

Chapter NR 26

FISH REFUGES

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(Section 23.09, Wis. 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 NR 26 as it existed on December 31, 1976, was repealed and a new ch.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.

(4) **BAYFIELD COUNTY.** (a) *Camp lake.* That lake known as Camp lake located in section 20, township 44 north, range 8 west.

(b) *Nancy lake.* That lake known as Nancy lake located in section 6, township 45 north, range 8 west.

(c) *Lamereau lake.* That lake known as Lamereau lake located in section 6, township 45 north, range 8 west.

(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.

(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.

(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 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.

(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.

(50) PRICE COUNTY. (a) *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.

(64) 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, and thence downstream of Swift creek for a distance of 500 feet.

(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.

(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.

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.

(39) **MARQUETTE COUNTY.** (a) **GRAND RIVER.** That part of the Grand river beginning 50 feet downstream from the Grand River wildlife dam in the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of section 1, township 14 north, range 10 east and extending downstream for a distance of 300 feet.

(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, commonly known as the Eureka dam, and thence downstream from the said dam for 500 feet.

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

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 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 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.

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

Register, February, 1979, No. 278

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, disturb, 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 - NW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$

History: Cr. Register, December, 1976, No. 262, eff. 1-1-77.

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.** (a) *Big Elk river.* Beginning at the dam in and across the big Elk river located in section 14, township 37 north, range 1 west, commonly known as Jobs dam, and thence downstream 500 feet.

(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. 262, eff. 1-1-77.

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.

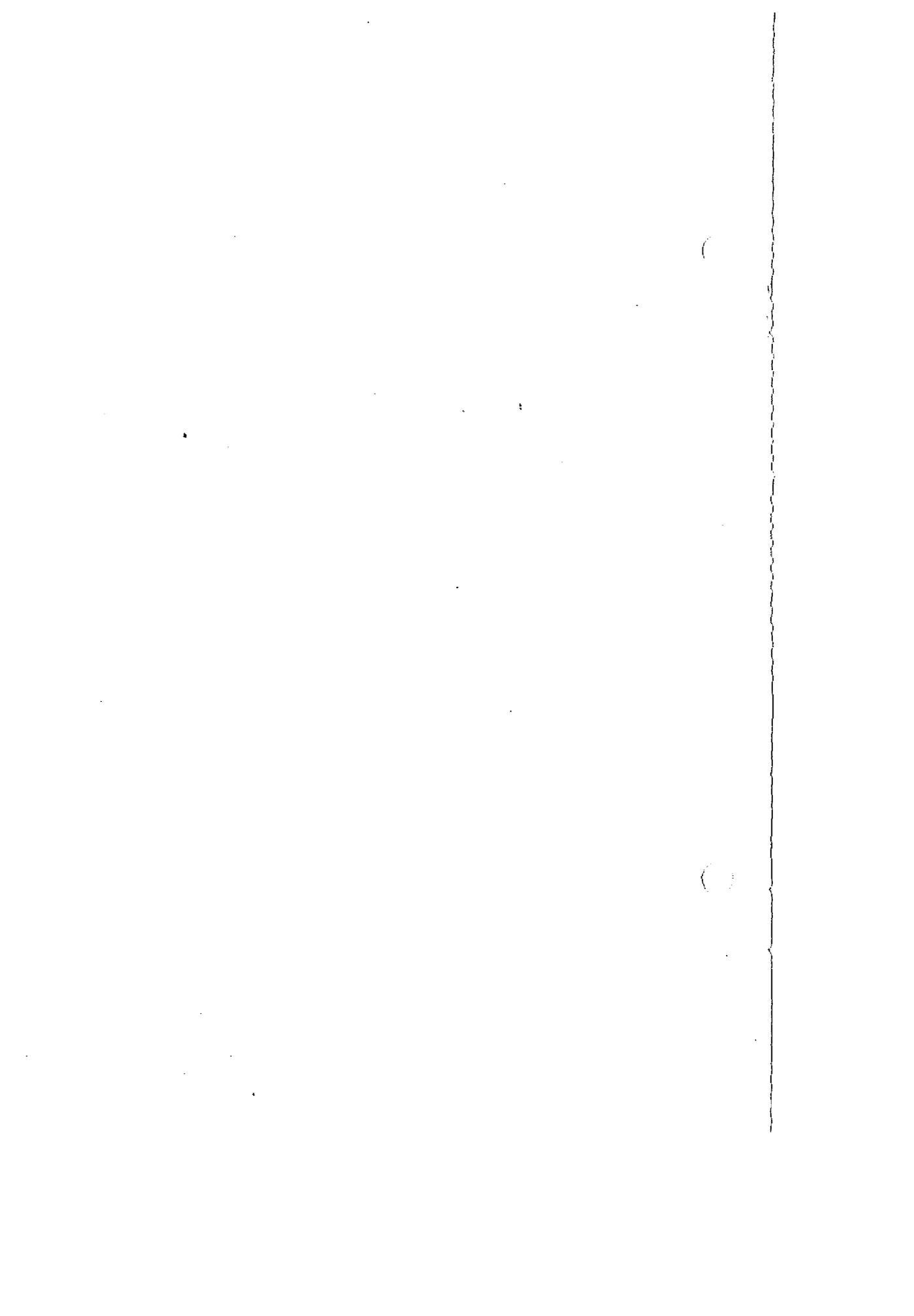
2. County trunk highway C. 200 feet on either side of that part of county trunk highway C located in the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$, and in the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$, section 1, township 45 north, range 2 east.

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3. *Gile dam*. 200 feet upstream from the dam located in the NW¼ of the NE¼, section 34, township 46 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.



take, catch, capture, kill or fish for fish in any manner from September 1 to November 15, both dates inclusive in, on or along the following described water areas:

(a) Sand Cut defined as an area bounded by a line extending from the Madeline Island bell buoy #2 due south to a point intersecting the shore of Long Island; thence due east to a point intersecting a line extending directly south from Big Bay Point; thence northward along that line to a point intersecting a line extending due east from the Madeline Island bell buoy #2; thence due west to Madeline Island bell buoy #2, the location of said buoy being 90°45" west by 46°45" north.

(b) Cat Island Shoal is defined as an area bounded by a line extending from the northernmost end of Cat Island easterly to the Outer Island Light; thence westerly to the northernmost end of North Twin Island; thence southwesterly to the northernmost end of Rocky Island; thence southeasterly to the north end of Cat Island, the place of beginning.

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

NR 26.24 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 from March 1 to May 15 and September 1 to December 31 each year, both dates inclusive, in, on or along the following described water areas.

(15) DOOR COUNTY. (a) *Ahnapee river.* That portion of the Ahnapee river from the Forestville dam in section 29, township 26 north, range 26 east, downstream for a distance of 500 feet.

History: Cr. Register, December, 1976, No. 262, eff. 1-1-77.

NR 26.25 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 from the first Saturday in May to June 1 of each year, both dates inclusive, in, on or along the following described water areas:

(26) IRON COUNTY. (a) That part of the Manitowish river from the bridge at state highway 47, sec. 9, township 42 north, range 4 east, upstream to the Vilas county line, sec. 12, township 42 north, range 4 east.

(63) VILAS COUNTY. (a) That portion of the Manitowish river (excluding the lake basins of Vance, Sturgeon and Benson lakes) from U.S. highway 51, sec. 7, township 42 north, range 5 east, downstream to the Iron county line, sec. 7, township 42 north, range 5 east.

History: Cr. Register, December, 1977, No. 264, eff. 1-1-78.

NR 26.26 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 December 1 through March 30 each year, both dates inclusive, in, on or along the following described water areas:

(11) COLUMBIA COUNTY. (a) *Lake Columbia.* That 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.

History: Cr. Register, February, 1979, No. 278, eff. 3-1-79.