

Chapter NR 26

FISH REFUGES

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(Section 23.09, Stats.)

Note: Ch. NR 26 as it existed on December 31, 1976, was repealed and a new ch. NR 26 was created effective January 1, 1977.

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, disturb, catch, capture, kill or fish for fish in any manner or at any time in, on or along the following described water areas.

(9) CHIPPEWA COUNTY. (a) That part of the Chippewa river from the Jim Falls dam located in section 29, T30N, R7W, and extending downstream for a distance of 1,000 feet.

(11) COLUMBIA COUNTY. (a) *Lake Columbia*. Those portions of the lake known as Lake Columbia located in sections 27, 33 and 34, township 12 north, range 9 east, and sections 3 and 4, township 11 north, range 9 east, beginning at the intake and outfall structures of the columbia generating station and extending 2400 feet due south.

(b) *Lake Wyona*. That lake known as Lake Wyona including the dam located in the village of Wyocena upstream to the East Bush road on the inflowing north branch of Duck creek, section 14, township 12 north, range 10 east and upstream to the dam at "Figor's millpond" upstream from Twitchell road, section 23, township 12 north, range 10 east on the middle branch of Duck creek. This refuge is to remain in effect to, but not including the first Saturday in May, 1985.

(c) *Park lake*. Park lake located in sections 2 and 3, township 12 north, range 10 east, town of Wyocena, except when posted "open to fishing" by the department. This refuge is in effect only until January 1, 1989.

(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.

(15) DOOR COUNTY. (a) *Samuelsons creek*. That stream known as Samuelsons creek from its mouth at the Sturgeon Bay ship canal upstream to its source.

(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 university of Wisconsin-Eau Claire, all located within the city limits of the city of Eau Claire.

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

(31) KEWAUNEE COUNTY. (a) Flume of the Kewaunee nuclear power plant.

(b) That part of the Kewaunee river located in the W $\frac{1}{2}$ of section 14, township 23 north, range 24 east, town of West Kewaunee, beginning at the county trunk highway F bridge and thence upstream to 500 feet past the fish return pipe of the Kewaunee river coho salmon spawning facility.

(33) LAFAYETTE COUNTY. (a) *Yellowstone lake*. That lake known as Yellowstone lake including the water from the Yellowstone lake dam located in E $\frac{1}{2}$ SE $\frac{1}{4}$, section 1, township 3 north, range 4 east upstream to the CTH F bridge crossing the Yellowstone river in NW $\frac{1}{4}$ SW $\frac{1}{4}$, section 35, township 4 north, range 4 east and the CTH F bridge on Steiner branch creek in NE $\frac{1}{4}$ SE $\frac{1}{4}$, section 34, township 4 north, range 4 east, Lafayette county. This refuge is to remain in effect through June 14, 1985.

(36) MANITOWOC COUNTY. (a) Flume of the Point Beach nuclear power plant.

(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.

(b) *Grand river*. That part of the Grand river beginning at the Grand River wildlife dam located in the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of section 1, township 14 north, range 10 east and extending downstream a distance of 50 feet.

(51) PRICE COUNTY. North Fork, Flambeau river. That part of the Flambeau river from Upper Park Falls dam downstream to the state highway 182 bridge.

(57) SAWYER COUNTY. (a) *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, and thence downstream for a distance of 500 feet.

(b) *Spider creek*. That part of the Spider creek beginning at the Little Spider lake dam (NE $\frac{1}{4}$ SE $\frac{1}{4}$, sec. 33, T42N, R7W) downstream to state hwy. 77 (SW $\frac{1}{4}$ SE $\frac{1}{4}$, sec 33, T42N, R7W).

(63) VILAS COUNTY. (a) *Manitowish river*. Beginning at the dam in and across the Manitowish river, located in section 9, township 42 north,

range 5 east, commonly known as the Rest Lake dam, and thence downstream from the said dam for a distance of 500 feet.

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

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

(67) WAUKESHA COUNTY. (a) *Scuppernong springs*. All waters of the Scuppernong spring, Scuppernong creek and Scuppernong river located in that part of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ lying south of state trunk highway 67 and east of county trunk highway ZZ; that part of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ lying south and west of state trunk highway 67; that part of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ lying south of state trunk highway 67 and east of county trunk highway ZZ; the N $\frac{1}{2}$ of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ that part of the SE $\frac{1}{4}$ of the 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: Cr. Register, December, 1976, No. 252, eff. 1-1-77; cr. (11), Register, February, 1979, No. 278, eff. 3-1-79; r. (50) (a) and (54) (a), Register, December, 1982, No. 324, eff. 1-1-83; cr. (57) (b), Register, December, 1983, No. 336, eff. 1-1-84; cr. (11) (b) and (33), Register, April, 1984, No. 340, eff. 5-1-84; emerg. cr. (9) (a), eff. 8-30-84; r. (4), (19) and (20), cr. (9), Register, December, 1984, No. 348, eff. 1-1-85; emerg. cr. (1), eff. 12-1-86; cr. (11) (c) and (51), Register, December, 1987, No. 384, eff. 1-1-88; cr. (31) (b), Register, July, 1989, No. 403, eff. 8-1-89.

NR 26.015 Fish refuges. The following described areas are created and established as fish refuges and no person may take, catch, disturb, capture, kill or fish for fish in any manner until January 1, 1992 in, on or along the following described water areas:

(63) VILAS COUNTY. (a) Max Lake located in section 23, township 41 north, range 6 east.

History: Cr. Register, June, 1990, No. 414, eff. 7-1-90.

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, disturb, capture, kill or fish for fish in any manner from January 1 to May 1 each year, both dates inclusive, in, on or along the following described water areas:

(17) DUNN COUNTY. (a) *Red Cedar river*. That part of the Red Cedar river beginning at the Cedar Falls dam located in section 6, township 28 north, range 12 west, and extending downstream 4,300 feet; also, that part of the Red Cedar river lying entirely in section 14, township 29 north, range 12 west.

(70) WINNEBAGO COUNTY. (a) *Fox river (Eureka dam)*. Beginning 500 feet downstream from the dam in and across the Fox river, located in section 31, township 18 north, range 14 east, commonly known as the Eureka dam, and thence upstream from the dam for 400 feet.

History: Cr. Register, December, 1976, No. 252, eff. 1-1-77; r. (39), Register, December, 1984, No. 348, eff. 1-1-85; am. (70), Register, July, 1989, No. 403, eff. 8-1-89.

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, disturb, capture, kill or fish for fish in any manner

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or at any time in, on or along the following described water areas throughout the open season for hunting migratory waterfowl each year.

(29) JUNEAU COUNTY. (a) *Meadow Valley flowage*. That part of the Meadow Valley flowage beginning at a point in the E½ 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.

History: Cr. Register, December, 1976, No. 252, eff. 1-1-77.

NR 26.04 Fish refuges. The following areas are fish refuges, and no person may take, catch, disturb, capture, kill, or fish for fish in any manner from April 25 to May 14 each year, both dates inclusive, in, on or along them:

(55) RUSK COUNTY. Thornapple river. That portion of the Thornapple river from its confluence with the Chippewa river in section 4, T34N, R7W upstream to the Thornapple road crossing in section 33, T35N, R1W.

History: Cr. Register, December, 1985, No. 360, eff. 1-1-86.

NR 26.05 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, disturb, capture, kill or fish for fish in any manner from April 1 to the date immediately preceding the opening date of the general fishing season of each year, both dates inclusive, in, on or along the following described water areas:

(51) PRICE COUNTY. (b) *Solberg creek*. Solberg creek commonly known as Disappearing creek in section 20, township 38 north, range 1 east beginning at the dyke (road crossing) and extending 200 feet upstream.

(c) *Squaw creek*. Beginning at the bridge in section 16, township 38 north, range 1 west, then extending 300 feet upstream and 300 feet downstream.

History: Cr. Register, December, 1976, No. 252, eff. 1-1-77; r. (51) (a), Register, December, 1980, No. 300, eff. 1-1-81.

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, disturb, 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:

(26) IRON COUNTY. (a) *Gile flowage*. 1. Junk Shop dike. 200 feet on either side of the Junk Shop dike on Knight road where it crosses the flowage between section 36, township 46 north, range 2 east, and section 1, township 45 north, range 2 east.

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2. County trunk highway C. 200 feet on either side of that part of county trunk highway C located in the SW¼ of the NW¼, and in the NW¼ of the SW¼, section 1, township 45 north, range 2 east.

(b) *Turtle river*. Beginning at the dam in and across the Turtle river located in section 6, township 42 north, range 3 east, commonly known as Lake of the Falls dam and thence downstream 1,000 feet.

(c) *Mercer creek*. That part of Mercer creek located between Mercer and Grand Portage lakes in section 36, township 43 north, range 3 east.

(d) *Fisher and Catherine lakes*. That part of the inlet and outlets connecting Fisher and Catherine lakes (sec. 2, T43N, R4E) for a distance of approximately 200 feet on either side of the road and culvert.

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