

Notice: Use of this form is required by the Department for any application filed pursuant to ss. 29.733, Wis. Stats., and ss. NR 19.90-95, Wis. Adm. Code. The department will not consider your application unless you provide all information requested and submit the fee(s) indicated for the permit(s) selected. A social security number or federal employer identification number is REQUIRED when applying for a license listed in ss. 29.024(2g) or 29.024(2r), Wis. Stats. The number SHALL NOT be disclosed to any other person except the Department of Workforce Development or the Department of Revenue to determine liability for delinquent Wisconsin taxes or child or family support. Other personally identifiable information requested on this form will be used for program administration and may be provided to requesters as required by Wisconsin's Open Records law [ss. 19.31-19.39, Wis. Stats.].

Mail this form with its attachments and required fee to WDNR -Natural Waterbody Permits FH/4, PO Box 7921 Madison, WI 53707-7921.

**Applicant Information**

Applicant Name: First MI Last <i>RICHARD A. GEURTS</i>				Co-Applicant Name: First MI Last <i>RICHARD A. GEURTS LIVING TRUST OF 2005</i>			
Address <i>N 8960 BRIDGE RD</i>				Address			
City <i>TRIPOLI</i>		State <i>WI</i>	ZIP Code <i>54564</i>	City		State	ZIP Code
Phone Number <i>715 453-8729</i>		Social Security No./ Fed. Employer ID No.		Phone Number		Social Security No./ Fed. Employer ID No.	

**Project Information**

Business Name (if any) <i>N/A</i>				Waterway Name					
Address <i>N 8960 BRIDGE RD</i>				Water Source (identify as gallons per minute, gpm)					
<input type="radio"/> City <input checked="" type="radio"/> Town <input type="radio"/> Village of <i>TOMAHAWK</i>				Spring	Well	Stream	City Water	Other	Specify Other <i>RUN OFF</i>
County <i>LINCOLN</i>		Fire Number (if applicable) <i>N 8960 BRIDGE RD</i>		Is there a discharge to a water of the state? <input type="radio"/> Yes <input checked="" type="radio"/> No					
$\frac{1}{4}$ $\frac{1}{4}$ <i>SW SW</i>	$\frac{1}{4}$	Section <i>10</i>	Township <i>34 N</i>	Range <i>4 E</i>	If Yes, Indicate: <input type="checkbox"/> Waterway <input type="checkbox"/> Wetland		Discharge (gpm)		

**Project Description**

A "natural body of water" is defined in Wisconsin law as any spring, stream, pond, lake or wetland that was historically present in a natural state but may have been physically altered over time. A "freeze-out pond" is defined in Wisconsin law as a natural, self-contained body of water in which freezing or anoxic conditions prevent the body of water from naturally sustaining a fish population at least twice every 5 years.

Operating a fish farm in a Natural Body of Water requires a permit under NR 19, Wis. Adm. Code. I am applying for:

- NR 19 Permit Renewal** - for continued use of a natural waterbody that was previously permitted as a preexisting fish rearing facility or a freeze-out pond.
- Initial NR 19 Permit** - for new use of a natural waterbody for fish farming (note, the waterbody must be a freeze-out pond).
- Transfer of NR 19 Permit** - to convey an existing NR 19 permit from one party to another, as a result of change in ownership or leasehold interest of a fish farm.

Number and dimension of ponds, raceways or tanks. Describe here and attach a diagram (Attachment # 4)

Business Purpose: Activities engaged in. (select all that apply)

- Distributor
- Hatchery
- Raising Bait For Sale
- Other - Specify:
- Processor, On-Site
- Grower
- Private, Personal Fishing
- Public Fee Fishing
- Raising Fish For Stocking
- Raising Fish to Directly Market for Human Consumption

1. What type of pesticides do you currently use or plan to use? *NONE*

2. Is your fish farm equipped with barriers that prevent the passage of fish between it and other water of the state?  Yes  No

3. If you are applying for an NR 19 Permit Renewal, have you made any facility changes - expansion, additional ponds, different species reared, etc. - over the last ten years?  
 Yes  No If yes, describe:

Geurts

Applicant Last Name

### Fish Farm Application For Use of Natural Body of Water

Form 3600-227 (R 3/13)

Page 2 of 2

#### Species Information

Complete the following information regarding your operation: List the quantity of each size of the species of fish you possess or plan to raise on an annual basis in each pond, raceway, natural body of water, freeze-out pond, self-contained body of water or preexisting fish rearing facility.

Fish	Eggs	Fry	Fingerling	Yearling	Adult	Fish	Eggs	Fry	Fingerling	Yearling	Adult
Bass Largemouth						Bluegill					
Bass Smallmouth						Crappie					
Bullhead						Perch					
Muskellunge						Pumpkinseed					
Northern Pike						Sunfish					
Walleye						Tilapia					
Chubs						Brook Trout					
Minnnows						Brown Trout					
Shiners						Lake Trout					
Suckers						Rainbow Trout					
Atlantic Salmon						Other (List):					
Chinook Salmon											
Coho Salmon											

#### Attachments (Provide all of the following)

1. Location sketch or map showing route to the project site, indicating nearest main road and crossroad, north arrow and scale.
2. Photocopy of deed, lease, land contract or other documentation showing that the land that is riparian to the body of water is owned, leased, or controlled by the permit applicant.
3. Photocopy of plat book showing property owners; photocopy of any easements for all properties surrounding the waterbody; and other documentation to show that none of the owners of the fish farm or riparian lands provide public access to the body of water by means of an easement or right-of-way or by means of a business open to the public. Note: the owners of the fish farm may allow fishing by the public for a fee.
4. Diagram showing number and dimensions of all ponds, raceways, tanks or other waterbodies to be used for fish farming.
5. For an Initial NR 19 Permit – Documentation to show the natural waterbody is a "freeze-out pond", meaning it is self-contained and has freezing or anoxic conditions that prevent a naturally-sustaining fish population at least twice every five years.
6. For a Transfer of NR 19 Permit – Photocopy of the previous owner's NR 19 permit, and documentation to show change of ownership.
7. Photocopy of any other permits or authorizations required by Ch. 30 or 31, Wis. Stats., the Army Corps of Engineers and any other federal, state or local laws and zoning ordinances for construction or operation of the fish farm. (Note: Permits issued under Ch. 30.19, 30.195 or 31.04 may mean your waterbody is exempt from a permit requirement.)
8. Photocopy of Department of Agriculture, Trade and Consumer Protection (DATCP) Fish Farm Registration from current or previous year.

Note: If conditions 2, 3, and 7 are met, then the DNR may find that your fish farm is exempt from a Natural Waterbody permit requirement. If so, the DNR will return your application and notify you of this finding.

#### Type of Permit and Fees

Transfer of NR 19 Permit - \$100 fee

Initial NR 19 Permit - \$ 500 fee

NR 19 Permit Renewal- \$50 fee.

Make check or money order payable to the Department of Natural Resources (DNR)

Total Fees Enclosed:

\$50-
\$50-

#### Application Certification

Signature of Authorized Representative

Date Signed

*Richard A. Geurts*

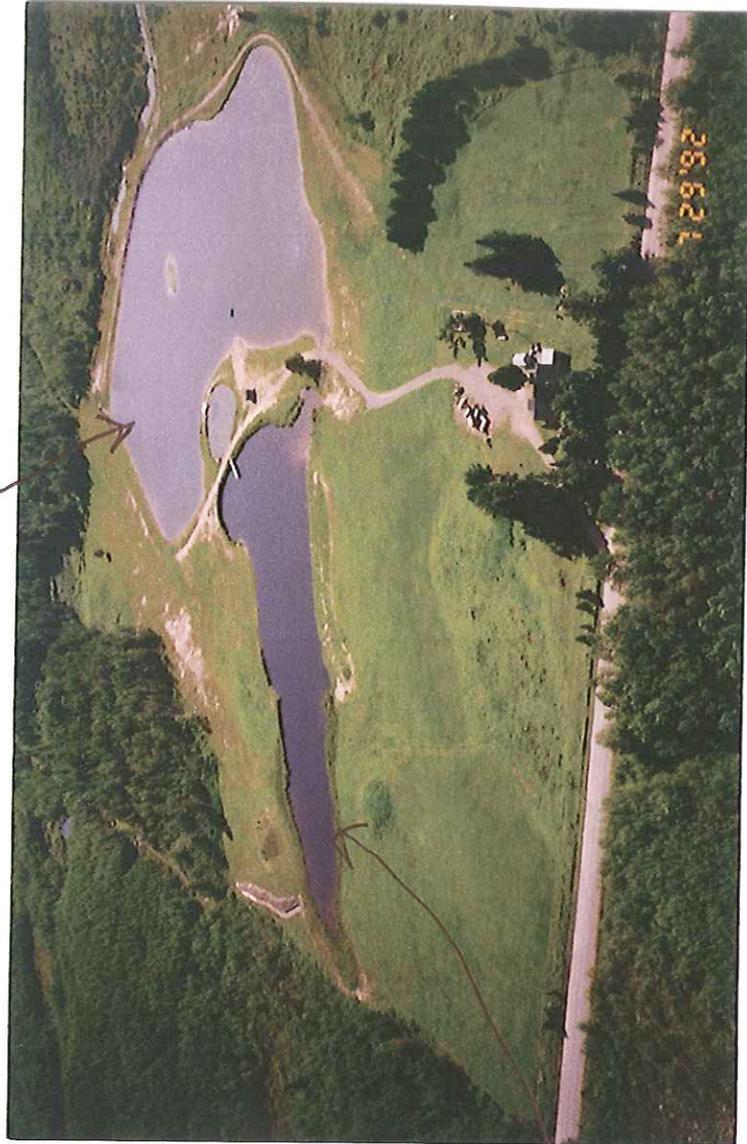
4-27-2013

Leave Blank – DNR Use Only

Received By	Date Received	DNR Docket Number	Application Date
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Length 600'  
Width 425'  
Approx. 5.8 Acres  
SQ Footage 255,000

#2 Pond



#1 Pond

Length: 567 ft.  
Width: 189 ft.  
Approx: 2.46 Acres  
SQ Footage 107,163

444018

STATE BAR OF WISCONSIN FORM 3 - 1999

QUIT CLAIM DEED

Document Number

This Deed, made between RICHARD A. GEURTS, a single person,

Grantor, and RICHARD A. GEURTS LIVING TRUST OF 2005,

Grantee

Grantor quit claims to Grantee the following described real estate in LINCOLN County, State of Wisconsin (if more space is needed, please attach addendum):

SEE ATTACHED DESCRIPTION

RECEIVED  
LINCOLN COUNTY, WIS

2005 AUG 15 AM 9 05

*Jolene Callahan*  
REGISTER OF DEEDS

Recording Area

Name and Return Address

Herbert C. Liebmann, III  
Liebmann Law Firm  
P.O. Box 23200  
Green Bay, WI 54305-3200

\$13000

CK.# 113900

FEE  
\$77.25 (1/6)  
EXEMPT

See Attached

Parcel Identification Number (PIN)

This is \_\_\_\_\_ homestead property.  
(is) (X) (N) (H)

Together with all appurtenant rights, title and interests.

Dated this 7<sup>th</sup> day of APRIL, 2005

*Richard A. Geurts*  
\* RICHARD A. GEURTS

AUTHENTICATION

Signature(s) \_\_\_\_\_

authenticated this \_\_\_\_\_ day of \_\_\_\_\_

ACKNOWLEDGMENT

STATE OF WISCONSIN \_\_\_\_\_ )

BROWN \_\_\_\_\_ County ) ss.

Personally came before me this 7<sup>th</sup> day of APRIL, 2005, the above named

RICHARD A. GEURTS

TITLE: MEMBER STATE BAR OF WISCONSIN

(If not, \_\_\_\_\_ authorized by § 706.06, Wis. Stats.)

THIS INSTRUMENT WAS DRAFTED BY  
ATTORNEY HERBERT C. LIEBMAN, III  
LIEBMAN, CONWAY, OLEJNICZAK & JERRY, S.C.

(Signatures may be authenticated or acknowledged. Both are not necessary.)

to me known to be the person(s) who executed the foregoing instrument and acknowledged the same

*Pamela A. Pagel*  
\* PAMELA A. PAGEL (M)

Notary Public, State of WISCONSIN

My Commission is permanent. (If not, state expiration date: expires 07-09-16)

\* Names of persons signing in any capacity must be typed or printed below their signature.

GRANTOR: Richard A. Geurts  
GRANTEE: Richard A. Geurts Living Trust of 2005

### LEGAL DESCRIPTIONS

Tax Parcel # 03034041039996:

The Southeast Quarter of the Southwest Quarter (SE  $\frac{1}{4}$  - SW  $\frac{1}{4}$ ), Section 10, Township 34 North, Range 4 East, Town of Tomahawk, Lincoln County, Wisconsin. (40 acres)

Tax Parcel #03034041039997:

The Southwest Quarter of the Southwest Quarter (SW  $\frac{1}{4}$  - SW  $\frac{1}{4}$ ), Section 10, Township 34 North, Range 4 East, Town of Tomahawk, Lincoln County, Wisconsin. (40 acres)

Tax Parcel #03034041039999:

The Northeast Quarter of the Southwest Quarter (NE  $\frac{1}{4}$  of SW  $\frac{1}{4}$ ), Section 10, Township 34 North, Range 4 East, Town of Tomahawk, Lincoln County, Wisconsin. (40 acres)

Tax Parcel #03034041039998:

The Northwest Quarter of the Southwest Quarter (NW  $\frac{1}{4}$  of SW  $\frac{1}{4}$ ), Section 10, Township 34 North, Range 4 East, Town of Tomahawk, Lincoln County, Wisconsin. (40 acres)

Tax Parcel #03034041529992:

The North One-Half of the South One-Half (N  $\frac{1}{2}$  of S  $\frac{1}{2}$ ) of the Northwest Quarter of the Northwest Quarter (NW  $\frac{1}{4}$  - NW  $\frac{1}{4}$ ), Section 15, Township 34 North, Range 4 East, Town of Tomahawk, Lincoln County, Wisconsin. (10 acres)

Tax Parcel #03034041529993:

The North One-Half of the Northwest Quarter of the Northwest Quarter (N  $\frac{1}{2}$  of NW  $\frac{1}{4}$  - NW  $\frac{1}{4}$ ), Section 15, Township 34 North, Range 4 East, Town of Tomahawk, Lincoln County, Wisconsin. (20 acres)

Tax Parcel #03034041529997:

The North One-half of the South One-Half (N  $\frac{1}{2}$  of S  $\frac{1}{2}$ ) of the Northeast Quarter of the Northwest Quarter (NE  $\frac{1}{4}$  of NW  $\frac{1}{4}$ ), Section 15, Township 34 North, Range 4 East, Town of Tomahawk, Lincoln County, Wisconsin. (10 acres)

Tax Parcel #03034041529999:

The North One-Half of the Northeast Quarter of the Northwest Quarter (N  $\frac{1}{2}$  of NE  $\frac{1}{4}$  - NW  $\frac{1}{4}$ ), Section 15, Township 34 North, Range 4 East, Town of Tomahawk, Lincoln County, Wisconsin. (20 acres)

Bridge Rd

N



1  
Study  
86

N

S

8 27 '98

H



T. 34 N. R. 4 E

St. Hwy 86

Sec. 10

Sec. 15

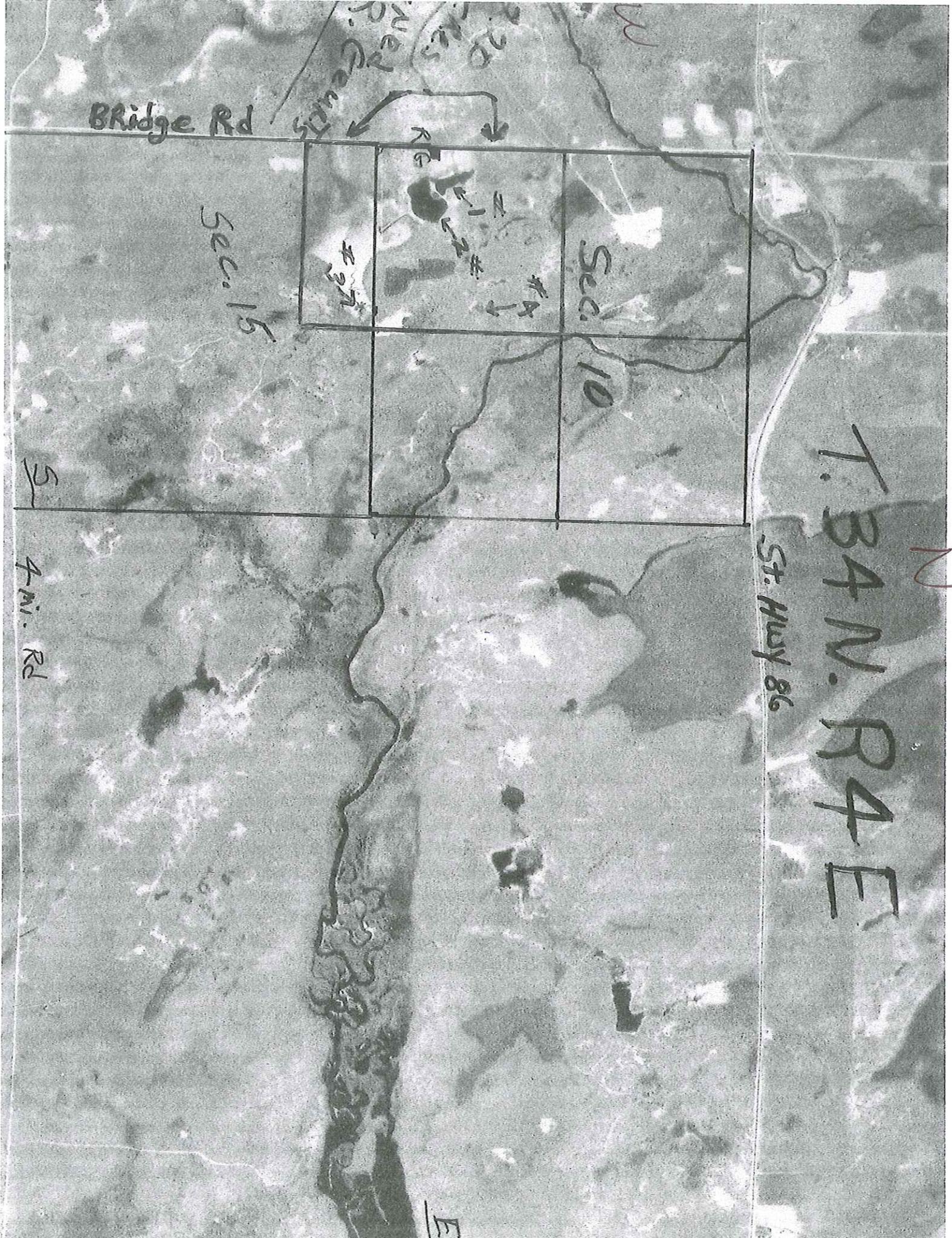
Bridge Rd

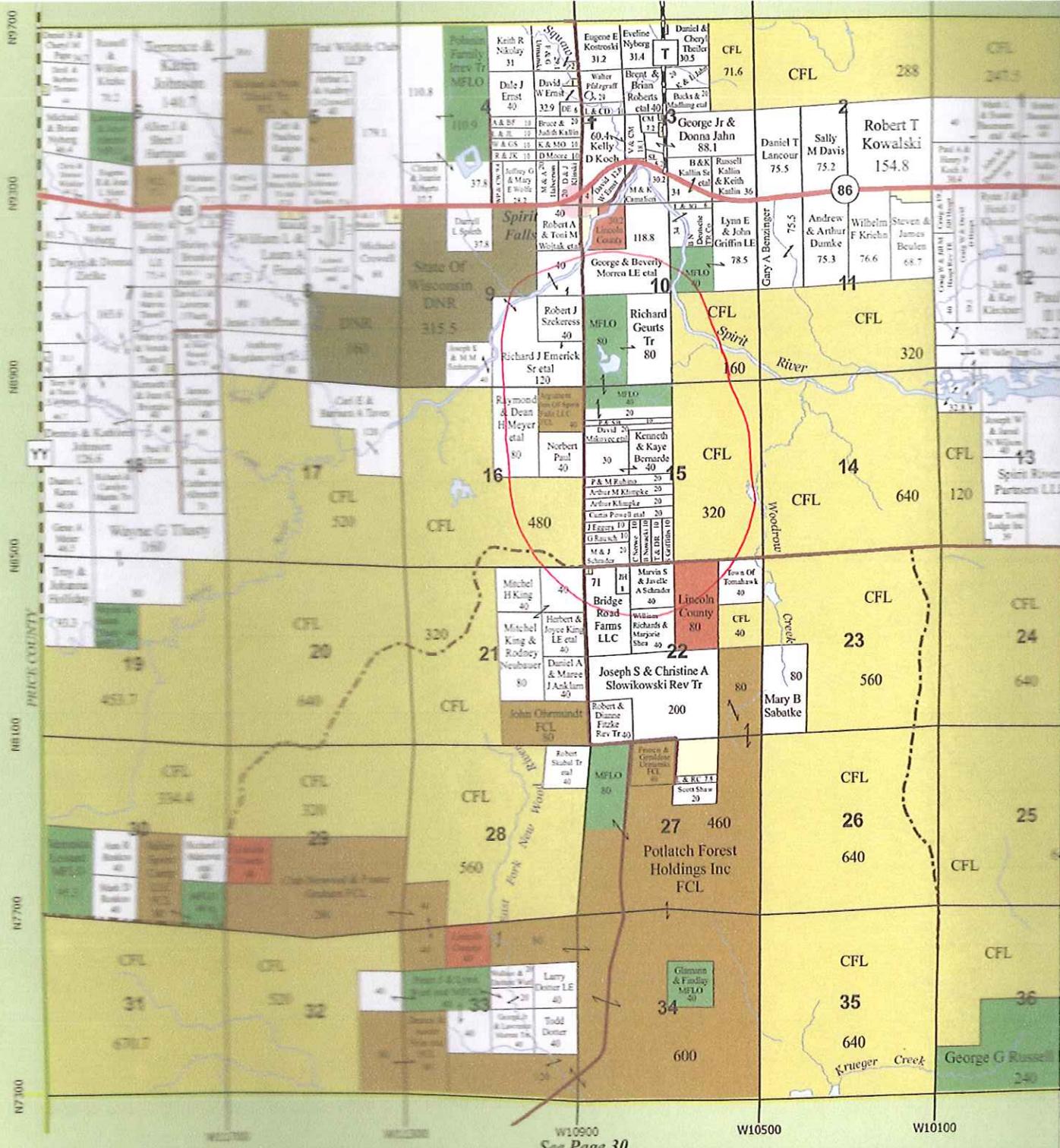
Red  
P. Grants

5

4 mi. Rd

E





See Page 30

# BELONG...There is a place for you in 4-H!



To learn more about 4-H or to enroll, call Lincoln County UW-Extension at 715-536-0304 or visit our website at [www.lincolncounty4h.com](http://www.lincolncounty4h.com).

# LAND USE APPLICATION

TO THE ZONING ADMINISTRATOR: The undersigned hereby makes application for a Land Use Permit for the work described and located as shown herein. The undersigned agrees that all work shall be done in accordance with the requirements of the Lincoln County Zoning Ordinance and with all other applicable County Ordinances and the laws and regulations of the State of Wisconsin.

TYPE OF WORK	TYPE OF STRUCTURE	
<input type="checkbox"/> New	<input type="checkbox"/> Dwelling, Seasonal	<input type="checkbox"/> Porch <u>  x  </u>
<input type="checkbox"/> Addition	<input type="checkbox"/> Dwelling, Year round	<input type="checkbox"/> Deck <u>  x  </u>
<input type="checkbox"/> Moving	<input type="checkbox"/> Garage <u>  x  </u>	<input type="checkbox"/> Addition
<input checked="" type="checkbox"/> <u>Wildlife</u>	<input type="checkbox"/> Storage building	Explain _____
<u>Pond(s)</u>	<input type="checkbox"/> Boathouse	<input type="checkbox"/> Farm building
	<input type="checkbox"/> Commercial Building	Explain _____
	Explain _____	<input type="checkbox"/> Satellite dish
	<input checked="" type="checkbox"/> Other, explain <u>Ponds</u>	

TYPE OF CONSTRUCTION	CONSTRUCTION DETAILS	PROPERTY ADDRESS
<input type="checkbox"/> Frame	Size: _____ ft. wide	<input type="checkbox"/> None
<input type="checkbox"/> Log	_____ ft. long	<input type="checkbox"/> Yes, furnish below:
<input type="checkbox"/> Metal	No. of bedrooms _____	Fire No. _____
<input type="checkbox"/> Pole	Estimated cost _____	Road _____
<input type="checkbox"/> Mobile Home	Existing structure: _____	
<input checked="" type="checkbox"/> <u>Ponds</u>	Size <u>970</u> x <u>350</u>	

ZONING DISTRICT: Wetland

Is this property under Farmland Preservation Agreement? Yes  No

**OTHER PERMITS REQUIRED:**

- Sanitary # \_\_\_\_\_
- Spec. Exception # 4927
- Variance # \_\_\_\_\_
- Filling/Grading # \_\_\_\_\_
- Other \_\_\_\_\_

COMPLETE PLOT PLAN  
DRAWING ON BACK IN  
DETAIL

Owners Name <u>Richard A. Geurts</u>	Builder: _____
Address <u>315 S. Broadway</u>	_____
<u>Green Bay, WI 54303</u>	_____
Phone (414) <u>437-8688</u>	DATE <u>6-20-94</u>
Signature <u>Richard A. Geurts</u>	(OWNER MUST Sign)

NOTICE: All Land Use Permits expire one (1) year from the date issued.

**FOR THE CONSTRUCTION OF NEW ONE & TWO FAMILY DWELLINGS:**

ALL MUNICIPALITIES ARE REQUIRED TO ISSUE BUILDING PERMITS TO ENFORCE THE UNIFORM DWELLING CODE. YOU MUST CONTACT YOUR TOWN CHAIRMAN/CLERK FOR MORE INFORMATION.

\*\*\*\*\*

ACTION: For Office Use Only

Permit Issued (date) 6/30/94 skb Signed: Andrew Miller

Permit Denied (date) \_\_\_\_\_ Reason: \_\_\_\_\_

Comments/Conditions: Per B.O.A. Condition of 5/26/94 owner RESPONSIBLE FOR FED. & STATE Permits

Owner Geurts, Richard Last Name  
 Property Desc: SUB/4SUB/4, Sec. 10, T 34N, R 4 E Lot \_\_\_\_\_ Block \_\_\_\_\_ Subdiv \_\_\_\_\_  
 Tax Parcel # 30.103404.011  
 Town Townshank

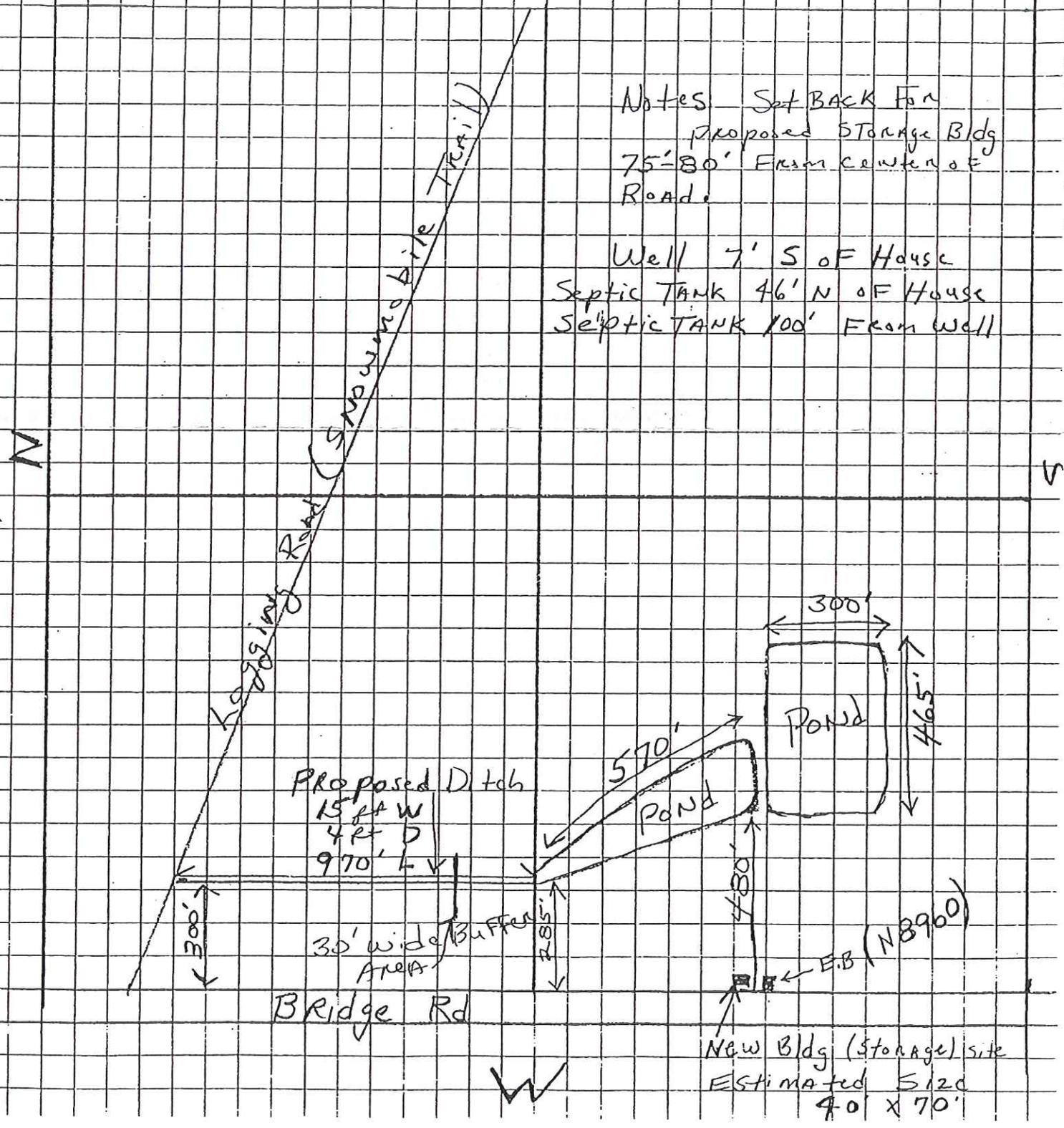
Lincoln County  
Town of Tomahawk  
SW 1/4 of Sec 10

1/4" = 88 Ft

T. 34 N. - R. 4 E.  
TAX PARCEL # OF E.B. 30.103404.011.000.00.00

Notes Set BACK For  
Proposed Storage Bldg  
75'-80' From center of  
Road.

Well 7' S of House  
Septic Tank 46' N of House  
Septic Tank 100' From Well





**Effective Date: April 03, 2013**  
**Expires: March 31, 2014**  
**Statute: 95.60**

**Registration Number: 112718-AQ**

# Fish Farm Registration

Legal Name:

**Richard A Geurts**

Business Location:

N8960 Bridge Rd Tripoli WI 54564

Doing Business As:

Richard A Geurts Living Trust

Livestock Premises Code(s): 006VI6J

**Type 1 Fish Farm**

This is your license/permit/certification/registration document. Post or carry as required by law. Non-transferrable - subject to revocation or suspension as provided by law.  
DMS-BIT-06B (03/19/10) ↙ Remove this card and carry as identification. ↘

bits-16.qxd (rev.03/12)

**RICHARD A GEURTS**  
**N8960 BRIDGE RD**  
**TRIPOLI WI 54564**

DATCP Contact : (608) 224-4887

Wisconsin Department of  
Agriculture, Trade and Consumer Protection

**Fish Farm Registration**  
**Type 1 Fish Farm**

**Richard A Geurts**  
**Registration Number: 112718-AQ**  
**N8960 Bridge Rd Tripoli WI 54564**

**Expiration Date:**  
**March 31, 2014**

RICHARD GEURTS  
P O BOX 366  
TOMAHAWK

WI 54487

DATE	JANUARY 1, 1997
LICENSE CLASS	C
LICENSE NO.	5650
LICENSE FEE	5.00 PAID
LICENSE EXPIRES ON	DECEMBER 31, 1997

IS HEREBY LICENSED, SUBJECT TO SECTION 29.52-4-C, WISCONSIN STATUTES, TO CONDUCT AND OPERATE A CLASS C PRIVATE FISH HATCHERY TO-

1. HAVE LIVE EGGS OR FISH LAWFULLY IN HIS POSSESSION BY PURCHASE OR OTHERWISE, AND
2. MAINTAIN AND OPERATE AN ARTIFICIAL FISH HATCHING FACILITY AND HATCH EGGS BUT NOT FOR SALE OR TRADE EXCEPT THAT BAIT MINNOWS SO PRODUCED MAY BE SOLD OR TRADED, OR
3. STOCK, MAINTAIN OR HOLD SUCH LIVE FISH EGGS OR FISH FOR NATURAL PROPAGATION, DISPLAY, OR FISHING BY HIMSELF OR OTHERS, BUT DOES NOT SELL OR TRADE SUCH FISH EGGS OR FISH AND DOES NOT PERMIT PUBLIC FEE
4. STOCK, MAINTAIN OR HOLD LIVE FISH FOR DISPLAY OR SALE AND CONSUMPTION ON THE PREMISES, OR
5. SELL GAME FISH LAWFULLY IN HIS POSSESSION, BY PURCHASE OR OTHERWISE TO CLASS A LICENSEES.

SPECIES OF FISH TO BE PROPAGATED  
RAINBOW & BROOK TROUT, WALLEYE, HYBRID BLUEGILL,  
PANFISH, PERCH, MINNOW

ON THE FOLLOWING DESCRIBED PROPERTY: COUNTY OF LINCOLN  
TWO ARTIFICIAL PONDS, SUBJECT TO SURFACE RUNOFF.  
APPROXIMATE SIZES ARE 2 ACRES AND 5 1/2 ACRES.

STATE OF WISCONSIN  
DEPARTMENT OF NATURAL RESOURCES  
FOR SECRETARY

DALE T. URSO  
P. O. BOX 818  
BY RHINELANDER, WI 54501

**State of Wisconsin**  
**DEPARTMENT OF NATURAL RESOURCES**  
101 South Webster Street  
PO Box 7921  
Madison, WI 53707-7921

Scott Walker, Governor  
Cathy Stepp, Secretary  
Scott Humrickhouse, Regional Director  
Telephone 715-839-3700  
FAX 715-839-6076  
TTY Access via relay - 711



May 3, 2013

RICHARD A GEURTS  
N8960 BRIDGE RD  
TRIPOLI, WI 54564

Subject: Your Incomplete Application

Dear Natural Waterbody Permit Applicant:

Thank you for recently submitting an NR 19 Permit Application for Use of a Natural Waterbody for your fish farm. In order for us to complete the permit review process, we need your assistance. The information listed below was not included with your original natural waterbody permit application.

-Missing information that I've highlighted on your application

-Location sketch or map showing route to the project site, indicating nearest main road and crossroad, north arrow and scale. GoogleMaps or other is acceptable.

-Photocopy of deed, lease, land contract or other documentation showing that the land that is riparian to the body of water is owned, leased, or controlled by the permit applicant. Recent tax records are acceptable.

-Photocopy of plat book showing property owners; photocopy of any easements for all properties surrounding the waterbody; and other documentation to show that none of the owners of the fish farm or riparian lands provide public access to the body of water by means of an easement or right-of-way or by means of a business open to the public. Note: the owners of the fish farm may allow fishing by the public for a fee.

-Diagram showing number and dimensions of all ponds, raceways, tanks or other waterbodies to be used for fish farming.

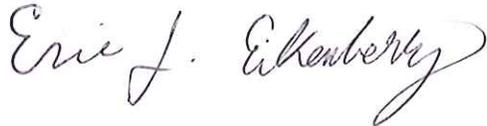
- Photocopy of Department of Agriculture, Trade and Consumer Protection (DATCP) Fish Farm Registration from current or previous year.

Please gather this information and resend your application packet in the envelope provided to the following address by 07/01/2013

Bureau of Fisheries Management  
Natural Waterbody Permits  
P.O. Box 7921  
Madison, WI 53707-7921

This will ensure that the Department has all the necessary information to properly process this permit application.

Sincerely,



*Eric J. Eikenberry*

Natural Waterbody Permit Coordinator  
Bureau of Fisheries Management  
Wisconsin Department of Natural Resources  
(☎) phone: (608) 264-9257  
(☎) fax: (608) 266-2244  
(✉) e-mail: [eric.eikenberry@wisconsin.gov](mailto:eric.eikenberry@wisconsin.gov)

State of Wisconsin  
DEPARTMENT OF NATURAL RESOURCES  
101 South Webster Street  
PO Box 7921  
Madison, WI 53707-7921

Scott Walker, Governor  
Cathy Stepp, Secretary  
Scott Humrickhouse, Regional Director  
Telephone 715-839-3700  
FAX 715-839-6076  
TTY Access via relay - 711



April 23, 2013

RICHARD A GEURTS  
N8960 BRIDGE RD  
TRIPOLI, WI 54564

Natural Waterbody Permit ID: NOR-5650  
Permit Holder: RICHARD A GEURTS  
Natural Waterbody Permit Issued on: 03/03/2003  
Legal Description: Township: 34N Range: 4E  
Section: 10 Quarter-Quarter: SWSW  
Permit Expiration Date: 03/03/2013 District: NAD

Dear Natural Waterbody Permit Holder:

Our records indicate on 03/03/2003 you received a permit (NOR-5650) to use a Natural Waterbody for your fish farm. Your permit will expire 03/03/2013, and the deadline for you to submit your application for a permit renewal is July 1, 2013.

To renew your permit, you must complete the attached Fish Farm Application for Use of Natural Body of Water permit and mail it, the required attachments, and a \$50 permit application fee to:

Bureau of Fisheries Management  
-Natural Waterbody Permits  
P.O. Box 7921  
Madison, WI 53707-7921

Make check or money order payable to Department of Natural Resources (DNR).

The DNR will renew your permit unless our staff determines that your fish farm has substantially adversely impacted any of the following: plant and wild animal habitat or populations; water quality and quantity in lakes, streams or rivers, threatened or endangered species or their habitats, wetlands and the public's right to navigate and associated incidents to navigation including fishing, swimming, wading and canoeing.

Please apply early and submit a complete application, which includes the six required attachments described on the application form, so that we can review your application thoroughly and quickly.

I've enclosed two fact sheets that answer many common questions about the permit process. If you have additional questions, please contact your Regional Natural Waterbody Permit Coordinator:

Steve AveLallement Phone: 715-623-4190 x3112

Sincerely,

Michael Staggs  
Director, Bureau of Fisheries Management

Encl:

Natural Waterbody Permit Application (3600-227)  
PUB-FH-060 -Natural Waterbody Permits for Fish Farms Factsheet  
PUB-FH-059 - Environmental Permits of Wisconsin Fish Farm Factsheet



Jim Doyle, Governor  
Scott Hassett, Secretary  
William H. Smith, Regional Director

Northern Region Headquarters  
107 Sutliff Ave.  
Rhineland, Wisconsin 54501-3349  
Telephone 715-365-8900  
FAX 715-365-8932  
TTY 715-365-8957

March 4, 2003

# 16-NO-5650

RICHARD A GEURTS  
N8960 BRIDGE RD  
TRIPOLI, WI 54564

Dear Mr. GEURTS:

Thank you for recently submitting an NR 16 Permit Application for Use of a Natural Waterbody for your fish farm, which is registered with the Department of Agriculture, Trade and Consumer Protection (DATCP). You will be pleased to know your application is approved, and your NR 16 Grandfathered Natural Waterbody Permit is attached.

As long as you maintain your annual DATCP Fish Farm Registration, your Natural Waterbody permit is valid for ten years from the date of issuance. One year before this permit expires, we recommend that you contact DNR to submit a permit application for renewal of your Natural Waterbody permit. Your renewal application must be submitted at least 60 days before permit expiration. Unless we determine that there has been a substantial changes in circumstances related to the public interest or public rights associated with your fish farm, we will renew the Natural Waterbody permit for another ten years.

If you sell, lease or transfer control of the land surrounding your fish farm to someone else, you also need to transfer this Natural Waterbody permit. To request this transfer, the new owner should submit a Natural Waterbody permit application with a non-refundable permit fee (currently \$100).

Please note that your project was not reviewed for compliance with other types of approvals that might be required by federal, state or local laws. Physical alterations in or near wetlands, ponds or streams, well construction and wastewater discharges are all activities that may require a permit from the DNR. If you believe you may need DNR approval for any of these completed or future activities, please contact me at the address or phone number listed above. I can put you in with other DNR staff who can help you bring your project into compliance with state environmental laws.

If you have any questions about this permit, please contact me.

Sincerely,

Steve AveLallemant  
Regional Fisheries Expert

APPLICANT INFORMATION

RICHARD A GEURTS  
N8960 BRIDGE RD  
TRIPOLI, WI 54564

PERMIT CONDITIONS

1. This permit authorizes use of a natural body(s) of water as a fish farm, to propagate or rear the fish species identified on your permit application form #3600-227, except where modified by the conditions of this permit. The specific natural body(s) of water authorized are: two ponds, 3 and 5 acres
2. This permit authorizes only those fish farming activities specified on your permit application form #3600-227. If you plan to alter any of the fish farming activities, you must first notify the Department.
3. You are responsible for obtaining any other federal, state or local permits or approvals that may be required for the construction and/or operation of your fish farm.
4. You must keep a copy of this permit at the location of the fish farm at all times.
5. Your acceptance of this permit and operation of the fish farm signifies that you have read, understood and agreed to follow all conditions of this permit.
6. Upon reasonable notice, you shall allow access to your project site during reasonable hours to any Department employee who is investigating the fish farm's operation, maintenance or compliance with this permit.
7. The Department may modify or revoke this permit if the project is not operated in accordance with this permit, or if the Department determines the activity is detrimental to the public interest or private rights.
8. In accordance with section 29.734, Wisconsin Statutes, the fish farm body of water must be equipped with barriers that prevent the passage of fish between it and the other waters of the state.

FINDINGS OF FACT

1. RICHARD A GEURTS has filed an application pursuant to section 29.733, Wis. Stats., for a permit to use a natural body of water for fish farming. The waterbody(s) are in the Town of Tomahawk, located in the SWSW of Section 10, Town 34N, Range 4E, Lincoln County.
2. Pursuant to section 29.733, Wis. Stats., the department has made the following determinations:
  - a. The land riparian to the water body is owned, leased or controlled by the fish farm owners;

- b. None of the owners of the fish farm or of the riparian land provide access to the body of water by means of an easement or other right-of-way to the public;
  - c. The body of water is a preexisting fish rearing facility as defined in s. 29.001(64), Wis. Stats.
3. The Department of Natural Resources and the applicant have completed all procedural requirements, and the project as permitted will comply with all applicable requirements of Sections 1.11, 29.733 and 283, Wisconsin Statutes, and Chapters NR 16, 102, 103, 115, 116, 117, 150, and 299, Wisconsin Administrative Code.
  4. Under section 29.733(2)(b), Wis. Stats., for preexisting fish rearing facilities, the department has not made any determination that no substantial public interest exists in the body of water or that no public or private rights in the body of water will be damaged.
  5. The department has not reviewed this fish farm operation for compliance with other regulatory requirements, including chapter 30 or 31, Wis. Stats. permits, Wisconsin Pollution Discharge Elimination System (WPDES) requirements, or any other Statutes or Administrative Codes not listed above.

#### CONCLUSIONS OF LAW

1. The Department has the authority under s. 29.733, Wis. Stats. and NR 16-Subchapter II, Wis. Adm. Code to issue a permit allowing the use of a natural body of water for operation of a fish farm.
2. The proposed fish farm operation conforms to the review standards of section 29.733, Wis. Stats. and NR 16-Subchapter II, Wis. Adm. Code.

#### ORDER

IT IS THEREFORE ORDERED THAT the application of RICHARD A GEURTS, for a permit to use a natural body of water as a fish farm pursuant to s. 29.733, Wis. Stats., in the Town of Tomahawk, Lincoln County, be, and the same hereby is, APPROVED.

#### NOTICE OF APPEAL RIGHTS

If you believe that you have a right to challenge this decision, you should know that the Wisconsin statutes and administrative rules establish time periods within which requests to review Department decisions shall be filed. For judicial review of a decision pursuant to sections 227.52 and 227.53, Wis. Stats., you have 30 days after the decision is mailed, or otherwise served by the Department, to file your petition with the appropriate circuit court and serve the petition on the Department. Such a petition for judicial review shall name the Department of Natural Resources as the respondent.

To request a contested case hearing pursuant to section 227.42, Wis. Stats., you have 30 days after the decision is mailed, or otherwise served by the Department, to serve a petition for hearing on the Secretary of the Department of Natural Resources, P.O. Box 7921, Madison, WI,

53707-7921. The filing of a request for a contested case hearing is not a prerequisite for judicial review and does not extend the 30-day period for filing a petition for judicial review.

A request for contested case hearing must follow the form prescribed in section NR 2.05(5), Wis. Adm. Code, and must include the following information:

1. A description of the Department's action or inaction which is the basis for the request;
2. The substantial interest of the petitioner which is injured in fact or threatened with injury by the Department's action or inaction;
3. Evidence of legislative intent that this interest is not to be protected;
4. An explanation of how the injury to the petitioner is different in kind or degree from the injury to the general public caused by the Department's action or inaction;
5. That there is a dispute of material fact, and what the disputed facts are;
6. The statute or administrative rule other than s. 227.42, Wis. Stats., which accords a right to a hearing.

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This notice is provided pursuant to section 227.48(2), Wis. Stats.

STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES  
For the Secretary

by   
Steve AveLallemant  
Regional Fisheries Expert

03/05/03  
Date