

Cass Marine Patrol Statistics

Magician lake had the following statistics reported from the Cass County Sheriff Marine Patrol Division for last summer:

- 146 hours of patrol
- 219 contacts
- 1 Drunk boating violation
- 3 careless warnings
- 18 navigational tickets
- 47 navigational warnings
- 1 Personal Flotation Device (PDF) ticket
- 8 PFD warnings
- 4 registration tickets
- 21 registration warnings.

It's a good idea to begin at the bottom in everything except in learning to swim. ~Author Unknown

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Kelly Smit
Realtor

Magician Lake Improvement Association is registered with the State of Michigan as a not for profit corporation. Officers are: Charlotte Poole, President, Craig McCoy Vice-president, Bill Boehnlein, Secretary, Dick Morey, Treasurer, and Kay Dukesherer, Jim Sullivan and Dan Kuruzar, trustees.



From the Desk of the President

The leaves are gone, the autumn color is absent, the coots are back, boats are put away and most of the piers are in – all is quiet on Magician Lake as we await the holidays and the winter season. (December 2009)

However, as for the lake and myself, I think we both look forward to a winter respite in order to get recharged for yet another spring. Seems as though hardly a week goes by without having some article in the newspaper, on the Internet, or television about invasive species, (Asian Carp), DEQ/DNR concerns in our state, water diversion, vanishing fish habitat, or just taking care of our natural resources. As riparian's, we truly have all of these issues staring us in the face as we admire and recreate on Magician Lake right in our front yards.

As you read this newsletter and your Riparian Magazine you will see articles that lead up to changes at Magician Lake and with Michigan bodies of water. Be an informed lake property owner and vigilant neighbor.

As 2010 begins let us redouble our efforts to care for and protect our lake, as I am sure more issues will be ever present as time goes on and change happens. To keep you up-to-date about Magician Lake, please visit our web site www.magician_lake.org. We put out four newsletters a year – January, May, June, and September, but there are always issues happening in between newsletters and these we put on the web for your convenience.


Happy 2010!! (Wasn't it just a couple of years ago that the new millennium began? Where did that time go?)

Charlotte Poole, President
Magician Lake Improvement Association

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Magician Lake News

Newsletter of the Magician Lake Improvement Association
January 2010

Update on Crooked Lakes Augmentation Project. -

From Tim McKernin of Crooked Lakes
Association - (October 2009)

A prehearing teleconference between Judge Mack, Drain Commissioners (Cass & Van Buren County) their attorney Mark Westrate and our attorney Cliff Bloom was held on the 14th of October. A hearing has been set for the last week of March 2010. Drain Commissioner Parman believes that the 1952 court ruling that established the legal lake level gives him the authority to proceed with the well - (He is wrong) Westrate is most likely to file a motion based on this assumption - (try to get our case thrown out) This attempt will fail and the hearing will take place. We have contacted a hydrology expert that confirms our analysis of the Tritium Study - That the Tritium report is erroneous and that the lakes and the aquifer are connected and that there will be recirculation between the lakes and the aquifer. We are continuing our research and looking for additional environmental professionals to assist with this case. - Any help would be appreciated. We have spent a considerable amount of money on the defense of our lakes and hope to gain more financial assistance. This request will be in the official update letter.

House Numbers

We would like to remind our members that the green reflective address signs seen on residences around the lake are important for Emergency Services to locate your home. If you would like one, they are available at the Cass County Information Technology department at the old courthouse in Cassopolis. The cost is \$12.00.



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Financial Request and MLIA membership

Since we spent a large sum of money in 2009 doing two lake surveys to determine the extent and location of Eurasian Water Milfoil, it is important for our members to pay their \$25.00 annual dues to MLIA in a timely manner for 2010. Please submit your dues as soon as possible to Dick Morey, Treasurer at 50230 E. Lakeshore Dr. Dowagiac, MI 49047. Please note any change of address or other information with your renewal.

It is also important that you encourage your neighbors and friends at Magician Lake to join our association if they are not members, as well as renew memberships. Remember the health of our lake is important to all of us, and not just the water in front of your residence! We are all part "owners" of this important natural resource and should be concerned about its environmental health as is your MLIA board.

Water Level

Last spring we entered into the summer with a very high water level. We asked people to cooperate by using no or low wake speeds in sensitive areas. If this should happen again, common sense is greatly appreciated.

Stay in the center of the lake and away from shores. Don't enter narrow sections, such as coves unless necessary. Keep your watercraft's wake to a minimum. There will be plenty of time to wake board and jet ski as the weather warms up and the levels go down a little.

Your consideration of your neighbor's property and the damage caused by high waters and large wakes will be greatly appreciated.

MLSA Regional News

As a member of MLSA, our Magician Lake Association has access to much lake information, both state wide and locally. The Michigan MLSA's organization is dedicated to preservation, protection and management of Michigan's vast treasure of inland lakes and streams and an advocate for the protection of riparian property rights. Each year MLSA sponsors Fall Seminars with guest speakers, who definitely support this mission. This fall was no exception.

Speakers were Jane Herbert, MSU extension, who talked about natural shoreline issues, Bruce Campbell, the Cass County Water resource manager, Geoffrey Cripe, land protection specialist and Jerry McCoy, who talked about lake insurance issues. Did you know by belonging to MLSA entitles you to a 20% discount from Auto Owners for insurance coverage? Check it out. All of the speakers were interesting and most informative.

Look for this year's seminar date in our fall newsletter but in the meantime log on to www.MLSWA.org for all your MLSA news. Learn how you can continue to protect your investment as a riparian property owner.

"A lake is the landscape's most beautiful and expressive feature. It is earth's eye; looking into which the beholder measures the depth of his own nature." ~Henry David Thoreau

Fertilizer and Weeds

Now that we have discovered Eurasian Water Milfoil in our lake, it finally hits home. Using fertilizers of any kind is undesirable but over-use of nitrogen and any use of phosphates are completely un-acceptable.

Van Buren County has banned the sale of phosphates but there is no way to check the use of products brought in from other places. We have asked you not to use these products and to plant plants that will absorb run off down by the water but counting on everyone's co-operation has not been good enough. We are now faced with an expensive solution and one that no one wanted to face.

PLEASE USE LITTLE OR NO LAWN FERTILIZER ON YOUR YARD. TELL THE PEOPLE WHO DO YOUR LAWN WORK, YOU WON'T ACCEPT THESE PRODUCTS.

SACRIFICING PERFECT GRASS MAY BE THE ONLY WAY TO PROTECT THE LAKE FROM MORE DAMAGE.

Easements and Riparian Rights

In the Michigan Court of Appeals case, Sullivan vs. Tillman, Big Crooked Lake in Van Buren County, the court ruled, among other things, that the lot in question was an easement for ingress and egress only and not one with riparian rights. It specifically held that overnight mooring was prohibited. Read the case on line at [MLSA Legal/Articles/LWR459370](http://www.MLSA.org/Legal/Articles/LWR459370). A similar case, No. 2007-56-592-CH, Banacki vs Howe, Smit, et.al., was ruled on in the Van Buren County Circuit Court for easements called East and West Courts on Magician's SE side.

Eurasian Water Milfoil Found In Magician Lake

Eurasian Water Milfoil (EWM) has been found in wide areas of Magician Lake. EWM is a non-native aquatic weed that grows rampantly and if left untreated this weed can potentially strangle out the native weeds, destroy fish populations and make it impossible to navigate a boat through it. This has happened to numerous lakes. Our problem is not this extensive so far but it must be addressed to protect our lake.

EWM was first discovered in the West Bay Channel in the southwest corner of the lake. It was decided to survey the entire lake to get a clear reading on the extent of the problem if there is one. This invasive weed was found in 31% of the acreage of our lake. Read the enclosed letter which gives more detail and discusses next steps.

Free Fishing Weekends

(Taken from Michigan DNRE website) - <http://www.michigan.gov/dnr>

Winter: February 13 - 14, 2010

Summer: June 12 - 13, 2010

Two days twice a year, families and friends can enjoy one of Michigan's premiere outdoor activities, Michigan Fishing, for FREE!

All fishing license fees will be waived for two days. Residents and outstate visitors may enjoy fishing on both inland and Great Lakes' waters for all species of fish. All fishing regulations will still apply.

For many, the annual Free Fishing Weekend has become a tradition - a time to get together and have some fishing fun. While some may find time to reflect while fishing, there are no limits to variations on a great theme!

Michigan offers some of the finest freshwater fishing in the world, with more than 3,000 miles of Great Lakes shoreline, over 11,037 inland lakes and 36,350 miles of rivers and streams. Included are 12,000 miles of trout waters, for which approximately 1,000 miles are considered Michigan's finest blue ribbon trout mainstems.

So grab a pole and your family and friends, and let's go fishing!