



Division of Water  
402 West Washington Street Room W264  
Indianapolis, IN 46204

Indiana Department  
of Natural Resources

Mike Braun, Governor  
Alan Morrison, Director

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**Date: July 9, 2026**

**To: Natural Resources Commission**

**From: David Knipe, P.E., CFM  
Director, Division of Water**

**Re: Petition for the Establishment of the Webster and Backwater Lakes Dams Conservancy District  
Cause No. 43C01-2512-MI-000162**

**RECOMMENDATION AND REPORT OF THE DEPARTMENT OF NATURAL  
RESOURCES DIVISION OF WATER WITH RESPECT TO THE PETITION FOR  
ESTABLISHMENT OF THE WEBSTER AND BACKWATER LAKES DAM  
CONSERVANCY DISTRICT IN KOSCIUSKO COUNTY**

**BACKGROUND**

On December 15, 2025, under Case Number 43C01-2512-MI-000162 the Petition for the Establishment of the Webster and Backwater Lakes Dam Conservancy District (WBLDCD) was filed in the Kosciusko Circuit Court. The Petitioners filed an amended petition to the court on April 9, 2026. A copy of the amended petition is attached hereto as Exhibit 1. The proposed WBLDCD will be located in Kosciusko County, Indiana in North Webster and area around North Webster. The petition states the boundaries will include all developed waterfront residential areas on and near Webster and Backwater Lake, and a special benefit area that encompasses the Business District within the Town of North Webster. The proposed district is comprised of 1,433 freeholders and 1,253 parcels.

Webster and Backwater Lakes are in Tippecanoe HUC-8 05120106 watershed in North Central Indiana. Webster Lake Dam was built at the Southwestern point of the lake for a gristmill in 1837, which flooded the upstream areas creating one larger lake from multiple smaller lakes. In 1949 the gristmill burned down and was replaced by the current embankment dam. The Webster Lake Conservation Association (WLCA) took over ownership and of the dam in 1951.

Webster Lake is 653 acres with a maximum depth of 52 feet. Webster Lake's substrate consists of clay, marl, muck, and sand. The Backwater Lake acts as the inlet from the Tippecanoe River and outlets into Webster Lake to the west. Backwater Lake is 189 acres and has a maximum depth of 7 feet. The Technical Services section of DNR has permitted previous works of improvement on both lakes such as creating seawalls, repairing existing seawalls, installing boat ramps and piers, repairing outlet structures, dredging shorelines, and creating underwater beaches.

The Webster Lake Dam consists of an earthen embankment and two outlet structures, the "primary" East structure (Dam ID 43-5A) and the "secondary" West structure (Dam ID 43-5B) located on the southwest part of Webster

Lake. The total drainage area contributing to flow into Webster Lake is 49.2 square miles. The East structure height and hydraulic height are 12 feet with a length of 38ft. The West structure height and hydraulic height are 7 feet, with a length of 22 feet. Webster Lake has a storage at normal pool of 5,389 acre-feet, and Backwater Lake has a storage at normal pool of 761 acre-feet.

The petition to establish must be signed by 30% or more of the freeholders owning land in the proposed WBLDCD (Indiana Code [IC] 14-33-2-2). The court order on March 10, 2026, referring the petition to the Natural Resources Commission, states that the proposed WBLDCD includes 1,433 freeholders with representatives from 616 freeholders signing the petition (43%). The court order also stated that the Petitioners satisfied the 51% assessed valuation threshold required by IC 14-33-2-2(2). The Kosciusko Circuit Court found that the Petition conforms to the signatory requirements of Indiana's Conservancy District Statute.

The referral from the Kosciusko Circuit Court was processed as required by IC 14-33-2-17 through IC 14-33-2-22, and Information Bulletin #36 (Eleventh Amendment), *Procedural Guidelines for the Interpretation of the Conservancy District Article*, DIN: 20220601-IR-31220180NRA (IB 36). Kristi Johnson was appointed as the Hearing Officer for the Division of Water.

On April 9, 2026, Mr. Barkes, representing the Petitioners, filed an amendment to the petition for the establishment of Webster and Backwater Lakes Dam Conservancy District. The amendment did not seek to add any additional land to the boundaries and per IC 14-33-2-24 did not require additional signatures to the petition or notice for leave to be granted. The amended petition (Exhibit 1) requests that the WBLDCD be established as a conservancy district for these purposes outlined in IC 14-33-1-1:

- 1) Flood prevention and control; and
- 2) Improving drainage

The Division of Water held a public hearing on May 6, 2026 at the North Webster Community Center Community Hall. Comments were collected from the public and government organizations. A summary of the public hearing and comments may be found in Exhibit 2.

## **SUMMARY OF EVIENDECE SUBMITTED AS EXHIBITS**

The following Exhibits were submitted by the Petitioners to the Kosciusko Circuit Court as evidence in support on April 28, 2026:

|           |                                                               |
|-----------|---------------------------------------------------------------|
| Exhibit A | Webster Lake Dam 2017 Visual Inspection                       |
| Exhibit B | Webster Lake Dam 2022 Inspection Report                       |
| Exhibit C | 2006 DNR Engineering Inspection                               |
| Exhibit D | Preliminary Engineering Report                                |
| Exhibit E | Notice of Classification and Condition                        |
| Exhibit F | Court of Appeals Decision                                     |
| Exhibit G | Dixie Conservancy District Support Letter                     |
| Exhibit H | Ken Jones public hearing presentation                         |
| Exhibit I | Lake Impacts on property taxes and values in Kosciusko County |

- Exhibit J Lake Impacts on annual business revenues in Kosciusko County
- Exhibit K Webster Dam Hazard Analysis
- Exhibit L Map of Proposed Boundaries

The following Exhibit was submitted by Mike Baur without legal representation during the public hearing and are attached to this report:

- Exhibit M White Paper Opposing the Establishment of New Conservation District

The following Exhibits are attached to this report:

- Exhibit 1 Amended Petition for the Creation of the Webster and Backwater Lakes Dam Conservancy District
- Exhibit 2 Public Hearing and Comments Report
- Exhibit 3 Comments from State Agencies
- Exhibit 4 2009 Earth Dam Visual Inspection Report
- Exhibit 5 Warsaw Times-Union Publisher's Claim

## **PROPOSED FINDINGS AND RECOMMENDATION**

Under IC 14-33-1-1, a conservancy district may be established for any of the following purposes:

- 1) Flood prevention and control
- 2) Improving drainage
- 3) Providing for irrigation
- 4) Providing water supply, including treatment and distribution, for domestic, industrial, and public use.
- 5) Providing for the collection, treatment, and disposal of sewage and other liquid wastes
- 6) Developing forests, wildlife areas, parks, and recreational facilities if feasible in connection with beneficial water management
- 7) Preventing the loss of topsoil from injurious water erosion
- 8) Storage of water for augmentation of stream flow
- 9) Operation, maintenance, and improvement of:
  - a. a work of improvement for water-based recreation or
  - b. other work of improvement that could have been built for any other purpose authorized by this section.

Pursuant to IC 14-33-2-17, the Division's determination and recommendations to the Kosciusko Superior Court are limited to the following considerations:

1. Whether the proposed district appears to be necessary;
2. Whether the proposed district holds promise of economic and engineering feasibility;
3. Whether the proposed district seems to offer benefits in excess of costs and damages;
4. Whether the proposed district proposes to cover and serve a proper area; and
5. Whether the proposed district could be established and operated in manner compatible with established:  
(A) conservancy districts; (B) flood control projects; (C) reservoirs; (D) lakes; (E) drains; (F) levees; and  
(G) other water management or water supply projects.

### **1. Appears to be necessary**

The Petition proposes the WBLDCD to be established for two enumerated purposes, 1) Flood prevention and control and 2) Improving drainage.

The Webster and Backwater Lakes Dam Conservancy District Preliminary Engineering Report/ Facility Plan (Exhibit D) specifies the reason for establishment of the District as:

1. The current dam and dike system needs maintenance, oversight, repair, or replacement
2. The establishment of the conservancy district will provide for oversight of the status of the dam and dike system

According to WLCA, they took over ownership of the Webster Dam in 1951. The Webster Lake Dam consists of an embankment dam with an east (Dam ID No. 43-5A) and west (Dam ID No. 43-5B) gated outlet. Necessary repairs to the dam were completed in the 1950's by local residents and businessmen as volunteers. In 2009, a DNR engineering inspection report rated the dam as "deficient and conditionally poor" and is submitted as an attachment to this report as Exhibit 4. In 2012, repairs were completed by DNR to address some of the issues noted in the 2009 report. In 2017, the DNR completed another engineering inspection, and the dam was reclassified from a "significant hazard" to a "high hazard" meaning a breach or failure of the dike or dam would directly threaten life, property and habitat (Exhibit A).

A conservancy district is necessary to address flood prevention and control, and drainage concerns because the Webster Lake Dam is currently in poor and deficient condition. Petitioners have shown that the dam poses a level of risk to the surrounding community if it is not maintained. The inspections revealed the dam's deteriorated structural components, including aging embankments and outlet works, reduce its ability to safely pass storm flows, increasing the likelihood of overtopping or uncontrolled releases during significant weather events. Petitioners presented evidence that establishing a conservancy district provides a formal, long-term mechanism for coordinating, funding, and implementing necessary repairs, ongoing maintenance, and drainage improvements; activities that are beyond the financial and technical capacity of the current owners to manage alone.

There are two homes with basements built into and on the dam embankment between the two gated outlets. There are another two to three homes that are potentially built on embankment based on Exhibit D. The Petitioner's stated that the homes in the embankment compromise the integrity of the embankment which is also documented in the DNR visual inspection reports. The Petitioners argued that the formation of a conservancy district would give them the statutory authority to purchase or acquire land to address this issue compared to what they are currently allowed to do.

### **Purpose: Flood prevention and control under IC 14-33-1-1(a)(1)**

Clearly defined specific activities related to the intent of this purpose were not identified within the petition but presented in the exhibits and testimony during the public hearing on May 6, 2026. Petitioners submitted multiple inspection reports to support that the proposed district is necessary to address flood prevention and control. The Petitioner stated that the overall dam condition was noted as being conditionally poor and deficient to poor in five out of seven categories; including the following: crest, downstream slope, principal spillway, auxiliary spillway, and maintenance and repairs. The dam is identified as having a significant to high hazard level indicating potential failure is possible (Exhibit A and B). This is due to the following identified issues in multiple inspections: lack of spillway capacity, undocumented hydrological and geotechnical adequacy for design loading conditions, two homes were built on the dam, trees on the dam, dam not in compliance with current design standards, spillways with inadequate flow, limited freeboard, potential for overtopping.

According to Exhibit D, No work has been completed on the dam since 2011-2012 which consisted of: the rebuilding of the east spillway retaining walls, demolition of a deteriorated fish ladder, the replacement

of the catwalk and slide gates with new stainless steel features, the west spillway headwall was recast in concrete and the slide gate was replaced with a stainless steel version. A following inspection in 2022 described the overall dam as “conditionally poor”. The potential consequences of a dam failure, including loss of life, property damage, and environmental impacts up and downstream, necessitate preemptive action to strengthen the dam’s infrastructure and ensure its reliability under future conditions. By maintaining the dam, the surrounding will become more resilient by safeguarding critical water quality and flood control infrastructures.

### **Purpose: Improving drainage under IC 14-33-1-1(a)(2)**

The Petitioners, while not identifying any specific activity at the Webster Dam related to this purpose, explained the broader functional benefits associated with establishing the Conservancy District. They noted that the creation of the district, along with subsequent engineering improvements to the dam, would significantly enhance drainage performance throughout the area. By ensuring that the dam’s hydraulic structures are properly sized, maintained, and operated, the district would be better equipped to manage storm events and seasonal water-level fluctuations. Improved flow conveyance would reduce the risk of upstream inundation, minimize localized flooding, and create more stable shoreline and near-shore conditions. These enhancements would protect properties from erosion and water damage, maintain consistent navigability and recreational use, and preserve overall lake function. As a result, improved drainage operations would provide meaningful long-term benefits to freeholders, including increased safety, reduced maintenance burdens, and protection of property values.

Webster Lake has a legal lake level of 852.75 M.S.L which was ordered in 1954 by the Kosciusko Circuit Court. By properly maintaining the Webster Dam, a conservancy district would help ensure that the legal lake level is maintained.

Overall, the formation of the District for the Petitioners’ two purposes of flood prevention and control and improving drainage appears to be necessary.

Most of the exhibits, testimony, and discussion at the public hearings focused on operating, maintaining, and improving the Webster Lake Dam (State Structure IDs 43-5A and 43-5B). It appears to be important and necessary to address the issues and needs related to the dam. IC 14-33-2-24 allows amendments to a petition to conform to the findings of the commission.

Therefore, it is recommended that the following third purpose be added to the district (as outlined in their first petition submitted to the court on December 15, 2025):

- Operation, maintenance, and improvement of a work of improvement for water-based recreation or other work of improvement that could have been built for any other purpose authorized by this section. IC 14-33-1-1(a)(9)

## **2. Holds promise of economic and engineering feasibility**

According to the presentation at the public hearing and Exhibit E, the Webster Lake Conservation Association was formed in the 1950’s to purchase the dam and take care of it. All efforts are voluntary and their yearly budget can fluctuate based on local donations year to year. About 60% of the property owners pay their membership fees which goes towards weed treatments, fireworks, and other services (Exhibit E). The Webster Lake Conservation Association claimed they only have around \$100,000 in their budget each year for works of improvement like dam maintenance. Their budget has not been enough to complete the necessary repairs that have been identified in inspection reports.



The Petitioners seek establishment of a conservancy district to finance units of work and operating costs to achieve the purposes stated in the petition. Based on the findings presented in the Preliminary Engineering Report/Facility Plan (Exhibit D) and the supporting testimony at the public hearing, the proposed Conservancy District mostly demonstrated promise of both economic and engineering feasibility. From an economic standpoint, the district encompassed 1,253 parcels with a total assessed value of \$292,413,900 (Exhibit H). The proposed exceptional benefit business area contains 123 parcels with a total assessed value of \$19,571,400. During the public hearing, the Petitioners stated that the special benefit tax rate would not exceed what is allowed in statute which is five cents (\$0.05) on each one hundred dollars (\$100) of assessed valuation of property in the taxing district (IC 14-33-7-3). The proposed special benefit tax rate would result in an estimated budget of \$146,206.95 a year, not including exceptional benefit taxes.

The Petitioners explained that they could not yet determine the exact cost of the dam replacement project because the final engineering design for the dam repairs has not been selected. The Petitioners stated that, if established, its first major action would be to contract for around \$501,000 a comprehensive engineering report to evaluate alternatives and identify the most cost-effective design option. This engineering analysis would then serve as the basis for accurate cost estimates and project planning.

From an engineering perspective, the Petitioners showed feasibility with testimony from its engineer and evidence in Exhibit D that outlined a complete and systematic engineering and funding path, beginning with a comprehensive hydrologic and hydraulic study, geotechnical investigations, structural inspections, and preliminary design development. Engineering firms had already assessed the dam and confirmed the need for full analysis to determine spillway adequacy, stability of the embankments, and appropriate alternatives. The report also established a realistic cost structure for pre-design engineering (\$501,000), followed by capital design and construction phases, demonstrating that the work was technically feasible, scalable, and capable of being delivered within standard dam-safety frameworks.

Although the precise figures are not yet known, the Petitioners did provide an illustrative example of potential capital costs in Tables 6.1 and 7.6 of Exhibit D. The Petitioners presented an estimated annual budget amount of \$163,400 that included costs for the \$501,000 engineering study but no costs for dam replacement project (Exhibit D). It should be noted that the proposed budget was estimated on old special benefit tax rates and does not align with the new special benefit tax rate that changed with P.L. 68-2025, SEC. 199. The rates should not exceed what is allowed in statute which is five cents (\$0.05) on each one hundred dollars (\$100) of assessed valuation of property in the taxing district (IC 14-33-7-3).

The estimated annual budget of \$163,400 does not factor in the costs of dam replacement. If the dam replacement costs \$7,000,000 and the proposed district secured a 15-year bond at 6%, the total annual cost is estimated to be \$828,849 (Exhibit D). If established, the conservancy district will need to find a way to budget the project in a manner that is compatible to statutory requirements and does not place an economic burden on the freeholders within the district.

Despite the proposed annual costs being higher than the proposed annual income, a conservancy district would provide dedicated funding to maintain the dam long-term. WLCA currently does not provide dedicated funding to maintain the dam and no other organizations were identified during the public notice period of providing funding. The establishment of a conservancy district would allow grants and loans to be secured as outlined in IC 14-33 that would be unavailable to a nonprofit or local organization. It would also allow them the needed powers to properly address the issues of the dam compared to a nonprofit. If established, WBLDCD should reassess their estimated annual income and develop a budget in their work plan on how to pay for capital costs without exceeding statutory limits and placing a burden on the freeholders of the district.

It appears that the proposed WBLDCD mostly holds promise of economic and engineering feasibility if works of improvement are implemented at a rate over a timeframe that does not create a financial burden to the freeholders.

It is recommended:

- that more detailed economic and engineering feasible units of work be presented in the district plan if the WBLDCD is approved; and
- that the rates be in conformance with IC 14-33-7-3 special benefits tax rate.

### **3. Seems to offer benefits in excess of costs**

Exhibit D provided by the Petitioners on April 29, 2026, included the total assessed value of the proposed district and cost benefit analysis. The following numbers were provided by the county assessor; the assessed total land value is \$141,407,600 while the assessed total improvement value is \$151,006,300. The total sum value of the land and improvements is approximately \$292,413,900.

The Petitioners stated that the North Webster business corridor constitutes an exceptionally benefitted area of the Conservancy District, as its commercial activity and revenue are directly enhanced by the increased visitation, tourism spending, and overall economic vitality generated by the lakeside community. The business corridor consists of 123 parcels. The following numbers were provided by the county assessor; the assessed total land value of the business corridor is \$4,890,500 while the assessed total improvement value is \$14,680,900. The total sum value of the business corridor land and improvements is approximately \$19,571,400 (Exhibit H). It is not yet known how much will be collected from the businesses corridor because a board of appraisers must make the determination if the area is exceptionally benefitted and the amount as outlined in IC 14-33-8.

Dr. Nathan Bosch of Center for Lakes and Streams of Grace College, gave a presentation on how lakes in Kosciusko County impact property taxes and values. Data from 2012 indicated that the presence of the Kosciusko County lakes increased property tax revenue for the county by at least \$15,000,000 (Exhibit I). Another analysis indicated that the total identified economic impact of Kosciusko County lakes to businesses was \$313,383,000 annually (Exhibit J). Dr. Bosch estimated that Webster and Backwater lakes bring in \$27-33 million annually of the total \$313,383,000 amount. If the dam is not maintained and the lake ceases to exist due to this, it is estimated that property values and revenue from businesses would significantly decrease.

Some comments emphasized that the Conservancy District represented the only financially viable mechanism to fund the extensive engineering, long-term maintenance, and regulatory compliance needs of the dam, given that voluntary nonprofit contributions could not reliably generate or sustain the substantial capital required for such infrastructure work. Even if the cost to bring the dam in compliance is \$7-8 million, the annual revenue generated from the lakes impact on local businesses and property values outweighs the cost. Based on the exhibits, testimony, and comments presented during the public hearings on May 6, 2026, it is anticipated that the establishment of the WBLDCD for the two stated purposes will offer benefits in excess of costs for flood prevention and drainage. It is also anticipated that the establishment of the WBLDCD for the stated purposes would have a sustaining positive effect on property values and freeholders' lives. The proposed district seems to offer benefits in excess of costs.

### **4. Proposes to serve the public health**

None of the proposed purposes apply to IC 14-33-2-1(c)(4).

### **5. Proposes to cover and serve a proper area**

The Petition states the boundaries will include a parcel of real estate which is identified in Exhibit L, which comprises of 1,433 freeholders and 1,253 parcels. The Webster and Backwater Lakes Dam Conservancy District Preliminary Engineering Report states that the proposed boundaries consist of residential, commercial, and

undeveloped land located within the 46555 Zip Code that is primarily within the Town of North Webster and around Webster Lake. It would encompass the majority of development that occurs around Webster Lake and land within North Webster that either benefit as a waterfront property or benefit from close proximity to the lakeside community. It includes a proposed exceptional benefit area that encompasses the Business District within the Town of North Webster.

The boundaries of the proposed District were established through a combination of lakefront adjacency, direct hydrologic influence, and demonstrated benefit surrounding Webster and Backwater Lakes. Petitioners explained that the boundary-setting process began with identifying all parcels possessing shoreline frontage or an immediate connection to lake waters, as these properties experience the most direct impact from dam operations, lake-level management, and flood-control activities. The boundaries were then expanded to include nearby parcels and the primary business corridor that derives substantial economic benefit from lake-based tourism and recreational activity. The Petitioners noted that the North Webster business corridor functions as an exceptionally benefitted area of the district, as its commercial activity and revenue are directly tied to the increased visitation, tourism spending, and overall economic vitality generated by the lakes.

The Petitioners stated that these boundaries were developed collaboratively with freeholders and reviewed with the county auditor to ensure parcel accuracy and statutory compliance. The resulting district limits therefore reflect the areas most directly dependent on the dam's continued functionality and those most likely to experience both the benefits of improved lake stability and the risks associated with dam failure or inadequate drainage management.

IC 14-33-3-1 states that "any area may be established as a District if each part of the District is contiguous to another part." The petition filed on April 9, 2026, under Case Number 43C01-2512-MI-000162 states that the proposed WBLDCD boundaries include a parcel of real estate which is identified in Exhibit 16, the boundaries outline the lakes. The detailed map of the exact proposed district boundaries which includes the exceptional benefit area was provided by the Petitioners to confirm the contiguous nature of the proposal (Exhibit L).

As proposed, the WBLDCD boundaries appear to cover and serve a proper area in order to achieve the proposed purposes.

**6. Could be established and operated in a manner compatible with established Conservancy Districts, flood control projects, reservoirs, lakes, drains, levees, and other water management or water supply projects**

The Turkey Creek Dam & Dike Conservancy District, which was established on December 15, 2020 is located within Kosciusko County but the boundaries do not overlap with the proposed WBLDCD. There are no other conservancy districts whose boundaries overlap those of the proposed District. The Petitioners noted they expected no issues for collaboration with local drainage boards or other entities. WBLDCD boundaries would overlap with the town of North Webster. North Webster did not provide comment that opposed the formation of the WBLDCD. Since the focus of WBLDCD is to operate, maintain, and improve the Webster Lake Dam which is not located within the town of North Webster, it is anticipated that WBLDCD can operate in a manner compatible with North Webster. The level of the lake will need to be maintained at the same level regardless of who maintains the dam. Overall, the proposed WBLDCD could be established and operated in a manner compatible with other already established Districts and local government. The Indiana Utility Regulatory Commission (IURC) on May 29, 2026 provided comment that they see no conflicts with the utilities that IURC regulates if it were to be established.

**OVERALL RECOMMENDATION**

The Division finds that the documentation, testimony, statements, and exhibits presented by the Petitioners mostly favorably answer the questions from IC 14-33-2-17 and therefore recommends the establishment of the proposed WBLDCD.



It is recommended by the Division that if the WBLDCD is established:

- That IC 14-33-1-1(a)(9) purpose, operation, maintenance, and improvement of a work of improvement for water-based recreation or other work of improvement that could have been built for any other purpose authorized by this section, be added as a purpose as outlined in their first petition submitted to the court on December 15, 2025;
- That more detailed economic and engineering feasible units of work be presented in the district plan;
- That the special benefits tax rates be in conformance with IC 14-33-7-3; and
- That all activities that require notice or permits are submitted to all proper agencies and/or authorities.

If there are questions concerning the above report, please contact Isabella Foster, Water Planner, at 317-232-1507.



Recoverable Signature

**X** David Knipe

David Knipe, P.E., CFM  
Division of Water Director  
Signed by: David Knipe

Division of Water  
402 West Washington Street Room W264  
Indianapolis, IN 46204

STATE OF INDIANA       )  
                                  ) SS:  
COUNTY OF KOSCIUSKO )

IN THE KOSCIUSKO CIRCUIT COURT

IN RE: ESTABLISHMENT OF       )  
WEBSTER AND BACKWATER       )  
LAKES DAM                        )  
CONSERVANCY DISTRICT         )

CAUSE NO: 43C01-2512-MI-000162

**FIRST AMENDED PETITION FOR THE CREATION OF THE  
WEBSTER AND BACKWATER LAKES DAM CONSERVANCY DISTRICT**

**COUNTERPART NO.   1**

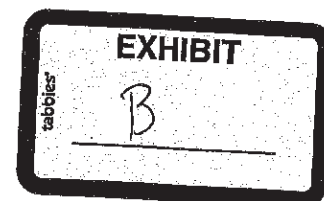
We, the undersigned, freeholders of Kosciusko County, Indiana, and each and all of us being freeholders of the land included in the boundaries described in Paragraph II of this Petition, desire the establishment of a Conservancy District under and pursuant to “an Act Relating to Conservancy Districts,” being Chapter 308, Indiana Acts of 1957 as amended and supplemented from time to time; and currently codified at IC 14-33; and we hereby petition the Kosciusko Circuit Court of Kosciusko County, Indiana, to order its establishment in accordance with the provisions of said Act, as amended and supplemented, according to the facts and provisions hereinafter set forth.

I. The name of the conservancy district shall be Webster and Backwater Lakes Dam Conservancy District.

II. The territory to be included lies generally in its entirety within the County of Kosciusko, Indiana, as is more particularly described as follows:

A parcel of real estate which is identified in Exhibit “A” which is attached hereto and made a part of this petition in its entirety.

III. Said Conservancy District shall be established for the purposes of providing for flood prevention and control and improving drainage through implementation of strategies to maintain, repair and provide upkeep for the dam and dike system pursuant to IC 14-33-1-1 but



also for any purposes of: (1) Flood prevention and control; and (2) Improving drainage; and maintaining other works of improvement that could have been built for any other purpose authorized by this section.

IV. Specifically, the necessity and reasons for the establishment of the district are as follows:

1. The current dam and dike system needs maintenance, oversight and repair.
2. That establishment of the conservancy district will provide an enmity for oversight of the status of the dam and dike system.

V. In addition to the above reasons, the establishment of the district will promote the general health, safety and welfare of the area as well as surrounding communities.

VI. The cost and damages of the district will be less than the beneficial value to the residents and territories involved.

VII. This Petition is not conditioned upon the award of any particular federal or state grant.

VIII All conditions attached to any federal and/or state aid are acknowledged to be acceptable to the individual property owners if and as required by the federal and/or state government as conditions of any grant award or participation in project funding.

IX. It is anticipated that maintenance and operation of any works of improvement constructed and operated by the proposed conservancy district will be funded by a combination of user charges as well as potential assessment of special benefit taxes and possible exceptional benefit taxes as such may be determined appropriate from time to time by the Board of Directors and which are consistent with the laws of the State of Indiana.

X. Five (5) directors shall be appointed to serve on the Board of Directors. After the initial appointment, the election shall be by those individuals legally entitled to vote. The qualifications for and length of terms of each director shall be determined by the law in effect at the time of the creation of the conservancy district and as such requirements may be amended from time to time.

XI. Upon creation of the conservancy district, the Kosciusko County Circuit Court will be asked to divide the conservancy district into subdistrict areas which must be equal to the number of members of the Board of Directors.

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July 1, 2026

## **PUBLIC HEARING AND COMMENTS REPORT**

### **1. Advertising**

In accordance with IC 14-33-2-21 and Information Bulletin #36, on April 30, 2026, the Division of Water circulated letters to state and local governmental entities that potentially have administrative jurisdiction over one or more of the purposes for which the WBLDCD is proposed to be established. The state agencies from which technical assistance was requested include Indiana Department of Environmental Management, Indiana State Department of Agriculture, Indiana Department of Local Government Finance, Indiana Finance Authority, Indiana Utility Regulatory Commission, and Indiana Department of Health. County and local governmental entities that were contacted to provide input included: Kosciusko County Commissioners, Surveyor, Soil and Water Conservation District, Drainage Board, Emergency Management Agency, MS4 Coordinator, Health Department, and North Webster City Council.

The Division of Water scheduled a public hearing on May 6, 2026, to allow the Petitioner to provide evidence concerning the establishment of the WBLDCD and for any interested person the right to be heard. As required by IC 14-33-2-19(b), a notice of the public hearing was published on April 22, 2026, in the Times-Union, a newspaper of general circulation in Kosciusko County. No informal preconference was requested therefore none occurred.

### **2. Public Hearing**

The Division of Water held the public hearing as scheduled on May 6, 2026, 11am-2pm ET in the North Webster Community Center Community Hall at 301 N Main St Suite 121, North Webster, IN 46555. Every member of the public who wanted to comment had the right to be heard; therefore, a second public hearing was unnecessary. The public hearing was livestreamed and the recording placed on the Division of Water Conservancy District webpage.

Division staff Kristi Johnson served as the Hearing Officer and opened the public hearing as scheduled to receive evidence and public comments on the proposed WBLDCD as required by IC 14-33-2-19(a). Isabella Foster appeared on behalf of the Division, Colby Barkes represented the proposed WBLDCD, Ryan Spahr represented himself as an interested person, and Michael Baur represented as an interested party with no legal representation present.

Approximately 63 persons attended the public hearing. Johnson provided an overview of the Division's responsibilities regarding the review of the Petition and announced that Mr. Barkes would present additional evidence on behalf of the WBLDCD, then Mr. Spahr, and finally Mr. Baur with each being allowed thirty minutes to present.

Barkes, presented an overview and evidence in support of the Petition. Dr. Nate Bosch of the Lilly Center for Lakes and Streams and Ken Jones of Jones Petrie Rafinski also presented during this time. Mr. Spahr provided a presentation of support for the formation of the district and then Mr. Baur provided a presentation against the formation of the proposed WBLDCD. Public comments opposed to the WBLDCD were accepted first followed by comments from supporters. The meeting was concluded after all attendees were provided an opportunity to comment. The Division also received public comments that were mailed or emailed to the Division before midnight May 22, 2026. At the public meeting, Johnson announced the date of the Natural Resources Commission meeting at which the fact-finding report would be presented on July 21, 2026, at a location yet to be determined. Instructions on where to find the meeting information on the Natural Resources Commission's website were provided.

### **3. Summary of Evidence Received from Petitioner and Interested Parties at Public Hearing**

#### **I. Petitioner's Presentation in Support of Establishment**

Attorney Colby Barkes, representing the Petitioners, argued that the establishment of the Conservancy District is the only legal and operational path forward capable of resolving long-standing and well-documented deficiencies in the Webster Dam system. He stressed that DNR inspection reports from 2006 (Exhibit C), 2009, and 2017 (Exhibit A) all characterize the dam as being in extremely poor condition and classified as high hazard, indicating that significant engineering and structural concerns must be addressed to protect both public safety and downstream communities. Barkes highlighted that these conditions are not contested by any party and that multiple engineering assessments, including those incorporated in the Petitioners' submitted evidence, already confirm the need for comprehensive remediation. During questioning by the hearing officer, Barkes was asked how the district boundaries were determined. He explained that the boundaries were developed using lake frontage, areas of direct influence, a business corridor with economic ties to the lake, and portions of the watershed, all of which were included in the original petition and reviewed with the auditor's office. The hearing officer further questioned whether parcels located between the lake and the business corridor, excluded from the district, would receive similar benefits. Barkes responded that the business corridor was anticipated to be designated as an "exceptionally benefited area" subject to special taxation due to its economic reliance on lake activity, though final determinations will need to be made by a board of appraisers as outlined in IC 14-33-8. Additional questions addressed conflicting parcel counts in Exhibit D. Barkes confirmed that the correct number of parcels is 1,253, based on the auditor's certified data, attributing discrepancies to updates between drafts. He was also asked about anticipated tax rates, to which he stated that while the district would likely approach the statutory cap, those costs would remain relatively limited per parcel due to legal caps. Finally, when asked whether the district would include recreational fees or broader purposes, Barkes clarified that the petition had been amended to limit activities strictly to dam-related purposes, excluding recreational components. From a governance standpoint, Barkes argued that private organizations such as the WLCA lack the statutory authority, financial mechanisms, and organizational permanence to execute required tasks such as land acquisition, eminent domain, applying for grants, bonding, or implementing major capital improvements. He maintains that the Conservancy District is the only tool under Indiana law with the authority to complete such work responsibly and equitably across all affected freeholders. Barkes also emphasized the economic importance of the lakes, referencing expert analysis demonstrating significant annual economic contributions from property values, tourism, and business revenue, thereby reinforcing the need to protect the dam. In his view, the district is necessary, feasible, economically justified, and the only governance structure capable of addressing the documented risks.

Dr. Nate Bosch, Director of the Lilly Center for Lakes & Streams, provided an economic and environmental assessment of Webster and Backwater Lakes, framing the lakes as critical natural assets with substantial economic value based on Exhibits I & J. He explained that his center had conducted a comprehensive economic impact study examining both business revenues and the lake-influenced portion of property tax revenues across Kosciusko County. Drawing on historical economic data and lake-specific valuation models, Dr. Bosch reported



that the county's lakes collectively generated more than \$300 million annually and that Webster and Backwater Lakes were responsible for an estimated \$27–33 million of that impact based on acreage and comparative lake metrics. He highlighted that single-family home values around these lakes exceeded \$126 million a decade ago, values that would be considerably higher today, demonstrating the strong market influence tied to lake health and stability. Dr. Bosch also emphasized that these economic findings were conservative due to partial business participation in surveys, and that updated studies underway were expected to show substantially higher values. Throughout his testimony, he reinforced that investments in lake infrastructure, such as dam safety and water-level management, were economically warranted and aligned with long-term community sustainability. His analysis supported the Petitioners' position by presenting the lakes as significant contributors to regional economic vitality, thereby underscoring the need for reliable, long-term management mechanisms.

Mr. Ken Jones, President of Jones Petrie Rafinski and consulting engineer for the proposed district, provided a technical assessment of the dam's condition and the engineering implications for long-term remediation based on Exhibit D. Jones described the dam as a nearly 200-year-old structure with a history of evolving modifications, noting that DNR inspections in 2006 (Exhibit C), 2009, and 2017 (Exhibit A) had consistently rated the dam as being in poor condition and classified as high hazard due to deficiencies in the crest, spillway capacity, and downstream slope. He explained that the principal spillway was undersized relative to the impoundment volume and that tree growth along the dam posed structural risks. During questioning, DNR staff asked Jones to clarify discrepancies in financial calculations presented in the preliminary engineering report (Exhibit D), specifically regarding the difference between stated monthly rates and annual cost estimates per freeholder. Jones explained that the figures referenced both capital costs (currently unknown) and annual operation and maintenance (O&M) costs and noted that accurate estimates cannot be determined until a full engineering study is completed. He was also asked how total assessed property values were calculated, to which he responded that the figures were sourced directly from the county's GIS and assessor data. Additional questions addressed whether projected costs per freeholder could be better detailed, and Jones indicated that such breakdowns could be provided but remain preliminary due to lack of a finalized design. The hearing officer further asked whether Jones could estimate the cost of the initial engineering study, to which he responded that it would likely range from \$450,000 to \$500,000. He also confirmed, in response to a question regarding intergovernmental coordination, that he does not anticipate conflicts with county drainage boards or other districts. Jones concluded by emphasizing that formation of the Conservancy District is necessary to initiate the comprehensive engineering study, estimated to take approximately 24 months, which would then guide any subsequent capital improvements.

## II. Interested Parties Presentations

Attorney Ryan Spahr, representing himself, supports creation of the Conservancy District on the grounds that it is the only structure capable of solving the core engineering and legal limitations surrounding the Webster Dam. In his testimony, Spahr explained that the critical hazard is not limited to the dam gates themselves but stems from the fact that multiple private homes were built decades ago directly into or upon the earthen embankment that functions as the principal structural component of the dam. DNR inspection reports from 2006 (Exhibit C) and 2017 (Exhibit A) identified these homes as a destabilizing factor and recommended their removal, which would require significant legal authority and financial resources. Spahr notes that the WLCA, a voluntary, donation-based nonprofit, cannot legally exercise eminent domain, compel financial participation, or issue bonds, nor does it possess the capital required to purchase high-value lakefront homes or fund multimillion-dollar engineering projects. He emphasized that WLCA's budget, even in strong years, falls far short of what is required even to complete an engineering analysis, let alone major structural remediation. During questioning, Spahr was asked about the financial capacity of the WLCA and how much funding it typically raises annually. He responded that the organization generates approximately \$100,000 to \$130,000 per year in a strong year, an amount insufficient for engineering studies or property acquisition. He was also asked how many parcels might be affected by potential eminent domain actions, to which he answered that estimates range from two to possibly five homes, depending on final engineering determinations. Finally, when asked to comment on earlier cost estimates (approximately \$8–11 million), Spahr acknowledged that total project costs

remain uncertain and depend heavily on outcomes of future engineering analysis, but reiterated that delays would likely increase costs over time. Spahr further argued that while some opponents suggest low-cost alternatives, no credible engineering work has yet established a cheaper or safer solution, and a full engineering study costing approximately half a million dollars is still necessary. He maintains that delays will only increase future costs and risk, placing homeowners, downstream populations, and the lake ecosystem in jeopardy. According to Spahr, the Conservancy District provides the long-term governance stability needed to ensure continuous, accountable oversight of the dam. It also offers the only viable funding and legal mechanisms capable of addressing mandatory safety requirements, property acquisitions, and infrastructure improvements. He asserted that the necessity element under Indiana statute is overwhelmingly met because no other entity has the authority or capability to resolve the dam's structural problems.

Mr. Mike Baur, represented by Attorney Thomas Dean Margolis who did not attend the hearing, opposes creation of the Conservancy District. Mr. Baur stated that it is unnecessary, excessively costly, and likely to impose long-term tax and governance burdens on property owners. Baur argued that the dam's condition has been overstated and cites DLZ Indiana, LLC engineer Jon LaTurner's professional assessment that the dam is not in dire condition but rather is a "vanilla" structure that could be stabilized with relatively minor improvements instead of a major overhaul. He promoted an alternative watershed-based engineering approach centered on upstream temporary floodwater storage in Backwater Lake, Wilmot Lake, and even upstream farmland. This approach, he said, could mitigate extreme flood events more effectively and at far lower cost than reconstructing Webster Dam. His proposal focuses on using natural and existing infrastructure to temporarily store excess water during severe events for 10–15 days, thereby reducing pressure on Webster Dam and lowering flood impacts downstream. Baur maintained that such a solution could be implemented through a private, voluntary nonprofit, what he refers to as the Webster Dam Association, funded through donations and grants, rather than mandatory taxation. He warns that establishing a Conservancy District could burden property owners with millions in debt, as the district would have the authority to secure loans backed by residents' property values and impose mandatory assessments. Baur also expressed concern that district boundaries are unfairly drawn, excluding downstream beneficiaries who would gain the most from reduced flooding, while including Backwater residents who may receive little benefit. He further argued that creation of the district could lead to "mission creep," with future boards expanding their activities beyond dam work, raising taxes, and engaging in political conflicts that could fracture the lake community. Baur concluded that a tax district should only be considered after a private solution has been given the opportunity to demonstrate effectiveness and that moving immediately to a taxing entity is premature. The hearing officer noted for the record that no formal engineering exhibits or professional reports from Jon LaTurner had been submitted, and therefore his statements were treated solely as personal testimony. Baur submitted Exhibit M after the presentation which includes further testimony from Baur on the opposition of establishment of the proposed WBLDCD and a counter-petition template.

#### **4. Written Comments from State Agencies, Other Governmental Entities, and Members of the Public**

##### **I. State Agencies**

Stephen Lucas, General Counsel responded on behalf of the Department of Local Government Finance on May 1, 2026, stating that the DLGF is responsible for ensuring property tax assessment and local government budgeting are carried out in accordance with Indiana law. The Department is charged with annually reviewing and certifying the property tax rates and levies of every political subdivision in the state, including conservancy districts to the extent they exercise their tax levy authority under IC 14-33. The Department respects local control and therefore defers to the appropriate decision-making entities with respect to the establishment. Should the District be established, the Department is available to provide technical assistance to District officials.

Andy Seiwert, General Counsel responded on behalf of the Indiana Finance Authority on May 7, 2026, stating that the Indiana Finance Authority had no comments in response to this petition.

Emily Faust, Regional Sewer District Coordinator responded on behalf of IDEM's Office of Water Quality on May 26, 2026, stating that they had no comments in response to this petition other than some Conservancy District activities after establishment may require permits from IDEM.

Beth Helene, General Counsel responded on behalf of the Indiana Utility Regulatory Commission on May 29, 2026, stating that the Indiana Utility Regulatory Commission had no comments in response to this petition.

## II. Other Governmental Entities

No comments from other governmental entities were received.

## III. Members of the Public

### Comments in Favor of the Webster and Backwater Lakes Dam Conservancy District:

Public commenters supporting the Conservancy District emphasized the critical economic, safety, and governance implications of ensuring long-term stability of the dam. Many described the lake as the economic engine of North Webster, referencing tourism volumes, business revenue, and property valuation patterns that depend on maintaining lake levels and preventing catastrophic failure. Supporters argued that the dam's documented deficiencies require a governance structure with clear authority, professional oversight, and predictable funding, elements that a voluntary nonprofit cannot offer. They raised concerns about the long-term viability of relying on charitable contributions, noting that such funding is inconsistent and cannot support multimillion-dollar infrastructure or emergency repairs. Several commenters also emphasized the need for legal tools such as eminent domain, bonding authority, and access to state and federal grants, all of which require a formal governmental district. From their perspective, the district ensures equitable cost-sharing among all benefiting freeholders and establishes a permanent, accountable body of locals to manage and protect the dam for future generations. Supporters generally viewed the district as both necessary and prudent, given the magnitude of risk and the lake's central role in sustaining the community.

### Comments Opposed to the Webster and Backwater Lakes Dam Conservancy District:

Commenters opposed to creating the Conservancy District focused heavily on financial concerns, governance risks, and questions about boundary fairness. Several commented on the validity of the petition. Some felt the petition should be invalid since it was amended and others felt they were provided with inaccurate information when they signed the petition. Many expressed fear that the district would introduce mandatory taxes, long-term debt obligations, and potential liens on their homes through district-backed borrowing. Opponents argued that cost projections presented by district supporters underestimate the true financial burden, particularly if multimillion-dollar corrections or home acquisitions become necessary. Several people worried that future district boards might broaden their mission beyond dam maintenance, citing historical patterns of "mission creep" in other local government districts and expressing concern that future boards could pursue expensive lake-amenity projects or capital improvements not directly tied to dam safety. Boundary-related objections were also common, with many noting that downstream communities such as Tippecanoe and Barbee lakes would benefit significantly from enhanced flood protection yet are excluded from the proposed district, while upstream or off-lake residents who receive minimal direct benefit are included. Some commenters advocated instead for more comprehensive watershed-level solutions, including upstream floodwater retention or alternative engineering designs, arguing these could be more efficient and far less costly. Overall, con-district commenters framed the proposal as financially risky, unnecessarily complex, and not the most cost-efficient path toward dam safety.

Comments Neutral to the Webster and Backwater Lakes Dam Conservancy District:

Neutral commenters generally focused on clarifying procedural issues, ensuring accuracy in district documentation, and encouraging a thorough evaluation of all potential solutions. Several individuals sought to correct or clarify the record regarding county commissioners' formal position, emphasizing that the commissioners supported only a dam-focused district and not broader lake management powers. Others raised questions about parcel counts, boundary determinations, or discrepancies in petition documentation but did not express a clear position for or against the district. Some commenters highlighted broader watershed concerns, noting that any dam modification or failure could have impacts downstream, and encouraged the state to ensure that the final solution takes these interdependencies into account. A few individuals expressed personal experiences with the dam, lake use, or DNR interactions without drawing a definitive conclusion about the district's merits. Neutral commenters primarily called for a transparent process, accurate information, and inclusive consideration of impacts across the watershed.

If there are questions concerning the above report, please contact Isabella Foster, Water Planner, at 317-232-1507.

### Exhibit 3: Comments from State Agencies



# STATE *of* INDIANA

INDIANA UTILITY REGULATORY COMMISSION  
101 WEST WASHINGTON STREET, SUITE 1500 EAST  
INDIANAPOLIS, INDIANA 46204-3419



[www.in.gov/iurc](http://www.in.gov/iurc)  
Office: (317) 232-2701  
Facsimile: (317) 232-6758

May 29, 2026

Isabella Foster  
Indiana Department of Natural Resources  
Division of Water  
402 W. Washington Street, Room W264  
Indianapolis, IN 46204

RE: Proposed Establishment of the Webster and Backwater Lakes Dam Conservancy  
District, Kosciusko County, Indiana

Dear Ms. Foster:

The Office of General Counsel and the Water/Wastewater Division (together "IURC Staff") of the Indiana Utility Regulatory Commission ("IURC") have reviewed the Petition for Establishment of the Webster and Backwater Lakes Dam Conservancy District. IURC Staff sees no conflicts created with the utilities the IURC regulates, and we do not have any concerns with the proposed annexations.

Should you have questions, comments, or require additional information, please do not hesitate to contact me at (317) 232-2092.

Thank you.

Sincerely,

A handwritten signature in cursive script that reads "Beth E. Heline".

Beth E. Heline  
General Counsel

cc: Marcus Turner, Director, IURC Water/Wastewater Division

**From:** [Faust, Emily E](#)  
**To:** [Foster, Isabella C](#)  
**Cc:** [Higginbotham, Paul](#); [Mettler, Martha Clark](#)  
**Subject:** RE: Comments Requested - Petition for the Establishment of Webster and Backwater Lakes Dam Conservancy District  
**Date:** Tuesday, May 26, 2026 11:59:29 AM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)  
[image006.png](#)  
[image007.png](#)

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Good afternoon,

IDEM has reviewed the contents of the documents to establish the Webster and Backwater Lakes Dam Conservancy District as presented and has no comments.

Some Conservancy District activities may require notice or a permit application to be submitted to IDEM. If you have any questions regarding IDEM involvement with a specific activity, don't hesitate to reach out.

Thank you,  
Emily



Emily Faust  
(she/her/hers)  
Regional Sewer District Coordinator  
Office of Water Quality  
(317) 232-5727 • [efaust@idem.IN.gov](mailto:efaust@idem.IN.gov)

[YouTube](#) | [LinkedIn](#) | [Facebook](#) | [Instagram](#) | [Twitter](#) | [www.idem.IN.gov](http://www.idem.IN.gov)

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**From:** Faust, Emily E  
**Sent:** Thursday, April 30, 2026 1:28 PM  
**To:** Foster, Isabella C <[IsFoster@dnr.IN.gov](mailto:IsFoster@dnr.IN.gov)>  
**Subject:** RE: Comments Requested - Petition for the Establishment of Webster and Backwater Lakes Dam Conservancy District

Good afternoon,

IDEM has received the petition for the establishment of Webster and Backwater Lakes Dam Conservancy District. I will review the documents and give you a response as soon as I can.

Thank you!  
Emily



Emily Faust  
(she/her/hers)  
Regional Sewer District Coordinator  
Office of Water Quality  
(317) 232-5727 • [efaust@idem.IN.gov](mailto:efaust@idem.IN.gov)

[YouTube](#) | [LinkedIn](#) | [Facebook](#) | [Instagram](#) | [Twitter](#) | [www.idem.IN.gov](http://www.idem.IN.gov)

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**From:** Foster, Isabella C <[IsFoster@dnr.IN.gov](mailto:IsFoster@dnr.IN.gov)>  
**Sent:** Thursday, April 30, 2026 11:30 AM  
**To:** Faust, Emily E <[EFaust@idem.IN.gov](mailto:EFaust@idem.IN.gov)>  
**Subject:** Comments Requested - Petition for the Establishment of Webster and Backwater Lakes Dam Conservancy District

Good Morning:

The Department of Natural Resources Division of Water has received a petition for the establishment of Webster and Backwater Lakes Dam Conservancy District and is requesting your assistance in its review. The Petition proposes the WBLDCD to be established for the following legislated purposes: 1) Flood prevention and control, 2) Improving drainage, I have attached a letter and a shared file with related documentation for your consideration and will factor your comments in our fact-finding report that will be presented to the Natural Resources Commission.

Please note the evidence provided by the petitioners has not been updated to coincide with the amended purposes above and may list more than the above purposes in Exhibit D.

☐ [Webster Lake Conservancy District Exhibits](#)

Thank You,

**Isabella Foster**

Water Planner II

Indiana Department of Natural Resources

Division of Water

317-232-1507

[IsFoster@dnr.IN.gov](mailto:IsFoster@dnr.IN.gov)

[www.dnr.IN.gov](http://www.dnr.IN.gov)

*Please let us know about the quality of our service by taking this brief [customer survey](#).*

**From:** [Seiwert, Andy](#)  
**To:** [Foster, Isabella C](#)  
**Subject:** RE: Comments Requested - Petition for the Establishment of Webster and Backwater Lakes Dam Conservancy District  
**Date:** Thursday, May 7, 2026 3:11:12 PM  
**Attachments:** [image003.png](#)

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Ms. Foster:

The IFA has no comments in response to the petition.



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**From:** Foster, Isabella C <IsFoster@dnr.IN.gov>  
**Sent:** Thursday, April 30, 2026 11:32 AM  
**To:** Seiwert, Andy <ASEiwert@ifa.IN.gov>  
**Subject:** Comments Requested - Petition for the Establishment of Webster and Backwater Lakes Dam Conservancy District

Good Morning:

The Department of Natural Resources Division of Water has received a petition for the establishment of Webster and Backwater Lakes Dam Conservancy District and is requesting your assistance in its review. The Petition proposes the WBLDCD to be established for the following legislated purposes: 1) Flood prevention and control, 2) Improving drainage, I have attached a letter and a shared file with related documentation for your consideration and will factor your comments in our fact-finding report that will be presented to the Natural Resources Commission.

Please note the evidence provided by the petitioners has not been updated to coincide with the amended purposes above and may list more than the above purposes in Exhibit D.

 [Webster Lake Conservancy District Exhibits](#)

Thank You,

**Isabella Foster**

Water Planner II

Indiana Department of Natural Resources  
Division of Water  
317-232-1507  
[lsFoster@dnr.IN.gov](mailto:lsFoster@dnr.IN.gov)  
[www.dnr.IN.gov](http://www.dnr.IN.gov)

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# STATE OF INDIANA

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DEPARTMENT OF LOCAL GOVERNMENT FINANCE



INDIANA GOVERNMENT CENTER NORTH  
100 NORTH SENATE AVENUE N1058(B)  
INDIANAPOLIS, IN 46204  
PHONE (317) 232-3777  
FAX (317) 974-1629

**Sent via electronic mail, IsFoster@dnr.IN.gov**

**May 1, 2026**

**Isabella Foster, Water Planner  
Department of Natural Resources Division of Water  
402 West Washington Street, Room W264  
Indianapolis, IN 46204**

**RE: Petition for the Establishment of the Webster and Backwater Lakes Dam  
Conservancy District; Kosciusko County Circuit Court Cause No. 43C01-2512-MI-  
000162**

Dear Ms. Foster,

At the request of the Department of Natural Resources Division of Water, the Department of Local Government Finance ("Department") offers the following comments on the proposed establishment of the Webster and Backwater Lakes Dam Conservancy District ("District").

The Department is responsible for ensuring property tax assessment and local government budgeting are carried out in accordance with Indiana law. The Department is charged with annually reviewing and certifying the property tax rates and levies of every political subdivision in the state, including conservancy districts to the extent they exercise their tax levy authority under IC 14-33.

The Department respects local control and therefore defers to the appropriate decision-making entities with respect to the establishment. Should the District be established, the Department is available to provide technical assistance to District officials should the District's budget or tax levy (if any) be subject to the Department review.

If you have any questions about this letter, please contact me at [slucas@dlgf.in.gov](mailto:slucas@dlgf.in.gov) or by phone at (317) 234-2171.

Respectfully,

Stephen Lucas  
General Counsel  
Department of Local Government Finance

Cc: Jason Cockerill, DLGF Commissioner ([JCockerill@dlgf.in.gov](mailto:JCockerill@dlgf.in.gov))  
Anna Culy, DLGF Budget Division Director ([ACuly@dlgf.in.gov](mailto:ACuly@dlgf.in.gov))