

**STATE OF ILLINOIS  
DEPARTMENT OF NATURAL RESOURCES  
OFFICE OF WATER RESOURCES**

<b>IN THE MATTER OF</b>	)	
	)	
<b>APPLICATION FOR</b>	)	
<b>LAKE MICHIGAN</b>	)	<b>No. LMO-21-01</b>
<b>WATER ALLOCATION</b>	)	
<b>BY THE</b>	)	
<b>VILLAGE OF LEMONT</b>	)	

**FINAL ADMINISTRATIVE DECISION AN APPLICATION  
FOR A LAKE MICHIGAN WATER ALLOCATION  
BY THE VILLAGE OF LEMONT**

By the Illinois Department of Natural Resources:

I. Legal Authority

This matter comes before the Illinois Department of Natural Resources (“Department”) pursuant to its statutory authority under the Level of Lake Michigan Act, 615 ILCS 50, and its regulatory requirements set forth in its administrative rules for the Allocation of Water from Lake Michigan, 17 Ill. Admin. Code 3730 (“Lake Michigan Water Allocation Administrative Rules”).

II. Procedural Background

The Village of Lemont (“Applicant”) has filed an Application for a Lake Michigan Water Allocation Permit with the Department. Public notice was effectuated for this proceeding pursuant to Section 3730.206 of the Department’s Lake Michigan Water Allocation Administrative Rule. Applicant, through its engineering consultant Novotny Engineering mailed notice of this proceeding to the Department’s service list in the form of a Notice of Lake Michigan Allocation Proceeding on or about November 4, 2021. Department Staff published the same Notice of Lake Michigan Allocation Proceeding for this proceeding in the Chicago Tribune on November 8, 2021, and November 11, 2021. The Chicago Tribune also placed the Notice of Lake Michigan Allocation Proceeding on the statewide public notice website on these dates as well.

Pre-hearing conferences were held on this matter on November 18, 2021, February 14, 2022, May 16, 2022, September 19, 2022, and December 15, 2023. The parties agreed to the schedule for written testimony and for a Public Hearing for cross examination of witnesses. A Public Hearing was held via electronic communications commencing at 10:00 a.m., on April 12, 2023.

Appearing at the Public Hearing on behalf of the Department Staff were Stanley Stasiulis and Robert Mool, Legal Counsel, and Stephen Altman of the Department's Office of Water Resources. Appearing on behalf of the Applicant was Michael Stillman of Odelson, Sterk, Murphey, Frazier, McGrath, Ltd., Legal Counsel, George Schafer, Village Administrator, and Ravi Jayaraman of HR Green, Applicant's engineering consultant. Also present for Applicant were Ralph Pukula, Sylvia Kokoszka and Christina Smith. In addition to the Department Staff and Applicant, several other parties intervened in this proceeding and attended proceedings as observers. Appearing on behalf of the Illinois Attorney General was Kevin Garstka. Appearing on behalf of the Metropolitan Water Reclamation District of Greater Chicago was Jonathan Powell.

The documentary evidence presented by the Applicant in support of its application and by the Department Staff, as well as the oral testimony presented at the April 12, 2023 Public Hearing, make up the evidentiary record of this proceeding. No other parties provided evidence in this proceeding. Applicant filed a report with Section 1 Lake Michigan Water Allocation Application, Section 2 Report Narrative, and Section 3 Appendices as Exhibit 2 (hereinafter "Applicant Ex. 2") Department Staff filed the written Direct Testimony of Steve Altman identified as Exhibit 1 (hereinafter "Department Staff Exhibit 1") and a Memorandum titled Legal Authority of Respondent IDNR. The record of the proceeding was ordered to remain open for the inclusion of documentation regarding the mailing of notice of this proceeding to the Department's regulatory service list. Applicant has provided correspondence dated November 4, 2021, from its engineering consultant Novotny Engineering documenting that Novotny Engineering mailed notice of this proceeding to the Department's service list in the form of a Notice of Lake Michigan Allocation Proceeding on or about November 4, 2021 (hereinafter "Applicant Ex. 3). A court reporter's transcript was prepared memorializing the testimony at the April 12, 2023 Public Hearing.

The above-identified documents and transcript is the evidentiary record upon which the Department bases its Final Administrative Decision findings and conclusions, and that upon which the attached Order is entered.

### III. Issues Presented

The first issue presented is whether Illinois' current total Lake Michigan water diversion amounts allow for sufficient potential additional water diversion to grant Applicant's requested allocation amount.

The second issue presented is whether the Applicant qualifies for a Lake Michigan Water Allocation.

The third issue presented is whether the Applicant's requested amount of Lake Michigan water is the appropriate amount for which the Applicant should be issued a Lake Michigan Water Allocation.

The fourth issue presented is whether Applicant is in compliance with the Department's regulatory water conservation / efficiency requirements and, if not, whether an acceptable compliance plan is provided.

### IV. Evidentiary Record

Applicant has applied for a Lake Michigan Water Allocation Permit for purposes of providing water for the Applicant's municipal water system, which currently (as of 2021) provides water to an estimated 17,907 residents, commercial users and industrial users. (Applicant Ex. 2, Sect. 1, Sect. III-B.) Maps were provided of Applicant's current municipal water system and future land use. (Applicant Ex. 2, Sect. 3, 1 and 6.) Applicant's proposed start date for a Lake Michigan Water Allocation is 2030 and extends to the 2050 permitting horizon. (Applicant Ex. 2, Sect. 1, Sect. II.) Applicant's requested Lake Michigan water allocation amount in 2030 is 1.842 million gallons per day ("mgd") increasing to 2.028 mgd in 2050. (Applicant Ex. 2, Sect. 1, Sect. II).

Department Staff provided information on whether Illinois' current total Lake Michigan water diversion amounts allow for sufficient potential additional water diversion to grant Applicant's requested diversion amount. According to Department Witness Stephen Altman, there is sufficient Lake Michigan water available to meet Applicant's requested amounts and still comply with the limitations of the United States Supreme Court Consent Decree in Wisconsin v. Illinois which are memorialized in Section 3 of the Level of Lake Michigan Act, 615 ILCS 50/3. (Department Staff Ex. 1, p. 2; Tr. 22).

Applicant provided information on its requested classification for Lake Michigan Water Use

to qualify for a Lake Michigan Water Allocation as required by Section 3730.303 of the Lake Michigan Water Allocation Administrative Rules, 17 Ill. Admin. Code 3730.303. Applicant is requesting Category IB classification on the basis that its primary water needs are residential, commercial, or industrial and its use of Lake Michigan water would reduce the use of the Cambrian-Ordovician deep aquifer (“Deep Aquifer”). (Applicant Ex. 2, Sect. 1, Sect. III; Applicant Ex. 2, Sect. 2, pp. 12-13). Department Staff inaccurately testified that Applicant’s request is made under Category IA, rather than IB. (Tr. 23).

Applicant’s water system uses four Deep Aquifer wells and one emergency shallow well. (Applicant Ex. 2, Sect. 1, Sect. VII.A; Applicant Ex. 2, Sect. 2, pp. 2, 12-13). Applicant asserts that Applicant’s current withdrawals from the Deep Aquifer water source are unsustainable. (*Id.*)

Per Applicant’s filings, its transfer to Lake Michigan water from its current ground water sources will result in reduced Deep Aquifer use of approximately 2 mgd. (Applicant Ex 2, Sect. 1, Sect. IV.A). Applicant will discontinue consuming water via its Deep Aquifer wells upon changing to Lake Michigan water. (Applicant Ex. 2, Sect. 2, pp. 12-13).

Through water supply consultants, Applicant conducted a study of alternative sources of water supply. (Applicant Ex. 2, Sect. 2, pp. 13-21).

Applicant provided information on its projected annual total water demand through 2050. Applicant calculated its projected annual total water demand based on its population projections and per capita water use estimates. Applicant forecasts its 2030 population to be 19,708 persons increasing to 21,697 persons in 2050. (Applicant Ex. 1, Sect. IV.B.; Applicant Ex. 2, Sect. 2, pp. 7-9). Applicant calculated its projected annual population figures based on the Chicago Metropolitan Agency for Planning (“CMAP”) forecast for population growth rate applicable to Applicant for the subject years. (Applicant Ex. 2, Sect. 2, pp. 7-8). Applicant used a value of 93.48 gallons per capita per day, based on Applicant’s historic data, to project total water demands to 2050. (Applicant Ex. 2, Sect. 2, pp. 8-9). The result of Applicant’s projected annual total water demand through 2050 begins at 1.842 mgd in 2030 and increases to 2.028 mgd in 2050. (Applicant Ex 2, Sect. 1, Sect. II.; Applicant Ex. 2, Sect. 2, p. 10). Applicant then apportioned the calculated total water demand to the four required water use categories: Residential, Commercial, Manufacturing/Industrial/Institutional and Government. (See, Applicant Ex. 2, Sect. 1, Sect. IV.B.; Applicant Ex. 2, Sect. 2, pp. 10-12).

Applicant provided information on its compliance with the Department’s regulatory water

efficiency / conservation requirements. (Applicant Ex. 2, Sect. 2, pp. 23-31). According to the information provided, Applicant's water distribution system had a 2021 non-revenue water percentage of 13.6%, which exceeds the Department's 10% regulatory threshold. (Applicant Ex 2, Sect. 1, Sect. V; Applicant Ex. 2, Sect. 2, p. 28). Applicant testified that it will comply with the Department's 10% regulatory threshold for non-revenue water by 2029, the year before its first requested year for using Lake Michigan water. (Applicant Ex. 2, Sect. 2, p. 31). To achieve this compliance, Applicant provided a plan incorporating non-revenue percent reduction measures such as accounting for water tower draining anomaly, metering village facilities and hydrants, water rate restructuring and watermain replacement. (Applicant Ex. 2, Sect. 2, pp. 28-31).

Applicant also provided its current water conservation ordinances which cover leakage monitoring, water meters for new construction, water meters for major remodeling, WaterSense labeled efficient plumbing fixtures, closed system air conditioners, public facility plumbing fixtures, car wash facilities and outside sprinkler systems. (Applicant Ex. 2, Sect. 2, pp. 23 and 26; Applicant Ex. 2, Sect. 3, Sect. 10). Applicant also provided information on conservation programs, which included a Village ordinance authorizing the department of public works "to develop and implement public programs to encourage efficient water use by all Village customers, both residential and commercial." (*Id*). Finally, Applicant has a contract for a water rate study this year and plans to implement a water rate structure that encourages conservation and water efficiency. (Applicant Ex. 2, Sect. 2, p. 27).

In addition to the foregoing information provided into the record by Applicant, Department Staff testified that staff conducted a technical review of Applicant's application and supporting information and determined that, with the exception of Applicant's non-revenue water percentage of over 10%, said application complies with the Level of Lake Michigan Act and the Department's Lake Michigan Water Allocation Administrative Rules. (Department Staff Ex. 1, p. 2; Tr. 23).

#### V. Findings and Conclusions

Based on the Applicant, through its consultant, mailing of the Notice of Prehearing of this proceeding to the Department's service list and the Department's publication of the Notice of Prehearing of this proceeding twice, no longer than one week apart and within 10 days of the first pre-hearing conference, the Department concludes that proper public notice was provided for this

proceeding pursuant to the requirements of Section 3730.206 of the Department's Administrative Rules for Allocation of Water from Lake Michigan.

The first issue presented is whether Illinois' current total Lake Michigan water diversion amounts allow for sufficient potential additional water diversion to grant Applicant's requested allocation amount. According to the testimony of Department Staff, there is sufficient Lake Michigan water available to meet the request of the Applicant consistent with Section 3 of the Level of Lake Michigan Act, 615 ILCS 50/3. No party questioned or objected to Department Staff's testimony on this issue. The Department finds that Department Staff's testimony on the amount of water available for additional allocations is accurate. Therefore, the Department concludes that Illinois' total current Lake Michigan water diversion amounts allow for sufficient potential additional water to grant Applicant's requested allocation amount.

The second issue presented is whether the Applicant qualifies for a Lake Michigan Water Allocation. The Department allocates Lake Michigan water pursuant to categories identified in Section 3730.303 of the Department's Lake Michigan Water Allocation Rules, 17 Ill. Adm. Code 3730.101 *et seq.* Under the Rules, Category IB is designated the second highest priority. Category IB applicants are granted Lake Michigan water allocations when Illinois' Lake Michigan water diversion amounts allow for sufficient water to grant the new allocation request. To qualify as Category IB, an applicant must demonstrate that its primary water needs are residential, commercial, or industrial and that its use of Lake Michigan water would reduce use of the Deep Aquifer. Applicant's Lake Michigan Water Allocation application is based on its future projections for four use components: residential use, commercial use, manufacturing use and governmental use. Therefore, the Department finds that Applicant's primary water uses are for residential, commercial, and industrial / manufacturing. Next, Applicant's service territory is currently serviced by water from four wells in the Deep Aquifer. Applicant projects that its transfer to Lake Michigan water from its current ground water sources will result in reduced Deep Aquifer use of approximately 2 mgd in 2030 and going forward. Finally, upon a permitted use of a Lake Michigan Water Allocation, Applicant will discontinue production from its Deep Aquifer wells. Therefore, the Department finds that Applicant's use of Lake Michigan water would reduce use of the Cambrian-Ordovician deep aquifer.

The Department next considers whether Applicant complies with Subsections 3730.303(b)(1)

and (2). Subsections 3730.303(b)(1) and (2) provide as follows:

(b) in determining the need for Category IA and IB allocations, the Department will consider the following items:

(1) Adequacy of supply from sources other than Lake Michigan.”

(2) Economics of alternative supplies.”

Applicant, through its water supply consultants, completed a study of alternative sources of water supply which included Lake Michigan sources and sources other than Lake Michigan. The details of this study are provided in Applicant’s testimony and appear reasonable and sufficiently thorough. Initially, the Department notes that not all 4 items of Subsection 3730.303(b) necessarily apply with the same weight to both Category IA and IB water user allocation requests. The factor set forth in Subsection 3730.303(b)(2), economics of alternative supplies, is literally a part of the definition of Category IA water users set forth in Subsection 3730.303(a)(1) – “Applicants whose primary water needs are residential, commercial or industrial and whose future or continued use of Lake Michigan water is the most economical source of supply.” Therefore, the issue of economics of the water supply source is significantly more relevant to consideration of requests for Category IA Lake Michigan water applications than to Category IB Lake Michigan water applications such as Applicant’s. Further, this interpretation of Subsection 3730.303(b) is supported by reference to the fourth factor of this subsection which states “(4) [f]or new applicants, allocations of Lake Michigan water will be made with the goal of reducing withdrawals from the Cambrian-Ordovician Aquifer (deep aquifer).” Similarly to the second factor connecting to Category IA water users, this fourth factor directly connects to Category IB water users. The definition of Category IB water users set forth in Subsection 3730.303(a)(2) states: “Applicants whose primary water needs are residential, commercial or industrial and whose use of Lake Michigan water would reduce the regional use of the deep aquifer.” This fourth factor of Subsection 3730.303(b) obviously does not apply to all Lake Michigan water applications, as not all applicants use deep aquifer wells for their water supplies. Therefore, it is consistent that the second factor of Subsection 3730.303(b) may not apply to all applicants as well. Also, it is clear that Applicant’s request for Lake Michigan water as a current deep aquifer water user specifically is relevant to the Subsection 3730.303(b)(4) factor. Based on the foregoing, the Department concludes that Applicant is in compliance with Subsections 3730.303(b)(1) and (2).

Based on the foregoing, the Department concludes that Applicant meets the regulatory requirements for a Category IB applicant and, therefore, qualifies for a Lake Michigan Water Allocation. Applicant meets the definition for Category IB water users set forth in Subsection 3730.303(a)(2) and complies with the factors to be considered for Category IA and IB water users in Subsection 3730.303(b).

The third issue presented is whether the Applicant's requested amount of Lake Michigan water is the appropriate amount for which the Applicant should be permitted. Applicant calculated its projected annual total water demand based on its population. Applicant forecasts its 2030 population to be 19,708 persons increasing to 21,697 persons in 2050. Applicant calculated its projected annual population figures based on the Chicago Metropolitan Agency for Planning ("CMAP") forecast for population growth rate for the subject years. The Department finds Applicant's population projection based on CMAP information acceptable. Applicant used a value of 93.48 gallons per capita per day, based on Applicant's historic data to project total water demands to 2050. Based on its past experience, the Department finds Applicant's use of 93.48 gallons per capita per day to calculate total water use acceptable. The result of Applicant's projected annual total water demand begins at 1.842 mgd in 2030 and escalates to 2.028 mgd in 2050. Applicant then apportioned the calculated total water demand to the four required water use categories: Residential, Commercial, Manufacturing/Industrial/Institutional, and Government. Given the totality of the circumstances presented by Applicant, the Department finds that this is an acceptable methodology for determining future water demand.

Based on the foregoing, the Department concludes that Applicant's future water demand projection is based upon an acceptable methodology for calculating Applicant's projected total water demand and that the demand amounts determined are also acceptable. The Department also concludes that Applicant's future water demand projection appropriately considers the population of the area to be served, projected population growth, current and projected per capita consumption with the area, the nature and extent of industrial uses, municipal and hydrant uses, implementation of conservation practices (See, Subsection 3730.304(a)) and the reduction of non-revenue water to meet regulatory limits as required by Section 3730.304 of the Department's Allocation of Water from Lake Michigan administrative rules. As per Department policy, if, in the future, Applicant's water demand projections are determined to be inaccurate, the Department will adjust Applicant's water



allocation amount.

The fourth issue presented is whether Applicant is in compliance with applicable regulatory water conservation / efficiency requirements set forth in Section 3730.307 of the Department's Allocation of Water from Lake Michigan administrative rules and, if not, whether an acceptable compliance plan is provided. The water conservation / efficiency requirements applicable to Applicant include a 10% non-revenue water threshold (Subsection 3730.307(b)), a list of 9 required conservation practices (Subsection 3730.307(c)(1)-(9)), a program to end deep aquifer pumpage (Subsection 3730.307(d)) and a 1% unmetered hydrant use threshold (Subsection 3730.307(e)). Subsection 3730.307(f) also includes a recommendation regarding water rate structures.

Section 3730.102, provides the following definition:

“Non-revenue water” is the difference between net annual pumpage (system input volume) and billed, authorized consumption. Non-revenue water shall be determined by taking the net annual pumpage of a water system and subtracting from that amount the quantity of water that is billed, metered consumption and that is billed, unmetered consumption. Non-revenue water includes water that is lost from the system due to underregistration of meters, systematic data handling errors, leakage anywhere within the distribution system, unauthorized consumption or unbilled authorized consumption

With respect to Subsection 3730.307(b), Applicant's current (2021) non-revenue water loss as a percent of water supply is 13.6%, which violates the Department's non-revenue water loss standard of 10% or less. Subsection 3730.307(a) of the Department's Allocation of Water from Lake Michigan administrative rules provides as follows: “[a]pplicants whose non-revenue water exceeds the non-revenue thresholds ... shall submit a water system improvement plan that outlines the actions the applicant plans to undertake, along with a timeframe, to reduce non-revenue water to less than the thresholds outlined in this subsection.” Applicant has provided an aggressive water system improvement plan to reduce its non-revenue water loss to less than 10% by 2029, the year before it has requested to begin use of Lake Michigan water. This plan includes specific actions including, but not limited to, accounting for water tower draining anomaly, metering village facilities and hydrants, water rate restructuring and watermain replacement. The Department finds Applicant's water system improvement plan acceptable, particularly as Applicant's Lake Michigan water use will not begin until 2030, the Department will receive information on the efficacy of Applicant's water system improvement plan during the interim, and Applicant will have the Department's standard

permit condition requiring compliance with the Department's non-revenue water loss standard of 10% or less before beginning its actual use of Lake Michigan water. Therefore, based on the inclusion of the foregoing permit condition, the Department concludes that Applicant is in compliance with Subsection 3730.307(b).

With respect to Subsections 3730.307(c)(1)-(9), Applicant provided its current water conservation ordinances which cover leakage monitoring, water meters for new construction, water meters for major remodeling, WaterSense labeled efficient plumbing fixtures, closed system air conditioners, public facility plumbing fixtures, car wash facilities and outside sprinkler systems. Applicant's ordinances specifically address the 9 conservation practices required by Subsections 3730.307(c)(1)-(9). Therefore, the Department concludes that Applicant is in compliance with the Department's regulatory water conservation / efficiency requirements set forth in Subsections 3730.307(c)(1)-(9).

With respect to Subsection 3730.307(d), Applicant's application indicates that it will cease use of water from deep aquifer pumpage upon changing to Lake Michigan water. Subsection 3730.307(d) provides as follows:

“Within 90 days after receipt of an allocation permit, each permittee that uses any water from deep aquifer pumpage shall submit and implement a phased program designed to end this practice, other than for emergency or standby use, within five years after the receipt of Lake Michigan water.”

To comply with Subsection 3730.307(d), within 90 days after receipt of its allocation permit, Applicant shall submit and implement a phased program designed to end its deep aquifer pumpage. This requirement will be set forth as a specific permit condition. Therefore, based on the inclusion of the foregoing permit condition, the Department concludes that Applicant is in compliance with the Department's requirement to cease deep aquifer pumpage set forth in Subsection 3730.307(d)

Subsection 3730.307(e) provides a regulatory limitation of unmetered hydrant use to 1% or less of net annual water system pumpage. The Department notes that Applicant has not requested a waiver to the Department's 1% unmetered hydrant use and no such waiver is provided by this Decision. Therefore, the Department concludes that Applicant is required to comply with the Department's limitation on unmetered hydrant use set forth in Subsection 3730.307(e).

With respect to Subsection 3730.307(f), Applicant informed Department that it is currently studying and plans to implement a water rate structure that encourage conservation and water

efficiency. Subsection 3730.307(f) provides as follows:

“The Department recommends that all permittees adopt water rate structures based on metered water use and that water rate structures be developed that will discourage excessive water uses. The Department also recommends that water rates reflect the full cost of water, including the long-term cost to properly maintain and operate the water supply distribution system in such a manner as to keep system losses to a minimum.”

Based upon Applicant’s testimony, the Department concludes that Applicant is in compliance with the Department’s recommendation on water rates set forth in Subsection 3730.307(f).

Based on the foregoing, the Department concludes that Applicant is in compliance with the Department’s regulatory water conservation / efficiency requirements set forth in Section 3730.307 of the Department’s Administrative Rules for Allocation of Water from Lake Michigan. Nevertheless, as a deep aquifer water user, within 90 days after receipt of its allocation permit, Applicant shall submit and implement a phased program designed to end its deep aquifer pumpage. This requirement will be set forth as a specific permit condition. Further, Applicant will be subject to the Department’s standard permit condition requiring compliance with the Department’s non-revenue water loss standard of 10% or less before beginning its actual use of Lake Michigan water.

In summary, this Decision holds as follows: First, Illinois’ current total Lake Michigan water diversion amounts allow for sufficient potential additional water diversion to grant Applicant’s requested allocation amount. Second, Applicant qualifies for a Lake Michigan Water Allocation as a Category IB water user. Third, Applicant’s requested amount of Lake Michigan water is the appropriate amount for which the Applicant should be permitted. Finally, Applicant, with the exception of Applicant’s non-revenue water percentage of over 10%, is in compliance with the Department’s regulatory water conservation / efficiency requirements. However, Applicant has provided a satisfactory compliance plan that, coupled with the Department’s standard permit condition requiring compliance with the Department’s non-revenue water loss standard of 10% or less before beginning its actual use of Lake Michigan water, satisfies compliance with the Department’s regulatory water conservation / efficiency requirements. Based upon the entirety of the foregoing, the Department concludes that a Lake Michigan Water Allocation Permit should be issued to Applicant in the amounts and under the conditions of the following Order.

**ORDER**

Applicant, The Village of Lemont, is hereby issued a Lake Michigan Water Allocation Permit in the amounts and for the years as set forth below. All allocation quantities are shown in million gallons per day. As a condition of this Lake Michigan Water Allocation Permit, the Village of Lemont is required to comply with the Illinois Department of Natural Resources’ (“Department”) Administrative Rules for the Allocation of Water from Lake Michigan, 17 Ill. Adm. Code 3730, including, but not limited to, water conservation practices mandated by Section 3730.307, reporting requirements mandated by Section 3730.309 and the following 3 specific permit conditions:

1. The Village of Lemont shall (1) implement the water system improvement plan set forth in its application (or as amended in the future upon approval of the Department), (2) provide the Department with annual reporting on its progress on such water system improvement plan implementation and on its ongoing non-revenue water standard compliance, and (3) begin actual use of Lake Michigan water **only after written approval** of the Department based on the Village of Lemont completing an entire water year (October 1 – September 30) in compliance with the required 10% non-revenue water standard.
2. The Village of Lemont shall, within 90 days after receipt of this Lake Michigan Water Allocation Permit, submit to the Department and implement a program designed to end use of the Cambrian-Ordovician deep aquifer upon its use of Lake Michigan water, other than for emergency or standby use, within five years after the receipt of Lake Michigan water, pursuant to Section 3730.307(d).
3. The Village of Lemont shall begin complying with the reporting requirements mandated by Section 3730.309 beginning in 2023.

<b><u>YEAR</u></b>	<b><u>ALLOCATION</u></b>	<b><u>YEAR</u></b>	<b><u>ALLOCATION</u></b>
2030	1.842	2040	1.946
2031	1.853	2041	1.954
2032	1.865	2042	1.963
2033	1.876	2043	1.972
2034	1.887	2044	1.981
2035	1.898	2045	1.989
2036	1.908	2046	1.997
2037	1.917	2047	2.005
2038	1.927	2048	2.013
2039	1.936	2049	2.020

2050

2.028

This Decision on an Application by the Village of Lemont for a Lake Michigan Water Allocation constitutes the Illinois Department of Natural Resources' Final Administrative Decision in this proceeding within the meaning of the Administrative Review Law (735 ILCS 5/3-101 et seq.), is appealable to the Circuit Court pursuant to the Administrative Review Law and shall be effective as of the date set forth below.

RECOMMENDED:



John Fischer  
Hearing Officer

APPROVED:



Natalie Phelps Finnie  
Director  
Illinois Department of Natural Resources

Dated this 7th day of July 2023.

PROOF OF SERVICE

I hereby certify that the foregoing FINAL ADMINISTRATIVE DECISION ON AN APPLICATION BY THE VILLAGE OF LEMONT FOR A LAKE MICHIGAN WATER ALLOCATION was served via electronic mail on this, the 20<sup>th</sup> day of July, 2023, to the following:

Illinois Department of Natural Resources

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