

Chapter NR 10

GAME AND HUNTING

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(Sections 29.085 and 29.174, Wis. Stats.)

NR 10.01 Open and closed seasons. A closed season is established for each species of wild animal and bird named herein extending during all the time of each year except the open season period embraced within the specified dates both inclusive. Such open season shall apply to all of the area described in each locality except as otherwise provided in Wis. Adm. Code chapters NR 11 and NR 15. Except as otherwise expressly provided, no person shall take, catch, kill, hunt, pursue, shoot, or trap any wild animal or bird at any time other than the open season and the established hunting hours therefor, nor in the open season in excess of the daily bag limit designated for each species, nor have any such protected wild animal or bird in his possession or under his control in excess of the possession limit. Whenever open and closed seasons are defined by highways, the boundary shall be the center line of the highway except as otherwise provided.

(1) MIGRATORY BIRDS AND WATERFOWL

Kind of animal	Locality	Open season (both dates inclusive)	Daily bag limit	Possession limit
(a) Wild ducks...	Entire state	October 4 at 12:00 noon through November 12	A total of 4, including not more than 1 canvasback or 1 redhead; 1 mallard, 2 wood ducks; 1 hooded merganser	A total of 8, including not more than 1 canvasback or 1 redhead; 2 mallards; 4 wood ducks; 2 hooded mergansers
		October 4 at 12:00 noon through October 12	In addition to the regular daily bag limit, 2 blue-winged teal are allowed.	In addition to the regular possession limit, 4 blue-winged teal are allowed.
		November 1 through November 12	In addition to the regular daily bag limit, 2 scaup ducks are allowed.	In addition to the regular possession limit, 4 scaup ducks are allowed.

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Kind of animal	Locality	Open season (both dates inclusive)	Daily bag limit	Possession limit	
(b) Coot.....	Entire state	October 4 at 12:00 noon through November 12	10	20	
(c) Sora & Virginia rails.....	Entire state	October 4 at 12:00 noon through November 12	25	25	
Gallinules.....	Entire state	October 4 at 12:00 noon through November 12	15	30	
(d) Wilson's snipe	Entire state	October 4 at 12:00 noon through November 22	8	16	
(e) Woodcock	Entire state	September 12 through November 15	5	10	
(f) Geese	1. Canada geese and its subspecies.....	Horicon zone as established under (h)	October 18 at 12:00 noon through November 2	1	1 (season limit)
		Burnett County zone as established under (g)	None		
		Remainder of the state	October 4 at 12:00 noon through December 12	1	2
2. All other species.....	Remainder of the state	October 4 at 12:00 noon through December 12	A total of 5, including not more than 1 Canada goose or its subspecies and 1 white-fronted goose, or 2 white-fronted geese.	A total of 5, including not more than 2 Canada geese or its subspecies (only 1 in the Horicon Zone), or 1 Canada goose and 1 white-fronted goose, or 2 white-fronted geese.	

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(g) The following described area is established as the Burnett County Zone:

All that part of Burnett County lying westerly of a line beginning at the junction of state highway 77 with the west boundary of said county, thence easterly along said highway 77 to its junction with state highway 35, thence southerly along said highway 35 to its junction with county highway U, thence westerly, southerly and easterly along said highway U to its junction with state highway 35, thence southerly along said highway 35 to its junction with state highway 70, thence westerly along said highway 70 to its junction with state highway 48, thence southerly along said highway 48 to its junction with state highway 87, thence southerly along said highway 87 to its junction with the south boundary of said county.

(h) The following described area is established as the Horicon Zone:

The *Horicon Zone* includes portions of Columbia, Dodge, Fond du Lac, Green Lake, Marquette, Waushara, Washington, and Winnebago counties, bounded on the north by state highway 21, on the east by U. S. highway 45 and state highways 175 and 83, on the south by state highway 60, and on the west by state highway 73.

(i) The following described area is established as the Horicon Intensive Management Zone:

All that part of the counties of Dodge and Fond du Lac enclosed by a line beginning at the junction of state highway 26, with the east-west center line of sections 9, 10, 11, and 12 in township 12 north, range 15 east, thence eastward along said center line and continuing eastward along the east-west center of sections 7, 8, 9, and 10 in township 12 north, range 16 east to its junction with county highway TW, thence north and east on said highway TW to its junction with county highway Y, thence northerly on said highway Y to its junction with county highway YY, thence northerly on said highway YY to its junction with county highway Y, thence northerly on said highway Y to its junction with county highway B, thence southwesterly on said highway B to its junction with county highway D, thence westerly on said highway D to its junction with highway AS, thence westerly on said highway AS to its junction with U. S. Highway 151, thence southwesterly on said highway 151 to its junction with the C.M.St.P. and Pac. railroad, thence

southerly along said C.M.St.P. & Pac. railroad to its junction with state highway 26, thence north on said highway 26 to its junction with the east-west center line of sections 9, 10, 11 and 12 in township 12 north, range 15 east which is the point of beginning.

(j) Canada goose hunting permit and tag:

1. Each person must have been issued, and must carry on his person while hunting Canada geese, a valid state hunting license, valid Canada goose permit and report card, in order to hunt and kill Canada geese in Wisconsin during the 1969 season. In addition, each person hunting Canada geese in the Horicon Zone must have issued in his name and carry on his person a Canada goose tag attached to the Canada goose permit and report card.

2. To be valid, the tag must remain attached to the permit and report card until a Canada goose is reduced to possession, then the tag must be removed from the permit and report card.

The goose tag must be secured by compressing the adhesive surfaces together around one leg of each Canada goose when it is reduced to possession. Such Canada goose cannot be carried or transported in any manner without the tag being secured. The tag must remain attached to the Canada goose until it reaches the abode of the permit holder. The tag may not be reused.

3. Each person hunting in the Horicon Zone must report on tag use or nonuse on the report card provided. Outside the Horicon Zone, each permit holder must report the number of Canada geese he killed using the card provided. The report must be placed in the mail within twelve hours following the close of the period for which the permit is valid. Unused tags issued for the Horicon Zone must be returned attached to the corresponding report card.

In the Horicon Zone, the hunting periods and number of valid permits and tags issued in each period will be as follows:

Period No.	Valid dates (inclusive)	Number of permits and tags issued	Days valid
1.....	October 18-31	10,500	14
2.....	October 20-November 2	10,500	14

In the remainder of Wisconsin, permits will be valid for the full length of the Canada goose season established under paragraph 10.01 (1) (f).

(2) UPLAND GAME BIRDS

Kind of animal and locality	Open season (both dates inclusive)	Bag limit
(a) Ruffed grouse (partridge)		
1. All that part of Wisconsin lying northerly of State Highway 64.....	Beginning on the Saturday nearest October 1 and continuing for 46 consecutive days	4 each day 8 possession
2. All that part of Wisconsin lying southerly of State Highway 64.....	Beginning on the Saturday nearest October 1 and continuing through December 31	4 each day 8 possession
(b) Sharp-tailed grouse		
1. All that part of Wisconsin lying northerly of a line beginning at the junction of State Highway 64 extending westerly to the west boundary of said state, thence easterly along said Highway 64 to its junction with State Highway 13, thence southerly along said Highway 13 to its junction with State Highway 29, thence easterly along said Highway 29 ending in the City of Green Bay.....	Beginning on the Saturday nearest October 1 and continuing for 23 consecutive days	3 each day 6 possession
In all other parts of the state.....	None	None

Kind of animal and locality	Open season (both dates inclusive)	Bag limit
(c) Pheasants		
1. In all counties of the state.....	Cocks only Beginning on the Saturday nearest October 27, at 12:00 noon and continuing for 44 consecutive days	The bag limit for the first 2 days of the season is one each day with a possession limit of 2; thereafter the bag limit is 2 each day with a possession limit of 4.
2. In addition to 1 above, there shall be an open season for hunting pheasants, with bow and arrow only, in Milwaukee County and in the Village of Menomonee Falls, the Town of Brookfield, and the cities of New Berlin and Muskego, Waukesha County.....	Hens or cocks Beginning on the Saturday nearest October 27, at 12:00 noon and continuing through February 15	2 each day, 4 possession
(d) Hungarian partridge		
1. All that part of Wisconsin lying southerly and easterly of a line beginning at the junction of the Mississippi and Wisconsin Rivers, thence upstream along said Wisconsin River to its junction with State Highway 64, thence easterly along said Highway 64 to its junction with the east boundary of the state.....	Beginning on the Saturday nearest October 27 at 12:00 noon and continuing for 44 consecutive days	3 each day, 6 possession
2. In addition to 1 above, there shall be an open season for hunting partridge, with bow and arrow only, in Milwaukee County and in the Village of Menomonee Falls, the Town of Brookfield, and the cities of New Berlin and Muskego, Waukesha County.....	Beginning on the Monday following the closing of the regular season through February 15	3 each day, 6 possession
In all other parts of the state.....	None	None
(e) Bobwhite quail		
All that part of Wisconsin lying westerly of a line beginning at the junction of State Highway 78 with the south boundary of the state, thence northerly along said Highway 78 to its junction with State Highway 33, thence easterly along said Highway 33 to its junction with State Highway 22, thence northerly along said Highway 22 to its junction with State Highway 23, thence easterly along said Highway 23 to its junction with State Highway 73, thence northerly along said Highway 73 to its junction with State Highway 22, thence northerly along said Highway 22 to its junction with U. S. Highway 10, thence westerly along said Highway 10 to its junction with U. S. Highway 12, thence westerly along said Highway 12 to its junction with State Highway 27, thence northerly along said Highway 27 to its junction with State Highway 64, thence westerly along said Highway 64 and a westerly extension of said Highway 64 to the west boundary of said state.....	None	
In all other parts of the state.....	None	

Register, August, 1960, No. 56, eff. 9-1-60; r. and recr. (1), Register, September, 1960, No. 57, eff. 10-1-60; Emergency rule, r. and recr. (1) (a) eff. 10-16-60; emergency rule, am. (4) (c) eff. 4-10-61; r. and recr. (2) (3) and (4), Register, August, 1961, No. 63, eff. 9-1-61; r. and recr. (1), Register, September, 1961, No. 69, eff. 10-1-61; emerg. rule, r. and recr. WCD 10.01 (1) (a) and (b) 6. eff. 10-16-61, and emerg. rule, r. and recr. WCD 10.01 (1) (a) and (b) 6. eff. 10-26-61; emerg. rule, am. (4) (c) and (d), cr. (4) (e), eff. 2-3-62; emerg. rule, cr. (4) (b), eff. 3-10-62; am. intro. par. (2) (a), (b), (c), (d), (e) and (3) (a) and (c); r. and recr. (3) (e) and (g); am. (4) (a), Register, August, 1962, No. 80, eff. 9-1-62; r. and recr. (1), Register, September, 1962, No. 81, eff. 10-1-62; emerg. rule, r. and recr. (1) (a) and (b) eff. 10-9-62; r. and recr. (4) (c) and (d); cr. (4) (e) and (f), Register, January, 1963, No. 86, eff. 2-1-63; r. and recr. (1) (a) and (b), emerg. eff. 10-9-62; r. and recr. (2) (a), am. (2) (b), (c) and (d), and (3) (a), (b) and (c); r. and recr. (3) (e) and (g) and (4) (a), Register, August, 1963, No. 92, eff. 9-1-63; r. and recr. (1); am. (3) (e), Register, September, 1963, No. 93, eff. 10-1-63; emergency rule, am. (1) (a), eff. 10-19-63; emergency rule, am. (1) (a), (b), (c), (d), eff. 11-1-63; emergency rule, r. (1) (a), am. (1) (b), eff. 11-10-63; am. intro. par.; r. and recr. (4) (c) and (d), Register, January, 1964, No. 97, eff. 2-1-64; am. intro. par.; am. (2) (a), (b) (c), (d) and (3) (a), r. and recr. (3) (b); am. (3) (c); r. and recr. (3) (e), (g) and (4) (a), Register, August, 1964, No. 104, eff. 9-1-64; r. and recr. (1); am. (4) (a), Register, September, 1964, No. 105, eff. 10-1-64; emergency rule, am. (1) (a) and (3) (e), eff. 10-17-64; emergency rules r. (1) (a); am. (1) (b), eff. 10-22-64; r. and recr. (4) (c) and am. (d), Register, January, 1965, No. 109, eff. 2-1-65; am. (2) (a), (b) and (c); r. and recr. (2) (d), (3) (b) 2. and (c), (3) (e) and (g); am. (4) (a), Register, August, 1965, No. 116, eff. 9-1-65; emergency rule, r. and recr. (1) (a), (b), (c) and (d), eff. 9-5-65; emergency rule, am. (1) (a), eff. 10-2-65; emergency rule, r. (1) (a), am. (1) (b) and (3) (e), eff. 10-8-65; r. and recr. (4) (c) and (d), Register, January, 1966, No. 121, eff. 2-1-66; cr. (2) (f), Register, March, 1966, No. 123, eff. 4-1-66; emergency rule, am. (4) (c) (1), eff. 4-20-66; am. (2) (a) and (b); r. and recr. (2) (c) and (d) and (3); am. (4) (a) Register, August, 1966, No. 128, eff. 9-1-66; r. cr. (1), Register, September, 1966, No. 129, eff. 10-1-66; emergency rule, r. and recr. (1) (a) 5. and (b) 1. eff. 10-15-66; r. and recr. (4) (c) and (d), Register, December, 1966, No. 132, eff. 1-1-67; emergency rule, r. and recr. (1) (a) 5. and (b) 1. eff. 10-15-66; am. (2) (f), Register, March, 1967, No. 135, eff. 4-1-67; am. (2) (a) (open season column), r. and recr. (2) (c) and (d) and (3); am. (4) (a), Register, August, 1967, No. 140, eff. 9-1-67; emerg. r. and recr. (1), am. (3) (e) 1. zone II, eff. 9-1-67; emerg. am. (1) (f) 1. eff. 11-18-67; emerg. am. (1) (j) 4. eff. 11-18-67; r. and recr. (4) (c) and (d), Register, December, 1967, No. 144, eff. 1-1-68; am. (2) (f), Register, March, 1968, No. 147, eff. 4-1-68; am. (2) (a), r. and recr. (2) (b), am. (2) (c) and (d), (3) (a), (b) and (c); r. and recr. (3) (e) and (g); am. (4) (a), Register, August, 1968, No. 152, eff. 9-1-68; emerg. r. and recr. (1) eff. 9-30-68; r. and recr. (4) (c) and (d), Register, December, 1968, No. 156, eff. 1-1-69; emerg. r. and recr. (1), eff. 9-30-68; am. (2) (a) and (b), r. (2) (f), r. and recr. (3) (e) and (g) and (4) (a), cr. (4) (b) and r. (4) (f), Register, August, 1969, No. 164, eff. 9-1-69; emerg. r. and recr. (1), eff. 8-30-69; r. and recr. (1), Register, November, 1969, No. 167, eff. 12-1-69; renum. WCD 10.01 to be NR 10.01; am. (1) (e); r. and recr. (2) (a) (c) and (d) 1.; am. (3) (b) and (c); cr. (3) (d); r. and recr. (3) (e), Emerg. r. and recr. (4) (c) and (d), eff. 1-1-70; r. and recr. (4) (c) and (d), Register, June, 1970, No. 174, eff. 7-1-70.

NR 10.02 Wild animals protected at all times. (1) There shall be no open season on Canada lynx, timber wolf, badger, moose, elk, marten, fisher, wolverine, flying squirrel, or white deer.

(2) There shall be no open season on prairie chicken, Canada spruce grouse (spruce hen), mourning doves, swans, cranes, bitterns, eagles, plovers, kingfishers, cormorants, great blue herons, sandpipers, and all species of hawks and owls except as provided in subsection (3) or on any other song birds or wild birds not specified in this chapter.

(3) (a) The conservation director may issue a special permit to any holder of a valid hunting license to take, possess and transport hawks and owls for personal use in the sport of falconry. Eagles may be possessed and used for falconry only if the federal permit for their possession was issued prior to October 1962. The permittee may use hawks, eagles and owls for falconry hunting during the open

seasons for hunting with firearms or bow and arrow subject to the daily kill and possession limits, hunting hours, and other rules specified for such hunting. Such permit authorizes the permittee to capture alive and use the birds specified in the permit for falconry purposes only. Birds held under this permit shall not be sold or bartered. Birds held under this permit shall wear a metal or plastic band or tag clearly stating the owner's name and address.

(b) Applications for falconry permits shall be made on forms prepared and furnished by the conservation director and shall show such information as the conservation director shall deem reasonable to determine that the applicant is qualified to use birds for falconry.

(c) Falconry permits are not transferable and may be revoked at any time by the conservation director.

(d) The permit must be carried upon the person of the permittee when exercising any privileges thereunder.

(e) Annual reports shall be filed with the conservation director on or before January 31 of each year, on forms furnished by the director, and shall show such information deemed reasonable by the director to determine the use and current status of such permits.

(f) Trapping is subject to Wis. Adm. Code section NR 10.14 (1) which prohibits the use of pole traps. All traps used in capturing operations shall bear a label showing the name and address of the permittee and the number of the permit, or the trapping area must be adequately posted with signs bearing the name and address of the permittee and his permit number.

Note: The following forms are available from the Department of Natural Resources, Pyar Square Office Building, Madison, Wisconsin 53702: Application for falconry permit, No. 9400-157; Permit, No. 9400-158, Annual Report, No. 9400-159.

History: 1-2-56; am. (2), Register, August, 1956, No. 8, eff. 9-1-56; am. (1), Register, August, 1957, No. 20, eff. 9-1-57; am. (1) and (2), Register, August, 1958, No. 32, eff. 9-1-58; am. (1) emerg. eff. 9-20-58; am. (1), Register, August, 1959, No. 44, eff. 9-1-59; am. (2), cr. (3), Register, September, 1965, No. 117, eff. 10-1-65; am. (2), Register, March, 1966, No. 123, eff. 4-1-66; am. (1), Register, August, 1967, No. 140, eff. 9-1-67; renum. to be NR 10.02; am. (2), Register, June, 1970, No. 174, eff. 7-1-70.

NR 10.03 Wild animals protected with exceptions. (2) There shall be no open season on hen pheasants unless otherwise expressly provided in this chapter.

(3) There shall be no open season on woodchuck except as provided in section 29.24, Wis. Stats.

History: 1-2-56; am. Register, August, 1956, No. 8, eff. 9-1-56; am. Register, August, 1966, No. 123, eff. 9-1-66; r. and recr., Register, August, 1967, No. 140, eff. 9-1-67; renum. to be NR 10.03; r. (1), Register, June, 1970, No. 174, eff. 7-1-70.

NR 10.04 Unprotected wild animals. (1) There shall be no closed season on coyotes, any species of foxes or mutations thereof, opossum, skunk, weasel, and all other wild mammals not specifically mentioned in this chapter.

(2) There shall be no closed season on crows, starlings, red-winged blackbirds, cowbirds, English sparrows, coturnix quail and chukar partridge.

History: 1-2-56; am. (1), Register, August, 1957, No. 20, eff. 9-1-57; am. (2), Register, August, 1958, No. 32, eff. 9-1-58; renum. to be NR 10.04; am. (1) and (2), Register, June, 1970, No. 174, eff. 7-1-70.

Register, June, 1970, No. 174

water in any manner for the purpose of hunting, taking, catching, killing, molesting or shooting at any wild ducks, wild geese, coot, or any other aquatic or migratory game birds, nor shall any person leave any waterfowl decoys unattended in the water during the open waterfowl hunting season, nor leave such decoys in the water after 20 minutes after the closing time prescribed for hunting or killing such birds or before one hour before the opening time for shooting such birds.

(f) It shall be unlawful to hunt waterfowl except from a blind during the open season for Canada geese within the area described in Wis. Adm. Code NR 10.01 (1) (i), and not more than 2 persons shall occupy any blind at one time, nor shall any person hunt waterfowl from a blind placed within 200 yards of any other blind occupied by one or more waterfowl hunters or within 100 yards of the boundary of the property on which such blind is located. It is unlawful for any person or persons to hunt from or to permit any other person or persons to hunt from any blind situated on any 20-acre parcel of land, or residuary parcel thereof of less than 20 acres and more than 10 acres, owned, leased, occupied, or controlled by him, while any other person or persons, whether with or without permission, are hunting from any other blind situated on the same 20-acre parcel of land or on the same residuary parcel thereof. However, the owner, occupant or lessee of a tract of land which is too small to meet the foregoing spacing requirements and which was partitioned by an instrument executed and recorded before January 1, 1961, may place one blind on such tract at the approximate center thereof. No blind shall be placed within 75 yards of the boundary of the Horicon National Wildlife Refuge. Retrieving downed birds will be permitted outside blinds. For the purpose of this paragraph, "blind" means any framed enclosure or pit not more than 15 feet in its greatest dimension and camouflaged to provide concealment to hunters within.

(g) No person shall possess any live or crippled migratory game bird reduced to possession by means of hunting. Such bird shall be immediately killed and become a part of the daily bag limit.

(2) OPEN WATER; EXCEPTIONS. (a) "Open water" is any water outside or beyond a natural growth of vegetation extending over the water surface and of such height as to offer partial or whole concealment for the hunter.

(b) Blinds in Buffalo, Crawford, La Crosse, Pepin, Pierce, St. Croix, Trempealeau and Vernon counties. In any of the waters of the Mississippi River, the St. Croix River, and Lake St. Croix, and their bays, bayous and sloughs wherein they border on the counties of Buffalo, Crawford, La Crosse, Pepin, Pierce, St. Croix, Trempealeau and Vernon and in any of the inland lakes of these counties, it shall be unlawful for any person to use blinds for the purpose of taking, catching, killing and shooting at wild ducks, wild geese or other aquatic fowl that are set, placed, or located not more than 100 feet from any shoreline during the open season for such game birds. Such blinds shall in all instances be securely anchored to the place or spot where they are to be used.

(c) It shall be lawful for any person to hunt wild ducks, wild geese and other aquatic fowl during the open season therefor in open water in any of the outlying waters of Lake Superior and Lake

Michigan including Green Bay under the jurisdiction of the state of Wisconsin except the water area within 500 feet of any shoreline of said lakes and except the water area within 500 feet of any natural growth of vegetation extending over the water surface and of such height as to offer whole or partial concealment for the hunter.

(d) Blinds in Calumet, Fond du Lac and Winnebago counties. In any of the waters of Lake Winnebago wherein they border Calumet, Fond du Lac and Winnebago counties it shall be lawful for any person in possession of an open water hunting permit to use blinds that are set, placed or located more than 1,500 feet from any shoreline, including islands for the purpose of taking, catching, killing and shooting at wild ducks, wild geese or other aquatic fowl. Such blinds may include any boat, canoe, raft or similar device which shall in all instances be securely anchored to the place or spot where they are to be used, and shall be removed from such location at the conclusion of the hunting hours each day.

(e) Blinds in Grant county and Lake Pepin. In any waters of the Mississippi River, wherein they border Grant county and in Pepin, Pierce, and Buffalo counties wherein they border Lake Pepin, it shall be lawful for any person in possession of an open water hunting permit to use blinds that are set, placed or located beyond the natural growth of vegetation for the purpose of taking, catching, killing and shooting at wild ducks, wild geese or other aquatic fowl. Such blinds may include any boat, canoe, raft, or similar device which shall in all instances be securely anchored to the place or spot they are to be used, and shall be removed from such location at the conclusion of the hunting hours each day.

(f) Open water hunting permits shall be issued by the conservation commission without charge to all hunters applying therefor, who are in possession of a valid small game hunting license, on forms furnished by the commission. Such permits shall be valid during the open season established under NR 10.01 (1) on the waters described in this section under (d) and (e). All persons holding such permits shall provide all information requested by the commission.

(3) BAITING. (a) It shall be unlawful for any person to hunt, catch or kill any waterfowl or migratory game birds under any circumstances by the aid or use of salt or shelled or shucked or unshucked corn, wheat or other grains or other feed or means of feeding similarly used to lure, attract or entice such birds to, on, or over the area where hunters are attempting to take them.

(b) This subsection shall not be construed to apply to propagating, scientific or other operations in accordance with the terms of lawfully issued state and federal permits, or to the taking of birds over salt blocks, properly shocked corn, standing crops (including aquatics), grains found scattered solely as a result of normal agricultural practices, flooded standing crops or flooded harvested crop lands, or to the feeding of migratory game birds at any time not in connection with hunting.

(4) LIVE DECOYS. It shall be unlawful in the hunting of any migratory waterfowl to use directly or indirectly any live duck or live goose decoys, regardless of the distance intervening between any such live decoys and the position of the hunter.

(5) GUNS AND AMMUNITION. (a) It shall be unlawful for any person to take, catch, kill, or pursue any migratory bird or waterfowl

with any shotgun of a larger bore than a No. 10 gauge, nor shall any person take, catch, kill, hunt, pursue or shoot at any migratory birds or waterfowl with any automatic-loading or hand-operated repeating shotgun capable of holding more than 3 shells the magazine of which has not been cut off or plugged with a one-piece filler incapable of removal without disassembling the gun so as to reduce the capacity of said gun to not more than 3 shells at one time in the magazine and chamber combined nor by any means other than a shotgun fired from the shoulder or a bow and arrow, or by falconry pursuant to Wis. Adm. Code section NR 10.02 (3).

History: 1-2-56; am. (2) (c), (3) (a), (4), (5) (c), Register, August, 1956, No. 8, eff. 9-1-56; am. (1) (e) and (2) (c) and r. (5) (b), Register, August, 1958, No. 32, eff. 9-1-58; am. (1) (b); r. and recr. (1) (d); cr. (1) (f) and (g); am. (5) (a), Register, September, 1960, No. 57, eff. 10-1-60; r. and recr. (1) (f), Register, August, 1961, No. 68, eff. 9-1-61; r. and recr. (1) (f), Register, September, 1963, No. 93, eff. 10-1-63; r. (5) (c) Register, August, 1965, No. 116, eff. 9-1-65; am. (5) (a), Register, September, 1965, No. 117, eff. 10-1-65; am. (1) (f), Register, September, 1966, No. 129, eff. 10-1-66; am. (2) (b); cr. (2) (d), (e) and (f), Register, August, 1967, No. 140, eff. 9-1-67; emerg. am. (1) (f), eff. 9-1-67; am. (2) (b) and (e), Register, August, 1968, No. 152, eff. 9-1-68; emerg. am. (1) (f), eff. 9-30-68; emerg. am. (2) (c), eff. 10-11-68; emerg. am. (1) (f) and (2) (c), eff. 8-30-69; am. (1) (f) and (2) (c), Register, November, 1969, No. 167, eff. 12-1-69; renum. to be NR 10.12, Register, June, 1970, No. 174, eff. 7-1-70.

NR 10.13 Fur-bearing animals; method of taking. (1) No person shall hunt any raccoon during the special season for trapping only, mink, muskrat, beaver or otter with the aid of any spear, gun, or dog, disturb or molest any raccoon den or den trees, disturb or molest any mink den, or disturb or molest any muskrat house, muskrat feeding house, beaver house, or beaver dam, or set any trap or traps at any time within 50 feet of any beaver house or beaver dam, except during the open season for beaver, when it shall be lawful to set traps for beaver not less than 15 feet from any such beaver house or beaver dam.

(2) No person shall set out or place any traps for fur-bearing animals, whether set or sprung, or set out or place any bait or scent for attracting fur-bearing animals thereto during the closed season for such animals.

(3) The trapping hours shall be from 6:00 a.m. to 7:00 p.m. (CST) and it shall be unlawful for any person to set or reset any trap or traps or attend any trapline from 7:00 p.m. to 6:00 a.m. (CST).

(4) It shall be unlawful for any person to set, place, or operate more than 75 traps of any kind for the purpose of capturing wild fur-bearing animals.

(5) It shall be unlawful for any person to take, capture, or kill, or attempt to take, capture, or kill any fur-bearing animals at any time by means of water sets except during that period when and in those areas where there is an open season for trapping muskrat, beaver, or otter. A water set is any trap which is set or staked in such manner as to permit the trap or trapped animal to reach the water at any point.

History: 1-2-56; am. (1), Register, August, 1962, No. 80, eff. 9-1-62; r. and recr. (1) and (3), Register, August, 1964, No. 104, eff. 9-1-64; r. and recr. (3), Register, August, 1966, No. 128, eff. 9-1-66; renum. to be NR 10.13; am. (3), Register, June, 1970, No. 174, eff. 7-1-70.

NR 10.14 Trapping, prohibited methods. (1) No person shall set a steel-jawed trap or any trap which might kill or injure birds, on

a pole, post, tree stump, or any other elevated perch more than 3 feet above the ground except as authorized by permits issued under section 29.596, Wis. Stats.

(2) It shall be unlawful for any person to set, place, or operate any trap other than a steel-jawed trap, chain-loop trap, or live traps so constructed that not more than one animal can be taken or captured in any such trap at a single setting, for the purpose of taking, capturing, or killing fur-bearing animals.

(3) No person shall construct or place on the ice of any of the waters of this state any artificial house or den for the purpose of taking, catching, or killing any fur-bearing animals, or place or set therein any trap or traps of any kind which might take, catch, or kill fur-bearing animals.

(4) It shall be unlawful for any person to set, place, or operate except as a waterset any killer type trap of the conibear type that is larger than 7" x 7".

History: 1-2-56; cr. (4), Register, August, 1969, No. 164; eff. 9-1-69; renun. to be NR 10.14; am. (1), Register, June, 1970, No. 174, eff. 7-1-70.

NR 10.15 Horicon National Wildlife Refuge. (2) **HORICON GUN DEER HUNT.** (a) Deer of either sex and fox may be taken with smooth-bore muzzle-loading muskets of not less than .45 caliber, rifled muzzle-loading muskets of not less than .40 caliber, and shotguns loaded with a single slug or ball within the Horicon National Wildlife Refuge (except posted closed areas) on November 21 and 22 during the hours of 6:30 a.m. to 4:30 p.m. and subject to provisions of this section.

(b) Hunting on the Horicon National Wildlife Refuge is permitted under permit (armband) only as authorized by the Bureau of Sport Fisheries and Wildlife. The number of permits issued shall not exceed 300 per day, and a permit shall be valid for one day only. Permits are not transferable. In order to assure better hunter distribution, entry to the Refuge shall be at designated access points only. Daily hunting hours shall be from 6:30 a.m. to 4:30 p.m.

(c) Permits must be applied for in person and will be issued at the Horicon Marsh Wildlife Area headquarters commencing on October 31 on a first-come, first-served basis. Permits will be issued between 8:00 a.m. and 4:30 p.m. until 600 permits have been allotted. Only one permit per person may be obtained, and hunting licenses shall be marked to show a permit has been issued.

(d) A service fee of \$1.00 per permit shall be paid by each person to which a permit is issued.

(e) When finished hunting, each hunter must register his deer and surrender his armband in person at an authorized registration station as provided in section NR 10.20, Wis. Adm. Code.

(5) Except as provided in subsections (2), (6) and (7), it shall be unlawful for any person to take, catch, kill, hunt, trap, or pursue any species of wild animal or bird at any time, or have in possession or under control 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 in a carrying case, upon that area known as the Horicon National Wildlife Refuge. Nothing in this section shall prohibit, prevent, or interfere with the bureau of sport fisheries and wildlife, its deputies, agents, or employes in the destruction of unprotected wild animals as listed in Wis. Adm. Code section NR 10.04.