

MINUTES

Idaho Outfitters and Guides Board
Boise, Idaho

October 26, 27, and 28, 1983

A regular meeting of the Idaho Outfitters and Guides Board was called to order by Chairman Glen R. Foster at 0830, October 26, 1983, in the office boardroom at Boise, Idaho. Other members present were: Robert L. Salter, William R. Meiners, and Harry W. Vaughn. Member Scott Farr was absent.

The August 29--September 1, 1983 corrected minutes were read. Salter moved, Meiners seconded and the motion passed THAT THE REVISED MINUTES OF AUGUST 29, 30, 31, AND SEPTEMBER 1, 1983, AS AMENDED, BE APPROVED.

The petition of outfitter Gerald P. Kooyers' attorney for repeal of Rule No. 22., c.,*20., was reviewed, and the Board's attorney contacted. Meiners moved, Salter seconded and the motion passed THAT THE BOARD DENY MR. KOOYERS' PETITION FOR AMENDMENT OR REPEAL OF RULE 22.,c.,*20. DUE TO THE FACT THAT THE PUBLIC SAFETY, HEALTH AND WELFARE IS STILL OF PRIME CONSIDERATION AND THE BOARD REAFFIRMS THEIR SUPPORT OF THE REASONS FOR FORMING THE ORIGINAL RULE. THIS ACTION IS NECESSARY IN VIEW OF THE LIBERALIZATION OF THE STEELHEAD SEASON CONCURRENT WITH INCREASED NUMBERS OF STEELHEAD RETURNING TO IDAHO WATERS, AND THE ASSURED COMPETITION THAT WILL EXIST BETWEEN FISHERMEN AND BOATERS ON AFFECTED WATERS. A letter was approved to be immediately mailed concerning this action.

A statement of legal services from July 1, 1983 through September 23, 1983 presented by the Attorney General's office was reviewed and approved.

Outfitter Complaints included review of the Ian Magee complaint against Travis York. The \$250.00 cashier's check was returned to York as final board action in the matter. A complaint of trespass recently registered by outfitter York against the Nitz Brothers Outfitter, Inc., will be investigated. The Board will contact District Ranger Earl Dodds concerning the Forest Service's position on the Sewell complaint about the camp area of outfitters Dave Stucker and Bob Gillihan. No action was taken on the Rose and Mirshak complaint against Andron Corporation dba Miller & Miller Float Co., as the managing agent, Sharon Miller, did not meet her appointment.

Recent enforcement cases were reviewed, and Enforcement Officer Al Lewis appeared before the Board. He reported that Buddy Broussard, Orofino, plead guilty in Clearwater County court and was fined \$750.00 and was ordered to pay back the fees collected from his clients, exclusive of license refunds.

Prior to the appointment of Michael Storaasli, Clarks Fork, Idaho, the Board reviewed Fish and Game letters on licensing in Unit 4 for big game hunting and other outfitter licensing in the area Storaasli is applying for. The Board explained to him the recent licensing of Rick Vander Meyden, and that the Devil Creek area north of the road to Devil Peak would necessarily be excluded from license consideration.

Following the Storaasli appointment, Vaughn moved, Salter seconded and the motion passed THAT, WITH REFERENCE TO THE LETTER FROM THE DEPARTMENT OF FISH AND GAME DATED SEPTEMBER 30, 1983, ADDITIONAL LICENSING FOR NEW OUTFITTERS OR EXTENSIONS OF EXISTING LICENSES IN UNIT 4 BE DENIED FOR ELK, DEER, BEAR, AND/OR COUGAR UNTIL OR UNLESS CONDITIONS CHANGE AS RECOMMENDED BY THE DEPARTMENT OF FISH AND GAME. PROVIDE FURTHER THAT A SPECIAL FILE FOR MORATORIUM AND/OR AREA CLOSURES BE MAINTAINED FOR READY REFERENCE.

Chuck Nichols, Managing Agent of Sundance River Expeditions, Inc., Frisco, Colorado, and his wife, Judy, appeared before the Board concerning a purchase of the Mel Hughes float boating business on the lower Salmon River, Spring Bar to Lewiston. Following this meeting, Salter moved, Meiners seconded and the motion passed THAT THE REQUEST FOR TRANSFER OF THE MEL HUGHES FLOAT BOATING BUSINESS TO SUNDANCE RIVER EXPEDITIONS, INC., WITH CHARLES F. NICHOLS AS MANAGING AGENT BE APPROVED AS REQUESTED; PROVIDED FURTHER THAT BASED ON THE NOTARIZED STATEMENT SUBMITTED RELATIVE TO THE WHITEWATER EXPERIENCE OF CHUCK NICHOLS, THAT HE BE ADJUDGED QUALIFIED AS A BOATMAN UNDER RULE 29.b.

The extension request for outfitter Stelling was reviewed. Meiners moved, Salter seconded and the motion passed THAT THE DAVID W. STELLING APPLICATION RELATIVE TO THE PURCHASE OF JERRY HUGHES OPERATION, AS DISCUSSED BEFORE THE BOARD ON AUGUST 31, 1983, BE APPROVED PROVIDED THAT THE BACKPACKING PORTION OF THE APPLICATION BE APPROVED IN SUBSEQUENT YEARS CONDITIONED UPON ACTUAL USE. PROVIDED FURTHER, THAT ONLY THE FIRST 2 TRIPS CONDUCTED UNDER THE TRAINING OF LEAD BOATMAN JAMIE ROSS AND THE LAST TRIP CERTIFIED BY DICK BACON OF THE FOREST SERVICE BE ACCEPTED TOWARD HIS LEAD BOATMAN QUALIFICATION, REQUIRING 3 ADDITIONAL TRIPS.

A telephone call from the Cobalt Forest Service Resource Assistant Bill Goosman was discussed. Tom Hansen is appealing his denial of an outfitter special-use permit and the Forest Service is requesting copies of the Board's recent correspondence with Hansen's attorney. Copies will be mailed as requested. Goosman also commented on the highly professional work of the Board's enforcement man, Don McPherson.

A call was made to the Department of Fish and Game to expedite requested input concerning Hershel A. Coulter's pending license extension for spring bear hunting.

The meeting recessed at 1730.

Thursday, October 27, 1983, the Chairman called the meeting to order at 0830. Other members present were: Robert Salter, William Meiners and Harry Vaughn. Member Scott Farr was absent.

The minutes of the last meeting were read. Salter moved, Vaughn seconded and the motion passed THAT THE MINUTES OF SEPTEMBER 29, 30, AND OCTOBER 1, 1983 BE APPROVED, AS CORRECTED.

Prior to the appointment of outfitter John A. Anderson, a letter of denial and other correspondence with Anderson were reviewed concerning his bear, cougar and predator hunting extension request. The area also includes a part of the Alley request which is under litigation. Anderson then came before the Board to discuss the apparent non-use of the area presently licensed to Mark Powell for cougar hunting. The Chairman pointed out that actual use of an area involves not only animals actually killed, but also hunters taken, who did not bag animals, and advertised availability of hunts where there were no immediate results. Anderson said he will talk with Powell. He was advised that his appeal will remain open until the Alley litigation is completed. Anderson was also advised of the lifting of the bear moratorium in Black Bear Management Areas #2 and #3 of central Idaho.

Member Vaughn left the meeting as Lowman District Ranger Dick Adams, and his assistant, Ken Ohls, came before the Board to discuss license and permit issuance on the South Fork of the Payette River. Adams explained that the three outfitters now licensed on the South Fork have never been issued use-permits and that the Forest Service now has more than three requests for permits. They further indicated that the Forest Service feels that three outfitters on the South Fork is adequate and that the Board quota of five is too many, thus raising the question of proper selection jurisdiction and criteria with the competing interest. A copy of the State Licensing Board and U.S. Forest Service Cooperative Agreement of 1976 was read, and it was agreed that a new agreement would be of value. It will be drafted by Boise District representatives Adams and Jack Griswold, for consideration by the Board. The two Lowman District foresters also asked to be included on the December meeting agenda when the agencies meet. Vaughn returned to the meeting at this time.

Fish and Game Wildlife Research Supervisor John Beecham came before the Board to discuss the proposed license extension areas for spring bear hunting submitted by Hershel A. Coulter and Stanley Meholchick, advising that a letter from the Department will follow.

Ralph Maughan, Eastern Idaho Chairman of the Sierra Club, Pocatello, Idaho, came in about the proposed "helicopter" back-country alpine skiing in the Palisades Creek area. Following the appointment, Vaughn moved, Salter seconded and the motion passed THAT WHEN THE RAND DECKER APPLICATION IS COMPLETED, IT BE APPROVED.

Jamie Ross, Ketchum, Idaho, came in about the purchase of the Bob Hayes outfitting business on the main Salmon River, Middle Fork to Spring Bar. After Ross left the meeting, Vaughn moved, Salter seconded and the motion passed THAT WHEN THE APPLICATIONS OF JAMIE ROSS AND FISHER CREEK CO., INC., DBA WILD RIVERS IDAHO ARE COMPLETE, THAT THE LICENSES BE ISSUED.

Member Salter left the meeting at 1545.

Following review of the outfitting area licensed to Dale Jennings for cougar hunting, Vaughn moved, Meiners seconded and the motion passed THAT THE DALE JENNINGS COUGAR AREA BE CLARIFIED BY IT BEING REDEFINED TO A ONE-MILE WIDE STRIP ON THE SOUTHEAST SIDE OF THE NORTH FORK OF THE CLEARWATER RIVER BETWEEN THE MOUTH OF QUARTZ CREEK AND THE MOUTH OF SNODEN CREEK.

Fish and Game input on additional outfitting in Units 4 and 6 and the map was checked concerning outfitter Richard E. Grunch, Hayden Lake, request. Meiners moved, and Vaughn seconded and the motion passed THAT MR. RICHARD GRUNCH'S LICENSE APPLICATION AMENDMENT OF JUNE 10 BE DENIED RELATIVE TO UNIT 4, BASED ON THE DEPARTMENT OF FISH AND GAME'S RECOMMENDATION OF OCTOBER 6, 1983, THAT NO FURTHER HUNTING AND FISHING LICENSING IN UNIT 4 BE APPROVED. HOWEVER, IN UNIT 6 THAT AREA LYING IMMEDIATELY WEST OF HIS PRESENTLY LICENSED AREA BE APPROVED IN AN AREA BOUNDED BY THE UNIT 4/6 BOUNDARY ON THE NORTH, TO THE NATIONAL FOREST BOUNDARY AT BIG CREEK ON THE WEST, AND THE ST. JOE RIVER ON THE SOUTH. PROVIDED HOWEVER, THAT THIS EXTENSION SHALL NOT BE GRANTED UNTIL SUCH TIME THAT MR. GRUNCH PROVIDES THE DETAILED OPERATION PLAN THAT MEETS THE SATISFACTION OF THE BOARD AS REQUESTED IN THE BOARD'S LETTER OF SEPTEMBER 9, 1983.

The meeting recessed at 1800.

Friday, October 28, 1983, Chairman Foster called the meeting to order at 0830. Other members present were: Robert Salter, William Meiners and Harry Vaughn. Member Scott Farr was absent.

New applicant, Richard Teller, Challis, request for fishing on the Salmon river was discussed. Salter registered concern that licensing further steelhead fishing should be held off until the Department of Fish and Game has established their operation plan. Then, following contact by telephone with Mr. Teller, Vaughn moved, Meiners seconded and the motion passed THAT RICHARD TELLER'S LICENSE APPLICATION BE APPROVED FOR FISHING ON THE MAIN SALMON RIVER FROM APRIL 1 THROUGH SEPTEMBER 30 AND GENERAL SEASON ON THE BALANCE OF THE AREA REQUESTED.

The Board discussed Sharon Miller's non-appearance for an appointment with the Board. Salter moved, Meiners seconded and the motion passed THAT THE BOARD IS DISAPPOINTED THAT SHARON DID NOT ACKNOWLEDGE HER APPOINTMENT, THAT THE COMPLAINT IS SERIOUS AND FAILURE TO APPEAR MAY PUT HER LICENSE IN JEOPARDY PER IDAHO CODE 36-2114. Ms. Miller will be advised by certified letter of this action and will be informed of the next meeting dates, November 22 and 23, 1983, and another appointment will be set.

Dr. John Beecham, Fish and Game Wildlife Research Supervisor, appeared before the Board to register concern for the affects which "stacking" of outfitters may have on the harvest control of bear and cougar. The Board asked for additional input which will be forthcoming from the Department of Fish and Game on these concerns.

The requested Fish and Game letter concerning the area license request for spring bear hunting by H. A. Coulter and Stan Meholchick, was received and reviewed. The area under question was outlined on the map and existing licensees considered; also, a telephone call was made to the Payette National Forest land manager, John Hooper, concerning the Coulter request. Following this review, Vaughn moved, Meiners seconded and the motion passed THAT BOTH, HERSHEL A. COULTER AND STANLEY MEHOLCHICK'S LICENSE EXTENSIONS FOR SPRING BEAR BE APPROVED FOR THE AREA TO BE DESCRIBED ON THE LICENSES, AND AS SUPPORTED BY INPUT FROM THE DEPARTMENT OF FISH AND GAME, IN ACCORDANCE WITH IDAHO CODE 36-2101 (b) 4. AND (b) 5., AND 36-2110 (b).

The Board reviewed the input received on Larry Walker's extension request and discussed the activities of other outfitters licensed in the requested area. Salter moved, Vaughn seconded and the motion passed THAT NO ACTION BE TAKEN UNTIL A DESCRIPTION IS RECEIVED FROM LARRY WALKER AS PROVIDED BY THE BOARD'S RULES AND REGULATIONS. A letter will be sent advising Walker of this decision.

Following review of the guide application of Clyde Jensen, Montpelier, Idaho, Salter moved, Vaughn seconded and the motion passed unanimously THAT A PROBATIONARY LICENSE BE ISSUED TO CLYDE JENSEN.

The Board approved letters to be mailed to outfitter Con Hourihan advising him that the area requested for addition to his area was currently licensed to a new operator, Clair Buxton; Randy Miller and Bill Bowman, Boise State University, will be requested to have their response to the Board's letter in by the next meeting; and, Larry Dean Olsen's license will be issued with a letter advising that a better area description is needed.

Board Business included a decision to investigate updating of the office telephone equipment and J. Luthy, Office of General Services for the state, will be contacted.

Additional float boat licensing on the Clearwater River and Consideration List applicants were discussed. Salter moved, and Meiners seconded and the motion passed THAT BEFORE ANY MORE FLOAT BOAT OPERATORS ON THE CLEARWATER RIVER ARE LICENSED, THAT THE FISH AND GAME DEPARTMENT BE REQUESTED TO PROVIDE INPUT RELATIVE TO THE POTENTIAL IMPACT ON THE STEELHEAD MANAGEMENT AND ALSO THAT WE RECEIVE THE RESULTS OF PENDING LITIGATION.

Attorney Clive Strong, the Board's legal counsel, joined the meeting. The Board explained their Hearing for Rules and Regulations changes, set for January 16, 1984, and that input is sought from the Idaho Outfitters and Guides Association for these proposed changes. Attorney Strong was asked for written opinions on several other issues.

Robert Lewis Stave, Wickenburg, Arizona, and Mrs. Ted Epley, McCall, Idaho, came before the Board to discuss the licensing of Mr. Stave as the new owner of the Epley outfitter business. Ted Epley will license as the managing agent. Following this meeting, Salter moved, Vaughn seconded and the motion passed THAT WHEN THE APPLICATION IS COMPLETE, STAVE'S PURCHASE OF EPLEY'S BUSINESS BE APPROVED. It was determined that a letter would be written to the Department of Fish and Game concerning the relicensing of Epley's snowmobiling area.

Nolan "Red" Woods, Pollock, Idaho, and his attorney, Jeff Wilson, Boise, came before the Board to request licensing for power boating on the main Salmon River, Middle Fork to Spring Bar, once they obtain a release from Norman Close on the use-permit he has held since 1978. Following the meeting, Vaughn moved, Salter seconded and the motion passed THAT WHEN THE NOLAN "RED" WOODS LICENSE EXTENSION APPLICATION IS COMPLETE, THAT IT BE ISSUED.

Prior to adjournment, the Board reviewed the FY 1985 budget revision. Then, there being no further business to come before the Board at this time, the meeting was adjourned. A list of licenses issued, extended, amended, and/or denied since the last meeting follows as a part of these minutes. Adjournment was called at 1730.



GLEN R. FOSTER, Chairman

ATTEST:



EDYTHE I. BLELE, Secretary

OUTFITTERS AND GUIDES LICENSES EXTENDED, AMENDED OR DENIED

September 29 - October 25, 1983

LICENSES EXTENDED/AMENDED

OUTFITTERS:

Chang, Curtis	Add fishing on all rivers licensed for float boating.
Fudge, Ronald Arthur	Add fishing on Salmon River from Spring Bar to confluence when employed by Idaho Guide Service.
Gardner, Olin B.	Add power boat guiding on Salmon River from Spring Bar to confluence and on Snake River from Hell's Canyon Dam to Pittsburg Landing.
Grand Canyon Dories High Adventure River Tours, Inc.	Add fishing on all rivers licensed for float boating. Add float boating only - no fishing - on Salmon River from Iron Creek to North Fork.
Holcomb, James W.	Add bird hunting (forest grouse and chukar), trailrides and snowmobiling in Unit 11. Provisional Extension.
Lewis, Howard	Add fishing, trailrides and elk, deer, bear, cougar, predators and bird hunting (forest grouse and chukar) when employed by Epley.
Liming, Robert H.	Add bird hunting (forest grouse and chukar), trailrides and snowmobiling in Unit 11. Provisional Extension.
Mueller, Marilyn Ann Stone, Randy	Change to "qualified to guide all licensed activities." Add float boating ONLY - no fishing - on Salmon River from Iron Creek to North Fork.
Stover, John H.	Change to "qualified to guide all licensed activities."

GUIDES:

Benbough, Stephen B.	Change from apprentice guide to guide for big game hunting.
Garris, Gregory D.	Change from apprentice guide to guide for big game hunting.
Hill, Kenneth Randal	Add boatman on Salmon River from Iron Creek to North Fork.
James, Walter L., Jr.	Add fishing and change from boatman to lead boatman on Salmon River from Spring Bar to confluence.
Kauffmann, Gary R.	Change from apprentice guide to guide for big game hunting.
Lewy, R. James	Change status from apprentice guide to guide for big game hunting.
Osburn, Michael L.	Include Flying Resort Ranches, Inc. as an employer.

LICENSES DENIED

OUTFITTERS:

Madsen, Gary	Area extension denied.
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Idaho Outfitters and Guides Board
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LICENSES ISSUED

OUTFITTERS:

Anderson, Dare R.
Breckenridge (I. L.), Company
Daggett, Cameron
Leavell, William G.
Pullen, Dick
Stelling, David W.

GUIDES:

Babcock, Robert Haigler
Babcock, William Gordy
Baird, Brian Ted
Barningham, Robert Glen
Baugh, Harry C.
Belant, Jerrold
Bell, Gary Michael
Bench, Mark C.
Berry, Dave
Bettencourt, John H.
Bowers, Thomas W.
Bowman, Bee Scott
Bragg, Ronald G.
Brough, Wilde
Butcher, Raymond Wesley
Butler, A. H.
Bybee, Vernon

Christman, Albert B.
Collins, Robert J.
Crandall, John Dallas
Crick, Kaehl D.
Crist, Helen M.
Cummings, Clifford O., Jr.
Demorest, Randall A.
Dishman, Robert A.
Douglas, Gary
Duhr, Douglas

Ehrichs, John T.
Emerson, Eugene Lester

EMPLOYER:

Gerald Richie
Gerald Richie
Garden Valley Outfitters, Inc.
Eakin Ridge Outfitters, Inc.
Diamond D Ranch
Richard A. Vander Meyden
Bobby R. Crick
Bobby R. Crick
Richard A. Vander Meyden
G & L York's Outfitters, Inc.
Gerald Richie
Eakin Ridge Outfitters, Inc.
Flying Resort Ranches, Inc.
Cornelius Hourihan
Lyle E. Phelps
Richard E. Grunch
Andron Corporation

Salmon River Lodge, Inc.
Skull Creek Outfitters, Inc.
Richard E. Grunch
Bobby R. Crick
John L. Booker
James L. Connor
Diamond D Ranch, Inc.
Richard A. Vander Meyden
Gerald Richie
Mike L. Daly

Richard A. Vander Meyden
Cecil Weddle

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GUIDES: continued

Esslinger, Don E.

Fink, Ken T.
Fisher, Blair G.
Frost, Gordon E.

Gates, David M.
Gill, Daniel A.
Gilley, Steven L.
Gochnour, Bill

Hawkins, Myron C.
Henze, Donald J., Jr.
Herron, Danny B.
Hoffman, Bert R.
Hopkins, Boyd C.
Horonzy, Brendon
Hoxie, Elden J.

Jorgensen, Daniel R.
Judge, Willard J.

Kauffman, Gary R.
Kellam, Janet K.
Kirk, Dean

Linville, Lars W.

McKee, Jeff

Manfull, Pat
Martinez, Leroy
Metcalf, Warren Jim
Mott, Karen

Niles, James R.
Nisley, Bruce D.
Nygaard, Sherry L.

Oliver, James Allison
Opresik, John J.

Painter, Ross E.
Pengelly, Mark J.
Perkins, Gary
Pitman, Donna
Powers, John D.
Pratt, Joe
Pratt, Kendall Brett

EMPLOYER:

Dixie Outfitters, Inc.

Donald Wilson
Clair J. Buxton
Fred Wright

John L. Booker
Richard A. Vander Meyden
Clair J. Buxton
Sleeping Deer Ranch, Inc.

Jim Renshaw
Clair J. Buxton
Duane M. Whipple
Skull Creek Outfitters, Inc.
Cecil Weddle
Tim Craig
Jim Renshaw

Duane M. Whipple
Richard E. Grunch

Flying Resort Ranches, Inc.
Teton Mountain Touring, Inc.
Skull Creek Outfitters, Inc.

G & L York's Outfitters, inc.

Duane M. Whipple

B-Bar-C Outfitters, Inc.
Gerald Richie
Richard D. Armiger
Richard A. Vander Meyden

Eakin Ridge Outfitters, Inc.
Richard A. Vander Meyden
Jack O. Nygaard

B-Bar-C Outfitters, Inc.
Lyle E. Phelps

Skull Creek Outfitters, Inc.
Richard A. Vander Meyden
Gary Madsen
Dixie Outfitters, Inc.
B-Bar-C Outfitters, Inc.
Richard E. Grunch
Richard E. Grunch

Idaho Outfitters and Guides Board
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GUIDES: continued

Reinholdt, Ken
Rice, Richard, Jr.
Richie, Jerry
Richie, Mike
Roberson, Ed
Roberts, John Charles
Roland, Leo

Schneider, Martin T.
Schumann, Monte
Seal, Mike
Selby, Lisa N.
Seuser, Andrew G.
Smith, Thomas Michael
Southwick, Kent R.
Spalding, Michael Thomas
Stovner, Charles A.
Stromberg, Carl
Strunk, Millard H.

Tengesdal, David J.
Tyler, William (Bill)

Von Ruden, Roman

Wachtel, Jim
Weddle, Pam
Wenzel, John
White, Richard D.
Woodworth, Everett C.

EMPLOYER:

Skull Creek Outfitters, Inc.
Richard A. Vander Meyden
Gerald Richie
Gerald Richie
Richard E. Grunch
Garden Valley Outfitters
Gerald Richie

David L. Peterson
Richard E. Grunch
Ray Seal
High Country Outfitters, Inc.
Idaho Wilderness Camps, Inc.
Donald Wilson
Richard E. Grunch
Idaho Wilderness Camps, Inc.
Skull Creek Outfitters, Inc.
Nitz Brothers Outfitters
Cecil Weddle

Diamond D Ranch, Inc.
Donald Wilson

B-Bar-C Outfitters, Inc.

Cornelius Hourihan
Cecil Weddle
Idaho Wilderness Camps, Inc.
Richard A Vander Meyden
Richard E. Grunch