

BOARD MEETING JULY 22 & 23, 1968
Boise

Members present: Al Tice, Chairman James Baughman
 Jim Renshaw Arlie Johnson
 H. W. Guth

The purpose of the meeting was to hold a formal hearing to establish the area boundary between outfitters Lyle E. Phelps and Frank Santos. Mr. Dan Slavin of the office of the attorney general, whom the Board had requested to act as Hearing Officer, telephoned that he would be unable to act in that capacity.

The hearing was duly called at 10 a.m. with Al Tice, chairman of the Outfitters & Guides Board, as presiding officer. Present besides the Board were Mr. and Mrs. Lyle E. Phelps, Mr. Frank Santos, represented by attorney W. C. MacGregor, Jr., Mr. Robert Shawley, Mr. LeRoy Henderson, and Mr. Homer Rhett.

The entire testimony was recorded on tape. At the conclusion of the testimony the hearing was recessed and Mr. Phelps and Mr. Santos were asked to try and reach a compromise and to indicate what each would be willing to accept. They reached an agreement on a joint use of an area westerly from Sheep Hill to Bargamin Creek, to be used exclusively by Mr. Phelps for sheep and goat hunting and by Mr. Santos for elk and deer hunting. They also agreed that they could not use the 2 mile strip on the west side of Sabe Creek which had been licensed to Don L. Smith for several years, and they both conceded it to H. W. Guth, purchaser of the Smith big game outfitting operation.

The meeting recessed for lunch at 12:50 and reconvened at 2 p.m.

There was discussion until 3:30 p.m. at which time it became apparent the parties were not going to reach an accord and that it would be necessary for the Board to study the transcript and render a decision. The hearing was reconvened and Chairman Tice announced that, since the parties had not been able to reach an agreement, the Board would render their decision as soon as possible, and the hearing was adjourned.

The Board then reviewed applications for licenses.

Upon checking with the office of the attorney general, the following rule was unanimously adopted. Any application received bearing the postmark of July 1, 1968 is acceptable without penalty due to the fact that June 30 fell on a Sunday. If an application is received without the required bond, the penalty will not apply if the bond is received in a reasonable time; the license will not be issued until the bond is received. Motion made by Mr. Johnson, seconded by Mr. Guth.

The applications of Jess Taylor and George Dovel were reviewed. The decision was to issue both licenses the same as 1967 as there does not seem to be sufficient justification for removing the West Fork of Rush Creek from the area of Mr. Dovel as requested by Mr. Taylor.

The meeting recessed at 6 p.m. to reconvene at 9 a.m. on July 23.

In further discussion of the Phelps--Santos hearing the Board came to the realization that the parties had not been sworn before testifying. Since Mr. Slavin was not available for consultation, Mr. Boller was called for an opinion on the procedure to be followed. He suggested that if the parties involved were willing to waive the swearing of witnesses, the Board could proceed to render a decision. The matter was tabled until a letter with a waiver to be signed could be sent to Mr. Phelps and to Mr. Santos, after consultation with Mr. Slavin.

The renewal application of Clarence McReynolds was reviewed along with the report on his arrest and conviction of killing elk in a closed area. The ethics committee of the Idaho Outfitters & Guides Assn. has recommended leniency. A motion was made by Mr. Johnson and seconded by Mr. Baughman as follows: The Board does hereby act to suspend the license of Mr. Clarence McReynolds for the license year July 1, 1968 to June 30, 1969, in accordance with 36-5413 of the Idaho Code. Passed unanimously. It was further moved by Mr. Johnson and seconded by Mr. Baughman that the Board will refuse to issue an outfitter license to anyone for the purpose of hunting big game during the 1968 season in the area licensed to Mr. McReynolds for the 1967 season, as the desired harvest could be obtained by the general public for this season. Passed unanimously.

Mr. Slavin is to be asked to draft a letter to Mr. McReynolds denying his application for renewal of his outfitter license. He is to be informed that a new application to cover boating, only, would receive further consideration.

A motion was made by Mr. Guth and seconded by Mr. Johnson that a refund of \$10 be made to Herndon Insurance for the overpayment they submitted with the renewal application of Joe Scoble, and that a 25¢ overpayment made by Floyd Harvey should be refunded. Motion passed.

The application of Lynn M. Davis to add unit 76 to his licensed area was denied as this is licensed to Dave Giles.

The application of Don Young for the addition of unit 37A was denied as this is licensed to a number of outfitters.

The application of Middle Fork Lodge, Inc. for the Pung-go Creek area was denied as this is licensed to Middlefork Ranch, Inc.

The application of Ralph Dawson for the addition of the Salmon River breaks area which adjoins him was denied as it is licensed to Jim Kusler, the operator of the Whitewater Ranch.

Applications of Floyd Weddle, Gene Francis, and Arnolt Oswald were approved after being revised to conform to the agreements made by them at the Grangeville meeting. A telephone call from Mr. Francis

during the meeting requested that we delay issuance of his license as he is working on a sale of his operation to the St. Joe Lodge Co.

There was a review of the application of Charles Snook for an area which lies partially in the area licensed to Bert Whipple and the balance in the area previously licensed to Jack Ellis. Mr. Ellis' renewal application had not been received. An attempt was made to contact him, but we found he does not have a telephone. Mr. Snook's personal check in the amount of \$50 is to be returned and he is to be asked to contact Mr. Ellis and Mr. Whipple to see if a working agreement can be arranged.

The following expenditures were approved:

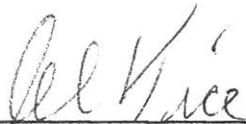
Floyd Harvey	overpayment	.25
Dick Wright	witness fee, Taylor	4.00
Pub. Emp. Ret. Fund	June, Board 26.91, Sec. 18.75	45.66
Blue Cross of Ida.	Aug. premium	6.00
Soc. Sec. Trust Fund	2nd quarter	95.04
Director Int. Rev.	" " withholding	171.00
State Tax Collector	" " "	27.54
Dept. of Employment	" "	6.88
Idaho Power	service to 7/18/68	8.40
Mtn. States Tel.	service July 18.00 LD 23.93	41.93
Ballou-Latimer	3 tapes	10.80
Frances Nelson	Sec. work 7/19, 22, & 23	33.00
Lois N. Merritt	July salary	400.00
Tillotson Real Estate	August office rent	125.00
Herndon Insurance	Refund for Joe Scoble acc't	10.00
H. W. Guth	Exp. acc't thru 7/23/68	158.84
Publ Emp. Ret. Fund	July, Board 29.90, Sec. 19.95	49.85

The following licenses were approved:

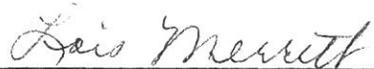
Gene R. Alford	Norman Guth	Gary Waite
Donald Anderson	William R. Guth	Norman D. Wheeler
Charles Baird	Paul J. Henry	Warren D. Wilde
Carl E. Bauman	M. B. Hurtig	John W. Wilderman
Eggs Beckley	H. W. W. Johnson	Donald E. York
Jerry C. Bisom	Laurence H. Johnson	Sterling Alley
John O. Black	Tom McCall	A. W. Angell
Chas. Bradford	Lew F. McDermott	Gilbert A. Bacon
D. W. Chamberlain	Don L. Nitz	Byrd Barton
Robert L. Cole	David Osterhout	DeLos Bell
Leonard Engelbert	Ralph Oswald	E. D. Bennett
Gary L. England	Donovan Palmer	Jack W. Briggs
William D. England	Danny Quayle	Martin R. Capps
Leland L. Fish	George Redington	Randy Capps
Joseph Froehlich	Blaine Sanderson	Lafe E. Cox
William B. Galligan	Galen D. Scoble	Leo Crane
Chester L. Goodwin	Jack P. Smith	Lynn M. Davis
Virgil Gunderson	Donald G. Waetzig	Ralph Dawson

Diamond D Ranch, Inc.
George W. Dovel
Wayne England
Ted Epley
Paul O. Filer
John Gillihan
Leonard L. Green
Vaughn J. Haderlie
Floyd W. Harvey
John S. Hatch, M.D.
R. G. Hetherington
Maynard B. Holcomb
D. C. Hughes
Lon S. Jarvis
Phillip A. Johnson
Lloyd I. Jones
Steve Jordan
Newton Kilpatrick
Herman E. Konrad
Jim Kusler
Rex E. Lanham
Mike Loening
Glen McFarland
Gary L. Madsen
G. M. Matteson
Gertrude Maxwell
Middle Fork Lodge, Inc.
Stanton C. Miller
Moose Creek Ranch Co.
Carl Nagel
Jack Nancolas
Cliff Neumann
Richard L. Norris
Hollis E. Oakes
Arnolt Oswald
Beulah Reeves
Robert D. Remington

Jim Renshaw
R. B. Rivers
Sawtooth Development Co.
Joseph D. Scoble
Selway Outfitters
Robert W. Sewell
Jack E. Simpson
Don L. Smith
Earl H. Smith
Robert L. Smith
Everett Spaulding
Gordon Stimmel
Robert L. Stinnett
K. R. Strickler
Ted R. Strickler
W. C. Sullivan
Reynold Swenson
Raymond Tarbox
Jess R. Taylor
Thomas J. Thompson
Al Tice
Max Walker
Floyde H. Weddle
Thomas K Woolstenhulme
Robert G. Wright
Wallace B. York
Donald N. Young



Chairman



Secretary