

*Crystal Brook Trust  
A. S. Cargill, Ph. D., Trustee  
P. O. Box 16109  
Minneapolis, MN 55416  
Phone 612-991-3544  
Fax 952-405-9911  
austen11@comcast.net*

17 April 2015

Eric Eikenberry  
Bureau of fisheries Management  
Natural Waterbody Permits  
P O Box 7921  
Madison, WI 53707-7921

Dear Mr. Eikenberry,

Enclosed please find the renewal for my 16-NOR 41A permit for Crystal Brook.

Enclosed please also find a copy of the previous permit. This copy has the full legal description.

There are no easements that would allow the public access to the fish farm areas of Crystal Brook.

I have attached the dam permits to the application.

There have been no changes to the operation or physical nature of the fish farm since the permit was issued in 2004.

If you need any further information, please don't hesitate to contact me.

Sincerely,



Austen S. Cargill, Trustee

cc: (letter only) Craig Roberts, Fisheries Biologist, 810 West Maple St. Spooner, WI 54801.

**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>Austen S. Cargill, Trustee</i>		Co-Applicant Name: First MI Last <i>None</i>	
Address <i>PO Box 16109</i>		Address	
City <i>Minneapolis</i>	State <i>MN</i>	ZIP Code <i>55416</i>	
Phone Number <i>612-991-3544</i>	Employer ID No.	Phone Number	Social Security No./ Fed. Employer ID No.

Project Information									
Business Name (if any) <i>Crystal Brook Trust</i>				Waterway Name <i>Crystal Brook</i>					
Address <i>PO Box 16109 Minneapolis, MN 55416</i>				<b>Water Source (identify as gallons per minute, gpm)</b>					
<input type="radio"/> City <input checked="" type="radio"/> Town <input type="radio"/> Village of <i>Mudge</i>				Spring <i>unk</i> gpm	Well <i>unk</i> gpm	Stream <i>unk</i> gpm	City Water <i>none</i>	Other <i>none</i>	Specify Other
County <i>Washburn</i>		Fire Number (if applicable) <i>W4503 Hwy 70</i>		Is there a discharge to a water of the state? <input checked="" type="radio"/> Yes <input type="radio"/> No					
1/4	1/4	Section <i>5+6</i>	Township <i>38 N</i>	Range <i>11</i>	If Yes, Indicate: <input checked="" type="checkbox"/> Waterway <input type="checkbox"/> Wetland		Discharge (gpm) <i>25-50 cfs</i>		

**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)

<input type="checkbox"/> Distributor	<input type="checkbox"/> Processor, On-Site	<input type="checkbox"/> Public Fee Fishing
<input type="checkbox"/> Hatchery	<input type="checkbox"/> Grower	<input type="checkbox"/> Raising Fish For Stocking
<input type="checkbox"/> Raising Bait For Sale	<input checked="" type="checkbox"/> Private, Personal Fishing	<input type="checkbox"/> Raising Fish to Directly Market for Human Consumption
<input type="checkbox"/> Other - Specify:		

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:

**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		4000	4000		
Minnows					-	Brown Trout		<del>4000</del>	<del>4000</del>		
Shiners						Lake Trout		L Black marks bleed-through from other side of application )			
Suckers						Rainbow Trout					
Atlantic Salmon						Other (List):		application ) S.E.			
Chinook Salmon						Brown Trout		4000	4000		
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.

50.00
50.00

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

Total Fees Enclosed:

**Application Certification**

Signature of Authorized Representative

Date Signed

*[Handwritten Signature]*

17 April 2015

**Leave Blank – DNR Use Only**

Received By	Date Received	DNR Docket Number	Application Date
-------------	---------------	-------------------	------------------

Aerial photograph showing fish farm impoundments & raceways

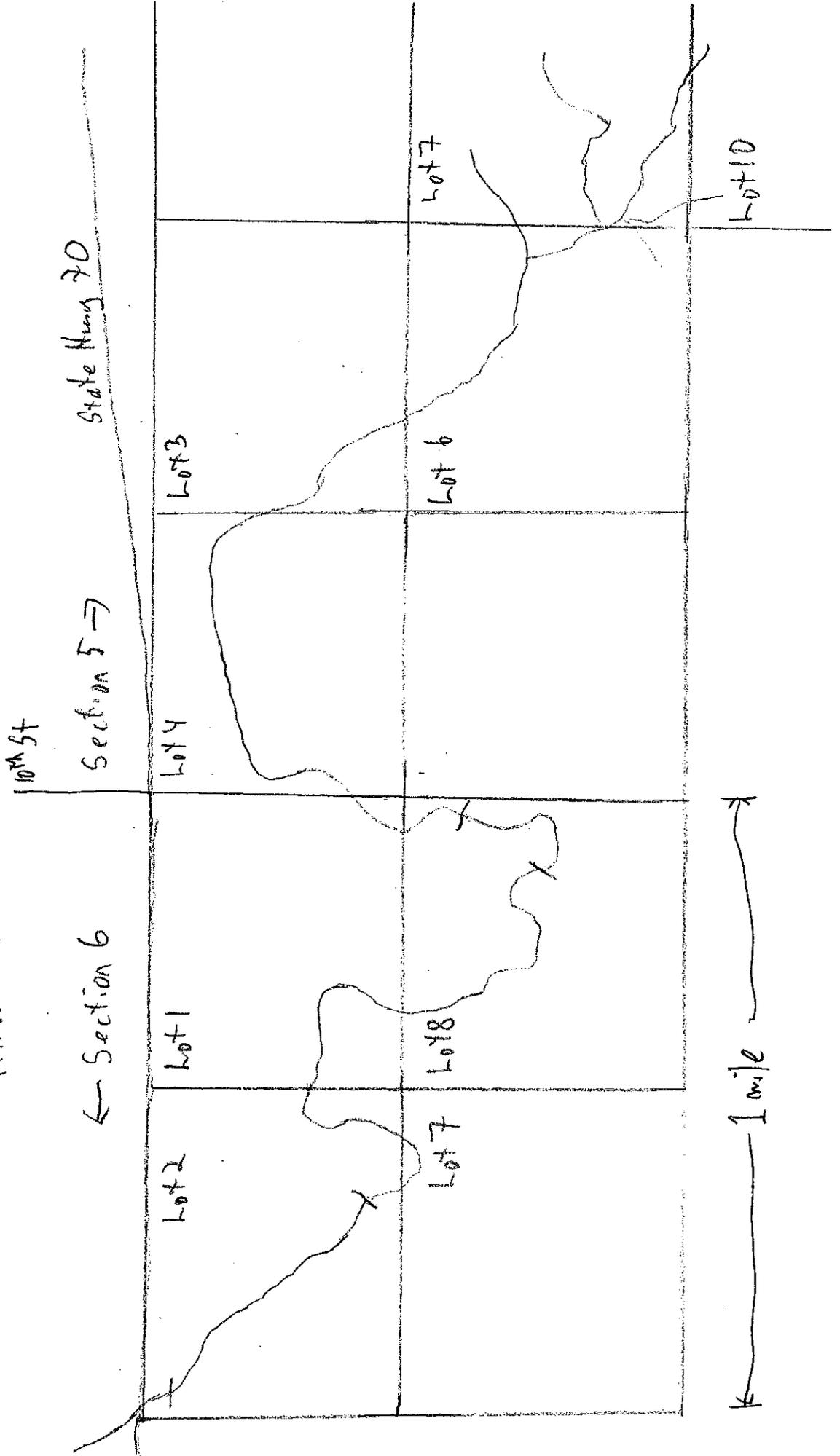


Location Map

Crystal Brook Fish Farm  
Washington County, Nidge Township

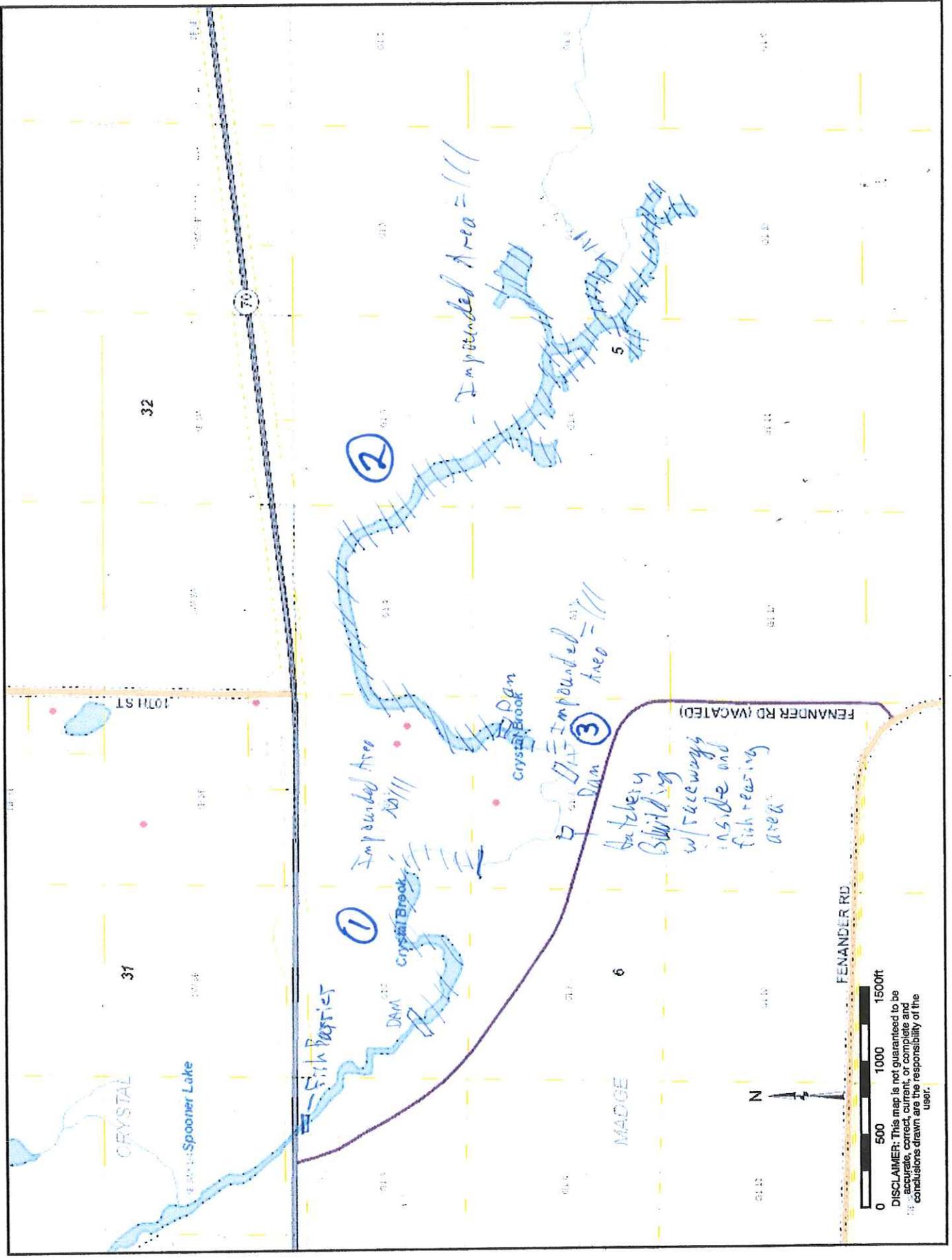
R11W T38N

N  
W + E  
↓



1 mile

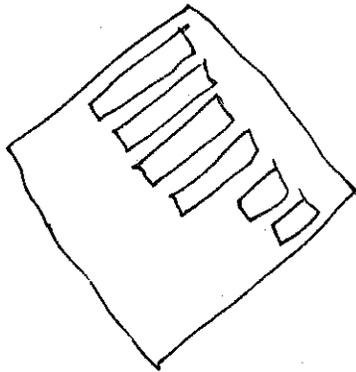
Crystal Brook Trust 19-NO-000051



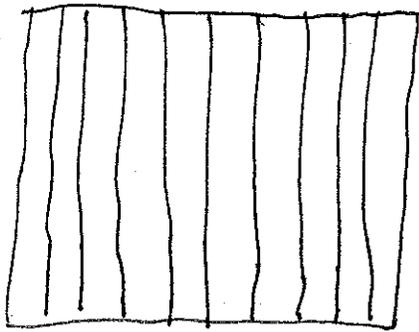
0 500 1000 1500ft  
DISCLAIMER: This map is not guaranteed to be accurate, correct, current, or complete and conclusions drawn are the responsibility of the user.

4 June 2015

## Hatchery Building and Fish Rearing Area



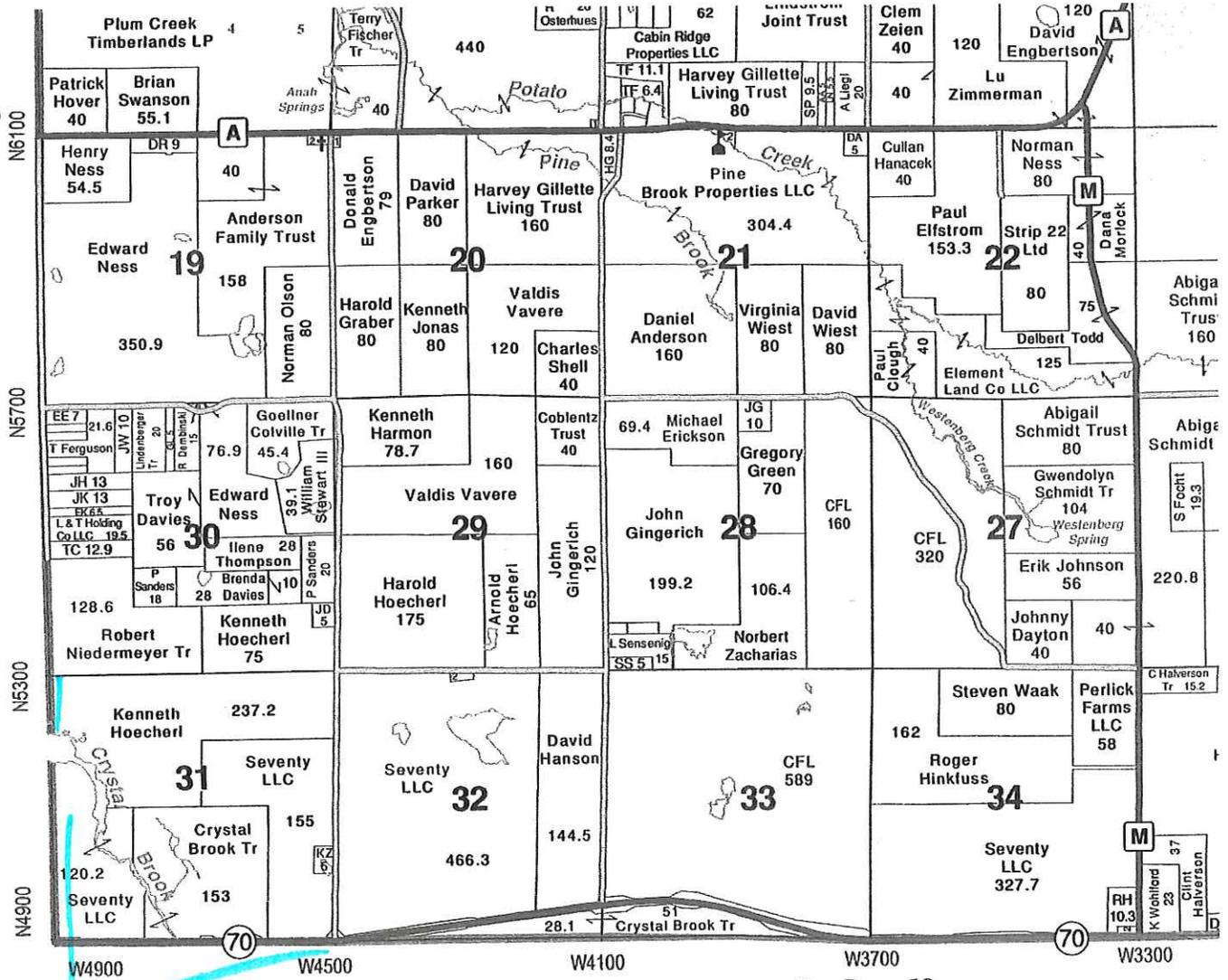
Hatchery Building and inside bins  
See letter for approximate dimensions  
of bins



Outside Fish Rearing bins,  
adjacent to hatchery building  
See letter for approximate  
dimensions of bins



See Page 24



See Page 18

Washburn County, WI

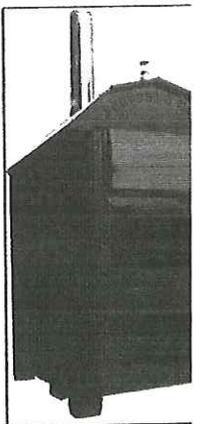
26

**Portage & Main Outdoor Wood Boiler**  
*Burn 1/3 to 1/2 less wood.*

Energy prices are going up.  
Don't wait - call now for a free estimate!  
**715-635-7811**

**Portage & Main, Innovators  
Not Imitators!**

[www.strawbalefarms.com](http://www.strawbalefarms.com)



BEFORE THE  
PUBLIC SERVICE COMMISSION OF WISCONSIN

Application of Austen S. Cargill, Trustee, )  
for a Permit to Operate and Maintain an )  
Existing Dam, Lower Flowage, in Crystal ) 2-WP-987  
Brook, Washburn County )

FINDINGS OF FACT AND ORDER DATED SEPTEMBER 30, 1954

TO ALL TO WHOM THESE PRESENTS SHALL COME:

I, John F. Goetz, Jr., Acting Secretary of the Public Service Commission of Wisconsin, do hereby certify that I have compared the annexed copy of the decision with the original decision of the Public Service Commission of Wisconsin in the above-entitled matter, now on file in the office of said Commission, and that the same is a true copy of such original decision and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Commission at its office in the City of Madison,

this 30<sup>th</sup> day of September A.D. 19 54

*John F. Goetz, Jr.*

PUBLIC SERVICE COMMISSION OF WISCONSIN

Application of Austen S. Cargill,  
Trustee, for a Permit to Operate  
and Maintain an Existing Dam,  
Lower Flowage, in Crystal Brook,  
Washburn County

2-WP-987

FINDINGS OF FACT AND PERMIT

Austen S. Cargill, Minneapolis, Minnesota, trustee of Crystal Brook Club, filed an application with the Commission on July 1, 1954 for a permit under section 31.07, Statutes, to operate and maintain an existing dam known as Lower Flowage Dam in Crystal Brook, Washburn County. Permit issued.

Pursuant to due notice hearing was held on August 26, 1954, at Spooner before Examiner Helmar A. Lewis.

Appearances:

Austen S. Cargill  
Minneapolis, Minnesota

As Their Interests May Appear:

Wisconsin Conservation Department by

Charles Lloyd  
Stanley Kmiotek

St Croix Conservation Club  
The Head of the Lakes Club  
The Amnicon-Dowling Conservation Association by

Ed Schmidt  
Superior

Of the Commission Staff:

W. H. Cartwright of the engineering department

Findings of Fact

THE COMMISSION FINDS:

1. Austen S. Cargill, trustee of the Crystal Brook Club, filed an application with the Public Service Commission

on July 1, 1954 for a permit to operate and maintain a dam in Crystal Brook. Thereafter, the Commission set the matter for public hearing at Spooner on August 26, 1954. Pursuant to Commission order the applicant had the notice of hearing published in the Spooner Advocate, a public newspaper at Spooner, Washburn County, once each week for 3 successive weeks before the date of hearing, the first publication being on August 5, 1954. On August 4, 1954 the applicant mailed by registered mail in a sealed and postpaid envelope, properly addressed, notice of the time and place of hearing to all persons whose lands will be affected by the dam, which notice included a general statement of the nature of the application.

2. Crystal Brook begins in section 4, township 18 north, range 11 west, and flows westerly through sections 5 and 6. The property of the Crystal Brook Club abuts the stream during its entire course through said section 6. The stream originates in spring holes and has cold water suitable for trout habitat. The club has maintained four dams for many years, which are identified in this application as the Bulkhead Dam, the Lower Flowage Dam, the Hatchery Dam, and the Upper Flowage Dam. The two dams identified as Flowage dams were first constructed before 1900 to float logs down Crystal Brook. The Bulkhead Dam and the Hatchery Dam were constructed by the club incident to its fish hatchery. Besides these dams the club has constructed and is maintaining across the stream a number of minor obstructions located between the various dams for stream improvement purpose.

3. The dam involved in this application is located in the south-central part of government lot 2 in section 6, township 18 north, range 11 west, Washburn County.

4. The dam was first built for logging purpose

before 1900. Since 1910 it has been used to hold about a 2½-foot head to maintain a pool known as the Lower Flowage. The dam consists of earthen dikes remaining from the construction of the logging dam. It has an outlet consisting of a stop-log-gate section 6 feet wide which was constructed by the Crystal Brook Club.

5. The nearest city is Spooner 7 miles distant. The nearest dam above in Crystal Brook is the Hatchery Dam. The nearest dam below is the Bulkhead Dam.

6. No hydraulic power will be produced.

7. The dam will not materially obstruct existing navigation or violate other public rights and will not endanger life, health, or property.

8. The water level in the Lower Flowage occurring on the date of the hearing was at a level of 1.2 feet below the top of the right end of the sheet piling located at the right side of the outlet section. This water level is stated as the desired level in the application.

#### Conclusion of Law

THE COMMISSION CONCLUDES:

That it has authority under section 31.07, Statutes, and in accordance with the foregoing findings of fact to issue a permit as requested.

#### Permit

AND HEREBY THERE DOES ISSUE AND IS GRANTED to the applicant, Austen S. Cargill, as trustee for the Crystal Brook Club, the permit provided for in section 31.07, Statutes, for the Lower Flowage Dam in the south-central part of government

lot 2 in section 6, township 18 north, range 11 west, Wash-  
burn County.

Dated at Madison, Wisconsin this 30th day of  
September 1954.

By the Commission.

John F. Goetz, Jr.

Acting Secretary



Wisconsin Department of Agriculture, Trade and Consumer Protection

2811 Agriculture Drive, PO Box 8911, Madison, WI 53708-8911

Registration Number: 208280

Effective Date: April 01, 2015

Expires: March 31, 2016

Statute: 95.60

## Fish Farm Registration (Type 1)

Legal Name:

**Austen S Cargill**

W4503 HWY 70 Spooner WI 54801

Doing Business As:

Crystal Brook Trust

Livestock Premises Code(s): 0071C9A

W4503 State Highway 70 Spooner, WI 54801 Washburn County

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.  Remove this card and carry as identification.

DMS-BIT-06S (03/18/10)

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

Austen Cargill  
PO BOX 16109  
Minneapolis MN 55416



Wisconsin Department of  
Agriculture, Trade and Consumer Protection

### Fish Farm Registration (Type 1)

**Austen S Cargill**

**Registration Number:**

**208280**

W4503 HWY 70 Spooner WI 54801

**Expiration Date:**

**March 31, 2016**

Primary Business Location: W4503 State Highway 70

**STATE OF WISCONSIN  
DEPARTMENT OF NATURAL RESOURCES**

**NATURAL WATERBODY PERMIT  
PERMIT # 16-NOR-41A**

**APPLICANT INFORMATION**

Dr. Austen S. Cargill  
Trustee of Crystal Brook Trust  
P.O. Box 16109  
Minneapolis, MN 55416

**PERMIT CONDITIONS**

1. This permit authorizes use of a natural body(s) of water as a fish farm, in accordance with the conditions of this permit. The specific natural body(s) of water authorized are located in: Parts of Government Lots 1, 2, 7, and 8 in Section 6, and parts of Government Lots 3, 4, 6, and 7 in Section 5, all in Township 38-N, Range 11-W, Washburn County, Wisconsin. Artificially built impoundments, raceways, a fish rearing area and building. Such portions of Crystal Brook within the described area which may have been navigable before the impoundments were built are not included.
2. This permit authorizes the rearing of brook and brown trout only.
3. The Crystal Brook Trust will continue to apply to the Wisconsin Department of Natural Resources (DNR) on an annual basis for a fish stocking permit for the brook trout or brown trout it stocks into any waters of Crystal Brook.
4. The Crystal Brook Trust will comply with state fishing regulations and anyone fishing with its permission at its property along Crystal Brook shall obtain a fishing license from the State of Wisconsin and will fish only in accordance with that license and be subject to the regulations governing fishing issued by the DNR.
5. The Crystal Brook Trust will not be required to place additional barriers at the fish farm in order to continue to operate the fish farm. DNR has determined that the existing barriers in the licensed areas are adequate and that additional barriers in the licensed area may impede the movement of trout.
6. The Crystal Brook Trust will apply to the DNR for a permit in order to use any toxicants in any waters of Crystal Brook.
7. DNR shall renew this permit so long as there is no substantial adverse change resulting from the operation of the fish farm as stated in DNR's regulations, NR19.94 (5), Wis. Adm. Code (requiring renewal unless there has been a substantial adverse change resulting from the operation of the fish farm).
8. The Crystal Brook Trust is responsible for obtaining any other federal, state or local permits or approvals that may be required for the construction of any additional ponds, dams or barriers on Crystal Brook and/or for operation of its fish farm.
9. Upon reasonable notice to the owner of the fish farm, the Crystal Brook Trust shall allow access during reasonable hours to any DNR employee who is investigating the fish farm's operation, maintenance or compliance with this permit.

10. The DNR may modify or revoke this permit if the project is not operated in accordance with this permit.
11. Your acceptance of this permit on behalf of the Crystal Brook Trust to operate the fish farm under authority of the permit signifies that you have read, understood and agreed to follow all conditions of this permit.

#### FINDINGS OF FACT

1. Austen S. Cargill 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 located in: Parts of Government Lots 1, 2, 7, and 8 in Section 6, and parts of Government Lots 3, 4, 6, and 7 in Section 5, all in Township 38-N, Range 11-W, Washburn County, Wisconsin. Artificially built impoundments, raceways, a fish rearing area and building. Such portions of Crystal Brook within the described area which may have been navigable before the impoundments were built are not included.
2. Pursuant to section 29.733, Wis. Stats., DNR 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. DNR 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 19, 102, 103, 115, 116, 117, 150, and 299, Wisconsin Administrative Code.
4. When it issues permits for pre-existing fish rearing facilities under section 29.733(2)(b), Wis. Stats., the DNR does not make a 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 issuance of this permit does not mean the DNR has 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.
6. The Crystal Brook Trust and the DNR have entered into a Stipulation regarding this Permit, and the terms of that Stipulation are incorporated by reference into this Permit. The Stipulation is intended to allow, consistent with legislative policy, the continued operation of the fish farm in the manner in which it has been operated for over eighty (80) years.

## CONCLUSIONS OF LAW

1. DNR 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 19-Subchapter III, Wis. Adm. Code.

## ORDER

IT IS THEREFORE ORDERED THAT the application of Austen S. Cargill as Trustee for Crystal Brook Trust 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 Madge, Washburn 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.

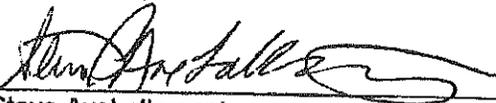
To request a contested case hearing pursuant to section 227.42, Wis. Stats., you have 30 days after the decision is mailed, or otherwise served by the Department, to serve a petition for hearing on the Secretary of the Department of Natural Resources, P.O. Box 7921, Madison, WI, 53707-7921. The filing 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.

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

Date 12/30/2004

DOC# 362203

Certified, Filed, and/or Recorded on:  
March 03, 2014 8:00 AM  
DIANE POACH  
WASHBURN CO REGISTER OF DEEDS  
SHELL LAKE WI 54871

**WARRANTY DEED**

Document Number

Fee Amount: \$30.00  
Total Pages: 1  
Transfer Fee: \$474.00

Return Address: Washburn County Abstract  
407 N. Front Street  
Spooner, WI 54801  
16350

Parcel I.D. Number: 65-028-2-38-11-06-5 05-004-002000  
and 65-028-2-38-11-06-5 05-005-001000

Seventy, LLC, a Minnesota Limited Liability Company, GRANTOR, conveys to Crystal Brook Trust, a Minnesota Trust, Austin S. Cargill II, Trustee, GRANTEE, the following described real estate in WASHBURN COUNTY, STATE OF WISCONSIN:

Government Lots Four (4) and Five (5) of Section Six (6), Township Thirty-eight (38) North, Range Eleven (11) West in the Township of Madge.

And warrants fee simple title free of all liens and encumbrances except zoning restrictions, road rights of way and easements of record.

This is not homestead property.

DATED: 25 Feb, 2014

Seventy, LLC

By: Austin S. Cargill II (SEAL)  
Austin S. Cargill II, sole member

**ACKNOWLEDGEMENT**

STATE OF Minnesota )

)ss:

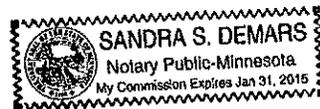
Hennepin County )

This instrument was acknowledged before me on this 25<sup>th</sup> day of February, 2014 by Austin S. Cargill II, sole member of Seventy, LLC.

**THIS INSTRUMENT WAS DRAFTED BY**

Katherine M. Stewart, Attorney at Law  
Spooner, WI 54801

Notary Public, Sandra Demars, County, Hennepin  
My Commission expires: 1/31/15





288505

EXHIBIT A

- X Government Lots Two (2), Three (3), Four (4), Five (5), Six (6), Seven (7), Ten (10), Eleven (11) and Twelve (12), Section Four (4), Township Thirty-eight (38) North of Range Eleven (11) West.
- X Government Lots One (1), Two (2), Three (3), Four (4), Five (5), Six (6), Seven (7), Eight (8), Nine (9), Ten (10), Eleven (11) and Twelve (12), Section Five (5), Township Thirty-eight (38) North of Range Eleven (11) West.
- ✓ Government Lots One (1), Two (2), Three (3), Six (6), Seven (7), Eight (8), Nine (9), Ten (10), Eleven (11) and Twelve (12), Section Six (6), Township Thirty-eight (38) North, Range Eleven (11) West. The West Half of the southeast Quarter (W 1/2-SE 1/4) and the East Half of the Southwest Quarter (E 1/2-SW 1/4), Section Thirty-one (31), Township Thirty-nine (39) North of Range Eleven (11) West, EXCEPTING That part of the West 232 feet of the East Half of the Southwest Quarter (E 1/2-SW 1/4), lying south of Crystal Brook; all being in Washburn County, Wisconsin.

AND

✓ That part of the Southeast Quarter of the Southwest Quarter (SE 1/4-SW 1/4) and part of the Southwest Quarter of the Southeast Quarter (SW 1/4-SE 1/4) of Section Thirty-two (32), Township Thirty-nine (39) North of Range Eleven (11) West, Washburn County, Wisconsin lying South of State Highway "70" excepting therefrom Lot One (1) and Outlot "A" of Washburn County Certified Survey Map Number 1261, as recorded June 20, 1985. Approximately 6.25 acres.

AND

✓ Lot One (1) and Outlot "A" of Volume Five (5) of Certified Survey Maps, Page #245, being a part of the Southeast Quarter of the Southwest Quarter (SE 1/4-SW 1/4) and the Southwest Quarter of the Southeast Quarter (SW 1/4-SE 1/4) of Section Thirty-two (32), Township Thirty-nine (39) North of Range Eleven (11) West, all located in the County of Washburn, State of Wisconsin. Approximately 6.25 acres.

AND

✓ Government Lots One (1), Eight (8) and Nine (9), Section Four (4) Township Thirty-eight (38) North, Range Eleven (11) West,

LESS AND EXCEPT that certain parcel of land located in Government Lot One (1), Section Four (4) Township Thirty eight (38) North of Range Eleven (11) West Washburn County, Wisconsin described as follows, to-wit:

- Commencing at the Northeast corner of said Section 4;
- Thence South 1°03'50" West 330.00 feet along the East line of said Section to a point;
- Thence North 89°39'30" West 28.84 feet to the point of beginning;
- Thence South 0°20'30" West 440.30 feet to an iron pipe;
- Thence North 89°39'30" West 473.90 feet to an iron pipe;
- Thence North 0°20'30" East 433.77 feet to an iron pipe;
- Thence North 58°39'20" East 65.80 feet to an iron pipe;
- Thence South 89°39'30" East 387.20 feet to an iron pipe in the right-of-way of State Highway 70;
- Thence South 28°49'55" East along said right-of-way 32.10 feet to a right-of-way post;
- Thence continuing along said right-of-way South 89°39'30" East 15 feet back to the point of beginning