

OUTFITTERS AND GUIDES BOARD

January 19 and 20, 1981

Boise, Idaho

The Board met at their Boise office on Monday, January 19, 1981, at 8:30 a.m., with all members present, Vice-Chairman Baughman, Bill Guth and Ivol Sies.

Old Business was brought up about Webb's request for a formal hearing and a date was set for the Burk informal hearing before the board. The bear and cougar areas were discussed and a letter from outfitter Keating was reviewed.

New Business included a letter to the Governor about the Board's replacement member; the Law Library asking about rules to be promulgated--none; the Legislative Fiscal office's request for the Board's itemized legal expense; letters from Retirement and the F. & G. Dept. were read--the flags to be flown at half-staff for slain officers; state employee travel cards available; non discrimination surplus equipment agreement; Governor's summer student employment program; Idaho Personnel Commission reclassification questionnaire and other state business, which included Board employees request for unemployment insurance payments.

At 9:45 a.m., Tom Briten, new M.A. for Mackay Bar Corp/Mackay Bar-Mtn. Air Float Trips, Inc. met with the Board. He explained that personallity conflict had entered in with the former M.A., Jerry Myers and the general manager, Steven Bly.

Mr. Briten has been with Mackay Bar as a pilot since 1978 and he plans less volume as operations officer-manager, and would continue as chief pilot. One plane will be sold--cutting back to break even.

Lewis Ribblet will manage the Stonebreaker Ranch and his wife is the cook.

The Board said that Tom seemed to understand the situation--he will get qualified for boating.

The next appointment, Howard H. Lewis, Orem, Utah met with the Board about becoming the new managing agent to replace Russell Hansen for Tour West, Inc. He has guided for them for 9 years and has managed the Utah and Idaho operation for the past 2 years. No problems found and before Mr. Hansen left he told the Board they were appreciated for their work and understanding.

Boating Business was next on the agenda: the article on river permit system allocation was read, in which privates are requesting commercial to be on the open bid system; various advertising brochures of river outfitters were looked at; Vernon P. Johnson's request for a fishing boating section of the upper Salmon River was read--it will be researched and answered, also guide information for Johnson's lawsuit, as requested. BLM letters were read about maintaining the Jarbidge/Bruneau Rivers and Owyhee River moritorium, and BLM's approval of a 14 mile use permit on the S. Fork of the Owyhee--the Board said even with a permit, an increase of licensing needed to have Rules & Regulations changed by a hearing. BLM also suggested changes of Rule 22-C--regarding wording of the Owyhee River, East Fork and South Fork. The Board also mentioned the Teton River agreement and changes for the public hearing.

At 11:00 a.m., State Representative (and Outfitter), Ron Beitelspacher called and talked to Mr. Baughman regarding Rules No. 8-A (3) and No. 22-C--fishing boating. Mr. B also explained the Board's recent meetings at Challis and Salmon on bear and cougar area consolidation to Mr. Beitelspacher.

Then Jay Verle Duerden, Jr., Provo, Utah met with the Board to explain the split of business and permits from Steve Currey's Western Rivers and his new business name for the same corporation to be Sierra Western Rivers, Inc. dba Sierra Western River Guides. He has been the general manager for the corporation and will be the M.A. next year.

Steve will keep the Selway River and one Main Salmon River permit (old John Vails) and the lower Salmon River.

Sierra will license the Middle Fork of the Salmon, and the Main Salmon River from the Middle Fork to Lewiston on the Snake River.

The Board mentioned his advertising to Mr. Duerden, without licensing--he will complete his applications immediately.

The Board recessed for lunch, meeting again at 1:00 p.m. with the same three members. Applications for licensing were reviewed.

At 1:30 p.m., Bill Bender, Salmon, Idaho met about outfitter licensing for a business obtained from David Mills' Rocky Mtn. River Tours, Inc.--the lower Salmon River area released. Bill and his wife, Linda have formed a corporation--Northwest Voyaguers, Ltd., he will be the Managing Agent. Mr. Bender wants to offer customer participation trips--rule 26 (b) was mentioned. The Board asked that he supply a list of business equipment and complete his application--he also was warned of use or lose of that river.

Robert Rall, Darby, Mt (and brother, Leo Rall of Hamilton) met with the Board to apply for an area currently licensed to Gerald Richie for elk, deer, bear, lion hunting and snowmobiling. Robert Rall claimed he's worked for Richie guiding for 5-6 years, and paid Richie for his guide license this year--no licenses or applications on file.

The Board mentioned Rall's advertising--he claimed to have only 2 ads, Richie had one and he had one. The Board said the copy they received came from Nevada. Then Mr. Rall mentioned that Gerald Richie had paid a \$100.00 fine in Montana this past week for advertising without an outfitter license.

The F.S. management plan would not let him have a permit, and the Board was not favorable to a split of the area when he told the Board and showed pictures of cabins he built and remodeling done to Richie's house for part of the area and horses.

Mr. Rall said his attorney, John Greif, Hamilton, MT has advised him to go ahead and apply for the outfitter area, then they will follow up after that action is completed on his complaint against Richies. He will complete his applications.

Mr. Rall was warned to keep legal on his future guiding and/or outfitting as he left the meeting.

At 4:00 p.m., Randal Monge, Rigby, ID (and Alaska) met with the Board about fly fishing from his boats he makes on the S. Fork of the Snake River, Conant's Landing to Heise. It was advised that the limit of outfitters were licensed by the rules and regs., but future rule changes might split the river into sections. Mr. Monge said all that use the S. Fork, take out at Heise, or above. No applications were presented but he left material showing his boat building etc.

The Board recessed at 4:50 p.m., following this appointment.

TUESDAY, JANUARY 20, 1981

All board members convened at 8:30 a.m., and worked on Outfitter Business: Sale of business between Carl Russell and Garn Christensen has fallen through was reported; also the Texas men, Townsend & Barren, in their deal with Ray Tarbox. Kenneth Lee Smith, North Fork, ID is having problems with State Tax people because of help being contracted instead of hired as guide employees. The Board mentioned Oregon boaters may also have problem--that the Board's attorney has determined leasing contracts are acceptable, but guides must be employed by outfitters. Also, two letters were read--Fred Wright worried about a hunter complaint being filed, and an inquiry about Ken Smith, Ahashka being licensed & bonded.

Larry Moats, Hagerman then came in to review the Board's denial of his request for an extension of area. Unit #28--Pine Cr. area not roaded and accessible was his protest--Stormy Peak was main interest, he said. Maps were checked. He said he did not need

a permit as he had no camps. The Board said both the Forest Service and Fish and Game had substantiated the Board's denial --that the area was not qualified for an outfitter operation. Mr. Moats said his presently licensed area had been overrun and elk had moved out. The Board agreed his old area was too accessible, and warned that should it be released in the future, it would not be reassigned. Mr. Moats works for the U.S. Fish & Wildlife and takes his vacation time for outfitting he said. No hunting this past year, concentrated on jet boat fishing. Mr. Moats asked for limited hunting--the Board said no, the state must cooperate with other agencies and they agreed to not license those areas requested. The extension map was returned to Mr. Moats by his request, but his request for the fee refund could not be honored, was explained, as used for expense of investigation. A letter will follow on the Board's reconsideration of the denial.

Then, Ed McCallum, Priest River came in about three complaint letters--mistreatment of his dogs on bear hunts. The letters were read to Mr. McCallum as they were not considered libelistic in their statements.

Ed's manner--moody and negative, was mentioned, as well as reprimanding his dogs as late as 30 minutes after the fact. Ed explained he was trying to help Ansel Roberts as he's not physically able to guide and Mt. St. Helens had erupted, with ash problems. The hunt was hard on the dogs and the ash was getting to the bear too. The hunter had problem with gun sites and wounded the animal and Ed had to finish the kill.

The second letter was also about some of Robert's clients, and McCallum said he felt Robert's may have instigated the complaints. McCallum was warned about Robert's use of McCallum's area without being licensed. Also the Board advised of immediate reprimand in treatment of the dogs--the Outfitters and Guides law, 36-2116-7 was read about revoking of license, if enough provocation. Ed McCallum said he and Roberts have split up and there would be no more deals. He said Roberts can't get along with other bear hunters--his brother and Schubert of Spokane. Ed left names of some of his clients for the Board to check on his outfitting.

At 11:00 a.m., three outfitters, Ed McCallum, Ron Vaughn and Scott Farr all came in. A release of Ron's area in favor of Scott was read and accepted by the Board, then Ron left the meeting.

Scott then explained his sale of part of his business (all of Chamberlain Basin area) to Ed McCallum. Ed wants same type business--elk/deer on a one client/one guide set up--35 to 40 total clients and bear and cougar hunting and summer business.

McCallum said he's like to keep his upper area for bear hunting. He answered Ivol, the Clarks Fork area was not used for outfitting for elk/deer. He said he took 3 hunters with one elk killed, hunted from the road in the Jordan Cr. area. The Board said the elk/deer area would be dropped, but may be keep the upper area for bear. Ed said Ansel Roberts wanted his bear area but would like to keep it as he lived there.

Scott said he's turning over 25 head of stock and all equipment, tents, etc.--guides would stay and Scott would go in on one summer trip. Mr. Baughman mentioned that Earl Dodds observes closely on summer business, and it was also mentioned about difference in hunting style to Ed. Mr. McCallum said he might move down--his 9 dogs, travel trailer, tents etc. are for sale and someone is wanting the area; also, that it is overhunted and roaded.

Scott Farr then mentioned four problems he had personally--#1, similarity of Sergeff & Simi business name--"S Bar S Wilderness Outfitters" and his "Wilderness Outfitters", and old hunters calling Peck's telephone number--one digit off of Scott's; #2, He is concerned about new applicants for lion hunting of joint-use area; #3, He asked for the Board's help with the F.S. in getting use of Cabin Cr., next to airstrip--crossing the creek is hazardous, etc.--wants to camp out of sight at old Sawmill. He said he could use the stateland Ronnie has rented, but wants a better camp; and #4, He asked about hunting bear on McKimm Cr. and Allison Cr.--wants licensed as has used it for 15 years. (Rick Hussey's area--Lemhi area), Morgan Creek is getting too much pressure.

The Board said it must be on license and would need to be a year to year basis possibly.

Harvey Whitten, Riggins came in about additional lion hunting area--map showed part of Joseph area. He mention too that Ray Ralls, McCall was in the area hunting. Mr. Whitten said he had taken 5 lion and 10-12 bear this past year, and wanted additional area for extension, to advertise at Dallas in March. He will pay the extension fee and he left the map so the Board could investigate.

Ken Walters, Riggins then came in for a new outfitter business--elk & deer and lake fishing in area around his home, Shorts Bar Ranch, the old Moose Cr. area. Some of the area was in Whitten's request, but Walter's did not hunt bear or lion. Applications were given--nothing complete.

The Board then recessed for lunch at 12:15 p.m.

After the Board reconvened, Enforcement Problems were taken up. Randy Ross's call about Richmond case and request for use of the F. & G. radio available to the Board. The Board feels Randy's too short time employed, radio use probably go to another investigator. Telephone bills too were reviewed--each investigator will be sent a letter to keep a record and to identify those calls not his to be investigated for credit.

Bear hunters, Don Cooper and Roy Powis should be checked out by Cecil. Phone complaint about Waller not taking out do-it-yourselfer's meat which resulted in a F.&G. citation, Board agreed that if Waller was not free, it was up to the hunter.

Steve Jordan citation would be looked into--contact Ada Co. Deputy Prosecutor. Bear Lake County also needs contacted on William Jensen citation, and F. & G. case at Challis on Ken Smith should wind up soon.

Forest Service/Fish & Game/BLM Business was worked on--Earl Dodd's letter about Waller having no permit for summer activity, and Waller may have filed bankruptcy was noted; LuVerne Grussing's letter about licensing to Big Horn River Trips, Santa Cruz, CA, and Eastern Washington University guiding letter--also EWU managing agent, James Black's letter of condolence on Rex's loss; BLM, Salmon request of a list of licensed outfitters in their area.

At 2:30 p.m., Tom Hansen, Emmett, ID met with the board members about his lack of use of his assigned area. Tom claimed he spent 128 days in the hospital from an eye injury last year. He claimed to have 8 to 10 people in the area every year and that John Booker had seen him in the area. (Booker said no use). He was asked about his F.S. permit as no record--admitted he still owed \$12.00 on last year permit application. Tom said he has hunters booked, but doesn't use Clear Cr. and not too much game. He claimed use every year except 1980--advertises in Wall St. Journal, Shotgun News & Fish & Wildlife News. He explained he gets phone calls even if Board can't get him. The Board asked his plans--5 booked plus one summer trip of 4 people and Hansen will be there, he said. The Board warned of loosing the area for not serving the public--not just friends. Hansen said he couldn't keep 12 head of horses and other equipment, if not planning to use. The Board also warned of a transfer not being made if a sale of business--Hansen said it was not for sale.

Outfitter Business was conducted after the last appointment. Several letters about getting an outfitter business, and Ms. Mueller's complaint letter of combo area for bear and cougar; also, a letter will be sent for cross-country ski rules changes recommendations from Dan Hamilton and Joe Leonard. A copy of a letter Avalanche & ski touring training from Sundance Wilderness Center, Jackson Hole will be forwarded to Joe Leonard.

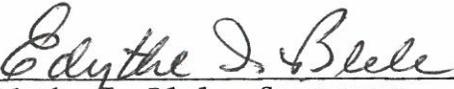
Outfitter Complaints were reviewed: F.S. letters concerning outfitters, Gordon Bransford and Red Helton, Jimsan Guide Service--James Farnam advertising Idaho bear hunts,

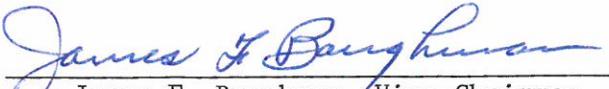
also, a complaint registered by a Jamestown, N.D. hunter against Gladys York was read and Salmon River Lodge complaintant, Dick Seevers, Pennsgrove, CA will be followed up.

After determining to schedule the next meeting for February 10 & 11, the Board adjourned at 4:50 p.m.

A list of outfitter and guide licenses issued, extended, amended or denied since the last meeting in December, has been compiled and is a part of these minutes.

Respectfully submitted,

  
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Edythe I. Blele, Secretary

  
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James F. Baughman, Vice-Chairman

OUTFITTERS AND GUIDES BOARD

Licenses issued, extended or denied from January 15 through February 9, 1981

LICENSES ISSUED

OUTFITTERS

Bender, William, M.A. for Northwest Voyageurs, Ltd.  
Britten, Tom, M.A. for Mackay Bar  
Lewis, Howard H.  
Northwest Voyageurs, Inc.

GUIDES

Amberson, Thomas B.  
Hobbs, James Clyde  
Kellam, Janet K.  
McClurg, John O.  
Schaap, Maarten W.  
Wanner, Larry  
Woodland, John R.

LICENSES EXTENDED OR AMENDED

OUTFITTERS

Currey, Steven C. - Licenses amended to change the corporation name to Sierra Western River Guides

Steve Currey's Western Rivers of Idaho - License amended to change business name to Sierra Western River Guides.