

OUTFITTERS AND GUIDES BOARD

Boise, Idaho

January 7, 8, 9, 1980

At 8:45 a.m., Monday, January 7, 1980, the regular board meeting convened, with Chairman Lanham presiding and board members, Jim Baughman, Bill Guth, Lon Jarvis and Ivols in attendance.

Outfitter Business was brought up first. The past season hunt report of outfitter Bitton, had been submitted, as requested by the Board. It was read and agreed to be a good report. Ivols said he would pass the information on to the Fish & Game Department; also, he would inquire as to resources in an area extension proposed in their letter, of the Bowery Creek and West Pass Creek drainage.

The pending complaint on Bitton and unlicensed operation of Steve Jordan was discussed. Phil is working on this and the Crombie horse case, and the Board will try to get a report. Also, they determined that he be advised to contact the Prosecuting Attorney on these cases.

Then the lion hunting inquiry of Attorney Bennetts, Challis, for his clients, Ken Smith, Malone, Farr and Madsen was read, and the Board's reply. Additional letters were read from Jim Smith and Scott Farr, giving written approval for Ken Smith and the others to hunt their areas. The letter from Jerry R. Meyers, naming a six-area consolidation signed by outfitters, Meyers, Ray Torrey, Garry Merritt, David Williams, Charles Willmore, and Cal Stoddard was reviewed; they advise there will be additional outfitter signators submitted. The Board determined to look into these extension of areas requests.

The Board then reviewed the phone call from Ralph Johnson, Atlanta, Georgia, and a threatened law suit against the State of Idaho; Grand Canyon Dorries/Litton's rumored legislation to remove the Snake River from Idaho outfitter law; the Board's inquiry into the Kellum case at Lewiston and lack of response; and the withheld judgement with a suspended \$250.00 fine in the Gellein case.

At 10:00 a.m., Jerry Thornton, Boise, met with the Board about his operation with Gem State Groto and cave tours. He explained they have plans to get various Idaho caves designated as parks and would then plan commercial tours. Mr. Thornton explained that their permits are considered "outfitting and guiding", but the Board explained that controlled access, where some caves have gates, denies the public and private club organizations could not be licensed. It was determined that if an application is made for spelunking in unrestricted caves, that the Board would get an opinion from the Attorney General's office on licensing.

At 11:00 a.m., Attorney Willis B. (Bill) Benjamin, Ketchum, met with the Board about his application for big game hunting, bird hunting, float boating and fishing. The area for big game hunting would need researched, as others are already assigned. The bird hunting was for Henry's Lake and Island Park, Henry's Fork and most all of Fremont County. He said the pheasant hunting was very important to him, and would have private land access. The Board mentioned that the legislature has warned about licensing bird hunting in Jerome, Gooding and Twin Falls counties. Mr. Benjamin asked then about power boat and fishing on Island Park Reservoir, and Henry's Lake. No problem, says the Board on fishing on the lakes, but the Board has no jurisdiction over power boating on lakes.

The float boating on Henry's Fork river was discussed. Attorney Benjamin feels he has grandfather rights when the Board explained it was over licensed by what Fremont Co. Commissioners and those controlling the use on the river have requested. He asked for and was given a list of those who are presently licensed on Henry's Fork. He told the Board of the way the river is being overfished by some of the licensed operators and explained his limited plan of operation. Mr. Benjamin was asked if his application could be held for the Board's attorney's opinion on his grandfather rights, as he stated he had researched these rights, and planned to defend them. He has fished and floated the river since 1951, when he only had to deal with the Fish and Game Department, he said.

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After Mr. Benjamin left the meeting, Bud Hamilton, Challis F.S., called about outfitter Joe Peck. Then the Board recessed for lunch.

After lunch, all members reconvened, along with Ranger Jack Johnson, St. Maries F.S. and Mark Sweeney, BLM, Coeur d'Alene, meeting about Bror Borjesson's outfitter business. A copy of a criminal complaint filed with the Sheriff by a client, Robert Ulrich and his son, Brad, of Conneticut, was read. Discussion of Borjesson's method of operation/was given: not enough horses and treatment of them; too many hunters (6 camps with 5-6 hunters every 7 days); kills game himself; help quits; unhappy clients and intimidation by the the outfitter wearing a .44 shoulder holster. Mr. Johnson said Lonnie Jones' area was hunted but Borjesson claims that Jones was paid for use of it. Neither land manager feels an outfitter should be assigned to the area that Borjesson has assigned. The public can practically drive into some of Borjesson's camps.

They said Fish and Game at Coeur d'Alene could make an assessment on the resource and they would obtain that, but would like to be informed if Borjesson appears to answer complaints to the Board.

After the land managers left the meeting, a call was taken from LuVerne Grusing, BLM river manager at Cottonwood, about James Gellein.

Then, reappointment of enforcement men and their wages was discussed; also, their 1980 work. Suggestion was made that the Board advise of a work limit of 3-8 hour days per week, unless otherwise notified.

Fred Bowen, Driggs, Idaho and a friend, Lee Bybee, Boise, met with the Board about Mr. Bowen outfitting for trailriding in two areas that Lyle Kunz has outfitting in. The Board suggested he discuss his plans with Mr. Kunz, but that there probably would be no problem.

After these gentlemen left the meeting, Outfitter Complaints were reviewed: letters were read advising that Drinville's complaintants will come to Idaho for a formal hearing; several letters received and replied to were read about Jerry Spear's operation; and 2 letters of "compliment" and one of complaint about Joe Peck, and the rumored use of a chain saw in the Wilderness. Also the F.&G. citation against Jim Powell in use of an unplugged gun for water fowl.

The meeting recessed then at 4:50 p.m.

Tuesday, January 8, 1980

All members reconvened at 8:30 a.m., Tuesday, January 8, 1980. The minutes of December 5-7 were read and approved, also the expenses of the last 3 months were reviewed.

Dick Atchison, Lowell, Idaho met the Board then to explain his proposed release of old Harry Vaughn area in a sale of his business to an Oregon man, Don Gnos. He is keeping his guest ranch and plans an expansion of his outfitting for bear/cougar hunting and bow hunting for deer in the Harrington area just N. of his ranch. When asked about his equipment, Mr. Lyons, a neighbor was mentioned as having dogs to guide for him for bear and cougar. He would guide the bow hunters.

Mr. Atchison then asked about float boating for guests on the portion of the Clearwater above and in front of his ranch. That portion of the Clearwater is closed to commercial boating and furnishing float boats would be outfitting was the Board's response. Mr. Atchison said he wants the floats and rentals are provided at Three-Rivers, but he wants it legally and may force another hearing. He also plans to expand to cross-country skiing

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and snowmobiling--the F.S. would give a permit for area on the Coolwater Ranch.

Old Business was then worked on: Malone/Craig boundary description at Rhoda Point and the area joint-use of West/York/Guths. Then Bill mentioned the Guths would request a Board decision (excluding himself) on bear hunting along the Salmon River from Sabe Creek to Bargamin Creek. An application will be presented for decision.

At 11:30 a.m. John Lym, Peeble Creek Outfitting Co., Pocatello, met about Cross-Country and Back-Country Alpine Skiing on the back side of the old Slyline area. He proposed to have 3 miles of Back-Country Alpine skiing to Snowmobile or cross-country on out to the highway, and would certify 3 guides; Ron Waters, Harrison Hilbert and Tom Anderson for cross-country. John Lym would qualify himself for the Back-Country Alpine skiing. He apologized for his guide application file letter reproaching the Board in his licensing. He was given application forms and the new rules and regulations will be sent to him.

Then, following the lunch break, all members reconvened except Bill, and Ivol brought up the bear/cougar resource needed checked by F.&G. and F.S. in the areas being challenged: Phil Johnson, Vern Johnson, Pepcorn and others. The balance of Outfitter business was then worked on: Gladys York operation assessment by F.S.; Lafe Cox letters; Floyd Weddle area inquiries; Robert Buehler's private club; and Foster's change of M.A.'s. At this time, 2:00 p.m., Bill joined the meeting and outfitter business was continued: Joe Tonsmeire's letter about Owyhee; Jerry Hughes extension request for Owyhee and Bruneau/Jarbidge rivers; David Mills' letter explaining his use of lower Salmon as commercial not just training; and Mike Carey's letter about lower Salmon. The Board determined to answer the various letters.

Then Miscellaneous Board and State Business was conducted: a letter of appreciation from the Board to Dale Baird as Hearing Officer; Minor Property insurance reinstatement; Alaire's rehire and Lon's retirement paid in; as well as miscellaneous letters and phone calls received.

Then the new rules and regulations proposals were worked on for the balance of the afternoon. The letters pertaining to these changes from Gerald Bentley and Martin Litton were read, and determined they would be answered. After careful consideration of proposals submitted and going through each rule, one by one, they were adopted unanimously by the Board. The meeting recessed at 5:00 p.m.

On Wednesday, January 9, 1980, Rex joined Jim and Ivol at 10:00 a.m., and the meeting reconvened. The application of James Gellein as M.A. for Salmon River Challenge was reviewed. It was determined that an extension was necessary on the business license to include Mr. Gellein as a managing agent, and all would be advised.

A call came in for the Board from Chuck Boyd, Moscow, on applying for the lower Salmon River--2 sets of applications were requested to be mailed.

Then Don Waller, Yellowpine called about applying for old Cox area and an area around Thunder Mountain which could possibly be already licensed to Middle Fork Ranch, Joe Peck or Middle Fork Lodge.

Ivol left the meeting for a half-hour, as Jim took a call from Robert Doppelt, Eugene, Or., about Hassinger's lower Salmon river business.

After lunch break, the wording on the rules and regulations was worked on to complete the rules for typing for printing and sending to law libraries etc. The meeting adjourned at 5:00 p.m.

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All licenses and extensions approved or denied up to January 9, 1980 meeting are listed and become a part of these minutes.

Edythe D. Blake  
Secretary

Bob Lamborn  
Chairman or Vice-Chairman

OUTFITTERS AND GUIDES BOARD

Licenses issued, denied or extended from December 4, 1979 through January 8, 1980.

LICENSES ISSUED

OUTFITTERS

Jones, John Robert  
Kooyers, Gerald  
Salmon River Challenge, Hunting,  
Fishing and Rafting Co.  
Temple, Jim  
Waite, John, M.

GUIDES

Burton, James, D.  
Cheatam, Walter, Gordon  
Hendrickson, Ken  
Hobbs, James, C.  
Holcomb, James R.  
Solheim, Laverne, A.  
Stanley, Donald, William  
Wilhelm, L., Kent

LICENSES EXTENSIONS

OUTFITTERS

Lewies-Float Boating Outfitting on  
the Teton River; also qualification  
as a float boat guide on the Teton  
River.

GUIDES

Cooper, Michael, Rhine-guiding as a  
boatman on the Salmon River from  
Spring Bar to the Snake River.

Johnson, Vinson, H.-guiding as a  
boatman on the Salmon River from  
Spring Bar to the Snake River.

DELETED

OUTFITTERS

Angell, A. W.-to remove the Teton  
River from Float Boating, but he  
may guide on this river when guiding  
for another outfitter licensed for this river.

DENIALS

OUTFITTERS

Temple, Jim-Denied float boating on  
the Salmon River from North Fork to  
Corn Creek as this section of river  
is licensed to the maximum.

Waite, John, M.-Denied float boating  
on the Salmon River from first bridge  
across the Salmon River above Red Fish  
Lake Creek to Slate Creek as the max-  
imum number of outfitters are licensed  
at this time. Denied Slate Creek to  
Iron Creek as it is not open for com-  
mercial boating. Denied rivers req-  
uested for wade fishing that are not  
listed on the license.