

State of Wisconsin DNR Department of Natural Resources Box 7921 Madison, Wisconsin 53707	APPLICATION FOR A PERMIT TO ABANDON A DAM FORM 3500-30 REV. 7-76
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October 3, 2004

NAME OF OWNER OF DAM Margaret E. Zerwekh			
STREET OR ROUTE 500 Mill Road			
CITY, STATE, ZIP CODE Delafield, Wisconsin 53018-1309			
NAME OF DAM Nemahbin Roller Mills Dam #67.27		NAME OF STREAM Bark River	
QQ SECTION Section 19 NW 1/4	TOWNSHIP Delafield	RANGE Town 7 Range 18E	EAST 4th Meridian
NAME OF TOWN City of Delafield		COUNTY Waukesha County	
REASON FOR PROPOSAL TO ABANDON <p>Expensive to rebuild and develop adequate facilities for electrical generation  Expensive to maintain the dam of 400' to control washing, wave action, seepage.  Mill pond full of silt collected, most of it in the 1900's-due to building upstream, and since the first construction of sawmill and gristmill in'the early 1800's  A school and military academy upstream one-half mile emptied its overflow septic tanks into the Bark River at 3:00 a.m. periodically to 1977 when city built a septic system  A state fish hatchery was built upstream one mile, digging out six oonds of over 30 acres which were cleaned, poisoned and emptied into the Bark River for 50 years.</p> <p style="text-align: right;">... More Over</p>			
INTERESTS WHICH MAY BE AFFECTED BY THE ABANDONMENT (DESCRIBE COTTAGE OR RESIDENTIAL DEVELOPMENT AROUND THE POOL AND GIVE A GENERAL STATEMENT OF PUBLIC USE OF THE POOL FOR RECREATION OR INDUSTRY) <p>A number of houses upstream from the dam will have river frontage, not pond frontage  Fishermen who like to shoot fish in the spring will have to go elsewhere.  Canoists will not have to portage the dam, including several dozen cadets from St. John's Northwestern Military Academy who canoe the river at least once a year.  Those persons whose main interest is removing my stoplogs will no longer have this activity to furnish sport for them.  The Milwaukee-area Sierra Club will be able to canoe the river</p>			
SIGNATURE Margaret E. Zerwekh		DATE October 3, 2004	

NOTE: Applicant should read Section 31.185, Wisconsin Statutes. Applicant should be prepared to submit facts at any hearing which would justify the request for abandonment, if such presentation becomes necessary by reason of opposition to the proposal as provided in Section 31.185(4).

<b>RECEIVED</b> <b>SEP 30 2004</b>
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**Reason to abandon:**

**Upstream** Is subject to disposal of logs, brush, bottles, tires, old equipment which is thrown into the Bark River, upstream area one mile through city.

**Downstream** of the dam is an area of homes, building, boats and equipment on the Bark River with taxable value of many millions. This is an area of about one-fourth mile of homes built in an area of developed swamp and marsh land. The developer started his work in the mid-1920's before there were laws. I understand the Isaak Walton League protested this development, wanting the area on the lake into which the Bark River drained to be made into a park.

**There are structures downstream in the 100-year flood plain of the Nemahbin Roller Mills dam; I was told this month by an engineer that I should pay to have house moved and reconstructed; this house, and the area was built up at least 85 years after the dam was built.**

**The millpond is controlled to a large extent by the need to maintain water levels in Lake Nagawicka, which is upstream a mile. As I understand it, the level in the lake depends upon the wishes of the residents owning lakeshore property.**

**One big reason for siltage in the millpond is the use upstream at the Lake Nagawicka outlet of a tainter gate, which releases lake water at all levels, including those levels laden with silt.**

**There is an elevation change from Lake Nagawicka to my mill pond of approximately elghten feet. When the silt laden—waters reaches comparatively still waters In the millpond, silt is deposited. This is a steady process**

**The Nagawicka Dam one-mile upstreams controls the water of the Bark River, they often open their gates without notifying me, including as recently as this past week. The upper dam is opened to clear it of seaweed; this comes down to my pond.**

**The two span bridge over river and tailrace is being rebuilt this coming year; This will certainly be affected in some way.**