

Check # 6104

19-WC-006481

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 <b>GEORGE T. MARKOS</b>			Co-Applicant Name: First MI Last <b>CATHERINE T. HUBERT-MARKOS</b>		
Address <b>W3595 LARSON RD.</b>			Address <b>W3595 LARSON ROAD</b>		
City <b>MINDORO</b>	State <b>WI</b>	ZIP Code <b>54644</b>	City <b>MINDORO</b>	State <b>WI</b>	ZIP Code <b>54644</b>
Phone Number <b>608-780-7596</b>	Social Security No./ Fed. Employer ID No. [REDACTED]		Phone Number <b>608-789-7596</b>	Social Security No./ Fed. Employer ID No. [REDACTED]	

**Project Information**

Business Name (if any) <b>G.R.I. d/b/a Springbrook Farms</b>			Waterway Name <b>N/A</b>					
Address <b>W3595 LARSON RD.</b>			<b>Water Source (identify as gallons per minute, gpm)</b>					
<input type="radio"/> City <input checked="" type="radio"/> Town <input type="radio"/> Village of <b>HAMILTON</b>			Spring <b>X</b> <b>200</b>	Well	Stream	City Water	Other	Specify Other
County <b>LACROSSE</b>		Fire Number (if applicable) <b>W3595</b>		Is there a discharge to a water of the state? <input type="radio"/> Yes <input checked="" type="radio"/> No				
1/4 1/4 <b>NE 1/4</b>	1/4 <b>NW 1/4</b>	Section <b>3</b>	Township <b>T17 N</b>	Range <b>R6</b>	<input type="checkbox"/> Waterway <input type="checkbox"/> Wetland		Discharge (gpm) <b>100 - 200 gpm</b>	

**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)

**3 PONDS #1 (15' x 25') #2 (60' x 75') #3 (100' x 200')**

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

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

1. What type of pesticides do you currently use or plan to use?

**CUTRINE PLUS - ALGACIDE**

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					<del>500</del>
Chubs						Brook Trout				500	< 100
Minnows						Brown Trout				100	< 100
Shiners						Lake Trout					
Suckers						Rainbow Trout				100	< 100
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.-
50.-

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

**Total Fees Enclosed:**

**Application Certification**

Signature of Authorized Representative

Date Signed

6-28-2013

**Leave Blank – DNR Use Only**

Received By	Date Received	DNR Docket Number	Application Date

June 29, 2013

Dear Mr. Eichenberry,

In addition to the documentation requested for the renewal of our use of a natural water body, (permit # 19-WC-006481), I have also provided documentation for your review pertaining to what I believe is an exempt status, and that the Wisconsin DNR has no jurisdiction over the ponds included in this renewal application.

First, ("Exhibit A"), a letter dated 04-09-92 in response to a question I had posed regarding the reconstruction of the three dams for the aforementioned property. At that time, it was determined that the ponds on this property were not under the jurisdiction of the DNR since they were man-made, and constructed before 1963. They were (are) not within 500 feet of, nor connected to, a navigable waterway. The dams were then reconstructed shortly thereafter.

In 1995, I had applied for a fish hatchery license, and there was an initial inspection by David Pericak of the DNR. He understood that I had made an honest effort in reconstructing the dams, as shown by my prior correspondence with the DNR, ("Exhibit A"), but he still thought that we should apply for a permit to construct, operate, and maintain a dam, as noted in his letter, ("Exhibit B"), dated 11-03-95. Please note that in this letter, he erroneously states that the spring is a tributary of Creamery Creek, when, in fact, historically it has seeped back underground long before it could reach any possible connection to Creamery Creek.

I then made application for a fish hatchery license and a dam permit. Approximately six months later, on July 12<sup>th</sup>, 1996, I received a letter ("Exhibit C") from area fish manager Ken Wright. In his letter, he states that it had been determined that the reconstruction of the dams did not require a permit after all.

Given these prior determinations from the DNR, I feel this proves that the Wisconsin DNR does not have jurisdiction over the ponds, (#19-WC-006481), and likely never did, and that the permit I am renewing is not necessary.

Respectfully yours,



George T. Markos, Jr.

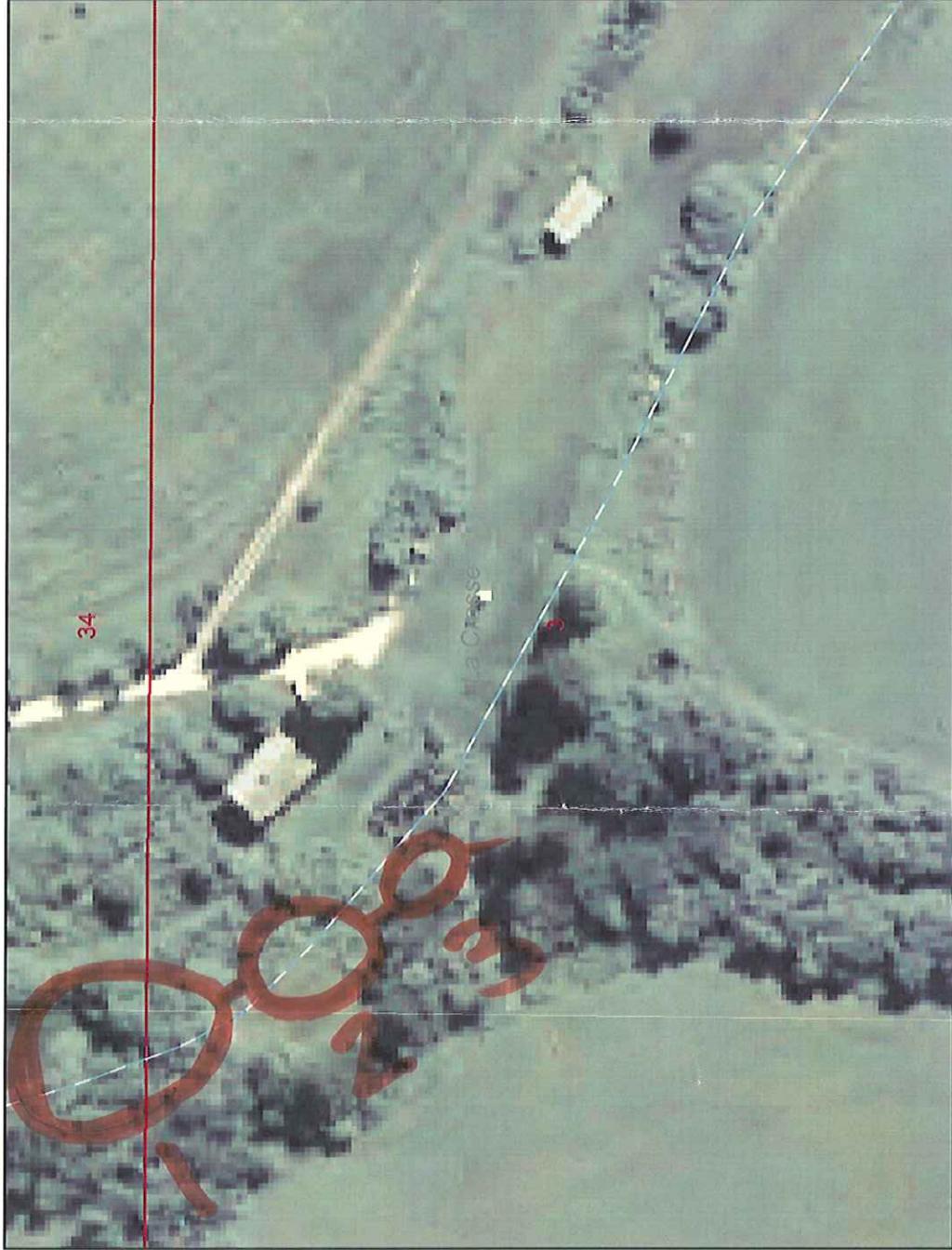
Mr. Markos wishes us to disregard.

6-28-13  
Per Phone Conversation with Mr. Markos he has chosen to continue with the application and not seek dismissal. EE

To see all the details that are visible on the screen, use the "Print" link next to the map.



Markos property



Legend

- Dams
- Major Highways
  - Interstate
  - State Highway
  - U.S. Highways
  - County Roads
  - Local Roads
- Wetland Points
  - Excavated Pond
  - Dammed Pond
  - Wetland Too Small to Delineate
  - Filled Excavated Pond
  - Filled Dammed Pond
  - Filled Wetland Too Small to Delineate
  - Filled or Drained Wetland
- Wetland Areas
  - Upland
  - Wetland
  - Filled or Drained Wetland
- Rivers and Streams
  - Intermittent
  - Fluctuating
  - Perennial
  - 24K Open Water
- PLSS Sections
- PLSS Q-Q Sections
- County Boundary
- Municipalities
  - Village
  - City

Scale: 1:1,283

0 125 250 375 ft.

Notes: T17N R6W S3 NENW  
LaCrosse County

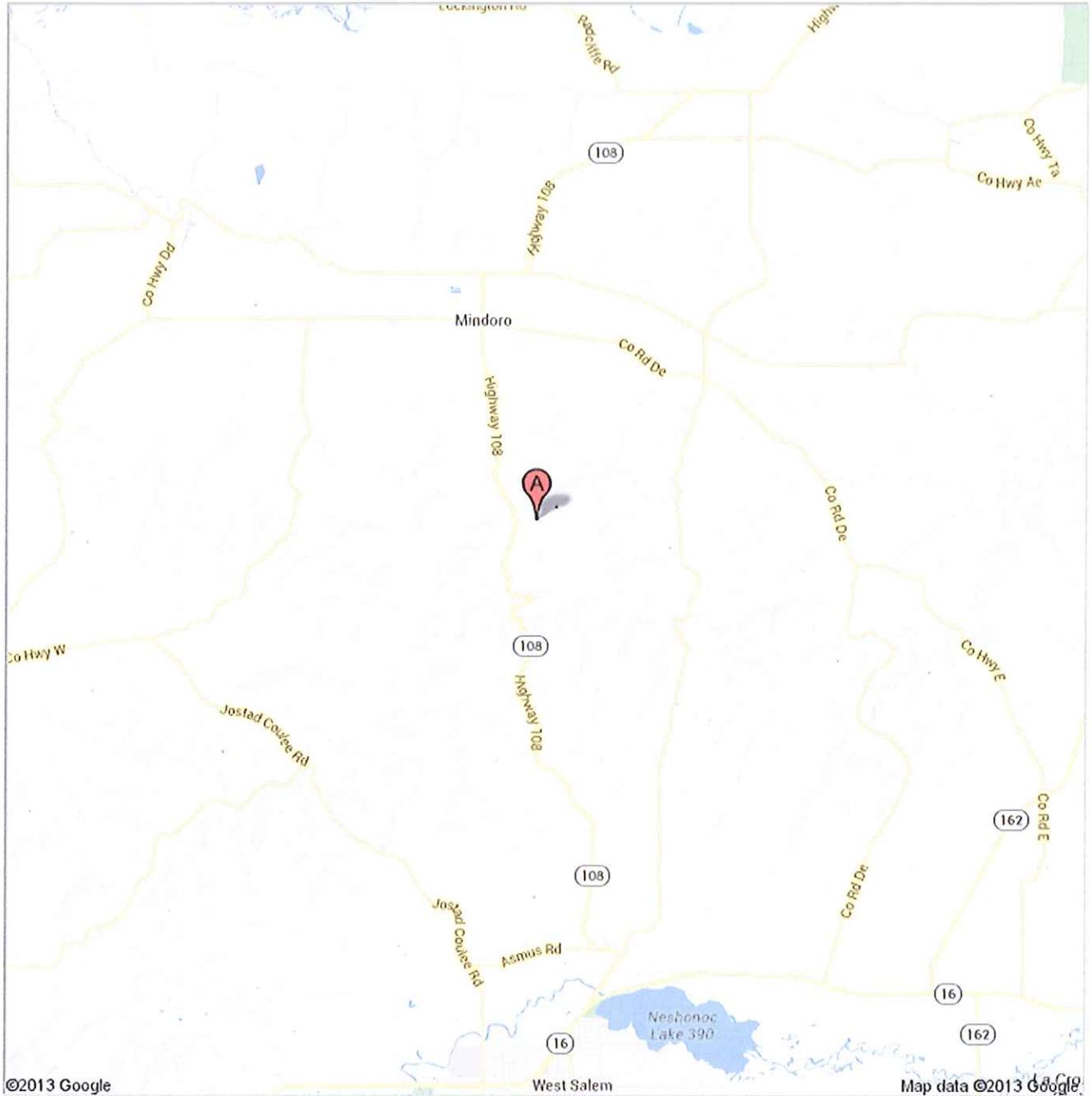
This map is a user generated static output from an internet mapping site and is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION.

1. 100' x 200' 2. 60' x 75' ~~3. 15' x 25'~~



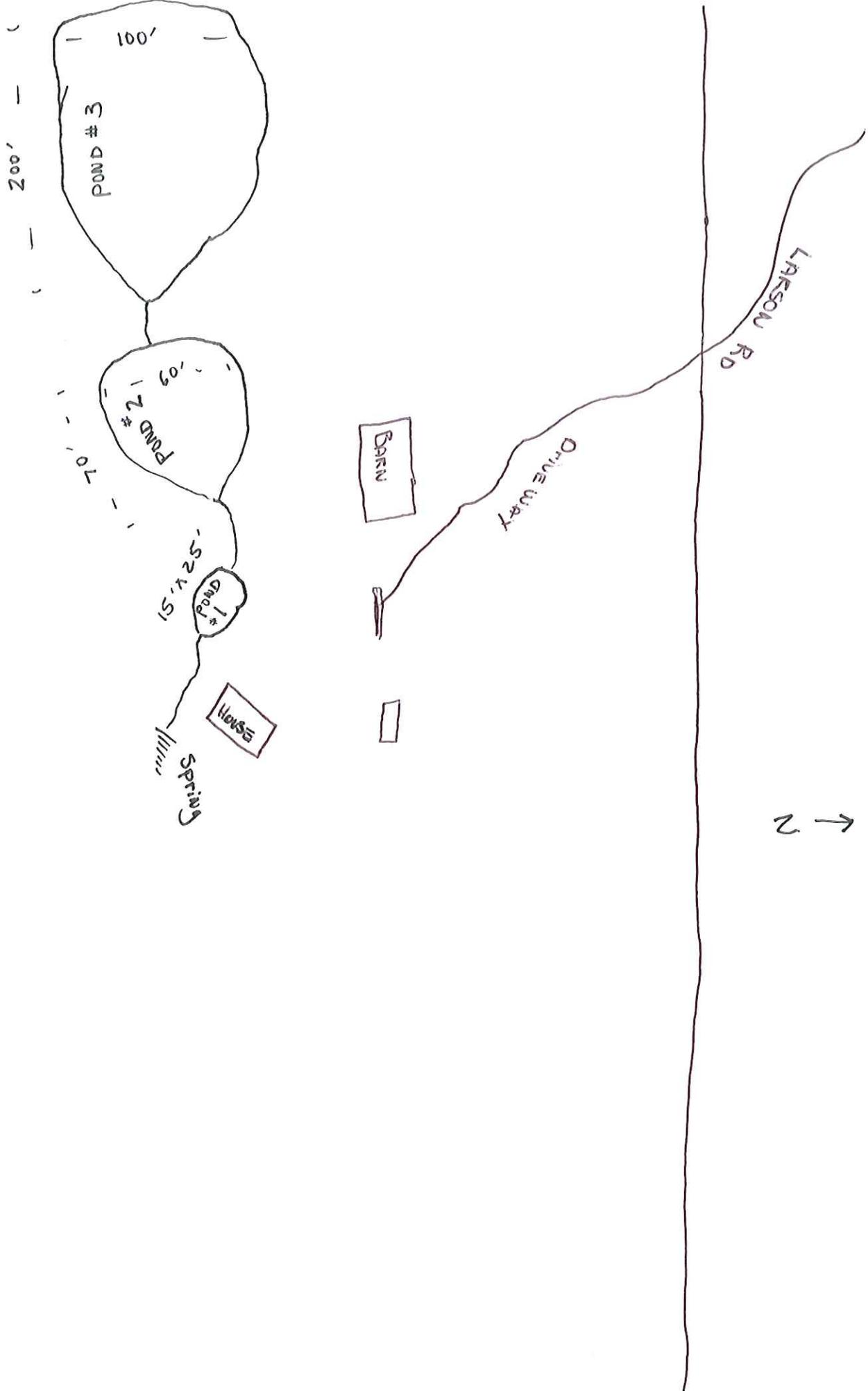
Address **Larson Rd**  
**Mindoro, WI 54644**

Get Google Maps on your phone  
Text the word "GMAPS" to 466453



# LOCATION SKETCH

↑  
N



608301

DOCUMENT NO.

1021755

WARRANTY DEED
STATE BAR OF WISCONSIN FORM 2 - 1982

THIS SPACE RESERVED FOR RECORDING DATA

VOL 841 PAGE 487

APR 24 1989

RECORDED AT 4:05 PM DORIS L. PICH A REGISTER OF DEEDS La Crosse County, WI

ERNEST LARSON, a single man

conveys and warrants to GEORGE T. MARKOS, JR.

the following described real estate in La Crosse County, State of Wisconsin:

5-1283-000; 7-442-000; Tax Parcel No: 7-438-000; and 7-443-000

That part of the SE 1/4 of the SW 1/4 of Section 34, Township 18 North of Range 6 West, Town of Farmington, lying Southerly and Westerly of the road running through said SE 1/4 of the SW 1/4.

The North 1/2 of the NW 1/4 of Section 3, Township 17 North of Range 6 West, Town of Hamilton.

That part of the NW 1/4 of the NE 1/4 of Section 3, Township 17 North of Range 6 West, Town of Hamilton, that lies between the old road and the present road running through said NW 1/4 of the NE 1/4.

TRANSFER \$ 150.00 FEE

This is (is) (is not) homestead property.

Exception to warranties:

Dated this 24 day of March, 19 89.

Signatures and names of Ernest Larson and witnesses.

AUTHENTICATION

ACKNOWLEDGEMENT

Signature(s) authenticated this day of 19

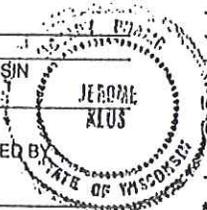
STATE OF WISCONSIN LA CROSSE County, ss. Personally came before me this 24 day of March, 19 89 the above named Ernest Larson

TITLE: MEMBER STATE BAR OF WISCONSIN

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

THIS INSTRUMENT WAS DRAFTED BY

ATTORNEY JEROME J. KLOS



to me known to be the person who executed the foregoing instrument and acknowledge the same.

Notary Public Jerome J. Klos

La Crosse, Wisconsin 54602-0487 (Signatures may be authenticated or acknowledged, Both are not necessary.)

My Commission is permanent. (If not, state expiration date: 19 )

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

Katie D. Ciano @ 786-4489  
 Town of Hamilton Treasurer  
 W3197 WALKER RD  
 WEST SALEM WI 54669

**State of Wisconsin**  
**PROPERTY TAX BILL FOR 2012**  
**LA CROSSE COUNTY**  
**Town of Hamilton**

**Real Estate**  
**Bill Number 53036**

**Tax Parcel 7-442-0**

Correspondence should refer to tax number.  
 See reverse side for Important Information.

	Land Value	Improvement	Total Assessed	Woodland	Ave. Assmt. Ratio		
Assessed:	60900	45100	106000	0	99.2400		
Est Fair Mkt:	61400	45400	106800	0			* Est Fair Mkt < Full Mkt Due to Asmt Class.
Taxing Jurisdiction	2011 Est. State Aids Allocated Tax Dist	2012 Est. State Aids Allocated Tax Dist	2011 Net Tax	2012 Net Tax	% Tax Change	Net Property Tax	1,792.48
State of Wisconsin		0.00	18.23	18.13	-0.50		
La Crosse County		152,293.00	428.92	427.10	-0.40		
Local Municipality		130,408.00	235.90	236.17	0.10		
Mel-Min School		38,286.00	960.06	954.10	-0.60		
WTC		79,885.00	225.22	226.02	0.40		
			<b>Total</b>	<b>1,868.33</b>	<b>1,861.52</b>	<b>-0.40</b>	
			<b>First Dollar Credit</b>	<b>71.15</b>	<b>69.04</b>	<b>-3.00</b>	
			<b>Lottery Credit</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	
			<b>Net Property Tax</b>	<b>1,797.18</b>	<b>1,792.48</b>	<b>-0.30</b>	

School taxes reduced by school levy tax credit:	163.19	Net Assessed Value Rate (Does NOT reflect credits):	0.017561561
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Important: Be Sure this description covers your property. This description is for property tax bill only and may not be a full legal description.

**Total Due For Full Payment**  
**1,792.48**  
 Pay By 01/31/13

**Or Pay the Following Installments**

1st Installment to local treas <b>896.24</b> by 01/31/13	2nd Installment to county treas <b>896.24</b> by 07/31/13
--	---

WARNING: If not paid by due dates, installment option is lost and total tax is delinquent subject to interest and if applicable, penalty.  
 Failure to pay on time. See reverse.

03-17N-06 Acres 37.440  
 Document No 1021755  
 W3595 LARSON RD  
 FRAC NE1/4 OF NW1/4

**GEORGE T JR MARKOS**  
**W3595 LARSON RD**  
**MINDORO WI 54644**



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: 112965-AQ**

## Fish Farm Registration

Legal Name:

**George's Ringside, Inc.**

Business Location:

W3595 Larson Rd Mindoro WI 54644

Doing Business As:

Springbrook Fish Farm

Livestock Premises Code(s): 00C4HLA

**Type 1 Fish Farm**

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

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

GEORGE'S RINGSIDE, INC.  
W3595 LARSON RD  
MINDORO WI 54644



Wisconsin Department of  
Agriculture, Trade and Consumer Protection

### Fish Farm Registration Type 1 Fish Farm

**George's Ringside, Inc.**

**Registration Number:**

**112965-AQ**

**Expiration Date:**

**March 31, 2014**

W3595 Larson Rd Mindoro WI 54644

DATCP Contact : (608) 224-4887



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Carroll D. Besadny  
Secretary

April 6, 1992

George Markos  
128 S. 3rd Street  
La Crosse, WI 54601

Dear Mr. Markos:

The Department of Natural Resources has jurisdiction over ponds as follows: any naturally occurring pond of any size, any man-made pond which is ultimately connected to a navigable waterway (the connection can be open ditch, swale, culvert, etc.), any man-made pond which was constructed after 1963 and before 1988 which is within 500' of a navigable waterway, any man-made pond constructed after 1988 which states as a permit condition that the pond becomes public waters, or any man-made pond which has accrued public use within the last 20 years. Permits are required for construction of a pond within 500' or directly connected to a navigable waterway. Once it is determined that a pond falls under our jurisdiction, there is no statutory provision for filling it in.

Local counties have ordinances restricting work in the shoreland-wetland zone of navigable waterways, and the U.S. Army Corps of Engineers has jurisdiction over the placement of fill in any wetland area. Please contact these authorities to determine restrictions they may have on the work you propose.

If you have any further questions, feel free to contact me.

Sincerely,

*Liesa K. Nesta*

Liesa K. Nesta  
Water Management Specialist  
(414) 263-8678

Exhibit "A"

Southeast District

2300 N. Dr. Martin Luther King Jr. Dr.  
Post Office Box 12436  
Milwaukee, Wisconsin 53212  
Telephone: 414-263-8500  
Telefax: 414-263-8483

File Ref: 3500



**State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES**

State Office Building, Room 104  
3550 Mormon Coulee Road  
La Crosse, Wisconsin 54601  
TELEPHONE 608-785-9000  
TELEFAX 608-785-9990

Exhibit " B "

George E. Meyer  
Secretary

November 3, 1995

3530-4  
La Crosse County

Mr. George T. Markos  
W3595 Larson Road  
Mindoro, Wisconsin 54644

SUBJECT: Application for a permit to construct three ponds and dams  
on a tributary to Creamery Creek (Creek 20-1)

Dear Mr. Markos:

I have received your inquiry regarding the three ponds and dams that have been re-constructed on a tributary to Creamery Creek. Since your proposed project constitutes a retention of water it comes under the purview of Wisconsin Statutes 31.05 or 21.12, which deals with the authority to construct, operate and maintain a dam. An application to construct, operate and maintain a dam is enclosed. Fully complete both sides of the application. Also attached is a sample plan for small dams that can be used as an outline for some projects.

Please include the following information:

1. Dam plans (may be general in nature)
  - A. Embankments
  - B. Foundation
  - C. Spillway details, including: type of gates, gate openings, gate closure devices and elevation of gate sills.
  - D. Open spillway crest
  - E. Watershed drainage area
2. Operating levels (maximum and minimum)
3. Impoundment characteristics
  - A. Topographic map of area
  - B. Acreage
  - C. Water volume
  - D. Clearing, grubbing and other preparation work
4. Land ownership in flowage area and at the dam site
5. Proof of financial responsibility

Mr. George T. Markos - November 3, 1995

2.

The above information requirements will be used to determine if a permit to construct will be granted.

Enclosed is a fee schedule for all permits affecting state waters under Chapters 30 and 31 of the Wisconsin Statutes. Consult this schedule for computation of the appropriate fee. Please submit the fee with your application.

For specific questions on dam design and financial responsibility, please call Mr. John Coke at (608)266-7037. For questions on the application process, give me a call at (608)785-9010.

Sincerely,



David M. Pericak  
Water Management Specialist

DMP:cs

Enc.



**State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES**

Tommy G. Thompson, Governor  
George E. Meyer, Secretary  
Donald R. Winter, District Director

State Office Building, Room 104  
3550 Mormon Coulee Road  
La Crosse, WI 54601  
TELEPHONE 608-785-9000  
FAX 608-785-9990

Exhibit "C"

July 12, 1996

Mr. George Markos, Jr.  
W3595 Larson Road  
Mindoro, Wisconsin 54644

File Ref: 9400-25

Dear Mr. Markos:

I am in receipt of your application for a private fish hatchery license and your check for \$5.00. I apologize for this taking so long. Unfortunately, it is one of those things that got set aside and then reassigned in the Department's reorganization and downsizing.

Your pond has been inspected, and David Pericak has determined that you need no permit. I will do the paperwork toward getting you a license as soon as I can. Licensing is a new assignment for me, and I will be receiving training on doing it on July 15, 1996. As quickly as I can after that date, I will begin processing the backlog of applicants we have, with you near the top of the list.

Thank you for your patience this year. Next year's relicensing should go smoothly.

Sincerely,

  
Kenneth J. Wright  
Area Fish Manager

KJW:ak