

**571—79.2(481A) Application procedures.**

**79.2(1)** Eligibility. Upon approval of application and payment of fees, any owner of a pond may receive fish stocks for private waters, provided all of the following conditions are met:

- a.* The pond is newly impounded, has been drained and refilled, or is free of fish.
- b.* Livestock are, and will continue to be, excluded from the impoundment area with a minimum of a 60-foot buffer between pond edge and fence.
- c.* The pond is at least one-half acre and no more than ten acres in size.
- d.* The pond has a depth of at least eight feet at its deepest point.

**79.2(2)** The following procedures shall be used to administer the stocking of private waters:

- a.* Application shall be made on a standard form provided by the department which shall include the name, address, and telephone number of the pond owner and the location of and physical information about the pond to be stocked.
- b.* The pond owner shall submit the appropriate fee with the application to the department.
- c.* A department employee will review the pond information to determine eligibility.
- d.* An application shall not be accepted after August 15 of each year for fish stocking that same year.
- e.* If the application is rejected, the fee shall be refunded to the pond owner.

**79.2(3)** Limitations.

- a.* Pursuant to Iowa Code section 481A.141, a pond stocked by the department pursuant to Iowa Code section 481A.78 shall not be used for aquaculture purposes.
- b.* The landowner retains full rights to control access to the land, but fishing shall be subject to all applicable fishing regulations.
- c.* Once an application has been accepted, the fee is nonrefundable.

**79.2(4)** Customer obligation. Fish stocks will be delivered to one site in a county, with advance notice of time and place provided to each approved applicant by the department. It is the responsibility of each pond owner to pick up the fish and place them in the designated waters.