

MINUTES

Outfitters and Guides Board
Boise, Idaho

January 19, 20 and 21, 1983

A regular meeting of the Outfitters and Guides Board was called to order by Chairman James Baughman at 0830, January 19, 1983, in the Boise office. Other members present were Glen Foster, Ivöl Sies, Harry Vaughn and Norman Guth. Robert Salter, who will be the representative from the Idaho Fish and Game Commission beginning in February, was also in attendance.

Board Business was worked on first which included the review of application forms being readied for mailing. It was determined by all members that the new short form outfitter license application statement of "same as licensed last year" would not require supplemental forms as required in the past, and would be mailed with only the bond form, as needed, and one or more guide license applications according to the past year's licensing. Distribution of forms through the Regional Offices of the Fish and Game Department was considered as a way of making the applications more accessible over the state. Bob Salter said he would explore this idea with the Regional Offices and advise the Board.

Attorney J. Patrick Riceci joined the meeting at 1000.

Qualification as lead boatmen on rivers not currently included in their licensed business, or that of their outfitter, for guides, requiring updating according to rule no. 30 was discussed. It was decided that notice of any possible updating being due would not be made unless there was interrupted guide licensing of two or more years for those rivers in question.

A letter from Matthew Mullaney advising he was closing his law offices was read.

Pat Riceci reviewed a letter he had written to Carl Bianci, Administrative Director of the Courts, relative to suggested bail bonds on violations of the Outfitters and Guides Act.

Pat Riceci gave a verbal report on the Attorney General's opinion on "hunting clubs". In their opinion, they seemed to circumvent Idaho's outfitter law, but that it would have to be proven by a court case. The Board members mentioned that workmen's compensation, social security and state taxes were also being skirted by the clubs. Also mentioned was that outfitter leases or contracts in use of guides avoids paying of taxes, the workmen's compensation, etc.

The minutes of November 29 and 30, 1982 were read and approved.

Correspondence in the Jerry Meyers file, which included a denial of float boating on the Middle Fork as the total number of licenses have been issued, and a copy of the Board's letter agreeing to access by way of the river if all requirements were met, were reviewed.

Outfitter Jerry Meyers, Salmon, Idaho, and his attorney, Herman McDevitt appeared before the Board. They requested that Meyers be allowed to float the Middle Fork of the Salmon River in order to gain access to his sheep hunting area. Certain restrictions were agreed upon and Pat Riceci was instructed to draft these in letter form and after review by the Chairman, to send them to Meyers and McDevitt.

After the two men left the meeting, and by a motion made by Ivöl Sies, seconded by Norman Guth, it was unanimously passed: TO ACCEPT THE CONDITIONS WORKED OUT, WHICH WILL BE FORMED IN A LETTER. Attorney Riceci then left the meeting.

The Board's past year's expense was reviewed and it was determined that an increase of at least \$175.00 for outfitters and \$65.00 for guides would be necessary to defray the Board's expense for 1983-84.

David Whitworth, Inkom, Idaho next came in to meet the Board about his proposed new outfitting for fishing, trailrides and snowmobiling, operating out of his Hammerhead Ranch, 1 mile south of Inkom. He also requested fishing in Chesterfield Reservoir. Application for cross-country skiing will not be requested for licensing as originally proposed.

The meeting was recessed at 1715.

The Board reconvened at 0830, on Thursday morning, January 20, 1983, and discussed the office help and efficiency, and the Board's work.

Terry Ring, Ketchum, Idaho, the managing agent of Silver Creek Outfitters, came in to explain that he had bought out his partner, Dave Martin, and had entered into an agreement with a silent partner, Bill Bishop, the former owner-outfitter. He explained that Dick Alfs application as managing agent would not be completed now that Mr. Martin was not in the business. He further explained his relationship with Mr. Bishop--that he would not be involved in the outfitting. The Board asked for a letter concerning Mr. Bishop's participation in the limited partnership.

Al Lewis met with the Board and reviewed pending enforcement cases.

Cobalt District Ranger, James Lancaster, and Resource Assistant, Bill Goosman, both of Salmon, brought in maps of proposed revision of areas for hunting operation. They wanted to go over the former Tom Hansen area in an attempt to revise for adjoining outfitter operations. They did recommend that the Board not relicense the area to Tom Hansen. Also they gave their opinion in the Lemhi Combination Bear/Cougar Hunting Area system now licensed for two years, and advised there were no problems except baiting during calving time.

Lon Haley, Challis, Idaho, along with former outfitters, Doug Kindt and Dick Knutson, appeared before the Board. The former outfitters advised that the Ramshorn Ranch had been closed and Clarence Petsy, owner, had gone back to Wyoming. Lon Haley explained that he was a former outfitter (guide) in California for nine years, and that he worked for Ron Malone one week as a guide. He explained his proposed operation and that he wanted a license ahead of the new season for advertising and planned to attend sport shows.

Stanley Potts, Hailey, Idaho appeared before the Board to discuss his plan for relicensing for special sheep hunts only, if a desirable area can be located. The Board explained their policy of not allowing advertising of sheep except in licensed areas. Stan showed the Board an Arizona brochure on sheep hunting, with no designated areas assigned. The Board explained that others have wanted the same. Applications will be submitted when he locates an area.

Joe Wilson, White Bird, Idaho and Jim Daude, Gainsville, Texas, met with the Board concerning Mr. Daude taking over the area being released by Joe Wilson. Joe said he would help this year. The licensing will be for the 1982-83 year; and Joe was advised to contact his booked clients to explain a change in the hunting business.

Dave Stelling and Mike Murphy, Ketchum, Idaho, came in concerning a transfer of Dave's upper Main Salmon River business--two permits. Mike will apply for two licenses as the Board advised, so there will not be the danger of losing one by combining them. Mike is acquiring all of Dave's equipment and is a lead boatman already and has worked for David Mills and Middle Fork River Co.

The meeting recessed at 1720.

Friday, January 21, 1983, all members reconvened. Bob Salter brought to the attention of the Board a complaint against Buddy Broussard which was received by telephone to the Department of Fish and Game. If a written complaint is received, it will be followed up; the Board members had heard he had had problems.

Weldon Reynolds, Ashton, Idaho appeared before the Board to discuss the problems that Fremont County is having concerning Fall River. Mr. Reynolds is a commissioner and told of the feeling of support of the County Commissioners and also that Parks & Recreation Commission has for fishing on the river, including those licensed commercially, but that boating was causing numerous problems, including the river being over fished.

Following Commissioner Reynolds coming in, Harry Lewies, Ashton, Idaho came in, along with his partner, Don Simmons. Their concerns were the same as Mr. Reynolds, regarding Fall River. The Board advised that the Fremont County judge and prosecuting attorney both be made aware of the seriousness of the outfitter law and what is happening.

Mr. Lewies brought up that he and Mr. Simmons are incorporating and wanted to know who would be liable, the managing agent or the corporation, if a problem came up. It was explained that both probably would be brought into a suit, but that probably the corporation would be most liable.

A list of those outfitters licensed on the Henry's Fork, South Fork and Teton Rivers was requested by Mr. Lewies. The list will be mailed to him following this meeting.

Following the meeting, the Board discussed their funds and the proposed increase again, and a letter was agreed upon to be mailed to all outfitters licensed for Idaho.

John Lym, Pocatello, Idaho met with the Board about licensing Pebble Creek Land Co., Ltd, for cross-country skiing and back-country alpine skiing. Harrison Hilbert, who is well qualified, will be the lead guide for day/night tours. Mr. Lym explained that the Forest Service is proposing an expansion of the area for skiing. Lym said he is the principal partner, with 10 silent partners, and will be the managing agent as well as general manager.

Byrd Barton, Grangeville, Idaho and Chuck Neill, Klamath Falls, Oregon, met with the Board about Mr. Neill taking over Mr. Barton's business. Chuck said he had worked on and off for the past 15 years for Mr. Barton and knew the area well and it will be managed in the same way.

The minutes of December 3 and 4, 1982 were read, and with suggested correction, approved.

Richard Lingnaw, M.A. for Idaho River Company met with the Board to discuss a complaint registered against his business by two clients, Ewing & Doliva of California. They were booked for a river trip, and after arriving and finding the river too high, had agreed to a camping trip for a few days, but there was money owed in excess of the expense of the camping trip which had not been refunded.

Dick Lingnaw submitted receipts which he said were his expenses and explained what had been supplied in the clients camping trip. Mr. Lingnaw said he knows he owes \$681.80 to Mr. Ewing, and said "it would be mailed back tomorrow." The Board asked for a copy of the letter and check concerning this refund.

Other complaints were then reviewed by the Board, which included letters about Gerald Richie's past season and also a letter from Joy Richie with a copy of a letter she had mailed to the Idaho County Prosecuting Attorney, Dennis Albers, concerning Gerald's citation of unlicensed guiding. It was determined to contact Mr. Albers to explain the Board's position too. A letter will be written also to the Booking Agent, Jack Atcheson. Other complaints were letters concerning Del Davis, Travis York and Ray Tarbox. Requests for additional information will be made on the Davis and York complaints. Ray Tarbox will be requested to come in. David Bream will have a copy of a letter to the Department of Fish and Game sent on to him.

License extension for float boat operation on the lower Salmon River was approved for David Bream. A letter will be sent to advise he needs to supply guiding qualification for licensing.

Letters were approved to be mailed to District Ranger Lancaster and Res. Asst. Goosman, advising appreciation of them coming to meet with the Board, and the concensus of the Board (majority), was to leave Waterfall area open and most of the other area applied to adjoining outfitter, John Booker, with exception of some the area left open as a non-commercial operation.

Gerald Neff's license was denied--reason: requested information not supplied to complete the license application. Licenses approved included James Holcolm and Bob Liming, for skiing, and a portion of the Snake River extending the boating operation for High Adventure River Tours. Charles Ferdon, McCall was approved for a probationary guide license, following his case in Idaho County.

License extension requests of Richard Grunch for the balance of the Whitecotton area, and David A. Taff for cougar hunting will be researched. A DA-8 refund will be made to Jim Powell on his extension request, as licensing cannot be made at this time.

James Conner's letter about dissolving partnership with James Knifong was read; noted also was his report on two of his former guides of poor performance--Phil Crist and Robert DeGenova.

A letter from District Ranger Ewing, concerning the new licensed outfitter, David Bobbitt was read, it was agreed by all members that a response be made. A letter was reviewed concerning the Shoshone District of the Bureau of Land Management of permits not being obtained by outfitters, Ronald Fudge, Bob Hennefer and Terry Ring. They will be advised to see the land manager prior to new license consideration.

Ivol Sies left the meeting at 1815.

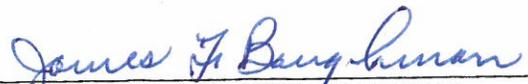
Letters in response to the Forest Service's request for input concerning their management plans and Environmental Assessments were decided upon. Glen Foster said he would review the Lower Salmon River study and devise a reply for the next meeting.

The next meeting date was determined for February 22-25, 1983, and the meeting was adjourned at 1830.

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

ATTEST:


Edythe I. Blele, Secretary


JAMES F. BAUGHMAN, CHAIRMAN

OUTFITTERS AND GUIDES LICENSES ISSUED, EXTENDED OR DENIED
November 29, 1982 - January 18, 1983

LICENSES ISSUED

OUTFITTERS:

Amberson, Thomas B.
Andron Corporation dba Miller & Murphy Float Co.

Beamer, Wally dba River's Navigation
Bobbitt, David P. dba Coeur d'Alene Outfitters

Coulter, Hershel A.

Daggett, Cameron dba Kitmik Kennels

Gilliland, D. W. "Yogi"
Guided Outdoor Adventure tours, Inc.

Jerstad, Lute

Kayser, Terry Neal

Lute Jerstad Adventures

Miller, Sharon
Moore, Roy R., Jr. dba Rocking M Cattle Co.
Myers, Jerry

Naylor, Thomas T.
Neill, Ronald L.
Northwest River Co.

Peterson, David L.
Probst, David G.

Rocky Mountain Adventures, Inc.
Rocky Mountain River Tours, Inc. #2

Schmier, Jerald D.
Stevens, Don W.

The River Company (#2) dba Middle Fork River Co. #2
Tims, Douglas A.

Urfer, Alexander G.

Warning, John M.

Yellowstone Adventures Inc.

LICENSES ISSUED

GUIDES:

Adams, John
Adams, Robert Bruce
Alger, Bruce E.

Brown, Tony D.
Burton, James D.

DeGenova, Robert

Franklin, Ben

Guinn, Jill Ruth

Hobbs, James Clyde

Jerstad, Kari Lynn

Leavell, William G.
Lindsay, Brian Douglas

McClurg, John O.

Meissner, Julie I.
Minter, Scott A.

Paterson, Dennis J.
Pearson, Mark

Roos, Joseph A.

Schaap, Marten
Sourbrine, Richard L.

Wanner, Larry
Warden, John H.
Wittmer, Arthur
Woodland, John R.

Youren, Doug
Youren, Dusty

LICENSES EXTENDED/AMENDED

OUTFITTERS:

Crabtree, Phil B. #2	Float boating on Snake River from C. J. Strike Dam to Walters Ferry take out.
Mills, David F. Orange Torpedo Trips	Also managing agent for Rocky Mountain River Tours, Inc. #2 Amended to include Don Stevens as managing agent, and to remove Gerald D. Bentley as managing agent.
Porter, Robert J., II dba Middle Fork Rapid Transit #2	Float boating on Snake from C. J. Strike to Walters Ferry take out.
Stone, Randy	Float boating on the Snake River from Salmon Falls Dam to Bliss Bridge.
Thomas, Harold	Extended to include additional trailrides; amended and rewritten to include 'Justus Area'.

GUIDES:

Ferris, William G.	Lead boatman for float boating on the Salmon River from mouth of Middle Fork to Spring Bar and the Middle Fork of the Salmon River from Indian Creek to the confluence -- for Idaho Adventures, Inc.
Murphy, Michael W.	Float boating on the Salmon River from first bridge across Salmon River above Red Fish Lake Creek to Slate Creek when working for the River Co.

LICENSES DENIED

None

1982 EXPENDITURES	(Class) (Codes)	July	August	September	October	November	December	January
Office Salaries	7501	\$ 4,970.00	\$ 3,184.00	\$ 3,184.01	\$ 3,184.00	\$ 3,184.00	\$ 5,778.00	\$ 4,068.80
*Enforcement Salaries	7503	1,597.44	1,847.04	1,797.12	1,759.68	3,076.32	923.52	549.12
*Board Salaries	7507	927.50	682.50	822.50	770.00	280.00	1,295.00	280.00
Mileage (7903/7913) Board/Office & (includes airfare) Enforcement	7903 7913	227.52 583.76	15.12 531.54	357.12 857.70	343.08 1,165.40	226.44 1,293.08	379.98 447.84	429.66 80.28
Travel Expense (7901/7911) Board (Subsistence/Motel) Enforcement		268.31 449.85	00 622.25	359.47 517.35	357.60 1,090.55	268.31 658.01	773.36 408.72	585.72 33.00
Misc. Enf. Exp. (Evidence/Deposits) Rentals: Horse/Trl/Trk/Airplane	7919 8590	1,362.94 .00	80.00 44.96	200.00 38.32	170.58 1,289.00	.00 308.00	20.51 83.70	280.25
Fees Paid: (Assn/Leg.Data/Magazine)						(Leg. Data) 5.00 (Assn) 100.00	100.00	(Mag.) 7.95 (Assn) 10.00
*Insurance/Life Insurance	7601	40.02	40.12	40.02	40.02	40.02	70.23	35.91
*State Ins. Fund (Accd./Health)	7603	146.20	146.20	146.20	146.20	146.20	219.30	219.30
*Unemployment Compensation/Wrkmm/Comp.	7611 7605	80.16						(Wkmm) 125.34
*Retirement	7607/7608	529.03	334.74	351.38	330.15	292.14	625.17	373.30
*Social Security	7613	502.19	382.82	388.86	382.83	438.21	535.81	328.16
Attorney Fees/Hearing Officer	8001 8001 8401	(Pat) 197.47	48.24	366.22	325.11	71.26 15.26	72.46 36.91	40.00
Legal Notices							Not paid	550.00 550.00
Office Rent	8501	352.00	748.00	550.00	550.00	550.00		
Telephone -- Local	8205	53.02	55.60	265.78	84.64		29.97	31.79
Telephone -- Long Distance & Advance Deposit	8207	10.83 1,114.12	22.23	10.83	30.82		25.18	7.01 850.00
Insurances (Property/Liability/etc.)		156.42						
Postage		850.80						
Printing -- Xeroxing Other	8137 8103			16.63	2.10	399.05	lists	license form 201.21
Office Supplies	8419	75.23	45.99	26.65	35.01	58.93		66.22
Refunds (Otfers/Guides fees)	8831 8090	60.00	40.00	60.00	150.00	100.00	75.00	10.00
Idaho Personnel Commission/Gen Fund						(Data Proc. Expense) 9.22 prorated share		IPC 182.66
Misc: (named) Off. Machine Repair				36.00 (typtr. repr.) 176.00 (radio repr/ins:ln)		(off. contracts) 253.25 97.00		(contr.) 7.50 (repr.) 23.00
Capital Outlay (named)						(2 Files) 165.45 (Hskmat) 7.50		
TOTALS		\$14,554.80	\$ 8,871.25	\$11,023.16	\$12,322.82	\$11,772.78	\$12,175.83	\$ 9,926.18
*Personnel Costs (Pd by Brd)		\$ 8,712.38	\$ 6,617.32	\$ 6,730.09	\$ 6,612.88	\$ 7,456.89	\$ 9,447.03	\$ 5,854.59
Operating Expense		\$ 5,842.42	\$ 2,253.93	\$ 4,293.07	\$ 5,709.94	\$ 4,315.89	\$ 2,721.30	\$ 4,071.59
Capital Outlay		.00	.00	.00	.00	165.45	7.50	.00
Balance							BAL \$17,211.87	BAL \$ 9,330.19