



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2017 Wisconsin Act 10
[2017 Senate Bill 76]

High Capacity Wells

Wisconsin law generally requires a person to apply to the Department of Natural Resources (DNR) for an approval before constructing a high capacity well.¹ [s. 281.34, Stats.] If applicable conditions are met, 2017 Wisconsin Act 10 authorizes the owner of a previously approved high capacity well to repair, replace, reconstruct, or transfer ownership of the well without obtaining an additional approval from and without having to pay any fee to the DNR. A person who replaces, reconstructs, or transfers a well under the Act must notify the DNR of that action within 90 days and provide additional specified information if the well was replaced. The conditions in the original well approval generally continue to apply to the repaired, replaced, reconstructed, or transferred well.

The Act also requires the DNR to evaluate and model the hydrology of three specified lakes and allows the DNR to evaluate the hydrology of other streams and lakes in a specified designated study area. As specified in the Act, the purpose of this evaluation is to determine whether existing and potential groundwater withdrawals are causing or are likely to cause a significant reduction of a navigable stream's or navigable lake's rate of flow or water level below its average seasonal levels. If the DNR concludes such impacts are or will be occurring, the agency is required to propose any special measures related to groundwater withdrawal that it recommends that the Legislature implement to rectify those impacts.

The designated study area in which the DNR is allowed to study the hydrology of streams and lakes includes the area made up of the Fourteenmile Creek Watershed, the Ten Mile Creek Watershed, and the Lone Rock-Fourteenmile Creek Watershed, located in Adams, Portage, Waushara, and Wood counties, as designated by the U.S. Geological Survey. The specified lakes

¹ A high capacity well is a well with the capacity to withdraw more than 100,000 gallons of water per day.

This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature's Web site at: <http://www.legis.wisconsin.gov>.

that the DNR is required to study under the Act are Pleasant Lake in Waushara County and Plainfield Lake and Long Lake in the designated study area.

The Act requires an owner of a high capacity well that is constructed, reconstructed, replaced, or transferred to a new owner in an area studied by the DNR under the Act to provide readings to the DNR from a water meter showing the volume of water usage from the high capacity well, during a specified time period.

Lastly, the Act specifies that the DNR may issue an expedited and free approval to a qualified lake association or lake district to construct a new or operate an existing high capacity well for the sole purpose of providing water to a lake that is located wholly or partially in an area studied by the DNR under the Act to assist the DNR in evaluating and modeling the hydrology of that area, if certain conditions are met.

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