

Chapter NR 26

FISH REFUGES

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(Section 23.09, Wis. Stats.)

NR 26.01 Fish refuges. The following described areas are hereby created and established as fish refuges and it shall be unlawful for any person or persons to take, catch, capture, kill or fish for fish in any manner or at any time in, on or along the following described water areas.

(13) DANE COUNTY. (a) *University of Wisconsin arboretum*. All springs, spring holes, streams, potholes and lagoons lying within the boundaries of the University of Wisconsin arboretum located in section 9, township 6 north, range 9 east, town of Madison, and in sections 26, 27, 28, 32, 33, and 35, township 7 north, range 9 east, town of Fitchburg.

(18) EAU CLAIRE COUNTY. (a) *Little Niagara creek*. That stream known as Little Niagara creek from its mouth at the Chippewa river upstream to its source, said stream flowing through and along Putnam park and the property of the Wisconsin state teachers college, all located within the city limits of the city of Eau Claire.

(19) FLORENCE COUNTY. (a) *Woods creek*. That part of Woods creek beginning at the dam in and across said Woods creek in the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of section 28, township 39 north, range 17 east, and extending downstream for a distance of 500 feet.

(20) FOND DU LAC COUNTY. (a) *Parson creek*. That part of the stream known as Parson creek lying on property owned by David Coulter in the E $\frac{1}{2}$ of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of section 16, township 14 north, range 17 east.

(26) IRON COUNTY. (a) *Flambeau river*. That part of the Flambeau river located in the SW $\frac{1}{4}$ of SE $\frac{1}{4}$ and SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of section 34, township 42 north, range 2 east, and the NE $\frac{1}{4}$ of NW $\frac{1}{4}$ and the NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of section 3, township 41 north, range 2 east, beginning at the dam in and across the Flambeau river in section 34, township 42 north, range 2 east, Iron county, Wisconsin, commonly known as the Turtle-Flambeau dam and extending downstream from said dam to the U. S. government gaging station on said river in the NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of said section 3.

(39) MARQUETTE COUNTY. (a) *Fredreck creek*. That part of Fredreck creek beginning at the downstream side of the bridge on the fish hatchery road and thence upstream to its headwaters, said part of stream lying in sections 1 and 12, township 16 north, range 8 east.

(50) PRICE COUNTY. (c) *Flambeau river (South Fork)*. That part of the South Fork of the Flambeau river situated in section 26, township 40 north, range 3 east beginning at the dam in and across the South Fork of the Flambeau river in said section 26 at the outlet of Round lake and commonly known as the Pike Lake dam and extending thence downstream for a distance of 500 feet.

(54) RUSK COUNTY. (a) *Swift creek*. That part of Swift creek or its backwaters beginning at the Island Lake dam located in the SW $\frac{1}{4}$ of section 21, township 33 north, range 8 west, Rusk county and thence downstream on Swift creek for a distance of 500 feet.

(57) SAWYER COUNTY. (b) *Chippewa river (West Fork)*. That part of the west fork of the Chippewa river beginning at the Moose lake dam located in section 14, township 41 north, range 6 west, Sawyer county and thence downstream for a distance of 500 feet.

(63) VILAS COUNTY.

(b) *Manitowish river*. Beginning at the dam in and across the Manitowish river, located in section 9, township 42 north, range 5 east, Vilas county, Wisconsin, commonly known as the Rest Lake dam, and thence downstream from the said dam for a distance of 500 feet.

(c) *Rice creek*. All that part of Rice creek in sections 4, 8, 9, township 42 north, range 6 east, Vilas county, Wisconsin beginning at Newcomb's Point in section 8 and extending upstream to the outlet of Big lake in section 4.

(e) *Trilby lake*. That lake known as Trilby lake (camp 7) located in sections 11, 12, 13 and 14, township 40 north, range 6 east.

(f) *Klondike lake*. Klondike lake located in section 4, township 40 north, range 7 east.

(66) WASHINGTON COUNTY.

(b) *Gilbert's lake and outlet*. That body of water known as Gilbert's lake and its outlet to the mouth of said outlet in Big Cedar lake; said Gilbert's lake and outlet lying in sections 17 and 20, township 11 north, range 19 east.

History: 1-2-56; (57) (a), (66) (a) and (68) (a) r. Register, August, 1957, No. 20, eff. 9-1-57; (25) emergency rule, eff. 5-1-58; cr. Register, October, 1958, No. 34, eff. 1-1-59; r. (17) (a), and (50) (a), cr. (63) (f) Register, December, 1959, No. 48, eff. 1-1-60; r. (25) Register, May, 1960, No. 53, eff. 6-1-60; r. (43) (b) Big Elk river and (c) Flambeau river (South Fork); cr. (50) Register, July, 1960, No. 55, eff. 8-1-60; r. (1) (a); (24) (a); (57) (c) and (67) (a). Register, December, 1960, No. 60, eff. 1-1-61; r. (43) (b) and (c). Register, December, 1961, No. 72, eff. 1-1-62; r. (63) (d). Register, December, 1962, No. 84, eff. 1-1-63; r. (42) (a), (43) (a), and (63) (a). Register, November, 1965, No. 119, eff. 1-1-66; am. (18), r. (64). Register, December, 1968, No. 156, eff. 1-1-69; r. (50) (a) and (b). Register, October, 1969, No. 166, eff. 1-1-70; renum. from WCD 26.01 to be NR 26.01, Register, April, 1971, No. 184, eff. 5-1-71.

NR 26.02 Fish refuges. The following described areas are hereby created and established as fish refuges and it shall be unlawful for any person or persons to take, catch, capture, kill or fish for fish in any manner from January 1 to May 15 each year, both dates inclusive, in, on or along the following described water areas.

(70) WINNEBAGO COUNTY. (a) *Fox river (Eureka dam)*. Beginning at the dam in and across the Fox river, located in section 31, township 18 north, range 14 east, Winnebago county, Wisconsin, commonly known as the Eureka dam, and thence downstream from the said dam for 200 feet.

History: 1-2-56; r. (70) (b) and (c), Register, December, 1959, No. 48, eff. 1-1-60; renum. from WCD 26.02 to be NR 26.02, Register, April, 1971, No. 184, eff. 5-1-71.

NR 26.03 Fish refuges. The following described area is hereby created and established as a fish refuge, and it shall be unlawful for any person or persons to take, catch, capture, kill or fish for fish in any manner or at any time in, on or along the following described water areas throughout the open season for hunting migratory water-fowl each year.

(29) JUNEAU COUNTY. (a) *Meadow Valley flowage*. That part of the Meadow Valley Flowage beginning at a point in the E $\frac{1}{2}$ of section 10, township 20 north, range 2 east, where the drainage ditch intersects the Meadow Valley Flowage road; thence northerly along the east spoil bank of said ditch to the junction of a brushed line at the approximate interior quarter corner of section 3, township 20 north, range 2 east; thence west along said brushed line to its junction with the east-west drainage ditch; thence westerly along the north spoil bank of said ditch to its junction with the main north-south drainage ditch; thence south along the west spoil bank of said ditch to its point of intersection with the Meadow Valley Flowage road; thence east along said Meadow Valley road to the point of beginning, all in Juneau county.

History: 1-2-56; renum. from WCD 26.03 to be NR 26.03, Register, April, 1971, No. 184, eff. 5-1-71.

NR 26.04 Fish refuges. The following described areas are hereby created and established as fish refuges, and it shall be unlawful for any person or persons to take, catch, capture, kill or fish for fish in any manner from January 15 to May 15 each year, both dates inclusive, in, on or along the following described water areas.

(13) DANE COUNTY. (a) *Castle Marsh*. All of the marshland commonly known as "Castle Marsh" lying north and east of the Chicago and Northwestern Railroad right-of-way in the following described area:

Township 8 North, Range 9 East.

Section 36—NE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$; SE diagonal NE $\frac{1}{4}$ NW $\frac{1}{4}$; NE $\frac{1}{4}$ SW $\frac{1}{4}$; NW $\frac{1}{4}$ SE $\frac{1}{4}$; SW $\frac{1}{4}$ NE $\frac{1}{4}$ and all of the marshland outlet channel into Lake Mendota and that water area of Lake Mendota proper extending 100 feet in any direction from the mouth of said marshland outlet channel and lying south and west of the Chicago and Northwestern Railroad right-of-way in the following described area:

Township 8 North, Range 9 East.

Section 36—SW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$

History: 1-2-56; cr. (13), Register, August, 1957, No. 20, eff. 9-1-57; r. (58) (a) and (c), Register, December, 1961, No. 72, eff. 1-1-62; r. (58) (b), Register, November, 1965, No. 119, eff. 1-1-66; renum. from WCD 26.04 to be NR 26.04, Register, April, 1971, No. 184, eff. 5-1-71.

WCD 26.05 **History:** 1-2-56; r. (43) (a), Register, November, 1965, No. 119, eff. 1-1-66; r. Register, December, 1968, No. 156, eff. 1-1-69.

NR 26.06 Fish refuges. The following described areas are hereby created and established as fish refuges, and it shall be unlawful for any person or persons to take, catch, capture, kill, or fish for fish in any manner from April 1 to May 14 each year, both dates inclusive, in, on or along the following described water areas.

(68) **WAUPACA COUNTY.** (a) Little Wolf river. Beginning at the dam in and across the Little Wolf river, located in section 15, township 23 north, range 13 east, in the village of Manawa, and thence downstream from the said dam for 500 feet.

History: 1-2-56; r. and recr. Register, March, 1959, No. 39, eff. 4-1-59; r. (26) (a), Register, November, 1965, No. 119, eff. 1-1-66; renum. from WCD 26.06 to be NR 26.06, Register, April, 1971, No. 184, eff. 5-1-71.

NR 26.07 Fish refuges. The following described areas are hereby created and established as fish refuges, and it shall be unlawful for any person or persons to take, catch, capture, kill, or fish for fish in any manner from March 1 to June 30 each year, both dates inclusive, in, on or along the following described water areas.

(29) **JUNEAU COUNTY.** (a) *Meadow Valley Flowage.* That part of the Meadow Valley Flowage lying in the following described area:

Township 20 north, range 2 east.

Section 1—W $\frac{1}{2}$.

Sections 2, 3, 4, 5 and 6—Entire sections.

Section 7—N $\frac{1}{2}$.

Section 8—N $\frac{1}{2}$.

Section 9—N $\frac{1}{2}$.

Section 10—N $\frac{1}{2}$.

Section 11—All that part lying north of the Meadow Valley Flowage road and west of State Highway 173.

(71) **WOOD COUNTY.** (a) *Wood county public hunting grounds.*

Township 21 north, range 2 east, town of Remington.

Section 1—Entire fractional section.

Section 2—Entire fractional section except 1 acre off of NW SE for school ground.

Section 3—Entire fractional section.

Section 4—S $\frac{1}{2}$ of section.

Section 5—N $\frac{1}{2}$ SE $\frac{1}{4}$, SW SE less 1 acre on south side, SE SE.

Section 7—E $\frac{1}{2}$ and S $\frac{1}{2}$ NW fractional $\frac{1}{4}$.

Section 8—Entire section.

Section 9—Entire section.

Section 10—Entire section.

Section 11—Entire section.

Section 12—Entire section.

Section 13—Entire section.

Section 14—Entire section.

Section 15—Entire section.

Section 16—Entire section.

Section 17—Entire section.

- Section 18—NE $\frac{1}{4}$ and E $\frac{1}{2}$ SE $\frac{1}{4}$.
 Section 19—NE NE, W $\frac{1}{2}$ SE $\frac{1}{4}$.
 Section 20—N $\frac{1}{2}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE SW and SE $\frac{1}{4}$.
 Section 21—E $\frac{1}{2}$ NE $\frac{1}{4}$, NW NW and SW SW.
 Section 22—N $\frac{1}{2}$ of section.
 Section 23—N $\frac{1}{2}$ of section.
 Section 24—N $\frac{1}{2}$ and SE $\frac{1}{4}$.
 Section 27—S $\frac{1}{2}$ NW $\frac{1}{4}$ and S $\frac{1}{2}$ of section.
 Section 28—W $\frac{1}{2}$ NE $\frac{1}{4}$, SE NE, NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$.
 Section 29—N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$.
 Section 31—Entire fractional section.
 Section 32—W $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ and W $\frac{1}{2}$ SE $\frac{1}{4}$.
 Section 33—N $\frac{1}{2}$ NE NE, N $\frac{1}{2}$ NW NE and S $\frac{1}{2}$ SE $\frac{1}{4}$.
 Section 34—W $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$,
 E $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ and SE $\frac{1}{4}$ SE $\frac{1}{4}$.
 Section 35—E $\frac{1}{2}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ and S $\frac{1}{2}$ SW $\frac{1}{4}$.
 Section 36—E $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ and S $\frac{1}{2}$ of section.
 Township 21 north, range 3 east, town of Remington.
 Section 15—W $\frac{1}{2}$ NE $\frac{1}{4}$ and W $\frac{1}{2}$ of section.
 Section 16—NE $\frac{1}{4}$ and S $\frac{1}{2}$ of section.
 Section 17—W $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$,
 S $\frac{1}{2}$ SE $\frac{1}{4}$.
 Section 18—Entire fractional section.
 Section 19—Entire fractional section.
 Section 20—N $\frac{1}{2}$ NE $\frac{1}{4}$.
 Section 21—E $\frac{1}{2}$, E $\frac{1}{2}$ NW $\frac{1}{4}$ and SE $\frac{1}{4}$ SW $\frac{1}{4}$.
 Section 22—N $\frac{1}{2}$ NW $\frac{1}{4}$.
 Section 30—N $\frac{1}{2}$ of fractional section.
 Section 31—NE $\frac{1}{4}$, N $\frac{1}{2}$ NW fractional $\frac{1}{4}$, S $\frac{1}{2}$ SW fractional $\frac{1}{4}$,
 NE $\frac{1}{4}$ SE $\frac{1}{4}$ and S $\frac{1}{2}$ SE $\frac{1}{4}$.
 Section 32—SW $\frac{1}{4}$ NW $\frac{1}{4}$.

History: 1-2-56; am. intro. par., cr. (29), Register, August, 1957, No. 20, eff. 9-1-57; renum. from WCD 26.07 to be NR 26.07, Register, April, 1971, No. 184, eff. 5-1-71.

NR 26.08 Fish refuges. The following described areas are hereby created and established as fish refuges, and it shall be unlawful for any person or persons to take, catch, capture, kill, or fish for fish in any manner from March 1 of each year to the date immediately preceding the opening date of the general fishing season, both dates inclusive, in, on or along the following described water areas.

(66) WASHINGTON COUNTY. (a) *Cedar creek*. That portion of Cedar creek commencing at the dam which is the outlet of Big Cedar lake, downstream to the kettle of Little Cedar lake, all in sections 32 and 33, township 11 north, range 19 east.

(b) *Pike Lake dam*. Beginning 500 feet above the dam at Pike lake, thence north and downstream on the Rubicon river to the St. Paul railroad right-of-way, in sections 14 and 23, township 10 north, range 18 east.

History: 1-2-56; cr. (66) (b), Register, December, 1960, No. 60, eff. 1-1-61; renum. from WCD 26.08 to be NR 26.08, Register, April, 1971, No. 184, eff. 5-1-71.

NR 26.09 Fish refuges. The following described areas are hereby created and established as fish refuges, and it shall be unlawful for

any person or persons to take, catch, capture, kill, or fish for fish in any manner each year beginning on October 1 and extending until the following May 15, both dates inclusive, in, on or along the following described water areas.

(59) SHEBOYGAN COUNTY. (a) *Sheboygan marsh*. That part of Sheboygan Marsh known as South Ditch with description as follows: East 150 feet of SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of section 24. East 150 feet of W $\frac{1}{2}$ of SE $\frac{1}{4}$ of section 24. South 150 feet of SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of section 24. South 150 feet of SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of section 24. All in township 16 north, range 20 east.

History: 1-2-56; renum. from WCD 26.09 to be NR 26.09, Register, April, 1971, No. 184, eff. 5-1-71.

WCD 26.10 History: 1-2-56; r. Register, August, 1957, No. 20 eff. 9-1-57.

WCD 26.11 History: 1-2-56; r. Register, December, 1967, No. 144, eff. 1-1-68.

WCD 26.12 History: 1-2-56; r. Register, December, 1967, No. 144, eff. 1-1-68.

NR 26.13 Fish refuges. The following described areas are hereby created and established as fish refuges, and it shall be unlawful for any person or persons to take, catch, capture, kill, or fish for fish in any manner from November 1 to May 14 in each year, both dates inclusive, in, on or along the following described water areas.

History: 1-2-56; r. (67) (a), Register, December, 1960, No. 60, eff. 1-1-61; renum. from WCD 26.13 to be NR 26.13, Register, April, 1971, No. 184, eff. 5-1-71.

NR 26.14 Fish refuges. The following described areas are hereby created and established as fish refuges, and it shall be unlawful for any person or persons to take, catch, capture, kill, or fish for fish in any manner from January 1 to June 15 in each year, both dates inclusive, in, on, or along the following described water areas.

(48) POLK COUNTY. (a) *Sucker creek*. That part of Sucker creek beginning at the outlet of Lake Wapogasset and extending downstream to the county trunk highway "F" bridge, all in section 26, township 33 north, range 17 west.

History: 1-2-56; renum. from WCD 26.14 to be NR 26.14, Register, April, 1971, No. 184, eff. 5-1-71.

NR 26.15 Fish refuges. The following described areas are hereby created and established as fish refuges, and it shall be unlawful for any person or persons to take, catch, capture, kill, or fish for fish in any manner from April 1 to April 30 in each year, both dates inclusive, in, on, or along the following described water areas.

(39) MARQUETTE COUNTY. (a) *Fox River (Montello dam)*. That part of the Fox river beginning at the Montello dam and extending downstream for a distance of 100 feet.

History: 1-2-56; renum. from WCD 26.15 to be NR 26.15, Register, April, 1971, No. 184, eff. 5-1-71.

NR 26.16 Fish refuges. The following described areas are hereby created and established as fish refuges, and it shall be unlawful for any person or persons to take, catch, capture, kill, or fish for fish in any manner from March 1 to May 31 each year, both dates inclusive, in, on or along the following described water areas:

(14) DODGE COUNTY. (a) *Beaver Creek*. All that part of Beaver Creek beginning at the highway bridge at the inlet of Beaver Dam Lake and extending upstream to the county trunk highway "G" bridge, all in sections 8, 9 and 19, Township 12 North, Range 13 East.

History: Cr. Register, August, 1957, No. 20, eff. 9-1-57; renum. from WCD 26.16 to be NR 26.16, Register, April, 1971, No. 184, eff. 5-1-71.

WCD 26.17 History: 1-2-56; r. Register, October, 1958, No. 34, eff. 1-1-59.

NR 26.19 Fish refuges. The following described areas are hereby created and established as fish refuges and it shall be unlawful for any person or persons to take, capture, kill or fish for fish in any manner or at any time except during the open season for muskellunge in, on or along the following described water areas:

(57) SAWYER COUNTY. (a) *Chippewa River*. Beginning at the gate of the reservoir dam known as the Winter Dam in Government Lots 1 and 9 in Section 2, Township 39 North, Range 6 West, Sawyer County, Wisconsin and extending downstream 1,000 feet.

History: Cr. Register, August, 1957, No. 20, eff. 9-1-57; renum. from WCD 26.19 to be NR 26.19, Register, April, 1971, No. 184, eff. 5-1-71.

NR 26.20 Fish refuges. The following described areas are hereby created and established as fish refuges and it shall be unlawful for any person or persons to take, capture, kill or fish for fish in any manner from April 15 to June 1 each year, both dates inclusive, in, on or along the following described water areas:

(57) SAWYER COUNTY. (a) *Whitefish Creek*. The entire length of Whitefish Creek from Whitefish Lake to Lac Court Oreilles, all lying in Sections 11 and 12, Township 39 North, Range 9 West.

History: Cr. Register, August, 1957, No. 20, eff. 9-1-57; renum. from WCD 26.20 to be NR 26.20, Register, April, 1971, No. 184, eff. 5-1-71.

NR 26.21 Fish refuges. The following described areas are hereby created and established as fish refuges, and it shall be unlawful for any person to take, catch, capture, kill or fish for fish in any manner from February 15 to April 15 both dates inclusive, in, on or along the following described water areas:

(14) DODGE COUNTY. (a) *Rock river (Hustisford dam)*. That part of the Rock river beginning at the Hustisford dam, in the village of Hustisford, and extending downstream for a distance of 725 feet.

History: Cr. Register, December, 1962, No. 84, eff. 1-1-63; renum. from WCD 26.21 to be NR 26.21, Register, April, 1971, No. 184, eff. 5-1-71.

NR 26.22 Fish refuges. The following described areas are hereby created and established as fish refuges, and it shall be unlawful for any person to take, catch, capture, kill or fish for fish in any manner from March 1 to April 15, both dates inclusive, in, on or along the following described water areas:

(66) WASHINGTON COUNTY. (a) *Milwaukee river (Newburg dam)*. That part of the Milwaukee river beginning at the Newburg dam in the town of Trenton and extending downstream for a distance of 300 feet.

History: Cr. Register, December, 1962, No. 84, eff. 1-1-63; renum. from WCD 26.22 to be NR 26.22, Register, April, 1971, No. 184, eff. 5-1-71.

NR 26.23 Fish refuge. The following described area is hereby created and established as a fish refuge, and it shall be unlawful for any person to take, catch, capture, kill or fish for fish in any manner from September 1 to October 1 both dates inclusive, in, on or along the following described water area: from the southerly most point of Outer Island in a straight line in a southerly direction to the lighthouse on Michigan Island and due east to the Michigan state line; thence, northerly along the state line to a point due east of the southerly tip of Outer Island from that point due west to the southerly point of Outer Island, to the place of the beginning.

History: Cr. Register, November, 1970, No. 179, eff. 1-1-71; renum. from WCD 26.23 to be NR 26.23, Register, April, 1971, No. 184, eff. 5-1-71.