



P.O. Box 7857
Madison, WI 53707-7857
www.doj.state.wi.us

PEG LAUTENSCHLAGER
ATTORNEY GENERAL

NEWS RELEASE

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For More Information Contact:
Michael Bauer 608/266-7876

STATE SETTLES WELL-CONTAMINATION LAWSUIT IN DODGE COUNTY

MADISON – Attorney General Peg Lautenschlager announced today that her office has both filed and settled an environmental lawsuit in Dodge County Circuit Court against Nehls Brothers Farms, Ltd. Under the settlement, Nehls Brothers agrees to the following:

- Nehls Brothers will pay over \$42,000 to reimburse three near-by well owners for their costs in replacing their wells contaminated by runoff from Nehls Brothers' manure-spreading operations.
- Nehls Brothers will pay forfeitures and accompanying surcharges and costs totaling \$150,000. But Nehls Brothers may reduce this \$150,000 to \$50,000 if it purchases and uses a disk to integrate its manure spreading into the soil and if it constructs a second manure lagoon to store manure from its dairy operations—neither of which is specifically required by existing regulations. These two supplemental environmental projects cost Nehls Brothers over \$400,000.

Nehls Brothers has large dairy farm operations at four sites near Juneau in Dodge County. According to the complaint filed in the case, Nehls Brothers' violations included the following:

- spreading manure on frozen ground too close to privately owned wells;
- spreading manure on fields so that it ran off and "ponded";
- spreading manure so that it contaminated water in neighboring wells;
- allowing leachate originating at a feed-storage unit to run off into a creek;
- failing to file reports and other submittals as required with the Wisconsin Department of Natural Resources; and

- spreading manure within less than 200 feet of a stream without injecting or incorporating it into the soil.

The Wisconsin Department of Natural Resources investigated this case and referred it to the Wisconsin Department of Justice asking that an environmental enforcement case be brought in Dodge County Circuit Court. Wisconsin Assistant Attorney General Philip Peterson represented the state. Dodge County Circuit Court Judge Bissonnette approved the settlement.

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