

## 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.

(67) WAUKESHA COUNTY. (a) *Scuppernong Springs*. All waters of the Scuppernong Springs, Scuppernong Creek and Scuppernong River located in that part of the SW  $\frac{1}{4}$  NE  $\frac{1}{4}$  lying south of state trunk highway 67 and east of country trunk highway ZZ; that part of the NE  $\frac{1}{4}$  SE $\frac{1}{4}$  lying south and west of state trunk highway 67; that part of the NW  $\frac{1}{4}$  SE  $\frac{1}{4}$  lying south of state trunk highway 67 and east of country trunk highway ZZ; the N  $\frac{1}{2}$  of the SW  $\frac{1}{4}$  SE  $\frac{1}{4}$ ; that part of the SE  $\frac{1}{4}$  SE  $\frac{1}{4}$  lying west of state trunk highway 67; all lying in section 34, township 6 north, range 17 east, town of Ottawa.

**History:** 1-2-56; (57) (a), (66) (a) and (63) (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.

Register, July, 1971, No. 187

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; cr. (67), Register, July, 1971, No. 187, eff. 9-1-71.

**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.

(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 in Lake Superior 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 31, 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 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; am. Register, July, 1971, No. 187, eff. 9-1-71.