

OUTFITTERS AND GUIDES BOARD

April 16, 17 & 18, 1980 Meeting

Boise, Idaho

The Board met on Wednesday, April 16, 1980 in a regular session at 8:40 a.m., with Chairman Rex Lanham presiding, Jim Baughman and Eldon Handy in attendance.

Old Business was brought up of Ralph E. & Bonnie C. Johnson's claim for \$10,570. from the State of Idaho being dismissed and letters advising those concerned were read.

Ivol Sies joined the meeting as F.S./B.L.M./F. & G. business was discussed, which included an Action Plan implimented in Montana to slow down illegal outfitting which was forwarded to the Board by Tom Kovalicky, U.S.F.S. Northern Region. It was determined that copies be forwarded to the Assn. president and vice-president, and copies distributed to all F.S. & BLM supervisors. Also discussed was a Use-list on lower Salmon sent from BLM which is being taken into consideration on license issuance. Denial of that section to those with non-use over the past 2-year period will be advised of right by law for Board review.

Bill Guth joined the meeting at 10:15 a.m., as Lee Schultsmeier, Meridian met with the Board about chukar bird hunting along the Hell's Canyon corridor, Grouse Cr. to Deep Cr., above the H.C. Dam and north & west of Weiser to above New Meadows. The Board saw no problem but would limit to Kinney Cr. just below the dam and mentioned it would not be exclusive as a hunting area. Mr. Schultsmeier asked about his 15 year old son being licensed, as well qualified, but the Board quoted the law, and advised that his son keep on killing rattlesnake until age reached for licensing.

At 11:00 a.m., Richard Baker, Lewiston met with the Board regarding float boating on the Lower Salmon River, Vinegar Cr. to Lewiston on the Snake River. He explained a F.&G. citation of improper deer tagging in which he was fined \$90 and lost use of his hunting license for 1 year. He claimed of being a past president of a Wildlife Club and lobbied for F. & G. against poaching etc. The Board explained they will consider his application for licensing after 30 days required and then if a space opens for that river section.

After Mr. Baker left the meeting, Mr. Baughman excused himself, and left the meeting too. While Eldon Handy explained a problem one of his guides has which has placed him on 8 months probation--the Board determined that there would be no problem with licensing if probation works out successfully for the 8 months interim, as it would not be a conviction and would not be on his record.

Then there was discussion about Lemhi County bear & cougar hunting consolidation, and those in opposition. Also discussed was the request of Dave Williams for the old Feather stone area for bear & cougar hunting, and limited deer hunting of that area. The Board determined to check into the resources, as F.S. is against permit issuance to any outfitter for deer or elk in that area.

Just prior to the lunch break, the Board discussed pheasant hunting--Eldon mentioned that Sportsmen Clubs are against licensing any outfitters in his area. Letters submitted by William Bishop, M.A. of Dick Alf's Fly Shop were read about duck hunting on previously licensed lakes, as well as his request for backpacking. The Board then left for lunch.

When all members reconvened after lunch, the Board's attorney, Guy Hurlbutt met with them to advise on their proposed denial of portions of the Bill Bishop/Dick Alf's Fly Shop and Bill Benjamin licenses--also on total denial of the James "Tom" Drinville license. Idaho Code 36-2109-b4 & b5, which mentions the Board "shall consider those matters, among others", which considers "accessibility to public" and "impact upon the environment". Rex then mentioned that the Board cannot approve some of the request without incurring the wrath of the legislature. Then J. Vard Chatburn's letter, as Chairman of Resources & Conservation Committee, was read. Idaho Code 36-2114 will be referred to in each denial, for reappraisal. Guy left the meeting at 1:45 p.m., as the Board acted on portions of the Bishop & Benjamin licenses, which included approval for upland birds, duck & goose hunting in areas which are not restricted by problems which are resulting in the denials.

Eldon then brought up a subject he said he considers a big problem--enforcement and the Board's image. After a good deal of discussion of present enforcement, it was determined that an all out effort be made to secure additional investigators--possibly Dave Giles at Salmon, if available.

Rex left the meeting as Mark Wood, Island Park Resorts, Inc. dba Pond's Lodge met with the Board for licensing for big game, bird hunting, fishing and snowmobiling. The Board advised the area/^{was} already licensed for big game outfitting and has plenty of private pressure. Waterfowl hunting would be in Bathtub & east to Buffalo headwaters; Fishing would be Staley Springs, tube-fishing of Kenney Cr., Targhee Cr. and Henry's Lake, and would wade fish Box Canyon; and Snowmobiling would be on F.S. groomed trails. Mr. Wood said he has F.S. approval and said he leases, repairs and sells snowmobiles.

Rex returned as John Dyer, Seven Devil's Guest Ranch by Bear, Idaho met with the Board about licensing big game hunting in an area which is licensed partially to another new outfitter who bought out Henderson and to Garrigus in 1979, and to a bear hunter. Mr. Dyer has a private airstrip and plans to fly in guests for one-day horseback trips into lakes and streams in the area, with plans to expand to overnight pack trips. He further explained that the side he would like to hunt would not take guests away from Mr. Joseph, as the F.S. says it is not hunted, and that Garrigus is not using his licensed area, as he runs stock in there and nobody hunted it. As he left, he said he would appreciate consideration on other portions of his request to further his guest ranch operation, if hunting not licensed.

Doug Cremer, a Caldwell fireman, then met with the Board on bear hunting in an area around Ola--Unit 32A, for strictly spring hunting. He has a friend, Jeff Graham who will license as a guide, and they are bow hunters, using bait and no dogs. The season in part of the area closes by May 15, so would appreciate his request expedited.

After the appointments, the Board reviewed some questions on applications and determined that H. A. Hodges would not be required to pay a late filing fee and that Bill Heinrich application would require one, as his bond was not completed either. The Board recessed at 5:15 p.m., after additional discussion on enforcement problems.

THURSDAY, APRIL 17, 1980

The meeting reconvened at 8:30 a.m., with Chairman Lanham, Jim Baughman, Bill Guth, and Ivol Sies in attendance--Eldon Handy joined the meeting at 8:40 a.m. Then enforcement was again discussed--Eldon asked that a decision be made. It was determined to contact both, Scyril Tex Hamberlin and David Giles. The Board's attorney will be contacted.

New Business was reviewed: The Board will send a thank you letter to Stagecoach Inn, Salmon for use of their meeting room, and the Governor's Energy Report required of each state office was looked at.

Misc. Outfitter Business was worked on next: 1- Outfitter's insufficient fund checks: It was motioned by Eldon "That once an outfitter's company check bounces, then notify them that the policy of the Board is to require certified checks, money orders or cashier's checks." The motion was seconded by Bill and passed. 2- Lufe Cox, Yellowpine, letter was reviewed on use of old area, 3- Neil Gray/Richard Byers, Ohio & Elk City, application: Board will advise by letter that area requested is already licensed to several outfitters.

At 10:00 a.m., Lon Haley and Orval Rice, Challis, & Ron Malone, met about licensing as partners for the old Ish Martin area now being released in their favor by Ron Malone. Orval Rice previously was licensed in 1973 in a deal with Richard Norris on the old Howard area. He explained his side of the breach of contract with Norris. Ron Malone explained the hunt program that Haley & Rice plan to follow--it includes Stan Miller's old area, which Ron says Seamons of the F.S. said wants them to use even if not licensed. Ron wants to retain the summer use of the Ish Martin area.

Loren Rogers, Asotin, WA, a 79-80 guide for Duckworth, met the Board about power boat excursions from Lewiston to Pittsburg Landing. He explained his ability to operate a jet boat saying that he & Duckworth had run a Mexican river in a 400 mile race in as little as 6" of water. His application has the F.S. (Holthus) signature for tentative permit issuance.

Enforcement again was brought up--Eldon made a motion: "That Mike's resignation be asked for--if no resignation, then write a letter to terminate". The motion was seconded by Bill and voted on with 2 yes, 1 no, and 2 abstentions. (This motion was questioned as being legal--will contact our attorney on O. & G. Board vote procedure).

Rex then proposed a motion: "That Bill Guth pursue the services of Dave Giles and attempt to get authorized for legal authority as a part-time employee." The motion was seconded by Jim and was carried, unanimously. Rex said he would further contact Tex Hamberlin, then he and Jim left the meeting, as Eldon suggested the Board introduce any new enforcement men to the outfitters--in regard to outfitter relationship with the Board.

Bill says he will also check on Glen Munkers & Jed Wilson at Salmon, and Eldon mentioned Art Nees and John Longshore at Stanley that he will contact. Ivol said probably ISU or BSU schooling would be needed to get a badge and the law enforcement card required.

At 11:45 a.m., Rex and Jim came back and Jim explained the call he took from an attorney defending Jerry Stagers in a F. & G. violation. Eldon then mentioned he did not realize the amount of work Jim does for the Board and he and all members agreed, appreciated it, as well as the fact he works for the outfitters was too mentioned by Rex.

Then Jay Foster's request for expediency on his licenses was discussed. A motion was then proposed by Bill: "Consider each outfitter's problems separately, but expedite when requested," --it was seconded by Ivol and passed.

After a late break for lunch, all members of the Board reconvened with Duane M. Whipple, Victor, Montana also in attendance, at 1:30 p.m. Mr. Whipple said he has purchased the Timber Ridge Ranch's Muleshoe business and is applying for an outfitter license again. No problem, but it was brought up about the problems caused by him bringing guests back into the Sweaner area which Whipple previously held, and the cost to the Board to investigate.

An error on Robert Gillihan's outfitter license was corrected to add again, regarding summer outfitting: "Activities to be in big game hunting area and Cougar Basin-Monumental Creek area."

Boating Business was reviewed: 1- Bill Oldham's request for Napias, Inc. to be licensed to work as support for kayakers on Middle Fork of the Salmon R. and Main Salmon R. --the Board will send letter reply advising area not available for license issuance, and licensed outfitters can handle kayaker support. 2 & 3-- Darvon Stoneman's letter on Lochsa River training and Elwood Masoner's letter requesting his guide applications be expedited. 4--Al Beam Floats, Inc. applications reviewed; and 5--James Danskins 1979-80 contract sale with a Bill Berndt, Bozeman, MT., and a present deal with Brad Richey & Doug Miller of Colorado--"The Artful Angler" business which involves Danskin's license on the Henry's Fork of the Snake River. 6--Kenny Smith, North Fork suspected altered Red Cross card and that he now has taken the R.C. class on April 2nd at Salmon; 7--Paul Filer's application--Board decision is to not license the float boating on the Lower Salmon River, for non-service to the public, and advise 30-day comeback for reappraisal; and finally 8--Bud Lilly's request for late-fee waiver--excused (see Trout Shop appl. notes).

Rex left the meeting as the last appointment met with the Board--Robert Marsh, as new M.A. for Wilderness Encounters/Carl Purvis Russell outfitter business. Mr. Robt. Marsh is a BSU Professor and has previously licensed as a guide for Jim Campbell for 3 years. Eldon pointed out that managing agents are on salary--not lease percentage basis, and Jim said also a good clean operation was important.

Mr. Marsh was talked to about BSU's law class--Criminal Justice. He said he would ask that Professor Ted Hopfenbeck contact this Board with referrals from his class.

The meeting then recessed at 5:00 p.m.

FRIDAY, APRIL 18, 1980

The Board again convened at 8:45 a.m., with Vice-Chairman Baughman presiding, Ivol Sies and Eldon Handy in attendance. Outfitter and guide applications were reviewed and approved.

At 9:00 a.m., Don Merrell, Ontario, Oregon came in about licensing the Mike Carey released lower Salmon river section. Mr. Merrell is a current licensed Oregon outfitter dba NW Whitewater Expeditions, out of Portland, Or. He was instructed to take one full length trip on the lower Salmon as he has only trained from White Bird, and will complete what is yet needed on his application.

Eldon asked what guidelines were required for hunter guides, and said perhaps the Association might work out something uniform to suggest. Jim said checking hunter camps by enforcement as Mike used to do would straighten things out considerably.

Then, following a phone call from Rex and Guy, it was determined that the Chairman must vote on a board decision on enforcement termination and that no member should abstain in the voting, and that a member should not vote however, if the issue is considered to be arbitrary or capricious. That this issue could be revoted at a later date, and the same motion be effective. Eldon then motioned to set aside the motion he made on Mike's termination and no further action will be taken until the next scheduled board meeting--it was seconded and passed. Therefore the motion (as originally passed), will be considered inactive at this time.

The Board then recessed for lunch.

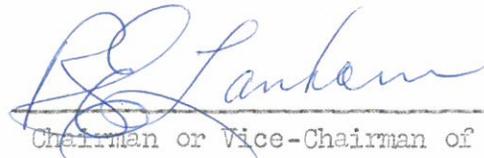
At 1:30 p.m., the same three board members reconvened (Jim, Ivol & Eldon), and outfitter and guide applications were reviewed for consideration on license issuance was worked on. Also a photocopy letter from Attorney Hurlbutt about YMCA activities in eastern Idaho in competition with outfitting, was read.

Eldon Handy left the meeting at 2:30 p.m., thereby the majority being absent, the meeting was adjourned.

A list of outfitters and guides licensed, extended, amended or denied, since the last regular board meeting, is included as a part of these minutes as noted on the following pages.



Secretary to the Board



Chairman or Vice-Chairman of the Board

OUTFITTERS AND GUIDES BOARD

Licenses issued, denied or extended from April 5 through April 15, 1980

LICENSES ISSUED

OUTFITTERS

Anderson, Donald B.
Anderson, Douglas M.
Askin, Frank L.

Beitelspacher, R. J.
Bentley, Gerald D.
Bentz, D. Darell
Bernt, William C.
Booker, John L.
Briggs, Jack W.
Butler, Milt

Close, Norman R.

Dye, Lyman C.

Hagaman, Carlyn W.
Helfrich, Dave
Helfrich, Dave River Outfitter, Inc.

Idaho Wilderness Camps, Inc.

Jarvis, Lon S.
Jones, Richard Kimball

Keating, Earl R., Jr.

Leonard Expeditions, Inc.
Leonard, Joe

Malone, Ronald L.
Mason, William W., Jr.
Masoner, Kenneth C.
Masoner, Kenneth Elwood
Merritt, Garry D.

Opdahl, B. Duane
Opdahl, Harlan

Piquet, Laren M.

Rocky Mountain Fly Shop, Inc.
Rotthoff, Dan

Sevy Guide Service, Inc.
Sevy, Robert J.
Snug Company
Sun Valley Co.
Sweener, James
Swift, Gary C.

Temple, Jim
Thomas, Harold
Tice, Albert G.

World Wide River Expeditions, Inc.
Wright, Fred

GUIDES

Ampuja, Maurice I.

Bradshaw, Becky Louise

Cummings, Clifford O., Jr.
Cummings, Jon D.

Drury, Charles Omer
Drury, Elaine Estes
Dunford, Kay E.
Dunford, Roy H.

Fitch, Kevin Britt

Guth, Martin Howard

McDonald, Charles A.

Maloy, Michael
Mann, Greg
Miller, Sharon L.
Miner, June Drury
Moser, Gary

Norris, Darrell R.

Osburn, Michael L.

Salo, Bill M.
Sevy, Janice L.
Stone, Randy L.

Young, Vincent C.

DENIALS

OUTFITTERS

Bentz, D. Darell - power boating on Salmon River from Middle Fork to Spring Bar and Clearwater River as the maximum number of outfitters are licensed for these rivers.

Helfrich, Dave, M.A. & Dave Helfrich River Outfitters, Inc. - float boating on S. Fk. Owyhee River as the maximum number of outfitters are licensed on this river.

Sevy Guide Service & Robert J. Sevy, M.A. - float boating on S. Fk. Payette R. from Grandjean to Deadwood River as the maximum number of outfitters are licensed on this section of the river.

Sevy, Robert - guiding on Bruneau/Jarbridge Rivers as we do not have training cards showing he has had the required training & lead boatman status on the S.Fk. of Owyhee River as he did not have the required six trips.

GUIDES

Bradshaw, Becky Louise - power boating on Salmon River from mouth of the Middle Fork to Spring Bar as we do not have a log of his experience.

Guth, Martin Howard - lead boatman status on Middle Fork of Salmon R. from Indian Creek to confluence and boatman on Salmon R. from mouth of the M. Fk. to Spring Bar as the required number of trips were not submitted on his logs.

Drury, Charles Omer - power boating on Salmon River from North Fork to the Middle Fork as he did not submit a log of his experience.