

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 NR 26 as it existed on December 31, 1976, was repealed and a new ch.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

(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.

(24) **GREEN LAKE COUNTY.** (a) *Grand river.* That part of the Grand river from state hwy. 44 downstream to the Green Lake - Marquette county line. This refuge is to remain in effect until May 2, 1993.

(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.

(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. The following described area on the Grand river shall be included until May 1, 1993: from the Green Lake - Marquette county line downstream to the Grand River Marsh Wildlife Area dam including the Grand river marsh.

(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.

(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.

(64) WALWORTH COUNTY. (a) *Delavan lake*. Delavan lake and its tributaries. This refuge is to remain in effect until May 2, 1992.

(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 Register, March, 1992, No. 435

67 and east of county trunk highway ZZ; that part of the NE¼ of the SE¼ lying south and west of state trunk highway 67; that part of the NW¼ of the SE¼ lying south of state trunk highway 67 and east of county trunk highway ZZ; the N½ of the SW¼ of the SE¼ that part of the SE¼ of the SE¼ 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; r. (11) (b) and (c) and (33), cr. (24) and (64), am. (39) (b), Register, December, 1990, No. 420, eff. 1-1-91; r. (63) (b), Register, March, 1992, No. 435, eff. 4-1-92.

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 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 Val-

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ley 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.

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.

(h) *Turtle creek*. That part of Turtle creek (Upper Turtle lake outlet) in the NE¼ of the NW¼, section 27, township 34 north, range 14 west, downstream for a distance of 300 feet and from the outlet of Lower Turtle lake in the SE¼ of the SW¼, section 27, upstream for a distance of 300 feet.

(4) BAYFIELD COUNTY. (a) *Pikes creek*. That part of Pikes creek from the structure commonly known as Red dam extending downstream 100 feet, all in section 28, township 50 north, range 4 west.

(49) POLK COUNTY. (a) *Balsam branch*. That part of Balsam branch from Wapogasset lake in the NE¼ of the NW¼, section 14, township 33 north, range 17 west upstream to the dam at Kennedy's Mill in the SE¼ of the SE¼, section 10, township 33 north, range 17 west.

(b) *Butternut creek*. That part of Butternut creek between Big Butternut lake and Little Butternut lake, Luck township.

(c) *Harder creek*. That part of Harder creek between Balsam lake and Half Moon lake, Milltown township.

(d) *Horse creek*. That part of Horse creek in the NW¼ of the SE¼, section 27, township 32 north, range 18 west (Cedar lake inlet) upstream for a distance of 1000 feet.

(e) *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.

(54) RUSK COUNTY. (a) That part of Swift creek between Island Lake dam and 500 feet below the dam.

(57) SAWYER COUNTY. (a) That part of the Brunet river between Lake Winter dam and 500 feet below the dam.

(b) That part of the Couderay river between Radisson dam and 500 feet below the dam.

(c) That part of the Chippewa river from the Arpin dam located in section 23, T38N, R7W and extending downstream for a distance of 500 feet.

History: Cr. Register, December, 1976, No. 252, eff. 1-1-77; cr. (54) and (57), Register, December, 1982, No. 324, eff. 1-1-83; cr (57) (c), Register, December, 1984, No. 348, eff. 1-1-85.

NR 26.10 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 July 15 to October 31 each year, both dates inclusive, in, on or along the following described water areas:

(16) DOUGLAS COUNTY. (a) *Brule river*. That part of the Brule river commonly known as the Box Car Hole, extending downstream from the Box Car Hole 100 feet and extending upstream from the Box Car Hole 100 feet, all located in section 2, township 47 north, range 10 west.

History: Cr. Register, December, 1976, No. 252, eff. 12-1-77.

NR 26.11 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

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manner from September 1 to May 31, each year, both dates inclusive, in, on or along the following described water areas:

(4) BAYFIELD COUNTY. (a) *Sioux river*. That part of the Sioux river commonly known as the Big Rock Hole extending downstream for a distance of 200 feet all in section 19, township 49 north, range 4 west.

(16) DOUGLAS COUNTY. (a) *Brule river*. That part of the Brule river commonly known as Skid Mays or Mays Ledges extending from the upper falls downstream to the upstream end of the island, all located in section 15, township 48 north, range 10 west.

History: Cr. Register, December, 1976, No. 252, eff. 1-1-77; cr. (16), Register, July, 1989, No. 403, eff. 8-1-89.

NR 26.12 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 April 15 to May 15 each year, both dates inclusive, in, on or along the following described water areas:

(4) BAYFIELD COUNTY. (a) *Eau Claire Chain of Lakes*. That part of the Eau Claire river system connecting the Eau Claire Chain of Lakes in Barnes township.

(59) SHAWANO COUNTY. (a) *Wolf river*. That part of the Wolf river located in the SW $\frac{1}{4}$, section 36, township 27 north, range 15 east starting at the Shawano Paper Mill dam and extending downstream to the Shawano county highway "M" bridge.

History: Cr. Register, December, 1976, No. 252, eff. 1-1-77; cr. (4), Register, December, 1978, No. 276, eff. 1-1-79; cr. (59) (b), Register, December, 1980, No. 300, eff. 1-1-81; r. (59) (b), Register, December, 1984, No. 348, eff. 1-1-85.

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, disturb, catch, capture, kill, or fish for fish in any manner from September 1 to December 31 in each year, both dates inclusive, in, on, or along the following described water areas:

(15) DOOR COUNTY. (a) *Strawberry creek*. That stream known as Strawberry creek in the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$, section 16, township 27 north, range 26 east from the Sturgeon Bay ship canal upstream to its source.

(c) That portion of the Sturgeon Bay ship canal within 500 feet of Strawberry creek in the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$, section 16, township 22 north, range 26 east.

History: Cr. Register, December, 1976, No. 252, eff. 1-1-77; r. (15) (b), Register, September, 1979, No. 285, eff. 11-1-79; cr. (15) (c), Register, January, 1980, No. 289, eff. 2-1-80.

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, disturb, 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.

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