

## Chapter NR 19

## MISCELLANEOUS GAME, FUR AND FISH

NR 19.01	Guns and ammunition	NR 19.08	Tagging canned pheasants
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(Sections 23.09 and 29.573, Wis. Stats.)

NR 19.01 Guns and ammunition. (1) It shall be unlawful for any person to carry in any manner or have in possession or under control any rifle other than a .22 rim-fire chambered for cartridges less than one inch in overall length, or any shotgun loaded with shot larger than No. BB, divided or cut shells of any variety, or any shells loaded with single ball or bullet, or have in their possession or under their control any shotgun shells loaded with shot larger than No. BB or any divided or cut shells or shells loaded with single ball or bullet from June 1 of each year through the following December 31, both dates inclusive, while being in or on or traversing any forest, fields, or other areas frequented or inhabited by deer in the counties of Adams, Ashland, Barron, Bayfield, Burnett, Chippewa, Clark, Columbia, Door, Douglas, Eau Claire, Florence, Forest, Green Lake, Iron, Jackson, Juneau, Langlade, Lincoln, Marathon, Marinette, Marquette, Monroe, Oconto, Oneida, Outagamie, Polk, Portage, Price, Rusk, Sauk, Sawyer, Shawano, Taylor, Vilas, Washburn, Waupaca, Waushara, and Wood, except that when an open season for deer or bear occurs in any of the before-mentioned counties, any person may carry lawful firearms and ammunition into and onto areas frequented or inhabited by deer or bear during the period of time beginning 5 days prior to the opening of the deer season or bear season, as the case may be, and ending at midnight of the third day following the closing of such season when such firearms are unloaded and enclosed within a carrying case.

(2) Nothing in the provisions of this section shall prohibit any person during each day of the actual open season for the hunting or killing of deer or bear from carrying any lawful firearms or ammunition in any manner either loaded or unloaded in all counties mentioned in paragraph (1), as long as all other provisions of the statutes and of department orders dealing with fish and game are complied with.

(4) Nothing in the provisions of this section shall permit any person to transport or carry any firearms prohibited by this section in any of the counties named in subsection (1) during the open deer or bear season established for bow and arrow hunting in said counties.

(5) The department is authorized to issue free of cost to any person eligible to secure a license to hunt under the laws of the state of Wisconsin, a permit to carry specified firearms and ammunition into

and onto any such deer-frequented or inhabited areas mentioned in this section when the applicant for such permit can show there is good and sufficient reason for the issuance of such permit to him. Applications for such permits may be made to the department, its conservation wardens, forest rangers, or other designated agents of the department and shall state thereon the purpose for which they are required, the county or counties in which the permit is to be used, and such other information as may be deemed necessary by the department.

(6) Nothing in the provisions of this section shall apply to the armed forces of the United States, the national guard or peace officers in the performance of their duties as such, or any person summoned by such peace officers to assist them in making an arrest or to preserve the peace while such person or persons are so engaged, or to any department employes or agents in the performance of their duties as such.

(7) Nothing in the provisions of this section shall apply to the lawful possession or transportation of unloaded and encased rifles or restricted ammunition as merchandise by manufacturers or merchants, or persons engaged in the business of gun collecting or repair, or those persons traveling directly to and from their place of abode to an established target range as long as such firearms are packed and transported in such manner so that they cannot be handled or manipulated by any person while being so transported.

(8) Nothing in the provisions of this section shall apply to the use of the restricted rifles and ammunition at established target ranges.

**History:** 1-2-56; (1) am. and (3) r., Register, August, 1956, No. 8, eff. 9-1-56; r. and recr. (1), (2) and (4), Register, August, 1960, No. 56, eff. 9-1-60; am. (1); r. and recr. (7); cr. (8), Register, August, 1961, No. 68, eff. 9-1-61; renum. from WCD 19.01 to be NR 19.01 and am. (2), (5) and (6), Register, April, 1971, No. 184, eff. 5-1-71.

**WCD 19.02 History:** 1-2-56; r. Register, August, 1960, No. 56, eff. 9-1-60.

**NR 19.03 Control of muskrats on cranberry marshes.** (1) The owner or lessee of any improved cranberry marsh area may at any time and in any manner take, catch, or kill muskrats which are injuring his dams, dikes, reservoirs, ditches, or outlets, but shall not sell, offer to sell, barter or give to any person or persons, or have in possession or under his control, except upon such improved cranberry marsh lands, the skin of any muskrat unless each such muskrat skin has been tagged or stamped. Such tag or stamp shall be furnished and attached without charge by the department.

(3) The provisions of this section shall not apply to any person or persons who own or are interested in a cranberry marsh situated in the same area wherein said owners are the licensees of a muskrat farm or in which such person or persons have an interest.

(4) The department or its authorized agents may assist any owner or operator of improved cranberry marsh areas with the removal of muskrats from areas that have been damaged, or are being damaged by such muskrats, wherein they believe that the muskrats can be taken alive and removed to other localities deemed advisable by the department.

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(5) Any such cranberry marsh areas where muskrats are being controlled as provided in this section shall be open to the inspection of the department or its authorized agents at any time.

**History:** 1-2-56; r. (2), Register, August, 1966, No. 128, eff. 9-1-66; renum. from WCD 19.03 to be NR 19.03, and am. (1), (4) and (5), Register April, 1971, No. 184, eff. 5-1-71.

**WCD 19.04 History:** 1-2-56; am. Register, August, 1964, No. 104, eff. 9-1-64; r. Register, June, 1970, No. 174, eff. 7-1-70.

**NR 19.05 Release of exotic species.** (1) It shall be unlawful for any person, persons, firm or corporation to introduce or release or cause to be introduced or released in any manner into the inland or outlying waters, forests or fields of this state any variety or species of wild animal, hybrid of a wild animal, and any bird or fish or the eggs or spawn thereof, that are not native to the state without first applying for and receiving a permit from the department or its duly authorized agents. Such permit shall be granted only after a thorough investigation by the department, its agents, conservation wardens or forest rangers concerning the conditions under which such wild animals, hybrids of wild animals, or birds or fish, or the eggs or spawn thereof, are to be introduced or released and to establish to a certainty that such introduction or release will not be detrimental in any manner to the conservation of the natural resources of the state.

(2) It shall be unlawful for any person or persons to introduce, place, plant, or release, or cause to be introduced, placed, planted, or released in any manner in the publicly owned or controlled inland waters of the state of Wisconsin any fish, fish fingerlings, fish fry, or fish spawn except brook, brown or rainbow trout or spawn thereof procured from a person holding a class A or B license under section 29.52 (4) (a) or (b), Wis. Stats., unless such release or plantings are supervised and authorized or permitted by written permit by the department, its duly authorized agents or representatives.

(3) Nothing in the provisions of this section shall be applicable to the department, or its duly authorized agents wherein after investigation they deem it advisable or necessary to cause the release of any animals, birds or fish of any variety or species.

**History:** 1-2-56; am. (2), Register, October, 1969, No. 166, eff. 1-1-70; renum. from WCD 19.05 to be NR 19.05, and am. (1), (2) and (3), Register, April, 1971, No. 184, eff. 5-1-71.

**NR 19.06 Fish nets and traps.** (1) It shall be unlawful for any person or persons to take, catch or kill fish or fish for fish of any species when such fish are being held in any fish net, fish holding net, fish trap, fish pond, either artificial or natural, or any structure or net placed in any of the waters of the state by the department or under its authority for the purpose of taking or holding fish therein at any time, or for any person or persons to lift, molest, cut or destroy any fish net, fish holding net, fish trap, fish pond, or any structure or net placed in any of the waters of the state by the department or under its authority for the purpose of taking or holding fish therein.

(2) It shall be unlawful for any person or persons to take, catch, capture or kill fish or pursue fish in any fishing operations within 500 feet above or 500 feet below any net, dam or weir wherein the state of Wisconsin is fishing or holding fish for commercial, scientific, or

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biological purposes, when the area is properly posted by the department.

(3) No provisions in this section shall prohibit the department, its agents, deputy conservation wardens or representatives of the division of fish, game and enforcement of such department from taking any of the fish mentioned in any of the sections of this order at any time or from lifting, setting, or transferring any nets or structures used in holding or capturing fish, wherein they deem it advisable and necessary to promote the department fish management program.

**History:** 1-2-56; am. (1), Register, December, 1960, No. 60, eff. 1-1-61; am. (1), Register, December, 1961, No. 72, eff. 1-1-62; renum. from WCD 19.06 to be NR 19.06 and am. (1), (2) and (3), Register, April, 1971, No. 184, eff. 6-1-71.

**NR 19.07 Shooting preserves. (1) LAND OWNERSHIP OR LEASES.** Any person making application to the department for a shooting preserve license must file with the department a verified copy of any lease of lands contained in the area for which they are making application for a shooting preserve license after the area has been inspected and found eligible for license. In the event the person making application for a shooting preserve license is owner of the land, he shall file with the department a sworn affidavit stating that he is the owner of such lands and has legal title to them.

(2) The season for taking pheasants on shooting preserves shall begin concurrent with the general pheasant season in the county or portion thereof in which the preserve is located and shall end on the last day of February. Shooting hours shall be as provided in Wis. Adm. Code section NR 10.06.

(3) **HUNTING LICENSE REQUIREMENTS.** No person shall hunt, take, capture, or kill pheasants, or any other game or wild animals, on any licensed shooting preserve areas authorized under section 29.573, Wis. Stats., unless he has in his possession at the time of doing such hunting, shooting, or killing of game or wild animals, a hunting license as required under the provision of sections 29.10, 29.12, and 29.147, Wis. Stats.

(4) **AVAILABILITY OF RULES.** Shooting preserve licensees shall have available for the review of each person hunting, taking, catching, or killing pheasants on the licensed shooting preserve areas a copy of the rules of the department regulating such shooting preserve.

(5) **SIZE AND LOCATION OF AREAS.** No shooting preserve license shall be issued after the effective date of this section (December 1, 1959), other than for those already in operation, for any land area larger than 640 acres or smaller than 120 acres, or for any area less than one-quarter mile from the exterior boundaries of a planned or approved state or federal wildlife area, public hunting ground or refuge which is managed in whole or in part for pheasants. All lands under one license shall be contiguous.

(6) **INVESTIGATION BEFORE LICENSING.** The department shall make such investigation necessary to determine that all provisions of section 29.573, Wis. Stats., and this section are complied with. All licenses are subject to the approval of the secretary.

(7) **POSTING AND FENCING REQUIREMENTS. (a)** All shooting preserve

signs posted around licensed shooting preserve areas shall be purchased from the department.

(b) Boundaries of the area licensed shall be posted in either of the following manners at the discretion of the licensee:

1. Signs shall be placed at intervals of not more than 400' along the boundary lines of such area, and in addition, such boundary lines shall be clearly defined by at least one strand of wire; or

2. Wherever such boundary lines are not defined by one or more strands of wire, the posting of signs shall be at intervals of not more than 200' along the boundary lines of such areas.

(c) Exceptions. Variations in posting and in fence construction other than specified shall be submitted to the secretary and may be approved by the secretary if found to comply with the intent and purpose of these rules. Whenever the strand of wire or fence is not required, posting of signs shall be at intervals of not more than 200' along the boundary lines of such areas.

(8) STOCKING PROCEDURE, TAGGING AND CREDITS. (a) All licensed shooting preserves shall be required to make a yearly minimum stocking of pheasants in the ratio of not less than one pheasant for each 4 acres of the area licensed, except that the minimum stocking requirement for any shooting preserve in excess of 640 acres licensed prior to the effective date of this section (December 1, 1959), shall be 160 pheasants. Failure to comply with the minimum stocking requirements during each licensed year shall automatically prohibit the renewal of the license, and also prohibit the licensing of any of the lands involved in any new license for a period of one year. Shooting preserves licensed prior to the effective date of this section (December 1, 1959), shall be subject to the minimum stocking requirement beginning July 1, 1960.

(b) All pheasants liberated shall be of high-quality stock, fully feathered, and not less than 12 weeks of age. For the purpose of assuring high-quality stock, pheasants shall not be debeaked more than  $\frac{1}{4}$ -inch and not less than 2 weeks prior to release. Brailed pheasants shall have the brail removed not less than 2 weeks prior to release. Pheasants shall not be held in crates or other containers more than 24 hours prior to release. Upon written certification by the department representative, listing the number and varieties of pheasants stocked, or placed in holding pens (see (e) below) and the date of such stocking or holding, shooting preserve wing tags shall be furnished by the department at a cost of 5 cents each to the licensee at a ratio of 75% of the total birds certified. All shooting preserve tags and tag credits shall expire on March 1.

(c) No person shall have in his possession or under his control any dead pheasant or pheasants of any species or varieties showing indications that they have been shot, unless the proper shooting preserve tag or seal has been immediately attached and locked through a slit in one wing of each pheasant. Such seals shall be supplied by the department at a cost of 5 cents each. This regulation will apply both during the general open season for pheasants and during the special pheasant season prescribed in this section for licensed shooting preserves.

(d) Whenever a shooting preserve licensee indicates to the department that he desires to stock pheasants on a shooting preserve area,

he shall notify an authorized representative of the department who shall certify to all pheasants liberated. Such representative shall thereafter notify the department in writing of the number and varieties stocked and the day and date when such stocking occurred, except as provided in subsection (e).

(e) Each pheasant liberated shall have affixed to it a game farm seal or shall be leg banded on the left leg prior to liberation. Any shooting preserve shall be authorized to retain and stock pheasants from an approved holding pen provided such birds have been counted and banded on the left leg and certified to by a department representative. Leg bands will be provided by the department at cost. The licensee agrees to stock all pheasants so retained.

(f) A daily record shall be kept by the licensee of all pheasant stocking and harvesting, including stocking or removal from holding pens. Such daily records and inspection of the licensed area, holding pen, and pheasants, shall be open to representatives of the department at any time. Reports shall be filed with the department on forms and on dates as specified by the department.

(9) Duly authorized representatives of the department in connection with preliminary inspections of areas which are licensed, and in conjunction with releases and holding of pheasants in pens, shall be reimbursed by the licensee for the actual mileage incurred in travel both to and from his station at the rate of 10 cents per mile.

(10) **DOG TRIALS OR DOG TRAINING ON LICENSED SHOOTING PRESERVES.** During the closed season for the taking of pheasants within the boundaries of a licensed shooting preserve, a dog trial or dog training permit may be issued under the provisions of sections NR 17.01 and 17.02. Pheasants released or taken under the provisions of such permit shall be tagged as provided, but shall not be required to be additionally tagged with a shooting preserve tag, nor shall any of the stocking procedures, tagging, or credits of shooting preserve code section NR 19.07 (8) apply under such permit.

**History:** 1-2-56; r. and recr. Register, November, 1959, No. 47, eff. 12-1-59; r. and recr. (7), Register, August, 1961, No. 68, eff. 9-1-61; am. (2), (7) (a) and (b); and (8) (b) and (c), Register, January, 1964, No. 97, eff. 2-1-64; am. (8) (b) and (d) and cr. (10), Register, February, 1968, No. 146, eff. 3-1-68; renum. from WCD 19.07 to be NR 19.07, and am. (1), (3), (4), (6), (7) (a) and (c), (8) (b), (c), (d), (e) and (f), (9) and (10), Register, April, 1971, No. 184, eff. 5-1-71.

**NR 19.08 Tagging canned pheasants.** Pheasants produced on licensed game farms pursuant to section 29.574, Wis. Stats., and processed in cans shall be tagged by the licensee in the following manner: each such can containing a pheasant produced on a licensed game farm pursuant to said section 29.574 shall be marked and tagged by having embossed in either lid thereof the following legend: "WIS. L. G. F. NO. \_\_\_\_\_", including in such legend the license number of the license issued to the licensee pursuant to said section 29.574.

**History:** 1-2-56; renum. from WCD 19.08 to be NR 19.08, Register, April, 1971, No. 184, eff. 5-1-71.

**NR 19.09 Wild rice conservation.** (1) A closed season is established for the harvesting or gathering of wild rice in the following described areas at all times except as hereinafter provided and it is unlawful for any person to harvest or gather wild rice in any manner or at any time during such closed season.

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(2) The secretary is authorized and directed, after determining by investigation and study that the wild rice is ripe, to designate the open season for harvesting or gathering wild rice in each of the hereinafter following described areas. Such open season in any such area to begin not earlier than August 15 and to continue in effect for not more than 60 days. Such open season in any such area as designated by the secretary pursuant to this subsection shall be put into effect by posting of proper notice of such open season on the shores of, and at places of public access to, the lakes and streams in which such open season is effective at least 48 hours before the beginning of such open season.

(a) *Ashland county*. All waters north of Highway 2 including outlying waters.

(b) *Bayfield county*. Namekagon River from Namekagon Lake downstream to the town road in section 9, T43N, R6W, Totogatic Lake.

(c) *Burnett county*. Bashaw Lake, Big Clam Lake, Briggs Lake, Gaslyn Lake, Long Lake, Loon Lake, Mud Hen Lake, Rice Lake, Yellow River from Rice Lake downstream to the Highway 35 bridge, Yellow River Flowage on Yellow River from Yellow Lake downstream to the Danbury dam in section 33, T41N, R17W.

(d) *Douglas county*. Allouez Bay in the city of Superior, Big Pokegama River from the Highway 105 bridge downstream to the St. Louis River, Lower Ox Lake, Mulligan Lake, Minong Flowage, St. Croix Flowage on the St. Croix River from St. Croix Lake downstream to the dam at Gordon in section 36, T44N, R13W, St. Louis River waters including connected bays, bayous, sloughs and backwaters from the Highway 23 bridge downstream to Lake Superior, Totogatic River from Smith's bridge in section 32, T43N, R12W to Rice Creek.

(e) *Forest county*. Riley Lake, Big Rice Lake and Wabigon Lake.

(f) *Lincoln county*. Pine Creek Flowage.

(g) *Marinette county*. Noquebay Lake.

(h) *Oneida county*. Wolf River in the towns of Schoepke and Monico, Wisconsin River from the bridge at McNaughton downstream to the dam at Rhinelander, Cary Lake, Spur Lake.

(i) *Polk county*. Balsam Branch, Glenton Lake, Little Butternut Lake, Rice Lake, Rice Bed Creek in the town of Johnstown, Straight River from the Highway 48 bridge downstream to Big Round Lake.

(j) *Price county*. Squaw Creek from the west Oneida County line downstream to Pike Lake.

(k) *Sawyer county*. Billy Boy Flowage from Little Lac Court Oreilles on the Couderay River downstream to the Billy Boy dam in section 19, T39N, R8W, west fork of Chippewa River from Cattail Lake downstream to Moose Lake including Meadow and Partridge Crop Lakes, Musky Bay located in sections 10 and 11, T39N, R9W on Big Lac Court Oreilles Lake, Pac-wa-wong Flowage on the Namekagon River from the south Bayfield county line downstream to Chech dam in section 3, T42N, R8W, Phipps Flowage on the Namekagon River from the Highway 63 bridge downstream to the Phipps Dam in section 6, T41N, R8W.

(1) *Vilas county*. Allequash Lake, Little Rice Lake, Nixon Lake, Irving Lake, Aurora Lake, West Plum Lake, Devine Lake, West Ellerson Lake, Micheys Mud Lake, Frost Lake, Rice Lake, Sand Lake, Sugar Bush Chain.

(m) *Washburn county*. Boyer Creek in the town of Saronia, Gilmore Lake, Long Lake, Mud Lake, Rice Lake, Spring Lake, Tranus Lake.

There is no closed season for the harvesting or gathering of wild rice in any other area of the state of Wisconsin not herein described.

(3) It is unlawful for any person to harvest or gather any wild rice in any area of the state of Wisconsin between the hours of 4:00 p.m. central standard time and the following 9:00 a.m.

(4) It is unlawful for any person to harvest or gather any wild rice in any area in the state of Wisconsin by the use of any machine or mechanical device of any kind other than smooth, rounded rods or sticks not more than 38 inches in length and held and operated by hand.

(5) It is unlawful for any person to harvest or gather any wild rice in any area in the state of Wisconsin by the use of any boat longer than 16 feet or greater than 38 inches in width or by the use of any boat propelled by other than muscular power.

(6) All licensed wild rice dealers shall file reports pursuant to section 29.544 (5), Wis. Stats., on forms furnished by the department covering the license period, with the Department of Natural Resources, Box 450, Madison, Wisconsin 53701, prior to obtaining a wild rice dealer's license for the following effective period. Such reports shall summarize the book records required under said section and shall include the total number of transactions and the total amount of wild rice bought, sold or processed by him during the period covered by his license.

(7) Nothing in the provisions of this section shall prohibit authorized agents of the department from harvesting or gathering wild rice in the performance of their official duties.

(8) This section is adopted pursuant to section 29.544, Wis. Stats.

**History:** Cr. Register, July, 1960, No. 55, eff. 8-1-60; r. and recr. Register, July, 1964, No. 103, eff. 8-1-64; renum. from WCD 19.09 to be NR 19.09 and am. (2), intro. par., (6) and (7), Register, April, 1971, No. 184, eff. 5-1-71.

**NR 19.10 Bird-banding permits.** (1) The department may issue bird-banding permits free of charge to qualified natural persons as hereinafter provided. Such permit authorizes the permittee to capture alive and band for scientific purposes only the birds specified in the permit subject to the conditions and limitations specified in the permit and the rules of the department. The permittee may possess the birds only for such a period of time as may be necessary to securely band and attend to collateral functions such as weighing, measuring, sexing and aging.

(2) Applications for bird-banding permits shall be made on forms prepared and furnished by the department and shall show:

- (a) The name, address and description of the applicant.
- (b) The purposes for which the permit will be used.
- (c) Such other information as the department shall deem reasonable.



(3) Upon receipt of such application the department shall investigate the same. When satisfied that the applicant is engaged in a bona fide research program leading to increased, useful scientific knowledge the department may in its discretion issue a bird-banding permit to the applicant.

(4) Such permit shall state:

- (a) The name, address and description of the permittee.
- (b) The date of issue.
- (c) The period of time during which the permit is effective.
- (d) The purposes for which it is issued.
- (e) The signature of the permittee.
- (f) Such other conditions and limitations as the department shall deem reasonable.

(5) Bird-banding permits are not transferable and may be revoked at any time by the department.

(6) Record keeping and annual reports. The permittee shall keep current records of all transactions by him under such permit, which records shall be made available for inspection at all reasonable hours by the department or its agents, and a report of operations based on this record shall be filed annually with the said department on or before January 31 of each year. Annual reports shall be on forms prepared and furnished by the department and shall show:

- (a) Date federal report was submitted.
- (b) Number of game birds and nongame birds banded.
- (c) Name and band number of all birds banded with nonfederal bands.
- (d) Any other information deemed reasonable by the department.

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

(8) All traps used in banding operations shall bear a label showing the name and address of the permittee and 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.

(9) The permit of any person convicted of a violation of any law or rule regulating the taking, possession, or use of wild animals shall be forfeited and revoked in addition to all other penalties, and any person so convicted shall not be eligible for a permit under this section for the period of one year following the date of such conviction.

**History:** Cr. Register, August, 1964, No. 104, eff. 9-1-64; renum. from WCD 19.10 to be NR 19.10 and am. (1), (2) intro. par., (2) (c), (3), (4) (f), (5), (6) intro. par., and (6) (d), Register, April, 1971, No. 184, eff. 5-1-71.

**NR 19.11 Scientific collectors permits.** This section applies to scientific collectors permits as provided in section 29.17, Wis. Stats.

(1) **APPLICATION FOR PERMIT.** Applications for scientific collectors permits shall be made on forms prepared and furnished by the department and shall show:

- (a) Name and address of the permittee.
- (b) Personal description.
- (c) Purpose of the request.
- (d) Type, species, and number of specimens to be collected.

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(e) Area and period of time in which the specimens are to be collected.

(f) Method of taking.

(g) The place where the specimens will be kept.

(h) Such additional information requested by the department.

(2) RECORD KEEPING AND ANNUAL REPORTS. Records of all transactions under the permit shall be kept current and be made available by the permittee for inspection at all reasonable hours on request of any authorized person. A report of operations based on this record must be filed annually with the department on or before January 10. Annual reports shall be made on forms prepared and furnished by the department and shall show:

(a) Number of each species, nests and eggs collected.

(b) Disposition of each.

(c) Any other information requested by the department.

(3) PERMITTEE'S SIGNATURE. The permit shall be signed by the permittee.

(4) PERMIT ON PERSON. The permit must be carried upon the person of the permittee when exercising privileges hereunder.

(5) EXCEPTIONS. The permit does not authorize the following:

(a) The taking of specimens on state wildlife refuges.

(b) The exchange of specimens with persons who do not hold an appropriate permit.

(c) The purchase or sale of specimens.

(d) The routine care of injured animals.

**History:** Cr. Register, April, 1966, No. 124, eff. 5-1-66; renum. from WCD 19.11 to be NR 19.11, and am. (1) intro. par., (1) (h), (2) intro. par. and (2) (c), Register, April, 1971, No. 184, eff. 4-1-71.

## Chapter NR 20

## FISHING; INLAND WATERS; OUTLYING WATERS

NR 20.01	Closed seasons	NR 20.08	Turtle traps
NR 20.02	Waters classified; hook and line fishing in outlying waters	NR 20.09	Dip nets in inland waters
NR 20.03	Season tables; open and closed seasons, size and bag limits and measurements	NR 20.10	Minnow nets, traps, and seines
NR 20.04	Open seasons in specified waters	NR 20.11	Whitefish and cisco in inland waters
NR 20.05	Season for crayfish and frogs	NR 20.12	Set lines and set or bank poles in inland waters
NR 20.06	Prohibited fishing under particular conditions	NR 20.13	Fish shanties, shelters, ice fishing hours and ice fishing in all state waters
NR 20.07	Prohibited methods of fishing	NR 20.14	Department permitted to take fish
		NR 20.15	Control of detrimental fish
		NR 20.16	Closed areas

(Sections 29.085 and 29.174, Wis. Stats.)

NR 20.01 Closed seasons. There shall be and are provided and established the following open and closed seasons, bag limits, size limits, possession limits and other regulations for the several varieties and species of fish, crayfish, and frogs in the waters within the state of Wisconsin. A closed season is established for each variety of fish, crayfish and frogs named in this chapter extending during all the time of the year except the open season period embraced within the specified dates, both inclusive, and except as otherwise expressly provided no person shall take, catch or kill fish of any variety in excess of the daily bag limit and no person shall take, catch or kill fish, or fish for fish by any means other than hook and line, nor at any time other than the open season therefor, nor have in his possession or under his control any fish, crayfish, or frogs in excess of the possession limit, or below the minimum size therefor during the open season.

**History:** 1-2-56; am. Register, December, 1957, No. 24, eff. 1-1-58; renum. from WCD 20.01 to be NR 20.01, Register, November, 1970, No. 179, eff. 1-1-71.

## NR 20.02 Waters classified; hook and line fishing in outlying waters.

(1) For the purpose of regulating hook and line fishing in the outlying waters, the closed seasons, size limits, bag and possession limits, number of hooks and lines and ice fishing regulations shall be the same as those prescribed for the inland waters of the county in which such outlying waters are located, except as otherwise specifically provided in the following table:

Species	Area	Open season	Daily bag limit	Minimum length (in.)
(a) WALLEYE AND SAUGER (Bag limit means total of all)	Green Bay	At all times	5	No size limit
	Lake Superior	At all times	5	No size limit
(b) NORTHERN PIKE.....	Lake Michigan and Green Bay	At all times	5	No size limit
	Lake Superior	At all times	5	No size limit

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Species	Area	Open season	Daily bag limit	Minimum length (in.)
(c) PERCH.....	In all outlying waters, including bounded bays and reserve waters	At all times	No bag limits or size limit; except during the closed season for commercial fishing in the waters of southern Green Bay and in the waters of Lake Michigan and northern Green Bay when there shall be a daily bag limit of 50 per day and such fish taken during the closed season shall not be sold, traded or bartered in any manner.	
(d) TROUT AND SALMON...	Lake Michigan, Green Bay and Lake Superior	Continuous	5 in aggregate	10
(e) LARGEMOUTH AND SMALLMOUTH BASS...	Lake Michigan and Green Bay	July 1 to February 15	5 of each	No size limit
	Lake Superior	Second Saturday in May to February 15	5 of each	No size limit

(g) Herring of any size with no bag limit may be taken by hook and line at all times in the outlying waters.

(h) All species of fish of lawful size may be taken from the outlying waters including Chequamegon Bay by trolling from a motor driven boat or sailboat during the open season therefor. It shall be unlawful to spear any species or variety of fish in the outlying and reserve waters at any time, except that rough fish may be speared from sunrise to sunset in all outlying waters and may be taken with the use of spear guns by the method commonly known as skin diving by divers under the water in Lake Michigan. Northern pike may be speared through the ice in Lake Superior.

**History:** 1-2-56; am. (1) (a) Register, December, 1956, No. 12, eff. 1-1-57; am. (1) and (1) (a), Register, December, 1957, No. 24, eff. 1-1-58; am. (1) (a) and (d); renum. (1), (e), (f) and (g) to be (1) (f) (g) and (h); cr. (1) (e), Register, October, 1958, No. 34, eff. 1-1-59; r. and recr. Register, December, 1959, No. 48, eff. 1-1-60; am. (1) (g) and (j), Register, December, 1960, No. 60, eff. 1-1-61; r. and recr. Register, December, 1961, No. 72, eff. 1-1-62; am. (1) (d) and (1) (i), Register, June, 1962, No. 78, eff. 7-1-62; am. (1) (d), Register, July, 1962, No. 79, eff. 8-1-62; am. (1) (g), Register, December, 1962, No. 84, eff. 1-1-63; am. (1) (g), Register, December, 1963, No. 96, eff. 1-1-64; am. (1) (intro. par.), (b) and (g), Register, December, 1964, No. 108, eff. 1-1-65; am. intro. par., Register, November, 1965, No. 119, eff. 1-1-66; r. and recr. (1) (d), (f), and (g), Register, December, 1966, No. 132, eff. 1-1-67; am. (1) (d) and (g), Register, December, 1967, No. 144, eff. 1-1-68; r. and recr. (1) (c); r. (f); renum. (g) and (h) to be (f) and (g); renum. (i) to be (h) and am., Register, December, 1968, No. 156, eff. 1-1-69; r. and recr. (1) (d) and r. (1) (f), Register, March, 1969, No. 159, eff. 4-1-69; renum. from WCD 20.02 to be NR 20.02, and am. (1) (e), Register, November, 1970, No. 179, eff. 1-1-71.

**NR 20.03 Season tables; open and closed seasons, size and bag limits and measurements.** (1) The open seasons specified in the following table apply to fishing in open waters and fishing through the ice, except that the department shall close the season for fishing through the ice in any inland waters when it finds after scientific investigation and study that continued fishing through the ice in such waters would result in a depletion of the supply of game fish therein and that such closed season is necessary to conserve the fish supply

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and insure the citizens of this state continued opportunities for good fishing therein and such closed seasons shall be put into effect by posting a notice thereof on or in the vicinity of the shore of the waters affected, such posting being deemed by the department to be the most feasible way of notifying the public that such closed season is in effect and such closed seasons shall remain in full force and effect so long as such waters are covered with ice and so long as such posting is continued. For open seasons in specified waters see section NR 20.04. The possession limit for each species of fish shall be double the daily bag limit specified in this chapter except that no person shall have in his possession or under his control more than the daily bag limit while on the ice or waters or while fishing in the state of Wisconsin. The measurement of all fish taken shall be in a straight line from the tip of the snout to the utmost end of the tail fin fully extended.

Kind of fish and locality	Open season (both dates inclusive)	Daily bag limit	Minimum length (inches)
<b>(a) LARGEMOUTH AND SMALLMOUTH BASS</b>			
In all waters of Ashland, Bayfield, Burnett, Douglas, Iron, Price, Rusk, Sawyer and Washburn Counties.....	Second Saturday in May to February 15	5 of each	10
In all other waters.....	Second Saturday in May to February 15	5 of each	No size limit
<b>(c) WALLEYE AND SAUGER</b>			
In all waters of Ashland, Barron, Bayfield, Burnett, Chippewa, Douglas, Polk, Rusk, Sawyer, Taylor and Washburn Counties.....	Second Saturday in May to February 15	5 in aggregate	13
In all other waters (See also Sec. NR 20.04)....	Second Saturday in May to February 15	5 in aggregate	No size limit
<b>(d) NORTHERN PIKE (See also Sec. NR 20.04)</b>			
In all waters of Dane, Jefferson, Kenosha, Racine, Rock and Walworth Counties.....	Second Saturday in May to February 15	2 (except that there is a daily bag limit of 5 and no minimum length in Wisconsin River in Dane county)	22
In all waters of Ashland, Barron, Bayfield, Burnett, Chippewa, Douglas, Polk, Rusk, Sawyer, Taylor and Washburn Counties.....	Second Saturday in May to February 15	5	18
Shawano lake in Shawano county and all waters in Menominee county.....	No closed season	25	No size limit
In all other waters.....	Second Saturday in May to February 15	5	No size limit

Kind of fish and locality	Open season (both dates inclusive)	Daily bag limit	Minimum length (inches)
(e) MUSKELLUNGE (Includes hybrid muskellunge)-----	Second Saturday in May to November 30	1	30
(f) TROUT AND SALMON (any variety except splake and lake trout) (Bag limit means total of all)-----	The second Sat- urday in May at 5 a.m. to September 15	10 in aggregate	6
There shall be a special extended open season for trout and salmon in the following waters---	Saturday nearest April 1 to, but not including the second Saturday in May and September 16 to November 15	5, of which only 2 may be rainbow trout or salmon	10
Ashland county: Bad river from its mouth upstream to Copper falls; Potato river from its mouth upstream to Guernsey falls; White river from its mouth up- stream to White river dam; Bayfield county: Cranberry river from its mouth upstream to the Lenawee road (T50N, R7W, Sec. 28); Fish river and Fish creek from its mouth upstream to the junction of Pine creek (T47N, R6W, Sec. 13); Flag river from its mouth upstream to the junc- tion with the Little Flag river (T49N, R8W, Sec. 2); Iron river from its mouth upstream to Orienta dam; Sioux river from its mouth up- stream to Big Rock falls (T49N, R4W, Sec. 19); Siskowitt river from its mouth upstream to second bridge (T41N, R6W, Sec. 35); Douglas county: Brule river from its mouth upstream to U. S. Highway #2; Iron county: Graveyard creek from its mouth upstream to U. S. Highway #2; Oronto creek from its mouth upstream to its source; Parker creek from its mouth upstream to its source.	September 16 to November 15	5 in aggregate	6
There shall be an extended open season for trout and salmon on the following waters-----	September 16 to November 15	5 in aggregate	6
Risk creek pond in Adams county; Cammerer lake in Ashland county; Anderson lake, Balsam pond, Beaver lake, Blaisdell lake, Little Hidden, Little Star, Mimi and Nymphia lakes in Bay- field county; Bradley and Dark lakes in Chip- pewa county; Stewart lake and Salmo pond in Dane county; Gravel Pit in Clark county; An- derson lake in Douglas county; Lions Club Youth pond in Eau Claire county; Sand lake (Sec. 13, T39N, R18E) in Florence county; Bug, Logger, and Valley lakes in Forest county; Up- per Zander lake in Green county; Birch lake in Iowa county; Hoffman, Lowe creek pond, Trout Run SCS, Trout Run Church and Oxbow ponds in Jackson county; Pence and Townline lakes in Langlade county; Ament, Hanson, Horgan, Mo- raine, and Tahoe lakes in Lincoln county; Cata- ract Evans and Hans Biegel ponds in Monroe county; Bass lake (Sec. 15, T89N, R7E) in Oneida county; Kinnickinnic and River Falls ponds in Pierce county; Clarey lake, Ice House lake, and Pickerel lake in Polk county; Patter- son lake in Price county; Camp Smith lake in Sawyer county; North Twin and Spruce lakes in Taylor county; Eleva-Osseo Club and Ettrick ponds in Trempealeau county; Esofea and Tim- ber Coulee ponds in Vernon county; Bluegill,	September 16 to November 15	5 in aggregate	6

Kind of fish and locality	Open season (both dates inclusive)	Daily bag limit	Minimum length (inches)
Firefly (Weber), Little John, Jr., Otto Mielke and Pauto lakes in Vilas county; Sawmill lake in Washburn county; Lannon Park pond in Waukesha county and Keller lake, Waupaca county.			
There shall be an extended open season for trout and salmon on all other lakes containing trout or salmon except natural spring and spring ponds.....	September 16 to February 15	5 in aggregate	6
(g) LAKE TROUT AND SPLAKE.....	First Saturday in January to September 30	2 in aggregate	17
(h) CATFISH			
In all waters of Brown, Calumet, Fond du Lac, Green Lake, Marquette, Outagamie, Shawano, Waupaca, Waushara and Winnebago counties and the Wisconsin river from the Prairie du Sac dam downstream.....	No closed season	25	No size limit
In all other waters.....	No closed season	10	No size limit
(i) WHITE BASS.....	No closed season	None	No size limit
(j) ROCK BASS.....	No closed season	None	No size limit
(k) CRAPPIE, BLUEGILL, PERCH, PUMPKINSEED (SUNFISH).....	No closed season	50 in aggregate	No size limit
(l) YELLOW BASS (STRIPED).....	No closed season	None	No size limit
(m) BULLHEADS.....	No closed season	None	No size limit
(n) CISCO AND WHITEFISH.....	No closed season	25 pounds and one fish in aggregate	No size limit
(o) PADDLEFISH OR SPOONBILL CATFISH.....	No open season		
(p) SHOVELNOSE (SAND OR HACKLEBACK) STURGEON			
In all waters south of highway #64 (except in the Wisconsin river from the Prairie du Sac dam upstream).....	No closed season	25	No size limit
The Wisconsin river from the Prairie du Sac dam upstream.....	No open season		
In all waters north of highway #64.....	No open season		
(q) ROCK AND LAKE STURGEON			
Hook and line season			
In all waters: (except Lakes Poygan, Winneconne, Butte des Morts, Winnebago and connecting waters; and the Wolf river from the dam at Shawano downstream to Lake Poygan; and the Fox river downstream from milepost No. 63, commonly known as Johnson creek in Green Lake county to Lake Butte des Morts).....	First Saturday in September to October 15	1 per season	40
Sparring season			
Lakes Butte des Morts, Poygan and Winneconne and connecting waters.....	Second Saturday and Sunday in February	1 per season	40

Kind of fish and locality	Open season (both dates inclusive)	Daily bag limit	Minimum length (inches)
Lake Winnebago.....	First Saturday in February to March 1	The bag limit on speared sturgeon is one (1) per season regardless of the water in which speared	40
(r) PADDLEFISH OR SPOONBILL CATFISH.....	No open season	-----	-----
(u) SUCKER AND REDHORSE.....	No closed season	50 in aggregate	No size limit

No person shall have in his possession or under his control any spear or similar device in any building, tent, shanty or similar enclosure on the waters of Lakes Butte des Morts and Winnebago in Winnebago county, Lake Poygan in Waushara and Winnebago counties; Lake Winnebago in Calumet, Fond du Lac and Winnebago counties and all connecting waters including the Wolf River from the dam at Shawano downstream to Lake Poygan and the Fox River from milepost No. 63, commonly known as Johnson creek, in Green Lake county downstream to Lake Butte des Morts, except during the open season for spearing sturgeon when such open season is in effect on a specified water named above.

(2) (a) Each person who has speared a sturgeon during the open season for spearing sturgeon shall exhibit such sturgeon, with his sturgeon tag attached as required by section 29.148, Wis. Stats., to a warden or other authorized department personnel at an official sturgeon registration station established for such purpose. Such sturgeon shall be so exhibited at such sturgeon registration station in a county adjacent to the waters where speared not later than 6:00 p.m. on the day speared. Upon approval by the officer, said officer shall attach a special tag to each sturgeon indicating that it has been inspected and recorded and such tag shall remain attached and locked to such sturgeon until the carcass is finally consumed.

(b) It shall be unlawful for any person to transport any sturgeon in or on any motor-driven vehicle from the time such sturgeon is taken to the time it is lawfully registered pursuant to section NR 20.03 (2) (a) unless the sturgeon is carried openly exposed and in such manner so that the sturgeon tag attached to the sturgeon cannot be handled or manipulated by any occupant of the vehicle.

(3) A closed season is established for the taking, catching, or killing of fish of any variety or fishing for fish from December 1 to, but not including, the second Saturday in May of the next year, on all waters commonly known as the Chippewa flowage and that part of the Chippewa river in the following described area, Sawyer county:

Township 39 north, range 6 west.  
Sections 1, 2, and 3.

Township 39 north, range 7 west.  
Sections 1, 2, 3, 4, 6, 7, 9, and 10.

Township 39 north, range 8 west.  
Sections 1 and 12.



Township 40 north, range 6 west.  
Sections 3, 5, 6, 7, 8, 9, 10, 15, 16, 17, 18, 19, 20, 21, 22, 27, 28, 29,  
30, 31, 32, 33, 34, and 35.

Township 40 north, range 7 west.  
Sections 1, 2, 3, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 19, 20,  
21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 33, 34, 35, and 36.

Township 40 north, range 8 west.  
Sections 13, 24, 25, 26, 35 and 36.

(4) In those waters for which a permit for treatment with toxicant has been issued the Department of Natural Resources may direct that all species of fish of any size may be taken by dip nets, minnow seines and spears with no bag or possession limit from the date of issuance of said permit until the commencement of treatment and such open season shall be put into effect by posting a notice thereof on or in the vicinity of the waters affected and by publication of one or more newspapers having wide circulation in the area affected.

**History:** 1-2-56; am. (1) (2) Register, December, 1956, No. 12, eff. 1-1-57; am. (1), Register, December, 1957, No. 24, eff. 1-1-58; r. and recr. (1), Register, October, 1958, No. 34, eff. 1-1-59; r. and recr. (1), Register, December, 1959, No. 48, eff. 1-1-60; am. (1) (f), Register, June, 1960, No. 54, eff. 7-1-60; r. and recr. (1), cr. (4), Register, December, 1960, No. 60, eff. 1-1-61; am. (1) and (3) (intro. par.). Register, March, 1961, No. 63, eff. 4-1-61; r. and recr., Register, December, 1961, No. 72, eff. 1-1-62; am. (1) (t) Register, August, 1962, No. 80, eff. 9-1-62; am. (1) (d); (1) (f); (1) (t) and (3), Register, December, 1962, No. 84, eff. 1-1-63; am. (1) (a), (b), (c), (d), (e), and (f); (2) and (3); Register, December, 1963, No. 96, eff. 1-1-64; am. (1) (d), (f), (k) (1), (m), (n), (o), (p) and (q), and (2), Register, December, 1964, No. 108, eff. 1-1-65; r. and recr. (1) (c), (d) and (f); am. (1) (g) and (1) (h); r. and recr. (1) (q); cr. (1) (u), Register, November, 1965, No. 119, eff. 1-1-66; r. (1) (t), Register, January, 1966, No. 121, eff. 2-1-66; r. and recr. (1) (a), (b), (d), (f), (h) and (p), Register, December, 1966, No. 132, eff. 1-1-67; am. (1) (f) and (q); renum. (2) to be (2) (a); cr. (2) (b), Register, December, 1967, No. 144, eff. 1-1-68; emerg. am. (1) (f), eff. 9-30-68; am. (1) (f), (q) and (4), Register, December, 1968, No. 156, eff. 1-1-69; r. and recr. (1) (a); r. (1) (b); am. (1) (e) (f) and (q), Register, October, 1969, No. 166, eff. 1-1-70; renum. WCD 20.03 to be NR 20.03; am. (1) intro. par., (a), (c), (d), (f) and (q) and r. (s); am. (2) (a) and (b), Register, November, 1970, No. 179, eff. 1-1-71.

**NR 20.04 Open seasons in specified waters.** (1) The open season for hook and line fishing for northern pike or pickerel and walleye and sauger in the following described waters shall begin on the Saturday nearest April 1 of each year. Bag limits, possession limits and size limits shall be the same as prescribed in the season tables, and the season shall be closed as prescribed therein.

(a) *Kenosha county waters.* The Kenosha county waters shall include all waters in Kenosha county.

(b) *Racine county waters.* The Racine county waters shall include all waters in Racine county.

(c) *Waukesha county waters.* The Waukesha county waters shall include all waters in Waukesha county.

(2) **DUCK CREEK, OPEN SEASON.** (a) There shall be an open season for the taking of all species of fish through the ice only from sunrise to sunset by means of spears or dip nets, with no size limit or bag limit, in the waters of Duck creek, beginning at its mouth and extending upstream to the first dam above Pamperin Park, all in the town of Howard, Brown county.

(b) All fish taken from Duck creek under the provisions of this subsection shall be removed from the ice and no game fish so taken shall be sold, traded or bartered in any manner.

(c) This season shall be effective from the first Saturday in January until the ice goes out of that area of Duck creek defined in this subsection.

(3) SPECIAL WATERS—LAKES. (a) There shall be no closed season for hook and line fishing for any species of fish except muskellunge, sturgeon and trout in the following described waters; all bag limits, minimum size limits and other regulations governing fish and fishing as set forth in this chapter shall remain in full force and effect:

8. Calumet county—Winnebago
13. Dane county—Koshkonong
14. Dodge county—Beaver Dam, Emily, Lost and Sinnissippi
17. Dunn county—Dunnville bottoms
20. Fond du Lac county—Mullet and Winnebago
24. Green Lake county—Big Green, Maria and Puckaway
28. Jefferson county—Bean, Goose, Hahns, Hope, Koshkonong, Red Cedar and Mud (at Koshkonong)
39. Marquette county—Buffalo
50. Portage county—Bass and Pleasant
54. Rock county—Koshkonong
56. St. Croix county—Bushnell, Pine (at Baldwin), Three and Twin
60. Sheboygan county—Sheboygan marsh
69. Waupaca county—Campbell, Crystal, Cynco (Rice), Hatch, Kinney, Partridge, Partridge Crop, Silver, and White, and Marion millpond.
70. Waushara county—Fish (at Wautoma), Beans, Pine (at Hancock), Poygan and Big Twin
71. Winnebago county—Butte des Morts, Poygan, Winneconne, and Winnebago

(am) SPECIAL WATERS—RIVERS AND STREAMS. There shall be no closed season for hook and line fishing for any species of fish except muskellunge, sturgeon and trout in the following described waters; all bag limits, minimum size limits and other regulations governing fish and fishing as set forth in this chapter shall remain in full force and effect:

1. Baraboo river in Sauk and Columbia counties.
2. Black river including sloughs and bayous from the dam at Black River Falls in Jackson county downstream to its confluence with the Mississippi river.
3. Chippewa river including sloughs and bayous beginning at the Holcombe flowage dam in Chippewa county downstream to the Chicago, Burlington and Quincy railroad in Buffalo and Pepin counties.
4. Eau Claire river including sloughs and bayous in Eau Claire county from the Altoona dam downstream to its confluence with the Chippewa river.
5. Embarrass river beginning at the dam at Pella in Shawano county downstream to the Wolf river in Outagamie county.
6. Fond du Lac river within the city limits of Fond du Lac in Fond du Lac county.

7. Fox river (except Little Lake Butte des Morts) downstream from the westerly crossing of highway #33 at Portage in Columbia county and in Marquette, Green Lake, Waushara, Winnebago and Outagamie counties downstream to the dam at De Pere in Brown county.

8. Fox river in Kenosha county and upstream in Racine county to the Waterford dam.

9. Grand river from Fairwater in Fond du Lac county downstream to the Fox river in Marquette county.

10. La Crosse river including sloughs and bayous from the Lake Neshonoc dam downstream to its confluence with the Mississippi river.

11. Lemonweir river including all connecting flowages, bays, sloughs and bayous in Juneau and Monroe counties and the East Fork Lemonweir upstream to the highway #173 bridge and the South Fork Lemonweir upstream to the Tomah dam.

12. Little Wolf river in Waupaca county beginning at the dam at Manawa downstream to the Wolf river.

13. Pecatonica river in Lafayette and Green counties.

14. Pine river in Waushara county beginning at the dam at Poyssippi downstream to Lake Poygan.

15. Pumpkinseed creek in Winnebago county from county trunk "D" bridge downstream to Lake Poygan.

16. Red Cedar river including all connecting sloughs and bayous in Dunn county from its confluence with the Chippewa river to the Lake Menomin Northern States Power Dam.

17. Rock river waters.

a. Rock river in Fond du Lac, Dodge, Jefferson and Rock counties and all waters in the Horicon marsh.

b. Crawfish river in Columbia, Dodge and Jefferson counties.

c. Beaver Dam river beginning at the dam in the city of Beaver Dam in Dodge county downstream to the Crawfish river.

d. Scuppernong river beginning at the dam at Palmyra in Jefferson county downstream to the Bark river.

e. Bark river beginning at the dam at Hebron in Jefferson county downstream to the Rock river.

f. Yahara river beginning at the dam at Fulton in Rock county downstream to the Rock river.

g. Busseyville creek in Dane and Jefferson counties beginning at the Rockdale dam downstream to Lake Koshkonong.

18. Rubicon river in Dodge county.

19. Shioc river in Outagamie county.

20. Waupaca river in Waupaca county beginning at the dam at Weyauwega downstream to the Wolf river.

21. White river below dam at Burlington to Fox river in Racine county.

22. Wildcat river in Dodge county.

23. Willow river in Waushara county beginning at the dam at Auroraville downstream to Lake Poygan.

24. Wisconsin river and flowages beginning at the St. Regis dam in Rhinelander in Oneida county downstream to the Chicago, Burlington, and Quincy railroad bridge in Crawford and Grant counties including all connecting sloughs and bayous including that part of the Yellow river and all connecting flowages, sloughs and bayous from its

confluence with the Castle Rock flowage in Juneau county upstream to the highway #54 dam at Dexterville.

25. Wolf river in Winnebago, Waupaca and Outagamie counties and in Shawano county upstream to the dam in the city of Shawano.

26. Yellowstone river from the dam downstream in Lafayette county.

(b) The department shall open the season for fishing with dip nets in any waters when it finds after scientific investigation and study that the fish populations in such waters are threatened with imminent mortality because of depletion of dissolved oxygen or other adverse habitat conditions under which fish will not survive. During such open season all species of fish may be taken by means of dip nets not more than 3 feet in diameter or 3 feet square, but no person shall have more than 25 pounds and 1 fish of any species of game fish of any size so taken in his possession. No person shall fish with more than one such dip net and such dip net fishing shall be carried on only during the hours from 7:00 a.m. to 3:30 p.m. Such open season shall be put into effect by posting a notice thereof on or in the vicinity of the shore of the waters affected, such posting being deemed by the department to be the most feasible way of notifying the public that such open season for fishing with dip nets is in effect. Such open season shall remain in full force and effect only so long as such waters are covered with ice and so long as such posting is continued.

(c) There shall be no closed season for hook and line fishing for any species of fish except sturgeon and smallmouth bass from the mouth upstream to the first dam in any stream tributary to Lake Michigan or Green Bay except the Pigeon river in Sheboygan county which shall be open upstream to County Trunk MM. All bag limits, minimum size limits and other regulations governing fish and fishing as set forth in this chapter shall remain in full force and effect except that during the period from September 16 to but not including the second Saturday in the following May there shall be a minimum size limit of 10 inches on brook, brown, and rainbow trout and salmon and a daily bag limit of five of which only two may be rainbow trout and during such period hook and line fishing is restricted to the use of natural baits or artificial flies with a single barbed hook No. 6 or smaller. The use of double, treble or similar gang hooks and artificial baits is prohibited. Night fishing with hook and line is prohibited between the hours of 7 p.m. and 5 a.m. during the extended season from September 16 to but not including the second Saturday in May.

(4) EXPERIMENTAL WATERS; PERMITS; REPORTS. (a) It shall be unlawful for any person to take, catch or kill fish or fish for fish in the waters of Murphy flowage located on that part of Hemlock creek extending from county highway "F" in section 29 upstream to the inlet in section 27, township 36 north, range 9 west, Rusk county and in the waters of Nebish, Spruce, Mystery, Escanaba and Palette lakes situated in sections 34 and 35, township 42 north, range 7 east, and sections 1, 2, 3, 10, 11 and 12, township 41 north, range 7 east, Vilas county except under the following conditions:

1. Fishing in such waters is authorized only under permit, which may be secured at the checking stations indicated by posted signs in the immediate area.

2. Fishing in such waters shall be done only with hook and line or rod and reel except that cisco may be taken in Palette lake by means of licensed dip nets or seines.

3. The provisions of this section shall apply to such waters throughout the year.

4. All permits are valid only for the date issued and shall be turned in at the checking stations at the termination of each day's fishing activities by the fisherman.

5. There is a continuous open season with no daily bag limit or size limit for all species of fish contained in these waters except in Palette lake there shall be a daily bag limit of 5 and a minimum size limit of 10 inches on coho salmon and a daily bag limit of 10 trout in Nebish lake, and a minimum size limit of 22 inches on northern pike in Escanaba lake.

6. All fish taken pursuant to this section shall be exhibited to the department or its agents at the checking station for examination, identification and marking.

(c) It shall be unlawful for any person to take, catch or kill fish or fish for fish in the waters of Mauthe lake located in sections 11, 12, 13 and 14, township 13 north, range 19 east, Fond du Lac county; in the waters of the Yellowstone river, including Yellowstone lake, from the dam located in section 1, township 3 north, range 4 east, upstream to the highway F bridge in section 35, township 4 north, range 4 east in Lafayette county; and all that water commonly known as the Fox river and Little Lake Butte des Morts extending from immediately below the dam in the city of Neenah and the dam and lock in the city of Menasha, both in Winnebago county, and extending downstream to the uppermost dam in the city of Appleton in Outagamie county and in Rush lake in Fond du Lac and Winnebago counties, except under the following conditions:

1. Fishing in such waters shall be done only with hook and line or rod and reel except that rough fish and minnows may be taken as authorized under the general fishing regulations in the county in which such waters are located.

2. The provisions of this subsection shall apply to such waters through the year with the exception of Rush lake as provided in subsection (3) (b) and Little Lake Butte des Morts as provided in section WCD 20.03 (1) (s).

3. In Yellowstone lake there shall be a continuous open season for all fish species except trout which shall have the same season as provided in the regular season tables for inland waters.

a. There shall be no daily bag limit on panfish and for northern pike there shall be a daily bag limit of 2 and a 22-inch size limit.

b. Bag and size limits on other fish species shall be the same as provided in the regular season tables for inland waters.

(d) It shall be unlawful for any person to take, catch or kill fish or fish for fish in, on or along any waters situated in Governor Dodge State Park upstream from the dam forming Twin Valley lake except under the following conditions:

1. There shall be a continuous open season for all fish species except trout which shall have the same season as provided in the regular season tables for inland waters.

2. There shall be no daily bag limit on panfish and for northern pike there shall be a daily bag limit of 2 and a 22-inch size limit.

(5) **FLY FISHING ONLY.** (a) It shall be unlawful for any person to take, catch, or kill fish, or fish for fish by any means other than the use of an artificial fly by the method commonly known as "fly fishing" in the following described waters:

1. *Peshigo river*—In, on or along that part of the Peshtigo river lying in Marinette county, beginning at the Johnson Falls dam in the SW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of section 32, township 33 north, range 19 east, and extending downstream to the foot of Spring Rapids in the SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of section 15, township 32 north, range 19 east, with a daily bag limit of 5 trout and a minimum size limit of 10 inches on trout.

2. *Wolf river*—In, on or along that part of the Wolf river lying in Langlade county, beginning at the railroad trestle in Section 19, township 32 north, range 14 east extending downstream to the east-west quarter line dividing the west half of section 33, township 32 north, range 14 east marked by a road which runs along side the Diercks irrigation pond with a daily bag limit of 5 trout per day and a minimum size limit of 10 inches on trout.

3. *Wolf river*—In, on or along that part of the Wolf river lying in Menominee county, beginning at the head of the ledge rock area known as "The Trip" and located near the east line of section 27, township 30 north, range 15 east extending downstream to the foot of "Ducknest Rapids" located just above the south line of section 27, township 30 north, range 15 east, as designated by signs posted by the department on each bank of the Wolf river at the beginning, end and within said described area.

(b) For the purpose of this section, an artificial fly means a single hook dressed with fur, feathers, hair, silk, tinsel, thread or similar material to imitate the natural food of trout.

(6) Except as otherwise specifically provided in this section, the open and closed seasons and other regulations established by this chapter shall apply to the area described herein.

**History:** 1-2-56; Cr. (5), Register, March, 1956, No. 3, eff. 4-28-56; am. (1) through (5), Register, December, 1956, No. 12, eff. 1-1-57; am. (1) (c), (3) (a) and (b) and (4) (b) and (c), Register, December, 1957, No. 24, eff. 1-1-58; am. (1) (a), (3) (a), and (b), (4) (c), and (5) (a), Register, October, 1958, No. 34, eff. 1-1-59; am. (3) (a) (b) emerg. eff. 2-1-59; am. (3) (a), (b), emerg. eff. 2-28-59; r. (1) (a), am. (3) and (4) (c) 2., Register, December, 1959, No. 48, eff. 1-1-60; cr. (4) (d), Register, May, 1960, No. 53, eff. 6-1-60; am. (1) (d) and (e), (3), (4) (b) 2. and (4) (b) 4., Register, December, 1960, No. 60, eff. 1-1-61; am. (4) (b) 1., Register, March, 1961, No. 63, eff. 4-1-61; am. (1), (2) (c), (3) (a), (4) (b) 1., and (4) (c) intro. par., Register, December, 1961, No. 72, eff. 1-1-62; am. (3) (b) and (4) (d) 2., Register, December, 1962, No. 84, eff. 1-1-63; r. (1) (d); am. (3) (a) and (b); (4) (a) 2. and 5. and (4) (b) 1. and (4) (d) 2., Register, December, 1963, No. 96, eff. 1-1-64; am. (3) (a); r. and recr. (3) (b), Register, December, 1964, No. 108, eff. 1-1-65; am. (3) (a), Register, November, 1965, No. 119, eff. 1-1-66; r. and recr. (1) (g); cr. (1) (h) (i); am. (3), (a), Register, December, 1966, No. 132, eff. 1-1-67; cr. (5) (a) 3., Register, April, 1967, No. 136, eff. 5-1-67; r. (1) (b) 1., am. (4) (a) 5., Register, May, 1967, No. 137, eff. 6-1-67; r. and recr. (1); am. (3) (a), (4) (a) 5., and (4) (b), 1.; Register, December, 1967, No. 144, eff. 1-1-68; r. (4) (b), Register, June, 1968, No. 150, eff. 7-1-68, emerg. am. (3) (c), eff. 9-30-68; am. (3) (a) and (c), (4) (a) 2. and (d), (intro. par.), Register, December, 1968, No. 156, eff. 1-1-69; am. (4) (a) 5., Register, March, 1969, No. 159, eff. 4-1-69; am. (3) (a) and (c); r. and recr. (4) (a) 5. (4) (c) 3. and (4) (d), Register, October, 1969, No. 166, eff. 1-1-70; am. (4) (a) 5., Register, May, 1970, No. 173, eff. 6-1-70; renum. WCD 20.04 to be NR 20.04; r. and recr. (3) (a), cr. (am), am. (b) and (c), (4) (a) 6. and (5) (a) 3., Register, November, 1970, No. 179, eff. 1-1-71; am. (5) (a) 1. and 2., Register, January, 1971, No. 181, eff. 2-1-71.

Register, June, 1971, No. 186