

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 or she shall file with the department a sworn affidavit stating that he or she is the owner of such lands and has legal title to them.

(2) **SEASON FOR TAKING PHEASANTS AND QUAIL.** The season for taking pheasants and quail on shooting preserves shall begin September 15 and shall end on the last day of February. Shooting hours shall be as provided in section NR 10.06 Wis. Adm. Code.

(3) **HUNTING LICENSE REQUIREMENTS.** No person hunting upon a licensed shooting preserve may be required to hold a hunting license for hunting those game species for which the preserve has been licensed under this section.

(4) **AVAILABILITY OF RULES.** Shooting preserve licensees shall have available for review of each person hunting, taking, catching, or killing pheasants or quail 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 80 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 or quail. All lands under one license shall be contiguous.

(6) **INVESTIGATION BEFORE LICENSING.** The department shall make such investigations 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 and investigations for new licenses will be made only during the period beginning January 1 and ending August 31 of each year.

(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.

(b) All pheasants and quail 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 and quail shall not be debeaked more than $\frac{1}{4}$ inch and not less than 2 weeks prior to release. Brailed pheasants and quail shall have the brail removed not less than 2 weeks prior to release. Pheasants and quail 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 and quail stocked, or placed in holding pens (see (e) below) and the date of such stocking or holding, shooting preserve seals 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 seals and seal credits shall expire on March 1.

(c) Upon leaving preserve no person shall have in possession or under control any dead pheasant or quail of any species or varieties showing indications that they have been shot, unless the proper shooting preserve seal has been attached. 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 quail and during the special pheasant and quail season prescribed in this section for licensed shooting preserves.

(d) Whenever a shooting preserve licensee indicates to the department the desire to stock pheasants or quail on a shooting preserve area, the licensee shall notify an authorized representative of the department who shall certify to all pheasants and quail 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 paragraph (e).

(e) Any shooting preserve shall be authorized to retain and stock pheasants and quail from an approved holding pen provided such birds have been counted and certified by a department representative. The licensee agrees to stock all pheasants and quail so retained.

(f) A daily record shall be kept by the licensee of all pheasant and quail stocking and harvesting, including stocking or removal from holding pens. Such daily records and inspection of the licensed area, holding pen, and pheasants and quail, 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.

(10) DOG TRIALS OR DOG TRAINING ON LICENSED SHOOTING PRESERVES. During the closed season for the taking of pheasants and quail 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, Wis. Adm. Code. Pheasants and quail 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 (e), 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; emerg. am. (2) eff. 8-9-72; am. (2), (5), (6), (8), (b), (c) and (e), r. (9), Register, September, 1972, No. 201, eff. 10-1-72; am. (2), (4), (5), (8) and (10), r. and recr. (3), Register, February, 1977, No. 264, eff. 3-1-77; am. (8) (a), Register, April, 1978, No. 268, eff. 5-1-78.

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.

(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.

(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.

Register, April, 1978, No. 268

- (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.* Musky Bay located in sections 10 and 11, T39N, R9W on Big Lac Court Oreilles Lake.
- (l) *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.* Gilmore 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 17 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; am. (2) (c), (k) and (m), Register, November, 1976, No. 251, eff. 12-1-76; am. (5), Register, April, 1978, No. 268, eff. 5-1-78.

Register, April, 1978, No. 268

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.

Next page is numbered 125