



Check # 5542 \$100.00

Transfer from Gerdes

State of Wisconsin Department of Natural Resources PO Box 7921, Madison WI 53707-7921 dnr.wi.gov

MAR 12 2015

Fish Farm Application For Use of Natural Body of Water

Form 3600-227 (R 3/13)

19-WC-001203

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 Lindsey Spencer Driver Co-Applicant Name: First MI Last

Address N2101 590th St Address

City Bay City State WI ZIP Code 54723 City State ZIP Code

Phone Number 608.576.3985 Social Security No./ Fed. Employer ID No.

Project Information

Business Name (if any) Valley Springs Trout Farm, LLC Waterway Name

Address see exhibit A Water Source (identify as gallons per minute, gpm)

City Town Village of Hartland Spring Well Stream City Water Other Specify Other 800

County Pierce Fire Number (if applicable) Is there a discharge to a water of the state? Yes No

Section Township Range SE SE 28 25 N 17 Waterway Wetland Discharge (gpm) 800

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) see attached existing permit

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

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

Driver

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	30,000	26,000	22,000	18,000	
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.

100 -
Total Fees Enclosed: 100 -

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

Application Certification

Signature of Authorized Representative

Eric Eikeuberry

Date Signed

3/8/15

Leave Blank - DNR Use Only

Received By	Date Received	DNR Docket Number	Application Date
<i>Eric Eikeuberry</i>	<i>3/12/2015</i>		

DOCUMENT NO.

STATE BAR OF WISCONSIN FORM 1-2003
WARRANTY DEED

556077

PIERCE COUNTY
REGISTER OF DEEDS
VICKI J NELSON

THIS DEED, made between **Larry J. Gerdes, a single person** ("Grantor" whether one or more) conveys and warrants to **Valley Springs Trout Farm, LLC, a Wisconsin Limited Liability Company** ("Grantee", whether one or more), the following described real estate in **PIERCE** County, State of Wisconsin:

PAGES: 2
WD
RECORDING FEE: 30.00

02/20/2015 02:20PM

SEE ATTACHED EXHIBIT "A"

RETURN TO

Pierce County Abstract & Title Co., Inc
361 W. Main Street
Ellsworth, WI 54011

W-7

TRANSFER
\$ 247⁵⁰
FEE

Tax Parcel No: 012-01066-0800
This is is not homestead property

Exception to warranties: **Municipal and zoning ordinances and agreements entered under them, recorded easements for the distribution of utility and municipal services, recorded building and use restrictions and covenants, and further except 2015 real estate taxes.**

Dated this 6th day of February, 2015.

Larry J. Gerdes
Larry J. Gerdes

AUTHENTICATION

ACKNOWLEDGMENT

Signatures authenticated this _____ day of _____,
20____.

STATE OF WISCONSIN

COUNTY OF PIERCE

} ss.

* _____

TITLE: MEMBER STATE BAR OF WISCONSIN

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

Personally came before me this 6th day of February, 2015, the above named **Larry J. Gerdes** to me known to be the person(s) who executed the foregoing instrument and acknowledge the same.

Eric G Johnson

THIS INSTRUMENT WAS DRAFTED BY

* Eric G Johnson

Robert L. Loberg / Loberg Law Office

Notary Public Pierce County, Wis.

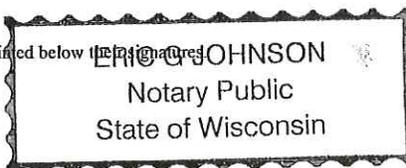
1521946 / EGJ

My Commission is permanent.

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

(If not, state expiration date: 12/16/17)

*Names of persons signing in any capacity should be typed or printed below the signatures



WARRANTY DEED

000092 Form No. 1-2003

EXHIBIT "A"

A part of the NW¼ of the SE¼ and the SW¼ of the SE¼ of Section 28, Township 25 North, Range 17 West, Town of Hartland, Pierce County, Wisconsin, described as follows: Commencing at the South quarter corner of said Section 28; thence N89°24'12"E, along the South line of the SE¼, 431.68 feet to the centerline of Pierce County Trunk Highway "EE" and being the point of beginning of the land to be described; thence Northeasterly, along said centerline, 23.72 feet, being a curve concave to the Southeast, having a radius of 1000.00 feet, a central angle of 1°21'33" and a chord of 23.72 feet which bears N13°16'56"E; thence N13°57'42"E, along said centerline and tangential with the last described curve, 667.71 feet; thence Northeasterly, along said centerline, 202.90 feet, being a tangential curve concave to the Southeast, having a radius of 1000.00 feet and a central angle of 11°37'31"; thence N25°35'13"E, along said centerline and tangent with the last described curve, 157.22 feet; thence Northeasterly along said centerline, 253.87 feet, being a tangential curve concave to the Northwest, having a radius of 750.00 feet and a central angle of 19°23'39"; thence N06°11'34"E, along said centerline and tangent with the last described curve, 227.12 feet; thence N09°18'41"E along said centerline, 165.28 feet; thence S86°32'27"E, along said centerline, 199.45 feet to a meander line; thence S14°07'01"W, along said meander line 796.84 feet; thence S15°35'20"W, along said meander line, 880.98 feet to the South line of the SW¼ of the SE¼ of said Section 28; thence S89°24'12"W, along said South line, 191.39 feet to the point of beginning. Includes all lands lying between said meander line and the centerline of Isabelle Creek.



January 4, 2011

Existing Permit # 110-001203
Current Case # 19-WC-001203

Larry Gerdes
N2105 CTH EE
Bay City, WI 54723

Dear Mr. Gerdes,

Thank you for recently submitting a NR 19 Natural Waterbody Permit Renewal Application for your fish farm, which is registered with the Department of Agriculture, Trade and Consumer Protection (DATCP). You will be pleased to know that your application for renewal is approved, and your NR 19 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, starting from December 31, 2010. One year before this permit expires, we recommend that you contact DNR to submit a permit application for renewal of your Natural Waterbody permit. In the year 2020, your renewal application must be submitted at least 60 days before permit expiration. Unless we determine that there has been a substantial change 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,

WC Fisheries Biologist: **Phone:**
Marty Engel 715-684-2914

WC Regional Natural Waterbody Permit Coordinator:
Robert Hujik 715-839-3731



STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES

NATURAL WATERBODY PERMIT
Current Case # 19-WC-001203

RENEWAL APPLICANT MAILING INFORMATION

Larry Gerdes
Valley Springs Elk and Trout Farm
N2105 CTH EE
Bay City, WI 54723

PERMIT CONDITIONS FOR 19-WC-001203

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: ~~Pond 1--Pond 1 30 x 72 ft. Only pond west of Co. Hwy EE~~ Pond 2--Pond 2 36 x 90 ft. Southernmost of ponds, east of EE, overflow to creek. Pond 3--Pond 3 Circular shape diameter 40 feet. Just north of Pond 2 Pond 4--Pond 4 looks like parallel raceways, overall dimensions 80 x 34 feet. Just north of Pond 3 Pond 5--Pond 5 50' x 34' ft just north of Pond 4 Pond 6--Pond 6 90 x 34 feet just north of Pond 5 Ponds 7, 8, 9 & 10 — All Ponds circular- pond diam 12 feet just north of Pond 6. Hatchery buildings included.
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. This permit expires on December 31, 2020 .
4. 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.
5. You must keep a copy of this permit at the location of the fish farm at all times.
6. 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.
7. 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.
8. 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.
9. 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. Larry Gerdes has filed an application pursuant to section 29.733, Wis. Stats., to renew an existing permit to use a natural body of water for fish farming. The waterbody(s) are in the Town of Hartland, located in the SESE ¼ of Section 28, Town 25, Range 17W, Pierce 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 either a preexisting fish rearing facility as defined in s. 29.001(64), Wis. Stats. or a freeze out pond.
3. The Department of Natural Resources and the applicant have completed all procedural requirements for the issuance of this permit. The project shall also comply with all applicable requirements of Sections 1.11 and 29.733 and Chapter 283, Wisconsin Statutes and Chapters NR 19, 102, 103, 115, 116, 117, 150, and 299, Wisconsin Administrative Code.
4. Under section 29.733(2)(c), Wis. Stats., for renewal of preexisting fish rearing facilities, the department has determined that no substantial public interest exists in the body of water and that no public or private rights in the body of water will be adversely impacted.

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 for 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 Mr. Larry Gerdes, 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 Hartland, Pierce 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.

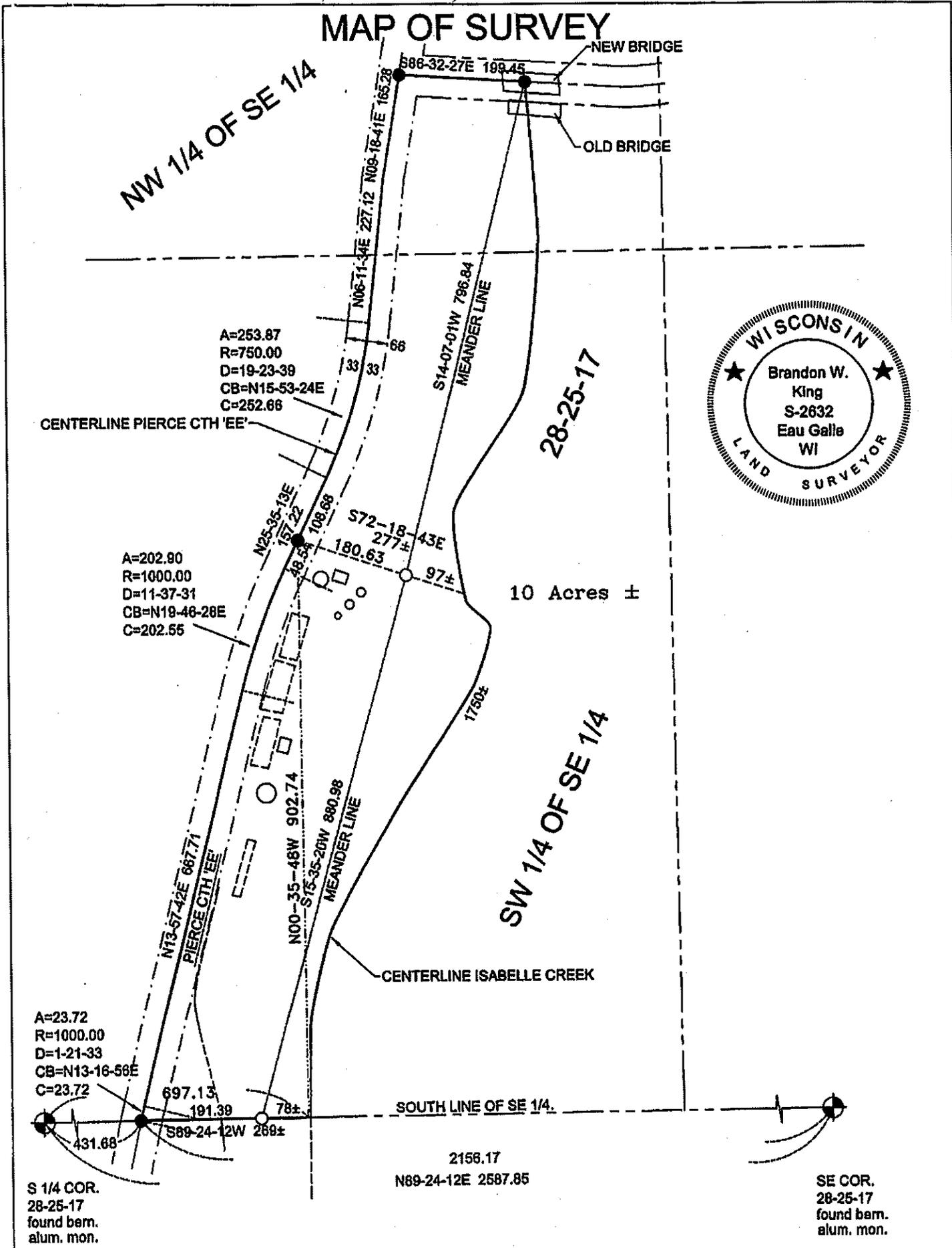
This notice is provided pursuant to section 227.48(2), Wis. Stats.

STATE OF WISCONSIN DEPARTMENT OF NATURAL RESOURCES
For the Secretary

By WC - Regional Fish Biologist, Marty Engel Date: January 4, 2011

Valley Springs Trout Farm

MAP OF SURVEY



28-25-17
10 Acres ±

S 1/4 COR.
28-25-17
found barn.
alum. mon.

SE COR.
28-25-17
found barn.
alum. mon.

SURVEYOR'S NOTES:
 THE PURPOSE OF THIS SURVEY IS TO DESCRIBE WHAT IS MAPPED, THIS IS NOT A PARCEL OF RECORD.
 THE OWNERSHIP OF THE OLD BRIDGE WAS NOT DETERMINED.
 PARCEL SUBJECT TO FLOODING DURING HIGH WATER. NO ELEVATION WORK WAS PERFORMED

N

MAP OF SURVEY

SURVEYOR'S CERTIFICATE

I, Brandon W. King, Wisconsin Professional Land Surveyor, hereby certify that I have surveyed and mapped:
Proposed Parcel Description

Part of the SW 1/4 of the SE 1/4 and part of the NW 1/4 of the SE 1/4 of Section 28-T25N-R17W, Town of Hartland, Pierce County, Wisconsin, described as follows:

Commencing at the south quarter corner of said Section 28; thence N89-24-12E, along the south line of the SE 1/4, 431.68 feet to the centerline of Pierce County Trunk Highway 'EE' and being the point of beginning of the land to be described; thence northeasterly, along said centerline, 23.72 feet, being a curve concave to the southeast, having a radius of 1000.00 feet, a central angle of 1-21-33 and a chord of 23.72 feet which bears N13-16-58E; thence N13-57-42E, along said centerline and tangential with the last described curve, 667.71 feet; thence northeasterly, along said centerline, 202.90 feet, being a tangential curve concave to the southeast, having a radius of 1000.00 feet and a central angle of 11-37-31; thence N25-35-13E, along said centerline and tangent with the last described curve, 157.22 feet; thence northeasterly, along said centerline, 253.87 feet, being a tangential curve concave to the northwest, having a radius of 750.00 feet and a central angle of 19-23-39; thence N06-11-34E, along said centerline and tangent with the last described curve, 227.12 feet; thence N09-18-41E, along said centerline, 165.28 feet; thence S86-32-27E, along said centerline, 199.45 feet to a meander line; thence S14-07-01W, along said meander line, 796.84 feet; thence S15-35-20W, along said meander line, 880.98 feet to the south line of said SW 1/4 of the SE 1/4; thence S89-24-12W, along said south line, 191.39 feet the point of beginning.

Including all lands lying between said meander line the centerline of Isabelle Creek.

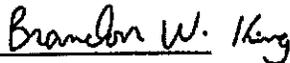
Subject all easements and restrictions of record.

Proposed Lease Parcel Description

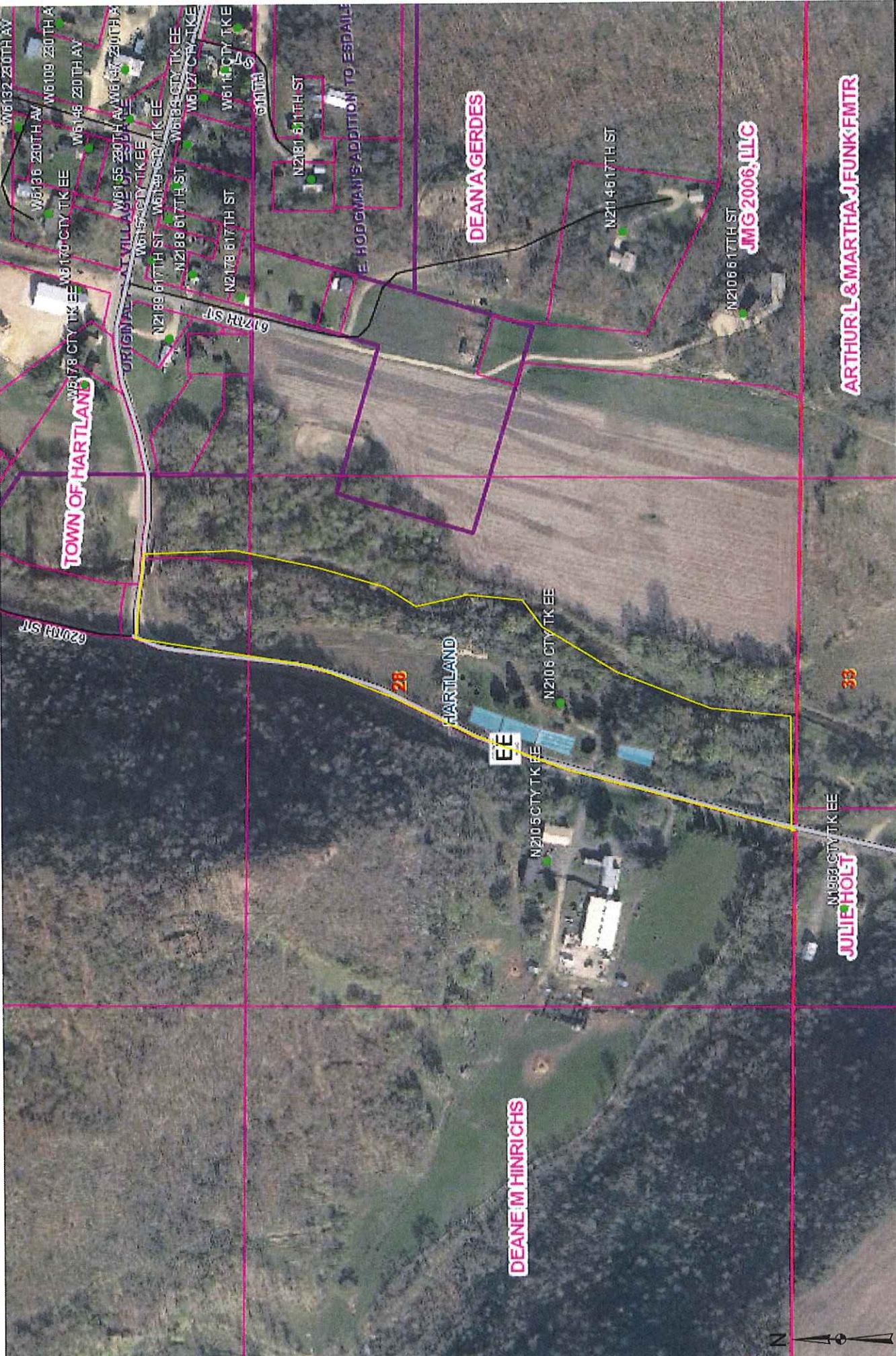
Part of the SW 1/4 of the SE 1/4 and part of the NW 1/4 of the SE 1/4 of Section 28-T25N-R17W, Town of Hartland, Pierce County, Wisconsin, that line northeasterly of the following described line:

Commencing at the south quarter corner of said Section 28; thence N89-24-12E, along the south line of the SE 1/4, 697.13 feet; thence N00-35-48W, 902.74 feet to the centerline of Pierce County Trunk Highway 'EE' and being the point of beginning of the line to be described; thence S72-18-43E, 277 feet more or less, to the centerline of Isabelle Creek and there terminating.

That I have made such survey and map by the direction of Larry Gerdes and in compliance with the provisions of chapter AE-7 of the WI Administrative Code and that this survey and map are true and correct to the best of my knowledge and belief.



Brandon W. King S-2832
Wisconsin Professional Land Surveyor
10-16-13



These data are provided on an "AS-IS" basis, without warranty of any type, expressed or implied, including but not limited to any warranty as to their performance, merchantability, or fitness for any particular purpose.

Valley Springs Trout Farm LLC

Phyllis 3-24-15

1:3,771

Date: 3/24/2015

This map is not a substitute for accurate field surveys or for locating actual property lines and any adjacent features.

Pierce County, WI



Parcel History: cont.

01/18/2010	517132		WD
11/26/1979	272759	123/136	WD

Legal Description: cont.

N6*E ALG CNTRLN 227.12'; THN N9*E ALG CNTRLN 165.28'; THN S86*E ALG CNTRLN 199.45' TO A MEANDER LN; THN S14*W ALG SD MEANDER LN 796.84'; THN S15*W ALG SD MEANDER LN 880.98' TO S LN SW 1/4 SE 1/4; THN S89*W ALG SD S LN 191.39' TO POB INCLUDES ALL LANDS LYG BETWEEN SD MEANDER LINE AND CENTERLINE OF ISABELLE CREEK

3/8/15

Eric

Fish Farm Registration is submitted

I do not intend to make any changes (Ch 30 or 31).

Business type will stay the same. raising rainbow trout.

I may do some pond renovation work, but will notify you before any work is done.

Spence