

USER MANUAL
FOR
BUYING AND SELLING AN OUTFITTER BUSINESS

INCLUDING

*PROCESSES FOR MAJOR AMENDMENTS OR NEW OUTFITTER APPLICATIONS DEALING WITH THE PURCHASE OR SALE
OF AN OUTFITTER BUSINESS*



STATE OF IDAHO

OUTFITTERS & GUIDES



In cooperation with United States Forest Service and Bureau of Land Management

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October 2014

INTRODUCTION

The outfitting industry plays an important role in the recreational and tourism industry in Idaho. Providing outdoor recreation services and opportunities to the public is a challenging profession with many potential rewards and lots of hard work for those who choose to pursue it.

The IOGLB regulates the outfitting and guiding industry in Idaho for the explicit purpose of safeguarding the health, safety, and welfare of the public. By law, the IOGLB serves other key missions, including promoting public recreation and tourism, and helping to conserve the state's fish and wildlife resources.

PURPOSE OF THIS MANUAL

This manual has been prepared for outfitters interested in the sale or purchase of an existing outfitter and guide business where there has been no break in continuity of the permit or license, and where agency analysis indicates continued outfitter operations are appropriate.

It has been developed to provide general requirements and a step-by-step assistance during this important process to both existing outfitters interested in selling their outfitter business, and buyers intending to apply for an outfitter's license for the business they purchase.

RELATIONSHIP TO OTHER MANUALS

IOGLB maintains manuals that provide specific information on:

- New Outfitter Applications —
- Major & Minor Amendment Applications Involving Outfitter Business & Designated Agent Licenses —
- Outfitter Allocation Handbook —
- Guide Licensing and Guide License Amendments —

*This manual and other manuals have been developed from the Outfitters and Guides Act as amended under Idaho Code, Title 36, Chapter 21, and applicable sections of Idaho Code, Title 6, and Chapter 12 or IDAPA Rule 25 Title 01, Chapter 01. **This handbook does not replace, supersede or supplant the aforementioned Codes and Rules.***

- A more detailed set of rules is available on the IOGLB Website at www.oglb.idaho.gov —
- More complete instructions regarding federal agencies are available from their local offices. —

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1.0 GENERAL INFORMATION

1.1 Outfitting in Idaho

Through the Outfitter and Guides Act, the State of Idaho is one of very few states to assign outfitters the privilege of individual operating areas entitling them to provide facilities and services to the public. The primary way a person can get into the outfitting business today on federal land is by purchasing an existing outfitter business. New opportunities on federal lands are limited and prospectuses are usually competitive. Typically, applications to outfit on federal lands are filled through a public application process called a “Prospectus”. There also are limited opportunities to outfit on state or private land with the requirements and processes to submit an application explained in this manual.

The 2013 Legislature passed legislation that exempts private landowners operating on their own land from licensing as an outfitter. For them, it is now optional. With outfitters operating totally on lands which they own outright, this change has no effect.

For outfitters operating solely on public lands or waters, this change has no effect on you because you must be properly permitted by the applicable state or federal management agency and licensed by the Board. For outfitters operating on public lands and/or leased private land, this change has no effect on you, unless you no longer want to be licensed on the leased private land. If so, you will need to amend those private land operating areas from your license. Please know that if doing so adversely impacts the viability of your overall operating area including licensed public land, this may be a matter the Board will need to address. If you elect to do this, please provide a copy of a formal agreement from the private landowner now required by the change in law indicating that that the Land owner does not want you to be licensed. For anyone operating only on leased private land, please provide that same written agreement from the private landowner to avoid licensure.

Applications involving multiple land owners can become very complicated and require the outfitter to contact each land owner and to provide IOGLB with documentation that the landowner is willing to move forward. IOGLB will not make these contacts on behalf of an applicant. Applications regarding individuals purchasing an existing licensed outfitter business are addressed elsewhere in the manual.

Rivers or lakes where there is no specific resource manager are also very limited and as a result, opportunities for outfitting are limited. Inquiries may be directed to IOGLB.

1.2 Outfitter

An Outfitter is any individual, firm, partnership, corporation, or other organization or any combination thereof who in the State of Idaho engages in any of the following acts: (1) advertises or otherwise holds himself out to the public for hire; (2) provides facilities and services for consideration; or (3) maintains, leases, or otherwise uses equipment or accommodations for compensation for the conduct of outdoor recreational activities including hunting, boating, fishing and other hazardous activities like motorized or non-motorized trail rides; motored and non-motored cycling; packing using animals; wagon, sleigh, and dog sled rides; backpacking and hiking; technical mountaineering/rock climbing; cross-country or alpine skiing; snowmobiling; providing courses or schools such as survival, guiding, rescue, and fishing.

1.3 Designated Agent

When the applicant is a corporation, firm, partnership, or other organization or combination thereof it shall employ at least one (1) designated agent who shall, together with the licensed outfitter, be held responsible for the conduct of the licensed outfitter’s operations including the actions of all guides, and other persons, while in the scope of their employment. The outfitter business and designated agent(s) must each complete an application and obtain licenses.

The Designated Agent application form and a current Outfitter Operating Plan, (OG -7 and OG -7.1 forms) are required with all Designated Agent applications and outfitter license amendments. Because some outfitters employ one or more designated agent(s), operating plans must clearly explain each Designated Agent’s involvement in the licensed business in addition to guides and other employees. To add or change Designated Agents to an existing outfitter license, major

amendments are required enabling land manager input in the Board's decision to license the Designated Agent responsible for the operation of the outfitter business.

1.4 Guiding In Idaho

To guide in Idaho, a person must be an employee (not contracted with) of an outfitter and licensed by that outfitter as a guide. A Sole Proprietor or Designated Agent licensee qualifies for a guide license if the applicant possesses the qualifications of a guide as determined by the IOGLB.

A guide license shall specify their employing outfitter(s) and all activities for which a guide is qualified. The license must also identify such limitation(s) or qualification(s) as may be imposed by the IOGLB in issuance of said license. A guide shall only guide for those activities in any operating area (and on any water) for which their employing outfitter is licensed.

1.5 Qualifications

Qualifications: The qualification(s) of an outfitter, designated agent or guide licensee shall be determined in accordance with Idaho Code, Title 36, Chapter 21, and Rules promulgated there under.

An applicant for an outfitter, designated agent or guide license must meet the following criteria:

Age: Be at least eighteen (18) years of age.

First Aid: Anyone who wishes to guide must hold a current first aid card and be aware of general emergency procedures.

Knowledge: They must have extensive, first-hand knowledge of the area and/or waters and/or activities involved in his proposed operation. When the application includes big game hunting, he must know the habits of the game sought and hunting techniques that are successful in the area, be able to care for meat and trophies, and be familiar with Idaho Department of Fish and Game (IDFG) and firearm laws.

Training: Have completed and demonstrated to the IOGLB proper training for the activity for a guide license.

1.6 License Requirements and Restrictions

License: An outfitter must be in possession of a license before commencing outfitting, guiding, or acting in any capacity as an outfitter. *The submission of a license application does not fulfill this requirement.*

Operating Area and Activities: An outfitter's license shall have set forth upon its face or an attachment thereto a specific operating area(s) and the specific activities including client and harvest limitations or restrictions for which the licensee is authorized to conduct outfitter services. The outfitter is limited to the operating area and activities on the license and operating area description. An outfitter shall not sublet or enter into any third party agreements involving the use of his activities, operating areas, or license.

Qualified: In order to operate, all outfitters must be qualified to guide or have in their employment a licensed guide or a designated agent who is licensed to guide. Guides must be qualified for the activities for which the outfitter is licensed.

Review: An outfitter's or their designated agent's qualifications to guide shall be reviewed by the IOGLB and, if approved, will be issued an outfitter or a designated agent license with a guide license at no additional fee.

Limitation: A limitation in number of clientele served, operating area, or any other criteria affecting the safety, health, and welfare, of the public or viability of the fish, wildlife, or other natural resources shall be imposed in licensing where such limitation is deemed necessary by the Board.

1.7 License Tenure

Tenure in any outfitter's operating area ceases with the expiration of his outfitter license at the end of the annual license period which is March 31. Priority to operate will be maintained by submitting a complete renewal application for a license for the ensuing license period before the expiration date of the current license (March 31). If the IOGLB does not receive a completed application within ninety (90) days following the end of the license period, the license is relinquished. This date is June 30.

Designated Agent and Guide Licenses expire March 31 annually, and require an application each year.

1.8 Compliance with Laws, Criminal Background Check

All licensees must comply with all local, state, and federal laws. They must at all times cooperate fully with private landowners, public land management agencies, and/or stockmen and respect their rights and privileges. They must advise clients of all applicable conservation and game laws and must not condone or willfully allow their violation. They must report all violations to a law enforcement officer. In instances where violations of local, state, or federal laws have occurred, such violations will be handled in accordance with the following discretionary criteria:

Background Checks: All new applicants applying for an outfitter or designated agent license will be required to submit a criminal background authorization request form (ISP form). A \$20 money order payable to the Idaho State Police is required for each background review conducted by the Idaho State Police.

Notification: Outfitters, Designated Agents and guides must report and explain a conviction, withheld sentence, forfeiture or denial, including the year and location of such, annually with their license application.

Review by IOGLB: When an applicant or a license holder has been convicted of a violation of local, state, or federal law, the IOGLB will review the nature of the violation and the circumstances to determine whether a Board hearing shall be held before a license will be issued for the following year. Each such conviction will be appraised, and a decision to approve or deny the application will be based upon the nature and the circumstances of the violation. The potential outcome could involve denial of an application, or restricting, suspending or revoking the license, and imposing an administrative fine for any violation or imposing cost recovery for IOGLB's costs involved.

1.9 Sole Proprietor Outfitter/Designated Agent Examinations

All new applicants applying for a sole proprietor outfitter or designated agent license will be required to take a written (open book) examination on the *Outfitters and Guides Act as amended under Idaho Code, Title 36, Chapter 21, and applicable sections of Idaho Code, Title 6, and Chapter 12 or IDAPA Rule 25 Title 01, Chapter 01*, the Rules, and general outfitting procedures available under the documents section of IOGLB's website, www.oglb.idaho.gov. If the applicant fails the test, he may retake it after a fifteen (15) day waiting period. If he fails it a second time, the application for that license year will be denied due to an insufficient knowledge of matters essential to the conduct of an outfitter operation.

1.10 Sole Proprietor Outfitter/Designated Agent Reference Checks

When a sole proprietor outfitter or a designated agent applicant has not been licensed within the previous five (5) years, he must include as references: the names, addresses and phone numbers for three (3) people, not related to the applicant, who have known him for at least five (5) years whom have knowledge of the applicant's qualifications to act as an outfitter; two (2) people or financial institutions that shall be credit references and his two (2) most recent employers and the dates of employment with each.

1.11 Operating on Public Lands - Permits

Outfitters wishing to operate on public lands or waters must have a current state license issued by IOGLB, and a current permit issued by the appropriate agency in order to operate. All applications must first be presented to the applicable land management agency who conducts the appropriate analysis. The state and federal land management agency's representative then confers with the IOGLB on how to move forward.

Typically, permitting processes with partnering state and federal agencies and licensing processes handled by IOGLB are coordinated with permits and licenses issued simultaneously. Application to operate on various governmental lands or waters most often requires separate applications, due to outfitter business being licensed by specific land or water areas. See Section 3.2 in the Manual.

Applicant(s) may not operate until both the state and federal permit and state license has been issued.

1.12 Operating on Privately Held Lands

The IOGLB recognizes the rights of private landowners and business owners, and, at the same time, recognizes the needs and interests of Idaho sportsmen. The Board feels that it must do all it can to help promote the outfitting industry in the

State of Idaho and, when appropriate, IOGLB encourages private land owners to consider providing public access to their privately owned property for public outdoor recreation activities.

As a state agency responsible for regulating outfitting and guiding opportunities in the state and protecting the health, safety, and welfare of the public, the Board believes that it has the responsibility to help outfitters service the public without allowing outfitters to monopolize public access or public availability.

As a state agency, the IOGLB has determined the conditions outlined below, and what it takes to license outfitters to provide public opportunities on private lands. Private landowners and their employees who provide facilities or services, whether for compensation or not, upon their own privately owned property are not required to be licensed. Nothing in this exception shall prohibit landowners or their employees from voluntary licensure.

Private land owners who provide outfitted or guided services on their own land have a liability exemption put in place by the legislature several years ago, **individuals and organizations operating on leased private land without a license are not clearly covered by the landowner's liability**, nor will they have the existing liability exemption currently provided to licensed outfitters and guides.

A person who obtains permission to outfit or guide on private property from the property owner is required to be licensed as an outfitter or guide unless the terms of a written agreement with the property owner do not require licensure. All outfitters intending to operate on privately held lands and waters must have written permission of the landowner. A Letter of Intent Form (OG-21) and a Private Landowner's Statement (OG-10) form provide the mechanism to inform IOGLB of whether the proposal is agreeable to the land owner and is used to initiate an application. The Private Landowner's Statement (OG-10) must be signed by the private landowner and describe the activities, time frames, and client allowances that the private land owner will allow and must describe the area where outfitted services and facilities can be provided. It also may outline expectations of the applicant.

- License applications to add private lands must be submitted by outfitters separate from state or federal permit applications. See Section 3.3 in this manual for license application instructions.
- Outfitter licenses will be issued only to the applicant applying for the license. The landowner(s) will have no controlling interest in the licensed business, unless they are the applicant(s).
- The proposed activities on the private land are not in conflict with other outfitters in the area.
- Maps and land ownership documents must be submitted when proposing to outfit on private land. These documents include:
 - A Private Landowner Statement/agreement (must include a written area description explaining the location of the proposed operating area and a physical operating area boundary).
 - Written description, a location map and a boundary map of the proposed operating area.
- Once licensed, the outfitter must maintain with the Board, a record of all lands that are going to be outfitted during a given year. Changes must be recorded by submitting a major amendment including revised legal descriptions, maps, and private landowner sign-off, and etc.
- Outfitters must remove private lands that are no longer active as operating areas from their license. This is done by submitting a relinquishment form (OG-13) to the Board. There is not an amendment or a fee involved.

1.13 Application/Amendment Documentation – Operating Plans

As the State Agency charged to administer the Act, the Board works closely with other state and federal agencies to analyze applications in making appropriate decisions for the benefit of the outfitting industry and the public in general. To make these decisions, clear, concise and complete information is required from each applicant. By law, IDAPA 25.01.01.013, the Board prescribes forms and content of applications for licenses and the required information it needs to carry out the intent of the Act. Every section of the prescribed applications must be completed regarding the type of license requested. By law, the Board will not review incomplete applications. In addition, it is a violation of State law for a licensed outfitter to refuse to provide necessary information needed to process an application/amendment or to maintain a license.

During the application/amendment process, documentation is required in several progressive steps. This manual explains the steps and the required documentation of each in Section 3.2 for public lands and Section 3.3 for private lands.

Of particular concern is a detailed plan of operation (Operating Plan) which an outfitter proposes to follow in the utilization of licensed privileges, areas, or activities which is required with each new application or major amendment. It must be kept current and must be approved by the Board. The Board provides operating area forms OG -7 - Master and OG -7.1 - Supplemental (See section ERD.7) on its website that provide instructions and questions to which the applicant must provide a written response.

1.14 Operating Area Documentation

In addition to a current operating plan for each licensed operating area, the following documents must be provided with the application and then must be on file with IOGLB after the license is issued. In most instances, the operating area descriptions must initially be verified by the Land Manager through the provision of an LMS (OG-6), or PLMS (OG-10). Also the Operating Plans (OG -7 Master and OG -7.1 Supplemental Forms) would refer to these documents and vice versa:

- *Location Map* - A map provided to show where the operating areas involved in a transaction are specifically located in the State of the Idaho.

Acceptable maps include state highway maps, or maps provided by the USFS, BLM, and Idaho Department of Lands, that are of sufficient scale and detail to show where area(s) in this transaction are located.

- *Written Operating Area Description* – A worded description defining the operating area from a point of beginning around the area and back to the point of beginning.

For public land information, sources typically used to describe an operating area are: USFS or BLM Forest or District boundaries; IDFG unit boundaries; County borders; State border; state and federal highways; county designated roads, and federally designated trails. Also, it is possible to use landmarks such as rivers, creeks, ridges, mountain peaks, and watershed divides, etc.

Private lands are most easily described using county plat references due to the specificity of private land ownership. However, other sources listed above can be used. It is important to note that private land operating areas are typically much smaller in scale than public land operating areas, and are often intermingled with other land ownership. The maps of private lands licensed to an outfitter are needed to give the Board, other agencies, land owners and often other outfitters a clear understanding of where an outfitter would be licensed to operate.

- *Operating Area Boundary Maps* - A plat or survey map that can be used to specifically identify the physical boundaries of the operating area(s) identified in the aforementioned written area description and shown on a *Location Map*.

Land based outfitters are licensed to specifically defined areas; therefore maps are required to identify where outfitters can operate. It must include the names and locations of lodges, cabins and camps to be used, and in some instances specific roads and trails.

Boating outfitters are typically licensed to specific rivers, lakes or reservoirs that are limited by IDAPA Rule 25.01.01.059. In these instances maps are not required; however, many boating outfitters are also licensed for land based activities, such as chukar hunting, hiking, walk and wade fishing in tributaries, and many have camps, and cabins or lodges. Land based activities and related facilities must be shown on a plat or survey map provided at the time of licensure.

Acceptable maps include those available from the Forest Service, BLM, Idaho Department of Lands or the various counties in Idaho. Existing IOGLB maps available on IOGLB's website can also be used as well as topographical maps, state highway maps, and detailed Google, MapQuest and EarthLink maps.

IDFG Units, River section, Lake or Reservoir – With new licenses and amendments, outfitters have the responsibility to verify with the IOGLB, the IDFG units in which they are proposing action or which they are currently licensed. This has come about due to the dynamics of an ever changing industry, and as a result, the need to verify existing operating areas and IOGLB’s digitized operating area map system.

State and Federal Land Managers – Outfitters have a responsibility to verify with the IOGLB, the State and Federal Land Managers with whom they are permitted.

1.15 Changes to an Outfitter’s Licensed Business/Operating Plan (Amendments)

Outfitters may request changes to their existing business by amending their license and will be charged applicable fees (see section 1.20)

Types of Amendments:

Major Amendments - All outfitter license amendment applications that require IOGLB research or recommendation of a land management agency before IOGLB takes final action are considered major. Examples include, but are not limited to: change in licensed operating area; addition of licensed or permitted activities; a change in business operations; the addition of a designated agent; a redistribution of operating area(s), a boundary adjustment; or, a partial sale of an outfitter business assets.

If the amendment request includes operating areas in more than one land manager’s jurisdiction, thus requiring multiple Land Manager Statements (LMS OG-6) forms to be submitted to IOGLB, the outfitter must coordinate with each land management agency to explain their intentions. One land manager may take the lead by coordinating permitting activities and the issuance of the LMS (OG-6) forms with other land managers. If they do so, the lead Land Manager must identify on the LMS (OG-6) which other land managers are involved.

Minor Amendments - All outfitter license amendment requests that requires minimal IOGLB research before IOGLB takes final action on said amendment applications are considered minor as follows:

Minor Amendments Requiring Fees: removing DA’s from an outfitter license, a change in dba and relinquishment of an area or activity when it is not associated with the sale of a business.

In addition, the following require a land management agency signoff, are approved by a special authorization letter on a year to year basis, and are charged a minor amendment fee:

- One time controlled hunt requests (IDAPA Rule 25.01.01.051)
- Hot pursuit agreements (IDAPA Rule 25.01.01.051)

Note: although a properly completed LMS (OG-6) is required, typically, outside research is not. If it is determined that outside research is needed, a special processing fee may be required.

Minor Amendments Done Administratively not requiring Fees: As a courtesy, changes in current contact information such as physical address, mailing address, phone numbers, web or e-mail addresses, or guide name changes due to marriage, divorce, etc.

If it is determined that outside research is needed, a minor amendment fee or a special processing fee may be required.

See Sections 1.13 and 1.14. See Idaho Code Section 36-2108.d and IDAPA Rule 25.01.01.018, & .065 available on the IOGLB’s website at www.oglb.idaho.gov. See User Manual for Outfitter Amendments, Major, Minor, and One -Time Controlled Hunts

1.16 Financial Capability/Financial Statements/Selling Price

State law (IC 36-2109.c and IDAPA 25.01.01.018.02(b); .021.08.08(a); .065.01(b), requires the Board to “refuse” to issue an outfitter's license to any applicant whom the Board finds does not have sufficient financial responsibility to adequately conduct the business of an outfitter. It requires that outfitters, at the time of licensure, provide proof that they have the

financial capability necessary to conduct the proposed outfitted activity or business. The applicant must explain their knowledge of financial and business management needs and practices in their operating plan. This is rarely an issue.

A financial statement is required, and in it, the applicant must outline their financial situation. The purchase price of the outfitter business is not information the Board requires in the sales agreement (it is optional); however, the buyer is required to disclose contracts and annual expenditures in their financial statement. In instances where the buyer is financing the purchase of the outfitter business, no matter whether it is being financed by the seller or by a lending institution, the financial arrangements must be provided. The financial statement that the buyers must provide to the Board is maintained as a confidential document. Therefore, it is not disclosed by the Board to other state or federal agencies or to private interests.

1.17 Non-Use/Viability

When the Board issues an outfitter license, it is based on an operating plan that has been proposed as either a new application or an amendment to an existing license that must be acceptable to the Board. Once approved, the license, based on the approved operating plan specifies the activities the applicant is licensed to provide, the specific areas where they may be provided, often along with when and how they may be provided. The Board then monitors the actual use of outfitter assigned activities and operating areas by requiring yearly use reports to be submitted with other information when relicensing their businesses. The Board reviews outfitter use reports for the preceding three (3) years to determine whether any licensed activity or operating area fall within non-use. If an outfitter falls within non-use, a “notice of non-use” may be issued to the outfitter and disciplinary action may be taken.

IOGLB shall review all full or partial business sales for non-use. Sales of those businesses fitting the criteria of non-use may be denied, or, in some instances, the Board may approve the sale with the stipulation that use must be established within a given period of time or the area or activity may be removed from the buyer’s license. With the partial sale of a business, one of several considerations in granting a license is that the sale results in viable operating areas for both the seller and buyer. Consequently, an area or activity may be included or excluded by the Board.

Outfitters use requirements can be found in IDAPA Rule 25.01.01.024.

1.18 Statement of Ownership/Corporate Documents/Assumed Business Name

The following documents are required to be provided with an application for an outfitter’s license. Name changes of an entity or dba must be amended on the license:

- A statement identifying the officers, partners or limited liability company (“LLC”) members of an outfitter business entity.
- Documents filed with the Idaho Secretary of State’s office to conduct business in the State of Idaho. (www.sos.idaho.gov.)
- The use of an assumed business name, or d.b.a. (doing business as) requires that the name being used to advertise the outfitters activities be filed with the Secretary of State of Idaho. A conformed copy of that certification must be provided to the IOGLB along with the license application. That name may not be changed without doing a license amendment.

1.19 Outfitter Waiting List

When or if an available opening occurs, a prospectus will be issued. This requires a public announcement of the opportunity and is subject to a competitive application review process conducted by the Board typically in conjunction with partnering land management agencies (Forest Service, Bureau of Land Management). Per IDAPA 25.01.01.010 the Board will maintain a waiting list and the Board shall use the waiting list for direct notification to interested parties who will then be invited to apply and be subject to a competitive application review for the opportunity.

1.20 IOGLB Fees/What Is a Complete Application/Amendment

Application/Amendment Fees: All new outfitter applications and all major and minor amendment requests require an initial application/amendment fee. This fee must be submitted with the application/amendment materials provided to IOGLB for the application/amendment to be complete. (See www.oglb.idaho.gov for a current list of fees)

Annual License Fees: Once the review is complete, the application/amendment is approved and prior to issuance of a new outfitter license, the buyer will be required to submit the annual license fee (when applicable). License fees must be paid annually.

Incomplete Applications/Amendments – Resubmittal/Special Processing Fees: A fee will be charged for applications/amendments that are resubmitted or that require special processing because the application/amendment is incomplete, or for other reasons for which the IOGLB licensing staff is otherwise unable to process it.

IOGLB staff will be happy to answer questions regarding the completion of an amendment or a form.

At the discretion of the Executive Director, IOGLB will accept, review and return one (1) incomplete document set, and it may be resubmitted one time without requiring a resubmittal fee or special processing fee other than for mailing expenses.

Outstanding fees: All outstanding fees involved with an existing outfitter’s license must be current at the time an amendment is submitted. Outstanding fees may include, but are not limited to: annual fees, allocation fees, late fees, fines and restitution. Outfitters are expected to be current on other fees as required by respective agencies, i.e., federal outfitter permit fees, and fees for IDFG licenses and tags.

Payment: Payment must be in the form of a certified check, cashier’s check, money order, outfitter’s company check, or outfitter’s credit card. (Visa and MasterCard are the only credit cards accepted by the State of Idaho)

Questions about fees: Current fees are listed on IOGLB’s website at www.oglb.idaho.gov under fee schedule. If there is a question about which fees are applicable, the IOGLB office should be contacted at (208) 327-7380.

Time Line - Generally from start to finish, the new application and major amendment process can take up to 12 to 18 months to complete. This is largely dependent on amount of time it takes for the applicant to assemble a complete application and for the federal agencies to issue a Land Manager Statement. Properly completed applications where there are no mitigating circumstances or concerns can be processed by IOGLB in a matter of 10 to 14 business days. Applications that require Board review will take significantly longer.

Application/Amendment Fees: All new outfitter applications and all major and minor amendment requests require an initial application/amendment fee. This fee must be submitted with the application/amendment materials provided to IOGLB for the application/amendment to be complete. (See www.oglb.idaho.gov for a current list of fees)

- Complete sale - If the proposal involves a complete sale of an outfitter’s business, no fees are required of the seller. The buyer must submit a new application or a major amendment and appropriate fees.
- Partial sale - If a partial sale is proposed, the seller must submit a major amendment application and appropriate fee to remove the area being sold from their license. The buyer must submit a new application or major amendment and appropriate fees.

Annual License Fees: Once the review is complete, the application/amendment is approved and prior to issuance of a new outfitter license, the buyer will be required to submit the annual license fee (when applicable). License fees must be paid annually.

Incomplete Applications/Amendments – Resubmittal/Special Processing Fees: A fee will be charged for applications/amendments that are resubmitted or that require special processing because the application/amendment is incomplete, or for other reasons for which the IOGLB licensing staff is otherwise unable to process it.

To be considered complete:

- Applications/amendments submitted to IOGLB must use IOGLB forms.
- An application/amendment must be properly completed in full; and submitted together with all forms required in Sections 3.2 and 3.3 of this manual, and as explained in the document sets.

- The application/amendment forms and documents must be legible; otherwise, the application/amendment will be returned.
- The IOGLB licensing staff cannot accept or keep on file partly completed applications/amendments. Therefore, all required forms and other documents must be submitted to IOGLB together in one package.
- Each section of each required form must be properly completed in full or marked N/A, meaning that section is not applicable, otherwise, it will be returned.
- IOGLB staff will not complete or prepare forms on the seller's or buyer's behalf.
- All fees must be submitted with the complete application/amendment materials.

IOGLB staff will be happy to answer questions regarding the completion of an application/amendment or a form.

At the discretion of the Executive Director, IOGLB will accept, review and return one (1) incomplete document set, and it may be resubmitted one time without requiring a resubmittal fee or special processing fee other than for mailing expenses.

Outstanding fees: All outstanding fees involved with an existing outfitter's license must be current at the time an application/amendment is submitted. Outstanding fees may include, but are not limited to: annual fees, allocation fees, late fees, fines and restitution. Outfitters are expected to be current on other fees as required by respective agencies, i.e., federal outfitter permit fees, and fees for IDFG licenses and tags.

Payment: Payment must be in the form of a certified check, cashier's check, money order, outfitter's company check, or outfitter's credit card. (Visa and MasterCard are the only credit cards accepted by the IOGLB)

Questions about fees: Current fees are listed on IOGLB's website at www.oglb.idaho.gov. If there is a question about which fees are applicable, the IOGLB office should be contacted at (208) 327-7380.

1.21 Evaluation of the Sole Proprietor Outfitter or DA Applications/Amendments

The evaluation of all outfitter application and major amendments including amendments to add a Designated Agent is explained in IDAPA Rule 25.01.01.021. Factors considered are:

- The applicant's compliance with qualification criteria as prescribed in the Act and the Rules.
- The public need for the proposed service(s) in the area requested on the application.
- The extent of the applicant's experience, knowledge, and ability in the area, and in the conduct of activities requested.
- The applicant's qualifications by reason of equipment or resources to operate.
- The applicant's previous record, including references and criminal background.
- The accessibility of the area and use by the general public, the commercial use already licensed in the area, the particular terrain, and normal weather conditions during the season of operation.
- The total amount of area requested, giving due consideration to the effect such license would have upon the environment, the amount of game available to be harvested, the probable impact on the area should additional licenses be issued, and the number of persons who can be adequately served in the area.
- The adequacy and acceptability of the proposed operating plan.
- The applicant's knowledge of financial and business management needs and practices.
- The applicant's ability to manage and direct personnel and guests.
- The name registered as a d.b.a. (doing business as), or the name of the business entity, registered with the Secretary of State.

1.22 Licensing

The Executive Director reviews all routine license applications, and with the Executive Director's approval, licenses can then be issued. Issuance is with concurrence of the Board, typically done when the Board approves its consent agenda at its regular meetings.

The Executive Director may defer applications or amendments with extenuating circumstances to the Board for review and approval. In these instances, applicants are formally notified and typically are required to appear at a Board Hearing to respond to the Board's questions.

The Executive Director also has the discretion to deny any application or amendment. In these instances, applicants are formally notified and have the right to appeal the Executive Director's decision within twenty one (21) days of receiving formal notification. Typically, the Board has the discretion whether or not to hear these appeals. In these instances, applicants are formally notified of the Board's intention, and when heard, they typically are required to appear at the Hearing to respond to the Board's questions.

2.0 CONSIDERATIONS WITH BUYING OR SELLING AN OUTFITTER BUSINESS

2.1 Individuals Authorized to Sell Business:

- Only the sole proprietor outfitter or a licensed outfitter's licensed Designated Agent may conduct an Outfitter's business with the Board; this includes the submission and processing of all applications, including major and minor amendment applications, guide applications, and special authorization requests.
- The sole proprietor outfitter or the designated agent of a licensed outfitter must initiate the amendment application process by notifying the appropriate State or Federal Land Management Agency and the IOGLB of the pending amendment application request. This is done by submitting an Applicant's Letter of Intent (OG-21) form.
- If the outfitter business is a sole proprietor, the owner who is the actual sole proprietor, must initiate the process and be involved in the completion of the amendment application request.
- If an outfitter business is a corporation, partnership or LLC, rather than a sole proprietor, the designated agent is responsible for completing the amendment application request(s), and is responsible to see that the request for any business conducted by the outfitting company is handled properly. In the event of loss of DA, without prior replacement, an officer, partner or LLC member may complete until such time as the DA is replaced.
- The Sole Proprietor outfitter or the Designated Agent of a licensed outfitter must initiate the sale process by notifying the appropriate State or Federal Land Management Agency and the Board of the pending sale, prior to the sale. This is done by submitting an Applicant's Letter of Intent (OG-21) form. (See sections 3.2 or 3.3)
- If the outfitter business is a sole proprietor, the owner who is the actual outfitter, must initiate the process and be involved in the completion of the sale of the business.
- If an outfitter business is a corporation, partnership or LLC, rather than sole proprietor, the designated agent is responsible for completing the sale of the business, and is responsible to see that the sale and any business conducted by the outfitting company is handled properly. In the event of loss of DA, without prior replacement, an officer, partner or LLC member may complete until such time as the DA is replaced or the business is sold.

2.2 An Outfitter License is not Transferable

The acquisition of an outfitting business from a licensed outfitter does not require the IOGLB to transfer the operating area(s) of the licensee to the purchaser, or to issue an outfitter license. However; an applicant who has negotiated a purchase agreement with a licensee may be given priority for a license, if all other outfitter license requirements are met.

Licenses and permits have no sale value. The Land Manager and IOGLB will require a list of tangible assets (things of material value) and intangible assets (non-material, i.e. client lists etc.) and their associated value. This review will ensure that the business assets are part of the sales agreement.

2.3 Transfer of Title

A transfer of title to the business covered by the federal permit or a state license shall result in termination of the permit and the license. The party who acquires title to the business must submit an application for a permit and a license. The issuance of a new permit and a state license to the party who acquires title to the business shall be at the sole discretion of the federal agency's authorized officer, and to the IOGLB respectively. Federal policy and procedures require that the authorized officer shall determine that the applicant meets requirements before signing a final Land Manager's Statement.

2.4 Change in Controlling Interest

A change in control of a business entity is not regulated by the State of Idaho. However, a change in control of a business entity, including the cumulative transfer of stock shares, or other interest, over a period of time may result in the possible termination of a federal permit. To avoid this action, prior to the exchange, the party acquiring control of the business should submit an application for a federal permit, when applicable. However, the sale of assets of a business entity does require approval of the Board as set forth in this manual.

Examples are:

- If the licensee is an individual (sole proprietor), the sale or transfer of the business assets to another party requires federal approval and ultimately licensure by the Board as set forth in this manual. This includes a change in the business entity from individual to a partnership or corporation, etc.
- If the permit holder and licensee is a corporation, change of control means the sale of a controlling interest of the corporate stock which is not a corporate asset but evidence of ownership in a corporation and may require federal approval, but not state approval.
- Corporations that sell their business assets such as, but not limited to boats, horses, other equipment, client lists and business name are handled as set forth in this manual.

Death of an Outfitter: In the event of the death of an outfitter operating as a sole proprietor or involved in a partnership, the heir(s) must submit a major amendment or a new application, depending on the circumstances. The circumstances will be reviewed by the Executive Director and brought before the Board as necessary. Heir(s) are typically given priority consideration for the license or some latitude in selling the business.

2.5 Sales Agreement/Contract

The Contract of Sale/Sales Agreement must be submitted along with the initial application materials when the applicant is associated with the sale of a business. *The sales agreement/contract must not refer to the transaction as "selling, buying or transferring the outfitter license."*

Licenses and permits have no sale value. Any sale of a business must include a list of tangible and intangible assets and their associated value.

Use days, please list the use days assigned by the Federal permitting agencies. The Board is not concerned with the amount of use days assigned, only that the buyer is informed as to the use days associated with the outfitter business being sold.

2.6 Contractual Restrictions

- The Board does not recognize contractual restrictions placed upon a license.
- The seller cannot place operational restrictions on a license. For example, limit the number of guides or clients.
- The seller cannot contractually require the licensing board to re-license the seller in case of default.
- The contract shall not reflect "ownership" of the license. The license cannot be sold or transferred.

2.7 Default Sale

In the case of a default, where the selling outfitter finances the sale, the Board is under no obligation to return the license to the selling outfitter, should the business fail. However, the Board has consistently, in the past, recognized default sales contracts, and has made every effort to re-license the selling outfitter. Typically, to do this, the seller has to initiate and complete a civil foreclosure proceeding. The selling outfitter can petition the Board to reapply and be re-licensed. If a license was vacated as the result of inactivity by the seller, a sale was not completed, or where no sales contract exists, the

original seller does not have priority for re-licensing. The license would be vacated and the opportunity could be opened for prospectus.

2.8 Big Game Tag Allocation

The Idaho Department of Fish and Game allocates big game tags in many portions of the state which are distributed annually to outfitters by the IOGLB.

Allocated tags are redistributed every five years based on the previous five years of outfitter allocated use in a zone or due to a change in overall quota instituted by IDFG. The Board at its discretion may reassign any portion of an operating area, or any portion of the related tag allocation to the recipient outfitter. Allocated tags cannot be bought or sold or made part of a sale agreement as an asset. The tags have no monetary value.

Tag allocations of outfitter businesses which are sold and which may cover more than one zone or hunt area shall be transferred to the purchasing outfitter in the zone or hunt area in which the operating area is located. In the event of a sale the historic use and the established voucher allocation transfers with the outfitting business to the buyer.

Tag allocations of operating areas that are divided as part of a sale shall be reassigned to the outfitters involved in the sale using factors to be determined by the IOGLB. Typically, tags within one zone or hunt area are reassigned in proportion relative to the size of original area being reassigned each outfitter.

Other factors may be, but are not limited to the following: historic use in the partial zone or hunt area, biological considerations specific to each one zone or hunt area or a determination of need by the Board of each outfitter involved. It may be required at the time the sale is initiated that the seller present their previous five (5) years of historic use to the IOGLB for the area being sold as part of the outfitter business.

The reassignment of all allocated tags involved must be approved by the Board prior to the issuance or reissuance of the buyers or sellers outfitters license as the case maybe.

See the Allocation handbook posted on IOGLB's website.

2.9 Liability Insurance, Vehicle Insurance, Bonding Certifications

Proof of liability insurance, vehicle insurance (if transporting clients), and bonding certifications are required once the application/amendment is reviewed and a decision made to issue a license. Requirements can be found in IDAPA Rule 25.01.01.056 and .069.

2.10 General Processing Timeline

Simple sales and transfers may take three (3) months to complete. Complex sales and transfers may take additional processing time.

3.0 MOVING FORWARD

3.1 Determine Application Type

Outfitters must determine the context in which the sale is being submitted to IOGLB. The procedures, documents, and the application/amendment review and decision to issue a license as outlined in section 3.2 or 3.3 below may be considerably different, depending on the context of the application, the agency(s) with jurisdiction and whether it involves private lands.

If the initial proposal includes operating areas in more than one Land Manager's jurisdiction, thus requiring multiple Land Manager Statement (OG-6) forms to be submitted to IOGLB, the seller and buyer must coordinate with each Land Management agency to explain their intentions. One Land Manager may take the lead by coordinating permitting activities and the issuance of the LMS (OG-6) forms with other land managers. If they do so, the lead Land Manager must identify on the LMS (OG-6) which other Land Managers are involved.

Buyers and sellers not following steps provided below may cause a slowing of the licensing and permitting processes and may cause the application/amendment to be returned and in doing so, will incur additional fees.

If you are not prepared to quickly move forward with the application or amendment, please wait until you have time to follow it through. IOGLB will terminate any incomplete application or applications where the Executive Director determines an applicant is not responsive. Typically, not responding within ten business days (two weeks) will be determined to be non responsive. In these instances, a resubmittal fee or special processing fee may be required.

3.2 The Steps to Take for the Purchase/Sale of an Existing Outfitter Business on Public Lands

Steps	Action	Required Documents from Applicants or Agency
1	<p>When either the IOGLB or the land manager is contacted by parties transacting a sale or purchase of an existing business, or portion of a business or major amendment, IOGLB or the permit manager will direct the interested parties to submit an “A” <i>document set</i> OG-21 Letter of Intent form to be completed and submitted to IOGLB.</p> <p>IOGLB will acknowledge receipt of the “A” <i>document set</i> by providing a letter with a checklist to the buyer, the seller and the Land Manager summarizing the documents that must be submitted, and the expected timeline.</p> <p>IOGLB will not accept an application/amendment from the seller or the buyer at this point.</p>	<p>“A” <i>document set</i> submitted by the buyer and seller to IOGLB.</p> <p>An acknowledgement letter from IOGLB to the buyer, the seller and the Land Manager.</p>
2	<p>If the proposed transaction involves a complete sale of the outfitter’s business, the seller or the buyer shall complete and submit a “B” <i>document set</i> to the Land Manager, along with other information required by the Land Manager.</p> <p>If the proposal involves a partial sale resulting in changes in the buyer’s business operation, such as changes to his operating area(s), activities, or a redistribution of operating area (i.e. boundary adjustment), both the buyer and the seller shall complete and submit individual and separate “B” <i>document sets</i> to the Land Manager.</p> <p>The Land Manager will review the “B” <i>document sets</i> and other information provided for applicability, accuracy and for acceptance of that agency’s requirements.</p> <p>If necessary, the Land Manager will arrange a meeting between the interested parties and the IOGLB to identify and address any proposed changes to the terms of the license, the permit, and each operating plan affected.</p> <p>IOGLB will not accept an application from the seller or buyer at this point.</p>	<p>One or two “B” <i>document sets</i> submitted by the seller or the buyer to the Land Manager depending on the sale being a complete sale or a partial sale.</p>

<p>After reviewing the worded area description and map, and if the proposed transaction is acceptable, the Land Manager will check the appropriate section of each Land Manager’s Statement (OG-6) in the “<i>B</i>” <i>document set</i> indicating their intention to consider issuing a permit or their willingness to issue a permit upon licensure. In doing so, they will also advise the Board of accuracy to the area description and maps related to the permit by checking the appropriate section of the OG-6. If there is any discrepancy between the worded area description and maps, the Land Manager will provide a corrected version of the worded area description and map to IOGLB with the “<i>B</i>” <i>document set</i>.</p> <p>3 The Land Manager forwards the “<i>B</i>” <i>document set(s)</i> to IOGLB for both the seller and the buyer as necessary. “<i>B</i>” <i>document set(s)</i> include the proposed sales agreement, operating area descriptions and applicable maps, which the Land Manager has accepted in their review.</p> <p>If the proposed transaction is not acceptable, the Land Manager indicates on the LMS (OG-6) that the proposal requires further research or analysis, or that a permit will not be issued. If the LMS (OG-6) is not submitted to IOGLB, the proposal ends with the Land Manager.</p> <p>If the proposed transaction is not acceptable to the Land Manager, IOGLB will not accept applications or amendments from the seller or buyer.</p>	<p>If acceptable, the “<i>B</i>” <i>document sets</i> and related documents are forwarded to IOGLB by the Land Manager.</p> <p>If the proposed transaction is not acceptable, a completed Land Manager’s Statement (OG-6) is provided to IOGLB by the Land Manager. The Land Manager notifies buyer and seller.</p>
<p>If the proposed transaction is acceptable, and after reviewing the LMS (OG-6), IOGLB will provide a letter to the buyer, the seller and the Land Manager, if necessary, to clarify the steps; required documents for licensure, and the expected timeline.</p> <p>If necessary, the IOGLB will arrange a meeting between the interested parties and the Land Manager to identify and address any proposed changes to the terms of the license, the permit, and the operating plan.</p> <p>4 Otherwise, IOGLB will accept the complete applications/amendments submitted by the seller and buyer.</p>	<p>If necessary, IOGLB will provide an additional letter of clarification and <i>will arrange a meeting</i> with the buyer, seller and the Land Manager.</p> <p>Seller provides historic use information “<i>D</i>” <i>Document set</i> to IOGLB for all activities associated with the area involved in the sale.</p> <p>If a partial sale, the Seller also submits a complete license amendment application “<i>G</i>” <i>document set</i> to IOGLB.</p> <p>The buyer submits a new outfitter license application “<i>F</i>” <i>document set</i>, or a license amendment application “<i>G</i>” <i>document set</i> to IOGLB.</p> <p>The buyer submits the appropriate guide license application and training forms “<i>H</i>” <i>document set</i> to IOGLB.</p> <p>Concurrently, the buyer and seller submit the appropriate agency permit applications.</p>

<p>5</p>	<p>IOGLB provides the new sole proprietor outfitter/designated agent applicant the outfitter exam “E” document set.</p> <p>If the applicant fails the exam, he may retake it after a fifteen (15) day waiting period. If he fails it a second time, the application for that license year will be denied due to an insufficient knowledge of matters essential to the conduct of an outfitter operation.</p> <p>This must happen before IOGLB will spend additional time processing the application. IOGLB will notify the Land Manger should there be an issue.</p>	<p>New sole proprietor outfitter/designated agent applicant completes and returns the outfitter exam “E” document set to IOGLB for scoring.</p>
<p>6</p>	<p>The Land Manager and IOGLB will review applications to determine validity of the sale. NEPA analysis will be conducted as required.</p> <p>The Land Manager will determine whether a permit will be issued. If acceptable, the Land Manager checks the final section of the Land Manager Statement “J” document set for both the seller and the buyer indicating the intent to issue a permit and will submit it to IOGLB.</p> <p>IOGLB will also determine the buyer’s ability to conduct a viable operation and determine whether or not a license will be issued.</p> <p>If necessary, either the Land Manager or IOGLB will arrange a meeting between the interested parties, to identify and address any proposed changes to the terms of the license, the permit, and the operating plan. A Board hearing may be conducted.</p>	<p>If acceptable, the Land Manager completes “J” document set and submits it to IOGLB.</p> <p>If not acceptable the Land Manager notifies the buyer and the seller and forwards that communication to IOGLB.</p>
<p>7</p>	<p>IOGLB will advise the buyer and the seller through a Letter of Intended Action from the Director with a copy to the Land Manager of:</p> <ul style="list-style-type: none"> • The general acceptance of the application(s). • The results of the outfitter exam. • The allocated big game tags determination. • If acceptable, the documentation that is needed to finalize the transaction. <p style="text-align: center;">OR</p> <ul style="list-style-type: none"> • What is needed to address any outstanding matter 	<p>Once notified by IOGLB, the buyer shall complete and submit “K” document set to IOGLB.</p> <p>Once notified by IOGLB, the seller shall complete and submit “T” document set to IOGLB.</p>

<p>8</p> <p>Once all required application documents from the buyer and seller are on file, IOGLB will have operating area descriptions and maps entered into State Outfitter Mapping system.</p> <p>The IOGLB will issue an Outfitter License and will provide applicable copies to the buyer, seller and the permitting agencies along with licensed operating area descriptions and digitized maps as they become available</p> <p>The Agency permits are issued.</p> <p>The process is complete and the licensee(s) can then operate as they are permitted and licensed.</p>	<p>Except for the operating areas for which they are currently permitted and licensed and unaffected by the sale, the buyer may not operate in the area involved until both the land manager’s permit and state license has been issued.</p>
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3.3 The Steps to Take for the Purchase/Sale of an Existing Outfitter Business on Privately Held Lands

	Action	Required Documents from Applicants
1	<p>To initiate the sale of a business, the seller submits a fully complete “A” <i>document set</i> to IOGLB.</p> <p>IOGLB will acknowledge by providing a letter with a checklist to the buyer and seller summarizing the documents that must be submitted, and the expected timeline.</p> <p>This will begin the process.</p>	<p>The seller submits a fully completed “A” <i>document set</i> to IOGLB</p>
2	<p>The seller or the buyer completes and submits a “C” <i>document set</i> to IOGLB.</p> <p>When the IOGLB receives a “C” <i>document set</i> regarding the sale of a business or portion of a business on private land, the seller and buyer may be asked to meet with IOGLB to discuss the required process documents that must be provided and the time line.</p> <p>The IOGLB reviews applications and bona fide documents showing conveyance of a substantial portion of the business assets to determine validity of the sale. Resource analyses will be conducted by IOGLB in cooperation with other local, state and federal agencies.</p>	<p>The seller or the buyer completes and submits a “C” <i>document set</i> to IOGLB.</p>

<p>3</p>	<p>If acceptable after reviewing information provided with "<i>C</i>" document set, IOGLB will provide a letter of clarification to the buyer, the seller and the Land owner, if necessary, to clarify the steps, required documents or the expected timeline. Otherwise, IOGLB will accept "<i>D</i>" "<i>F</i>" "<i>G</i>" and "<i>H</i>" Document sets submitted by the seller and the buyer.</p> <p>If necessary, the IOGLB will arrange a meeting between the interested parties and the Land Owner to identify and address any proposed changes to the terms of the license, the permit, and the operating plan.</p> <p>Otherwise, IOGLB will accept complete applications/amendments submitted by the seller and buyer</p>	<p>Seller provides historic use information "<i>D</i>" Document set to IOGLB for all activities associated with area involved in sale.</p> <p>If a partial sale, the Seller submits a complete license amendment application "<i>G</i>" document set to IOGLB.</p> <p>The buyer submits a new outfitter license application "<i>F</i>" document set or a complete license amendment application ("<i>G</i>" document set) to IOGLB.</p> <p>The buyer submits the appropriate guide license application and training forms "<i>H</i>" document set to IOGLB.</p>
<p>4</p>	<p>IOGLB provides the new sole proprietor outfitter/designated agent applicant the outfitter exam "<i>E</i>" document set.</p> <p>If the applicant fails the exam, he may retake it after a fifteen (15) day waiting period. If he fails it a second time, the application for that license year will be denied due to an insufficient knowledge of matters essential to the conduct of an outfitter operation.</p> <p>This must happen before IOGLB will spend additional time processing the application. IOGLB will notify the Land Manager should there be an issue.</p>	<p>The buyer submits a completed application "<i>E</i>" document set to IOGLB and the exam is scored.</p>
<p>5</p>	<p>The IOGLB will determine the buyer's ability to conduct a viable operation and determine whether or not a license will be issued.</p>	<p>Once notified by IOGLB, the buyer shall complete and submit "<i>K</i>" document set to IOGLB.</p> <p>Once notified by IOGLB, the seller shall complete and submit "<i>I</i>" document set to IOGLB.</p>
<p>6</p>	<p>Once all required application documents from the buyer and the seller are on file, <i>the IOGLB will issue an Outfitter License.</i></p> <p>Except for the operating areas for which they are currently permitted and licensed and unaffected by the sale, the buyer may not operate in the area involved until both the land manager's permit <i>and</i> state license has been issued.</p>	<p>The process is complete and the licensee(s) can then operate as they are permitted and licensed.</p>

4.0 Application Documents (Document Sets)

Application forms and a current copy of the Idaho Outfitters and Guides Act and Rules may be obtained from IOGLB’s website: www.oglb.idaho.gov.

OR by contacting IOGLB at 1365 North Orchard, Room 172, Boise, ID 83706, (208) 327-7380.

After referencing individual steps in sections 3.2 or 3.3, the applicants must prepare the application they intend to submit using the appropriate forms outlined in Section 4.1 below.

Be sure to provide all required information on each form, using additional sheets if necessary. Please be especially careful to be sure that the information is factual, legible, concise and to the point. It is a felony to provide false information in a state or federal application.

Complete document sets must be submitted; individual documents will not be accepted (Section 3.3(1))

4.1 Document Sets

“A” - Document Set – Reference: Section 3.2; Section 3.3		
Used to initiate any forthcoming license transaction with IOGLB and explain the details of upcoming transaction		
Sent to IOGLB by applicant. Then sent to Land Manager by IOGLB.		
DOC #	TITLE	EXPLANATION FOUND IN
OG-21	Applicant’s Letter of Intent Form/Acknowledgement Letter	Section 5.0

“B” – Document Set - Reference: Section 3.2		
Used when amending, selling or purchasing a business on public land		
Submitted by either buyer or seller to Land Manager. Then sent to IOGLB by Land Manager		
DOC #	TITLE	EXPLANATION FOUND IN
OG-6	Land Manager’s Statement	Section 3.3; 5.0
OG-7	Operating Plan – Master	Sections 1.11 through 1.15; 5.0
OG-7.1	Supplemental Operating Plan – Land or Boating as applicable	Section 5.0
	Sales Agreement (if applicable)	Section 2.5
	Written Area Description (Operating Area)	Section 1.14
	Location Map	Section 1.14
	Operating Area Boundary Map	Section 1.14

“C” - Document Set - Reference: Section 3.3		
Used when amending, selling or purchasing a business on private land		
Submitted to IOGLB by Applicant for Private Lands		
DOC #	TITLE	EXPLANATION FOUND IN
OG-10	Private Land Owners Statement	Section 1.12; 5.0
OG-7	Operating Plan – Master	Sections 1.11 through 1.15; 5.0
OG-7.1	Supplemental Operating Plan – Land or Boating as applicable	Section 5.0
	Written Area Description (Operating Area)	Section 1.14

	Location Map	Section 1.14
	Operating Area Boundary Map	Section 1.14

“D” – Document Set - Reference: Section 3.2; Section 3.3		
Used by seller when selling a business on public lands and on private lands		
Submitted to IOGLB from Seller		
DOC #	TITLE	EXPLANATION FOUND IN
	Use Reports	Section 1.17
	Fish and Game Units	Section 1.14
	Allocated Tag Use (if applicable)	Section 2.8

“E” – Document Set - Reference: Section 3.2 ; Section 3.3		
Provided to new Sole Proprietor or Designated Agent applicants by IOGLB		
Exam is to be completed and returned to IOGLB by applicant within ten days of receipt.		
DOC #	TITLE	EXPLANATION FOUND IN
	Outfitter Exam	Section 1.9, 5.0
	Study Materials (Outfitters Act and Rules)	Section 1.9; 5.0

“F” - Document Set - Reference: Section 3.2; Section 3.3		
Used when applicant is applying for a new outfitter’s license on public and private lands		
Application forms must be submitted to IOGLB by new applicant		
DOC #	TITLE	EXPLANATION FOUND IN
OG-1	Outfitter Application for Sole Proprietor (Notarized)	Section 1.20; 5.0
OR		
OG-2	Outfitter Application for Business entity (Notarized)	Section 1.20; 5.0
	Outfitter Application and license Fees	Section 1.20
OG-3	Designated Agent Application (Notarized)	Section 1.3; 5.0
	Designated Agent Application and license Fees	Section 1.20
OG-8	Financial Statement	Section 1.16; 5.0
OG-14	Document Release Form	Section 5.0
ISP-1	Idaho State Police Criminal Background check form and Money Order \$20.00 (Payable to ISP) Submitted to IOGLB	Section 1.8; 5.0
	Corporate Documents /Assumed Business Name documentation (if applicable)	Section 1.18
	Statement of Ownership	Section 1.18; 5.0
OG-20	Ski Outfitter Application Coversheet (if applicable)	Section 5.0

"G" - Document Set - Reference: Section 3.2; Section 3.3		
Used by existing outfitter for outfitter Amendment on public or private lands		
To be submitted to IOGLB by existing outfitter.		
DOC #	TITLE	EXPLANATION FOUND IN
OG-9	Outfitter Amendment Request	Section 1.20; 5.0
	Major Amendment Fee	Section 1.20
OG-8	Financial Statement	Section 1.16; 5.0
OG-14	Document Release Form	Section 5.0
	Statement of Ownership	Section 1.18; 5.0
OG-20	Ski Outfitter Application Coversheet (When Applicable)	Section 5.0

"H" - Document Set - Reference: Section 3.3		
Used by an amending or new outfitter to license Sole Proprietor or Designated Agent as a guide.		
Submitted to IOGLB by new license applicant		
DOC #	TITLE	EXPLANATION FOUND IN
OG-1 or OG -3	Appropriate Application section for Sole Proprietor or Designated Agent	Section 1.20; 5.0
OG-11	Training Log for River Guide	Section 5.0.
OG-15	Certified Hunting Training Form	Section 5.0
OG-16	Certified Snowmobile Guide Training Form	Section 5.0
OG-19	Ski Guide and Field Supervisor Application Coversheet	Section 5.0

"I" – Document Set - Reference: Section 3.2; Section 3.3		
Used by seller when selling a business on public lands and on private lands		
Submitted to IOGLB by Seller		
DOC #	TITLE	EXPLANATION FOUND IN
OG-13	Relinquishment Form	Section 1.12; 5.0

"J" - Document Set - Reference: Section 3.2		
Used by Land Manager at the completion of the review process to notify IOGLB of the Agency decision.		
Submitted to IOGLB by Land Manager		
DOC #	TITLE	EXPLANATION FOUND IN
OG-6	Land Manager's Statement Form, marked Final	Section 5.0

"K" - Document Set - Reference: Section 3.2; Section 3.3		
Used by new outfitter license applicant to IOGLB to finalize license application documents.		
Submitted by new license applicant to IOGLB when notified by IOGLB that they are needed		
DOC #	TITLE	EXPLANATION FOUND IN
OG-12	Performance Bond Form	Section 2.9; 5.0
	Liability Insurance	Section 2.9
	Vehicle Liability Insurance Coverage	Section 2.9

“M” - Document Set -		
Used by IOGLB to provide notification of Director’s Intended Action for the application request.		
Provided by IOGLB to the outfitter applicant(s) at the conclusion of the processes with a copy to the Land Manager :		
DOC #	TITLE	EXPLANATION FOUND IN
OG-22	IOGLB Letter of Intended Action	Section 5.0

5.0 Explanation of Required Documents (ERD)

ERD.1	OG-1 – Outfitter License Application for a Sole Proprietor	<p>A business entity where the outfitter is the sole owner. Sole Proprietors may automatically receive a guide license, if they intend to guide, and are qualified, at no additional charge. A designated agent is optional but not required.</p> <p>This form must be notarized before submitting to IOGLB.</p>
ERD.2	OG-2 – Outfitter License Application for a Corporation, Firm, Partnership, or other business entity	<p>A business entity where the ownership of the outfitter business is multifaceted. With this type of business being licensed, the business entity must license someone to serve as its designated agent.</p> <p>OG-2 applications must be accompanied by the Articles of Incorporation filed with the Idaho Secretary of State’s office or a signed partnership agreement with dissolution language and a statement identifying the officers, partners or limited liability company (“LLC”) members of an outfitter business entity.</p> <p>This form must be notarized before submitting to IOGLB.</p>

ERD.3	OG-3 – Designated Agent License Application	<p>Sole Proprietors may elect to employ someone to act as designated agent for their business when submitting a new Outfitter Application or by submitting an Outfitters Amendment Request (OG-9) to an existing license. Applicants submitting an OG-2 form must hire someone to act as designated agent for their business. An OG-3 form must be submitted at the time of initial application.</p> <p>A Designated Agent can be licensed to guide at no additional fee if they intend to guide and are qualified.</p> <p>This form must be notarized before submitting to IOGLB.</p>
ERD.4	OG-4 – Guide License Application	<p>All outfitters must employ a minimum of one licensed guide.</p> <p>If the sole proprietor or designated agent is not qualified to guide, then a separate guide license application must be submitted with the Outfitter application package, and it must be approved prior to the outfitter license being issued.</p> <p>In addition to the guide license application, one or more of the appropriate training forms listed below may be required. (OG-11, OG-15, OG-16, OG-19)</p> <p>Additional guide license applications may be submitted once the outfitter license is issued.</p>
ERD.5	OG-5 – River Boating Application Training Requirements	<p>This form identifies the classification of all Idaho lakes, rivers, and reservoirs, and applicable guide training requirements.</p> <p>It provides instructions with regard to OG-11 and OG-17. Power boat operators also must have a United States Coast Guard U S Merchant Marine Officer license.</p>

ERD.6	OG-6 – Land Manager’s Statement	<p>Proposals and completed applications require permission or approval from the public land managers such as the USFS, BLM, the Idaho Department of Lands (IDL), Idaho Department of Parks and Recreation (IDPR) and Idaho Department of Fish and Game (IDFG).</p> <p>All private land applications require a properly completed OG-10. There are two stages to utilizing this form outlined in section 3.3.</p>
ERD.7 ERD.7.1	<p>OG-7 – Operating Plan - Master</p> <p>OG-7.1 – Supplemental Operating Plan – Land/Boating (as applicable)</p>	<p>One of the most significant elements of the application and amendment process. Use the appropriate form and provide necessary details using additional pages if necessary.</p> <p>See Sections 1.12, 1.13 and 1.14.</p>
ERD.8	OG-8 – Financial Statement	See Section 1.16
ERD.9	<p>OG-9 – Outfitter’s Amendment Request</p> <p>OG-9.1 Guide Amendment Request</p>	<p>See Section 1.15</p> <p>Also, see “User Manual for Major and Minor Amendment Applications Involving Outfitters Business & Designated Agent Licenses (Not Associated with buying or selling an Outfitter Business)</p>
ERD.10	OG-10 – Private Land Owner’s Statement	<p>Proposals and completed applications require permission or approval from the private landowners.</p> <p>All private land applications require a properly completed OG-10. There are two stages to utilizing this form outlined in section 3.3.</p>
ERD.11	OG-11 – River Training Log	River Training Log for Guides. This form must accompany an OG-1, OG-3, or OG-4 form when the applicant wishes to guide using a power or float boat. Please refer to OG-5 for instructions.
ERD.12	OG-12 – Performance Bond for Outfitters and Guides	A Performance Bond is required to be provided prior to final approval and issuance of the outfitter license. See Section 2.10.

ERD.13	OG-13 – Relinquishment Form	<p>This form is used during a sale of a business.</p> <p>It is executed by the seller and is required to be submitted prior to final approval of a license application.</p> <p>By executing this form, the seller acknowledges he will no longer have any interest in the license once the sale is completed. IOGLB has discretion over the license in the event of a default.</p>
ERD.14	OG-14 – Document Release Authorization	<p>This form authorizes IOGLB to share information with other agencies needed to process the application.</p>
ERD.15	OG-15 – Certified Hunting Guide Training Form	<p>Training form for guides. This form must accompany the OG-1, OG-3, or OG-4 form when the applicant wishes to act as a hunting guide, and must be signed off by the employing outfitter.</p> <p>In the event of a sale, the selling outfitter will need to sign off for the purchasing applicant.</p>
ERD.16	OG-16 – Certified Snowmobile Guide Training Form	<p>Training form for guides. This form must accompany the OG-1, OG-3, or OG-4 form when the applicant wishes to act as a snowmobile guide, and must be signed off by the employing outfitter.</p> <p>In the event of a sale, the selling outfitter will need to sign off for the purchasing applicant.</p>
ERD.17	OG-17 – Request for Boater’s Validated Training Form	<p>This is an alternative training form which can be used for guides in certain instances in place of the OG-11. Please refer to OG-5 for instructions.</p>
ERD.18	OG-18 – 500 Mile River Log of Commercial Float Experience	<p>Log of River experience of at least 500 miles as a commercial float boat guide.</p>
ERD.19	OG-19 – Ski Guide and Field Supervisor Application Coversheet	<p>Ski Guide and Field Supervisor Application Coversheet is the form that outlines the steps for the individual guide applicant to become licensed as a ski guide.</p>
ERD.20	OG-20 – Ski Outfitter Application Coversheet	<p>Ski Outfitter Application Coversheet is the checklist provided by IOGLB that outlines the steps needed to become licensed as a ski outfitter.</p>

ERD.21	OG-21 – Applicant’s Letter of Intent	Applicant’s Letter of Intent form submitted by applicants prior to submitting an application with IOGLB. The form provides the applicant’s intent and by doing so, enables IOGLB to provide guidance early in the process to buyers, sellers, or general applicants and agencies involved with a proposed action.
ERD.22	OG-22 – IOGLB Letter of Intended Action	Provides notification to applicants and permitting agencies of Director’s Intended Action for the application request – Either the general acceptance of the application(s) and the documentation that is needed to finalize the transaction; or the denial or deferral of the application to the Board and intended action rationale
ERD.23	ISP-1 – Idaho State Police Background Request form and \$20 money order payable to Idaho State Police submitted to IOGLB	Used by IOGLB Enforcement to perform a more extensive background check. Required for all new outfitter applicants or Designated Agent applicants
ERD.24	Outfitter Exam and study materials	Used by IOGLB to test sole proprietor outfitter or Designated Agent applicants’ knowledge of outfitting rules and guidelines specific to Idaho. The exam is open book based on the Outfitters and Guides Act, Idaho Code Title 36, Chapter 21; applicable section of Idaho Code Title 6, Chapter 12; and Unofficial Rules of IOGLB and other information found on the website
ERD.25	A statement identifying the officers, partners or limited liability company (“LLC”) members of an outfitter business entity	A document created by applicant to show ownership of business entity