Check # 1143

(16-SE-3957 old)
Now 19-SE-003957

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)

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	Co-Applicant Name: First MI Last
HIDDEN VALLEY LAKE ASSOCIATION	
Address: 10900 HIDDEN VALLEY DRIVE	Address
City: CEDARBURG; State: WI; ZIP Code: 53012	City; State; ZIP Code
Phone Number: 262-375-0366; Social Security No./ Fed. Employer ID No.: [redacted]	Phone Number; Social Security No./ Fed. Employer ID No.

Project Information

Business Name (if any)	Waterway Name
HIDDEN VALLEY LAKE ASSOCIATION	HIDDEN VALLEY LAKE
Address: 10900 HIDDEN VALLEY DRIVE	**Water Source (identify as gallons per minute, gpm)**
○ City ⊗ Town ○ Village of CEDARBURG	Spring: X; Well; Stream; City Water; Other; Specify Other
County: OZAUKEE; Fire Number (if applicable): 10900	Is there a discharge to a water of the state? ○ Yes ⊗ No
¼ ¼; ¼: NE 1/4; Section: 18; Township: 10 N; Range: 21 ⊗E ○W	If Yes, Indicate: ☐ Waterway ☐ 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)

5.3 ACRES, 1 POND NO TANKS OR RACEWAYS

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: OBTAIN LIVE FISH FROM OTHER SOURCE		

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:

HIDDEN VALLEY LAKE ASSOCIATION
Applicant Last Name

Fish Farm Application For Use of Natural Body of Water

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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			X			Bluegill			X		
Bass Smallmouth			X			Crappie					
Bullhead						Perch					
Muskellunge						Pumpkinseed					
Northern Pike						Sunfish					
Walleye						Tilapia					
Chubs						Brook Trout					
Minnows			X			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.	50
Make check or money order payable to the Department of Natural Resources (DNR) **Total Fees Enclosed:**	50

Application Certification

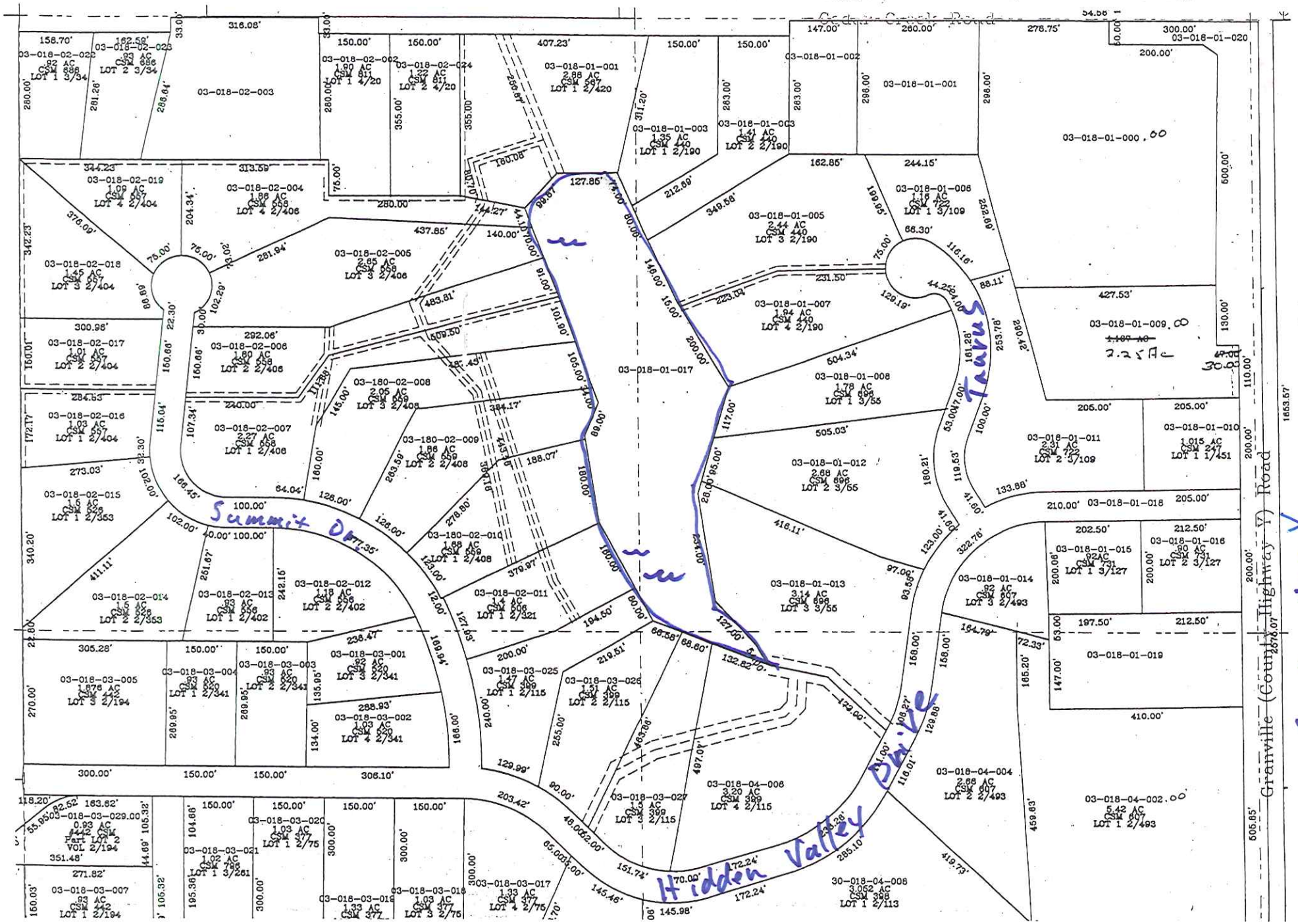
Signature of Authorized Representative: Ken Dobkowski, President

Date Signed: 4-30-2013

Leave Blank – DNR Use Only

Received By	Date Received	DNR Docket Number	Application Date

Hidden Valley Lake



LEVY & LEVY

ATTORNEYS AT LAW

CEDARBURG, WISCONSIN

United States of America

State of Wisconsin — Department of State

To All to Whom These Presents Shall Come, Greeting:

The undersigned, as Secretary of State of the State of Wisconsin, certifies that

Articles of Incorporation

of

HIDDEN VALLEY LAKE ASSOC. INC.

of which the attached is a duplicate, was on the date hereof, accepted and filed in my office.

In Testimony Whereof, I have hereunto set my hand and affixed my official seal at the Capitol, in the city of Madison, this 4th *day of* December, *A.D.,* 1970

ROBERT C. ZIMMERMAN
Secretary of State

ARTICLES OF INCORPORATION
OF
HIDDEN VALLEY LAKE ASSOC. INC.

Executed by the undersigned for the purpose of forming a Wisconsin corporation under Chapter 181 of the Wisconsin Statutes, WITHOUT STOCK AND NOT FOR PROFIT.

Article 1. The name of the corporation shall be HIDDEN VALLEY LAKE ASSOC. INC.

Article 2. The period of existence shall be perpetual.

Article 3. The purpose of the corporation shall be to own, operate and maintain the real estate and water commonly known as "Hidden Valley Lake", more particularly described in Schedule A attached hereto and made a part hereof, for the use, benefit, aesthetic recreational and aesthetic cultural enjoyment of the members owning real estate contiguous to said "Hidden Valley Lake" and for such other non-profit purposes as the members of the corporation shall from time to time elect to pursue.

Article 4. Location of the principal office is 1103 11th Avenue, Grafton, Wisconsin 53024.

Article 5. The name of the initial registered agent at such address is Richard Tillmann.

Article 6. Address of initial registered agent is 1103 11th Avenue, Grafton, Wisconsin 53024.

Article 7. The number of directors may be fixed by by-law, but shall not be less than three (3).

Article 8. The number of directors constituting the initial board of directors shall be three (3).

Article 9. Names and addresses of the initial directors:

Richard Tillmann
1103 11th Avenue
Grafton, Wisconsin 53024

Monica Tillmann
1103 11th Avenue
Grafton, Wisconsin 53024

Norbert A. Stern
1383 Hy. 143
Cedarburg, Wisconsin 53012

Article 10. Membership in the corporation shall be limited to those persons owning real estate contiguous to the property described in the attached Schedule A, provided, however, there is only one (1) membership for each residential site on the said real estate and in no event shall the membership in the Association exceed twenty-one (21) persons.

Article 11. Each member shall be entitled to one (1) vote. That, for so long as The Ozaukee Corporation shall own any real estate contiguous to the real estate described in the attached Schedule A, each member of the Association shall execute a proxy assigning his membership vote to The Ozaukee Corporation to be valid for so long as The Ozaukee Corporation shall own any real estate contiguous to that described herein.

Membership certificates shall be legibly endorsed with the following statement:

> "This certificate of membership is transferrable only to owners of real estate contiguous to that described in the Articles of Incorporation of Hidden Valley Lake Assoc. Inc., and, upon sale or conveyance of any portion of said contiguous real estate, this membership certificate shall be transferred to the new owner of said real estate."

Article 12. The name and address of the incorporator is
Donald A. Levy
319 East Columbia Avenue
Cedarburg, Wisconsin 53012.

Article 13. These articles may be amended in the manner authorized by law at the time of amendment.

Executed in duplicate this 12th day of November, 1970.

Donald A. Levy

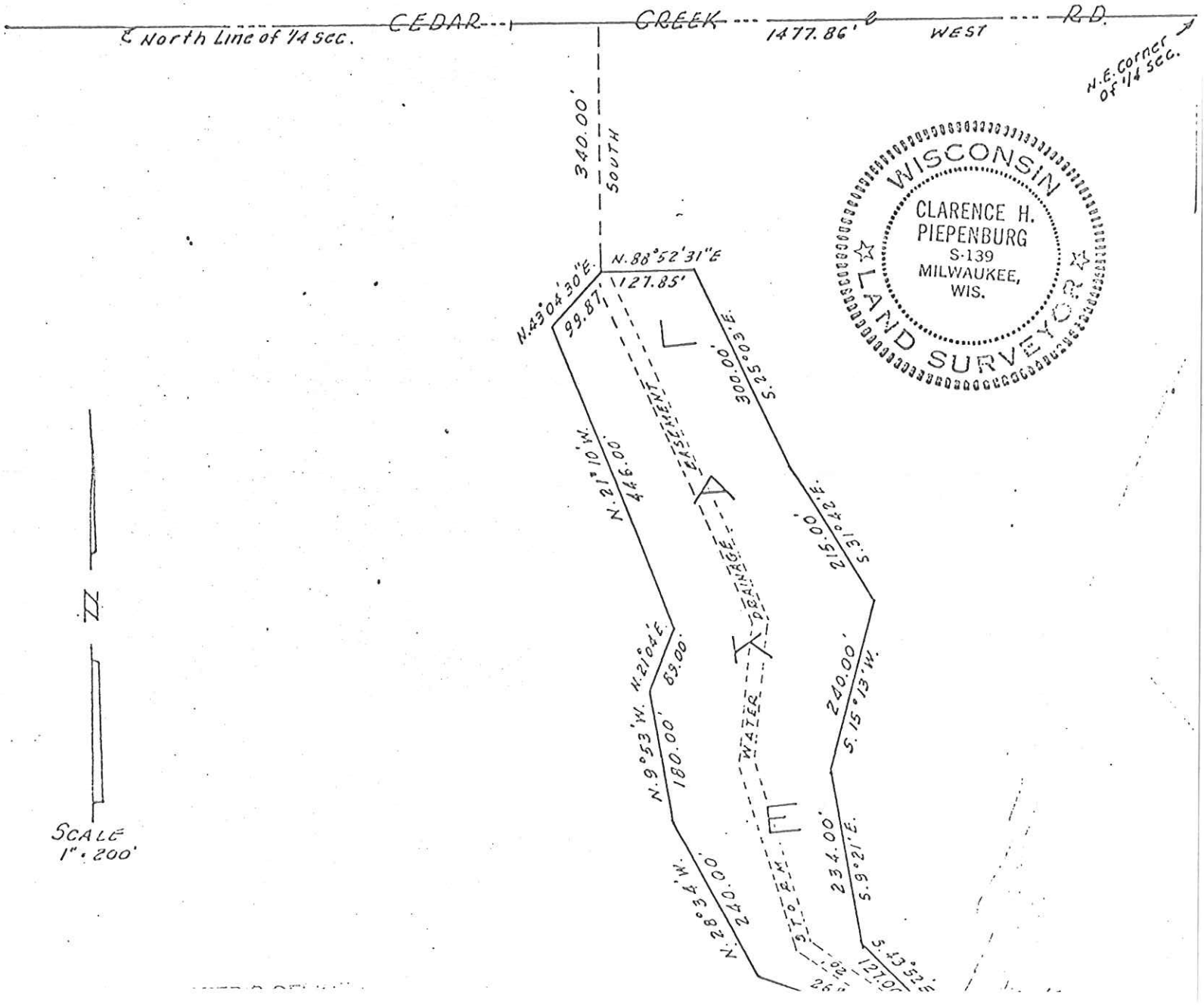
LEGAL DESCRIPTION: Hidden Valley Lake

That part of the North East 1/4 of Section 18, Township 10 North, Range 21 East, in the Town of Cedarburg, Ozaukee County, Wisconsin, bounded and described as follows: Commencing at the northeast corner of said 1/4 Section; thence West along the north line of said 1/4 Section 1477.86 feet to a point; thence South on a line at right angles to the north line of said 1/4 Section 340.00 feet to the point of beginning of the land to be described; thence N.33° 52' 31" on a line 127.85 feet to a point; thence S.25° 03'E. on a line 300.00 feet to a point; thence S.31° 42'E. on a line 215.00 feet to a point; thence S.15° 13'W. on a line 240.00 feet to a point; thence S.9° 21'E. on a line 234.00 feet to a point; thence S.43° 52'E. on a line 127.00 feet to a point; thence S.30° 00'E. on a line 54.00 feet to a point; thence N.69° 42'W. on a line 268.00 feet to a point; thence N.23° 34'W. on a line 240.00 feet to a point; thence N.9° 5 W. on a line 180.00 feet to a point; thence N.21° 04'E. on a line 89.00 feet to a point; thence N.21° 10'W. on a line 446.00 feet to a point; thence N.43° 04' 30"E. on a line 99.87 feet to th point of beginning, containing 5.344 acres of land, more or less.

Mapped and described this 6th day of November, 1970.
Plat No. 70-488

BADGER SURVEYING CO., INC.
7970 N. 47th St.
Brown Deer, Wisc. 53223

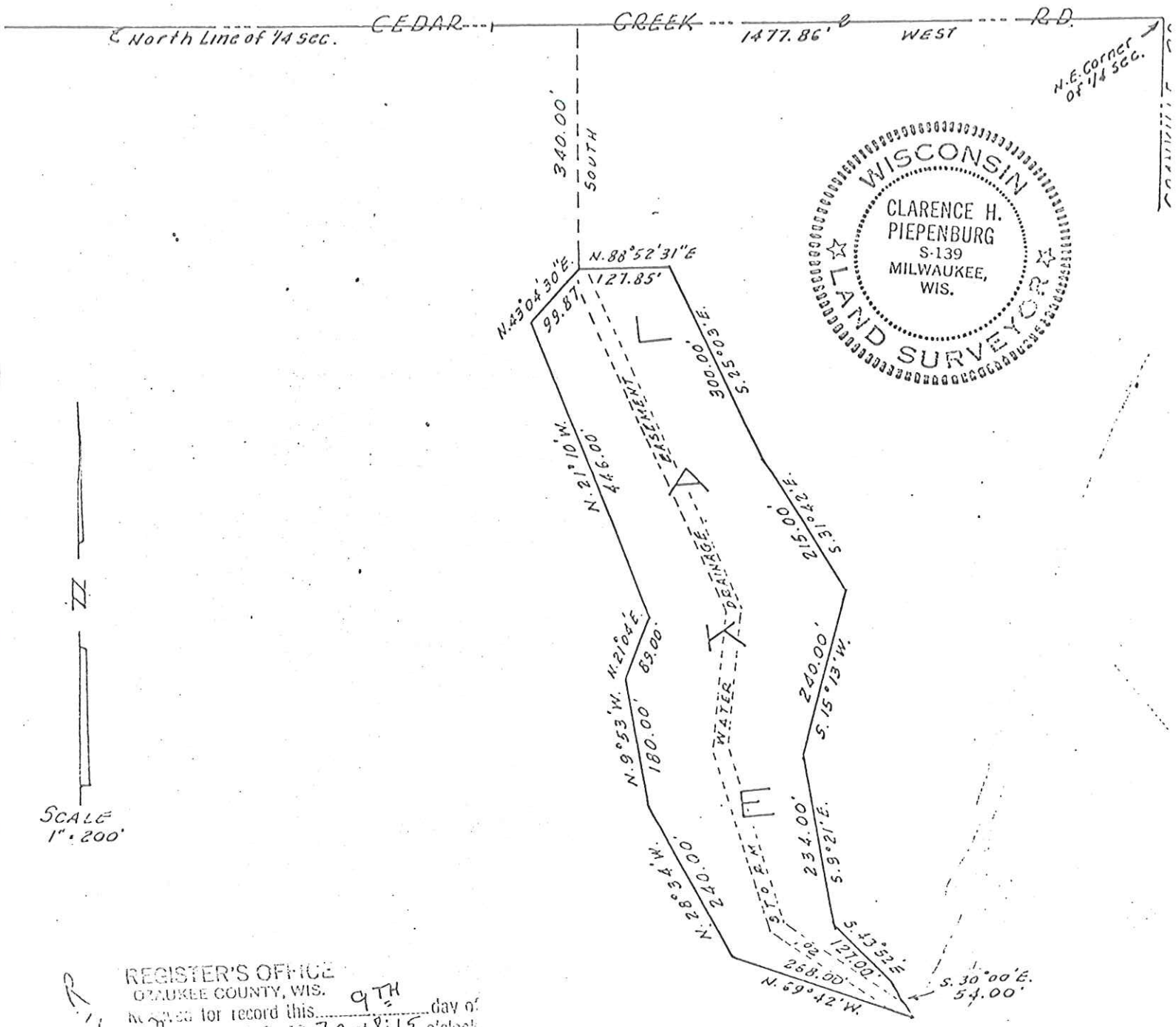
Clarence H. Piepenburg
Clarence H. Piepenburg
Registered Land Surveyor S-139



point of beginning, containing 9.3[illegible] acres of land, [illegible]

Mapped and described this 6th day of November, 1970.
Plat No. 70-488 BADGER SURVEYING CO., INC.
7970 N. 47th St.
Brown Deer, Wisc. 53223

Clarence H. Piepenburg
Clarence H. Piepenburg
Registered Land Surveyor S-139



REGISTER'S OFFICE
OZAUKEE COUNTY, WIS.
Received for record this 9TH day of
DEC. A.D., 19 70, at 8:15 o'clock
A.M. and recorded in Vol. 274 of
RECORDS on pages 288-292.
William N. Rock
[illegible]

SCHEDULE A

Wisconsin Department of Agriculture, Trade and Consumer Protection

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

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

Registration Number: 112798-AQ

Fish Farm Registration

Legal Name:
Hidden Valley Lake Assoc. Inc.
Business Location:
10900 Hidden Valley Dr Cedarburg WI 53012-9327

Doing Business As:
Hidden Valley Lake Assoc. Inc.

Livestock Premises Code(s): 0077GNN

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.
Remove this card and carry as identification.

DMS-BIT-06B (03/19/10)

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

HIDDEN VALLEY LAKE ASSOC. INC.
10900 HIDDEN VALLEY DR
CEDARBURG WI 53012-9327

DATCP Contact : (608) 224-4887

Wisconsin Department of Agriculture, Trade and Consumer Protection

Fish Farm Registration
Type 1 Fish Farm
Hidden Valley Lake Assoc. Inc.
Registration Number: **112798-AQ**
Expiration Date: **March 31, 2014**
10900 Hidden Valley Dr Cedarburg WI 53012-9327