

OUTFITTERS AND GUIDES BOARD

Boise, Idaho

November 6 & 7, 1978

Monday, November 6, the Outfitters and Guides Board met in a regular meeting beginning at 8:45 a.m. Chairman Rex Lanham, Vice-Chairman Jim Baughman and Ivol Sies were present.

New license applications were reviewed and signed.

Cross country ski outfitter applicant, Kevin Grove, McCall met with the board. His proposed operation met with no opposition. He plans to utilize three trails on the backside of Brundage Mountain in conjunction with an area he holds a 10-year lease on. The board agreed that testimony submitted in lieu of the PSIA card from Corey Engan and others would suffice until Grove can take the Idaho Back-Country Ski Guide Association test.

The October 2 & 3 minutes were read and approved by a motion from Jim and seconded by Ivol.

A letter was read from Idaho Personnel Commission requesting the office's proposed reductions on their FY 1979 budget in regard to the 1% initiative. All agreed there could be no reduction in that our fee income had been cut by the court order from the Grand Canyon Dorries court case.

In reviewing Michael Lawson's report on one of his client's drowning, the board determined a letter be sent that his report was sufficient and no further inquiry would be made.

Lon Jarvis arrived, and at 10:15 a.m. Attorney Guy Hurlbutt joined the meeting.

At 10:30 a.m., Dick Perkins, M. A. and Attorney Bob Ennis of Mackay Bar Corporation met with the board. Mr. Ennis requested the tentative approval by the board on their licenses of the float boating business purchased from Stanton Miller, as their option must be closed by December 15. After discussion and consultation with Attorney Hurlbutt because the applications were not in hand, the following statement was made to Mr. Perkins and Mr. Ennis, "The Board at this time, disposed unanimously to grant the tentative approval, but final decision would depend on the final applications."

Bill Guth joined the meeting at this time and Attorney Ennis continued, explaining their corporation's reason for verbal rather than written explanation of their drowning accident, and asked if there were more questions. The board deemed the verbal report was sufficient and Guy's opinion was no letter would be required, as he had reviewed the September 5th minutes of Dick Perkin's verbal report.

Dick Perkins asked special permission from the board on the float training for Mackay Bar Corporation guides for put-in at Morgan Ranch rather than Boundary Creek or Dagger Falls, as only they have permission to fly in to this landing strip, which will facilitate their training by commencing earlier in May. Rex, Ivol, Lon and Jim agreed.

The board brought up the incomplete guide application submitted by Mackay Bar Corporation on 15 year old Peter Noffsinger and that the fee is neither refundable or transferable. Dick Perkins explained he had not thought of the age requirement and although this boy had some training,

he had been terminated.

At 11:30 A.M., William B. Latta, Attorney General's office and attorney for Idaho Personnel Commission met with the board and Attorney Guy Hurlbutt concerning the wages being paid during 1978 for the board's enforcement officers. Attorney Latta explained his meeting with the retirement board and that there would be no problem with the retirement being paid to our enforcement officers this year, whether the 108 days wages paid exceeded 864 hours or 166 hours per ^{MP} week, as could be the case with I.P.C.'s interpretation of wages due taken from the expense sheets presented for pay. After much discussion by the board and the attorneys, Mr. Latta and Mr. Hurlbutt said they would work on a solution to the interpretation of days worked vs. hours submitted problem and would get back to the board for clarification so that this problem will not carry over into another year. The enforcement men will be invited to attend the December meeting and they will then be informed of what must be submitted (and how) for pay.

The board recessed at 12:45 for lunch. At 1:45 p.m., all members reconvened, with outfitter Jerry Hughes meeting about extending his commercial floating to include the East Fork and South Fork of the Owyhee River and mentioned again his desire to be licensed on the Idaho section of the Owyhee. Mr. Hughes said that the Bureau of Land Management seemed favorable to his proposed plan to float the East Fork, but the board thought the forks of the river could not be considered separate rivers and it would be taken up with our attorney. If the forks of the rivers were considered separate rivers, there would still need to be a hearing to open them to commercial outfitting.

At 2:20 P.M. Phil Swanstrom joined the meeting. He gave his report of investigations, and sat through the testimony of Ron Vaughn and one of his guests, Marshall Dean Stanberry, Little Rock AFB, Arkansas, who had a confrontation with some of Kenneth Smith's guides. They thought the name of the guide was Terry Rekow and Phil will proceed with the investigation.

At 4 P.M., Carl Purvis Russell, Jr., Okemos, Michigan, the new purchaser of part of James P. Campbell's outfitting business, met to submit his application, fee, test, etc., also to sign his incomplete bond, as was arranged for by the bonding company. Mr. Russell said he plans to promote Idaho and will use Idaho Rivers for other than commercial river business. There was discussion of little-use or non-use rivers being licensed prior to Mr. Russell leaving the meeting, and it was determined to discuss this with the board's attorney. Mr. Hurlbutt later advised that the board could pull non-use rivers from licenses for "failure to serve the public", as set out in our law.

At 5 P.M., Bill Scherer, Boise, again met with the board to clear up their (Lynne Loening's) application and the Forest Services's reply to their proposed use of the area. "No use planned", was the answer to the board's inquiry about the Cape Horn airstrip and again said only wants trailrides and fishing on trail in from Cape Horn to old Mike Loening area, and no hunting. Lynne Loening will meet in December with the board.

The meeting recessed at 5:20 P.M.

Tuesday, November 7, the meeting reconvened at 8:25 A.M. with all members present.

Harry Vaughn's letter to license the old Stanton Miller hunting area, and Forester Art Seamon's phone call about all the licensed outfitters in the Nez Perce district was discussed, as was Forester Jim Moorhead's call about Bob Smith's river transfer to Bill Isley, and Isley to California buyer; Forester Greg Warren about Heatherington application; Forester Bob Martin about Ken Smith's guides licensed or not; Dave Morrell, Payette about deposit with Overland; Chris Cieslik's call and Morgan Williams letter regarding old Walt Mason area; and Maxine Larkin, Secretary of the Association, advising of bad check which will leave Jerry Spear out of Association and thus unbonded.

At 9:15 A.M., Darwin Stoneman, Glacier Raft Co., West Glacier, Montana; Forester John Bledsoe, Kooskia Ranger District; and Fish and Game representatives, Steve Haas, Lewiston and Herb Pollard, Boise all met with the Board on opening up the Lochsa River for commercial outfitting. Mr. Stoneman explained that he has been floating the Lochsa this year and would like to include it in his advertising to be a part of his commercial operation. The forester reported that they would issue permits on a one-year study for future floating during the highwater period of May, June, and until July 10 (if water is high enough), and this would determine what maximum use-permits would be allowed thereafter. The Fish and Game personnel saw no problem regarding fishing on what was suggested if float boating was cut off by July 10. Fisheries data was submitted for the board's study with the Lochsa broken into three segments. The board advised Mr. Stoneman to take applications but as others, including universities, have inquired and by law it would take a hearing to open up new rivers, probably this would be the way we will go and we will check further with our attorney.

Ivol and Jim gave reports of meetings they attended with Department of Parks and Recreation and Water Resources Department. The notification from Hank Miller and the agenda of Western River Guides Association meeting in Sun Valley was discussed and someone of the board may attend.

Miscellaneous phone calls and Mike's call about court cases were discussed.

Rex left the meeting at 11:30 A.M., and the balance of the morning the application and training card revisions were worked on.

After the lunch recess, all members of the board reconvened at 1:15 P.M., with Attorney Guy Hurlbutt joining at 1:30 P.M.

The following complaints were reviewed: Chuck Overland taking deposits and not taking his clients hunting; Ken Smith's operation; Bror Borjesson; Everett Spaulding-James Yates; and Donald Whitecotton. Also Dave Cowan's complaint against Quentin Selby (nonrefund of hunt deposit) were discussed. Attorney said okay to hear both sides of the Selby dispute and it was agreed that a meeting of available board members would meet November 20 to mediate.

Other items brought up for the attorney's opinion were arresting of an outfitter hunting out of his area, "Okay to proceed according to Idaho

Code 36-2116 (5)"; the continued licensing of non-use rivers was questioned, "can be removed by board, for failure to serve the public", was advised; also asked, was if a hearing, and all the expense, could be avoided and allow an experiment for one year on the Lochsa, our attorney advised against it and advised a hearing open for everyone; and separation of the Owyhee by forks was also advised against.

At 3 P.M. Bill, Lon and Attorney Hurlbutt left the meeting.

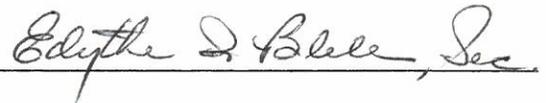
Correspondence was reviewed concerning George May from Attorney General's office; Virginia Westburg, Pacific Search publisher about Steve Jordan; Attorney Bennett's and Forest Service Cliff Blake's inquiry regarding Heatherington; Expedition Outreach asking for applications; Mike Nelson, Salmon about early archery hunt; Terry and Renae Jackson about Edna Jackson area; and Stanton Miller's letter to postpone deal with Mackay Bar Corporation, but keep his fishing, trailrides, and backpacking on his license.

The major phone calls received since last meeting were reviewed, and the next board meeting dates set, December 4, 5, & 6, in accordance with the association meeting.

A list of the outfitter and guide licenses that were approved, extended, denied or cancelled is attached and becomes a part of these minutes.

The meeting adjourned at 5:15 P.M.





OUTFITTERS AND GUIDES BOARD

Licenses acted upon between October 1 and November 7, 1978

OUTFITTERS - Licensed

Garrigus, Forest O. Jr.

Swift, Gary C.

Zapfee, Carl R.

Thompson, William L.

GUIDES - Licensed

Unruh, Matt N.

Beattie, Christopher

Youren, Dusty

Carr, M. Edward

Chamberlin, Irving W.

Christensen, Erik

Christison, Doug

Clancy, Craig B.

DeFrancesco, Kenneth

DeLate, Michael

Dill, Wayne

Downing, Ray W.

Feigenspan, Denny C.

Finnell, Thomas B.

Franklin, Bill D.

Haigh, Michael

Hincks, Tony B.

Kelsey, Andrew Cameron

Kidd, Clinton

Larsen, Toby

Loomis, Gary D.

Malone, Patricia Faye

May, George L.

Nebeker, Ray G. Jr.

Parham, Jerry Boswell

Reavis, Paul

Rekow, Terry

Robb, Kyle W.

Rogers, Charles B.

Shake, James Randall

Smart, Charles D.

Sohrakoff, Warren M.

Stevens, James B.

Licenses acted upon between October 1, 1978 and November 7, 1978

LICENSES EXTENDED

GUIDES

Moser, Gary - Hunting big game, bear/cougar, predators and birds for Flying Resort Ranches, Inc.

Young, Harvey J. B. - hunting big game, bear/ cougar, predators, birds and trailrides for Guth Enterprises, Inc.

DENIALS

OUTFITTER

Zanelli, James W. - Area requested for hunting as area is licensed to another outfitter.

GUIDES

Swift, Gary - Power boating on the Main Salmon river as the employing outfitter is not licensed for this activity.