

Check # 2152

19-SC-004437

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

Fish Farm Application For Use of Natural Body of Water

Form 3600-227 (R 3/13)

Page 1 of 2

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 Matthew J Roddy			Co-Applicant Name: First MI Last Rebekah V Roddy		
Address 9014 Graney Rd			Address 9014 Graney Rd		
City Lancaster	State WI	ZIP Code 53813	City Lancaster	State WI	ZIP Code 53813
Phone Number (608) 723-7499	Social Security No./ Fed. Employer ID No. [REDACTED]		Phone Number (608) 723-7499	Social Security No./ Fed. Employer ID No. [REDACTED]	

Project Information					
Business Name (if any) -			Waterway Name Unnamed Tributary of Platte River		
Address 9014 Graney Rd			Water Source (identify as gallons per minute, gpm)		
<input checked="" type="radio"/> Town <input type="radio"/> Village of Ellenboro			Spring 100 gpm	Well -	Stream -
County Cook Grant	Fire Number (if applicable) 9014		City Water -	Other -	Specify Other -
Is there a discharge to a water of the state?			<input checked="" type="radio"/> Yes <input type="radio"/> No		
1/4 1/4 SE SE	Section 8	Township 4 N	Range 2	If Yes, Indicate: <input checked="" type="checkbox"/> Waterway <input type="checkbox"/> Wetland	
					Discharge (gpm) 100 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)  
1 pond 60' X 180'

**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:		

- What type of pesticides do you currently use or plan to use?  
NONE
- Is your fish farm equipped with barriers that prevent the passage of fish between it and other water of the state?  Yes  No
- 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:

Roddy

**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					200
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**

<input type="checkbox"/> Transfer of NR 19 Permit - \$100 fee	
<input type="checkbox"/> Initial NR 19 Permit - \$ 500 fee	
<input checked="" type="checkbox"/> NR 19 Permit Renewal- \$50 fee.	50.
Make check or money order payable to the Department of Natural Resources (DNR)	50

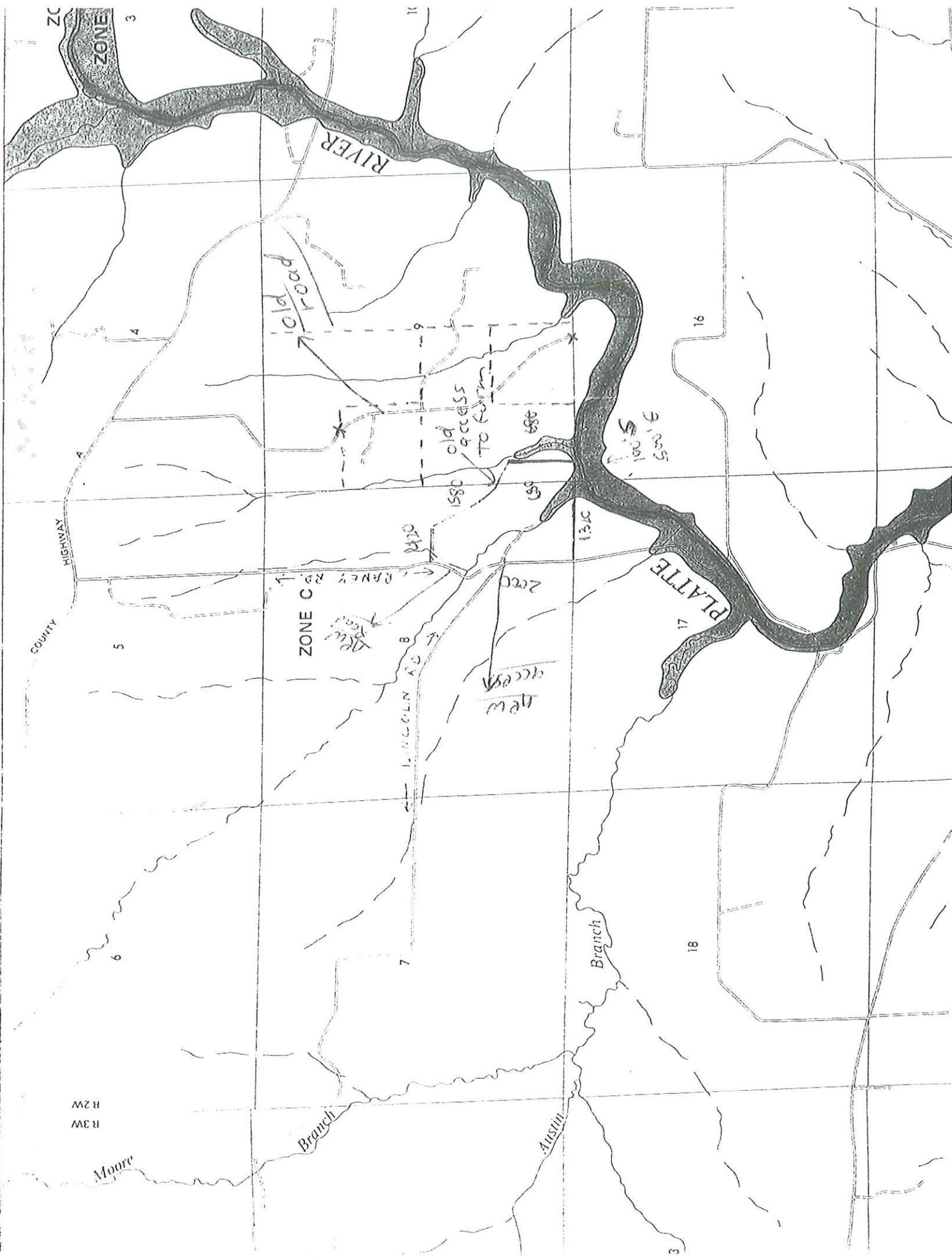
Total Fees Enclosed:

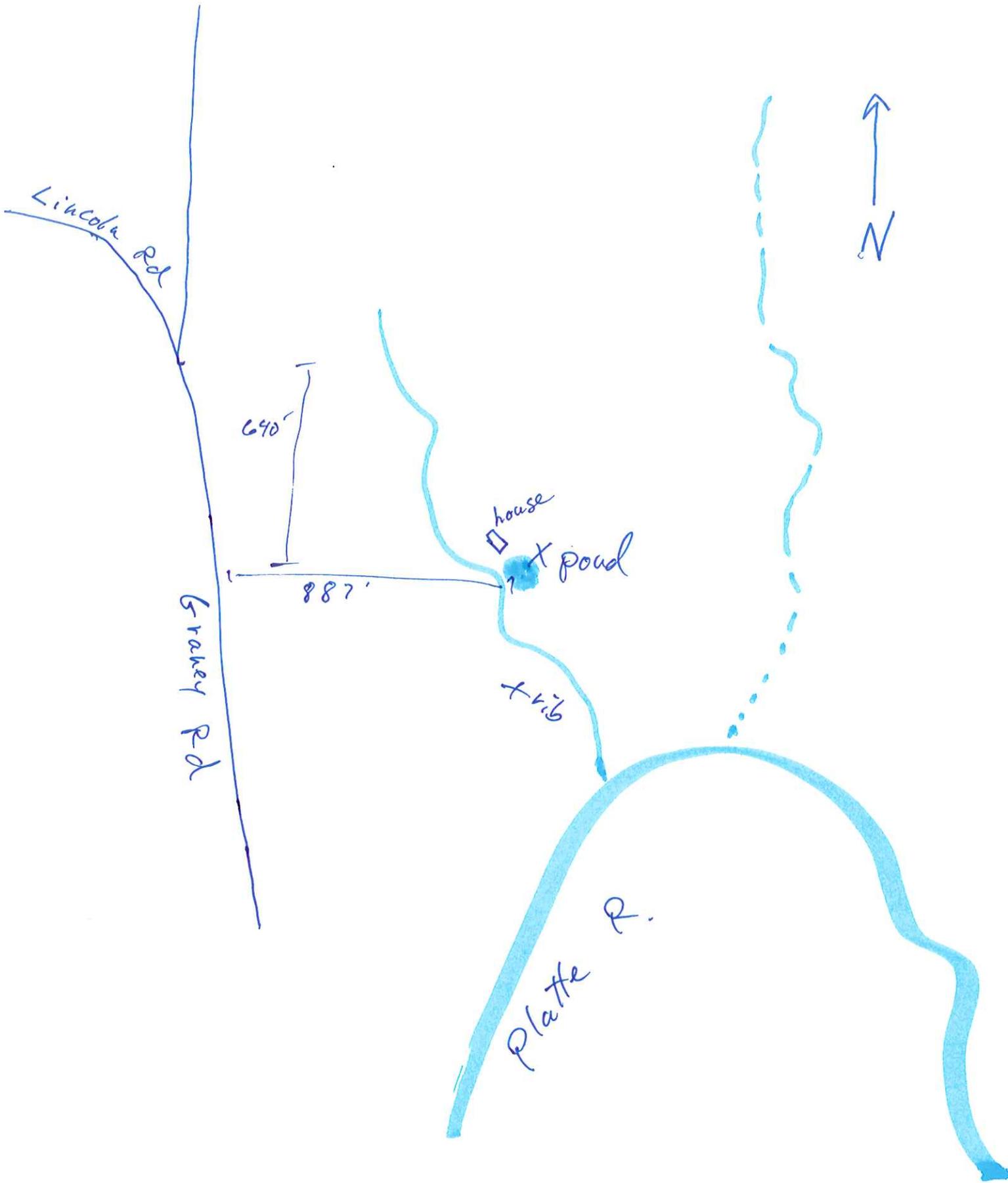
**Application Certification**

Signature of Authorized Representative <i>Mark Roddy</i>	Date Signed 6/16/2013
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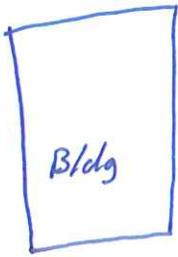
Leave Blank – DNR Use Only

Received By	Date Received	DNR Docket Number	Application Date
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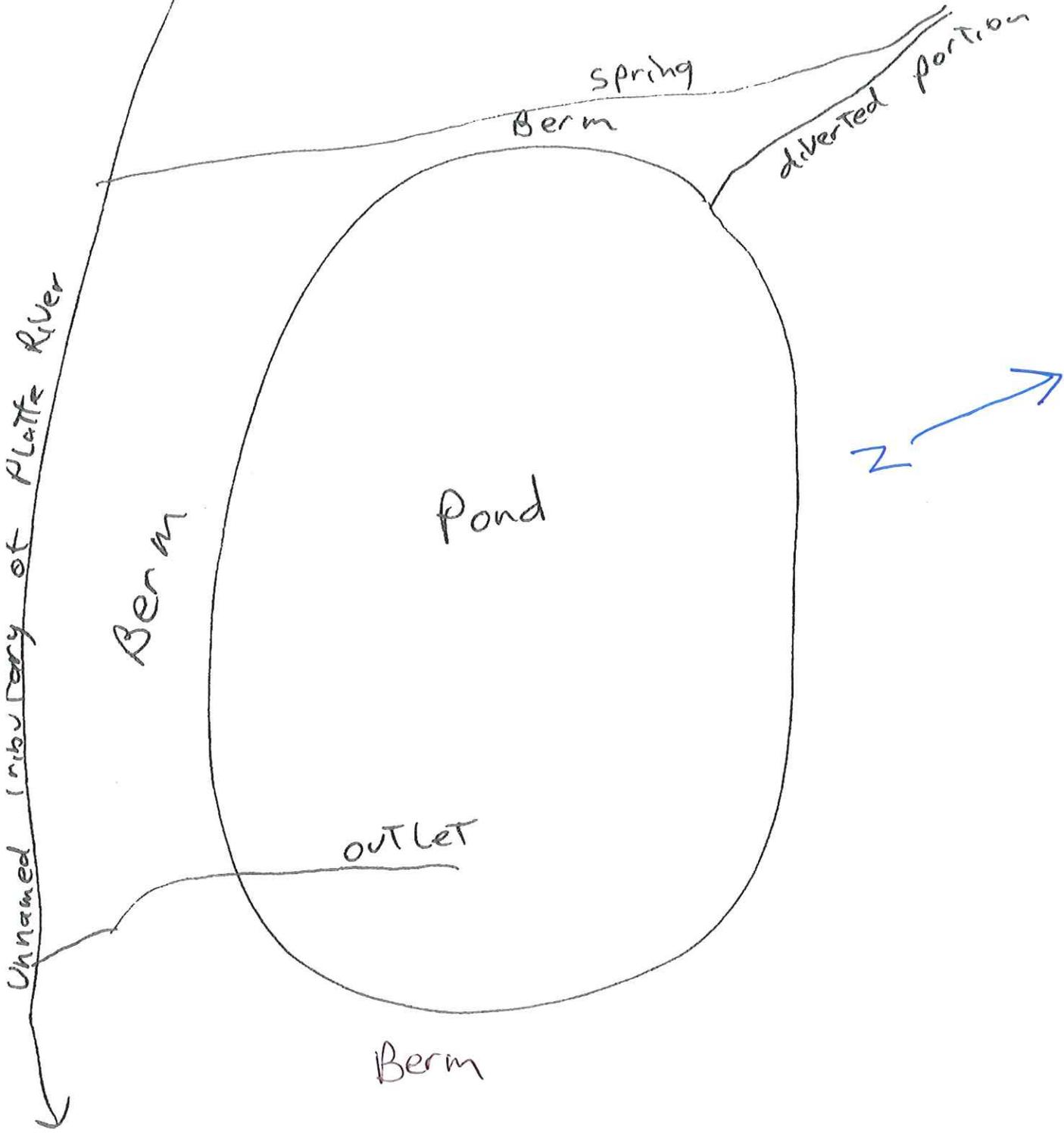




map prepared by EE 7/25/2013



Matthew & Rebekah Roddy  
9014 Graney Rd



Document No.

State Bar of Wisconsin Form 1  
WARRANTY DEED

This Deed, made between Alfred F. Schutt as Trustee of the Schutt Revocable Trust dated January 5, 1990 and in his own individual right,

Grantor,  
and Matthew J. Roddy and Rebekah V. Roddy, his wife, as joint tenants,

Grantee,

Witnesseth, That the said Grantor, for valuable consideration

conveys to Grantee the following described real estate in Grant County, Wisconsin.

A parcel of land in Sections Eight (8), Nine (9) and Sixteen (16), Township Four (4) North, Range Two (2) West of the 4th P.M., Grant County, Wisconsin, described as follows: Commencing at the Southeast corner of said Section 8; thence West 1320 feet; thence North 2000 feet; thence East 420 feet; thence in a Southeasterly direction 1580 feet to a point 680 feet North of the place of beginning; thence South 680 feet to the place of beginning. Also commencing at the Southeast corner of said Section 8; thence South 100 feet; thence East 500 feet; thence North 650 feet; thence in a Northwesterly direction to a point 680 feet North of the place of beginning; thence South 680 feet to the place of beginning.

Also including access to the Platte River over a right of way extending South from the Southwest corner of said Section 9, to the Platte River, for pedestrian purposes.

This is homestead property.

Together with all and singular the hereditaments and appurtenances thereunto belonging;

And Alfred F. Schutt as Trustee of the Schutt Revocable Trust dated January 5, 1990 and in his own individual right warrants that the title is good, indefeasible in fee simple and free and clear of encumbrances except only municipal and zoning restrictions, recorded easements and rights of way, recorded building use restrictions, restrictive covenants, and real estate taxes levied in the year of closing,

and will warrant and defend the same.

Dated this 13<sup>th</sup> day of May, 1994.

  
Alfred F. Schutt (SEAL)

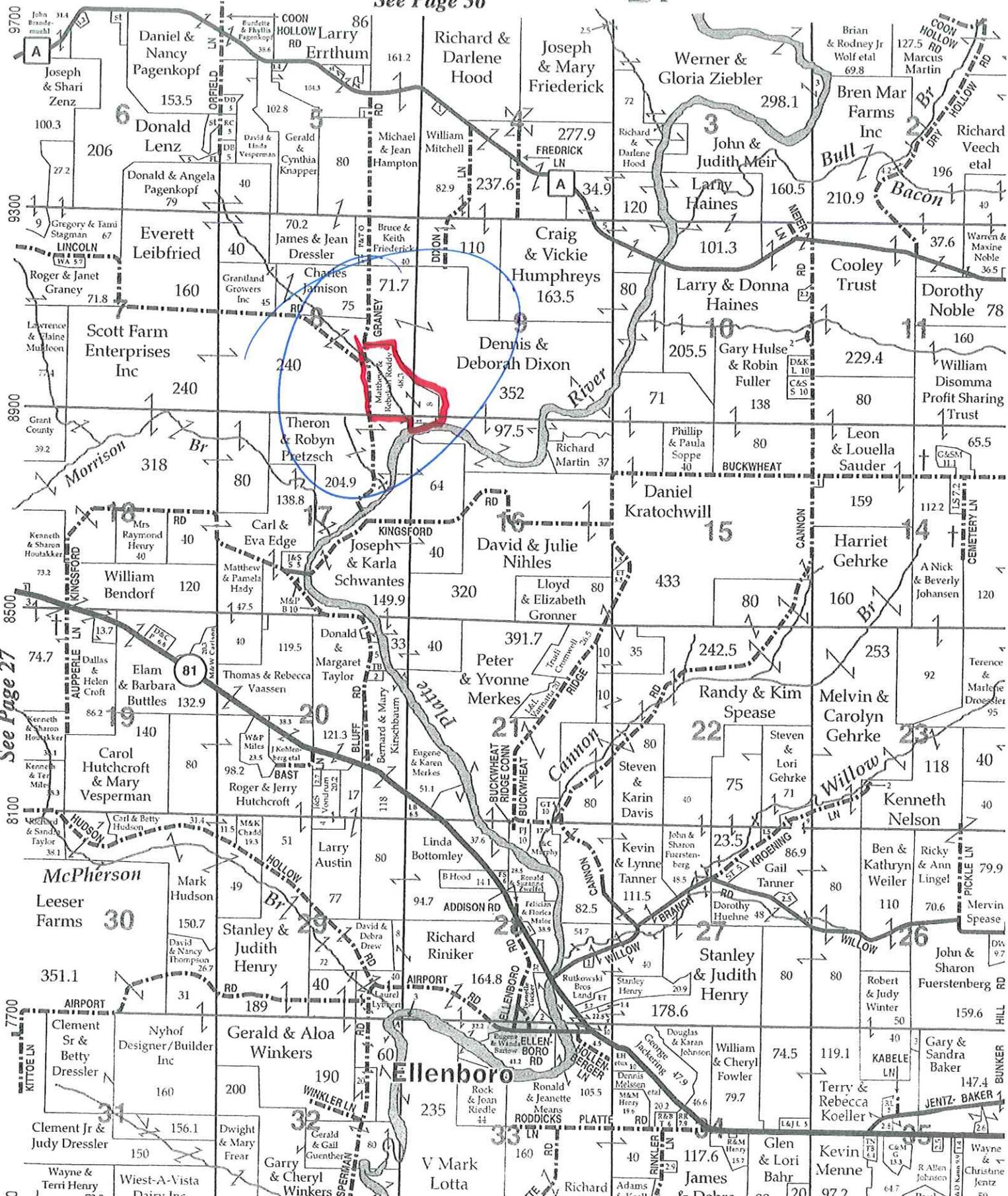
# Ellenboro



T.4

©2001 Cloud

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Wisconsin Department of Agriculture, Trade and Consumer Protection

2811 Agriculture Bldg., P.O. Box 8911, Madison, WI 53708-8911

**Effective Date: April 01, 2013**  
**Expires: March 31, 2014**  
**Statute: 95.60**

**Registration Number: 113113-AQ**

## Fish Farm Registration

Legal Name:

**Matthew Roddy, Rebekah Roddy**

Business Location:

9014 Graney Rd Lancaster WI 53813

Doing Business As:

Matthew and Rebekah Roddy

Livestock Premises Code(s): 006Z52A

**Type 1 Fish Farm**

This is your official copy. It is not valid if it is not signed by the Department of Agriculture, Trade and Consumer Protection. For more information, please contact the Department of Agriculture, Trade and Consumer Protection at (608) 224-4887.

DMS-BIT-06B (03.10.10)

MATTHEW RODDY  
9014 GRANEY RD  
LANCASTER WI 53813

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

**Matthew Roddy, Rebekah Roddy**  
**Registration Number: 113113-AQ**  
**Expiration Date: March 31, 2014**  
9014 Graney Rd Lancaster WI 53813

DATCP Contact : (608) 224-4887

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

MATTHEW & REBEKAH RODDY  
9014 GRANEY RD  
LANCASTER, WI 53813

Natural Waterbody Permit ID: 16-SC-4437  
Permit Holder: MATTHEW & REBEKAH RODDY  
Natural Waterbody Permit Issued on: 12/16/2002  
Legal Description: Township: 4N Range: 2W  
Section: 8 Quarter-Quarter: SESE  
Permit Expiration Date: 12/16/2012 District: SAD

Dear Natural Waterbody Permit Holder:

Our records indicate on 12/16/2002 you received a permit (16-SC-4437) to use a Natural Waterbody for your fish farm. Your permit will expire 12/16/2012, and the deadline for you to submit your application for a permit renewal is July 1, 2013.

We at the DNR apologize for any delay in your renewal process. We have had to revamp our program resulting from the passage of 2011 Wisconsin Act 207, effective date April 16, 2012. Your current permit is still considered valid since the delay was no fault of your own.

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:

Matt Coffaro Phone: 608-935-1935

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



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Scott McCallum, Governor  
Darrell Bazzell, Secretary  
Ruthe E. Badger, Regional Director

South Central Region Headquarters  
3911 Fish Hatchery Road  
Fitchburg, Wisconsin 53711-5397  
Telephone 608-275-3266  
FAX 608-275-3338  
TTY 608-275-3231

December 16, 2002

# 16-SC-4437

MATTHEW & REBEKAH RODDY  
9014 GRANEY RD  
LANCASTER, WI 53813

Dear MR. RODDY:

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,

Scot Stewart  
Regional Fisheries Expert

STATE OF WISCONSIN  
DEPARTMENT OF NATURAL RESOURCES

NATURAL WATERBODY PERMIT  
PERMIT # 16-SC-4437

APPLICANT INFORMATION  
MATTHEW & REBEKAH RODDY  
9014 GRANEY RD  
LANCASTER, WI 53813

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: **one artificial spring-fed pond, 60x180 ft.**
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. MATTHEW & REBEKAH RODDY 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 Ellenboro, located in the SESE of Section 8, Town 4N, Range 2W, Grant 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 MATTHEW & REBEKAH RODDY, 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 Ellenboro, Grant 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 Scot Stewart  
Scot Stewart  
Regional Fisheries Expert

12/16/02  
Date