

OUTFITTERS AND GUIDES BOARD

Boise, Idaho

November 15 & 16, 1979

The Outfitters and Guides Board convened on Thursday, November 15, 1979, at 10:00 a.m., for a regular meeting, with Chairman Rex Lanham presiding and Jim Baughman and Ivol Sies in attendance.

The Grand Canyon Dorries/Flying H Ranches, Inc. federal court case being won by the Board was discussed; also our attorney's letter which mentioned the plaintiff's appeal option.

Then Steve Dixon, Jerome, met with the Board regarding the David Giles outfitting business being conducted as Salmon River Lodge. Mr. Dixon indicated he and a partner, Joe Syczylo, Idaho Falls, have bought into the business and will continue with Dave Giles as managing agent. The Board mentioned that if there is a change for the 1980-81 licensing, and a new managing agent is proposed, that they may need to meet with the Board again.

Lon Jarvis joined the meeting during Mr. Dixon's appointment. Then, following that appointment, the Board discussed their investigators' wages, hours and expenses, also investigations which were pending. It was determined to assign Phil to investigate the unlicensed activities of Steve Jordan and Holiday Brothers, and reports on outfitters Bitton and Bill Crombie's operations. It was agreed that immediate investigation should be precipitated on reports and not wait for a full board action, where it is imperative.

At 11:00 a.m., Attorney Guy Hurlbutt joined the meeting and advised the Board that the Kellum case seemed to be developing into a political controversy, with both sides working on the case, and the Prosecuting Attorney is seeking an Attorney General's opinion on whether the waters being used at Lewiston were considered as a river or backwaters.

Attorney Hurlbutt stayed on during the next appointment which included Jerry Kooyers, part owner and managing agent of Havlah Group, Jerry Derr, James Gellein and Myrna Beamer, regarding a change of business ownership and operation. The old business has been dissolved and a new one formed to be called Salmon River Challenge, Hunting, Fishing and Rafting Co. This new business is a partnership of Jerry Kooyers and a Steven Carmichael, and proposes to include the float boating business of Myrna Beamer on the Salmon River from Middle Fork to Spring Bar, and on the Snake River from Hell's Canyon Dam to Lewiston. They proposed too, the inclusion of James Gellein, Council, and John Jones, Pullman, WA, as managing agents along with Jerry Kooyers. It was explained to the Board that James Gellein was to come in as a principal owner in the business in about 3 years, and that John Jones would be maintained as a M.A. for the present to honor his contract with Myrna Beamer.

Mr. Gellein was asked about his citation by the State of Idaho which he said he would take care of. He said he outfits in Oregon and was forced to camp in Idaho resulting in the citation. Also, in answer to the Board in their inquiry of why he joined Grand Canyon Dorries, Inc. in their federal law-suit against the Board, he said "it was to clear his position of using the rivers." Mr. Gellein claimed he has been outfitting for five years but the Board pointed out that his advertising did not specify that he was only licensed in Oregon and not Idaho. The advertising of John Jones was also discussed.

The Board pointed out the ramifications of M.A. outfitters, who also have their own businesses, operating under Salmon River Challenge bond, and the problems that could arise of the partnership not being incorporated, but said that when the additional documents were submitted to complete their applications, a decision would be made about licensing.

The meeting recessed for lunch from 12:30 p.m. to 1:30 p.m., then reconvened with Vice-Chairman Baughman, Lon Jarvis and Ivol Sies meeting with Jim Temple, Arvada, Colorado, in regard to part of Donald Hatch business. Mr. Hatch had called and arranged

this appointment and gave a telephone release of his float boating area on the Main Salmon River, mouth of Middle Fork to Spring Bar, if the Board approves Mr. Temple. Jim Temple advised he is currently a licensed outfitter in Colorado but plans to move to Idaho and run his business from here, if licensed. Most of the application was completed and the Board saw no problem for licensing when it is finished.

John Waite of Salmon next met with the Board to discuss a float boating/fly fishing business he wants to license for float/fishing operation on the Main Salmon River from Iron Creek to Corn Creek and wade fishing on upper parts of the Salmon and other local rivers. Mr. Waite presently holds a guide license for guiding for Bill Bernt, and owns a sport shop at Rattlesnake Bridge on the river above Salmon. As his application had been checked out previously and was now complete, the Board approved it for licensing.

At 3:00 p.m., Eldon Handy, Chairman of the Association's Boating Committee, met with the Board to present and discuss several problems: No. 1) The Committee felt the training cards as temporary licenses were good but suggested the training notice should be more flexible; No. 2) He asked for two reasons for value of the licensing board: "Control" and "Safety" were main items, and were defined (that the Board now works with the federal government in control and safety and without the state board, the federal government would dictate all controls, which could put the hunting outfitter out of business, and more safety regulations would be imposed--the F.S. has already advised); No. 3) Suggested that the Board check into their enforcement's handling of outfitters and suggested a check with the Prosecutors in each county. He further suggested a warning prior to arrest be offered; No. 4) He concurred with the Board's proposed R & R changes which allows a trainee two solo trips of the three training trips rather than only one; No. 5) Concurred also with Idaho cla-sified rivers being recognized for acceptable training in the proposed R & R changes; No. 6) A simplification of applications for renewals was asked for; and No. 7) Question was asked about the Board going to the legislature for assistance out of the general fund. The Board answered that the Board and licensing then could be controlled by politics. Training cards and the increase of guide licenses issued along with extensions of licenses this year over past years was discussed. Eldon asked whether this was boating guides increase--the Board said they would check it out.

Eldon thanked the Board for their time and left the meeting at 4:30 p.m.

Ed Link, North Fork then met with the Board as the new owner/managing agent of Northwest River Expeditions, which was Wayne England's float boating business on the Main Salmon, Iron Creek to Spring Bar. As his application was complete, and he was formerly an active partner in an outfitter business without any problem, the Board approved his licensing.

Then prior to his departure, the Board asked him if he knew of our enforcement "hassling" outfitters and guides, and he said "if guides turn their backs and walk away, Mike has to confront them to find who is in charge, and that, in his opinion was only doing his job."

Richard Prange, Boise, who is associated with Boise Valley Fly Fishermen, then met with the Board and presented a letter and plea that the state keep the South Fork of the Boise River closed for commercial operation. He went on to explain that the catch and release (keeping only three) using barbless hooks, of the native spawners in that river is building up the resourse and their organization felt the commercial fisherman, by advertising, would overuse and keep of catch, which would contribute to overharvest of the large spawners now being nurtured; also, that there is a limited amount of camping area available. The Board said they would consider his proposal although they didn't go along 100% about the outfitter use. Mr. Prange was advised that if a public hearing to open that river was to come up in the future, that was where he and his organization should voice their opinion.

At 5:15 p.m., there was a motion made to recess by Lon, seconded by Ivola, and passed.

FRIDAY, NOVEMBER 16, 1979

At 8:45 a.m., the same three members reconvened: Vice-Chairman Baughman, Lon Jarvis and Ivol Sies, and enforcement wages for 1980 was discussed again. A motion to increase the wages to pay grade 22, which would be \$46.80 per day was proposed by Lon, seconded by Ivol and passed. Then it was determined that the enforcement men would be invited to attend the Association meeting in December and the Board's meetings and hearing, with expenses only paid (travel & meals). Recruiting of new applicants was discussed--retirees of Fish and Game and Idaho State Police. No one has been located as yet.

Then Attorney Hurlbutt called to advise that he has been in contact with the legislative council, and they advise that a ruling passed by the Legislature should not be changed to reflect the court case decision for fee charges, as has been instigated by the proposed rules changes.

Before lunch break, the Board again discussed John Jones' advertising, and Lon said he would make a note to check the 1980 Association pamphlet advertising.

After lunch, the same three board members reconvened, with Jerry Kooyers, Riggins again meeting to submit a document of dissolution of the Havlah Group. He was advised that the document Myrna Beamer submitted for release was unacceptable, that another be obtained.

Then, Outfitter Complaints were reviewed: Determination was to write outfitters, Drinville & Atchison to meet with the Board on December 3rd. Also to advise Borjesson to come in to explain this year's operation that resulted in a number of complaints in January. The Forest Service would be called about Ken Smith/Ron Malone problems and outcome of their investigation, and Ron Malone has asked to meet in December with Tim Craig, on their boundary irregularities problem.

Misc. Outfitter & Guide Business was then reviewed: Letters read included Jerry Meyers' appreciation to the Board and the Board's letters to Twitchell, Weiser, about area once licensed to him and to guide applicant, Bernard Gustin, Orofino, about license fees being non-refundable.

Phone calls from Everett Woodworth, Orofino, about a tentative deal with Malone and various Forest Service districts regarding Ken Smith and old Lafe Cox area; also, John Jones attempting to license for the Lochsa River. Forester Dennis Griffiths saying they may allow three outfitter permits and if so, after the hearing the Board will notify those on the priority list.

State & Office Business was discussed which included the Governor's Executive Orders, lease information request, list of state approved flying services and insurance, and the state's Blue Book.

The upcoming Association meeting agenda was reviewed and a telephone call from a secretary of the United Pacific Insurance Co., who holds the Association's blanket bond, in which she asked about dropping coverage on individuals without notice. The current bond notes "60-day notice."

A list of outfitters and guides who have been licensed or had an extension, amendment or denial of license since the last board meeting is included as a part of these minutes.

The meeting adjourned at 5:00 p.m.


Secretary


Chairman or Vice Chairman

OUTFITTERS AND GUIDES BOARD

Licenses issued, denied or extended from October 9 through November 14, 1979

LICENSES ISSUED

OUTFITTERS

Whitecotton, Donald R.

GUIDES

Beckely, Jeff

Coleman, Arlo

Dixon, Joseph A.

Finnell, Thomas

Grasser, Harvey
Gunderson, Andy

Hanks, Lyle L. Jr.

Hincks, Dusty

Hincks, Tony

Holladay, Dee

Holmes, Gene Len

Horwitz, Ken

Johnson, Harry

Lancaster, Timothy D.

Nygaard, Jacey

Price, William F.

Ray, Brian

Storrer, John R.

Swiegart, Brad

LICENSES EXTENSIONS

OUTFITTERS

Powell, James-guiding as a Boatman on the Main Salmon River from Mouth of Middle Fork to the Snake River

GUIDES

Allen, Walter R.-Lead boatman on the Main Salmon River from mouth of the Middle Fork to Spring Bar.

Ampuja, Maurice I.-Hunting: big game, bear, cougar, predators, birds, fishing, trailrides and backpacking when guiding for Flying Resort Ranches and Jerry R. Meyers.

Bever, Brad-Lead boatman on the Middle Fork of the Salmon River when working for an outfitter licensed for this river.

Gericke, Bruce R.-guiding for big game, bear, cougar, predators, bird hunting, fishing, trailrides, and backpacking while guiding for Outfitter Ronald L. Malone.

Melville, Chi-Lead boatman on the Main Salmon River from mouth of the Middle Fork to Spring Bar. Lead Ski guide for Cross Country Skiing; for day tours and assist on over-night tours when guiding for Joe Leonard.

DENIALS

GUIDES

BRAUBURGER, JAMES R.-denied guiding on the basis of Fish and Game violation and Idaho Code No. 36-2109.