

OUTFITTERS AND GUIDES BOARD

Boise, Idaho

November 24 & 25, 1980

On Monday, November 24, 1980 Jim and Ivol met at the Boise office at 9:00 A.M. with the Board's attorney, Guy Hurlbutt. Rex called from Salt Lake City - snowed in at the airport there.

The Board members discussed with their attorney Montana's recent limitation on Madison River (and other rivers) in same area as Henry's Fork use is concentrated, and the Danskin's and Artful Anglers proposal which showed intended increase by number of guides attempted to be licensed. Jim answered Guy, that Idaho hadn't limited their guide use, and the Board had tried to get the Danskin/Artful Anglers applications cleared up, but no response from them except to refund some guide fees for non-use.

The Webb hearing before the Board could be handled with one member acting as hearing officer was determined. To send by certified letter, notice of date set, with a copy to his attorney. Also send what correspondence is requested but no advertising.

The priority list was looked at. Guy says by calling it a "priority", it was misleading and the applicant feels he should have first consideration if he kept his name current, by the rules. But in this hearing, the Board has other options besides Rule 22C, it is not an exclusive guideline, that Rule 13 may take precedence in the Board's decision in consideration of qualified applicants, whether on priority listing or not. There was discussion on formal hearing procedure, but this would follow this hearing before the Board, if requested.

The request of Harry Lewies walk and wade fishing on Henry's Fork was brought up - the Fish and Game management feel there's no problem, and it was agreed that his request superceded that of Webbs.

The Jordan case was brought up too. Guy said Attorney Sallaz had contacted him and stated that payment of the \$100.00 to replace fee was fair, as a trial would net only a withheld judgement. Board members feel \$300 was more in line. Board would only receive half.

Bill joined the meeting at 10:00 A.M., and the Munn decision on licensing, and the area system was going to be challenged, was noted.

The area system was discussed on how they were originally set up and were determined by existing outfitter-board agreement, with agreement by Forest Service on boundaries. Bill mentioned his Dad's participation and Jim explained the existing outfitter rights entering in. Then specifics: The Munn area came down from Harold Hansen who got it by court order from Wayne England - with the court setting the boundary. Bill mentioned the area set by prior tenure and noted Outfitter and Guide Law 36-2109-5.

Guy Hurlbutt, Attorney left the meeting at 11:10 A.M.

Enforcement problems were then discussed. The Weiber court case in Lewiston today - Randy and his witness, Dave have gone up. Cecil will be called about the Steele case. Also Dave had called about Ray Torrey's son hunting out of area. Bill suggests if Dave goes after him, they'll all be "friends", as Torrey's clients are well briefed. Illegal's being warned by a typed warning notice was mentioned by Jim, as a way to help stop this. Bill suggests to cite the outfitter as an accessory. Ivol mentioned it would be no conspiracy, if clients are informed that he is not licensed nor in his territory before hand.

Marriner Jensen's son being cited and the Judge of Bear Lake County contact with

Jim was related. Also the call from Isabel Jensen saying it was her fault on the Red Cross card. Jim mentioned that he's talked to Marriner too, and he knows he could be cited also. (It was also mentioned that Marriner's card is expired.) Outfitter Jensen also complained that in the past Phil had let an unlicensed outfitter go - Jim told him he didn't know the circumstances but probably Phil was unable to prove the charge.

The Board then discussed citing Marriner and Bill Jensen and determined this court fine of Clyde would probably shape things up.

Following the recess for lunch, the Board then worked on outfitter business which included bear and cougar consolidation of area - Lemhi and Custer. It was worked on for the balance of the afternoon, with final determination to present the proposal to the December Forest Service meeting as a one-year study, with no new operators licensed, and review at the end of the 1982 license year.

The Board recessed at 5:00 P.M.

Tuesday, November 25, 1980 the meeting reconvened with Chairman Rex Lanham joining Jim, Bill and Ivol. The previous day's meeting with the Board's attorney was reviewed and it was mentioned that outfitter Tom Hanson has been working at St. George, Utah for Rex on construction. He has talked with him and he'll be outfitting more, that he'd lost an eye and had been in the hospital quite awhile with this injury.

The priority listing needs to be revised or done away with in the next rules hearing, as it is misleading. Rex said the Board has no business promoting licensing by notification of availability etc. from this priority list. Rex also suggests the Board use Guy in making changes in the rules and regulations.

New board members was then discussed. Two outfitter members needed - one to replace Eldon and nominations for Rex, as his term expires 4/20/81.

Cecil was then called - the Steele case thrown out for State, no witnesses appeared.

Outfitter business was reviewed: a letter of complaint by an unpaid guide, Joel Bender, against outfitter Carl Russell dba Wilderness Encounters; two letters of interest in Hanson area - Elsner first and then Jerry Meyers. Board agrees that neighboring outfitter - John Booker should have consideration if a change in outfitters is made. Public also in area.

Bear and cougar consolidation was worked on then until the lunch break with letters advising outfitters being composed for presentation to the Forest Service for their input as well as Fish and Game and Bureau of Land Management at the December meeting.

At 1:15 P.M., all members reconvened, and worked on Forest Service business. A letter from Idaho Panhandle Forest Service was read and recorded which limits the St. Joe River use to two outfitters during the National Forest Environmental Assessment study.

Bill left the meeting at 3:00 P.M. and after completing the Board's work, the meeting adjourned at 5:15 P.M.

A list of the outfitters and guides who have been licensed, or the the licenses extended, amended or denied is attached and becomes part of these minutes.

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Edythe D. Belle

James F. Baughman

OUTFITTERS AND GUIDES BOARD

Licenses issued, extended or denied from November 24 through November 31, 1980

LICENSES ISSUED

OUTFITTERS

Eakin Ridge Outfitters, Inc.
Lentz, Steven C.
Middle Fork River Co.
Munn, Rusty

GUIDES

Anderson, John E.

LICENSES DENIED

OUTFITTERS

Eakin Ridge Outfitters, Inc. - Elk, deer, moose, goat, sheep, antelope, bear, cougar, predator hunting, trailrides and backpacking as area is considered inadequate as a commercial operation. Denied in accordance with Idaho Code 36-2107 (d), 36-2109 (a) and 36-2109 (b-5).
Munn, Rusty - Elk, deer, moose, goat, sheep, antelope, bear, cougar, predator hunting, trailrides and backpacking as area is considered inadequate as a commercial operation. Guiding also denied as his Red Cross card has expired.