				
20.5-20.9									44.0-44.4				
21.0-21.4	3								44.5-44.9				
21.5-21.9									45.0-45.4				
22.0-22.4	1								45.5-45.9				
22.5-22.9									46.0-46.9				
23.0-23.4									47.0-47.9				
23.5-23.9									48.0-48.9				
24.0-24.4									49.0-49.9				
Totals:	11	0	0	0	44	0	13	0	50.0+				

Late-Spring Electrofishing Survey Summary
Osprey Lake, Sawyer County, 2011

The Hayward DNR Fisheries Management Team conducted an electrofishing survey on Osprey Lake on June 9, 2011 as part of our baseline monitoring program. A total of two miles of shoreline were sampled (0.5 mile sub-sampled for panfish). Primary target species were largemouth bass, smallmouth bass, and bluegill. We also obtained useful data on the status of juvenile walleye. A fyke netting survey conducted by our team in early May documented the status of the adult walleye, northern pike, yellow perch, and black crappie. Those results are presented in a separate survey summary. Quality, preferred, and memorable sizes referenced in this summary are based on standard proportions of world record lengths developed for each species by the American Fisheries Society.

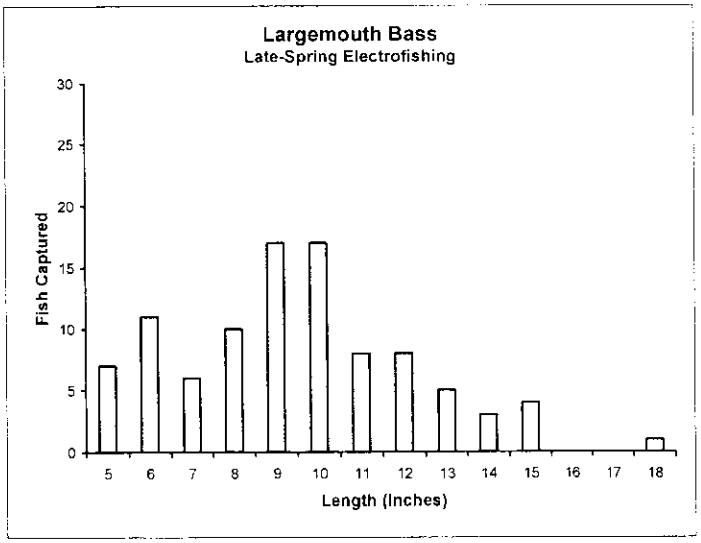
Smallmouth Bass

Captured 2 per mile ≥ 7"	
Quality Size ≥ 11"	67%
Preferred Size ≥ 14"	33%
Memorable Size ≥ 17"	0%



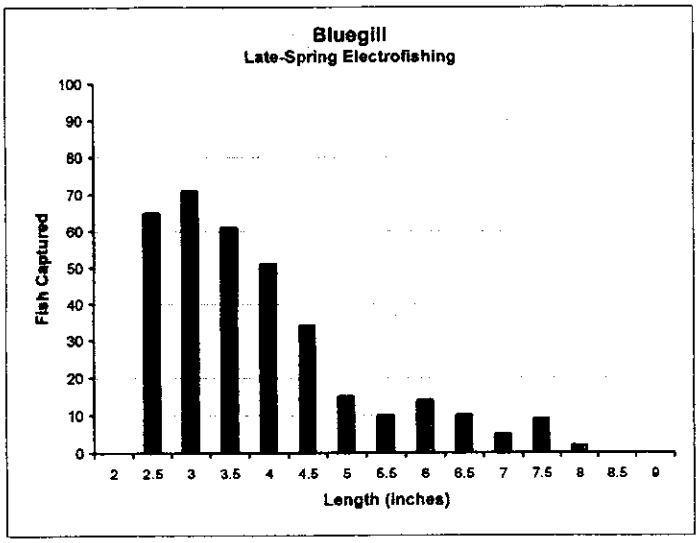
Largemouth Bass

Captured 67 per mile ≥ 8"	
Quality Size ≥ 12"	29%
Preferred Size ≥ 15"	7%



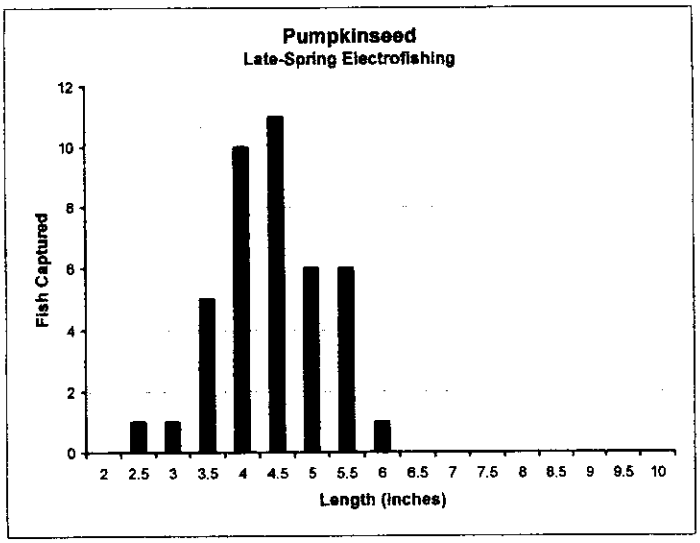
Bluegill

Captured 564 per mile ≥ 3"	
"Keeper" Size ≥ 7"	6%
Preferred Size ≥ 8"	1 %



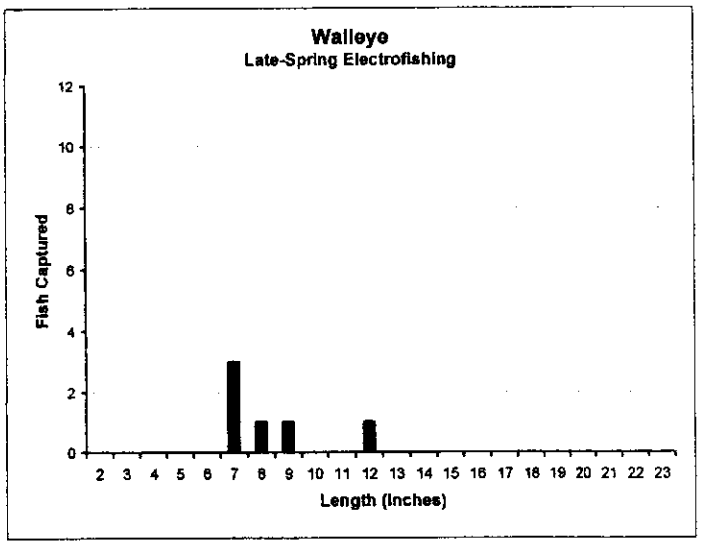
Pumpkinseed

Captured 81 per mile ≥ 3"	
"Keeper" Size ≥ 7"	0%
Preferred Size ≥ 8"	0 %



Walleye

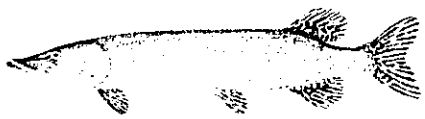
Captured 3 per mile <10 "



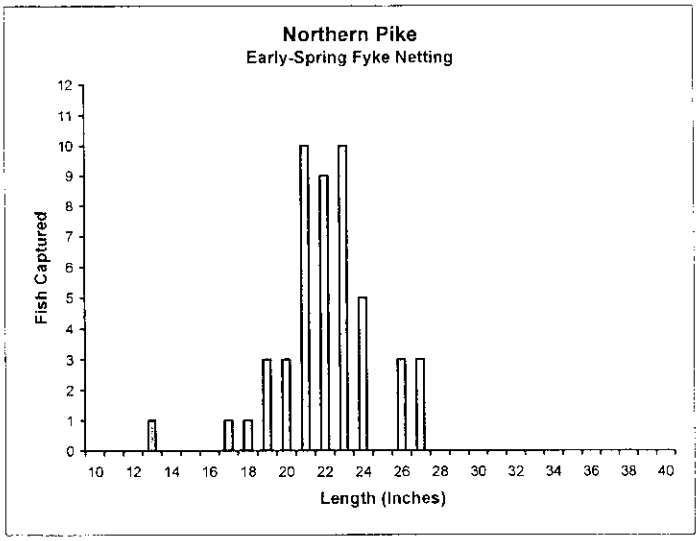
Early-Spring Fyke Netting Survey Summary
Osprey Lake, Sawyer County, 2011

The Hayward DNR Fisheries Management Team conducted a fyke netting survey on Osprey Lake during May 5-6, 2011 as part of our baseline monitoring program. Six nets were set overnight for two nights, resulting in 12 net-nights of effort. Primary target species were northern pike, walleye, yellow perch, and black crappie. An electrofishing survey conducted by our team in late May documented the status of largemouth bass and bluegill. Those results are summarized in a separate survey report. Quality, preferred, and memorable sizes referenced in this summary are based on standard proportions of world record lengths developed for each species by the American Fisheries Society.

Northern Pike

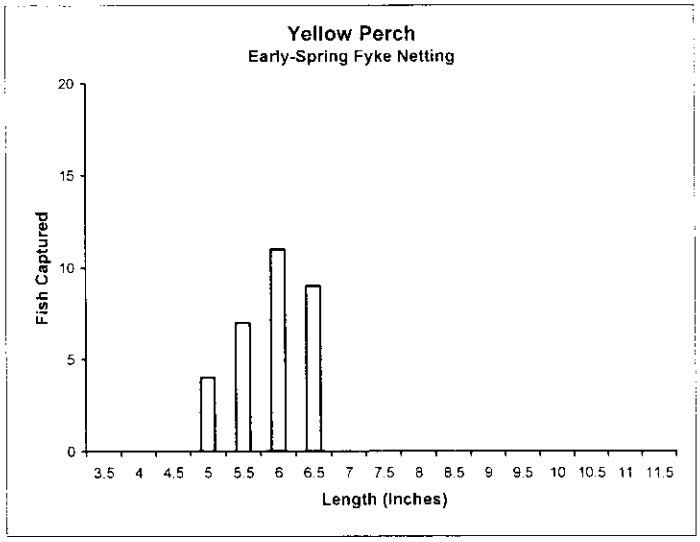


Captured 4 per net-night ≥ 14"	
Quality Size ≥ 21"	83%
Preferred Size ≥ 28"	0%



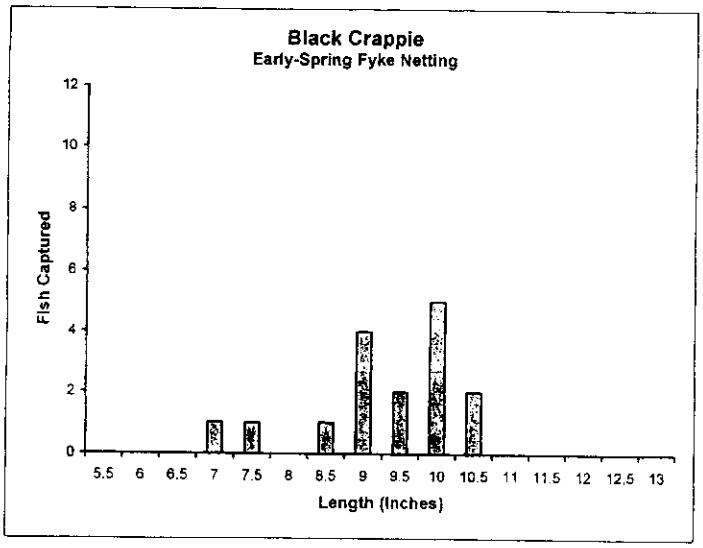
Yellow Perch

Captured 3 per net-night ≥ 5"	
Quality Size ≥ 8"	0%
Preferred Size ≥ 10"	0%



Black Crappie

Captured 1.3 per net-night ≥ 5"	
Quality Size ≥ 8"	88%
Preferred Size ≥ 10"	44%



Summary of Results

Our survey was appropriately timed to sample northern pike, walleye, and yellow perch during their spawning seasons. Adult black crappies were present in the shallows and are described in this survey also.

Only two adult walleyes were captured in 12 net-nights of effort. These large, old fish were remnants of a previously abundant, naturally reproducing walleye population. Recent fall stockings of extended-growth (6- to 8-inch) walleye fingerlings by the Lac Courte Oreilles Band of Lake Superior Chippewa appear to be largely unsuccessful, although limited survival is assumed based on our observation of a few young walleyes in our late-spring electrofishing survey (results reported separately). Good spawning habitat is present in Osprey Lake, so factors unrelated to habitat are suspected in the decline of walleye in a lake that our late-spring electrofishing survey revealed to be dominated by abundant largemouth bass.

Northern pike were captured at a moderate rate (4 per net-night) but did not have the above-average size structure that is often characteristic of low-density pike populations in deep, clear lakes. The relatively abundant largemouth bass population may compete with northern pike for prey resources, including yellow perch that were captured at a very low rate and disappeared (due to predation?) before ever achieving a length marginally acceptable to anglers (7 inches).

Black crappies were captured at a very low rate also (1.3 per net-night), but size structure of these fish was more favorable (44% ≥ 10 inches), possibly because crappies are less vulnerable than perch to predation by large bass and pike once they achieve adult size. It is possible that this survey occurred before the peak in crappie spawning activity, and only a few large mature fish were vulnerable to our gear.

Report By: Max Wolter, Fisheries Biologist, Sawyer County, 11/29/12
Edited By: Dave Neuswanger, Fisheries Supervisor, Hayward Field Unit, 5/2/13
Approved for Posting By: Steve Avelallemant, Fisheries Supervisor, Northern District, DATE

Summary of Results

Water temperature was 68°F at the time of this survey, ideal for sampling bass guarding nests and bluegills preparing to spawn in shallow water.

Smallmouth bass were captured in low numbers during this survey. Osprey Lake has clear water and ample rocky substrate considered very suitable for smallmouth bass, yet this species is far less abundant than largemouth bass. Competition between these species in Osprey Lake appears to be favoring largemouth bass, although the mechanism of interaction is not certain.

Largemouth bass were captured at a very high rate (67 per mile) but exhibited poor size structure with few preferred-size fish. The density of largemouth bass in Osprey Lake is likely limiting growth potential for this species and may be limiting recruitment of others, namely walleye and smallmouth bass. Osprey Lake would likely benefit from liberalized harvest regulations for largemouth bass that would allow anglers to thin this population.

Bluegills were highly abundant (captured 564 per mile of shoreline) and had poor size structure. Historically, Osprey Lake produced very large bluegills; but currently very few fish in this population are big enough to interest anglers. This system has shifted from walleye to largemouth bass as the dominant predator. Largemouth bass are not controlling bluegill numbers in this 280-acre lake with its high ratio of open-water area (refuge from bass predation) to shoreline area (where most bass reside). This results in very poor growth rate and size structure of bluegill. Restoring this lake to a walleye dominated system may also restore the quality bluegill fishery that once existed here.

A small number of juvenile walleyes were sampled in this survey. These fish are likely the result extended-growth fingerling stockings (6- to 8-inch fish stocked in the fall) by the Lac Courte Oreilles Band of Lake Superior Chippewa in recent years. Though survival does not appear to be high, these fish represent the start of a restoration effort. Restoring natural recruitment of walleye will require large changes to the fish community of Osprey Lake, primarily a reduction in the number of largemouth bass.

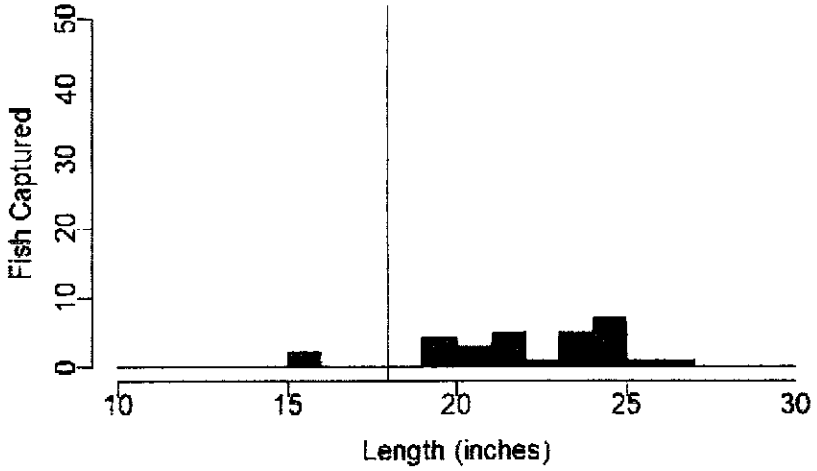
Report By: Max Wolter, Fisheries Biologist, Sawyer County, 11/29/12
Edited By: Dave Neuswanger, Fisheries Supervisor, Hayward Field Unit, 5/2/13
Approved for Posting By: Steve Avelallemant, Fisheries Supervisor, Northern District, DATE

Spring Fisheries Survey Summary
Osprey Lake, Sawyer County, 2018

The Spooner DNR Treaty Team conducted a fyke netting survey on Osprey Lake from May 6-9, 2018 to assess the adult walleye populations in the lake. Up to five nets were set overnight for four total nights which resulted in 19 total net-nights of effort. An electrofishing survey conducted on May 23, 2018 documented the status of bluegill, smallmouth bass, largemouth bass, and non-game species. Quality, preferred, and memorable sizes referenced in this summary are based on standard proportions of world record lengths developed for each species by the American Fisheries Society.

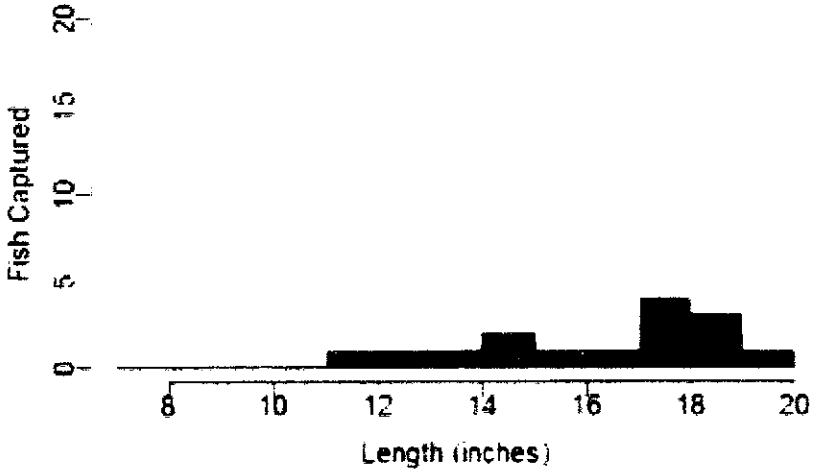
Walleye (Adult)

Captured 2 per net-night ≥ 10 inches	
Quality Size ≥ 15"	100%
Preferred Size ≥ 20"	86%



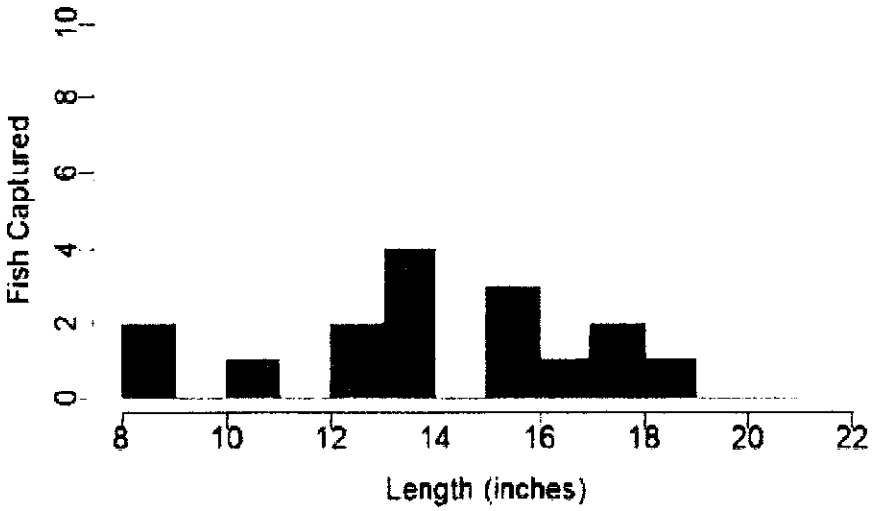
Smallmouth bass

Captured 7 per mile ≥ 7 inches	
Quality Size ≥ 11"	93%
Preferred Size ≥ 14"	80%
Memorable Size ≥ 17"	60%



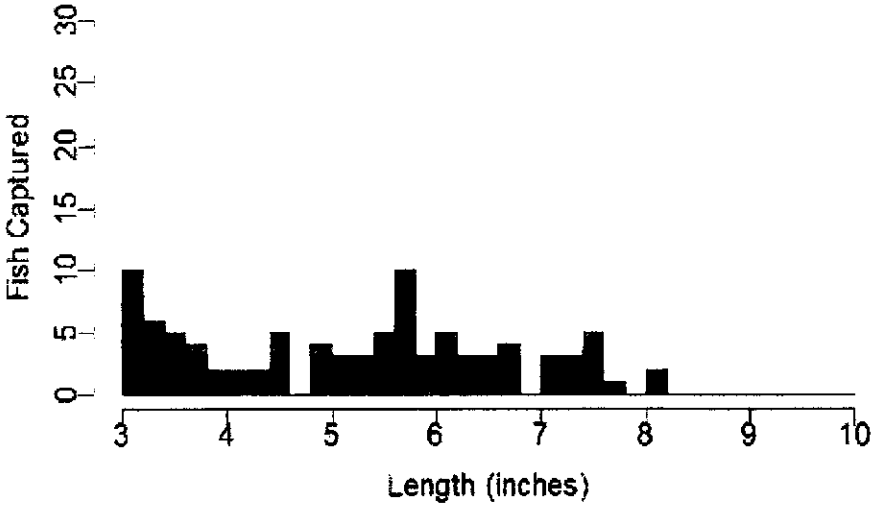
Largemouth bass

Captured 6 per mile ≥ 8 inches	
Quality Size ≥ 12"	81%
Preferred Size ≥ 15"	44%



Bluegill

Captured 93 per mile ≥ 3 inches	
Quality Size ≥ 6"	31%
Preferred Size ≥ 8"	2%

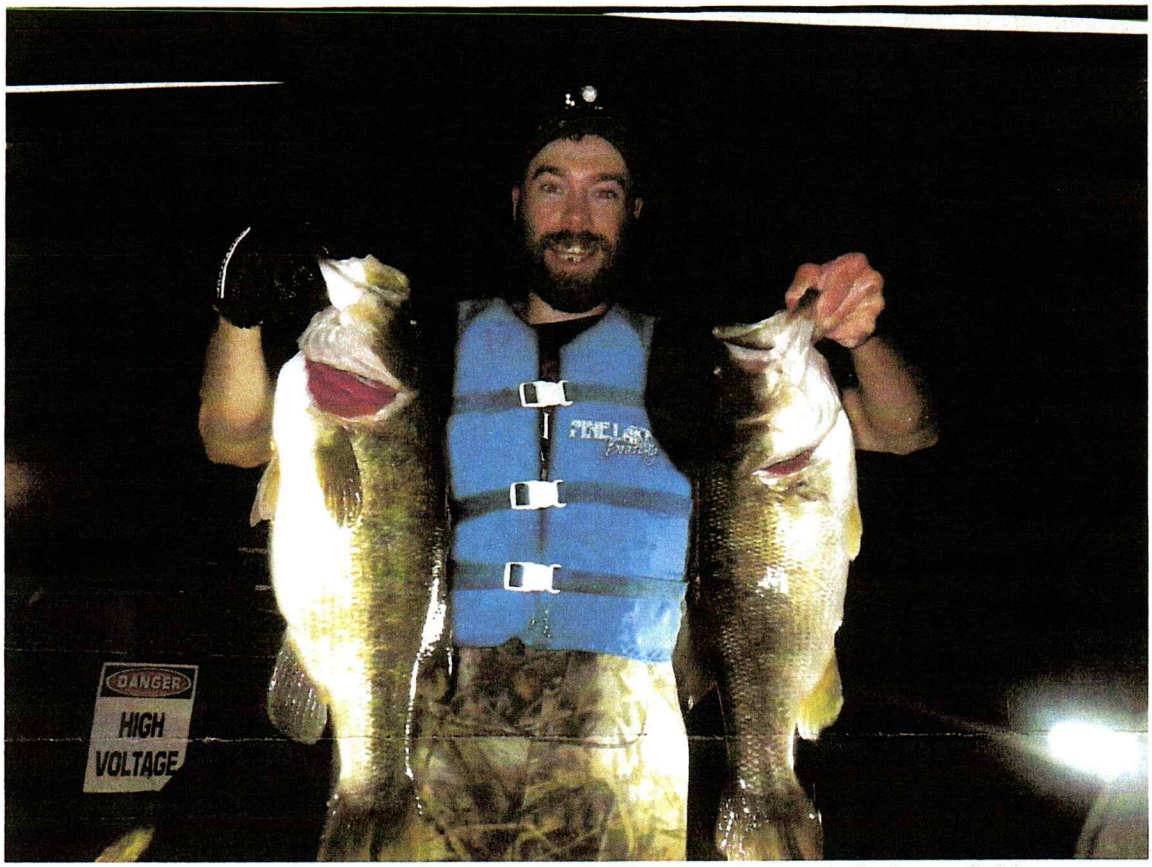


Summary of Results

One objective for the 2018 fisheries survey on Osprey Lake was to get an estimate of the total number of adult walleye. Unfortunately, that was not possible due to low catch rates of walleye during the netting portion of the survey. Osprey Lake has been stocked repeatedly with extended growth walleye since 2014. Based on this survey and several fall electrofishing surveys we conclude that survival of those stocked fish appears to be very low for reasons that are not fully understood.

The current gamefish population is dominated by bass (largemouth and smallmouth) and northern pike, although pike were not targeted during this survey. Smallmouth bass were captured at a moderate rate but with excellent size structure. Both abundance and size metrics for smallmouth bass were higher than the last survey of Osprey Lake (2011). Largemouth bass abundance in previous surveys was exceptionally high and size was poor. Largemouth abundance has dropped since 2011 and size has improved considerably. In 2011, only 10% of largemouth bass in Osprey were over 15 inches. In 2018, we found 44% of largemouth to be over 15 inches.

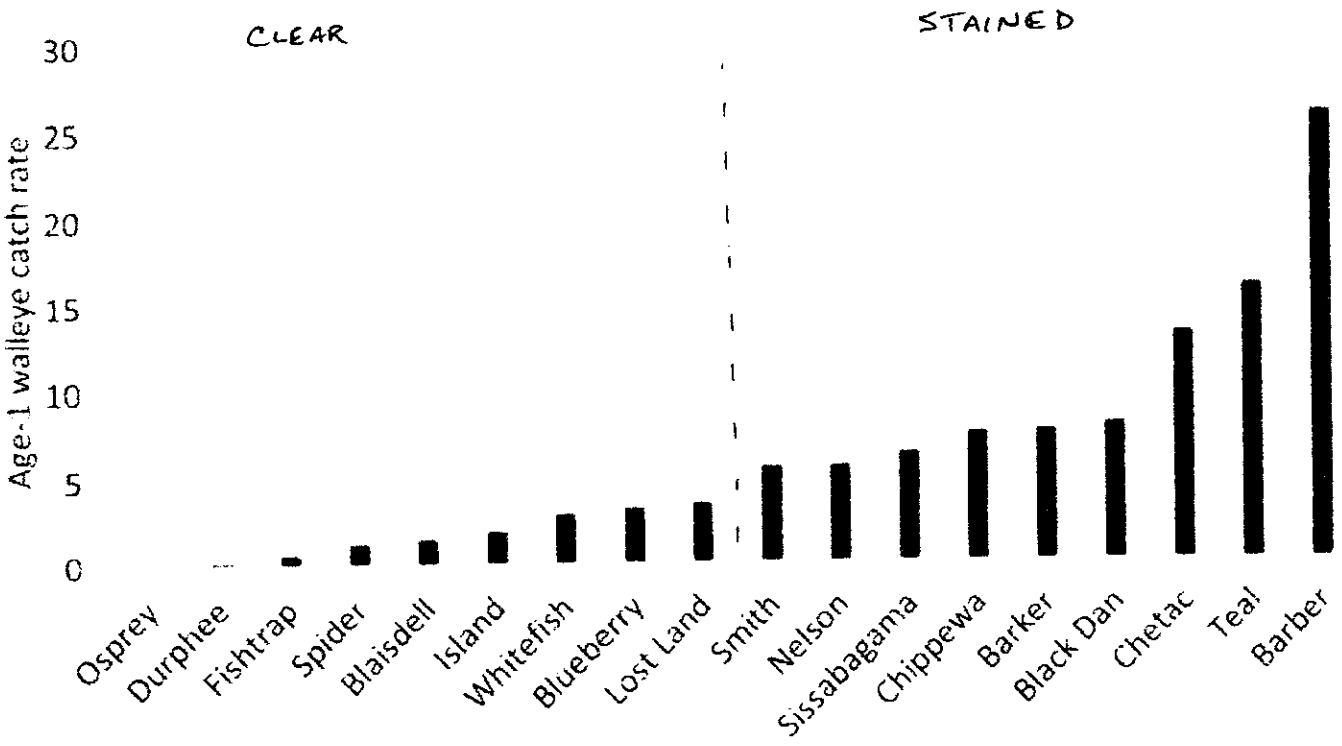
Bluegill size in Osprey Lake leaves much to be desired, but there are indications that the quality of bluegill in increasing. The percentage of bluegill in the lake that are over 6 inches has increased from 14% in 2011, to 31% in 2018. Panfish in Osprey Lake are currently regulated with an experimental reduced bag limit designed to increase size.



Evan Sniadajewski shows off two nice largemouth bass during a 2018 electrofishing survey on Osprey Lake.

Report by Max Wolter – Fisheries Biologist, Sawyer County
Survey conducted by Todd Brecka, Misty Rood, Max Wolter, Scott Braden, and Evan Sniadajewski (Fisheries), and Scott Horton (Forestry)
Reviewed and Approved by Jeff Kampa – Area Fisheries Supervisor

Here are the two figures you were interested in as well:



SAWYER COUNTY RECORD
WEDNESDAY, AUGUST 3, 2022 | B5

Waxies on small jigs, crawlers on plain hooks, and panfish leeches on jigs or hooks all work well.

Perch are mixing in with crappies and the preferred technique is minnows on jigs under bobbers.

Minnow Jim's (Cathy): Nelson Lake: Walleye anglers should jig minnows and leeches and fish the river channel with deep divers and bottom bouncers.

Most of the fish anglers are catching are coming from deep water.

Northern pike are responding to the noise and splash of spinnerbaits and buzzbaits.

Largemouth bass fishing is best with weedless soft baits, worms, and spoons fished near deep weed beds, rocks, swim platforms, and tree overhangs.

Crappies are finicky and best success is by jigging and bobber fishing min- than normal. Use small, dressed jigs if they have some tail action, or tip them with waxies, earthworms, or chunk of crawler.

The Wolter Report

BY MAX WOLTER
DNR fisheries biologist, Hayward

Stocking is always a popular fish management activity, but often anglers are not fully aware of the underlying issues that result in the need for fish stocking in the first place.

In an ideal world, fish would reproduce and survive at acceptable levels, and except in rare circumstances, stocking would not be necessary. However, we know that is often not the case, and many waters require some amount of stocking to address fisheries limitations. Two recent 'new' muskellunge stocking events in Sawyer County tell different stories of why stocking is sometimes necessary.

In 2021, Osprey Lake received muskellunge stocking for the first time ever, or at least in modern history. Osprey is in the native range of muskellunge and there are established muskellunge populations in the connected lakes both upstream and downstream. However, only rarely are muskellunge observed in Osprey, and those reported over the years are likely migrants from Round Lake. The goal of this stocking was to establish a more consistent muskellunge fishery in a lake where their reproduction appears to be limited.

A stocking planned for fall of 2022 will see musky stocking return to the Tiger Cat Chain for the first time in more than 50 years. The Tiger Cat Chain is a native musky lake that historically had high muskellunge reproduction and adult musky density. Stocking events that occurred in the past (1940s-1960s) were likely driven more by stocking popularity than true need, since musky were reproducing at a high level during that time.

In the 2020s, however, the situation has changed dramatically and stocking might now play an important role in the continuation of the muskellunge fishery. Northern pike are not native to the Tiger Cat Chain, but are now well established and appear to be reducing muskellunge reproduction and overall abundance. Stocking is one of several tools we are using to offset that shift in the fishery.

These two stocking events are new and will undergo evaluation. If successful, they could join other local stocked muskellunge lakes that receive fingerlings at regular 2- or 3-year intervals.

For comments, questions, and suggestions, email ssuman@sawyercountyrecord.net.

OSPREY LAKE FISH
STOCKING HISTORY

YEAR	WALLEYE FRY	FINGERLINGS	SIZE	EXTENDED GROWTH	SIZE
2005				1000	7.2
2006	200,000	7409		1134	
2007	160,000			636	
2008		20,500	1.3		
2008		8000	1.5	1000	7.2
2009		30,000		800	
2010		10428	1.9	1000	
2011				1000	7.8
2012		7000	4.5	1000	
2014				2139	6.3
2016				2139	7.1
2018				2137	6.3
2020				2139	6.5
2022				2139	6.8
	360000	83337		18263	
YEAR	MUSKIES			64	

2003 was the beginning of a major transition for Osprey Lake.

After 22 years the Bruce family decided it was time to sell their Osprey Lake property. They found a buyer: Dr Ted Thompson who was from the La Crosse area. Dr. Thompson hired a La Crosse realtor, Dick Barbour, to help him develop his property.

As a result of the Bruce family selling their property the other current property owners, led by Bob Pellant and Wayne Dannehl began to explore the possibility of forming what became known as The Osprey Lake Property Owners Association. OLPOA had their first membership meeting on Labor Day weekend with a fish fry hosted by the Dannehls.

At the same time the existing property owners were organizing, Mr Barbour was working with Russell Bruce to request a zoning change from the current F-1 to RR-1 for the creation of 57 lots. At the 11-30-2003 Sawyer County Zoning meeting the zoning committee denied their application as submitted because they felt it would: "be detrimental to the ecology, wildlife, wetlands, or shorelands. It would create topographical problems, such as run off, drainage, erosion, flooding, or vegetative cover removal". Perhaps another contributing factor to the Zoning Committee denial was a letter from the LCO tribe stating their objection to the development as planned by the developer.

On 10-27-2003 Wayne Dannehl sent a letter to all Osprey Lake Property owners reporting that the Knauels, Swansons, Schaefers,Dannehls, Pellants, Larsons, Sandbergs, and Nilsson had sent a check for $100.00 to begin to fund OLPOA and pay for the attorney fees necessary to properly establish OLPOA. In that letter Wayne also detailed Mr Barbour's (acting on behalf of Dr Thompson) plans to develop 57 lots on what was the former Bruce property and noted that those 57 lots while a substantial increase of properties on Osprey Lake, did not take into effect the 4 lots the Lund Brothers owned on the South peninsula or the unknown number of lots they owned on the Southwest side of the lake or the 10 existing lots on Osprey Lake road.

2004

On January 12, 2004 the articles of incorporation for the Osprey Lake Property Owners association were filed with the State of Wisconsin along with the bylaws.

That spring The Shores of Osprey development began

2005

Kristi Maki, an environmental engineer from the Lac Courtes Orielles Conservation office discovers that Eurasian Water Milfoil is in Osprey Lake. With her guidance OLPOA files for and receives a grant from the State of Wisconsin for a Rapid Response grant funding our initial treatment of Eurasian Water Milfoil.

Dan Tyrolt of the LCO Conservation department publishes the Osprey Lake Water Quality Study, which took a scientific look at the health of the lake, and made suggestions as to how the future development of the lake may impact the health of the lake.

The first plats for Tanglewood Bay, on the West side of the lake are published.

PJ Schaefer had a conversation with Wayne Dannehl, where Wayne told about his memories of coming to the lake in the 60's and catching all sorts of Walleyes. Which led to the question, what happened to the Walleyes, where did they go? Furthermore, if the lake had Walleyes before, couldn't it support Walleyes in the future? Pretty soon we agreed to raise some money and try to reestablish Walleyes in Osprey Lake. We raised about $1000.00 and received matching funding from Walleyes of Northwest Wisconsin and purchased 1000 extended growth Walleyes from the LCO tribe.

2006

2006 was the first year we treated Eurasian Water Milfoil. 8 acres of EWM were treated by Dale Dressel of Northern Aquatic Services. 4 acres received 125 pounds of Navigate (a 2-4-D) herbicide and 2 acres were treated with 100 pounds per acre. Treatment took place in late May. Follow up surveys in July showed a few scattered plants in treatment areas. On August 2 a WDNR crew did a point intercept survey, they found no EWM in the Southern part of the lake and a few plants near the inlet from Little Round Lake. A survey was done October2 and at that time scattered EWM was found on 4.2 acres, and we hoped to treat again in 2007.

In order to be eligible for state funding for treatments of invasives an organization needs to have a minimum of 25 members. Because OLPOA did not have 25 members, (in fact there were not 25 property owners on the lake) we needed a sponsor so we partnered with Sawyer County for sponsorship. A second requirement for state funds was that OLPOA membership had to be open to all property owners within 1 mile of the lake, thus we needed to amend the by-laws of the OLPOA, which was done on August 5,2006 at the annual property owners meeting held at Dannehls.

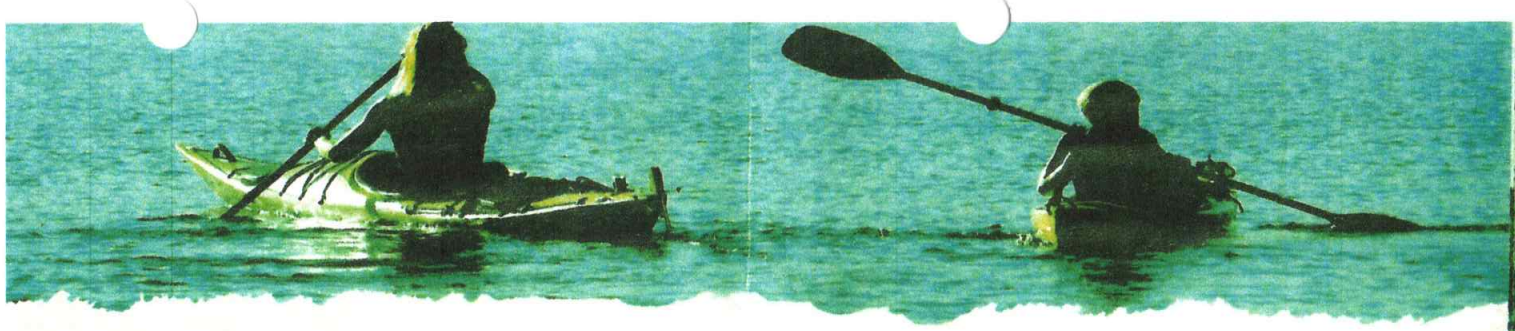
The WDNR also requires a Lake Management Plan before they will provide future funds. We are working with Kristi Maki, now of the Sawyer County Conservation office to help create this plan.

Again with help from Walleyes of Northwest Wisconsin we purchased 1134 extended growth Walleyes from LCO which were put into the lake early October.

2007

Dr Thompson has replaced Dick Barbour with David Swan as his developer. Proposes a total of 70 lots and 35 boat slips.

After 3 years of study, meetings, and discussion the Round Lake Chain Management Plan was released. As part of the plan there are 7 pages devoted to the Water Quality Data of Osprey Lake.



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Wisconsin's #1 Vacation Destination

Dreaming Trail is only nine miles from downtown Hayward. You'll have immediate access to a steady stream of events and celebrations which fill each season and endless activities - for kids and grown-ups alike. Whatever your passion, the opportunities are truly endless at *Dreaming Trail*.

In the mood for a great time? The Musky Festival is a blast. And the Lumberjack World Championships brings national TV and power-packed excitement to Hayward.

If birdies are the goal of the day, you are in paradise. Hayward is the Golf Capital of Wisconsin. For good reason. Within 15 miles of *Dreaming Trail* are seven diverse golf courses.

For the 'adults', try your luck at the LCO Casino, which also brings in top-notch comedians and musicians.

Snowmobilers zoom over 600 miles of groomed trails that wind amongst the frosty forests and lakes - and they're only seconds away. Also, 140 miles of ATV trails are nearby.

Some of the state's best hunting is found in the thousands of acres of State and National Forest; just minutes away.

Water? Water? Everywhere! Within five miles, lakes totalling an amazing 24,000 acres are teeming with recreational boating opportunities - and fish.
Lots of fish.

Active bikers can spin their wheels over 300 miles of mapped trails. Plus, the Chequamegon Fat Tire Festival is the Nation's biggest off-road bicycle adventure.

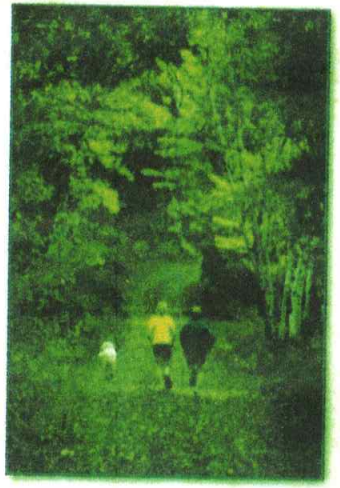
Finally, 200 kilometers of the best cross-country ski trails in the Midwest will take your breath away (literally). The American Birkebeiner is the largest race in the country and you can ski the same trails all winter that elite athletes conquer, or join the thousands that race annually.

LEGACY LAND GROUP
Our Legacy is Helping You Create Yours

Legacy Land Group provides an unparalleled commitment to preserving the land. Our environmentally-sensitive approach to lake development is setting the standard in America.

Our mission is to create lake escapes that protect the natural beauty and allow you to celebrate the joy of family.

We believe your motivation for owning at *Dreaming Trail* will be solitude and quiet; the rare elegance of a crystal clear lake framed by untouched forests and having a place that recharges your spirit and replenishes your soul.



With only 12 cabin sites on 180 acres, those lofty goals can now be achieved.

Everyone needs a place to straighten out the wrinkles in his mind.
- Sigurd Olson

MOST ONLY DREAM OF TAKING THE ROAD LESS TRAVELED
Now You Must, It's The Only Way To Your Cabin

For more information on investment opportunities and purchasing your own generational lake escape at *Dreaming Trail*; please contact Legacy Land Group immediately.

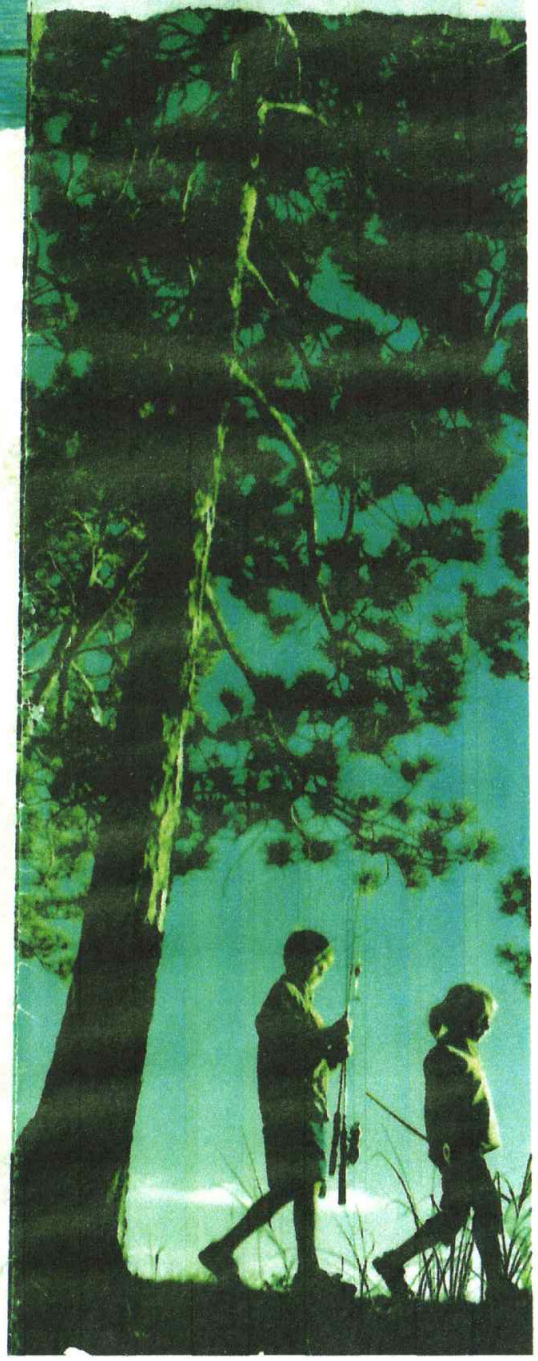
ONLY 12 PREMIER BUILDING SITES ARE AVAILABLE.

From the low $100's to mid $200's.

For A Priority Reservation, Please Call;

LEGACY LAND GROUP

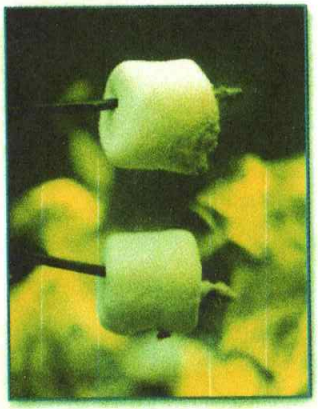
LAKESH



A Wilderness Preservation Community

Creating a Generational Lake Escape Like No Other

Spanning 180 acres and thousands of feet of lakeshore, *Dreaming Trail* is the perfect place to establish your family's new waterfront cabin.



96% of the land will remain in its untouched natural beauty.

With just 12 gorgeous cabin sites, your privacy and protected scenic views are ensured.

Evident around every wooded knoll is a belief in conserving the natural beauty that graces this special place.

Dreaming Trail reflects a life centered on family, recreation, relaxation and a sincere respect for the wilderness.

Most Call This Idyllic Image A Dream

You Will Call It Home

Somewhere in your mind's eye is the vision of lakeshore living that blends the traditions of the past with the goals of your future. A place where trails stretch through the silent forests. Where you'll find a blackberry is not something that gathers data, but a joy to pick. And even better to eat.

Where your paddles, golf clubs, skis and fishing poles won't be bored. Where you can swim anytime you desire, even when it is below zero outside. Where eagles rise to a cobalt blue sky. Where crystal clear waters will refresh and inspire.

The setting is majestic.
The vision is timeless.

Time Passes In The Blink Of An Eye

Spend Those Precious Moments Building Memories, Not Doing Chores

We understand you want to spend your weekend cleaning fish, not your yard; working up a sweat on the cross-country ski trails, not shoveling snow; convincing your buddies that the nasty two-footer should be a gimme as opposed to begging them to help put the dock in the lake.

That's why we have arranged for a full variety of services to be taken care of for you. So you can enjoy your time playing and relaxing, not working and worrying.

Quite simply, at *Dreaming Trail*, you will enjoy all the benefits of lake cabin ownership without the daunting responsibilities.

The wilderness holds answers to
questions man has not yet learned to ask.
- Nancy Newhall

Treat the Earth well.
It was not given to you by your parents.
It was loaned to you by your children.
We do not inherit the Earth from our ancestors.
We borrow it from our children.

A New Adventure Every Day

Discover The Natural Paradise Create
Dreaming Trail; A Vast Playground For

Summer or Winter, navigating the 5 km groomed cross-country ski trails, which weav of hardwoods and pines, is like being hugge

Tucked into the woods is the heart of *Dreaming Trail*; The Gathering Lodge. Enjoy a spacious indoor swimming pool for invigorating laps or leisurely floating about. The fitness room will challenge your muscles which can then be soothed in the whirlpool or sauna.

As the morning sunlight dances on the silent water of Osprey, you can traverse the miles of untouched shoreline in your canoe or kayak, and be convinced the Loons are performing a waltz just for you.

For lunch, gather with family and friends fo out at the Osprey Pavilion followed by som spirited volleyball match. If you desire mor pull the kids skiing or tubing, which will sta face for days.

Osprey Lake's is perfect for a And the beach ful artistic sand

Is fishing your into the 32-foo where Walleye abundant! La Northern and prevalent and

OSPREY LAKE

Water Quality Data

Osprey Lake is a soft-water drainage lake located in the Couderay River watershed. It has an inlet stream from Little Round Lake and an outlet flowing into Lac Courte Oreilles Lake. It has a surface area of approximately 208 acres and a volume of approximately 2,546 acre-feet. The maximum depth is 32 feet. Approximately 31 percent of the lake is over 20 feet deep and 18 percent is less than 3 feet deep. The total shoreline of the lake spans 5.86 miles.

The Lac Courte Oreilles Conservation Department collected water quality data on Osprey Lake since 1998 and in 2004 a comprehensive water quality study was completed. The study was conducted to assess the existing water quality of Osprey Lake and to look at historical water quality data to determine if any trends in the water quality could be noted. The following water quality data and reports are available for Osprey Lake:

- Osprey Lake Water Quality Study 2004 Water Year. This report summarizes the results of a water quality investigation of Osprey Lake. Basic in-lake and tributary water quality data were collected from April through September of 2004 to determine the existing conditions of the lake. This data was then used to estimate annual hydrologic and phosphorus budgets for the lake in order to examine the relationship between watershed land use activities and lake water quality. The report also discusses the trophic state indices of the lake, the zooplankton and phytoplankton assemblages of the lake and provides isopleth diagrams for pH, dissolved oxygen, temperature, total dissolved solids and specific conductance.
- Surface Waters Resources of Sawyer County, WDNR 1969. Provides a limited discussion of Osprey Lake with a historical Secchi disk reading of 20 feet in 1969.
- Secchi disk values from 1998 - present
- Total phosphorus values from 2000 - present
- Chlorophyll-a values from 2000 - present
- 2003 macro-invertebrate sampling data
- 2003 and 2004 zooplankton and phytoplankton data

The water quality data indicates that Osprey Lake has water quality consistent with a north temperate oligotrophic lake. Total phosphorus, chlorophyll-a, and Secchi disk averages are generally within the oligotrophic category (low productivity and no recreational use impairments). The annual summer averages tend to fluctuate near the borderline between oligotrophic and mesotrophic indicating that a slight change in water quality conditions could change the trophic status of the lake. The seasonal patterns of chlorophyll-a, total phosphorus and Secchi disk readings tend to mirror each other suggesting the lake's algal growth is directly related to phosphorus levels in the lake. See Figures 18-21 for the annual TSI, total phosphorus, chlorophyll-a and Secchi disk values.

Figure 18

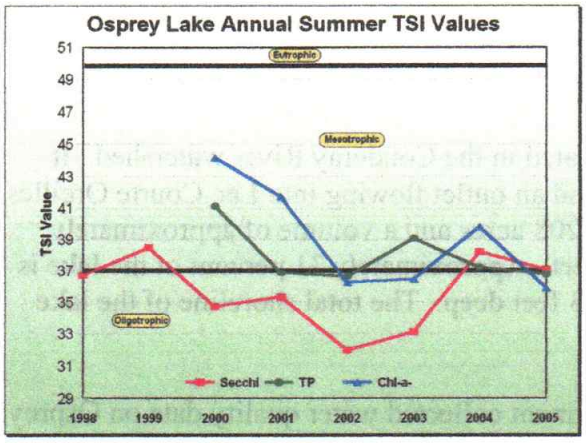


Figure 19

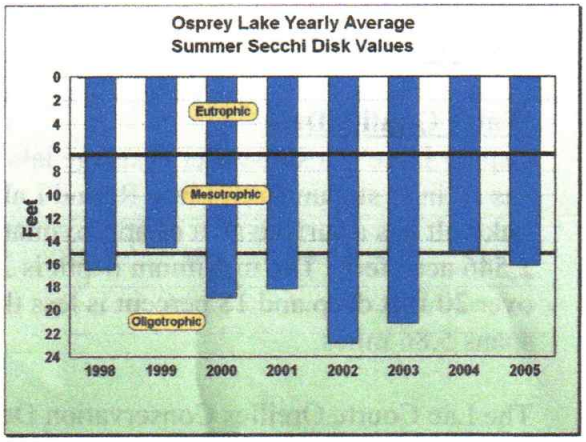


Figure 20

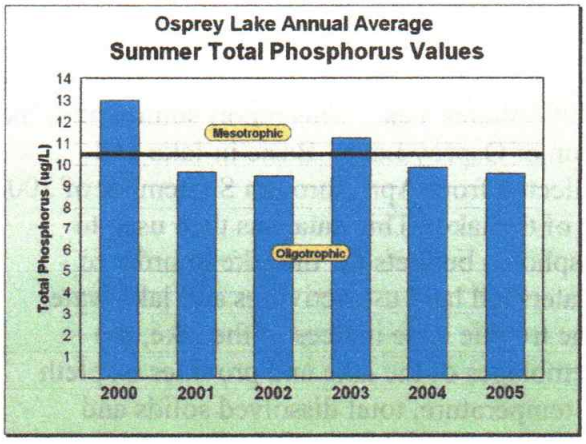
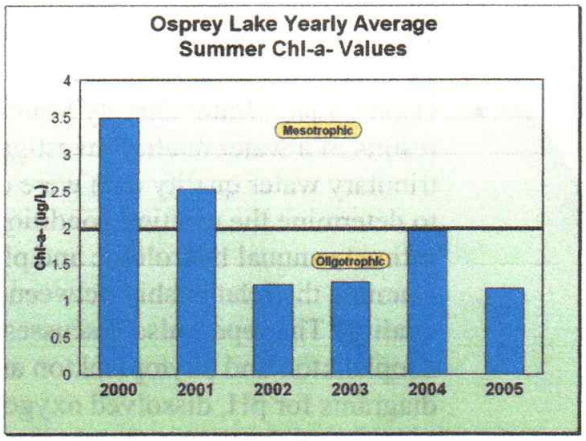


Figure 21

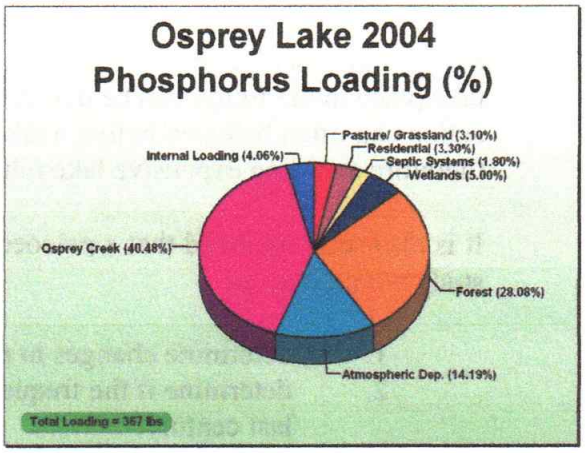


The zooplankton data collected for Osprey Lake during 2004 show that from June to September Osprey Lake had lower than average zooplankton density, with only two dates (early June and mid-August) having densities greater than 150 animals/feet3. There were few trends in individual taxa during the summer, except Calanoid copepods, which in general declined from June to September. Diversity was also fairly consistent across the sampling dates and near average compared to other lakes in the area. Productivity, according to the Gannon Index was near average at the beginning of the sampling period, but increased from June to September.

Small Cladoceran dominate over larger species on all dates except the first sample in June, indicating that size selective predation (SSP) by fish may be an important factor in shaping the plankton assemblage. Only in June were there more Daphnia than Bosmina in Osprey Lake, again showing the dominance of smaller species and pointing to possibly greater food quality after early June. Compared to other lakes in the area during August, Osprey Lake had near average total zooplankton density and diversity, high productivity, and possibly high SSP.

The phosphorus budget modeling indicated that the total annual phosphorus loading to Osprey Lake was 367 pounds, based on 2004 data. The inflow water from Osprey Creek contributed the largest amount of phosphorus at 149 pounds (40 percent). The next largest source was the forested portion of the watershed which contributed 103 pounds of phosphorus which is 28 percent of the total loading. The wetlands were estimated to contribute 18 pounds (5 percent). By applying a wet and dry atmospheric deposition rate of 0.25 pounds/acre/yr to the surface of Osprey Lake, the atmospheric component of the phosphorus loading is computed to be 52 pounds or 14 percent. Residential use and septic systems contribute 12 pounds (3 percent) and 7 pounds (2 percent) of the annual load respectively. The pasture/grassland contributed 11 pounds (3 percent). The computations reveal that internal loading contributes 15 pounds (4 percent) of the total phosphorus load. See Figure 22.

Figure 22



Long-term data going back to 1998 was available for Secchi Disk readings. Data was also available dating back to 2000 for total phosphorus and chlorophyll-a. An evaluation of the historic total phosphorus, chlorophyll-a, and Secchi disk monitoring data indicates that no statistically significant trends exist over the time frame for which data is available. The differences in total phosphorus, chlorophyll-a, and Secchi disk values can be attributed to natural variation. The summer TSI values indicate that water clarity is typically better than what would be expected based upon the total phosphorus and chlorophyll-a- readings. Even though the TSI values were not the same for all of the parameters, they tended to follow the same general pattern, once again suggesting that the lake is phosphorus limited.

In summary, an evaluation of the long-term monitoring data for Osprey Lake indicates that no statistically significant trends exist based upon the available monitoring data. The variations from year to year can be attributed to natural variation over this time period. It should be noted that even though the existing data may indicate that a trend doesn't exist, one still may exist. There may just not be enough data to show or support the trend.

Osprey Lake Water Quality Recommendations

Collect water chemistry and Secchi disk data on an on-going basis. By collecting background water quality data on an annual basis, chemical and biological changes that take place in the future can be detected. If detrimental changes are detected, corrective action can often be taken before a lake's water quality becomes badly deteriorated and therefore avoiding expensive lake rehabilitation techniques.

It is also recommended that a paleoecological study be completed for Osprey Lake. This study would help to:

1. determine changes in nutrients during the last 130 years;
2. determine if the frequency of algal blooms has increased during the last century;
3. determine if the macrophyte growth has changed during the last century; and
4. estimate the major sources of increased nutrient input.

HYDROLOGY

Hydrologic budget estimates were completed for Round Lake and Osprey Lake in 1999 and 2004 respectively. A component of these hydrologic budgets included estimates of groundwater inflow and outflow to and from the lake. A hydrologic budget for the Tiger Cat Flowage has not been performed. It is important to note that the 1998-1999 water years saw precipitation that was 41 percent above normal for Sawyer County. This likely had a significant influence on the hydrologic budget components for that year. During a year with "normal" rainfall the groundwater component would likely be an even larger percentage of an overall hydrologic budget.

Tiger Cat Flowage Hydrology

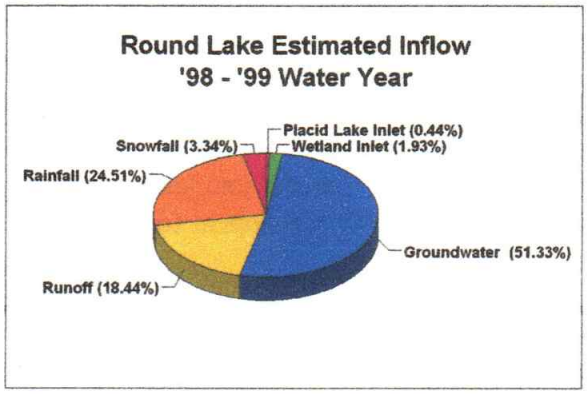
A hydrologic budget for the Tiger Cat Flowage has not been compiled. Completing a similar hydrologic budget for the Tiger Cat Flowage is highly recommended.

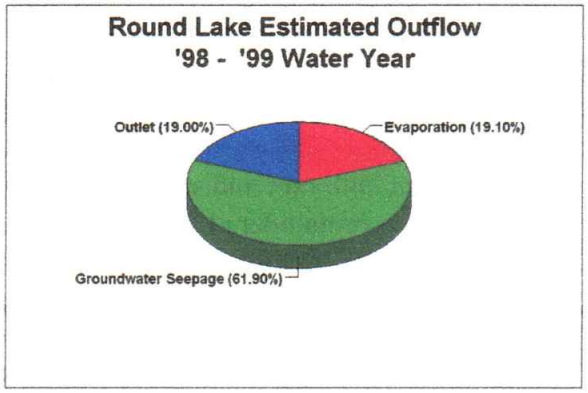
Round Lake Hydrology

The hydrologic budget for Round Lake is based on the 1998-1999 water year (October 1, 1998 through September 30, 1999). The important measurement components used to estimate the Round Lake budget include:

- precipitation
- runoff
- evaporation
- change in lake storage
- stream inflows
- lake outflow
- groundwater base flow

Figure 23 and Figure 24





Figures 23 and 24 represent the estimated hydrologic budget for Round Lake. As the budget indicates, groundwater flow contributes over half of the estimated annual water load to the lake. The significant amount of groundwater contribution is likely resulted from the creation of the Tiger Cat Flowage. The creation of the Flowage raised the hydraulic head of the groundwater up-gradient of Round Lake by approximately thirteen feet. This may benefit Round Lake in times of drought because of the increase in groundwater base flow but during times of heavy precipitation, it may also delay the lowering of the water level.

Direct precipitation on the lake surface was the next largest contributor. This includes rainfall and snowfall. Runoff was also a significant contributor. The inlets to the lake made up the remainder of the annual water load. The watershed runoff volume represents an annual water yield of approximately 17.3 inches from the Round Lake watershed. This runoff yield, divided by the 43.06 inches of total precipitation for the water year, results in a runoff coefficient of 0.402 (40.2 percent of the total precipitation is estimated to runoff the watershed and reach the lake). The large amount of watershed runoff to reach the lake indicates that watershed runoff can have a significant impact on the water quality of Round Lake.

Evaporation and water leaving Round Lake via the outlet were nearly identical. Both were approximately 19 percent of the outflow apiece. Groundwater seepage accounted for a major portion of the outflow comprising nearly 62 percent.

Osprey Lake Hydrology

The hydrologic budget for Osprey Lake based on the 2004 water year (October 1, 2003 through September 30, 2004) was calculated by measuring or estimating the same important components of the budget used for Round Lake.

Figures 25 and 26 present the estimated hydrologic budget for Osprey Lake. The inflow budget indicates that the inlet from Little Round Lake is the major contributor of water to

Osprey Lake. It accounts for over 68 percent of the inflow. This large contribution of water from Little Round Lake indicates that the water quality of Osprey Lake is influenced by the water quality of Big and Little Round Lakes which are upstream. As the water quality of those lakes change, a corresponding change would also be noted in Osprey Lake. Runoff from the watershed was the next largest with over 20 percent. The watershed runoff volume represents an annual water yield of approximately 12.2 inches from the Osprey Lake watershed. Direct precipitation on the lake surface, which is comprised of both rain and snowfall, accounted for just over 7 percent and lake storage comprised the remainder at 3.9 percent. Groundwater flow does not appear to be significant contributor of the inflow to Osprey Lake.

Water leaving Osprey Lake via the outlet accounted for 81 percent of the outflow budget. Groundwater seepage was the next largest output at over 13 percent and evaporation from the lake's surface comprised the remainder at nearly 6 percent.

Figure 25

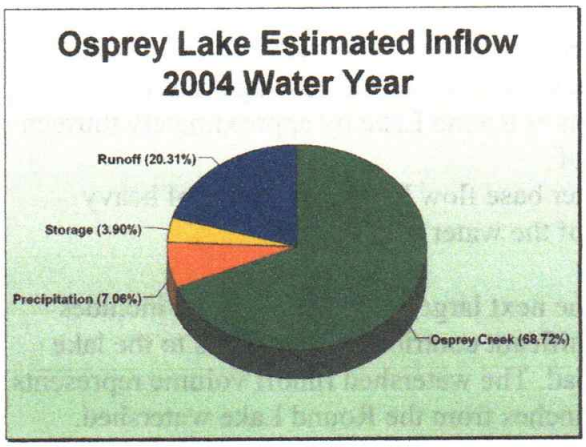
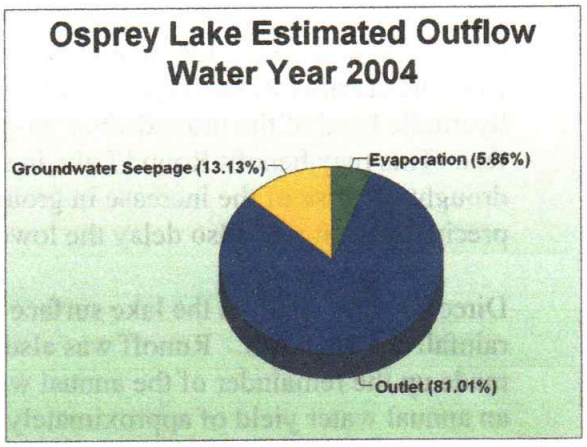


Figure 26



2008

Just under 5 acres of Eurasian Water Milfoil were treated this year, which used up the remainder of the grant money OLPOA received 2 years ago.

Met with Kristi Maki of Sawyer County Conservation to begin to develop an Aquatic Lake Management Plan, which the WDNR Requires for any future grant funding. We hope to get a grant from the state to help pay for cost of the grant which we estimate at arouns $5,000 to $6,000.

Dr Thompson through David Swan proposes phase 2 of his Osprey Lake development which includes 25 condos. OLPOA board met in Fall and were joined by the Folletts, Schneiders and Falches. An agreement was made that OLPOA needed to hire an attorney. After several interviews, OLPOA hired Bruce Marshall, from Phillips Wisconsin torepresent us. The development proposal was called "The Dreaming Trail" and the developers made a presentation to the LCO Tribe promising their project would be a "Green Environmental Project" and thus LCO announced their support. The developer had put together a good proposal and had several supporters. A meeting was scheduled for December 18th at the Sawyer County Courthouse ahead of the Sawyer County Zoning meeting which would rule on accepting the developers plan. The night before the hearing, PJ Schaefer received a phone call from Dan Tyrolt of LCO who said while LCO had the option to pull their support they would not because they had previously stated their support publically. LCO would however support reducing the number of condos proposed. After 8 hours of meetings a compromise was reached: there would be 12 condos instead of 25; no temporary lakeside parking would be allowed; there would be no public access to the lake; no further development would be allowed. On the advice of Mr. Marshall OLPOA agreed to this compromise because the deal was probally as good a compromise as we could hope for, we didn't have the political clout to win a drawn out battle, and OLPOA didn't have the funding to finance a drawn out confrontation. OLPOA spent $10,342.21 in attorney fees to fight the "Shores of Osprey" development and thus had to raise the money. We were able to raise $8225 after an initial appeal, and later raised the remaining amount thanks to the generosity of OLPOA members.

The controversy surrounding Sawyer County's request to abandon the Carlson Lane Dam continues. Currently, the proposal is on hold until a decision is reached regarding the replacement of the culverts at Highway NN. The LCO is against replacing the culverts right now.

Discussion at OLPOA annual meeting on what, if anything, could OLPOA do to design some sort of ordinance which would restrict jet skis, limit the time of day for water skiing, tubing etc. Jeff Schneider had researched

the topic and reported that after speaking with the WDNR warden he had obtained the documents needed to enact a "no wake" ordinance. In order to get the ordinance adopted we will need to get the approval of all 3 town boards which have part of Osprey Lake in their townships (Hunter, Round Lake and Hayward). Carole Dannehl reported she had spoken to Dan Tyrolt of LCO who told her that the tribe was considering requesting that Osprey Lake be declared a no-wake lake. She thought we had better move on the issue before the tribe did. After further discussion it was agreed by members at annual meeting that the hours of 10 A.M thru 5 P.M would be sufficient to allow for all users of the lake to pursue their interests. It was voted that Jeff should proceed with petitioning the 3 townships for their approval of a "no-wake" time for Osprey Lake.

https://www.apg-wi.com/sawyer_county_record/news/county-board-gives-final-approval-to-osprey-lake-green-development/article_d5b3f5ea-98ce-5f67-9daa-599a29f896fb.html

County board gives final approval to Osprey Lake 'green' development

By Terrell Boettcher
Jan 23, 2008

The 12-unit Shores of Osprey "Green" Planned Unit Development (PUD) on Osprey Lake cleared its final hurdle with a 11-0 favorable vote by the Sawyer County Board on Jan. 17.

At the request of the attorney for the Osprey Lake Property Owners Association and with the agreement of the developer, Dr. Ted Thompson, the board added one more condition to the conditional use permit: Units may be rented to tenants, provided that the lease is for 90 days or more to a single tenant. No subrentals or subleases will be allowed.

The PUD is the result of negotiations between the developer, the Wisconsin DNR and the Lac Courte Oreilles Tribe.

Board member Kathy McCoy said that "the whole plan hinges on the property owners policing themselves, a sense of ownership by the people who have these units. To have a continual turnover with rentals would not promote that sense of ownership to go along with all the rules that are there, because it wouldn't affect them (renters) directly."

The conditional use permit applies to the 198 acres known as Osprey Lake Preserve, excluding properties now owned by third parties.

In another zoning action, the board approved a rezone of 40 acres on Highway 63 South from Forestry to Industrial for Thompson and Sons, for the location and operation of a wood pellet manufacturing plant by the purchaser, Great Lakes Renewable Energy Inc.

Also, the board approved a Town of Spider Lake zoning amendment dealing with shoreland use corridors.

Drug court

Shelley Bartz, drug court and community service coordinator for Sawyer County Circuit Court, updated the board on how the drug court program is doing. It began its fourth year on Jan. 1.

Bartz said drug court is an alternative to incarceration for persons addicted to alcohol and other drugs who have pled guilty to misdemeanor crimes. Most participants are facing prison time for third, fourth or fifth offense drunken driving, which is "our number-one problem in Sawyer County," she said. "Second is cocaine and third is THC (marijuana)."

Bartz said the average drug court participant in Sawyer County is 32 to 35 years old and Caucasian.

https://www.apg-wi.com/sawyer_county_record/news/owner-fined-for-osprey-lake-development-violations/article_2751d272-ef1f-55f7-986b-2eaa30243daa.html

Owner fined for Osprey Lake development violations

Sep 17, 2008

The owner of the Osprey Shores subdivision on Osprey Lake in the town of Hunter pled no contest last week in Sawyer County Circuit Court to several citations issued by the Department of Natural Resources for environmental violations in June 2005.

Richard D. Barbour, 55, of La Crosse forfeited $530 for failure to place or maintain adequate erosion controls on a lot on which he built a model home, thereby allowing sand to enter the lake.

Also, Barbour forfeited $3,485 for failure to monitor and maintain erosion control best management practices which he installed under a general stormwater permit in the 13-lot subdivision, resulting in discharge.

2009

With the help of Brian Follett, OLPOA received a 501 C certifcation from federal government.

OLPOA submitted a grant request which was sucessful for treatment of EWM.

Kristi Maki submitted a contract proposal for her to write an Aquatic Plant Management Plan, which we have agreed to. Her fee will be $6500.00

The "No wake" Ordinance was approved by all 3 townships and put into effect late February 2009. One minor change to the original proposal was there was an extra hour added to wake time. This change was made so that Osprey Lake's ordinance was similar to others in the Round Lake township. The final ordinance said that the "no wake" ordinance was in place from 6:00 P.M thru 10:00 A.M.

OLPOA used the remaining funds from our last grant to treat about 3.5 acres of Eurasian Water Milfoil.

DEVELOPMENTS / SUBDIVISIONS
Currently there are 16 lakefront homeowners, 2 spec homes for sale, 24 lake lots and 10 back lake lots for sale.

2010

June 25,2010 Dale Dressel of Aquatic Plant Management treated approximately 6 acres of Eurasian Water Milfoil using a product called Navigate.

A group of property owners met on June 26, 2010 with Kristi Maki of Sawyer County Conservation. First the group toured the lake with Kristi on a few pontoon boats. Kristi pointed out the various types of weeds and helped everyone learn to identify Eurasian Water Milfoil. After the on water tour the group met at the Schaefers and decided that they preferred to treat chemically any EWM once there was more than 3 acres found.

Kristi Maki is finishing up the Osprey Lake Aquatic Plant Management plan and we hope to have it submitted and approved by the WDNR by the end of the year.

The Carlson Road dam issue returned in 2010 when the Round Lake Property Owners sued Sawyer County alleging that 1) The county improperly installed culverts on Highway NN 11 years ago. 2) The county failed to construct and maintain the Tiger Cat Flowage dam, Lake Placid Dam and diversion channel, Carlson Road Dam.

DEVELOPMENTS/SUBDIVISIONS
Original Cabins South shore): 8 lots; 8 homes (2 winterized)
Shores of Osprey; (east shore) 24 lots; 15 sold, 7 homes + 1 spec home
Dreaming Trail; (North Shore) 12 lots, 1 sold 0 homes
Tanglewood Bay; (West shore) 18 lots, 1 sold, 1 home

Round Lake property owners offer to work with county on water issue

Sawyer County Record Sept. 15, 2010

by Terrell Boettcher
News Editor

Representatives of the Round Lake Property Owners Association (RLPOA) last week extended an olive branch to Sawyer County, offering to work toward a joint resolution of water level issues which are the subject of an ongoing lawsuit fled by the organization.

In a related matter, a Department of Natural Resources water management supervisor said a state hearing examiner will hold a public ring, probably at 6 p.m. Oct. 14 e courthouse, on the county's ication to abandon and fill in the Lake Placid diversion dam and canal.

County Clerk Kris Mayberry told the Conservation and Zoning Committee Sept. 9 that "the county will consider, evaluate and move along the whole Round Lake (management) process we were involved in a few years ago. Extensive engineering and studies have been done on floodplains and control structures. Also, we have not been able to get the 1941 water level order (from the state Public Service Commission) revised and get a new order that is workable."

However, Sawyer County is "a step ahead of a lot of other counties" in water management systems, Mayberry said.

"We have valuable shoreline and we're partly responsible for the stability and quality of those waters. Historically the county should get a lot of credit for taking a role in that."

Mayberry urged the county board to petition the DNR with a proposal for specific solutions, including the existing control structures, with input from shoreowners and the LCO Tribe. In particular, "we need to have a way to deal with high water," he said.

County Conservation and Zoning Administrator Dale Olson said the county needs to "start from scratch and take baby steps," beginning with the Lake Placid diversion canal and the Highway NN culverts.

Tom Aartila, regional water management supervisor for the I said, "We could have come ward with a revised water order for Little Round Lake, I wouldn't make sense until a parts came together, if the i weren't resolved downstream

RLPOA board of directors r sentatives Bill Cadogan and J Purdin told the committee "We look to work with al stakeholders. We've had som tial discussions with Kris (Ma ry). We're really open to f solution that works. Too mucl has gone by. Whether it's years or 70 years, it's far too

please see pag

round lake water from page 1A

There's a lot of anxious people who are really looking for a permanent solution."

They agree with Mayberry's observation that, "We need to take a comprehensive, holistic look at the watershed," said Cadogan, who has a background as a professional control systems engineer.

"We need to set aside any petty differences and try and move forward with something that serves the overall interests of everyone. Let's take a fresh look and see if we can't get something accomplished here in the next year or so. We are flexible on a number of points to try to find a solution that works for everyone," he said.

Round Lake resident Alan Reinemann said the first step is to revise the 1941 order.

Phil Nies, who lives on Lac Courte Oreilles, said they also have an interest in what happens with the water, because "It's all one watershed," including Lac Courte Oreilles and Grindstone lakes.

RECORD

WEDNESDAY, SEPTEMBER 1, 2010 VOLUME 116 NUMBER 20 $1.00 HAYWARD, WISCONSIN

elemark owners to vote on 'friendly urrender' of lodge, land to lender

by Kathy Hanson
Staff Reporter

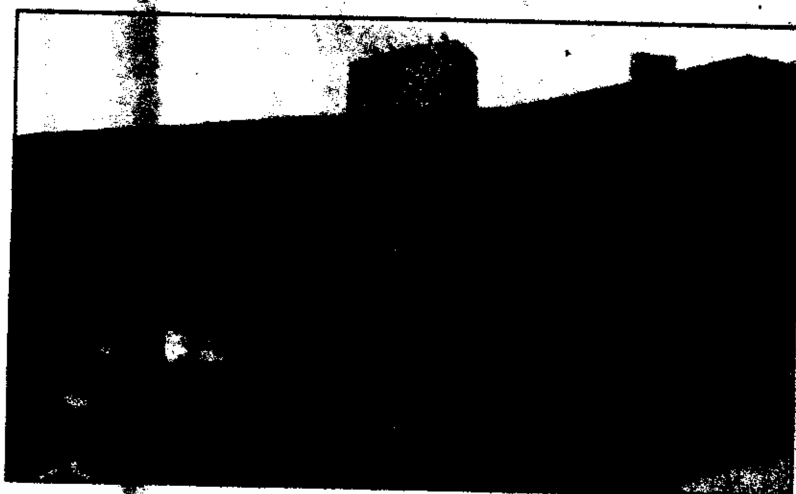


Photo by Kathy Hanson
On Sept. 11, Telemark owners will vote on whether or not to surrender the resort to their lender.

ıe may be running out for the ı to keep Telemark alive gh the once highly-anticipated f Telemark Lodge and nearly acres of recreational land, coveted as the premier alpine ea in the Upper Midwest, ı history dating back to 1947.

on Saturday, Sept. 11 the ark Interval Owner's Associa- TIOA) and board of directors will gather for a special ıg to conduct a membership on surrendering Telemark and land to the primary lien in the event that no sale ction is approved by Oct. 1,

TIOA board president Gary Crandall said the board has been in touch with the primary lienholder who understands their situation and has come to the realization that he most likely will end up with the assets that secure his loan to the TIOA.

"We have been proactive in discussing the current situation with the lenders," said Crandall, who could only say that the lender is an individual working through a bank in Missouri.

"Our policy has always been to be open and forthright with those we interact with, and we wish to stay on friendly terms with our lender, who has helped support our

please see page 2A

e bike gets a ride

LCO Tribe seeks to intervene in Round Lake water lawsuit

by Terrell Boettcher
News Editor

The Lac Courte Oreilles Tribe is seeking to intervene in a lawsuit filed recently by the Round Lake Property Owners Association (RLPOA) concerning the county's regulation of water levels.

A hearing is scheduled Nov. 3 before Judge Gerald Wright on the [illegible] Band of Lake Superior Chippewa Indians to intervene in the case. LCO also asks the judge to stay all proceedings in the case until a hearing is held.

The Round Lake Shore Owners Association (RLPOA) alleges that the county improperly installed culverts carrying Osprey Creek beneath Highway NN 11 years ago. The RLPOA says the culverts act as a dam, and have in the past and will in the future cause damage to shoreowners' lands during high-water events.

The RLPOA also alleges that the county [illegible] properly construct and maintain the Tiger Cat Flowage Dam, [illegible] Diversion Dam and Canal [illegible] Carlson Road Dam.

please see page 6A

Teachers' unit ratifies

receive. Living as a good Christian meant everything to him.

Clyde is survived by two brothers, Marvin and Gerald Bottom, both of Kansas. He is also survived by his children, Marty Bottom, Lisa Fench, Johny Razzle, Melissa and Lewie Hart, Leslie and Robert Thompson, Lois; and brothers, Archie (Red) and Kenneth Bottom.

Funeral: Graveside services were held Saturday, Aug. 28, 2010 at Alamosa Cemetery, Alamosa, Colo., where Clyde was laid to rest next to his wife, Loretta.

Condolences may be offered at CrownHillFuneral.com.

Arthur A. Rude

June 21, 2010

Arthur A. Rude of Golden Living Center-Valley of Hayward Nursing Home passed away peacefully in his evening sleep on Monday, June 21, 2010. He had just celebrated his 90th birthday on May 22, 2010.

Art was born and raised in Eau Claire, where he lived until 1973 when he moved to Hayward. He is survived by a sole son, Robert, of Bristol, R.I., a daughter-in-law, Deborah, another daughter-in-law, Elizabeth Rude of Eau Claire; four grandchildren, Laura Barletta of Weston, Mass., Tracy Smith of Newton, Mass., Joseph Rude of North Carolina and Daniel Rude of Milwaukee; and six great-grandchildren.

Although he had no daughters, he was especially close to three of his nieces, Debra Larson of Rochester, Minn., Sandra Humphrey of Rochester and Barbara Clagett of Hayward, as well as a niece through marriage, Renee Erickson of Kasson, Minn.

His youngest son, Thomas, preceded him in death, as did his loving wife, Doris (Erickson), who passed away June 12, 1990.

Art grew up working for Schumacher Express and later for Ed Phillips & Sons, a wholesale distributor. He was drafted into the U.S. Army and served in the Signal Corps of the 90th Infantry Division (also known as the T/O of "Tough Hombres" division). He was a veteran of the Normandy Invasion, the Battle of the Falaise Gap, the Battle of the Bulge, The Crossing of the Rhine River battles [illegible]

Lake. The cabin was built in the early 1950s by floating lumber across the lake on a hand-made raft. There were no roads into the property. Over the years, "Togi Bay," as it became known, symbolized the close-knit brotherhood of the Erickson brothers and Art, the only non-brother in the group.

On visits to Rhode Island, Art especially enjoyed ocean sailing and sleeping aboard his son's sailboat. In addition, he cherished weeks spent with family in the White Mountains of New Hampshire.

Art was known throughout the Hayward region as a jovial, loveable, giant of a man. In his prime, he measured 6-foot-4-inches and weighed over 300 pounds. Some jokingly referred to him as "The Mayor of Hayward" because he knew so many individuals.

The last two years of his life found him fighting Alzheimer's disease and it was at that time he had to reside at the Valley Nursing Home. He loved the care he received from the doctors and staff and they loved him.

round lake from page 1A

In an Aug. 25 court filling, LCO tribal attorneys Paul Shagen and Katherine Lindsay state that the Osprey Creek culverts beneath Highway NN "are an outlet for a minimal amount of water flowing from Round Lake, and do not cause the harm alleged (by RLPOA)."

The tribe "admits that the water level on Round Lake has at times exceeded 77.25 feet (the maximum set by the 1941 Wisconsin Public Service Commission order)" and that the county replaced the NN culverts at an elevation slightly above historical stream bed levels, "but lacks sufficient information or knowledge to form a belief as to the truth of the remaining allegations," the attorneys add.

The tribe asserts that in the event of a 100-year flood event, "the variation in the height of the culverts at issue in the lawsuit could not cause the harm alleged."

Further, LCO states the RLPOA "lacks standing to bring the claims contained in its complaint," and that "necessary and indispensable parties have not been joined, precluding this court from granting complete relief." Those parties include the LCO Band, Tiger Cat Flowage Association and Wisconsin Department of Natural Resources.

Also, the tribe says RLPOA's complaint "concerns only a political controversy and does not raise justiciable issues within the jurisdiction of a Wisconsin circuit court."

The RLPOA complaint "seeks to enforce a (water level) order over 69 years in age, which has been superseded by conflicting and contradictory orders, and as such plaintiff's claims are moot," LCO adds.

In a supportive affidavit, LCO Tribal Governing Board member Brian Bisonette says wild rice grows in the Osprey Creek bed approximately 15 feet east of the NN culverts, and "construction activities to replace the culverts would destroy the wild rice."

Bisonette said that consistent with past practice, the tribe will continue to seek transfer of jurisdiction over the 300-foot section of NN containing the Osprey Creek culverts (which now is blocked by a court temporary restraining order), and of other highways within reservation boundaries.

In recent years, Bisonette added, the tribe has made a concerted effort to reaequire lands within the tribe's reservation to re-establish its land base.

"An important aspect of the tribe's sovereignty is gaining back the land that has been lost by, or in some cases taken from, the tribe and tribal members through the years. Also, the tribe receives economic benefits from the Bureau of Indian Affairs to maintain highways under its jurisdiction."

In the event Sawyer County is forced to replace the Osprey Creek culverts on Highway NN, there is "no guarantee that the county will seek to transfer jurisdiction and ownership" of the road, Bisonette adds. Osprey Creek, Highway NN and the culverts "are all located within the exterior boundaries of the tribe's reservation. The tribe seeks to preserve its cultural and natural resources within the tribe's reservation and the territory ceded under the 1837 and 1842 treaties."

The tribe says a court ruling prohibiting the transfer of the 300-foot section of Highway NN from the county to the tribe would jeopardize future transfers of jurisdiction and ownership of highways from the county and other governments.

The RLPOA and Sawyer County "do not adequately represent the tribe's interests," LCO says.

County reply

Through its attorney, Charles Bohl, the Sawyer County Board of Supervisors filed a reply last week to the RLPOA claim.

The county denies the RLPOA's allegations and states that "the county has acted reasonably and in good faith to comply with all orders and directives concerning the Lake

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Although he had no daughters, he was especially close to three of his nieces, Debra Larson of Rochester, Minn., Sandra Humphrey of Rochester and Barbara Clagett of Hayward, as well as a niece through marriage, Renee Erickson of Kasson, Minn.

His youngest son, Thomas, preceded him in death, as did his loving wife, Doris (Erickson), who passed away June 12, 1990.

Art grew up working for Schumacher Express and later for Ed Phillips & Sons, a wholesale distributor. He was drafted into the U.S. Army and served in the Signal Corps of the 90th Infantry Division (also known as the T/O or "Tough Hombres" division). He was a veteran of the Normandy Invasion, the Battle of the Falaise Gap, the Battle of the Bulge, The Crossing of the Rhine River, battles in Bavaria and he finally ended the war in Suscice, Czechoslovakia. His division incurred a casualty rate of 160 percent due to the constant influx of reinforcements and battlefield deaths. Even though he received several commendation medals, his usual comment when asked about his experiences was "It was pretty bad." Their division captured 83,000 POWs.

After moving to Hayward in 1973, Art and his brothers-in-law spent considerable time at their hunting and fishing cabin at Nelson

olized the close-knit brotherhood of the Erickson brothers and Art, the only non-brother in the group.

On visits to Rhode Island, Art especially enjoyed ocean sailing and sleeping aboard his son's sailboat. In addition, he cherished weeks spent with family in the White Mountains of New Hampshire.

Art was known throughout the Hayward region as a jovial, loveable, giant of a man. In his prime, he measured 6-foot-4-inches and weighed over 300 pounds. Some lokingly referred to him as "The Mayor of Hayward" because he knew so many individuals.

The last two years of his life found him fighting Alzheimer's disease and it was at that time he had to reside at the Valley Nursing Home. He loved the care he received from the doctors and staff and they loved him.

Memorials: Donations in honor of Art's life can be made to the First Lutheran Church, P.O. Box 346; Hayward, WI 54843. He was a member of the church since moving to Hayward.

Funeral: A memorial service celebrating Art's life will be held at 11 a.m. on Friday, Sept. [illegible] 2010 at the First Lutheran Church of Hayward.

Visitation: A gathering of family and friends will take place from 9 to 11 a.m. before the service. A time of fellowship in the church hall will follow the service.

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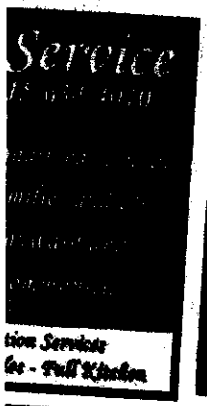

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Bisonette added, the tribe has ma concerted effort to reacquire lands within the tribe's i vation to re-establish its land base.

"An important aspect of the tribe's sovereignty is ga back the land that has been lost by, or in some cases t from, the tribe and tribal members through the years. the tribe receives economic benefits from the Burea Indian Affairs to maintain highways under its jurisdicti

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The tribe says a court ruling prohibiting the transfer the 300-foot section of Highway NN from the county to t tribe would jeopardize future transfers of jurisdiction a ownership of highways from the county and other gove ments.

The RLPOA and Sawyer County "do not adequately re resent the tribe's interests," LCO says.

County reply

Through its attorney, Charles Bohl, the Sawyer Count Board of Supervisors filed a reply last week to the RLPO claim.

The county denies the RLPOA's allegations and state that "the county has acted reasonably and in good faith t comply with all orders and directives concerning the Lak Placid Dam and Tiger Cat Dam. Water level variations have been outside the control of Sawyer County."

Further, the county "denies that water is being 'diverted and affirmatively alleges that there is natural base flow of water from the wetland complex" adjacent to the northeast shore of Round Lake.

The county says RLPOA's allegations are "too vague, uncertain and indefinite as to allow a response." The county "admits that the water level elevation on Round Lake has at times exceeded 77.25 feet." But "Sawyer County has acted reasonably and in good faith to control a lake elevation within the existing (state PSC) orders and directives. Water level variations have been outside the control of Sawyer County."

The county "admits that it replaced the culverts on Highway NN" in 1999 and that they are elevated slightly above historical streambed levels, "but denies that they are elevated approximately 18 inches above the normal stream channel."

Further, the county says it has "communicated with the Wisconsin DNR on multiple occasions in an attempt to obtain guidance and leadership to resolve all issues concerning the NN culverts." The county says it petitioned the DNR in July 2004 to clarify inconsistent orders by state agencies between 1937 and 1985 concerning the water levels of Round, Little Round and Osprey lakes, but the DNR has not acted on the petition.

The county says that in the event of a 100-year flood, "the variation in the height of the NN culverts at issue in the lawsuit would not cause the harm alleged."

The county "denies that a 100-year flood event would result in serious erosion or other physical damage." Further, the county "alleges that properly maintained lake frontage consistent with current DNR regulations would be minimally affected by a 100-year flood."

The county also says the RLPOA failed to comply with statutory procedures by failing to file a notice of claim. It says granting the relief requested would be contrary to public policy, because watershed regulation has been entrusted to the Wisconsin DNR.

2010

STATE OF WISCONSIN CIRCUIT COURT SAWYER COUNTY

ROUND LAKE PROPERTY OWNERS ASSOCIATION, INC.
P.O. Box 1070
Hayward, WI 54843,

Plaintiff,

v.

SAWYER COUNTY,
10610 Main Street,
Hayward, WI 54843

Defendant.

Case No. 10-CV-

Case Code: 30704
Other Injunction or Restraining Order

COMPLAINT

Plaintiff, Round Lake Property Owners Association, Inc., by and through its attorneys, Michael Best & Friedrich LLP, states and alleges for its Complaint against Sawyer County as follows:

NATURE OF THE CASE

1. The plaintiff, Round Lake Property Owners Association, Inc. (the "Association"), is an association comprised of the owners of lakefront property on Round Lake in Sawyer County, Wisconsin. The Association seeks temporary and permanent injunctive relief against the defendant, Sawyer County, for Sawyer County's failure to properly install and maintain culverts under County Highway NN and for Sawyer County's attempt to transfer jurisdiction of a short segment of county highway above those culverts in order to avoid its obligations to replace the culverts. The Association's claim is based, among other things, on Sawyer County's unauthorized construction of culverts that impede water flow and cause high water conditions on

JAMES HAUSMAN OF ROUND LAKE WAS THE DRIVING FORCE BEHIND THIS ACTION.

Round Lake that interfere with the Association members' use of their respective properties and has expanded the footprint of the floodplain surrounding Round Lake.

THE PARTIES

2. The plaintiff is Round Lake Property Owners Association, Inc. (the "Association"), a Wisconsin nonstock corporation with a business address of P.O. Box 1070, Hayward, WI 54843, which was formed to generally promote, encourage and foster the quality of Round Lake. Numerous members of the Association own property on Round Lake in Sawyer County, Wisconsin.

3. The defendant is Sawyer County, a Wisconsin body corporate that can sue and be sued which is located at 10610 Main Street in Hayward, Wisconsin. Sawyer County constructed, owns, maintains, and operates several control structures that regulate the water level on Round Lake, as well as the culverts under County Highway NN that are an outlet for water from Round Lake.

BACKGROUND

4. Association members own property and homes located on Round Lake in Sawyer County, Wisconsin. Association members use their respective properties for vacation, recreation and business purposes.

The Round Lake Chain of Lakes

5. Round Lake is a large, navigable lake in Sawyer County that is about four miles long and three miles wide that covers approximately five square miles. Round Lake is well developed for resorts and summer homes and currently has about 650 homes around the lake.

6. The water from Round Lake flows into Little Round Lake and from there into Osprey Lake which was formerly known as Squaw Lake (herein, "Osprey Lake"). The water

flows from Osprey Lake down Osprey Creek then continues to Lac Court Oreilles Lake, also commonly known as Couderay Lake. This action relates to culverts Sawyer County installed below County Highway NN where the highway crosses Osprey Creek.

The 1937 Orders

7. In 1937 Sawyer County requested authorization to build the Tiger Cat Dam on the north fork of the Chief River thereby creating the Tiger Cat Flowage. The Public Service Commission of Wisconsin ("PSCW") granted Sawyer County's request through an order in Docket No. 2-WP-255. In that 1937 order, PSCW set the normal elevation of the Tiger Cat Flowage at 90.0 feet. Since 1937, the elevation of the Tiger Cat Flowage has been raised twice at the request of Sawyer County, viz. in Docket No. 2-WP-766 and Permit No. 3-NW-83-806. In the most recent permit, and at Sawyer County's request, the maximum level was set at 91.34 feet and the normal level at 91.09 feet.

8. In 1937, Sawyer County also requested authorization for the construction of a diversion canal (known as Diversion Canal No. 4) to allow water from the Tiger Cat Flowage to be diverted into Round Lake, thereby diverting water from one watershed into a separate watershed. Prior to 1937, there were no inflows from this other watershed into Round Lake. PSCW granted Sawyer County's request in Docket No. 2-WP-298.

9. The purpose of Diversion Canal No. 4 was to permit water from the Tiger Cat Flowage to flow into Round Lake, thereby raising the water level of Round Lake and allowing Sawyer County to maintain the water level on Round Lake. Sawyer County made this request in response to a five-year drought that had lowered the water level on Round Lake to an unacceptable level.

10. In its 1937 Order in Docket No. 2-WP-298, PSCW specified that Sawyer County was to regulate the amount of water diverted from the Tiger Cat Flowage into Round Lake by the construction, maintenance and operation of a head spillway and control dam located on Diversion Canal No. 1 (the "Lake Placid Dam").

Sawyer County Fails to Comply with the 1937 Order

11. Since 1941, Sawyer County has failed to maintain and operate the Lake Placid Dam and Tiger Cat Dam in compliance with PSCW and WDNR directions.

12. For years, Sawyer County operated the Tiger Cat Dam so that the water elevation of the Tiger Cat Flowage exceeded the maximum level allowed by the State.

13. Since 1941, Sawyer County has repeatedly been informed of tampering with the stop logs at the Lake Placid Dam wherein stop logs were removed allowing excessive water to be diverted to Round Lake even though water was not necessary to restore or maintain Round Lake water levels at its normal elevation. Though Sawyer County installed a locking device to prevent tampering, periodically the lock is either missing or unlocked.

14. Since 1941, because of poor maintenance, Sawyer County has periodically been informed of water coming through the stop logs at the Lake Placid Dam, allowing excessive water to be diverted to Round Lake even though water was not necessary to restore or maintain Round Lake water levels at its normal elevation.

15. Since at least 1947, water from the Tiger Cat Flowage was being diverted to Round Lake not only through the Lake Placid Dam but also through a wetland that circumvented the Lake Placid Dam.

16. As late as 1993, Sawyer County did not have an operational procedure specifying how the Lake Placid Dam should be operated.

17. As late as 2003, Sawyer County was operating the Tiger Cat Dam and the Lake Placid Dam such that water was discharged over the Lake Placid Dam allowing excessive water to be diverted to Round Lake even though water was not necessary to restore or maintain Round Lake water levels at its normal elevation.

The Dispute Over Water Levels on Round Lake

18. Soon after the construction of Diversion Canal No. 4, a dispute arose about the normal water level for Round Lake. Some property owners wanted the Round Lake water level to be lowered because the increased flow into Round Lake from the Tiger Cat Flowage combined with precipitation and groundwater had created high lake levels that caused property damage and erosion. On information and belief, and thereon it is alleged, certain property owners wanted Round Lake to be maintained at a higher lake level to increase the value of development property.

19. On November 30, 1940, Sawyer County petitioned PSCW in Docket No. 2-WP-513 to establish the normal Round Lake water level at elevation 79 feet and to determine how the Round Lake water level was to be maintained. Certain property owners objected to Sawyer County's request to set the normal level at elevation 79 feet because that higher lake level would result in further damage to their Round Lake property.

The Public Hearing on Lake Levels

20. PSCW held a public hearing on February 4, 1941 in Docket No. 2-WP-513 and testimony was taken to determine the normal lake level for Round Lake. PSCW also conducted an investigation into the normal lake level for Round Lake.

21. At the conclusion of that hearing in February 1941 but before issuing a final decision, PSCW requested Sawyer County divert water from the Tiger Cat Flowage through the

Diversion Canal No. 4 and the Lake Placid Dam to maintain the water level of Round Lake at elevation 76.6 feet. PSCW also requested Sawyer County to obtain surveys and engineering data to determine the levels of the adjacent land around Round Lake and to furnish PSCW engineers and examiners with data to make future inspections.

22. Sawyer County failed to timely provide PSCW with the requested information and failed to operate the Diversion Canal No. 4 and the Lake Placid Dam to maintain Round Lake at elevation 76.6 feet. As a result, the Round Lake water level increased above elevation 76.6 feet causing further damage to Round Lake property.

Sawyer County is Ordered to Maintain Proper Water Levels

23. On September 29, 1941 PSCW issued an Order (the "1941 Order") concluding, *inter alia*, that the normal elevation of Round and Little Round Lake was elevation 77.0 feet and ordered that:

> Sawyer County shall maintain Round and Little Round Lakes at the normal elevation of 77.00 feet at all times when a sufficient water supply exists and during freshets and heavy runoffs to prevent the water levels from rising above the elevation of 77.25 feet.

A copy of the 1941 PSCW Order is attached hereto and incorporated herein as Exhibit A.

24. PSCW ordered Sawyer County to take the following actions no later than July 1, 1942:

> 2. That Sawyer County constructs an outlet channel from Little Round Lake to Squaw Lake [now Osprey Lake] of the capacity to discharge 150 c.f.s., with a dam and control gates whereby the water level in Round and Little Round Lakes may be controlled.
>
> 3. That Sawyer County shall maintain Round and Little Round Lakes at the normal elevation of 77.00 feet at all times when a sufficient water supply exists and during freshets and heavy run-off to prevent the water levels from

rising above elevation 77.25 feet. These elevations are referred to the staff gage at Kaiser's resort.

25. PSCW found that in order for the normal elevation of Round and Little Round Lakes to be maintained, a water-control structure (hereafter "the Carlson Road Dam") and a channel from Little Round Lake to Osprey Lake (hereafter "the Northern Channel") must be constructed at least ten feet in width with the high point not higher than elevation 75.25 feet.

26. Sawyer County has a duty to properly maintain the Round Lake water levels.

Sawyer County Fails to Maintain the Water Level

27. After the issuance of the 1941 Order, Sawyer County constructed a series of structures to control the water level of Round Lake without ever receiving the necessary approvals for those structures. Sawyer County also constructed, at least in part, the Northern Channel.

28. In 1942, Sawyer County constructed a temporary timber dam without obtaining prior approval from the PSCW. The timber dam did not comply with all of the construction specifications in the 1941 Order. In 1947, Sawyer County removed the temporary timber dam and replaced it with one 36" culvert. PSCW promptly and repeatedly informed Sawyer County that the single culvert was inadequate, violated the 1941 Order and had to be replaced immediately. In 1949, Sawyer County submitted plans for a twin-box reinforced concrete culvert. Though PSCW told Sawyer County that the proposed structure was inadequate to comply with the 1941 Order, on information and belief, the County built the structure anyway.

29. The current dam and control gates between Little Round Lake and Osprey Lake were built sometime after 1949 and do not comply with the construction specifications listed in the 1941 Order.

30. Sawyer County failed to maintain the water levels on Round Lake by, *inter alia*:

a) failing to properly construct, maintain and operate the Carlson Road Dam by, without limitation, designing and constructing a dam that did not achieve the construction specifications specified in the 1941 Order and could not control the water flows so as to prevent excessive water levels that caused damage to property around Round Lake;

b) failing to properly construct and maintain the Northern Channel, by, without limitation, exceeding a maximum elevation of 75.25 feet and having insufficient capacity to discharge 150 c.f.s.; and

c) failing to properly construct, maintain and or operate existing structures such as the Tiger Cat Dam, the Lake Placid Dam and the culverts at County Highway NN, which further constrained the water flow from Round Lake, all of which caused high water levels in Round Lake that damaged property around Round Lake.

Sawyer County Refuses to Address the Higher Water Levels

31. From at least 1942 to the present the water levels on Round Lake have periodically exceeded the maximum water level of elevation 77.25 feet. Sawyer County has been continually notified of this condition from 1942 to the present and has failed and refused to control the lake levels despite having the ability to do so and undertaking a duty to do so.

32. In 1984, on information and belief, Sawyer County was informed that the Carlson Road Dam and the Northern Ditch were not constructed in accordance with the 1941 Order. The County was also informed that to discharge 150 c.f.s. through the Carlson Road Dam--which according to PSCW was necessary to control the water levels on Round Lake--Round Lake's water level would have to exceed the maximum-allowed elevation by 3.4 feet. Sawyer County did nothing to redesign the Carlson Road Dam to enable it to control the water levels on Round Lake.

33. On information and belief, in 1999, Sawyer County replaced the culverts at County Highway NN without conducting any hydrologic analysis as to the culverts' impacts on the Round Lake water levels and on the floodplain of the Round Lake chain. Sawyer County did not obtain the required permit from the State of Wisconsin prior to installing the culverts at NN in 1999.

34. The culverts Sawyer County installed at County Highway NN in 1999 are elevated approximately sixteen to eighteen inches above the natural stream channel and act as a dam during high water flow conditions, resulting in elevated water levels in Round Lake.

35. In 2002, the culverts at County Highway NN restricted water flow during a period of peak water flow, resulting in excessively high water levels on Round Lake that caused significant property damage and erosion of property around Round Lake. Association members complained to Sawyer County, *inter alia*, that property had flooded, roadways had been flooded, sand beaches had been washed away and shoreline eroded.

36. On or about June 2, 2004, Sawyer County sent a letter to the Secretary of the Wisconsin Department of Natural Resources ("WDNR"), which Sawyer County styled as a Petition to Review and Clarify Certain Orders Relating to Round Lake, including the 1941 Order and other PSCW orders referenced above relating to water flow upstream and downstream of Round Lake.

37. On information and belief, on or about June 2004, Sawyer County filed an application for an after-the-fact permit from WDNR for the 1999 installation of the culverts at County Highway NN. On or about July 9, 2004, WDNR notified Sawyer County that its application for an after-the-fact permit was incomplete.

38. In response to Sawyer County's petition and after-the-fact permit application, WDNR organized a Round Lake Work Group, comprised of representatives of Sawyer County, the Association, WDNR and others, for the purpose of working together to develop a process and an approach to address Sawyer County's requests. Association members participated in the Round Lake Work Group.

39. The Round Lake Work Group met over a period of approximately two to three years, after which time it issued a recommended action plan. On information and belief, the Sawyer County Board of Supervisors approved the recommended action plan, which provided that the culverts under County Highway NN be lowered.

40. On information and belief, as a result of the work of the Round Lake Work Group, Sawyer County sought authorization to replace the culverts at County Highway NN pursuant to revised plans and specifications prepared by SEH and submitted to WDNR on or about March 18, 2008. The SEH plans and specifications required a lowering of the culverts under County Highway NN.

41. On or about April 23, 2008, WDNR notified Sawyer County that WDNR had reviewed the SEH plans and specifications pursuant to Wis. Admin. Code TRANS 207 and WDNR granted Sawyer County, subject to conditions, Section 401 Water Quality Certification for the culvert replacement project.

42. One of the conditions WDNR imposed on its Section 401 Water Quality Certification stated that the culvert replacement project at County Highway NN shall be constructed in accordance the plan and specifications Sawyer County provided WDNR, including the revised plans and specifications sent by SEH on March 18, 2008.

43. Sawyer County has not replaced the culverts at County Highway NN pursuant to the WDNR conditional approval issued pursuant to TRANS 207, or otherwise implemented the culvert replacement project designed by SEH in 2008.

44. On or about May 7, 2010, WDNR notified Sawyer County that the unauthorized 1999 culvert installation remains an enforcement issue for WDNR and identified two options available to Sawyer County – either i) follow through with modifying the culverts per the TRANS 207 approval or ii) make an application to WDNR to have the existing culverts permitted as a dam.

45. Sawyer County has not taken any action since May 7, 2010 to either modify the existing culverts under County Highway NN or make application to WDNR to have the culverts permitted as a dam.

46. The existing culverts under County Highway NN violate Wis. Stat. ch. 31 and Wis. Admin. Code ch. TRANS 207.

47. On or about July 15, 2010, the Sawyer County Board of Supervisors adopted Resolution #11-2010 authorizing the jurisdictional transfer of 300 feet of County Highway NN, including that section of County Highway NN under which the culverts are installed, to the Lac Courte Oreilles Band of Lake Superior Indians ("LCO").

48. On information and belief, Sawyer County does not intend to alter the culverts under County Highway NN prior to the jurisdictional transfer to LCO.

49. On information and belief, Sawyer County does not intend to require LCO to alter the culverts under County Highway NN, or otherwise provide for resolution to the issues created by Sawyer County's unauthorized 1999 culvert installation, as a condition of the jurisdictional transfer LCO.

50. On information and belief, LCO intends to keep the culverts under County Highway NN in the current configuration.

Association Members are Damaged by the Current Culvert Configuration

51. Numerous Association members purchased and developed their properties on Round Lake in reliance on the 1941 Order and Sawyer County's obligation to control the water elevation on Round Lake during high water flow conditions.

52. The culverts at County Highway NN in the current configuration create a dam that, during periods of high water flows, results in water elevations on Round Lake that exceed the allowable tolerances established in the 1941 Order and adversely affects Association members' use and enjoyment of their properties.

53. The culverts at County Highway NN in the current configuration create a dam, which adversely affects Association members by raising the 100-year floodplain. This change in the 100-year floodplain has resulted in restrictions to property owners on Round Lake property, including Association members.

54. On information and belief, if a 100-year flood event occurs under current conditions – that is with the current structures in place – numerous septic tanks and systems around Round Lake will be flooded dumping hundreds or thousands of gallons of raw sewage into Round Lake.

55. On information and belief, if a 100-year flood event occurs under current conditions – that is with the current structures in place – Association members' properties will be subject to severe erosion and other physical damage as a result of higher water levels in Round Lake due to the dam created by the culverts at County Highway NN.

56. Sawyer County's construction, maintenance and operation of the culverts at County Highway NN are in violation of Chapter 31 and, specifically, in violation of Wis. Stats. §§ 31.02(1) and 31.18 because, among other things, Sawyer County has failed to maintain and operate the dam in good repair and condition, and, has failed to construct, maintain and operate the culverts in a fashion that protects property surrounding Round Lake from damage and in compliance with the 1941 Order.

57. The failure of Sawyer County to properly construct, maintain and or operate the Tiger Cat Dam, the Lake Placid Dam, the Carlson Road Dam, the Northern Channel and the culverts under County Highway NN has substantially or unduly interfered with Association members' use of their Round Lake property and the public's use and enjoyment of Round Lake due to the excessively high water that has caused an increase in the floodplain elevation around Round Lake, has increased sedimentation in Round Lake endangering the fishery, the quality of water and wildlife habitat, and has obstructed navigation on navigable water bodies.

58. Sawyer County has been provided actual knowledge of these conditions and concerns on numerous occasions.

FIRST CLAIM FOR RELIEF
(Injunctive Relief)

59. The Association realleges, as though fully set forth herein, the allegations contained in paragraphs 1 through 57.

60. Sawyer County has a duty to control the water levels of Round Lake, and to properly construct, maintain and operate the water control devices that affect the water levels of Round Lake.

61. Sawyer County has failed and refused to fulfill its duty to control the water levels of Round Lake and its duty to properly construct, maintain and operate numerous water control devices in accordance with the 1941 Order.

62. Sawyer County has failed to properly construct and maintain the culverts at County Highway NN. Sawyer County installed the culverts under County Highway NN without the necessary permits, in violation of Wis. Stat. ch. 31 and Wis. Admin. Code ch. TRANS 207, and in a fashion that impedes the general flow of surface water or stream water in Osprey Creek. As a result, there has been an unreasonable accumulation of waters flooding or water soaking upland on Association members' various Round Lake properties.

63. Despite a resolution process initiated by WDNR in response to Sawyer County's June 2004 petition, Sawyer County has failed and refused to correct the inadequate culverts at County Highway NN.

64. The public trust doctrine, embodied in Article IX, Section 1 of the Wisconsin Constitution, requires the state to safeguard the public's use of navigable waters for commercial and recreational purposes, and to protect and preserve the waters as natural resources.

65. The Wisconsin Legislature has delegated to WDNR the State's public trust duty to protect and regulate surface and groundwater resources.

66. WDNR has attempted to fulfill its public trust obligations by issuing a conditional Section 401 Water Quality Certification to Sawyer County that was conditioned upon the replacement of the culverts at County Highway NN in accordance with the plans and specifications prepared by SEH and submitted by Sawyer County.

67. Association members will be deprived of the constitutional protections afforded by Article IX, Section 1 of the Wisconsin Constitution if Sawyer County transfers jurisdiction to LCO of that segment of County Highway NN that crosses Osprey Creek prior to Sawyer County's compliance with Wis. Stat. ch. 31 and Wis. Admin. Code ch. TRANS 207.

68. Sawyer County intends to transfer jurisdiction of 300 feet of County Highway NN to LCO solely for the purpose of avoiding Sawyer County's obligation to correct the inadequate culverts at County Highway NN.

69. If Sawyer County finalizes the jurisdictional transfer to LCO, the Association and its members will be unable to obtain any meaningful relief from Sawyer County's decade-long failure to properly install the culverts at County Highway NN.

SECOND CLAIM FOR RELIEF
(Statutory Nuisance)

70. The Association realleges, as though fully set forth herein, the allegations contained in paragraphs 1 through 69.

71. Wis. Stat. § 31.25 provides as follows:

> **Nuisances, abatement.** Every dam, bridge or other obstruction constructed or maintained in or over any navigable waters of this state in violation of this chapter, and every dam not furnished with a slide, chute or other equipment prescribed by the department, is hereby declared to be a public nuisance, and the construction thereof may be enjoined and the maintenance thereof may be abated by action at the suit of the state or an citizen thereof.

72. Sawyer County's construction, maintenance and operation of the culverts at County Highway NN are in violation of Chapter 31 and, specifically, in violation of Wis. Stats. §§ 31.02(1), (2), 31.04 and 31.18 because, among other things, Sawyer County has failed to obtain a permit authorizing the construction of the culverts as currently configured and has failed

to construct, maintain and operate the culverts in a fashion that protects property surrounding Round Lake from damage and in compliance with the 1941 Order

73. Sawyer County's unauthorized construction and maintenance of a dam in the form of the culverts under County Highway NN constitutes a public nuisance under Wis. Stat. § 31.25.

THIRD CLAIM FOR RELIEF
(Public and Private Nuisance)

74. The Association realleges, as though fully set forth herein, the allegations contained in paragraphs 1 through 73.

75. The failure of Sawyer County to properly construct, maintain and or operate the the culverts under County Highway NN has substantially or unduly interfered with Association members' use of their Round Lake properties and the public's use and enjoyment of Round Lake due to the excessively high water that has caused damage to Association members' properties, has increased sedimentation in Round Lake endangering the fishery, the quality of water and wildlife habitat, and has obstructed navigation on navigable water bodies.

76. Sawyer County has been provided actual knowledge of this nuisance on numerous occasions.

77. The failure of Sawyer County to properly construct, maintain and or operate the culverts under County Highway NN is the substantial cause of the damage to Association members' properties and the public's use and enjoyment of Round Lake.

FOURTH CLAIM FOR RELIEF
(Declaratory Relief)

78. The Association realleges, as though fully set forth herein, the allegations contained in paragraphs 1 through 77.

1 Vacation Destination

only nine miles from downtown Hayward. ediate access to a steady stream of events and ch fill each season and endless activities - for pe alike. Whatever your passion, the opportu- dless at *Dreaming Trail*.

a great time! The Musky Festival is a blast. rjack World Championships brings national cked excitement to Hayward.

goal of the day, you are in paradise. Hayward al of Wisconsin. For good reason. Within 15 Trail are seven diverse golf courses.

try your luck at the LCO Casino, which also h comedians and musicians.

om over 500 miles of groomed trails that wind y forests and lakes - and they're only seconds miles of ATV trails are nearby.

's best hunting is found in the thousands of Nacional Forest, just minutes away.

Everywhere! Within five miles, lakes totalling 0 acres are teeming with recreational boating nd fish.

am spin ver 300 d trails amegom is the off-road

ometers country Midwest breath

The American Birkebeiner is the largest race in you can ski the same trails all winter that elite or join the thou that race annually.

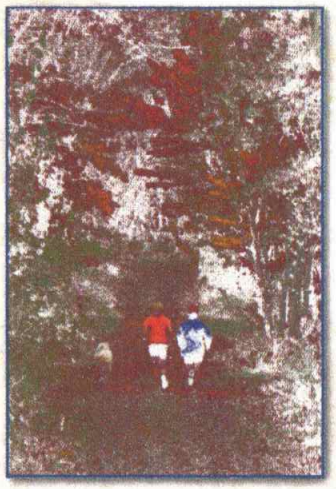
Legacy Land Group
Our Legacy is Helping You Create Yours

Legacy Land Group provides an unparalleled commitment to preserving the land. Our environmentally-sensitive approach to lake development is setting the standard in America.

Our mission is to create lake escapes that protect the natural beauty and allow you to celebrate the joy of family.

We believe your motivation for owning at *Dreaming Trail* will be solitude and quiet, the rare elegance of a crystal clear lake framed by untouched forests and having a place that recharges your spirit and replenishes your soul.

With only 12 cabin sites on 180 acres, those lofty goals can now be achieved.



Everyone needs a place to straighten out the wrinkles in his mind.

- Sigurd Olson

Most Only Dream Of Taking The Road Less Traveled
Now You Must, It's The Only Way To Your Cabin

For more information on investment opportunities and purchasing your own generational lake escape at *Dreaming Trail*, please contact Legacy Land Group immediately.

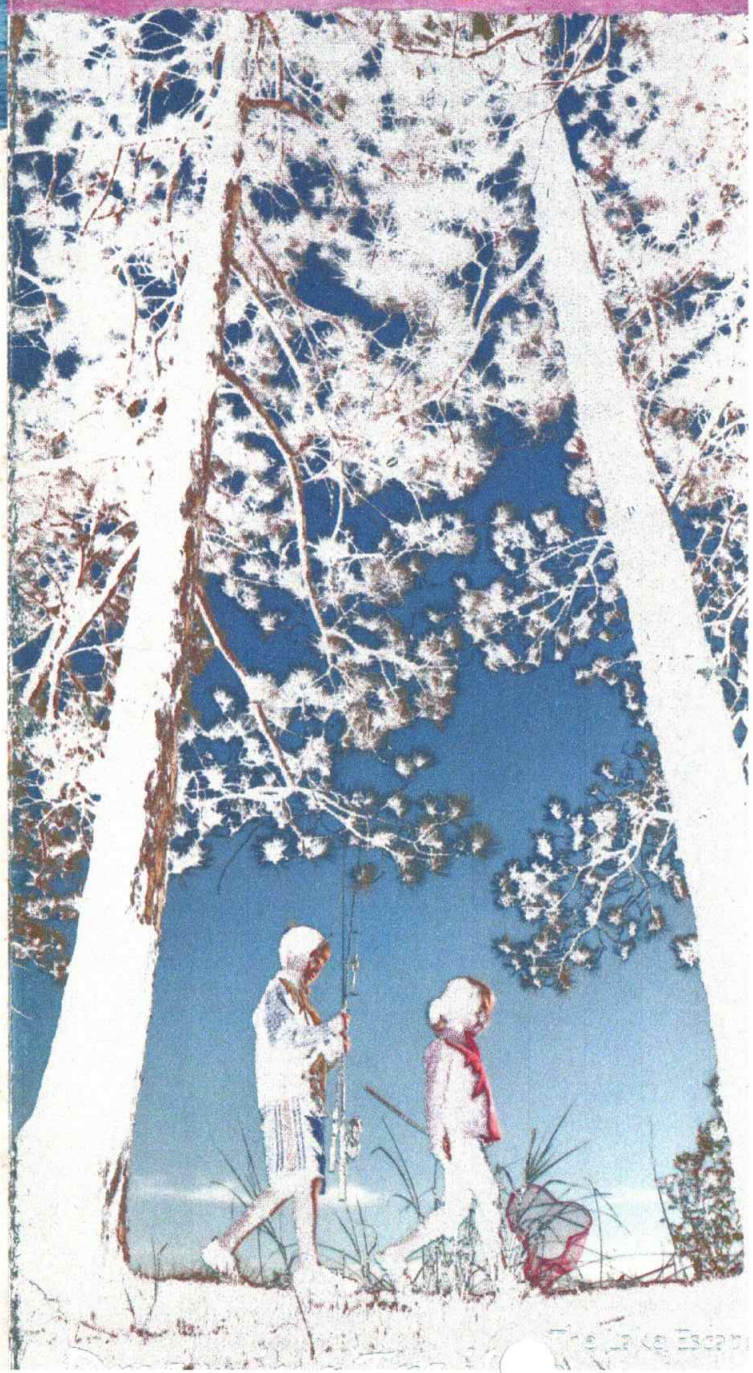
ONLY 12 PREMIER BUILDING SITES ARE AVAILABLE!

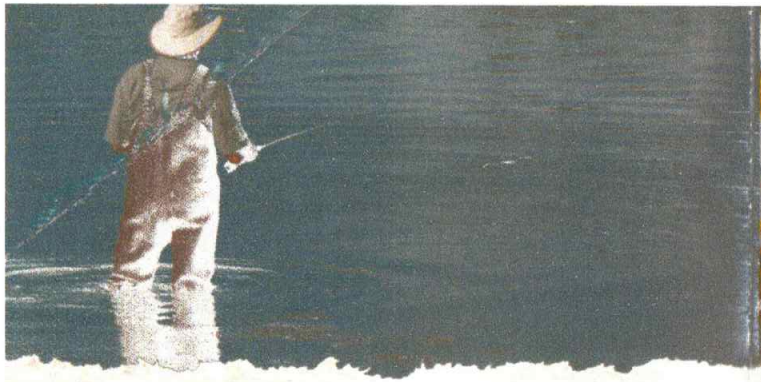
From the low $100's to mid $200's

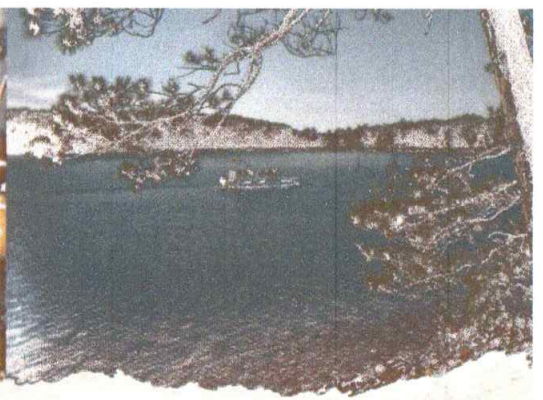
For A Priority Reservation, Please Call,

LEGACY LAND GROUP

HAYWARD LAKESHORE







A Wilderness Preservation Community
Creating a Generational Lake Escape Like No Other

Spanning 180 acres and thousands of feet of lakeshore, Dreaming Trail is the perfect place to establish your family's new waterfront cabin.

96% of the land will remain in its untouched natural beauty.

With just 12 gorgeous cabin sites, your privacy and protected scenic views are ensured.

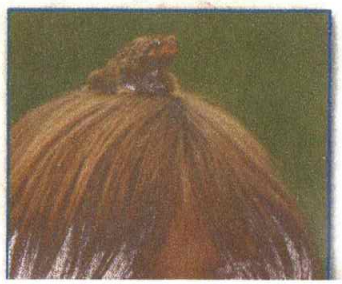
Evidence around every wooded knoll is a belief in conserving the natural beauty that graces this special place.

Dreaming Trail reflects a life centered on family, recreation, relaxation and a sincere respect for the wilderness.

Most Call This Idyllic Image A Dream
You Will Call It Home

Somewhere in your mind's eye is the vision of lakeshore living that blends the traditions of the past with the goals of your future. A place where trails wreath through the silent forests. Where you'll find a blackberry is not something that gathers dust, but a joy to pick. And even better to eat.

Where your paddles, golf clubs, skis and fishing poles won't be stored. Where you can swim anytime you desire, even when it is below zero outside. Where eagles rise to a cobalt blue sky. Where crystal clear waters will refresh and inspire.



The setting is m[illegible]te.
The vision is [illegible]

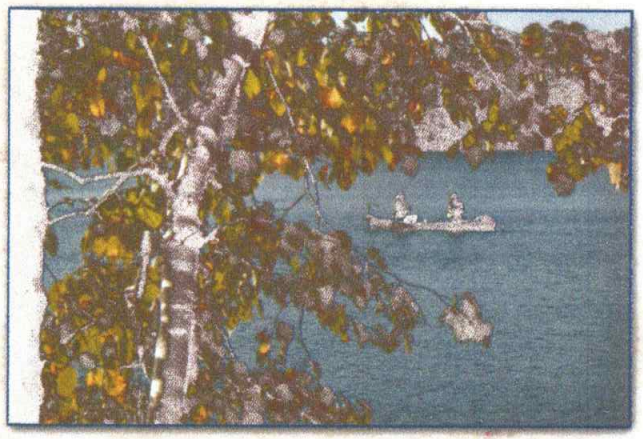
Time Passes In The Blink Of An Eye
Spend Those Precious Moments Building Memories, Not Doing Chores

We understand you want to spend your weekend cleaning fish, not your yard; working up a sweat on the cross-country ski trails, not shoveling snow; convincing your buddies that the nasty two-footer should be a gimme as opposed to begging them to help put the dock in the lake.

That's why we have arranged for a full variety of services to be taken care of for you. So you can enjoy your time playing and relaxing, not working and worrying.

Quite simply, at Dreaming Trail, you will enjoy all the benefits of lake cabin ownership without the daunting responsibilities.

The wilderness holds answers to
questions man has not yet learned to ask.
~Nancy Newhall



Treat the Earth well.
It was not given to you by your parents.
It was loaned to you by your children.
We do not i[illegible] the Earth from our ancestors.

A New Adventure Every Day
Discover The Natural Paradise Create[illegible] *Dreaming Trail*; A Vast Playground For

Summer or Winter, navigating the 5 km. groomed cross-country ski trails, which weave of hardwoods and pines, is like being hugged

Tucked into the woods is the heart of Dreaming Trail, The Gathering Lodge. Enjoy a spacious indoor swimming pool for invigorating laps or leisurely floating about. The fitness room will challenge your muscles which can then be soothed in the whirlpool or sauna.

As the morning sunlight dances on the silent water of Osprey, you can traverse the miles of untouched shoreline in your canoe or kayak, and be convinced the loons are performing a waltz just for you.

For lunch, gather with family and friends for [illegible]ous at the Osprey Pavilion followed by some spirited volleyball match. If you desire more pull the kids skiing or tubing, which will stam[illegible] face for days.

Osprey Lake's [illegible] is perfect for a r[illegible] And the beach a[illegible] ful artistic sand-[illegible]

Je fishing yours p[illegible] into the 32-foot where Walleye abundant! Lar[illegible] Northern and [illegible] prevalent and a[illegible]

79. Wis. Stat. § 86.257 authorizes political subdivisions to transfer jurisdiction and ownership of highways.

80. Sawyer County's proposed jurisdictional transfer to LCO of an isolated segment of County Highway NN that is only 300 feet long violates Wis. Stat. § 86.257.

PRAYER FOR RELIEF

WHEREFORE, plaintiff, Round Lake Property Owner's Ass'n. Inc., prays for judgment in its favor and against Sawyer County as follows:

1. An order requiring Sawyer County to modify, repair and or replace the culverts under County Highway NN in a manner authorized by WDNR;

2. Temporary and permanent injunctive relief enjoining Sawyer County from finalizing a jurisdictional transfer to LCO of any section of County Highway NN until the culverts under County Highway NN have been modified, repaired and or replaced in a manner authorized by WDNR.;

3. A declaration that a jurisdictional transfer from Sawyer County to LCO of an isolated section of County Highway NN that is only 300 feet long violates Wis. Stat. § 86.257.

4. Attorneys fees and costs; and

5. Such other and further relief as this Court deems just and reasonable.

2011

Treated 6 acres of Eurasian Water Milfoil using Navigate on 2 1/2 acres and Renovate on 3 1/2/ acres.

August 25,2011 Kristy Maki discovered and removed Purple Loosestrife in the South bay, mostly on the LCO Reservation. She let LCO Conservation know that she and her intern pulled or cut as much as Purple Loosestrife as they could. Kristy recommended that we inspect and remove any Purple Loosestrife that we may find next summer.

Kristy Maki, working on behalf of OLPOA wrote, submitted, and received approval of the Osprey Lake Aquatic Plant Management plan from WDNR. With this plan finished OLPOA is now eligible for future grant funding from the state of Wisconsin.

The WDNR has done 2 surveys in the last year, trying to gauge the success of the Walleye stocking done over the last few years. Only one 13" Walleye was found. Despite the poor survival of past stocked Walleyes Frank Pratt who is from Sawyer County DNR fisheries department recommended that we continue to try to stock extended growth Walleyes, as future stocking may bear fruit.

Sawyer County reclassified Osprey Lake as a Class 3 lake, requiring any new lake lots to be at least 40,000 square feet and must have 200 feet of lake frontage.

DEVELOPMENT/SUBDIVISIONS
Original cabins (South Shore) 8 lots, 8 homes (2 winterized)
Shores of Osprey (East Shore) 24 lots, 16 sold, 8 homes.
Dreaming Trail (North Shore) 12 lots, 1 sold, 0 homes
Tanglewood Bay (West Shore) 16 lots, 2 sold, 1 home

2012

Carole Dannehl researched the history of well and septic system installation dates of the lake and found no problems.

Just under 12 acres of Eurasian Water Milfoil were mapped but we decided not to treat chemically in 2012.

Jeff Schneider met with Dan Tyrolt of the LCO Conservation Department and Dan agreed to help refurbish the existing landing.

DEVELOPMENT/SUBDIVISIONS

Original Cabins (South Shore) 8 cabins, (2 winterized)
Shores of Osprey (East Shore) 24 lots, 18 sold, 8 homes
Dreaming Tree (North Shore) 12 lots, 1 sold, 0 homes
Tanglewood Bay (West Shore) 16 lots, 2 sold. 1 home

PJ Schaefer representing OLPOA met with Jim Purdin from Round Lake and Jim gave PJ a copy of the research RLPOA had put together as part of their research in their water level law suit against Sawyer County. OLPOA agreed to partner with RLPOA to measure the lake level thru out 2012. RLPOA hired an engineer to place gauges in both Round Lake and Osprey Lake (in front of what is now Falch's) Tom Falch provided the daily readings. Part of the RLPOA argument was that Sawyer County was responsible for the water levels, as outlined in a 1941 Public Service Commission ruling. RLPOA discontinued reporting on Osprey Lake levels in September because, for some unknown reason, the water levels in Osprey Lake were higher than Round Lake which seemed to question RLPOA's argument. Below is a copy of the correspondence:

HISTORY OF THE SQUAW CREEK FROM SQUAW LAKE TO COUNTY HWY NN

- 4/4/41 Hearing: "The only Indians claim there was one [an outlet] from Squaw Lake to Couderay." (H 0092.)

- PSCW Order: Squaw Lake "has an outlet which flows into the Courte Oreilles Lake, a tributary of the Chippewa River." (H116.)

- 5/2/67: Letter from Round Lake Properties Association to the Sawyer County Conservation Committee. The Association requested "to have a survey made from the dam through Squaw Lake down to World's End Road to have the weeds cleared so that the water flows through freely, which may help lower the level to the normal height." (SC861.)

- 4/23/68: Attached to the County's Application to the DNR for dredging the northern ditch and Squaw Creek. A government survey showing that the United States of America owned the land coming out of Squaw Lake. (SC1200.) The application states that the persons who own property on each side of the applicant's property is Claude Carlson and the USA. (SC1196.)

- 5/10/68: Conditions of Squaw Creek are described with beaver dams and old man-made structures. (H556.5)

- 5/16/68: Letter from Sawyer County Extension to the DNR. This letter provides the results of an inspection of the Squaw Creek. It also attaches the field notes as well as a map with the pertinent areas drawn out. (SC1904-SC1906.)

- 7/30/68: Letter from Sawyer County to the Round Lake Properties Association. Letter discusses proposal to dredge the northern ditch as well as Squaw Creek. It discusses the "blasting" of Squaw Creek and notes an application is being prepared and "the permission will be coming shortly." It notes that "permission was granted a resident on your lake in 1967 to remove any obstructions in the channel." It appears they may have been talking about Squaw Creek. It also discusses a "man made dam" in Squaw Creek as well as good sized rocks in the culverts at NN. (SC1172.)

- 9/9/68: A permit is issued to Sawyer County. "In the outlet of Squaw Lake, only the two non-active beaver dams located in areas five and six as shown in the attached map may be removed. Areas where dredging is authorized by this permit are shown on the map which is attached to the application. ..." (SC3196-SC3198 & SC1193-94.)

- 2/23/69: Map. For proposed dredging of Squaw Creek from the Little Round Lake Dam to an active beaver dam. This provides a cross section of the area to be dredged along with the elevations of the area below the beaver dam. (SC3186.)

- 2/26/69: Application from Sawyer County to the WDNR requesting authorization to dredge the Squaw Creek outlet. (H559.) Sawyer County states that it has "permission from tribal council to put spoil on lands." (H559.)

Rec'd 2012 From
Jim Purdin

- 3/21/69: The WDNR issued a permit allowing the dredging of Squaw Creek. The specifications for the channel are specified in the permit. The Findings of Fact and permit can be found at H561 to H563.

- 4/10/69: Memo from Sawyer County regarding the dredging of Squaw Creek. The dredging work was being completed by the Highway Department "and they had progressed from a point approximately 450 feet upstream down to within 100 feet of the bridge at the time of the inspection. The work was causing some siltation and some debris floating to a point downstream from County Trunk Highway NN." (SC1913.)

- 7/6/70: Letter from the WDNR to Sawyer County stating that the dredging of Squaw Creek has been satisfactorily completed and the WDNR was closing its files. (H565.)

- 9/6/72: Minutes of the Sawyer County Conservation Committee. "The administrator reported that rains have caused high water in all lakes. He also reported that the channel between Little Round Lake to Squaw Lake to NN road was cleared of debris and he raised a question about access to the dam on a "private road." (SC0788.)

- 12/7/76: Letter from Water Regulation to a Landowner regarding Squaw Lake levels. This letter gives a nice summary of the culverts at NN and Squaw Creek. It states "During the period mid-1967 through mid-1969, high level problems existed on Squaw Lake. In response to that problem, Sawyer County undertook corrective action. In 1968, Sawyer County installed a 24 inch culvert under County Trunk Highway NN. ... In summary, culverts as they now exist under County Trunk Highway NN have been in place since 1968. In April 1969 Sawyer County dredged a portion of the Squaw Lake outlet from County Trunk Highway NN upstream for a distance of approximately 450 feet. That dredging action included removal of a beaver dam which existed 450 feet upstream from County Trunk Highway NN. As a part of that removal action, [the WDNR] ... expressed the opinion that the level of Squaw Lake should not be allowed to fall below elevation 76.52 DNR datum. The dredging contract that was issued to Sawyer County included a condition which required remedial action by Sawyer County if the elevation of Squaw Lake were to fall below 76.52. It was that authority that we relied on in our initial letter to you on November 6, 1974, in which we suggested that action should be taken to alleviate the problem. ... County Trunk Highway NN and most of the lands upstream from County Trunk Highway NN which were dredged, are a part of the Lac Courte Oreilles Indian reservation. Therefore, authority is required from the Bureau of Indian Affairs of the Lac Courte Oreilles Band, before any modification of the culverts or any water control structures installed to regulate the levels of Squaw Lake. ..." (CAR157-158.)

- 7/6/81: Sawyer County Conservation Committee Minutes. Robert Kinney gave a report on the Round Lake Dam "traverse the channel from the dam on Little Round Lake to Highway NN and said that beaver are blocking the flow of water. The beaver dam is on tribal lands, and Robert Kinney requested Melvin White L.C.O. Warden to remove same." (SC0778.)

- 2/10/82: Letter from Sawyer County Forestry Department to the DNR. This letter mentions "We did have problems with beaver on the creek between Squaw Lake and NN which was

referred to the LCO Enforcement Agency and the beaver were taken out later in the fall." (SC1159.)

- 9/27/93: Letter from the DNR to Sawyer County regarding informational request for Big Round Lake. This letter discussed developing the regional flood elevation. "Any beaver dams or obstructions in the downstream channel should be cleared out while observing any DNR regulations that apply. These RFE determinations don't account for temporary obstructions, even if they are a major influence." (DNR1639-1641.)

- 7/1/02: Newspaper article. Regarding solutions for high water on Round Lake are explored by County and citizens. This states that Round Lake Properties Association board member Bill Whitlock said "The Board feels the water is way too high." Frank Dallam is quoted as saying "A repeated history of beaver dams between the outlet of Little Round and Highway NN. I'm not doubting your (Hausman's) word that there may be people who want higher lake levels (and place rocks or stop logs illegally in the channel)." Dale Olson stated that a pair of canoeists between Little Round and Osprey Lakes recently found no beaver dams. [Jim Hausman said this was the Nielsons.] Dallam stated "Right now it does not appear that the dam controls the lake level; rather, recent high rains and high ground water are controlling it possibly along with adjacent swamps and wetlands and downstream obstructions." Dale Olson said he "would like to see the water go down; there has been damage out there" on Round Lake. (DNR721-726.)

- 10/15/02: Phone Log. Regarding call to Dale Lang at the DNR. Carthel explained "situation on Round Lake. Would like to speak with him regarding jurisdiction of waters on Squaw Creek within tribal lands." Dale Lang from the DNR returned his call. "Apparently no easy answer. Tribes have gained more rights in recent years. Further research required. Suggests public informational meeting." (CAR78.)

- 6/24/03: Memo from Dan Tyrolt to the LCO Governing Board. Dan provided some background information for the tribal governing board's deliberations over the Round Lake water levels. These materials included an agenda from the June 28, public informational meeting; my September 20, 2002 notice of injury to the County Clerk; Carthel's December 4, 2002 report; an LOC resolution from October 8, 2002 wherein the LCO Tribal Council "strongly opposes any dredging or other disturbance of Osprey Creek." Dan Carthel's map and photo. (DT11-22.)

- **LCO Tribal Council passes resolution strongly opposing "any dredging or disturbance of Osprey Creek."**

LAKE LEVEL OF SQUAW LAKE – IS IT ESTABLISHED

- Undated. Handwritten note. From 1941 survey before the dam was installed Round Lake equaled 75.6; Little Round Lake equaled 75.05; squaw Lake equaled 74.8. (DNR1161.)

- 11/21/46: Letter from the Great Lakes Indian Agency to PSC. The Indian Agency had requested information on both the Tiger Cat and Round Lake diversion dams. After receipt of the information they stated "This office is mainly concerned over diversion ditch constructed between Little Round Lake and Squaw Lake in Section 36, Town 41 North, Range 8 West. This ditch is about 6 feet deep and does not follow any previous channel. A timber weir is constructed on this ditch from which we obtained the following: length of weir 10.8 feet, height of water above crest 0.2 feet, at a .6 feet above weir... The water from this ditch has raised the level of Squaw Lake and a permanent stream flows southwesterly into Big Couderay Lake through a channel which was formerly dry excepting the south two miles. The water from this portion was formerly carried under County Trunk E by 16 inch culvert pipe. The water normally being about 6 inches deep in the pipe. Since the water was diverted in 1942, the County has constructed a 16 foot bridge at this point. The average water area is now approximately 32 square feet. This stream has caused a considerable flowage in the formerly low but dry area and much timber damage has been done and more developing as a result of the constant high water. We would appreciate knowing whether this diversion ditch as constructed was approved by your office as this agency had no knowledge of this Squaw Lake diversion prior to the flooding in this area in 1942 as a result of this ditch." (SC2125-2126.)

- 12/4/46: Letter from the Great Lakes Indian Agency to the PSC. "In answer to your inquiry regarding the location of the bridge on County Trunk Highway E, you are informed this is located in Government Lot 5, Section 28, Town 40 North, Range 8 West and about 1,100 feet from Big Couderay Lake into which lake this stream discharges. This bridge is in a swamp and as its level is slightly above the level of the lake, the velocity of the water is slow, hence this accounts for the large area of waterway. At the time this bridge was constructed in 1942, the depth of the water was much greater, however, the present depth seems to be the minimum with increases occurring during the spring breakup and after heavy rains." The Indian Agency notes that since a large portion of Squaw Lake lies within the Lac Courte Oreilles Indian Reservation and the overflow water resulting from the increase in elevation flows through this reservation "we cannot understand how this change of lake level could have been known without first notifying this agency as Indian lands and timber have been affected by this construction." Dept of Interior says the lake level cannot exceed 75.25. (SC2133 & H289.)

- 10/19/68: Letter from a Riparian on Squaw Lake to Mr. Kinney. This letter describes high water problems at Squaw Lake and also describes current conditions of the pertinent water control structures. At County Trunk B, he describes a very large culvert. At NN, he describes two 3-foot and one 2-foot culverts which are "about 10% of the flow through County Trunk B." The culverts at NN are partially blocked by sediment. (SC1169-SC1171. See also SC3132-SC3134.)

- 3/17/69: Memo from the WDNR stating that "It is opinion of this office that such harm will occur when the level of Squaw Lake is less than 76.5, Division of Environmental Protection datum." This memo is in response to the Sawyer County's Request to dredge Squaw Creek. (H560 & SC 1912.)

- 3/21/69: In the permit allowing Sawyer County to dredge Squaw Creek, the WDNR states that "The applicant shall take all necessary action to prevent the level of Squaw Lake from dropping below elevation 76.52 feet, Department of Natural Resources datum. If the level of Squaw Lake does drop below 76.52 feet, the applicant shall do such necessary work as directed by the department." (H563.) This is the Findings of Fact section of the permit. The permit states that it is issued "subject to the conditions as stated in the Findings of Fact." (H563.)

- 10/17/74: Squaw Lake levels too low according to one riparian. (H566.) In response to this riparian's complaint about the water levels on Squaw Lake, the WDNR responded "Mr. Kinney will monitor the water level at the culverts under Highway NN. Steel plates will be used in the culverts to raise the water." (H567.)

- 11/6/74: Letter from the DNR to Mr. Thomas, a resident of Squaw Lake. In response to Mr. Thomas' request that the lake level on Squaw Lake be raised, the DNR advised him that the County would be installing steel plates to raise the water. There is a handwritten note on this document stating "No action as yet. Wrote again 9/4/75." (DNR184.)

- 5/30/75: Letter from Sawyer County to the WDNR indicating that Sawyer County does not have authorization from the WDNR to install retaining plates at the culverts at NN. H568. In response, the WDNR sends a letter dated June 11, 1975 stating "Please be informed that Sawyer County has authorization to maintain the level of Squaw Lake as stipulated in Condition 12 of Permit 3-WR-442.7 issued March 21, 1969." (H569.)

- 6/24/75: Minutes of the Sawyer County Conservation Committee Tour. As to the outlet of Squaw Lake on Highway NN, Mr. Kinney stated that WDNR has ordered the County to "do such necessary work as directed by the department" when the level of Squaw Lake drops below 76.52. Therefore, until the department notifies Sawyer County of the work to be done, only temporary measures can be taken at this time." (SC0785.)

- 8/19/75: Letter from Mr. Kinney to WDNR. Mr. Kinney asks whether WDNR would prescribe solution as "per orders" for the Squaw Lake outlet on NN. (SC0784.)

- 3/3/76: Minutes from Meeting of Round Lake Property Owners Association and Round Lakes Resort Association. "The following is the status as of March 23, 1976...the lake level will be maintained according to the Department of Natural Resources order and as the property owners on the lake desire." The members also discussed the dredging procedure under the bridge on Highway B and the adjacent area between Big and Little Round Lakes. "The Executive Secretary of the Sawyer County Conservation Committee, Robert Kinney, read a letter regarding water levels on Squaw Lake and the County's responsibility on maintaining levels on this lake." (SC0783.)

- 12/7/76: Letter from Water Regulation to a Landowner regarding Squaw Lake levels. This letter gives a nice summary of the culverts at NN and Squaw Creek. It states "During the period mid-1967 through mid-1969, high level problems existed on Squaw Lake. In response to that problem, Sawyer County undertook corrective action. In 1968, Sawyer County installed a 24 inch culvert under County Trunk Highway NN. ... In summary, culverts as they now exist under County Trunk Highway NN have been in place since 1968. In April 1969 Sawyer County dredged a portion of the Squaw Lake outlet from County Trunk Highway NN upstream for a distance of approximately 450 feet. That dredging action included removal of a beaver dam which existed 450 feet upstream from County Trunk Highway NN. As a part of that removal action, [the WDNR] ... expressed the opinion that the level of Squaw Lake should not be allowed to fall below elevation 76.52 DNR datum. The dredging contract that was issued to Sawyer County included a condition which required remedial action by Sawyer County if the elevation of Squaw Lake were to fall below 76.52. It was that authority that we relied on in our initial letter to you on November 6, 1974, in which we suggested that action should be taken to alleviate the problem. ... County Trunk Highway NN and most of the lands upstream from County Trunk Highway NN which were dredged, are a part of the Lac Courte Oreilles Indian reservation. Therefore, authority is required from the Bureau of Indian Affairs of the Lac Courte Oreilles Band, before any modification of the culverts or any water control structures installed to regulate the levels of Squaw Lake. ..." (CAR157-158.)

- 12/11/03: E-mail from Frank Dallam to Dave Kafura. Frank had been going through the Squaw Lake file and in a letter dated June 11, 1975 WDNR stated "please be informed that Sawyer County has authorization to maintain the level of Squaw as stipulated on condition no. 12 of Permit 3-WR-442.7 issued March 21, 1969." "Is this letter in your field file? This office does not have a copy of that permit. Please indicate a time of your convenience to discuss the talking points." (DNR00020.)

Schaefer, P J

From: Jim Purdin <[redacted]>
Sent: Tuesday, January 24, 2012 2:54 PM
To: Schaefer, P J
Subject: Support of plan to experiment with Carlson Road Dam

PJ,

Assuming you are still supportive of our plan, I would appreciate an email that states something like:

The Board of Directors of the Osprey Lake Association has reviewed the *Proposal to Experiment with a Passive Control Structure at the Carlson Road Dam. We* support this project and look forward to working with the Round Lake Property Owners Association in the collection of data and reviewing the results.

PJ Schaefer - President
Osprey Lake Association

Thanks for your help.

Jim

Proposal to Experiment with a Passive Control Structure at the Carlson Road Dam

Prepared by Jim Purdin

January 9, 2012

Premise

There has been a great deal of discussion and debate over the past 5 years related to the management of water levels on the Round Lake Watershed (Round Lake, Little Round Lake, Osprey Lake and Osprey Creek.)

Work done by SEH, the results of which were published in a report dated December 27, 2010, concludes that the current Carlson Road dam is inconsequential in all situations except when all stop logs are in place at elevation 1345.0 feet, due to the fact that the downstream obstructions become the low water control.

As part of their work, SEH analyzed a passive control structure as a possible replacement for the Carlson Road Dam and published the following in their report dated December 27, 2010:

The Passive Control structure analyzed as a possible replacement for the existing Carlson Road Dam consists of a 12-foot wide by 7-foot high precast concrete box culvert with a fixed-crest concrete weir wall (overtop elevation of 1345.0') at the upstream face of the culvert. To allow drawdown of Round Lake to elevation1343.8', a trapezoidal notch would be included in the weir. The notch in the weir has a trapezoidal shape with a 6-inch long base at elevation 1343.8' and a 45-degree angle up to the crest elevation of 1345.0'. A trapezoidal shape notch is used in lieu of a v-notch to aid in the passage of debris at low flows.

Evaluating the performance of the proposed system without the limitations imposed by the hydraulic capacity of the downstream system reveals that during high flows the proposed configuration reduces the drawdown time from that of the existing structure with stop logs. During times of low flow, this configuration increases the drawdown time compared to the existing structure without stop logs. Therefore, the proposed configuration optimizes the hydraulics of the outlet structure by limiting low flow discharge and maximizing the amount of water passed during high flows.

However, taking the downstream hydraulic controls into account reveals that the proposed structure does little to improve the overall hydraulic efficiency of the system over that of the existing outlet system. Since the normal WSE for the proposed structure is lower than that of the existing structure with stop logs, the downstream structures (the beaver dams and NN culverts) control the water surface elevations and reduce the peak outflow during high flow events. During low flow events, the

drawdown is again controlled by the downstream controls and the results compared to that of the existing structure without stop logs show minimal improvement with the proposed configuration. The main advantage of the proposed structure is that the peak elevation in Round Lake and Little Round Lake is lower than for the existing structure with stop logs and the necessity for human intervention is reduced. Some maintenance would still be required to remove any accumulated debris at the structure, primarily at the flow notch.

It must be recognized that the hydraulic capacity associated with the proposed structure will remain limited by the downstream structures that limit capacity, namely the beaver dams.

The Round Lake Property Owners Association has concerns regarding the county's recommendation to replace the Carlson Road Dam with a 12-foot by 7-foot box culvert set at the elevation of the stream bed because we believe that the beaver dams and other obstructions downstream of the dam are not reliable and could wash out over time resulting in a significant lowering of the normal water surface elevation (WSE) of Round Lake.

Based on our understanding of SEH's engineering analysis, the passive structure described above would be of no consequence as long as the beaver dams and downstream obstructions remain intact at their current elevation or higher. Should the beaver dams and downstream obstructions erode or wash out, the passive structure would provide a low water control that would help maintain the normal WSE of Round Lake near the desired level of 1344.75' during times when precipitation patterns are in the range of historic averages. At the same time, the structure provides for a base flow through the system to ensure that Osprey Lake is supplied with water at all times when the WSE of Round Lake exceeds the streambed level upstream of Carlson Road.

With the current WSE of Round Lake near the desired level of 1344.75', we are in an excellent position to test the concept of the passive structure as described above.

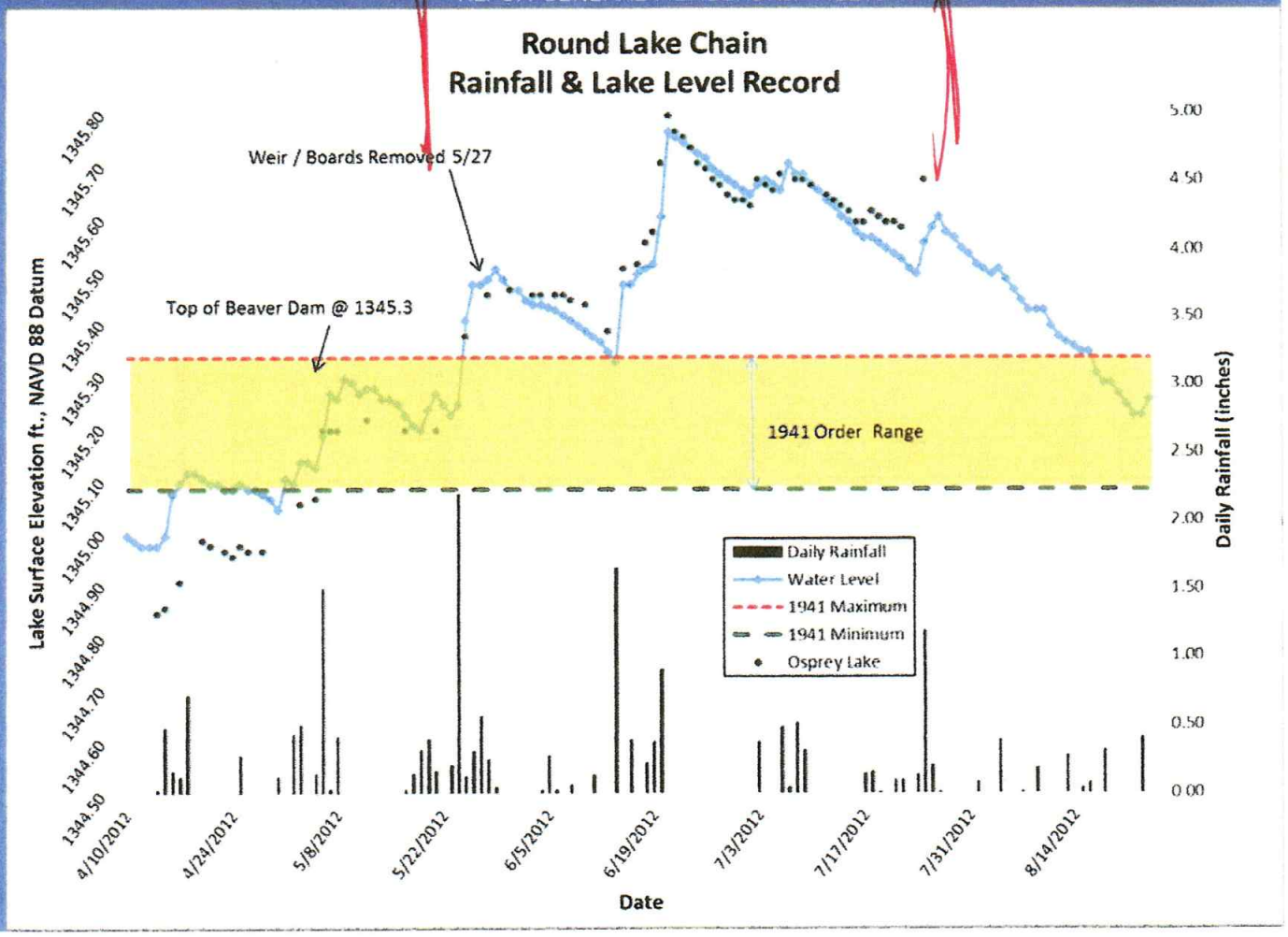
The Plan

We propose that we first contract with a local surveyor to install accurate gauges to measure water levels on Round Lake, Little Round Lake and Osprey Lake. The existing Gauges have been shown to vary from one to another and there is currently no gauge on Osprey Lake. We will also clearly identify and survey the beaver dams on Osprey Creek.

With new gauges in place, we will be able to collect data regarding water levels on all the lakes and monitor their relationship to the passive structure as well the beaver dams.

ROUND LAKE PROPERTY OWNERS ASSOCIATION INC.
PO Box 1070
Hayward, WI 54843-4048

RLPOA GENERAL MEMBERSHIP MEETING AND PICNIC SEPTEMBER



With the survey work complete, we will simulate the passive structure described by SEH by installing the standard wooden stop logs in one bay of the Carlson Road Dam. In the other bay, we will install a weir fabricated from wood that will mimic the weir described in SEH's report:

a fixed-crest concrete weir wall (overtop elevation of 1345.0'). To allow drawdown of Round Lake to elevation1348.8'(the sill level of the dam), a trapezoidal notch would be included in the weir. The notch in the weir has a trapezoidal shape with a 6-inch long base at elevation 1343.8' and a 45-degree angle up to the crest elevation of 1345.0'.

Expected Results

Because we believe that the beaver dams and other downstream obstructions are controlling the water level on all three lakes, we expect the water levels on all three lakes to be approximately the same (Osprey Lake is expected to be slightly lower reflecting the slight hydraulic gradient between the Carlson Road dam and Osprey Lake).

We also expect the passive structure to have no effect on water levels as long as the beaver dams and other obstructions remain intact. It is possible that, if we have a significant rain event, the water level on Round Lake may rise to a level higher than the level of Osprey Lake, before draining over time to a situation where the levels are again approximately the same.

The primary benefit of the experiment will be the ability to monitor and document the results over a long period of time and hopefully a wide range of precipitation patterns.

Timing

We will start the project as soon as the ice is out. Once the survey work is complete, we will set the structure at Carlson Road.

The test will continue through the entire open water season of 2012.

The test can be stopped at any time at the request of any of the stakeholders, should the results become problematic for any reason.

Experiment with Carlson Road Dam on Little Round Lake

Final Report

June 17, 2013

I. Executive Summary

The data collected during the experiment supports SEH's assertion that the dam at Carson Road is inconsequential as long as the primary beaver dam in Osprey Creek between Osprey Lake and Highway NN remains intact at its current elevation. As long as conditions within the watershed remain unchanged, replacing the structure at Carlson Road with a simple box culvert set at stream bed level as proposed by Sawyer County would have no effect on water levels in Round, Little Round, and/or Osprey Lake.

However, the conditions within the watershed that impact water levels are not static. They are subject to various forces of nature including, but not limited to, changes in beaver activity, flooding, drought, and changes in vegetation, any of which have the potential to significantly alter the way in which water flows into and out of the watershed and the resultant water levels in the lakes.

Should changes in beaver activity result in increasing the elevation of the current primary beaver dam or in the creation of new beaver dams with elevations higher than the current primary beaver dam, water levels could see a significant increase. If this were to happen, the lakes could be at risk of serious damage due to erosion and flooding.

Conversely, if a significant rain event were to wash out the beaver dams and other obstructions within the system, with only a simple box culvert at Carlson Road as proposed by Sawyer County, the average level of Round and Little Round Lakes would drop over a foot. Osprey Lake would drop even further. Such a situation would have a negative impact on lake access at current public landings, make navigation on the lakes problematic and would likely have a negative impact on the ecosystem and increase the spread of invasive species of aquatic vegetation.

Therefore, to ensure the long term health of the lakes and to protect the interests of the public as well as riparian owners on the watershed, The Round Lake Property Owners Association recommends the following steps be taken:

1. That either Sawyer County or the DNR be charged with the responsibility to monitor conditions on the watershed that impact water levels and take appropriate action should conditions warrant.
2. That Sawyer County maintain the Dam Permit for the Carlson Road structure and design the new structure to be convertible from a simple box culver

currently proposed to a dam with a v-notch weir similar the one used in the experiment. The conversion from a simple box culvert to a dam would be required when and only if conditions within the watershed changed such that a low water control at Carlson Road would be beneficial.

3. That the 1941 PSC Order be changed to reflect the fact that it is not possible to manage the water level in Round Lake and Little Round Lake as specified. This would alleviate Sawyer County's concern regarding potential liability related to the 1941 Order as it is currently written.

The Round Lake Property Owners Association stands ready to help with the development and implementation of specific plans to support the above steps.

II. Summary of Data Collection and Results

The experiment conducted during the 2012 open water season on the Round Lake Watershed met the project objectives of providing real world data to test the conclusions drawn by SEH after completing their analysis of the Carlson Road Dam. SEH's conclusions and recommendations were published in a report dated December 27, 2010 (Appendix 3).

March 23 - May 27 Experimental Weir Installed In The Dam

We were very fortunate to begin the open water season with the water level at about the "normal" level specified by the 1941 PSC Order. The experimental weir was installed in the dam within a couple of days of ice out on March 23 with the water level at approximately 1345.0 NAVD 88. Above average rainfall early in the season resulted in the water level rising to a level significantly above the 1941 Order specified maximum of 1345.33' NAVD 88 by the end of May, allowing us to collect important data relating to the effectiveness of the passive structure in influencing the water level in Round, Little Round and Osprey Lakes during a period of significant rainfall.

As predicted by the engineering analysis, during this period, the experimental weir had no influence on the water level in the three lakes. The water level stayed essentially the same in all three lakes as it rose from 1344.99 to 1345.47. There was very little flow through the v-notch as the water level rose (estimated at 2-4 cfs), and at no time was there any measurable difference in the water level from the upstream side to the downstream side of the dam as would be expected if the dam were working as it was intended by the 1941 Order.

May 27- August 26 Experimental Weir Removed From The Dam

Because of concerns that the experimental weir may be preventing water from evacuating Round and Little Round Lakes at as high a rate as the Carlson Road structure and the associated channel to Osprey Lake would allow, Sawyer County

ordered the experimental weir to be removed on May 27 to minimize their liability related to controlling the water level per the 1941 Order specifications. The County further mandated that the dam remain fully open until the water level on Round Lake receded to a level below the 1941 Order maximum.

The removal of the weir allowed us to witness the impact of opening the dam when the water level was above the 1941 order maximum. What we learned further supported the engineering analysis that the dam is inconsequential. As the weir was removed, fully opening the dam, there was no discernible change in the flow of water through the structure, validating the assumption that obstructions in Osprey Creek downstream of Osprey lake are in fact the low water control for the watershed at all levels below 1345.30 NAVD 88 (the lowest point on the primary beaver dam in Osprey Creek between Osprey lake and Highway NN), rendering the dam inconsequential.

The period from May 27 to June 21 saw continued above average rainfall resulting in water levels rising to the high point for the season on June 21 of 1345.76, a little over 5 inches above the 1941 Order specified maximum of 1345.33. Even at this high water level, flow through the dam was estimated to be only 6 cfs and there was no discernible flow through the culverts at Highway NN.

The 1941 Order prescribed a system that was expected to evacuate water from Round and Little Round Lakes at a rate of up to 150 cfs when water the water level exceeded the specified Maximum of 1345.33.

The period from June 21 through August 26 saw below average rainfall. During this period, the water level in all three lakes receded at the same rate, and the water level remained essentially the same from lake to lake.

There are several variables that affect the rate at which the lakes recede during times when there is no precipitation. Temperature, sunlight, humidity, wind, barometric pressure, water level and the rate of outflow all play a role. We did not monitor all these variables. However, the fact that the rate of recession during short periods of no precipitation did not follow a consistently smooth pattern is not surprising because of the multiplicity of the influencing factors. However, it is interesting to note that the daily drop in water level during these times ranged from .12" to .24" with an average of .17". Given that the maximum rate of outflow observed at the dam during these times of approximately 6 cfs equates to a drop in water level of .04 inches per day, evaporation is the primary contributor of the lowering of the water level, accounting for more than 75% of the average daily drop.

August 26 – November 22 Experimental Weir Installed In The Dam

The experimental weir was reinstalled in the dam on August 26 with the water level in all three lakes at 1345.23. The remainder of the open water season saw rainfall

below average. All three lakes remained at essentially the same level from lake to lake, with the level receding to 1344.76 on November 22 just before ice-up.

III. Conclusions, Comments and Recommendations

The results of the experiment supports SEH's engineering analysis that the dam at Carlson Road is inconsequential under the present conditions within the Round Lake Watershed. The primary beaver dam in Osprey Creek approximately 300 feet upstream from County Highway NN was surveyed to have a minimum elevation of 1345.30 NAVD, approximately the same as the maximum water level specified by the 1941 PSC Order. This beaver dam has therefore become the low water control for Round, Little Round, and Osprey Lakes.

During periods of average precipitation patterns, the water level in all three lakes can logically expected to be the same from lake to lake and to equilibrate around the minimum elevation of the beaver dam (1345.30 NAVD 88) with variation reflecting the day to day differences in sunlight, temperature, wind, humidity, barometric pressure and precipitation.

During extended periods of low precipitation or drought, water levels can be expected to drop significantly below the 1941 PSC Order specified "normal" (1345.00 NAVD 88), as there are no tributaries feeding the watershed. The low water levels experienced in 2010 could happen again, and in fact, could be even lower in the event of a more severe drought. The Placid Lake Diversion channel was created in the late 1930's in an attempt to address this issue, but the channel was never really used for its intended purpose and was closed in 2011.

During extended periods of high precipitation, water levels can be expected to rise significantly above the 1941 PSC Ordered "maximum". There is almost no flow out of the system until the water level exceeds the minimum height of the primary beaver dam (1345.30 NAVD 88). Even at levels above this, the heavy vegetation in Osprey Creek creates significant obstruction to flow as illustrated by data collected up to the maximum water level of 1345.74 seen during the project. At water levels above this, there is risk of flooding and damage to the shoreline and the lakes' eco system. Because we did not see a major rain event when water levels were at their maximum, we don't know for sure what will happen. Therefore, it is recommended that further study and analysis be undertaken by Sawyer County and/or The Wisconsin DNR to better assess the risk and to develop strategies to minimize it.

It should be noted that throughout the course of the experiment, representatives from Sawyer County, SEH, Osprey Lake Property Owners Association, and Round Lake Property Owners Association visited the primary beaver dam in Osprey Creek. While it is generally understood and accepted that this structure has been in place for many years (It was photographed 10 years ago), all who have been there agree that, as a natural structure, it may change significantly over time. If it were to get larger and higher, the risk of high water damage would increase. If the beaver dam

were to erode or wash out, without another reliable low water control such as the experimental weir at the Carlson Road dam, the average water level could potentially be lowered in all three lakes, as over time, the water level will equilibrate around the elevation of whatever low water control is in place.

It is also generally understood and accepted by representatives of Sawyer County, SEH, the DNR, Osprey Lake Property Owners Association, and Round Lake Property Owners Association that the system specified by the 1941 PSC Order has seen significant change and degradation over the past 72 years. The silting in of the channel connecting the dam to Osprey Lake, prolific vegetation growth in both the channel and in Osprey Creek, and of course the unmanaged expansion of beaver dams have resulted in a system that is incapable of evacuating water as was intended during periods of above normal precipitation. It is recommended that government agencies with jurisdiction over the Round Lake Watershed area develop a plan to maintain the system in accordance with the intent of the 1941 PSC Order to minimize the risk for damage due to flooding and erosion.

IV. Other Key Outcomes

1. Common Benchmarks and Data Conversion

   There has been a long history of disagreement over the elevation of key benchmarks around the watershed and the conversion of local datum to NAVD 88. This has exacerbated the conflict related to management of the water level on the lakes. As a result of the survey work that was part of this project, we now have agreement among all constituents on the elevation of the benchmarks and key geographical features throughout the watershed as well as a conversion factor for local datum to NAVD 88. They are shown in Table 1.

2. Identification of New Obstructions in Osprey Creek

   Because we had a situation where the water level exceeded the minimum elevation of the primary beaver dam in Osprey Creek, we were able to document that once water topped the beaver dam and began to flow down Osprey Creek toward Lake Courte Oreilles, it backed up downstream of highway NN such that the culverts under the highway were filled to within about a foot of the top with no flow. This indicates that there are obstructions in Osprey Creek downstream of Highway NN. These obstructions significantly reduce the culverts ability to efficiently evacuate water from the upstream lakes should we ever be in a dangerous high water situation. It is recommended that this issue be investigated by the agencies of government that have jurisdiction for this area of Osprey Creek and that appropriate steps be taken to minimize the risk of damage due to flooding and erosion.

2013

During the spring we treated 9 acres of Eurasian Water Milfoil with a product called Renovate and it appears to have really knocked back the Milfoil.

The bank holding the paper on Dreaming Trail has foreclosed on Dr Thompson and Dick Barbour is now trying to sell the property. There is a question as to whether the covenants OLPOA agreed to in 2008 will carry forward.

Sawyer County files a request with the WDNR to request a dam abandonment permit and to replace the old "stop log" dam with a box culvert placed at the natural stream level. The Round Lake Property Owners Association in conjunction with Mr James Hausman will fight this.

Thanks to Jeff Schneider's leadership, in partnership with LCO and Sawyer County, Osprey Lake now has an improved boat landing.

As part of our last grant from State of Wisconsin to help treat Milfoil we were required to add a "clean boats-clean waters" program. Wayne Dannehl spent 100 of the anticipated busiest hours at the boat landing inspecting boats and trailers to assure that no weeds were put into, or taken from Osprey Lake. During those 100 hours Wayne had contact with 70 boaters, and one person accounted for 34 of the 70 encounters.

After trying to increase the Walleye population, by buying and stocking "extended growth Walleyes" every fall OLPOA decided that our efforts were not working and stopped funding additional extended growth Walleyes. At the same time, Governor Walker started a state wide program to stock extended growth walleyes in the hopes of boosting tourism. Consequently, the only change to the stocking of extended growth Walleyes was that instead of OLPOA buying and stocking 1000 fish annually the WDNR will now stock about 2200 fish every other year.

DEVELOPMENTS/SUBDIVISIONS;
Original cabins (Peninsula and South Shore) 11 lots &homes 6 winterized)
Shores of Osprey (East Shore) 24 lots, 18 sold, 8 homes
Dreaming Trail (North Shore) 12 lots, 1 sold, 0 homes
Tanglewood Bay (West Shore) 16 lots, 2 solld, 1 home

2014

2014 was a relatively quiet year on Osprey Lake. That is until the storm of September 4, 2014. No one will be short on firewood in the next few years.

There were a number of beavers trapped just upstream of Highway NN and their dams were broken allowing for more flow thruout the Round Lake Basin.

There was no Eurasian Water Millfoil treated ths year.

DEVELOPMENTS/SUBDIVISIONS
Original cabins (peninsula and South Shore) 11 lot, 11 homes, 6 winterized
Shores of Osprey (East Shore) 24 lots, 19 sold, 8 homes
Dreaming Trail (North Shore) Bank-owned and for sale
Tanglewood Bay (West Shore) 16 lots, 2 sold 1 home

2015

Another quiet year for Osprey Lake.

One of the grant money requirements is that after treatment of Eurasian Water Milfoil we are required to have a plant intercept report prepared to assure the treament has not harmed any native plants. In 2015, Dan Tyrolt of LCO Conservation prepared the report which follows.

The Wisconsin legislature voided the 2011 Sawyer County Class 3 Lake certification. The legislatures belief was that for each county to have their own classification system was too cumbersome. So they changed the state zoning regulations to the least restrictive county regulations currently in effect in Wisconsin.

As part of the grant to treat Eurasian Water Milfoil we were required to do a post treatment Aquatic Plant survey which we hired Dan Tyrolt of the LCO Conservation Department to do, here is his survey:

2015

OSPREY LAKE 2015 AQUATIC PLANT SURVEY AND COMPARISON TO 2006 SURVEY

Field Methods

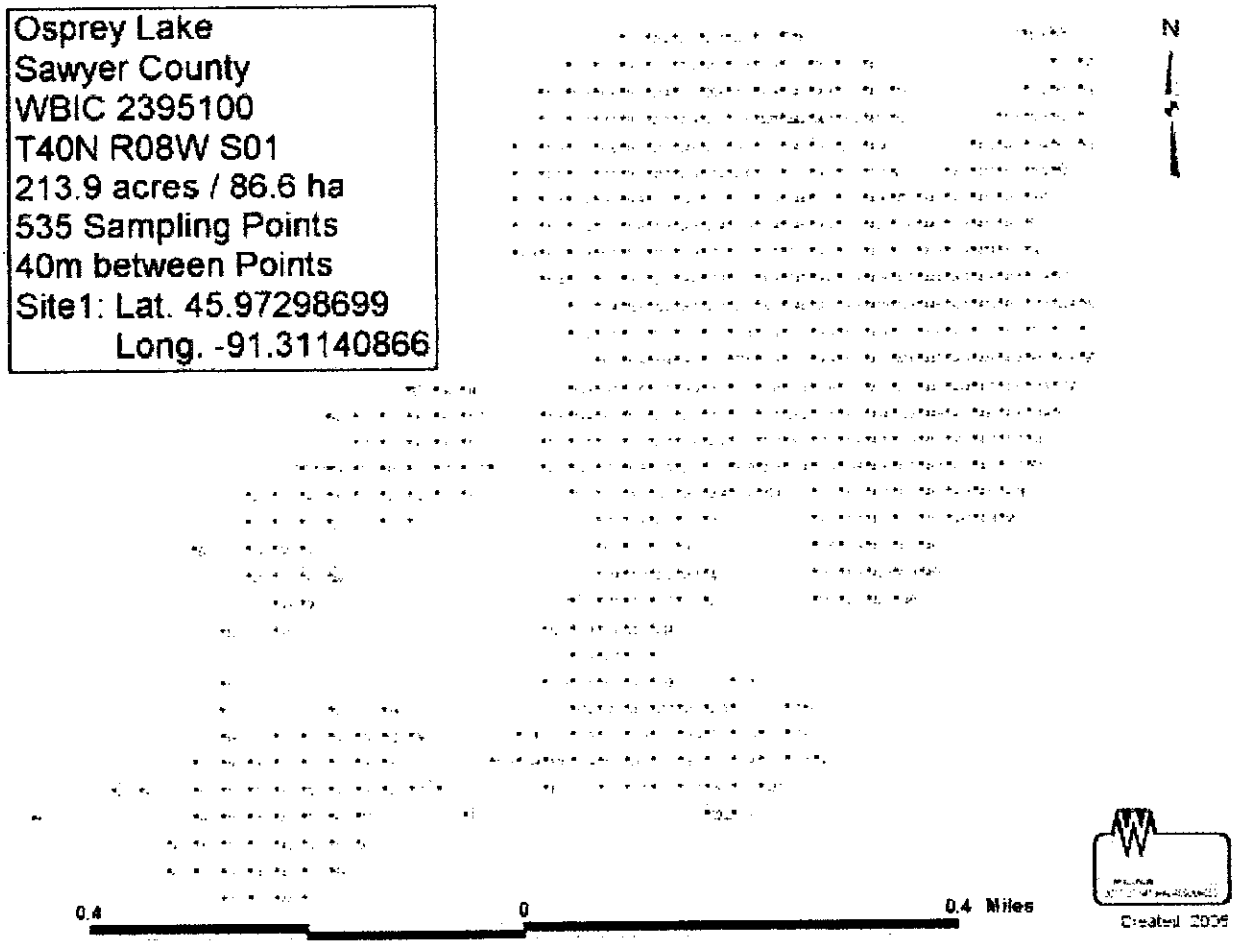
A point intercept method for the macrophyte sampling was used. The Wisconsin Department of Natural Resources (WDNR) generated the sampling point grid. This grid consisted of 535 points (Figure 1). Only points shallower than 25 feet were initially sampled until the maximum depth of plants could be established. It was determined that the maximum depth of plants was 23 feet. A total of 267 points were sampled. From those 267 points, 260 points were at depths of 23 feet or less and 237 (91%) of them contained vegetation.

If no plants were sampled at a specific depth, one sample point beyond that depth was sampled for plants until the maximum depths of plants could be established. In addition, any plant within six feet of the boat was recorded. The visually surveyed plant data is not used in the statistical analysis nor is the density recorded. Only results from the predetermined sample points were used in the statistical analysis. A handheld Global Positioning System (GPS) located the sampling points in the field. The Wisconsin DNR guidelines for point location accuracy were followed with an 80-foot resolution and the location arrow touching the point.

At each sample location, a double-sided fourteen-tine rake was used to rake a 1 meter tow from off the bow of the boat. All plants contained on the rake and those that fell off of the rake were identified to the lowest practical taxonomic level (e.g., typically genus or species) and rated as to rake fullness and recorded on field data sheets. The rake fullness value was used based on the criteria contained in the diagram below. Those plants that were within six feet were recorded as "viewed," but no rake fullness rating was given.

Rating	Coverage
1	
2	
3	

Figure 1: Osprey Lake Sampling Point Grid



The depth and predominant bottom type were also recorded for each sample point. All plants needing verification were bagged and cooled for later examination.

Data Analysis Methods

The data collected was entered into a spreadsheet for analysis. The following statistics were generated from the spreadsheet:

- Frequency of occurrence in sample points with vegetation (littoral zone)
- Relative frequency
- Total sample points
- Sample points with vegetation
- Simpson's diversity index
- Maximum plant depth
- Species richness
- Floristic Quality Index

An explanation of each of these data is provided below.

Frequency of occurrence for each species
Frequency is expressed as a percentage by dividing the number of sites the plant is sampled by the number of total sites. There are two frequency values calculated. The first is the percentage of all sample points that a plant was sampled at depths less than the maximum depth plants were found (littoral zone), regardless if vegetation was present. The second is the percentage of sample points that the plant was sampled out of only points containing vegetation. The first value shows how often the plant would be encountered in the defined littoral zone (23 feet deep or less), while the second value considers only points that contain plants. In either case, the greater this value, the more frequently the plant occurs in the lake. If one wants to compare plants within the littoral zone, we look at the frequency of all points below maximum depth with plants. This frequency value allows the analysis of how common plants are in areas where they could grow. If one wants to focus only on where plants are actually present, then one would look at frequency at points in which plants were found. Frequency of occurrence is usually reported using sample points where vegetation was present.

Relative frequency
This value shows, as a percentage, the frequency of a particular plant relative to other plants. This is not dependent on the number of points sampled. The relative frequency of all plants will add to 100%. This means that if plant A had a relative frequency of 30%, it occurred 30% of the time compared to all plants sampled or makes up 30% of all plants sampled. This value allows us to see which plants are the dominant species in the lake. The higher the relative frequency, the more common the plant is compared to the other plants.

Total Sample Points
This is the total number of points created for sampling on the lake. This may not be the same as the actual points sampled. When doing a survey, samples aren't taken at depths outside of the littoral zone (the area where plants can grow). Once the maximum depth of plants is established, many of the points deeper than this are eliminated to save time and effort.

Sample points with vegetation
This is the number of sites where plants were actually sampled. It gives a good idea of the plant coverage of the lake. If 20% of all grid sample points had vegetation, it implies about 20% coverage of plants in the whole lake. We also look at the number of sample sites with vegetation in the littoral zone. If 20% of the littoral zone had sample points with vegetation, then the plant coverage in the littoral zone would be estimated at 20%.

Simpson's diversity index
Simpson's diversity index is calculated to measure how diverse the plant community is. This value can run from 0 to 1.0. The greater the value, the more diverse the plant community is in a particular lake. In theory, the value is the chance that two species sampled are different. An index of "1" means that the two will always be different (very diverse) and a "0" would indicate that they will never be different (only one species found). The more diverse the plant community, the better the lake ecosystem.

Maximum depth of plants
This depth indicates the deepest that plants were sampled. Generally lakes with higher water clarity have a greater depth of plants while lower water clarity limits light penetration and reduces the depth at which plants are found.

Species richness
The number of different individual species found in the lake. Results include a number for the species richness of plants sampled, and another number that takes into account plants viewed but not actually sampled during the survey.

Floristic Quality Index
The Floristic Quality Index (FQI) is an index developed by Dr. Stanley Nichols of the University of Wisconsin-Extension. This index is a measure of the plant community in response to development (and human influence) on the lake. It takes into account the species of aquatic plants found and their tolerance for changing water quality and habitat quality. The index uses a conservatism value assigned to various plants ranging from 1 to 10. Not all plants have a conservatism value. A high conservatism value (7-10) indicates that a plant is intolerant to disturbance while a lower value (0-3) indicates a plant is very tolerant to disturbance. Intermediate C values (4-6) indicate plant species that can tolerate moderate disturbance. Those plants with higher values are more apt to respond adversely to water quality and habitat changes, largely due to human influence.

The FQI is calculated using the number of species and the average conservatism value of all species used in the index. It should be noted that some species such as filamentous algae and invasive species (such as EWM) do not have assigned C values, and therefore are not included in calculating the FQI.

The formula for calculating the FQI is:

$$FQI = \text{Mean } C \cdot \sqrt{N}$$

Where C is the conservatism value and N is the number of species.

A higher FQI, indicates a healthier aquatic plant community. This value can then be compared to the mean for other lakes in the assigned eco-region as well as to previous years within the lake to gauge the response to plant stressors such as chemical treatments to control invasive species. There are four eco-regions used throughout Wisconsin. These are Northern Lakes and Forests, Northern Central Hardwood Forests, Driftless Area, and Southeastern Wisconsin Till Plain. Osprey Lake is located in the Northern Lakes and Forest eco-region. Below is a summary of the FQI median values for the Northern Lakes and Forest eco-region which Osprey Lake is located in:

Mean species richness = 13
Mean conservatism = 6.7

Mean Floristic Quality = 24.3[1]

Results and Comparison to 2006

The goal of the Osprey Lake Aquatic Plant Management Plan is to protect the native lake ecosystem and native plant populations while guiding efforts to control Eurasian watermilfoil. Statistical analysis can be used to help assess if the chemical treatments being used to control the EWM in Osprey Lake are having an impact on the native plant species. Table 1 outlines the EWM treatment history for Osprey Lake since it was first discovered in 2005.

Table 1: Osprey Lake EWM Control History

Year	Acres Treated	Herbicide	Rate (lbs/acre)
2006	8	2,4-D	125
2007	6	2,4-D	100-125
2008	4	2,4-D	100-125
2009	1	2,4-D	150
2010	5	2,4-D	150
2011	8.5	2,4-D	?
2012	12	2,4-D	?
2013	9	2,4-D	262
2014	N/A	N/A	N/A
2015	6	2,4-D	300

To gauge an initial response to the effects of herbicide treatment the point-intercept survey statistics for 2006 and 2015 can be looked at. See Table 2 for a comparison of the summaries of the point-intercept survey statistics for 2006 and 2015.

[1] Floristic Quality Assessment of Wisconsin Lake Plant Communities with Example Applications. Journal of Lake and Reservoir Management 15 (2): 133-144. 1999.

Table 2: Osprey Lake Aquatic Plant Survey Statistics

SUMMARY STATS:	2006	2015
Total number of points sampled	319	267
Total number of sites with vegetation	208	237
Total number of sites shallower than maximum depth of plants	292	260
Frequency of occurrence at sites shallower than maximum depth of plants	71.2	91.15
Simpson Diversity Index	0.93	0.93
Maximum depth of plants (ft)	25	23.00
Number of sites sampled using rake on Rope (R)	88	124
Number of sites sampled using rake on Pole (P)	191	142
Average number of all species per site (shallower than max depth)	2	2.87
Average number of all species per site (veg. sites only)	1.48	3.15
Average number of native species per site (shallower than max depth)	1.8	2.71
Average number of native species per site (veg. sites only)	1.48	3.15
Species Richness	35	33
Species Richness (including visuals)	37	37

Several changes stand out when comparing the aquatic plant survey statistics. The first is the frequency of occurrence at sites shallower than the maximum depths of plants. The percent coverage of plants in the littoral zone increased from approximately 71% in 2006 to approximately 91% in 2015. This is a 20% increase in the coverage of plants in the littoral zone. The average number of species per vegetated site also more than doubled from 1.48 to 3.15 in 2015. The EWM treatments do not appear to be limiting spatial coverage or number of species at the sampled sites since both of these are increasing.

To compare the individual species populations between the years, a statistical analysis was completed using a Chi-square test with a 5% Type-1 error rate. This error rate is standard in ecological studies and equals that there is a 5% chance of claiming statistically significant change when no real change occurred. Only those species that display a p-value of 0.05 or lower changed significantly population-wise between the years. To calculate these values, the total number of sample locations each species was found at is compared between the years (2006 vs 2015). Table 3 displays the statistical changes, if any, for each species sampled in 2015 versus the 2006 survey.

Table 3: Statistical significance of Species between Sampling Events

Specie	2006 points	2015 points	+/-	p-value	Significance
Eurasian water-milfoil	present	present	#VALUE!	#VALUE!	#VALUE!
filamentous algae	0	42	+	1.77276E-10	***
Watershield	9	39	+	3.86909E-05	***

Specie	2006 points	2015 points	+/-	p-value	Significance
Coontail	3	0	-	0.063579095	n.s.
bottle brush sedge	0	present	no change	#DIV/0!	#DIV/0!
Muskgrasses	65	72	-	0.842712764	n.s.
needle spikerush	10	9	-	0.598941923	n.s.
Creeping spikerush	present	0	no change	#DIV/0!	#DIV/0!
Robbins spikerush	1	6	+	0.082783433	n.s.
Common waterweed	59	38	-	0.001668688	**
Pipewort	1	2	+	0.640470217	n.s.
Water star-grass	4	3	-	0.578247342	n.s.
Small duckweed	0	present	#VALUE!	#VALUE!	#VALUE!
Water marigold	15	19	+	0.74966322	n.s.
moss	3	17	+	0.003599576	**
Northern water milfoil	7	1	-	0.01972123	*
Dwarf watermilfoil	9	0	-	0.001215595	**
Bushy pondweed	51	3	-	6.61628E-14	***
Nitella	40	57	+	0.219185098	n.s.
Spatterdock	6	12	+	0.244450866	n.s.
White water lily	13	41	+	0.000368589	***
Water smartweed	1	1	-	0.926247712	n.s.
Pickerelweed	1	2	+	0.640470217	n.s.
Large-leaf pondweed	7	25	+	0.00342788	**
Variable pondweed	28	61	+	0.001236275	**
Floating-leaf pondweed	10	28	+	0.008319853	**
White-stem pondweed	1	7	+	0.050135123	n.s.
Small pondweed	39	12	-	6.11944E-06	***
Clasping-leaf pondweed	17	3	-	0.000449816	***
Robbins pondweed	58	90	+	0.024190634	*
Flat-stem pondweed	14	0	-	4.94238E-05	***
Sagittaria sp.	11	3	-	0.015288975	*
Water bulrush	13	30	+	0.022439466	*
Soft stem bulrush	1	2	+	0.640470217	n.s.
Narrow-leaved bur-reed	0	1	+	0.348307481	n.s.
Common bur-reed	4	2	-	0.324689041	n.s.
Flat-leaf bladderwort	2	44	+	1.15802E-09	***
Wild celery	18	70	+	3.4285E-08	***
Short-stem Burr Reed	0	1	+	0.348307481	n.s.
Freshwater sponge	2	4	+	0.507491102	n.s.
cattail	present	present	no change	#DIV/0!	#DIV/0!

, **, * - Levels of significance*
n.s. – change not significant

A total of eleven species increased significantly from 2006 to 2015 (highlighted in green) and eight species decreased significantly (highlighted red).

Species Richness

Thirty-three species of aquatic macrophytes were directly sampled and four additional species were visually observed for a total of 37 species in Osprey Lake during the 2015 whole lake survey. In the 2006 survey, 35 species were sampled with 2 more observed for a total of 37 species also. Table 4 lists all of the species that were sampled or observed in 2015 along with their frequency and average rake density.

Table 4: 2015 Osprey Lake Aquatic Macrophytes

Scientific Name	***Common Name***	***Frequency within vegetated areas (%)***	***Freq. at sites shallower than max depth of plants (%)***	***Relative Frequency (%)***	***Average Rake Fullness***
Myriophyllum spicatum	Eurasian water-milfoil				present
filamentous algae		17.72	16.15	5.62	1
Brasenia schreberi	Watershield	16.46	15.00	5.22	1
Carex comosa	bottle brush sedge				present
Chara	Muskgrasses	30.38	27.69	9.64	1
Eleocharis acicularis	needle spikerush	3.80	3.46	1.20	1
Eleocharis robbinsii	Robbins spikerush	2.53	2.31	0.80	1
Elodea canadensis	Common waterweed	16.03	14.62	5.09	1
Eriocaulon aquaticum	Pipewort	0.84	0.77	0.27	1
Heteranthera dubia	Water star-grass	1.27	1.15	0.40	1
Lemna minor	Small duckweed				present
Megalodonta beckii	Water marigold	8.02	7.31	2.54	1
moss		7.17	6.54	2.28	1
Myriophyllum sibiricum	Northern water milfoil	0.42	0.38	0.13	1
Najas flexilis	Bushy pondweed	1.27	1.15	0.40	1
Nitella sp.	Nitella	24.05	21.92	7.63	1
Nuphar variegata	Spatterdock	5.06	4.62	1.61	1
Nymphaea odorata	White water lily	17.30	15.77	5.49	1
Polygonum amphibium	Water smartweed	0.42	0.38	0.13	1
Pontederia cordata	Pickerelweed	0.84	0.77	0.27	1
Potamogeton amplifolius	Large-leaf pondweed	10.55	9.62	3.35	1
Potamogeton gramineus	Variable pondweed	25.74	23.46	8.17	1
Potamogeton natans	Floating-leaf pondweed	11.81	10.77	3.75	1
Potamogeton praelongis	White-stem pondweed	2.95	2.69	0.94	1

Scientific Name	Common Name	Frequency within vegetated areas (%)	Freq. at sites shallower than max depth of plants (%)	Relative Frequency (%)	Average Rake Fullness
Potamogeton pusillus	Small pondweed	5.06	4.62	1.61	1
Potamogeton richardsonii	Clasping-leaf pondweed	1.27	1.15	0.40	1
Potamogeton robbinsii	Robbins pondweed	37.97	34.62	12.05	1
Sagittaria sp.		1.27	1.15	0.40	1
Schoenoplectus subterminalis	Water bulrush	12.66	11.54	4.02	1
Schoenoplectus tabernaemontani	Soft stem bulrush	0.84	0.77	0.27	2
Sparganium angustifolium	Narrow-leaved bur-reed	0.42	0.38	0.13	1
Sparganium eurycarpum	Common bur-reed	0.84	0.77	0.27	1
Utricularia intermedia	Flat-leaf bladderwort	18.57	16.92	5.89	1
Vallisneria americana	Wild celery	29.54	26.92	9.37	1
sparganium chlorocarpum	Short-stem Burr Reed	0.42	0.38	0.13	2
Freshwater sponge		1.69	1.54	0.54	1
Typha sp.	cattail				Present

Frequency of occurrence within vegetated areas (%): *Number of times a species was seen in a vegetated area divided by the total number of vegetated sites.*

Frequency of occurrence at sites shallower than maximum depth of plants: *Number of times a species was seen divided by the total number of sites shallower than maximum depth of plants (whole lake value-how often it occurs within the entire littoral zone)*

Some species were present in 2015 that weren't present in the 2006 survey as well as some species that were present in 2006 weren't sampled in the 2015 survey. Table 5 notes the differences in the plant species that were present/absent between 2006 and 2015.

Table 5: Plant Species Present/Absent 2006 vs 2015 Surveys

Scientific Name	Common Name	2006	2015
Ceratophyllum demersum	Coontail	Present	Absent
Carex comosa	bottle brush sedge	Absent	Present
Eleocharis palustris	Creeping spikerush	Present	Absent
Lemna minor	Small duckweed	Absent	Present
Myriophyllum tenellum	Dwarf watermilfoil	Present	Absent
Potamogeton zosteriformis	Flat-stem pondweed	Present	Absent
Sparganium angustifolium	Narrow-leaved bur-reed	Absent	Present
sparganium chlorocarpum	Short-stem Burr Reed	Absent	Present

Plant Diversity

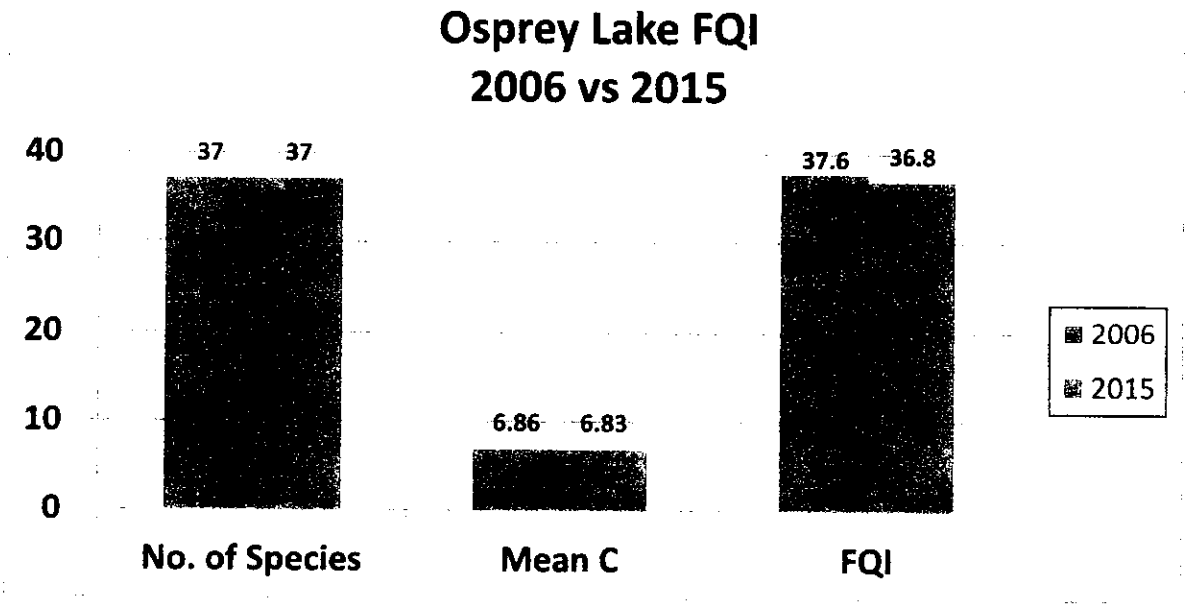
Osprey Lake continues to have a very diverse plant community. The Simpson's diversity index remained unchanged from 2006 (.93) indicating once again a healthy ecosystem and a high degree of diversity. The most abundant plant species surveyed in 2015 were Robbins Pondweed

938%), Muskgrass (30%) and wild celery (30%). The most abundant species in 2006 were Muskgrass (31%), common waterweed (28%) and Robbins pondweed (28%). No single plant dominated the lake in either year and the plant species abundance is balanced between several different types.

Floristic Quality Index

As seen in Figure 3, Osprey Lake continues to have a very high FQI (36.8). The mean conservatism value remained relatively unchanged also. The number of species, conservatism value and the FQI are essentially the same as they were in 2006 and continue to be well above the median values for lakes in the same eco-region (Northern Lakes and Forests). This high FQI is indicative of a plant community that is intolerant to development and other human disturbances in the watershed. It indicates that the plant community is healthy and likely has changed little in response to human impact on water quality and habit (sediment) changes.

Figure 2: Osprey Lake FQI Comparison 2006 vs 2015



Assessment of EWM Management on the Native Plant Community

Once again the goal of the Osprey Lake Aquatic Plant Management Plan is to protect the native lake ecosystem and native plant populations while guiding efforts to control Eurasian watermilfoil. The goal set out appears to be being achieved. Only 4 visuals of EWM were noted in the 2015 survey and none was sampled at any of the points. The native plant community also continues to be thriving as is evident by the relatively unchanged mean C value and FQI. Some species have declined but others have increased with the total number of different species unchanged. In fact overall plant density and the number of species per site has actually increased

in the lake. Future EWM control efforts if conducted in a similar manner appear to be effective and are having no detrimental impacts on the native plant community.

OSPREY LAKE PROPERTY OWNERS' ASSOCIATION

9471 N. OSPREY ROAD • HAYWARD, WI • 54843 • (715) 462-3364

August 2016

Friends around Osprey Lake,

In lieu of holding the Osprey Lake Property Owners Association (OLPOA) annual meeting, the board decided we will provide the highlights in this "State of the Lake" letter.

FINANCES

We would like to thank everyone for their financial contributions to our 2015 annual appeal. We received a total of $4,770 from 26 members and associates. As of 8/1/2016 we have $11,604 in our bank account. During the past year OLPOA had two major expenses: (1) Our share of the 2015 milfoil treatment and subsequent plant survey was $3,161 out of $15,220 in combined costs. Our AIS grant paid the balance. (2) OLPOA made a $250 contribution to the Wisconsin Shoreland Initiative, which is a group of lake associations fighting state legislative efforts to ease shoreline restrictions.

INVASIVE SPECIES

In 2015 we successfully treated nine acres of Eurasian Water Milfoil throughout the lake. If we had to pay for this ourselves, it would drain our bank account. Like dandelions, once EWM gets into a lake it is impossible to totally eradicate. Surveys this summer have found only one significant patch of milfoil in front of the Birk log home. *Please keep motorboats out of the area.* The AIS grant we received in 2012 has expired. We plan on applying for a new grant in 2017 to fund future treatments, but the board believes we may receive lower (if any) subsidies than we have in the past. So please continue your generosity when you receive the 2016 contribution request in a few weeks.

BOAT LANDING

Largely due to the efforts of Jeff Schneider the landing road received 1200 yards or gravel, was regraded and compacted. Launching your boats and lifts will be immeasurably easier thanks to Jeff's advocacy.

CARLSON ROAD DAM

Last spring the Wisconsin DNR approved Sawyer County's request to abandon the 1941 order to manage the water level of Round Lake to within six inches. A resident of Round Lake has filed a suit attempting to overrule that decision. We expect that suit to be heard later this fall.

FISH STOCKING

The DNR will deliver 2139 extended growth walleyes on September 21. The DNR will be on our lake sometime before the delivery to do a nightime electro-fishing survey to check on the overall health of our fishery and see if we have had any natural reproduction of Walleyes from earlier stockings.

Please visit www.OspreyLake.org for all OLPOA records, past milfoil treatment maps, fish surveys, No-Wake Ordinance, a summary of the Shoreland Zoning changes, and more.

Again -- thank you for your continued support. If you have any questions, ideas, or concerns, please feel free to contact any of the board members:

PJ Schaefer, president	715-210-0205
Jeff Schneider, vice president	715-781-5754
Brian Follett, secy/treasurer	651-792-6461

In April of 2017, the issue of whether or not Sawyer County: 1) Could abandon the 1941 Public Service Commission mandate requiring the county to maintain the water level of the Round Lake and Squaw lake to a level of within a 6 inch variance; 2) could Sawyer County abandon the log dam structure at Carlson Road and 3) replace that dam with a concrete culvert at the same water level, was decided.

After 4 days of testimony, the judge took all the evidence presented and ruled against the petitioner Mr. James Hausman and in favor of Sawyer County. Several Osprey Lake property owners sat thru all or part of that hearing, including members of the Storer, Schneider, Meyer, and Schaefer families.

Before the
State of Wisconsin
DIVISION OF HEARINGS AND APPEALS

In the Matter of the Application of Sawyer County to Construct/Place a Culvert in the Little Round Lake Man-Made Outlet, Located in the Town of Hayward, Sawyer County (Permit No. IP-NO-2013-58-02643)	Case No. DNR-14-064
In the Matter of the Application of Sawyer County to Abandon Little Round Lake Dam and Rescission of 1941 Public Service Commission Water Level Order, Located in the Town of Hayward, Sawyer County (Permit No. IP-NO-2013-58-01501)	Case No. DNR-16-026

DECISION

Pursuant to due notice, a contested case hearing was held at the Sherman & Ruth Weiss Community Library, 10788 Wisconsin Highway 77, Hayward, Wisconsin, on April 3, 4, 5, 6, and 7, 2017. Administrative Law Judge Eric D. Défort (ALJ) presided over the hearing. The parties decided to submit written post-hearing briefs and the last of those briefs was received on August 21, 2017.

In accordance with Wis. Stat. §§ 227.47(1), Wis. Admin. Code § NR 2.155(3), Wis. Admin. Code § NR 2.12(1)(f), and Wis. Admin. Code § NR 2.08(5) and (6), the PARTIES to this proceeding are:

James Hausman, Petitioner, by
Attorney Jordan Hemaidan and
Attorney Cameron Field
Michael Best & Friedrich
1 South Pinckney Street, Suite 700
Madison, Wisconsin 53703

Sawyer County, Respondent, by
Attorney Richard Lewandowski
Husch Blackwell, LLP
33 East Main Street, Suite 300
Madison, WI 53703-4655

Wisconsin Department of Natural Resources, Respondent, by
Attorney Michael Kowalkowski
101 South Webster Street
Madison WI 53707-7921

FINDINGS OF FACT

Procedural Facts and Issues for Hearing

1. The County of Sawyer (the County), Wisconsin, filed an application with the Department of Natural Resources (DNR) for a permit to construct a culvert in the Little Round Lake man-made outlet channel, located in the Town of Hayward, County of Sawyer.

2. On July 11, 2014, the DNR notified the County of the DNR's approval of the application to construct the culvert, the issuance of the requested permit, and the assignment of Permit No. IP-NO-2013-58-02643.

3. On August 6, 2014, the DNR received a request for a contested case hearing challenging the permit to construct the culvert, pursuant to Wis. Stat. § 227.42, on behalf of Mr. James Hausman.

4. On September 8, 2014, the DNR granted the petition for a contested case hearing and identified the issue for hearing as follows:

   Whether the culvert will be detrimental to the public interest in navigable waters.

5. Additionally, the County filed an application with the DNR for the removal/abandonment of the Little Round Lake Dam and for the rescission of a 1941 Public Service Commission (PSC) order pertaining to the regulated water level.

6. On April 25, 2016, the DNR notified the County of the DNR's approval of the application to abandon the dam and rescind the PSC order, the issuance of a permit, and the assignment of Permit No. IP-NO-2013-58-01501.

7. On May 24, 2016, the DNR received a request for a contested case hearing challenging the permit to abandon the dam and rescind the PSC order, pursuant to Wis. Stat. § 227.42, on behalf of Mr. James Hausman.

8. On June 13, 2016, the DNR granted the petition for a contested case hearing and identified the issue for hearing as follows:

   Whether the DNR's review of the dam abandonment application sufficiently considered the economic impacts of abandoning the dam and rescinding the water level order.

9. On July 22, 2016, the DNR forwarded both requests for contested case hearing to the Division of Hearings and Appeals.

Substantive Facts

10. The Little Round Lake Dam (also known as Carlson Road Dam) is located in Sawyer County, between Little Round Lake and Osprey Lake (previously known as Squaw Lake). Exh. 3 at 2.

11. The Dam is a timber bridge structure with 5-foot-wide openings and is equipped to accommodate the placement of stop-logs. Exh. 3 at 2.

12. Stop-logs have not been used for any appreciable amount of time, which results in the structure functioning as a culvert. Dallam testimony; Kafura testimony.

13. Moreover, stop-logs have not been used for at least 15 years. Olson testimony; Woznak testimony.

14. The Dam has a center pier / column. Exh. 151, Exh. 156, Woznak testimony.

15. The water levels on Little Round Lake and Osprey Lake have been observed, measured, and found to be the same. Wolf testimony.

16. The water levels on both sides of the Dam are virtually the same. Tyrolt testimony.

17. Round Lake and Little Round Lake outflow through the Carlson Road Dam into Osprey Lake. Exh. 3 at 2; Exh. 208; Olson testimony.

18. Outflows from Osprey Lake flow into Osprey Creek and into Lac Courte Oreilles. Exh. 3 at 15; Exh. 208; Olson testimony; Dallam testimony.

19. Round Lake is spring-fed and is a seepage lake. Kafura testimony.

20. Bluegill and large-mouth bass fish species inhabit the Round Lake System. Kafura testimony.

21. All lakes in the area have been affected by above average precipitation. Kafura testimony.

22. Water levels in the Round Lake System have been high after historic rainfalls. Olson testimony.

23. The water levels in the Round Lake System appear to correspond directly to rainfall patterns. Woznak testimony; Exh. 222; Tyrolt testimony.

24. The Round Lake System is relatively flat, which results in slow removal of water from the system. Dallam testimony; Exh. 11 at 9.

25. Extended periods of wet or dry weather have the greatest impact on lake elevations. Exh. 11 at 9.

26. The Dam does not control the water levels. Kafura testimony; Dallam testimony; Woznak testimony.

27. The current Dam structure requires replacement because it is at the end of its service life and poses a potential public safety risk due to the increasing potential for structural failure. Exh. 13 at 6, § 3.2.

28. The current Dam structure is subject to problems with the accumulation of debris. Olson testimony; Woznak testimony.

29. The center pier / column of the current Dam structure contributes to the accumulation of floating debris within the Dam. An open fixed elevation culvert would remove the existing center pier and allow for debris to pass through the culvert, rather than trapping the debris. Woznak testimony; Exh. 156.

30. The County proposed, and the DNR approved, the replacement of the current structure with a 12-foot span by 7-foot rise reinforced concrete box culvert with an elevation set at 1343.8 feet to allow for a match in elevation to the existing dam sill and stream-bed, while allowing for increased capacity over the existing structure so more water can be conveyed from Little Round Lake during times of high water levels. Exh. 13 at 6, § 3.2; Exh. 15.

31. Beavers in the area are known to build beaver dams downstream of Osprey Lake down to Lac Courte Oreille. Wolf testimony.

32. Beaver dams slow the flow of water in the Round Lake system. Woznak testimony; Kafura testimony; Exh. 11 at 6 – 8.

33. Shoreline erosion on Round Lake may be the result of increased impervious surfaces and the elimination of natural buffers, due to residential construction and landscaping. Tyrolt testimony.

34. Additionally, high water levels appear to contribute to shoreline erosion on Round Lake. Hausman testimony.

35. Low water levels convert the Round Lake system into a series of disconnected ponds, which prevent navigation between the lakes. Hausman testimony.

36. In 1941, the Public Service Commission of Wisconsin (PSC) found that someone obstructed a natural channel between Little Round Lake and Squaw Lake (now known as Osprey Lake) by filling it with road fill. Exh. 1 at 5.

37. The PSC ordered that a channel be constructed between Little Round Lake and Squaw Lake (now known as Osprey Lake). Exh. 1 at 10.

38. The PSC also ordered that Sawyer County maintain the water levels of Round Lake and Little Round Lake at 77 feet and to prevent water levels from rising above 77.25 feet. Exh. 1 at 10.

39. The petitioner's expert witness conceded that the PSC water level order was never realistic. Dent testimony.

DISCUSSION

The burden of proof was on the petitioner to demonstrate that the proposed culvert would be detrimental to the public interest in navigable waters and that the DNR's review of the dam abandonment application insufficiently considered the economic impacts of abandoning the dam and rescinding the water level order. Wis. Stat. § 30.209(2)(e), Wis. Admin. Code. § 2.13(3)(b).

It is undisputed that the properties on Round Lake are suffering from high water levels on the lake. The petitioner sought to prove that the Dam was linked to the high-water levels. However, the preponderance of the evidence demonstrates that both high-water levels and low-water levels in the Round Lake System are caused by corresponding precipitation patterns. The high-water levels and low-water levels are not caused by the operation, or lack of operation, of the Dam. The Round Lake System is a relatively flat system, which results in slow removal of water from the system. Additionally, it appears that beavers construct blockages (beaver dams) that further slow the flow of water downstream. Rainfall, flat gradient, and beaver activities are naturally occurring conditions.

For the reasons stated below, the petitioner has failed to meet its burden.

The Culvert

The standard for the issuance of a permit to construct a culvert requires that the proposed culvert (1) not materially obstruct navigation, (2) not materially reduce the effective flood flow capacity of a stream, and (3) not be detrimental to the public interest. Wis. Stat. § 30.123(8)(c). The petitioner failed to establish that the culvert would violate any of the statutory criteria.

The evidence demonstrates that the proposed culvert will remove a center pier / column, which would improve the navigability of this channel. Moreover, the removal of the center pier would reduce the possibility of debris becoming stuck or trapped in the structure and, as a result, would not materially reduce the flood flow capacity. On a related note, the proposed culvert would widen the channel and, as a result, would not materially reduce the flood flow capacity or act as an impediment to the movement of fish within the Round Lake System. Finally, the current structure has not operated as a dam and, instead, has operated only as a culvert for at least 15 years. Thus, the petitioner has not established that the use of the current structure as a culvert was the reason for the high-water levels and the resulting shoreline erosion. Similarly, the petitioner has not demonstrated that the use or non-use of the Dam was the reason for low water levels in earlier years. As previously noted, the changes in water levels correspond to

precipitation patterns. Additionally, the replacement culvert would increase the flow of water out of Round Lake during times of high water, which may assist residents around that lake in times of high water. Ultimately, the evidence demonstrates that the replacement culvert would not be detrimental to the public interest.

Abandonment of the Dam

The standard for the issuance of a permit for the abandonment of a dam may require the applicant to comply with such conditions that the DNR deems reasonably necessary in the particular case to preserve public rights in navigable waters, to promote safety, and to protect life, health, property, property values, and economic values. Wis. Stat. § 31.185(5). The petitioner failed to establish that the abandonment would violate any of the statutory criteria.

As discussed earlier in this decision, the applicant (the County) seeks to replace the current structure with a new culvert. The current structure has the capability of being used as a dam, but has not functioned as such for at least 15 years. Thus, it has only been operating throughout all of those years as a culvert. The evidence demonstrates that the abandonment of a dam that has not been in use for at least 15 years is consistent with the preservation of public rights in navigable waters. Specifically, the abandonment will continue the existing flow of water. Moreover, the larger and unobstructed culvert will not be as susceptible to blockages by floating debris and will not be an impediment to the movement of fish within the Round Lake System. The abandonment of the old structure followed by the placement of a new structure will promote safety because the current structure is so old that it is at risk of structural failure. There was no reliable or credible evidence that the abandonment, and subsequent replacement, will adversely affect water quality in any way.

The petitioner challenged that the approval will perpetuate unacceptably high-water conditions, economic harm, and property damage. Specifically, the high-water levels appear to contribute to shoreline erosion. The petitioner's assertions are premised on the assumption that the non-use of the Dam is the cause of the high-water levels. The petitioner's witnesses were not credible or persuasive in their suggestion that the use, or non-use, of the Dam was the cause of the high-water levels. However, the preponderance of the evidence demonstrates that the high-water levels are caused by rainfall in combination with the flat gradient. Based on the evidence, the abandonment of the Dam would have no effect on rainfall or the flat gradient. Therefore, the abandonment of the Dam would have no effect on property, property values, and economic values because precipitation and flat gradient are at fault for the high-water levels.

Additionally, the petitioner challenged that the DNR did not perform an economic analysis of the impacts. However, the fundamental problem with the petitioner's argument is that it assumes that the Dam is the cause of the changes in water levels. As previously noted, the evidence demonstrates that the Dam is not the cause of such changes. Therefore, the petitioner has failed to establish that the abandonment of the Dam and its replacement with a culvert would have any economic impact.

As an aside, there was no dispute that one of the naturally occurring hydraulic controls in this system of lakes and streams is the presence of beaver dams. In fact, the petitioner (Mr. Hausman) testified that he took it upon himself to use explosives to remove such obstructions and that he noticed a drop in the water levels after doing so. As a result, the petitioner argues that the County should be required to clear any and all downstream obstructions, such as beaver dams. However, it is undisputed that the beaver dam obstructions may occur for several miles down the connected lakes and streams that are part of the watershed for this system. It is undeniable that beavers, like rainfall, are a natural part of the environment and their activities cannot be predicted with precision. Ultimately, it would be unreasonable to require the County to clean up and monitor the entire length of the connected lakes and streams below the current dam / culvert structure to eliminate beaver dams in perpetuity. Furthermore, the environmental consequences of the complete eradication of beaver dams are unknown. Finally, and importantly, the petitioner has not presented any legal authority that the State may require an owner of a dam to clear all obstructions that are not occurring in the immediate vicinity of the structure, but that may occur far from the structure and, potentially, several miles downstream.

Rescission of the 1941 PSC water level order

The rescission of the 1941 PSC water level order is reviewable under Wis. Stat. § 31.02(1), which requires that the DNR must act in the interest of public rights in navigable waters, to promote safety, and to protect life, health, property, property values, and economic values. The petitioner has not demonstrated that the proposed rescission is inconsistent with any of these interests. Of note, the petitioner's own expert conceded that the 1941 water level order was never realistic. Indeed, in the petitioner's initial post-hearing brief, the petitioner concedes that the 1941 PSC water level order is unachievable and argues that it should be modified to a different range. Ultimately, the evidentiary record demonstrates that the water levels have fluctuated throughout the years in response to rainfall in combination with the flat gradient of the Round Lake System and that the water levels are not reasonably, or practically, manageable. Therefore, the Division will simply order the rescission of the water level order.

CONCLUSIONS OF LAW

1. The Division of Hearings and Appeals shall preside over contested case hearings in place of the DNR. Wis. Stat. § 227.43(1)(b).

2. The Division of Hearings and Appeals is subject to the DNR's agency rules when presiding at hearings. Wis. Stat. 227.46(1).

3. The DNR's agency rules provide that, unless the DNR petitions for judicial review as provided in Wis. Stat. § 227.46 (8), the decision of the administrative law judge shall be the final decision of the DNR. Wis. Admin. Code § NR 2.155(1). Thus, as to the causes of action arising under Wis. Stat. §§ 31.185 and 31.02(1), the decision of the administrative law judge is the final decision of the DNR.

4. Furthermore, contested case hearings arising from the issuance of a permit to construct a culvert under Wis. Stat. § 30.123 are referred to the Division of Hearings and Appeals. Wis. Stat. § 30.209(1m)(g). Additionally, after the contested case hearing, any party aggrieved by a decision of the of the administrative law judge may commence an action in circuit court to review that decision. Wis. Stat. § 30.209(3)(b). Thus, the decision of the administrative law judge is the final decision of the DNR in such actions.

5. At the administrative contested case hearing, the petitioner has the burden of proof. Wis. Stat. § 30.209(2)(e), Wis. Admin. Code. § 2.13(3)(b).

6. The burden of proof for the hearing decision is to be by the preponderance of the evidence. Wis. Admin. Code § HA 1.17(2).

7. Wisconsin Statute § 31.185(4) requires the following:

> "Prior to the hearing the department shall have its staff make its own investigation of the dam and, on the basis of such investigation, shall make recommendations as to the type of requirements, if any, which it would impose on the applicant under sub. (5) as a condition to granting the permit. Such recommendations shall be presented at the hearing. If no one registers opposition to the application at the hearing, the department shall grant the permit, subject to such conditions as it deems necessary under sub. (5). If someone registers opposition to the abandonment at the hearing and such opposition is not withdrawn, the department shall defer action on the application for a period of 120 days after the hearing. Within a reasonable time after the expiration of such period, the department shall deny the permit, or grant the permit, subject to such conditions as it imposes under sub. (5), unless, within such 120-day period, one or more municipalities or other persons or associations have agreed to acquire ownership of the dam and have furnished satisfactory proof of intent to comply with s. 31.14 (2) or (3)."

   The 120-day waiting period expired on August 7, 2017. There is no evidence that any other municipality or person has agreed to acquire ownership of the dam.

8. The DNR has complied with the requirements of Wisconsin Administrative Code Chapter NR 150 and Wisconsin Statute Section 1.11 because the proposed actions qualify as minor actions.

9. The proposed culvert will not materially obstruct navigation, nor will it materially reduce the effective flood flow capacity of a stream, nor will it be detrimental to the public interest.

10. The abandonment of the Dam will preserve public rights in navigable waters, promote safety, and protect life, health, property, property values, and economic values.

11. The rescission of the 1941 PSC water level order is consistent with the interest of public rights in navigable waters, the promotion of safety, and the protection of life, health, property, property values, and economic values.

NOTICE

Set out below is a list of alternative methods available to persons who may desire to obtain review of the attached decision of the Administrative Law Judge. This notice is provided to insure compliance with Wis. Stat. § 227.48 and sets out the rights of any party to this proceeding to petition for rehearing and administrative or judicial review of an adverse decision.

1. Any party to this proceeding adversely affected by the decision attached hereto has the right within twenty (20) days after entry of the decision, to petition the secretary of the Department of Natural Resources for review of the decision as provided by Wisconsin Administrative Code NR 2.20. A petition for review under this section is not a prerequisite for judicial review under Wis. Stat. §§ 227.52 and 227.53.

2. Any person aggrieved by the attached order may within twenty (20) days after service of such order or decision file with the Division of Hearings and Appeals a written petition for rehearing pursuant to Wis. Stat. § 227.49. Rehearing may only be granted for those reasons set out in Wis. Stat. § 227.49(3). A petition under this section is not a prerequisite for judicial review under Wis. Stat. §§ 227.52 and 227.53.

3. Any person aggrieved by the attached decision which adversely affects the substantial interests of such person by action or inaction, affirmative or negative in form is entitled to judicial review by filing a petition therefore in accordance with the provisions of Wis. Stat. §§ 227.52 and 227.53. Said petition must be served and filed within thirty (30) days after service of the agency decision sought to be reviewed. If a rehearing is requested as noted in paragraph (2) above, any party seeking judicial review shall serve and file a petition for review within thirty (30) days after service of the order disposing of the rehearing application or within thirty (30) days after final disposition by operation of law. Since the decision of the Administrative Law Judge in the attached order is by law a decision of the Department of Natural Resources, any petition for judicial review shall name the Department of Natural Resources as the respondent and shall be served upon the Secretary of the Department either personally or by certified mail at: 101 South Webster Street, P. O. Box 7921, Madison, WI 53707-7921. Persons desiring to file for judicial review are advised to closely examine all provisions of Wis. Stat. §§ 227.52 and 227.53, to insure strict compliance with all its requirements.

ORDER

WHEREFORE, IT IS HEREBY ORDERED that the decision to grant the permit to construct a culvert is AFFIRMED.

IT IS FURTHER ORDERED that the decision to grant the permit to abandon the Little Round Lake Dam (also known as the Carlson Road Dam) is AFFIRMED.

FINALLY, IT IS ORDERED that the decision to rescind the 1941 PSC water level order is AFFIRMED.

Dated at Milwaukee, Wisconsin, on September 13th, 2017.

STATE OF WISCONSIN
DIVISION OF HEARINGS AND APPEALS
819 N. 6th Street, Suite 92,
Milwaukee, Wisconsin 53203
Telephone: (414) 227-4750
FAX: (414) 227-3818

By:

Eric D. Défort
Administrative Law Judge

2018

The water issues continue:

The culverts at HighwayNN need to be replaced. Last year the county tried to repair old culverts and added a 3rd. In 2018 the old culverts have fallen into disrepair and are essentially blocked. There is also a question as to what is the proper height the culverts should be.

The litigation between the Round Lake Property Owners Assn and county continues. Thus far RLPOA had lost 2 filings with the courts and are now in the court of appeals. Whichever way the court rules it is assumed that the losing side will appeal.

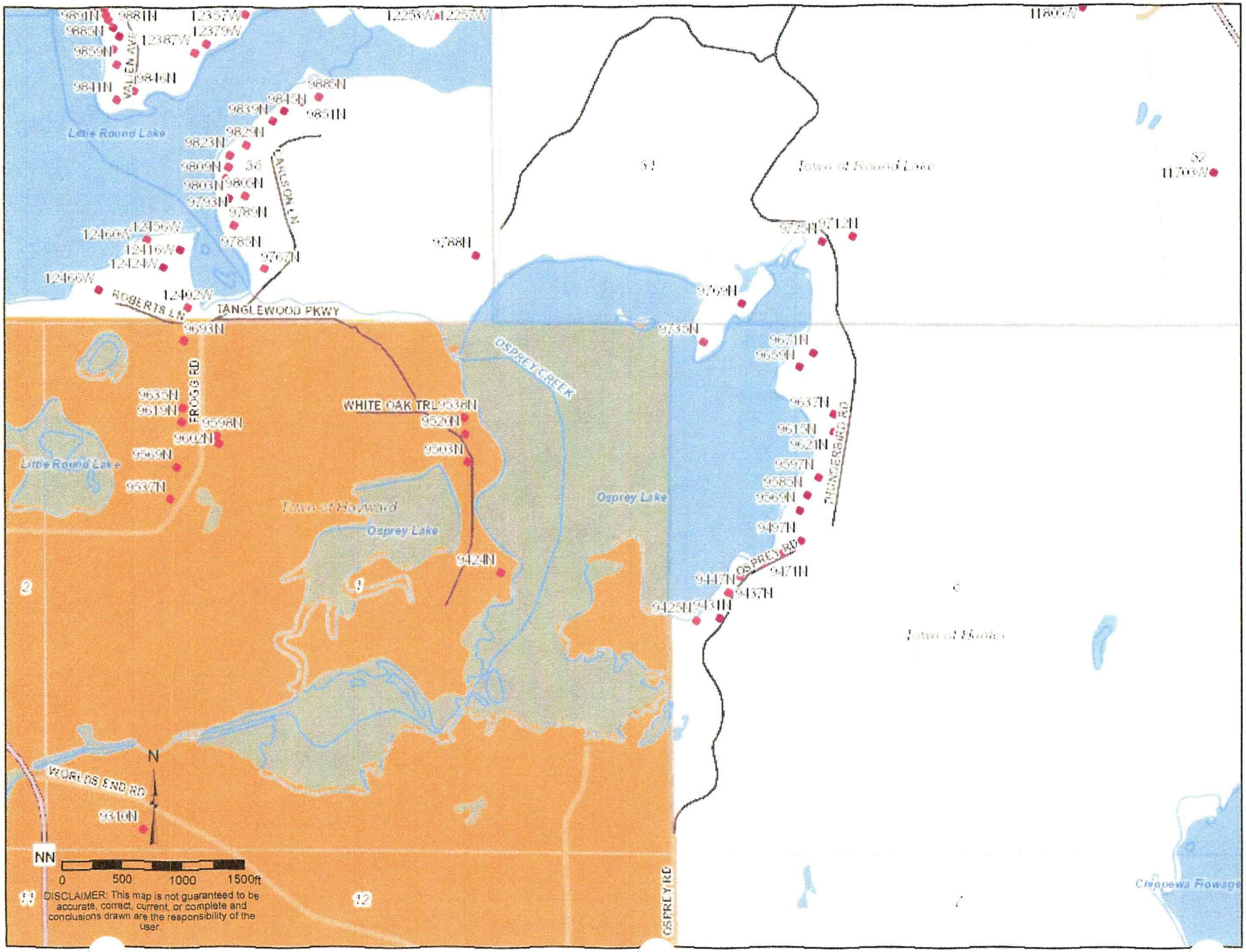
WDNR surveyed Osprey Lake this spring, both using fyke nets and shocking to get a count on Walleyes and othe species. The good news was they netted a state record white sucker and a 44" muskie. The bad news was they found very few Walleyes. The question was put to all attending OLPOA annual meeting; do we give up on Walleyes and concentrate on a healthy Bass population? By a vote of 8 to 3 people voted to focus on walleyes. Max Wolter of WDNR asked if we would like to add Muskies to our lake and 10 voted in favor and 1 abstained.

It was also voted to allow a revision of our bylaws that would allow the OLPOA board discretion to spend up to $20,000 on behalf of the lake without needing a full vote of all members. This was approved unanimously.

Election of officers was held by post card vote and current board was re-elected.

Early in the spring while launching my boat, a pile of Walleye carcasses were discovered along the landing road. Upon further inspection there was an additional pile of bones. The first thought was , geez the guys who were spearing did a lot better than we thought they did because Walleyes had been hard to find in Osprey Lake. The more we thought about it the angrier and frustrated we became. OLPOA had spent thousands of dollars with the LCO tribe and someone was spearing these fish we had tried so hard to replentish. PJ Schaefer contacted the tribal fisheries office and requested an appointment to discuss the issue with them. PJ met with Henry Bearhart LCO warden and Brian Bissonette who sat on the LCO Tribal Board and was in charge of their Conservation department. He explained our concern to Henry and Brian. After PJ concluded his opening remarks both Henry and Brian replied that they understood our frustration but did not believe the fish came from Osprey Lake. They

based their belief on several reasons: First, there have been a few other similar gutpiles located on other area landings. Second, no tribal members had declared that they were planning on spearing Osprey Lake (which they are required by tribal law to do). Third, they commented that based on WDNR surveys there were very few Walleyes in the lake and other area lakes offered a better chance for success. Further conversation revealed that LCO believed their border went thru the center of the lake and did not end at the south bay. Brian explained that when the reservation boundaries were established in the late 1800's the tribal members were most interested in protecting their wild rice beds and tried their best to ascertain that the borders offered them the most opportunities to gather wild rice. Brian and Henry said they would put out the word that Osprey should not be speared, without declaring first and the only within the tribal border. See the attached map showing reservation border as seen by LCO.


Little Round Lake
VALIEN AVE
CARLSON LN
ROBERTS LN
TANGLEWOOD PKWY
FROGG RD
WHITE OAK TRL
OSPREY CREEK
Osprey Lake
Town of Hayward
Town of Round Lake
Town of Hunter
OSPREY RD
THUNDERBIRD RD
WORLDS END RD
Chippewa Flowage
N
NN
0 500 1000 1500ft
DISCLAIMER: This map is not guaranteed to be accurate, correct, current, or complete and conclusions drawn are the responsibility of the user.

2019

Treated 4.2 acres of Eurasian Water Milfoil with Renovate
However, we missed mapping some small patches in 2018 and
therefore were not able to treat them in 2019.

DEVELOPMENTS/ SUBDIVISIONS

Original Homes and Cabins; (South Shore) 11 lots, 11 homes
Shores of Osprey; (East Shore) 24 lots, 9 homes
Fish Hawk Lane; (North Shore) Sold to the Nevilles
Tanglewood Bay; (West Shore) 16 lots, 3 homes

2020

After experiencing a significant amount of shoreland tree loss due to Beavers OLPOA decided to hire a trapper to help. We hired Mike Petrie who after exploring the lake thought he could get the beavers pretty easily. We sent Mr. Petrie $250.00 so he could start. After a few weeks he replied he had already trapped 8 Beavers and thought there were more to trap. He agreed to trap what ever he could and then bill us. After another week the lake began to freeze up, which ended the trapping season. Final tally 14 Beavers were removed.

Heard from Scott Van Eggren Water Specialist of WDNR that because of COVID he would not be able to complete the AIS meanander survey, wood habitat survey, or collect water quality samples. We need this data to complete our revised Aquatic Plant Management Plan and Scott had agreed to help us out (and save us the expense of someone else doing these surveys).

We treated 3.5 acres of Eurasian Water Milfoil at a cost of $7500. After treatment Dale Dressel spoke with PJ Schaefer and told him that we needed to change the way we were trying to manage EWM because we were missing too many small patchs of EWM and legally he could only treat those areas identified in our application process. PJ asked for suggestions as to whom we could hire. Dale said if we could hire Dave Blumer of Lakeside Education and Planning it would be beneficial to Osprey Lake. We contacted Dave and he agreed to visit Osprey Lake and see what the situation was. Dave met with Jeff Schneider and PJ Schaefer in October and after a lake tour and a few followup discussions the OLPOA Board agreed to hire LEAPS to help us manage our efforts in preserving the waters of Osprey Lake.

2021

2021 began OLPOA association with Dave Blumer and Lakeshore Education and Planning Services (LEAPS). Dave will prepare an update of our 2011 Aquatic Plant Management Plan and will be responsible for gathering data needed, preparing the APM plan, submitting it to WDNR and answering any questions the WDNR may have.
Additionally, LEAPS will deal with WDNR is implementing treatment of Eurasian Water Milfoil in 2021 and co-ordinating with applicator and post treatment survey. Finally, LEAPS will prepare a grant request to the state of Wisconsin for future aid in treating EWM.

OLPOA did receive an email from WDNR saying we were not eligible to receive grant funding to treat EWM because we did not have a completed Aquatic Plant Management Plan. However, we were eligible for a shore line planning grant which we may use to help in managing the lakefront in the future years. OLPOA did apply for and receive a Grant in the amount of $3801.00 for shoreline management.

OLPOA treated 3.5 acres of Eurasian Water Milfoil in the Northeast side on Osprey Lake with Shredder Amine.

OLPOA created a property owners survey soliciting property owners opinions on a number of topics: quality of living, quality of fishery; ascetics of the lake, motorized recreation, non motorized recreation,water quality, diversity of wildlife and other topics. Results of survey indicate that property owners valued the quiet sports over speed boating and jet skiing; were concerned about the amount of vegetation on the lake; preferred no change to current "no wake" ordinance; and other topics which will aid OLPOA in making future decisions as to how they attempt to manage the lake in the future.

WDNR stocked 67 "extended growth" muskies (average of 15") into Osprey Lake in the Fall

2022

Wayne Dannehl, the founder and first President of OLPOA, who had visited or lived on the lake for 50+ years passed away. Affectionately known as "The Mayor" of Squaw Lake, Wayne made numerous contributions to the health of our lake.

OLPOA decided to join the Citizens Mnitoring Network and will measure periodically the clarity of the water, with the goal of creating a long term record of lake water quality.

OLPOA was notified that the WDNR approved the Aquatic Plant Management Plan.

OLPOA applied for a permit to treat EWM in various parts of the lake with Procella Core. Because our Aquatic Plant Management plan stated that we would not chemically treat EWM multiple years in a row, the WDNR denied our plan to treat the Northeast Bay, which we had treated the year before) OLPOA made the decision to forego any chemical treatment in 2022. This decision was made to enable OLPOA to get on full lake treatment schedule and to avoid paying several hundred dollars in fees for treatment in a smaller area of the lake.

2023

2023 was a year focused on lake management issues.

Jeff Schneider led a project to repair the "prop wash" at the boat landing. At first, this seem to be a simple project but Jeff quickly discovered it wasn't going to be quite so easy. We needed to get an approval from the WDNR before doing any work. The WDNR required a letter of support from the LCO tribe. In discussions with LCO we thought we had gained approval from everyone necessary. However, after approval from tribal conservation, they asked for tribal governing board to write the formal letter of approval. Before that letter was written, it was handed off to tribal legal department for their approval. After some time the tribal legal department sent their acquiece to the governing board. That acquiecents sat in someone's 'in basket" where it stayed for a few more weeks. When we received that letter then we ran into a time conflict with contractor who was going to complete the repair Finally, in mid September, after spending 6 months of countless meetings and conversations adding a full truck load of rock and spending $1200.00 we have a repaired boat landing.

Early in 2023, we applied for, and was granted permission to treat our growing Eurasian Wa Milfoil problem with a new chemical named ProCella Cor. ProCella Cor had a history of success in dealing with EWM. Multiple state agencies acknowledged that P Cor was safe and effective. Then we ran into a snag. Somewhere in the Eastern part of Wisconsin, a lake association applied for approval to treat EWM with P Cor on a lake which had a significant wild rice population. The local tribe was concerned because they could not fine any evidence that showed P Cor didn't harm wild rice. That tribe contacted the Great Lakes Indian Fish and Wild Life Commission about their concern. GLIFWC in turn sent a letter to the Wisconsin Secretary of Natural Resources who immediately stopped any applicaton of P Cor on any water which showed, in state files as having any wild rice. By the time this letter was received, it was too late in the year to apply any other herbicides because of other plants grwoing in the lake which might be affected by those chemicals. Our only option was to do DIVER ASSISTED SUCTION HARVESTING. Our original plan was to treat with P Cor on 2023 and follow up in 2024 with DASH on the smaller beds which P Cor may not have erased in 2023. Our only option was to try DASH in 2023. We hired Aquatic Plant Management of Minoqua who were on the lake July 31 nd August 1. AQM spent 13 hours harvesting about 80 cubic yards of EWM. While their work was effective, it was also quite expensive, costing about $5600.00.

A second invasives species project we participated in was the rearing of Purple Loosestrife beetles. Purple Loosestrife is a flowering plant which has the capabliity of overwhelming other native shoreline plants. This project involved putting Purple Loosestrife rootstock into 5 gallon buckey, placing netting around buckets, keeping buckets watered until plants grew to about 5 feet tall. By the time the plants were at 5 feet, each plant also had between 50-200 beetles on it, within the netting. A group of people then took the plants ann beetles to the area on Southwest side of the lake where most of the Purple Loosestrife plants were and releasd the beetles. The long term goal is for the

beetle population continue to grow and thereby destroy the plants by eating them. This will be a multi year project.

In 2023, as part of our grant agreement with WDNR we were required to take several water samples and mail them to state labs for testing and monitoring. Secondly, we take a quick test of the clarilty of the water using a Secchi disk.

While 1 year of samples is not sufficient to reflect the long term water quality of Osprey Lake we did receive an email from Scott Van Eggeren (WDNR water specialist) stating:

> " I wanted to give you a head up that I just received the water quality results for your 8-18-23 samples, Chlorophyll was 1.5 PPB and Phosphorus was 13.7 PPB. These are both very good results and wellbelow the water quality standards for lakes which are 27PPB Chlorophyll and 30 PPB Phosphorus."

In November we received the final report from Dave Blumer entitled " Shoreline Habitat Assessment. This report includes photographic evidence of every property on Osprey Lake, with suggestions as to how to improve the individual properties from a shoreline habitat perspective. Overall, our shoreline is in better than average shape.