

**NOTICE OF PUBLIC HEARING BEFORE
THE WISCONSIN DEPARTMENT OF NATURAL RESOURCES**

REGARDING THE PETITION OF DONALD AND LAURA ZARAZA FOR A RULING DECLARING
THE LOCATION OF THE ORDINARY HIGH WATER MARK (OHWM) OF LAKE GENEVA
AT CERTAIN PROPERTIES IN WALWORTH COUNTY, WISCONSIN

On November 1, 2017, Donald and Laura Zaraza petitioned the Department of Natural Resources (DNR) for a declaratory ruling regarding the location of the ordinary high water mark (OHWM) of Lake Geneva at their property in the Town of Linn, Walworth County, Wisconsin with a mailing address of W3838 Lackey Lane, Lake Geneva WI 53147. The Zarazas ask that the declaratory ruling apply to themselves and to James and Katherine Federighi, owners of property abutting the west side of the Zaraza property. The Federighi property in the Town of Linn, Walworth County, Wisconsin has a mailing address of W3846 Lackey Lane, Lake Geneva WI 53147. The Federighis also have a mailing address at 580 Red Cypress Drive, Cary IL 60013. The Zarazas and Federighis dispute whether the westernmost approximately 10 feet of a retaining wall along the shore is adjacent to the Zaraza or Federighi property, and whether the wall is located above, below, or partly above/partly below the OHWM of Lake Geneva at that location. As part of the declaratory ruling process, the Department has scheduled a hearing to afford full opportunity for hearing to interested parties, pursuant to s. 227.41, Wis. Stats.

THEREFORE, NOTICE IS HEREBY GIVEN that the Department of Natural Resources will hold a public informational hearing to receive comments, provide information and respond to questions regarding the navigability determination. The hearing will be held:

Date and Time: January 4, 2018 at 9:30 am

Location: Meeting Room 214, Walworth County Government Building, 100 W Walworth St., Elkhorn, WI

The public is invited to attend this hearing. Persons entering an appearance at the hearing may make statements, offer evidence or ask questions concerning the matter being heard. Such statements need not be made under oath. Cross-examination of those who speak is not permitted, but the presiding officer may allow clarifying questions addressed to those who speak. The presiding officer shall determine the order in which people may speak, and may continue the hearing on another date or limit the length of the presentations if it appears there will not be enough time for all who wish to speak, or if the presentations are unduly repetitious.

Written comments on the ordinary high water mark determination may be submitted to Josie Lathrop, Waterway and Wetland Policy Coordinator, WDNR, WT/3, PO Box 7921, Madison, WI 53707-7921 and must be received by Ms. Lathrop no later than 4:30 pm Tuesday, January 16, 2018. Written comments will have the same weight and effect as oral statements presented at the hearing. The Department will consider all timely comments, written and oral, before it makes a ruling on the ordinary high water mark determination.

NOTICE IS HEREBY FURTHER GIVEN that pursuant to the Americans with Disabilities Act, reasonable accommodations, including the provision of informational material in an alternative format, will be provided for qualified individuals with disabilities upon request. Please call Josie Lathrop at (608) 267-7662 with specific information on your request at least 10 days before the date of the hearing.

Dated at Madison, Wisconsin this 21st day of December, 2017.

STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES

By 
Daniel L. Meyer, Secretary