

OUTFITTERS AND GUIDES BOARD

November 30, December 1 and 2, 1981

Boise, Idaho

At 1:00 p.m., November 30, the following board members convened for a regular meeting: Chairman Jim Baughman, Ivot Sies, Glen Foster and Harry Vaughn. Bill Guth was absent.

Warren M. Sohrakoff and his wife, of Meridian, Idaho came in to meet with the Board about a new outfitter license for hunting, fishing and trailrides in a portion of the Shepp Ranch area presently licensed to Paul Resnick. Mr. Sohrakoff was previously a managing agent for Mr. Resnick.

They explained they had plans to obtain some private land for a lodge from Paul Filer and would work the area from the other side and that Mr. Resnick does not use this area at present. They mainly wanted to hunt elk, bear and cougar--Mr. Sohrakoff has four dogs. The applications were incomplete, with no fee, bond or signatures of the two land managers involved. It was also mentioned that a release should be obtained from Mr. Resnick.

Enforcement/Investigation was next worked on, with a list of all 1981 citations and court cases reviewed. Al Lewis then came in to review his recent cases. After he left, Harry explained a call he had from Don McPherson saying he was available for work with the Board since his retirement with Fish and Game. The Board then discussed the meeting with the Fish and Game Department and their Conservation Officers--it was agreed that if the Department Conservation Officers also work for the Board, that a couple of the Board's men would be retained.

The various pending court cases were discussed, and it was decided to get a decision from the Board's attorney on the Landucci guide license application, as he did not appear for his court case and a warrant is outstanding if he comes back to Idaho.

The Board recessed at 5:20 p.m.

TUESDAY, December 1, 1981, the meeting reconvened, with the same four members.

The Mackay Bar Corporation's recent court case over a client's drowning was mentioned, and the federal investigation concerning the \$200,000 Weitass Creek bridge being burned. There has been inquiry as several outfitters, along with other hunters, use the bridge for access to their areas.

At 9:30 a.m., the Board's attorney, Patrick Riceci joined the meeting. After explanation, the attorney determined that the Landucci guide license application was still incomplete, as there had not been a conclusion to the case and the Board has further investigation. A letter will be sent to inquire about the outcome of the trial and whether he would be returning to Idaho to work as a guide.

James Henry Katz's three guides, which were cited on the Snake River for guiding without a license, was brought up by Mr. Riceci. He has been contacted by their attorney, James Reid, who has threatened a law suit. The Board provided Mr. Riceci with the Katz file, which contained letters from the Board advising Mr. Katz of available opening for licensing in his boating business, and explained that Mr. Katz had also been mailed applications several times. All has been ignored, and there was no way his guides could be licensed ahead of the outfitter being licensed.

Contact by Prosecuting Attorneys concerning the Outfitters and Guides law and the difficulty in interpretation was mentioned. It was determined by the Board that Mr. Riceci would look into changes of the Act to make it clear what acts constitute a misdemeanor and exact reference be made to penalty etc.

The outfitter bond requirement and the Board's responsibility was reviewed. The attorney expressed the opinion that the Board was the "front man" for the client, and the outfitter and his insurance company was bound to the performance agreement; that also the bond was designed to reclaim deposits rather than time loss compensation.

Attorney Riceci left the meeting at 10:30 a.m.

The application for Richard Grunch, Hayden Lake was reviewed prior to him coming in to meet with the Board. Mr. Grunch explained his planned hunting and trailride/fishing operation in the Striker area, an area previously licensed to McCallum and a released portion of the area assigned to Whitecotton. Rick says he has 6 dogs with tracking collars but wants all types of hunting--application forms will be completed.

Combination licensing for North Idaho, from St. Joe River north, was discussed with Mr. Grunch--he felt it would work out alright, but named many who do not license for bear & cougar hunting.

Steve Guinn, Boise came in about an extension of his licensed activities to include cross-country skiing in the Warm Springs area at Idaho City where he has the Steamboat Springs lodge and restaurant, with innertubing; he also asked to have the Board reconsider the time of June 30 limit for boating on the South Fork of the Payette River. He said both he & Joe Leonard would like to use a portion from Crouch to Banks for a short time, as water conditions permit, for later in the year. Guinn also mentioned he had been contacted to take a party of 250 down the Birds of Prey area and may contact other outfitters to help him.

The Board recessed for lunch and reconvened again at 1:15, with the same members present. Then Charles M. Johnson, Ketchum, Idaho came in to meet about his new cross-country skiing and school operation he plans to conduct off the Ketchum Wood River Golf Course. He had obtained a tentative approval for permit issuance from SNRA and Ketchum Ranger Districts and has hired lead guide, Janet Kellum. His applications were complete.

Then Outfitter Business was worked on which included a Forest Service letter that concerned Glen Park's permit, also the letter from Glen on his non-use of the area. The Palisades F.S. will be contacted to advise the Board of their spring meeting with the area outfitters, that the Board or a representative might attend.

At 2:30 p.m., Don Nitz, and son, Lee Nitz and Bob Brown, Elk City came in about licensing as a corporation: Nitz Brothers Outfitters, Inc., with Lee Nitz as the managing agent, for the area currently licensed solely to Don Nitz. Applications were incomplete but the corporation is registered with the state of Idaho. Don said Lee & Bob have basically ran the business for the past two years.

Al Lewis came back about Leo Jarvis case after he had met with the Boise County Prosecutor. Jarvis claims he was working for Al Lockett. Al also mentioned Larry Jarrett's activity was questioned in the meeting.

Outfitter Complaints were next business: Everett Woodworth--no permit with the F.S. and treatment of his horses report; replies were read on the Board's inquiry of guide Danny Bell's complaint against McCallum; Dr. Dunkley will be written to for more details on his complaint against Jerry Meyers; and complaintants letter about David Cox's operation was read--most outfitters will be required to come in.

The meeting recessed at 5:45 p.m.

WEDNESDAY, DECEMBER 2, 1981, the same four members, Chairman Jim Baughman, Glen Foster, Ivole Sies and Harry Vaughn reconvened at 8:30 a.m. The November minutes were read and approved.

Then the 9:00 a.m. appointment came in. Scott & Shelda Farr and Bob & Cathy Gillihan met to try to settle the use of the E. Fork of Crooked Creek drainage in a portion now licensed to Scott Farr. Crooked Cr. is the dividing line by area description, not the trail. The west side of the Crooked Cr. is Gillihans--the east side is Farris. Agreed by both parties, the area was not divided right to begin with--Jim said it was drawn out by those involved at the time. By examination of the area descriptions on all previous licenses, this area in question has never been a part of Bob Gillihan's licensed area. The area previously licensed to John Gillihan was not the area licensed to Bob--changed when Bob was licensed; John had already lost the area, was explained by the Board.

OUTFITTERS AND GUIDES BOARD

December 2, 1981

Holiday Inn, Boise, Idaho

Four members of the Outfitters and Guides Board, Chairman Jim Baughman, Glen Foster, Ivof Sies and Harry Vaughn, convened at 1:00 p.m., in the Maui Room of the Holiday Inn, Boise, Idaho, meeting with representatives of the Department of Fish and Game, Bureau of Land Management and Forest Service.

Each one in attendance introduced himself--a sign-in list is attached as a part of these minutes. Representatives of the Middle Fork Ranger District asked how the Board felt about Bruce Minter's request for a permit in his deal with Al Tice; also, what would be the Board's feeling in continuing to license Al Tice for rivers where he has no permits.

The Board advised it would be carefully looked at this next licensing. It was then suggested by Ted Anderson that those being removed for non-use be given a priority status. There was discussion on what constituted use on the rivers--and the Board mentioned they stay in close contact with the Forest Service and other agencies on transfers, etc.

Marsh Cr. use in early months as an access to the Middle Fork for training was brought up. The Board said that Marsh Cr. is not legally open, nor has permission been given to float it. The F.S. said that early use did not require a permit, and they are concerned about commercial use as well as environmental problems--the road is not open and snowmobiles and air strip is used. The F.S. agreed it would be no problem for training use only for a short time period ahead of regular season but the Board advised it would have to be opened through a public hearing.

Moose Creek F.S. representatives advised the Board of their permit issuance deadline--August 1st, for accepting a change of operations for hunting season. The Board said they appreciated being advised of the F.S. deadline but also mentioned the problem of licensing to advertise. It was mentioned also that the land manager's comments, as well as telephone and the district should be listed on the new applications; that they were very important to the Board for making contacts.

The North Fork District Ranger, Dick Bacon, then told the Board how much they appreciated the working relationship. He said they would like to have documentation showing how well the process is working from the Board, to show those making inquiry.

The Board mentioned the area boundary change between Farr & Jackson areas which has now been asked to be revised to the trail. Dick Bacon said no problem and Frank Elder said the F.S. has their own boundaries anyway.

The area being licensed to Jackson was discussed and the N. Fk. ranger mentioned the Stoddard Cr. area being so hard to hunt and suggested it was not a viable business for licensing. Gene Brock, Lowman Rgr. brought up their recommendation to pull the Steve Jordan area out of commercial hunting and they immediately had 5 congressional hearings.

The Board said they were aware of the problems but difficult to handle in fairness to investors, etc.--the F.S. agreed it was a problem for them also.

Permit requirement and non-requirement not being standard throughout the districts was mentioned as a problem, and that sometimes it is a surprise to the ranger that there's a licensed operator on their district, was mentioned by the Board. Jim Dolen, Missoula, said they're trying to take care of the problem. Also Jim Dolen said he would look into the Clearwater Forest roads being opened, creating problems for the licensed outfitters.

Frank McElwain mentioned a draft manual the F.S. is working on for outfitting--it is still in the draft stage and input will be requested.

Earl Dodds asked about the Farr/Gillihan boundary problem. He said the F.S. would like to keep from having to set a line from point to point in the area, but would okay a camp on the west side of Crooked Cr.

Stan Kiser and Art Seamons brought up licensing to coincide with permits on the river--licensing illegals (Weiber/Luther/Katz etc.), as the state is having such a hard

time getting satisfaction through Idaho courts. Stan mentioned that Randy and Cecil work hard but problems continue without getting any support with the courts and now that Oregon legislature will discontinue Oregon's license requirements, there will be more problems. The Board said they'd work closely with the Forest Service on licensing.

The representatives of the Fish and Game Department were asked for input--Bob Salter said no problems at present. Bureau of Land Management mentioned Ken Warren is requesting both boating and hunting on the Owyhee River. No place open says the Board.

What constitutes outfitting and/or guiding and all those performing personal services pertaining to outfitting must hold guide licenses, was explained by the Board. Also mentioned, was the proposed rules changes and hearing set for December 11; explaining what rivers would be included and the hunting guides being classified.

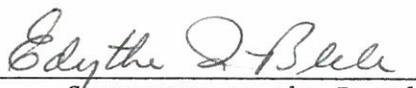
Richard Hildner mentioned the Selway-Bitterroot Management Plan--the rough draft coming out to the public in January. He said the Selway River management will probably be the same for the outfitters.

Roger Stamy, Willowa-Whitman National Forest, Baker, Or. mentioned Gus Garrigus loosing his injunction appeal in District Circuit Court of Appeals, which affirmed the federal authority--1st by 1977 Lindsey case and 2nd, by the November, 1981 Garrigus case decision, both on the Snake River. Surface waters regulated by the federal government, with state regulation from bank to bank, but landowners rights can become involved.

Both Jim Dolen and Frank McElwain asked to be contacted in special problems which concern the Forest Service.

The meeting adjourned at 4:00 p.m.

Respectfully submitted,


Secretary to the Board


Chairman of the Board

Scott Farr mentioned that if riding the trail and game is spotted and shot from the trail it would be okay, but the Board warned that clients and guides should not leave the trail to hunt.

Then, Scott stayed on to ask about his area boundary between himself and the Crombie/Jackson area--Farrow Mtn.-Papoose Peak, which has been deleted from his description which changed it to follow the F.S. boundary. He also mentioned the division line between his area and Con Hourihan's--it was looked at on the maps and determined that if changed on Scott's area description it would not affect Con's. The F.S. will be contacted on the Jackson/Farr boundary.

Jim Renshaw, Kooskia and wife, Darlene, and a new applicant, Kendall Stone came in about a transfer of Renshaw's business. Mr. Stone is from Apple Valley, CA, and plans to move to Idaho. The application needed the land manager's signature, fee paid, bond, and first aid, to be complete.

Then Dave Handy, M.A. for #2 license of Eldon Handy's Salmon River Expeditions, Stanley, came in about extending his business to include snowmobiling. The John Deere Corporation has the permit and Dave Handy has been working with them for the past 3 years, promoting their snowmachines. An extension to his license was approved but licensing another snowmobile guide was requested by the Board.

The Board adjourned this meeting at the Board office at 12:20 p.m., to reconvene at the Boise Holiday Inn, Vista Ave., at 1:00 p.m., to meet with the various state and federal land managers.

Respectfully submitted,



Secretary to the Board



Vice-Chairman of the Board

O.V.B. Board & F.S. / BLM / FWS
Meeting - 12/2/81 (Total 30)

Sign-in please!

Name	Dist Representation
Jim Baughman	Q Felter & Huid
Alan R. Foster	O.V.B.
Bob Salter	Fish & Game
Jim Dolan	USFS - Missoula
Stacy Gebhardt	Fish & Game
Ted L Anderson	Middle Fork Dist
RICHARD HILBERT	MOOSE CREEK RD
Frank Elder	USFS, Salmon, Idz.
JACK BRISWOLD	BOISE NF
Earl Dodds	Big Cr. TR. D.
Wally Meyer	Boile Dist. BLM
DAVE WOLF	Salmon Dist BLM
Rick Colvin	Salmon Dist. BLM
DICK GEIER	Idaho State office - BLM
Fullerne Brunning	Cottonwood RA - BLM
Steven Lyons	Sawtooth NRA - Stanley Zone

12/2/81 meeting

Name	- Dist. Representation
Mose Shrum	Sawtooth National Recreation Area
C EUGENE BROCK	LOWMAN R.D. BOISE N.F.
Rich Bacon	North Fork of the Salmon
FRANK McELWAIN	USFS R-4 OGDEN
DICK KODESKI	BLM SHOSHONE, ID.
Roger Starny	USFS Baker, OR.
BUTCH HARPER	USFS KETCHUM, ID.
Mac Thomson	U.S.F.S. Challis Id.
Harry Vaughan	outfitter R.D. Moscow Id.
Bill Ellis	Osg Board
Stan Kiser	USFS - Hells Canyon NRA
Art Seaman	USFS - Hells Canyon N.R.A.