

NOTICE OF HEARING

In re Petition to Establish a Winter Normal Lake Level for Portage and Base Lakes, Washtenaw and Livingston Counties, Michigan

Washtenaw County Water Resources Commissioner Janis Bobrin as “Delegated Authority” under the Inland Lake Level Act, MCL 324.30701 et seq., for Washtenaw and Livingston Counties for matters related to controlling lake levels on Base Lake (aka Base Line Lake) and Portage Lake, gives notice that she has filed an action in Washtenaw Circuit Court, *In re Petition to Establish a Winter Normal Lake Level for Portage and Base Lakes, Washtenaw and Livingston Counties, Michigan*, Washtenaw Circuit Court Case No.11-1075-CE, Hon. Melinda Morris, to establish the normal level of those lakes during the winter months.

COPIES OF THE PETITION MAY BE OBTAINED BY contacting counsel for Commissioner Bobrin care of the following:

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In considering whether to establish a winter lake level, the court must consider all of the following: past lake level records, including the ordinary high-water mark and seasonal fluctuations; the location of septic tanks, drain fields, sea walls, docks, and other pertinent physical features; government surveys and reports; the hydrology of the watershed; downstream flow requirements and impacts on downstream riparians; fisheries and wildlife habitat protection and enhancement; upstream drainage; rights of riparians; testimony and evidence offered by all interested persons; and other pertinent facts and circumstances.

As part of the proceedings, the court shall determine boundaries of a special assessment district. Commissioner Bobrin is requesting that the Court establish the existing assessment district, the Portage and Baseline Lake Level Special Assessment District, as the special assessment district for the maintenance of the normal winter lake level.

The Inland Lake Level Act provides that the court shall hold a hearing to obtain information relevant to establishing a winter lake level. All parties affected by such an order may appear and be heard at that hearing.

The Court has set the hearing for January 13, 2012 at 1:30 p.m. at the Washtenaw County Courthouse, 101 East Huron Street, Ann Arbor, MI.

Any persons intending to appear and give testimony are requested by the Court provide written notice addressed to Hon. Melinda Morris at the Courthouse and to R. Craig Hupp, 14 days before the hearing.