

WCD 15.03 History: 1-2-56; r. Register, August, 1957, No. 20, eff. 9-1-57.

WCD 15.04 History: 1-2-56; r. Register, August, 1957, No. 20, eff. 9-1-57.

WCD 15.05 History: 1-2-56; r. Register, August, 1957, No. 20, eff. 9-1-57.

WCD 15.06 History: 1-2-56; r. Register, August, 1957, No. 20, eff. 9-1-57.

WCD 15.07 History: 1-2-56; r. Register, August, 1957, No. 20, eff. 9-1-57.

WCD 15.08 History: 1-2-56; r. Register, August, 1957, No. 20, eff. 9-1-57.

WCD 15.09 History: 1-2-56; r. Register, August, 1957, No. 20, eff. 9-1-57.

NR 15.10 Horicon Marsh wildlife refuge. (1) The following described area located on the Horicon Marsh in Dodge county is hereby created and established as a wildlife refuge and game preserve to be known as the Horicon Marsh wildlife refuge and except as hereinafter provided, it shall be unlawful for any person to hunt or trap thereon or have in his possession or under control thereon any firearm unless the same is unloaded and enclosed within a carrying case, or any bow and arrow unless the same is unstrung or enclosed within a carrying case, but nothing herein shall prohibit, prevent or interfere with the department, its deputies, agents or employes in the destruction of injurious animals and birds:

Township 12 north, range 16 east, town of Williamstown.

Those parts of sections 29, 31 and 32 bounded by the following description: commencing at the northwest corner of the NE SE of section 31, township 12 north, range 16 east; thence south 621 feet; thence east 1300 feet; thence north 30° east for a distance of 1300 feet; thence north 10° east for a distance of 2,900 feet; thence west 400 feet; thence south 42° west for a distance of 1718 feet; thence south 23° west for a distance of 2145 feet to the place of beginning.

All lying in the town of Williamstown, Dodge county, Wisconsin, containing approximately 117.14 acres, more or less, according to government survey.

(2) Fur-bearing animals may be trapped on the above described lands only under written permit from the department or its agents as provided in Wis. Adm. Code section NR 15.11 (1).

(3) Wildlife research in all phases may be conducted on the above described lands by the department and its agents without restriction.

(4) This section shall not prohibit the use of the rifle range located on the above described lands provided the party or parties using said rifle range have been duly authorized to do so by the department or its agents.

(5) The department shall cause the boundaries of the Horicon Marsh wildlife refuge as created and established by this section to be marked with signs posted for that purpose.

(6) This section shall not prohibit the department or its duly authorized agents, the armed forces of the national guard or of the United States, or any peace officers or any person summoned by a peace officer to assist him in making an arrest or in preserving the peace from

entering and being on the above described Horicon Marsh wildlife refuge in the performance of official duties.

History: 1-2-56; am. Register, August, 1957, No. 20, eff. 9-1-57; renum. from WCD 15.10 to be NR 15.10 and am. (1), intro. par., and (2), (3), (4), (5) and (6), Register, April, 1971, No. 184, eff. 5-1-71; am. (5), Register, April, 1976, No. 244, eff. 8-15-76.

NR 15.11 Horicon Marsh fur farm. (1) A state fur farm to be known as the Horicon Marsh fur farm is hereby created and established on all of the state-owned lands on the Horicon Marsh in Dodge county and it shall be unlawful for any person to take, catch, kill, hunt, trap or pursue any fur-bearing animals on the said Horicon Marsh fur farm unless he shall have first obtained a permit therefor from the said department or its duly authorized agents. Any violation of the terms of such permit shall be deemed to be a violation of this section.

(2) The secretary shall cause the boundaries of the Horicon Marsh fur farm as created and established by this section to be marked with signs posted for that purpose.

(3) This section shall not prohibit the department or its duly authorized agents, the armed forces of the national guard or of the United States, or any peace officers or any person summoned by a peace officer to assist him in making an arrest or in preserving the peace from entering and being on the above described Horicon Marsh fur farm in the performance of official duties.

History: 1-2-56; am. Register, August, 1957, No. 20, eff. 9-1-57; renum. from WCD 15.11 to be NR 15.11 and am. (1), (2) and (3), Register, April, 1971, No. 184, eff. 5-1-71.

NR 15.12 University of Wisconsin arboretum. (1) The following described area located in Dane county, Wisconsin is hereby created and established as a game refuge and designated as the University of Wisconsin arboretum game refuge, and it shall be unlawful for any person or persons to hunt or trap upon said areas or have in possession or under control thereon any gun or rifle unless the same is unloaded and enclosed within a carrying case, or any bow and arrow unless the same is unstrung or enclosed within a carrying case, but nothing herein shall prohibit, prevent or interfere with the department, its deputies, agents or employes in the destruction of injurious animals and birds. This section shall not prohibit the department, its deputies or duly authorized agents, the armed forces of the national guard or the United States army, or any peace officers, or any person summoned by a peace officer to assist him in making an arrest or preserving the peace, from entering and being on such refuge in the performance of official duties.

Metes and bounds description of Arboretum land.

Township 7 north, range 9 east, town of Madison.

Beginning at the SW corner of the NW1/4 of the SW 1/4 of section 33; thence north and northeasterly along the east right-of-way of the Seminole highway to its intersection with Manitou way; thence northeasterly along the southerly line of Manitou way to the most northerly corner of lot 4, block 27, Nakoma; thence southeasterly along the lot line between lots 4 and 5, block 27, Nakoma, to the south line of block 27; thence easterly along the south line of block 27 to the west line of lot 21, block 27; thence southerly a distance of 24.2 feet

4. Water supply. Pens shall be provided with an adequate and constant water supply easily accessible to the waterfowl and cleaned and drained daily.

(l) *Eagles, hawks, and owls.* 1. Not more than 3 adults, or one pair and their offspring of the year may be held together in one pen.

2. Floor. Material: 4 inches of gravel or sand.

3. Space. 144 sq. ft.

4. Walls and top. 18-gauge woven wire with mesh not greater than 1 inch. Top completely enclosed. Pen shall be not less than 8 ft. high. A perch or roosting bar shall extend the width of the pen and be placed not less than 2 ft. from the top of the pen.

5. Shelter. A weatherproof shelter having a roof and three sides.

(m) *Turkeys and peafowl.* 1. Not more than 2 pairs of adults, or 1 pair and their offspring of the year may be held together in one pen.

2. Floor space: 144 sq. ft.

3. Walls and top. 18-gauge woven wire with mesh not greater than 1 inch. Top completely enclosed. A board shelter 18 inches high shall be built around the bottom sides of the pen to prevent current draft.

4. Shelter. A weatherproof shelter with a roof and 3 sides.

(n) *Additional game birds.* 1. Not more than 5 adults, or 1 pair and their offspring of the year may be held together in one pen, unless 20 sq. ft. for each additional pair is added to such pen size.

2. Floor. Material: 4 inches of gravel or sand.

3. Space. 100 sq. ft.

4. Walls and top. 18-gauge woven wire with mesh not greater than 1 inch. Top completely enclosed. A board shelter 18 inches high shall be built around the bottom sides of the pen to prevent current draft.

5. Shelter. Weatherproof shelter house shall have a top and three sides, 2 ft. x 3 ft. x 3 ft. high.

General exception. The use of other materials or variation in pen or fence construction other than specified shall be submitted to the secretary and may be permitted if found to comply with the intent and purpose of these rules.

(p) *Buffalo, elk, moose, and similar game animals.* 1. Fenced area. Deer farm fence specifications NR 16.01 (1) or exceptions NR 16.01 (2) will be used.

a. Exception. The minimum fence height for buffalo only, shall be 5 feet.

b. Exception. The "safety fence" defined in subsection (10) (b) shall be constructed where needed or in lieu thereof may be constructed *inside* the enclosure of sufficient strength and design to carry out the purpose and intent of such "safety fence".

2. The use of "rubbing posts" for the well-being of these animals is recommended. Wooden posts 7 feet long and 10 inches or more in

diameter are set in the ground to a depth of 4 feet with 3 feet exposed. Posts may be placed singly in a group of 3 in a triangle 6 feet apart.

12. *Exception.* When wild animals are to be exhibited within a fenced area comprised of 40 acres or more and having adequate facilities for vehicular traffic, the pen and safety fence requirements contained in Wis. Adm. Code NR 16.10 (10) and (11) may be waived by the secretary if the following conditions are met:

(a) The outside fence meets the applicable requirements of Wis. Adm. Code NR 16.10;

(b) Vehicles are restricted to traveling on a well-defined roadway;

(c) Viewers are confined to and remain in cars, trucks or similarly enclosed vehicles;

(d) The doors and windows of viewers' vehicles remain closed at all times when the vehicles are within the enclosure;

(e) Viewers are prohibited from feeding the animals;

(f) A speed limit of 10 miles per hour or less is established within the enclosed area;

(g) The licensee has a safe procedure for removing vehicles which have broken down from the enclosure;

(h) The licensee maintains adequate liability insurance naming the department and its employes as an additional named insured.

The licensee shall be required to post notices and verbally inform viewers of conditions (b) through (g) and to enforce these conditions within the enclosed area. Failure by the licensee to meet and enforce any one of these conditions shall be sufficient cause for revocation of the wildlife exhibit license.

History: Cr. Register, April, 1958, No. 28, eff. 5-1-58; cr. (11) (p), Register, November, 1959, No. 47, eff. 12-1-59; renum. from WCD 16.10 to be NR 16.10 and am. (3) intro. par., (4), (5), (11) (a) 2.a. and (n) 5. and (p) 1. intro. par., Register, April, 1971, No. 184, eff. 5-1-71; cr. (12), Register, April, 1976, No. 244, eff. 5-1-76.