

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 <i>Timothy A Brando</i>			Co-Applicant Name: First MI Last		
Address <i>N25351 Highland Ave.</i>			Address		
City <i>ERTTRICK</i>	State <i>WI</i>	ZIP Code <i>54627</i>	City	State	ZIP Code
Phone Number <i>6088630681</i>	Social Security No./ Fed. Employer ID No.		Phone Number	Social Security No./ Fed. Employer ID No.	

Project Information					
Business Name (if any) <i>See attached letter from the department</i>			Waterway Name <i>SPRINGS 97</i>		
Address <i>- BLF</i>			Water Source (identify as gallons per minute, gpm)		
<input type="radio"/> City <input type="radio"/> Town <input type="radio"/> Village of County			Spring	Well	Stream
Fire Number (if applicable)			City Water	Other	Specify Other <i>150 GPM</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	Township <i>N</i>	Range	<input type="radio"/> E <input type="radio"/> W <input checked="" type="checkbox"/> Waterway <input type="checkbox"/> Wetland
					Discharge (gpm) <i>150 GPM</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 checked="" type="checkbox"/> Raising Fish For Stocking
<input type="checkbox"/> Raising Bait For Sale	<input 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:

Braithner
 Applicant Last Name

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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						Bluegill					
Bass Smallmouth						Crappie					
Bullhead						Perch					
Muskellunge						Pumpkinseed					
Northern Pike						Sunfish					
Walleye						Tilapia					
Chubs						Brook Trout					
Minnows						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.

500.00

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

Total Fees Enclosed:

Application Certification

Signature of Authorized Representative

[Handwritten Signature]

Date Signed

3-31-25

Leave Blank – DNR Use Only

Received By	Date Received	DNR Docket Number	Application Date
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March 19, 2025

Timothy Brandtner
N25351 Hegland Lane
Ettrick, WI 54627

Subject: Review for the Need of a Natural Waterbody (NR19) Permit

Dear Mr. Brandtner,

Thank you for your Natural Waterbody Permit inquiry and providing us with the permit requirement review form for your waterbody (**Lat:** 44.20597° N, **Lon:** 91.26180° W, pictured below) located in the Town of Ettrick, WI in Trempealeau County. Please note that based upon the descriptions you have provided, your application materials, and our information, based on Ch. 29.733 Wis. Stats., we have concluded that your raceway is located within a springhead area. Under Wis. Stat. 29.733 (1d)(b), your earthen pond meets the legal definition of a natural body of water and **requires a Natural Waterbody NR 19 permit from DNR.**

You will now need to apply for a new initial permit which comes with a \$500 application fee. We've determined that under Wis. Stats. 29.733(1h)(c)4 your fish farm (pond) was registered with the Department of Agriculture, Trade and Consumer Protection on June 25, 2017, and therefore is eligible to be considered for a new initial natural waterbody use permit and subsequent Department decision.

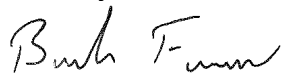
The application review and decision process includes: 1) a 30-day public notice process - posting on the Department's website; 2) Review of 29.733 eligibility standards (a) The land that is riparian to the body of water is owned, leased or controlled by the owners of the fish farm, and (b) None of the owners of the fish farm or of the riparian land provides access to the body of water to the public by means of an easement or other right-of-way or by means of a business open to the public, except that the owners of the fish farm may allow fishing by the public for a fee; 3) Public rights-private rights analysis; and 4) permit review determination, and issuance by the county Fisheries Biologist.

Please note that we did not review your project for compliance with other types of approvals that might be required by federal, state or local laws. In many situations, physical alterations in or near wetlands, ponds or streams, or well construction or water discharges may require a permit from the DNR.

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 must 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 must 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. All requests for contested case hearings must be made in accordance with section NR 2.05(5), Wis. Adm. Code, and served on the Secretary in accordance with section NR 2.03, Wis. Adm. Code. The filing of a request for a contested case hearing does not extend the 30-day period for filing a petition for judicial review.

If you have any questions about the permit review process, please reach out to me.

Sincerely,



Braden Furness

Fisheries Management – Permit Coordinator
 Wisconsin Department of Natural Resources
 101 South Webster St.
 Madison, WI 53707
 Phone: (608) 261-7634
braden.furness@wisconsin.gov

CC: Zachariah Woiak, Trempealeau County Fisheries Biologist
 Dan Hatleli, West District Acting Supervisor

