

other non-trout streams in Douglas county and in the waters of the Chippewa, Bad, and White rivers in Ashland county not inhabited by trout, or on streams where active sea lamprey control structures are located. The taking of rough fish by dip netting is permitted from April 1 to July 15 below the posted portion of a stream on which such an active lamprey control structure is located.

(c) Seines not more than 75 feet in length and not more than 6 feet in depth may be used from April 1 to May 25 for the taking, catching and killing of smelt and suckers in all the outlying waters except that portion of the Fox river in Brown county upstream from 1,500 feet below the dam in the city of De Pere.

(d) It shall be unlawful for any person to leave dip nets or seines unattended within 25 feet of the edge of waters named in (3) (a), (b) and (c) of this section.

(e) Dip nets not exceeding 8 feet in diameter or 8 feet square may be used for the taking, catching or killing of smelt in Lake Lucerne, Forest county and the Flambeau lake chain, Vilas county, including through-fares and tributary streams 200 feet upstream and downstream from the lake basins and Beaver Dam lake west of hwy 63, Barron county. The open and closed seasons shall be at the directive of the district director.

History: 1-2-56; am. (2) (b), (d) and (e), and (3) (b), Register, December, 1957, No. 24, eff. 1-1-58; am. (1) intro. par. and (2) (a), Register, October, 1958, No. 34, eff. 1-1-59, am. (2) (f), Register, December, 1959, No. 48, eff. 1-1-60; am. (2) (c), Register, December 1960, No. 60, eff. 1-1-61; am. (1) intro. par.; (2) (c), (3) (a) and (c), Register, December, 1961, No. 72, eff. 1-1-62; cr. (2) (g), Register, December, 1962, No. 84, eff. 1-1-63; am. (2) (g), Register, December, 1964, No. 108, eff. 1-1-65; r. and recr. (1) (a) and (2) (g), Register, November, 1965, No. 119, eff. 1-1-66; am. (2) (b) and (c), Register, December, 1968, No. 156, eff. 1-1-69; cr. (3) (d), Register, October, 1969, No. 166, eff. 1-1-70; renum. WCD 20.09 to be NR 20.09, am. (1) (intro. par.), Register, November, 1970, No. 170, eff. 1-1-71; am. (1) (e) and (1) (e) 1., Register, November, 1975, No. 239, eff. 12-1-75; am. (1), (2) (b), (c) and (g) and cr. (3) (e), Register, December, 1977, No. 264, eff. 1-1-78; am. (3) (a) and (b), Register, December, 1978, No. 276, eff. 1-1-79; am. (3) (e), Register, December, 1980, No. 300, eff. 1-1-81.

NR 20.10 Minnow nets, traps, and seines. (1) USE LIMITED. No persons shall set, use, or operate any minnow seine, minnow dip net or minnow traps in any of the inland waters of this state for taking, catching, or killing fish of any variety, other than as specified in this section.

(2) **BAG LIMIT.** It shall be unlawful for any person except licensed bait dealers to take in any waters in any one day more minnows than are specified in sub. (4) (c). The possession and transportation of minnows legally taken is permitted throughout the state.

(3) **INSECT LARVAE.** Except as hereinafter provided, it shall be unlawful for any person to take, gather or collect (or attempt to do so) for the use or sale as bait by himself or others any of the larvae or nymphs of aquatic insects in or from any stream or spring hole tributary thereto inhabited by trout. A licensed fisherman may take such larvae or nymphs from trout streams by hand during the trout season for his immediate personal use as bait in the stream from which taken and no such larvae or nymphs may be carried away from the stream from which taken.

(4) **INLAND WATERS. (a)** Unless a bait permit has been issued by the district director in accordance with gear regulations in s. 29.30, Stats.,

only the following described gear may be used for the taking of minnows for bait:

1. *Minnow seines*. Minnow seines shall not exceed 25 feet in length and 6 feet in depth flat measure and shall contain mesh not to exceed one-half inch stretch measure.

2. *Minnow dip nets*. Minnow dip nets shall be defined as follows: A piece of netting suspended from a round or square frame not to exceed 8 feet in diameter or 8 feet square.

3. *Minnow traps*. Minnow traps shall be of a length not greater than 24 inches and of a width not greater than 16 inches square or in diameter with an opening in the throat of the trap not larger than 1 ½ inches in diameter. Such traps shall have securely attached to them a label or tag clearly bearing in the English language the name and address of the operator. All minnow traps shall be raised and the minnows removed from them at least once in every 24 hours.

(b) Unless a permit has been issued by the department, no person may use minnow seines or minnow dip nets of any type or description in inland streams or tributary spring holes inhabited by trout. Licensed bait dealers may use no more than a total of 20 minnow traps when removing minnows from one or more trout streams during the open season for trout, unless a permit has been issued. Persons not possessing a bait dealers license may use no more than a total of 3 minnow traps when conducting such removal. During the closed trout season, minnows may not be removed except by licensed bait dealers as authorized by permit.

(c) It shall be unlawful for any person, except bait dealers licensed pursuant to s. 29.137, Stats., to have in possession or under control more than 600 minnows at any time.

History: 1-2-56; am. (4), Register, December, 1956, No. 12, eff. 1-1-57; am. (2), (4) (a) 3 and (b), Register, December, 1957, No. 24, eff. 1-1-58; am. (4) (a) 2, Register, October, 1958, No. 34, eff. 1-1-59; am. (4) (c), cr. (4) (d), Register, December, 1960, No. 60, eff. 1-1-61; r. and recr. (3), Register, December, 1961, No. 72, eff. 1-1-62; am. (3) and (4) (a) 1, Register, December, 1964, No. 103, eff. 1-1-65; r. and recr. (4) (a) 1, Register, November, 1965, No. 119; eff. 1-1-66; r. (4) (d), Register, December, 1968, No. 156, eff. 1-1-69; renum. from WCD 20.10 to be NR 20.10, Register, November, 1970, No. 179, eff. 1-1-71; am. (4) (a) 2, Register, December, 1977, No. 264, eff. 1-1-78; am. (4) (a) 1. and 2., Register, December, 1978, No. 276, eff. 1-1-79; am. (4) (a) 1. and 2., Register, October, 1979, No. 286, eff. 11-1-79; am. (4) (a) (intro.), Register, December, 1981, No. 312, eff. 1-1-82; r. and recr. (4) (b), Register, August, 1982, No. 320, eff. 9-1-82.

NR 20.11 Whitefish and cisco in inland waters. (1) The rules and regulations set forth in this section shall apply to the use of all nets and seines used for taking whitefish and cisco.

(2) Cisco dip nets shall not exceed 8 feet in diameter or 8 feet square and such seines shall not exceed 75 feet in length or 6 feet in depth and with a mesh not greater than 2 inches stretch measure.

(3) (a) The open season for fishing whitefish and cisco with such dip nets and seines in all inland waters except Lake Lucerne in Forest county shall be from the Saturday nearest October 10 to January 15.

(b) Dip nets only may be used for the taking of whitefish and cisco from Keyes lake in Florence county with a daily bag limit of 3 fish from the Saturday nearest October 10 to January 15.

Register, August, 1982, No. 320

(4) No person shall have in possession or under control at any time more than 25 pounds and one fish in aggregate of whitefish or cisco taken from inland waters.

History: 1-2-56; am. (4), Register, December, 1956, No. 12, eff. 1-1-57; am. (3), Register, December, 1957, No. 24, eff. 1-1-58; am. (1), Register, October, 1958, No. 34, eff. 1-1-59; am. (3) Register, December, 1961, No. 72, eff. 1-1-62; renum. (3) to be (3) (a); cr. (3) (b), Register, December, 1968, No. 96, eff. 1-1-64; renum. from WCD 20.11 to be NR 20.11, Register, November, 1970, No. 179, eff. 1-1-71.

NR 20.12 Setlines and set or bank poles in inland waters. (1) For the purpose of this section, a setline is defined as a line with a hook, or hooks (excluding stainless steel hooks) fastened to it and designed to be set and left in the water for the purpose of taking fish.

(2) No person shall set, place, lift, attend, or have in possession while on the inland waters of this state, any setline or set or bank pole unless such setline or set or bank pole is licensed pursuant to s. 29.36 or 29.37, Stats. No person shall set, place, lift, attend or have in possession while on the inland waters of this state, any setline, or set or bank poles belonging to another.

(3) The rules and regulations set forth in this section shall apply to all setlines and set or bank poles.

(4) At each end of every setline, when set in any one of the inland waters (except that a flag is required at only one end on setlines set in the Wisconsin river), there shall be placed and maintained a white, triangular shaped flag, not less than 12 inches at the base, with two equal sides not less than 20 inches each, and with the upper end of the staff extending at least 3 feet above the water, and numbered with figures at least 3 inches in height, corresponding to the number of the license authorizing the use of such setline. The buoy or float holding the flagstaff shall be cylindrical in shape and not more than 15 inches in diameter and shall be banded horizontally with alternate black and white markings. A round (cylindrical) bamboo or wood staff or pole not more than 2 1/2 inches in diameter may be used to hold the flag. The portion of such staff or pole extending above the surface of the water shall be banded horizontally with alternate black and white markings. Platform or flagstaff braces are not permitted in floating setline markers. No such flag shall be placed in the main channel of any navigable waterway.

(5) No setline shall be equipped with hooks of a size smaller than 5/0. No set or bank pole shall be equipped with hooks of a size smaller than 3/0. Stainless steel hooks are prohibited.

(6) It shall be unlawful to set, place, lift, attend or have in possession while on any of the inland waters of the state any setline from one-half hour after sunset to sunrise.

(6m) All setlines and set or bank poles as set forth in this chapter shall be raised at least once in every 48 hours.

(7) No setline or set or bank pole shall be placed in the water before the opening of the setline season for the specified waters and shall be removed from the waters by the end of such season.

(8) Setlines equipped with not more than 25 hooks and set or bank poles may be used from the Saturday nearest May 20 to September 30 in the waters of Lake Winnebago, Lake Butte des Morts, Little Lake Butte

des Morts, Lake Winneconne, Lake Poygan, in the Wolf river downstream from the mouth of the Rat river in Winnebago county, in the Fox river downstream from Lake Butte des Morts to the dam in the city of DePere. On such setlines it shall be unlawful to use any frog, crayfish or fish or part thereof except that a square chunk cut from fish may be used. The bag and size limits established in the season tables shall apply except that there shall be no bag limit on catfish in the waters defined in this subsection and catfish in the above-named waters shall not be construed to be game fish and may be sold.

(9) Setlines equipped with not more than 25 hooks and set or bank poles may be used from the Saturday nearest May 20 to September 30 in the following waters: The Wolf river from 500 feet below the dam at Shawano in Shawano county downstream to the mouth of the Rat river in Winnebago county; the Waupaca river in Waupaca county beginning 500 feet below the dam at Weyauwega downstream to the Wolf river; the Embarrass river beginning 500 feet below the dam at Pella in Shawano county downstream to the Wolf river in Waupaca county; the Shioc river in Outagamie county; the Fox river from mile post #63, sometimes known as Johnson creek in Green Lake county downstream to the Eureka dam in Winnebago county. On such setlines it shall be unlawful to use any frog, crayfish or fish or part thereof except that a square chunk cut from fish and live bait of a minimum size of five inches or larger may be used. The bag and size limit established in the season tables shall apply except that there shall be no bag limit on catfish in these waters.