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State of Wisconsin
DEPARTMENT OF NATURAL RESOURCES
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Westar Manufacturing
Bait Cover
814 E. 1st Ave.
Dorchester, WI 54425

To Whom It May Concern:

A few weeks ago your company had inquired as to whether or not your product known as "The Baitcover" is legal for hunting in Wisconsin. I am happy to report that in general the answer is yes, it is legal for hunting in Wisconsin. However, there are some specific details we must bring to your attention.

In discussion with our legal section it was determined that it may be difficult to get a local DA to prosecute and a judge to agree that a mechanical cover would be a violation of the way the rule is currently written. We have sent a communication to all of our law enforcement staff clarifying that we will not be taking enforcement action for use of your product where it is legally used.

After sending out our communications there were several questions we had to address. Those questions were:

- 1. Can the bait cover device be used on DNR Lands to cover a deer bait site? Yes & No.**
NR 45 does not prohibit the use of such a device during the day, however, NR 45.04(3)(m)2., requires removal of personal property such as a bait cover device from DNR owned/managed lands by 11:00 pm each day.
- 2. Can a manufactured bait cover device be used anywhere to cover bear or wolf bait sites? NO.**
A bait cover device made of metal, plastic, glass, wood or any other manmade or process materials cannot be used to cover a bear or wolf bait site Under ss. NR 10.07(2m)(d)3. and (em)1.c., the bait may only be capped by logs or other naturally occurring material. Even if first covered with logs or rocks, the addition of a manmade cover over the natural material covered bait, is not permissible.

3. **Can a bait cover device be placed and left out on other types of public or private lands that are open to public hunting, such as county, federal, MFL, VPA or leased public hunting lands ?**

Only if allowed by the owner of these lands. Individuals considering using a bait cover device on lands not owned or managed by the DNR, even if open for public hunting, will need to contact the owner of such private or public lands and receive permission to use and leave the device on those lands, or check with the manager of county or federal lands open to hunting to determine if that agency has any rules prohibiting the use or placement of the device on their lands.

In summary, this new device can only legally be used in Wisconsin in the counties where deer baiting and feeding are legal, when used to cover bait or feed lawfully placed for deer (2 gallon limit, etc.). If placed on DNR owned or managed lands, it must be removed daily by 11pm. If placed on any private or other publicly owned lands, such as county or federal forests open to public hunting, the person would first need the permission of the landowner to leave the device unattended.

I hope this letter sufficiently addresses the issue of legality for your new product. Please feel free to contact me directly if I can be of further assistance.

Tim Lawhern

Division Administrator
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