

OUTFITTERS AND GUIDES BOARD

November 3, 4, and 5, 1982

Boise, Idaho

Wednesday, November 3rd, four members of the Outfitters and Guides Board convened at their Boise office for a regular meeting beginning at 8:45 A.M. Those present were Chairman James Baughman, Ivola Sies, Glen Foster and Harry Vaughn; Norman Guth was not in attendance.

Old Business concerning the Ray Ralls formal hearing was reviewed first. Hearing Officer Matthew Mullaney's Recommended Decision was read and discussed which supported the Board's decision of non-licensing for 1982-83, and offered some guidelines. Next, the Board reviewed a letter written by attorney, Paul Clark for outfitter Robert Gregg requesting reinstatement of the Clearwater and Main Salmon River power boating to Mr. Gregg's license. The final old business item reviewed was Tony Compagnone's request for response on his allegations and documentation mailed over the past year on the ARTA/ERT matter. A letter will be mailed explaining that ARTA has changed their operation so that it complies with the Outfitters and Guides law as well as being acceptable by the U.S.F.S.

Enforcement Business was reviewed. Ron Vaughn's investigation in eastern Idaho again; also Cecil's and Don McPherson's activity was reported. Al Lewis's cases were explained in which Kelly Carr was fined \$1,000 plus restitution; Brent Hanson case has brought \$150.00 restitution so far; Buehler & Langworthy fine money was recently received; and also \$288.50 payment from Owyhee County on the Todd and Hoffman case seemed to be a duplicate payment--the office was instructed to call Owyhee County again on this. Other investigation was noted which included Al's check on J. T. Smith, in McCoy Creek, eastern Idaho, the Statesman article concerning Stephen Anderson, Boise listing him as a guide booking foreign clients, and the Estep & Ferdon cases he is currently involved in; and Dave Giles was reported to be investigating Buxton's guide, Steven Gilley, who submitted false information for a license and Gerald Richie who is not licensed for guiding.

Ron Fudge, Sun Valley, Idaho then came in about a complaint against him sent in by a Fish and Game Conservation Officer's report that his clients did not have valid Idaho fishing licenses and statement that Ron entered into a conspiracy with the clients to cover up. Ron explained the details of the incident, and ended with saying he made a mistake in not demanding to see the licenses ahead of fishing, that he forfeited his guide's fee as they were fined. Ron said he hopes to get a vendor's license too.

Another problem was brought up in which he guides for Napias, Inc. out of Salmon without having it added to his license. He was warned by the Board to get his attitude about the law changed, as other past citations were reviewed; as well as having his licensing correct.

The meeting then recessed for lunch, with the same four members returning at 1:15 P.M. to resume the meeting, working next on outfitter business.

Red Thomas's deal with Richard Justus for the area adjoining Thomas's was discussed then was approved for an extension to include this area to the Harold Thomas license.

Vinson Johnson, Wild River West, Inc., managing agent and real estate agent, Mr. Benedict came in to meet with the Board, along with three prospective buyers of his business, John Warning, Tom Amberson and Alex Urfer, Pocatello. Mr. Johnson explained he will release all except his Iron Creek to North Fork section, if the new business was approved for licensing. Mr. Amberson is making application to be the M.A. for their new business, Guided Outdoor Adventure Tours, Inc., but upon questioning, Mr. Warning and Mr. Urfer will also be handling the business from their Salmon headquarters, so they were advised to license as well. The new operators asked to have approval prior to their December 9th deadline on the option, and will work to complete their applications.

Outfitter business was continued following this meeting, with the following reviewed:

November 3, 4 and 5, 1982

A telephone call was received by the Board concerning Richard Mott forbidding James Powell the use of the James Ranch; also Mrs. Lillian (Ed) Konrad called about packing elkout-- she was advised it was illegal by the Outfitters and Guides law. Sharon Miller's new corporation being formed and her attorney's letter was read--she needs a Supplemental II form completed, as well as approval by the Association for the bond being applied for. Betsy Barrymore of the The River Co. and David Mills of Rocky Mountain River Tours, Inc. both will be advised that they should avoid having their permits and licenses consolidated in the two permits being obtained by each one for one river section--Betsy will have two Upper Main Salmon permits and David will have two Middle Fork of Salmon sections. Each should have two licenses will be advised.

Also the guide license for Charles Ferdon of the Shepp Ranch was determined to be held incomplete for his hunting guiding, until his case in Idaho County is completed concerning him being cited for unlicensed outfitting and guiding. He and his prospective outfitter will be advised.

The meeting then recessed at 5:45 P.M.

Thursday, November 4, 1982, four members reconvened at their Boise office boardroom-- Chairman Jim Baughman, Ivöl Sies, Glen Foster and Harry Vaughn. Norm Guth was absent.

The minutes of the last meeting, September 27, 28 and 29, 1982 were read, approved by a motion made by Glen, and seconded by Harry. Then Ivöl brought up a Fish and Game C.O.'s report against new outfitter applicant, Terry Kayser. It was determined to contact C.O. Scott for his input prior to license consideration.

Then Harry Clark, Boise, who works for Bob's Ski Haus organizing cross-country ski activity. He explained he is interested in organizing ski certification similar to the Back Country Ski Guides Association. His plan would incorporate a 4-day examination--instruction by fully certified instructors, in groups of 8-12 people, with 3 instructors. He will send in his program for the Board's review. The Board advised to get in touch with those instructors previously involved with the BCSGA, a letter will be sent on his behalf; also the Board advised of their concern that he obtain the necessary insurance and licensing.

Richard Clark, Rexburg, then came in about licensing his business of trailriding known as Fox Creek Pack station. His area was quite extensive, encompassing F. S. and BLM area in Idaho as well as Wyoming and Yellowstone National Park, from the park south to the Victor-Jackson Hole highway. Ivöl advised him to contact the Fish and Game officer at the sand dunes where his home is concerning use of that area. The Board expressed their concern for the 8 other outfitters use of the area, already established and possible conflict. Therefore, they asked Mr. Clark to write up a revision, eliminating some of the area but allowing him the same trail use. He left the meeting to make the revision and complete his applications.

Attorney Pat Riceci came in to discuss several issues concerning the Board. He advised that since the delay in response to Attorney Herman McDevitt's original letter was his fault and since it was a concern of Mr. McDevitt, it was agreed that Pat would write a letter of explanation. On the Ralls hearing case, Pat agreed with Hearing Officer Mullaney's advise to the Board. His suggestion concerning denial specifics, was that a typed insert be made, which would advise the denied applicant of his right to appeal according to the Administrative Procedures Act. The Board advised they will reinstate Robert Gregg's Clearwater River power boating, as no permit is needed, but that the Main Salmon River power boating requires a permit, as well as Mr. Gregg's boating qualifications on that section. Pat advised he will contact Mr. Gregg's attorney, Paul Clark. An extension for power boating on the Clearwater River was approved to be mailed; also a letter

and training card will be sent to Mr. Gregg concerning the Main Salmon River. Following the lunch recess, in which the same four members returned, plus Attorney Riceci, Bob Martin, the river ranger at North Fork was contacted and he supported the Board in their decision against licensing the Main Salmon River section to Mr. Gregg, as he has no permit.

The members of the Board then interviewed new office help--a permanent position as Typist, General, deciding on Colleen Sweeney.

The Board reviewed the past three months expense, a copy of which is included with these minutes. Also a hunting contract made by Robert Rall, Darby, MT and several others was reviewed. It was determined to be forwarded to the Board's attorney for his opinion. The the meeting was recessed at 5:10 P.M.

Friday, November 5, 1982, the four members reconvened, Norman Guth absent. The members in attendance were Chairman Jim Baughman, Ivool Sies, Glen Foster and Harry Vaughn.

Outfitter business was again worked on. It was agreed to write to Gerald Kooyers concerning his advertising "14# average" on fish being caught. Letters were reviewed from Peter Grubb concerning EWU, and the Board's response; Larry Jarrett hunting in another's area with a friend--the Board looked upon this as not good ethics and will advise Larry; also letters written to Quentin Selby by Brown's Industries, Inc., trying to get Quentin to move off the private property they own were read. It was agreed to write letters on this, but determined to contact the F.S. at Krassel Creek Guard Station first. Other letters were from the Board of Education complimenting Travis York on his outfitter & guide school, Henry Katz's inquiry concerning licensing on the lower Salmon River, and the Board's letter to Kenneth Colson concerning getting his application together for license consideration of the lower Salmon River. A complaint letter about Steve Wieber's Happy Hooker was read--he will be advised to come in to explain.

Al Lewis then came in about his enforcement business. He explained his case on Carl Estep and that both Estep and Lowell Ogren were arrested and jailed. He also gave the members of the Board information he had obtained in other cases he is interested in. The meeting then recessed for lunch at 12:30 P.M.

At 1:30 P.M., the meeting was reconvened with three members present--Ivool Sies and Norm Guth not in attendance. Outfitter business was worked on again. Ivool rejoined the meeting during a telephone call taken from new outfitter, Mike Daly (Gallaughers's old area), concerning some of Nygaard's clients and guides being in his area. Jack Nygaard will be contacted. Ken Brown's letter regarding Gerald Neff not being an operating outfitter will be responded to, as well as Tony Brown's application to guide for outfitter, Stanley Sweet, was determined to be held until the case of Brown's unlicensed outfitting and guiding is settled by the court. He and his outfitter will be advised. It was also decided to write to Conners and Knifong concerning the phone call made by Mrs. Conners stopping payment on the check to license Robert DeGenova, as he had been in the area for "3½ months" riding the trails, etc.--the license should of been issued, it seemed to the Board. The meeting of Lee Sisco with Mr. Baughman, and a letter sent to Carl D. Winton was discussed.

Then Glen Allen, M.A. of Rocky Mountain Fly Shop, Inc., Boise came in to discuss his problems in getting licensed. He explained that Doug Anderson who was taking care of getting the licenses, has been gone 4 or 5 months, and that he will not be a M.A. again. After much discussion on what he uses of the previous licensing, he changed his application to correspond, eliminating the Strike Reservoir, Little and Big Red Fish Lake and Stanley Basin Lake.

After Mr. Allen left the meeting, outfitter business was finished. This included determination that letters will be mailed along with licenses to outfitter applicants, Dare Anderson, Leadore and Marilyn Mueller, Ketchum, to get their business straightened out to show use for relicense consideration in the future. Also a letter to straighten out the license mixup for Lynden Symons and Candance Symons will be sent. Dr. Shannon's White Lightning Tours was reviewed, and denied--Rule 22c. (no space available). He will be advised that should a space be opened up, his application will be reviewed for licensing up until March 31, 1983. His name will be added to the consideration list.

Outfitter complaints included Gerald Richie's outfitting operation--his fired guide will be contacted, and letters will be sent for more information on George May's complaint.

F.S/B.L.M./F.& G. business included approval to invite the various representatives to meet with the Board on November 30th at the Holiday Inn, Boise just ahead of the fall Association meeting.

Proposed rules and regulation changes were discussed--it was noted what constituted requirement of a public hearing. The legal notice of pending changes was approved to be published.

Board business included reprinting of licenses and application forms--with some revisions approved. Also a reply by the Board will be compiled for the Department of Administration concerning this agency's plans on data processing. The Secretary was instructed to get the files and office furniture needed to get the new office help hired; advising to hire her as soon as possible.

The business of this meeting being completed, the members motioned to adjourn the meeting at 6:00 P.M.

A list of the outfitters and guides licenses issued, extended and/or denied since the last meeting follows as a part of these minutes.

Respectfully submitted.



Secretary to the Board



Chairman of the Board

OUTFITTER AND GUIDE LICENSES ISSUED, EXTENDED OR DENIED FROM SEPTEMBER 27 THROUGH
NOVEMBER 2, 1982

LICENSES ISSUED

OUTFITTER

Guth, Norman H., Inc.
Hell's Canyon Navigation Co.
Lyda, Perk
Ryan, Joel W.
Zanelli, James A.

GUIDES

Alfrey, Loren H.
Angell, Shane D.
Atwood, James R.
Austin, Lonie R.

Baldwin, Jeff W.
Beckwith, Michael E.
Booker, Michael Neil
Bradshaw, Robert L.
Brooks, Donald Wade
Burgin, Marshall N.
Burns, Charlie

Callistini, Andy Mark
Collins, Robert J. (Bob)

Drey, Roger Henry

Emerson, Eugene Lester

Gibbs, Marvin R.
Giles, David D.
Hansen, Richard William
Hartig, Gary
Hergesheimer, Neil
Hill, K. Todd
Hincks, Bret
Hincks, Dusty
Hoffman, Bert R.
Hopkins, Boyd
Humphrey, Miles H.

Jackson, John David
Jackson, Neil Carter

Kirk, Dean
Korth, Daniel Ray
Kruckenberg, Jim G.

GUIDES

Lefforge, Steve Duane

McFarland, Mitch

Madsen, Joseph P.
Marsing, Horace R.
Monroe, Michael L.
Parks, Steve R.
Pitman, Lowell T.
Pospisil, Tom

Refshaw, Richard A.
Reinholdt, Ken
Robinson, Ryan Bruce

Schroder, Paul Michael
Servatius, Richard F.
Sherwood, Thomas R.
Smith, Otis E.
Smith, Thomas W.
Stimmel, Marvin
Supple, Dan

Townley, Zane Lowell
Tumelson, Loy Lee

Von Rudon, Roman

White, Danny Ray
Wolf, Edward L.

Young, Randall A.

Outfitter and guide licenses issued, extended or denied from September 29²⁷ through November 2, 1982

LICENSES EXTENDED

OUTFITTERS

Drury, Omer H. - Power boating on the Snake River from Hell's Canyon Dam to Lewiston.
Guth, Norman H. - Managing agent for Norman H. Guth, Inc.
May, George L. - Guide elk and deer hunting from November 1 through November 15, 1982 when guiding for Cheryl Bransford.
West, Lester - Power boating on the Snake River from Hell's Canyon Dam to Lewiston.

GUIDES

Chivers, Stephen Lane - Big game hunting, forest grouse hunting, fishing, trailrides and backpacking when guiding for Cal W. Stoddard.
Colson, Kenneth W. - Fishing and power boating on the Salmon River from mouth of Middle Fork to Lewiston when guiding for Mackay Bar Corporation.
Craig, Sandy - Boatman for float boating on the Middle Fork of the Salmon River.
Elmquist, Bruce - Big game hunting, forest grouse hunting, fishing and trailrides when guiding for Lyle E. Phelps.
Holmes, John Alvin - Lead boatman on the Middle Fork of the Salmon River.
Jost, Bob - Fishing and chukar hunting when guiding for Jerry Hughes.
Kaschmitter, Jerry - Guide for Dennis Joseph and Homer Joseph dba Seven Devils Outfitter
Novak, Ron - Guide for big game hunting.
Renshaw, James Frank - Elk, deer, bear and cougar hunting when guiding for Kenneth L. Smith.
Sandberg, David L. - Guide for big game hunting.
Shaffer, Lee F. - Guide for big game hunting.
Sohrakoff, Mike Warren - Fishing and power boating on the Salmon River from mouth of Middle Fork to the confluence and the Snake River from Hell's Canyon Dam to Lewiston when guiding for Mark Hinkley and Sam Whitten.
Studer, Florian - Elk, deer, moose, goat, sheep, bear, cougar, predator and forest grouse hunting when guiding for Ted Epley.

LICENSES DENIED

GUIDES

Emerson, Eugene Lester - Predator hunting as the employing outfitter is not licensed for this activity.