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February 9, 2005

Mr. Thomas Aartila  
Department of Natural Resources  
875 South 4<sup>th</sup> Avenue  
Park Falls, WI 54552

Re: Sawyer County Petition Regarding Round Lake

Dear Mr. Aartila:

We were forwarded a copy of the January 18, 2005 letter from one of the lawyers for Sawyer County, Mr. Matthew Dregne at Stafford Rosenbaum, and wanted to provide a brief response.

As you know, there is currently litigation between our client, James Hausman, and Sawyer County. We thought it important to underscore to you that the letter from Sawyer County's lawyers is just another piece of advocacy by Sawyer County designed to persuade the Department of Natural Resources into defending Sawyer County's continued violation of the water level requirements for Round Lake. We doubt that Sawyer County is being forced to incur substantial and unnecessary costs in the litigation. Sawyer County has its insurance company involved in the case and we believe that the insurance company is participating, if not fully funding Sawyer County's legal fees.

Sawyer County has had opportunities for many years to work with the Department to address the high water problems that Mr. Hausman has raised and that are now pending before Judge Anderson. They have chosen not to do so for what appears to be the same reasons that have historically been at issue on Round Lake – the interests of developers and those with real estate interests in raising the water level for personal interests rather than the interests of existing landowners who wish to preserve their property and water quality. You may recall that the interests of developers played a large role in the original petitions back in the 1930's and 1940's and continue to play those roles today.

We hope this clarifies the matters for the Department. In the meantime, we understand that you have received copies of the reports prepared by Mr. Hausman's consultant, Barr Engineering. We hope those reports are helpful to the Department in their work. We have not seen any similar reports from Sawyer County, even though Sawyer County was charged with the

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duty to provide such information to the Department. In the event such reports are filed, we would appreciate knowing that from your office so we may have an opportunity to provide some input.

Thank you for your attention to this matter.

Very truly yours,

**MICHAEL BEST & FRIEDRICH LLP**

Jon G. Furlow

JGF:mkd

cc: Matthew Dregne, Esq.  
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bcc: Jim Hausman (via e-mail)  
Lauren Azar, Esq. (via e-mail)