

MINUTES

IDAHO OUTFITTERS AND GUIDES BOARD

February 12-16, 1985
Boardroom - Boise, Idaho

A regular meeting of the Idaho Outfitters and Guides Board was called to order by Chairman Foster at 0830 on Tuesday, February 12, 1985, with members Farr, Meiners, Salter, and Vaughn in attendance. The following matters of general business were taken into consideration:

Board Minutes: MSC (Salter--Meiners) THAT THE JANUARY MINUTES BE APPROVED AS AMENDED.

Fiscal Review: Following a report given by the Chairman, MSC (Salter--Vaughn) THAT IN VIEW OF THE CURRENT CASH BALANCE, THE CHAIRMAN, ENFORCEMENT COORDINATOR, AND ADMINISTRATIVE SECRETARY BE REQUESTED TO CONTINUE TO HOLD CASH OUTLAY TO THE BARE MINIMUM UNTIL SUCH TIME AS THE CASH BALANCE RECOVERS TO THE POINT OF BEING ABLE TO MEET THE OBLIGATIONS OF THE BOARD.

Meeting Tapes: MSC (Salter--Meiners; Vaughn "No") THAT THE ADMINISTRATIVE SECRETARY BE INSTRUCTED TO RETAIN TAPES ON ALL MATTERS, EXCEPT ADMINISTRATIVE HEARINGS, FOR A PERIOD OF ONE YEAR AT WHICH TIME THEY MAY BE RECYCLED. FURTHER, ARRANGEMENTS SHOULD BE MADE TO RETAIN ADMINISTRATIVE TAPES IN PERPETUITY.

Consideration List: Copies of the updated river consideration list were distributed to members of the Board for their review. Following a lengthy discussion, action was deferred until later in the meeting.

The meeting recessed at 1220 and reconvened at 1330 at which time Clive Strong, Deputy Attorney General, and Matthew Mullaney, Hearing Officer, met with the Board to discuss the proposed rule changes along with oral and written testimony received. The Chairman requested Mr. Mullaney to prepare a summary for the Board's review.

Henry's Fork: At 1435 Senator Mark Ricks and Representative Cyril Burt met with the Board relative to the proposed changes on the Henry's Fork of the Snake River. Both legislators noted they had received calls from Harry Lewies on this matter.

New Rule Changes: MSC (Salter--Farr) THAT THE CHAIRMAN CONTACT THE IDAHO OUTFITTERS AND GUIDES ASSOCIATION RELATIVE TO THE ADDITION OR DELETION OF RIVERS LISTED IN RULE 28. MSC (Meiners--Farr) THAT THE BOARD DRAFT NEW RULES FOR THE 1986-1987 LICENSE YEAR RELATIVE TO KAYAKING, SKIING, ICE CLIMBING, AND HELI-SKIING, AND THAT CURT OLSEN, OLIN GARDNER, AND OTHER EXPERTS BE CONTACTED TO ASSIST IN THE PREPARATION OF SAME.

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Barbara Chandler: The Chairman reviewed a letter received on January 22, 1985, regarding equipment rental. MSC (Vaughn--Farr) THAT THE CHAIRMAN WRITE A LETTER STATING THAT THE RENTAL OF BOATS AND SKI EQUIPMENT AND MAINTENANCE OF SKI TRAILS DO NOT FALL UNDER THE PURVIEW OF THE OUTFITTERS AND GUIDES ACT, PROVIDED NO GUIDING AS DEFINED BY IDAHO CODE OCCURS. HOWEVER, SHE IS TO BE ADVISED TO ALSO ADDRESS HER QUESTIONS TO THE U.S. FOREST SERVICE TO ENSURE COMPLIANCE WITH FEDERAL LAWS.

Owyhee River-East and South Forks: The Chairman reviewed a letter received from the Bureau of Land Management relative to their decision to permit outfitters on both the East Fork and South Fork of the Owyhee River. Bill Meiners questioned if this decision had gone to public hearing and/or if this was a departure from the approved land-use plan. He was instructed to make the necessary inquiries to answer these concerns.

Nonuse Criteria: Scott Farr was instructed to arrange a meeting with the committee members from the Idaho Outfitters and Guides Association relative to the proposed criteria for nonuse. Such criteria is to be drafted prior to the spring meeting of the Association.

April Board Meeting: It was noted that the Idaho Outfitters and Guides Association will hold its spring meeting April 16-18, 1985. The Board will meet on Monday, April 15, 1985, and again on Thursday and Friday, April 18-19, 1985. The Inter-Agency Meeting will be held on Tuesday morning, April 16, 1985, at the Holiday Inn. The Administrative Secretary was directed to make the necessary reservations.

The meeting recessed at 1725 and reconvened on Wednesday, February 13, 1985, at 0830. The following business was discussed:

Mike Madden/Forrest Wilson Complaints: Following a review of the letters on file, the Board met with Mr. & Mrs. Mike Madden. Mr. Madden was instructed to send a list of his paid clients for this past season to the Board. Upon receipt of same, the Board will contact these clients; upon completion of its research, the Board will notify Mr. Madden by mail of its decision.

Ray Hamell: At 1055 Mr. Hamell met with the Board regarding the Forrest Wilson license. Mr. Hamell noted he would be guiding for Mr. Wilson in the 1985-1986 season and was enroute to a trade show in Sacramento. Inasmuch as Mr. Wilson was in Alaska, Mr. Hamell was checking the status of the 1985-1986 license. The Chairman noted a resolution to the existing partnership agreement would have to be reached before an extension to the licensed area could be considered.

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Randy Hess: At 1125 Mr. Hess met with the Board to discuss his proposed purchase of the whitewater portion of Bob Jonas' business. MSC (Salter--Vaughn) THAT THIS APPLICATION BE APPROVED AND LICENSE ISSUED UPON COMPLETION.

The meeting recessed at 1205 and reconvened at 1330, reviewing the following matters of business:

John Lym/Pebble Creek Ski Area: Following a meeting with Mr. Lym, MSC (Salter--Vaughn) THAT HIS APPLICATION FOR A 1984-1985 OUTFITTER LICENSE BE APPROVED AS ISSUED IN 1983-1984. IN ADDITION, THE AMENDMENTS FOR JOHN WARNING AND HARRISON HILBERT BE APPROVED, ALLOWING THEM TO LEAD GUIDE FOR DAY AND OVERNIGHT CROSS-COUNTRY SKI TOURS AND TO GUIDE FOR BACK-COUNTRY ALPINE SKIING.

Hal Julian/Dick Bittick: Following a meeting with Messrs. Julian and Bittick, MSC (Salter--Farr) THAT THEIR REQUEST TO BE LICENSED FOR THE GARY SWIFT OUTFITTING BUSINESS BE APPROVED AND THAT THE LICENSE BE ISSUED UPON COMPLETION.

Mark Russell: At 1510 Mr. Russell met with the Board and presented a letter he had received from the Forest Service indicating there are no openings for another outfitter to be licensed in the Sawtooth National Recreation Area. The Chairman advised Mr. Russell the Board would contact the Idaho Department of Fish and Game for their input and may contact the Forest Service if it appears necessary before rendering a decision on his application.

Al Tilt: At 1600 Mr. Tilt met with the Board regarding the purchase of the hunting and trailriding portion of the Lyle Kunz outfitting business. A copy of the proposed Sale of Guide and Outfitter Rights was presented to the Board. The Chairman noted there was another applicant for this same operation who would be meeting with the Board on Friday, February 15, 1985. He further noted the Board's concern that three outfitters are licensed to the same hunting area. Mr. Tilt asked the Board about the gap in the area description, noting that the area east of South Badger to the stateline has been left out. He also inquired about the possibility of fishing in the drainages. The Chairman advised Mr. Tilt the Board would conduct some additional research and would advise him of its decision by mail.

The meeting recessed at 1700 and reconvened on Thursday, February 14, 1985, at 0835. MSC (Meiners--Salter) THAT PURSUANT TO IDAHO CODE 67-2345(b), THE BOARD GO INTO EXECUTIVE SESSION TO DISCUSS MATTERS OF PERSONNEL. "Aye" votes were cast by Foster, Farr, Meiners, Salter, and Vaughn. The Executive Session began at 0840 and ended at 0930 with no formal action being taken during the session.

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Enforcement Officers: Bill Meiners reviewed with the Board the resumes of Messrs. Olson, Bowerman, and Larsen who were applying for part-time enforcement officer positions. At 1000 Mr. Bowerman was interviewed by the Board. At 1100 Mr. Larsen met with the Board. It should be noted that Mr. Olson met with the Board on January 11, 1985, in Orofino. MSC (Meiners--Vaughn; Salter abstained) THAT THE SERVICES OF LYNN BOWERMAN AND ARLO LARSEN BE RETAINED BY THE BOARD. The Enforcement Coordinator was instructed to advise Mr. Olson that his services would not be required by the Board.

Clearwater National Forest: MSC (Farr--Meiners) THAT HARRY VAUGHN REPRESENT THE BOARD AT A MEETING TO BE HELD ON MARCH 14, 1985, WITH OUTFITTERS AND FORESTERS OF THE CLEARWATER NATIONAL FOREST.

The Board recessed at 1210 and reconvened at 1310, conducting the following business:

Vern Bressler: Mr. Bressler discussed his proposed purchase of the Lyle Kunz fishing operation with the Board. MSC (Farr--Vaughn) THAT THIS REQUEST BE APPROVED AND THE LICENSE ISSUED UPON COMPLETION. It was noted the description would be the same as Mr. Kunz's with the addition of power boating on the Teton River.

Paul Wynn: At 1435 Mr. & Mrs. Wynn met with the Board to discuss a new outfitter license. MSC (Meiners--Farr) THAT THE APPLICATION BE APPROVED AND THE LICENSE ISSUED UPON COMPLETION.

Fourth of July Creek Outfitters: At 1510 Messrs. Gordon and Marvin Stimmel met with the Board to address the complaint on file. The Chairman asked Mr. Stimmel to provide a list of names and addresses of clients booked this past season. Upon receipt of same, letters will be sent and replies requested so the Board can reach a just decision.

Kristy Pigeon: At 1615 the Board met with Kristy Pigeon relative to a new outfitter's license for trailrides. The Chairman advised Ms. Pigeon to contact the U.S. Forest Service and noted the Board would check with Dennis Hill relative to the impact such an operation would have on his outfitting business.

U.S. Forest Service: MSC (Meiners--Farr) THAT THE CHAIRMAN WRITE A LETTER TO TOM COSTON, REGION 1; STAN TIXIER, REGION 2; AND JEFF SIRMON, REGION 6; REQUESTING THEIR ATTENDANCE AT THE MARCH BOARD MEETING TO DISCUSS LICENSING PROCEDURES OF MUTUAL CONCERN TO THE U.S. FOREST SERVICE AND THE IDAHO OUTFITTERS AND GUIDES BOARD.

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Ted Epley: MSC (Salter--Farr) THAT MR. EPLEY'S REQUEST FOR A LICENSE AMENDMENT BE GRANTED TO INCLUDE FISHING IN HIS BIG GAME HUNTING AREA AND ON THE RIVERS FOR WHICH HE IS LICENSED TO FLOAT, WITH THE EXCEPTION OF THE NORTH FORK OF THE PAYETTE RIVER FROM PAYETTE LAKES OUTLET TO SHEEP BRIDGE. FURTHER, THAT HIS REQUEST FOR FISHING IN HIS SUMMER TRAILRIDING AREA BE HELD IN ABEYANCE UNTIL THE BOARD HAS CHECKED WITH THE IDAHO DEPARTMENT OF FISH AND GAME AND THE U.S. FOREST SERVICE.

Jim Walker: The Chairman noted a letter in the file indicating Mr. Walker has sold his outfitting business to Bret Armacost, but that the Board has no application from Mr. Armacost as yet.

Tim Craig: MSC (Salter--Meiners) THAT THE CHAIRMAN WRITE TO OUTFITTERS OSWOLD AND RUGG RELATIVE TO THE IMPACT MR. CRAIG'S REQUEST FOR ADDITIONAL AREA MIGHT HAVE ON THEIR OPERATIONS; FURTHER, THAT OUTFITTER NYGAARD BE RECONTACTED REGARDING SAME.

Roger Keckeissen: The Chairman read a letter from the employing outfitter terminating the employment of Mr. Keckeissen. No action is to be taken by the Board.

Stan Morris: Relative to Mr. Morris' application for heli-skiing, Bob Salter suggested the Enforcement Coordinator contact the Conservation Officer in Priest River regarding this activity and area.

Grunch Bunch: It was noted that Mr. Grunch submitted a plan of operation in response to the Board's request. This plan will be reviewed by the Board when his application for a 1985-1986 license is received.

Barry Dow: MSC (Salter--Farr) THAT MR. DOW'S LICENSE BE AMENDED TO LEAD GUIDE FOR CROSS-COUNTRY SKIING AS PER HIS REQUEST.

Ricks College: MSC (Meiners--Vaughn) THAT RICKS COLLEGE REQUEST FOR ADDITIONAL AREA BE DENIED PURSUANT TO THE PROVISIONS OF IDAHO CODE 36-2109(b)(4) AND (b)(5) AND RULE 22.c. INASMUCH AS THE TETON RIVER IS FULLY LICENSED.

John D. Patterson: A brochure of Mr. Patterson's guiding services, noting he is a guide for S & S Outfitters, was reviewed by the Board along with his letter requesting placement on the consideration list for the Clearwater River.

The meeting recessed at 1805 and reconvened on Friday, February 15, 1985, at the hour of 0830, commencing with a review of the following matters:

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RamsHorn Guest Ranch: A review of the file indicated the Board has not received an outfitter application. Upon receipt of same, the Board will render its decision.

Con Hourihan/Flying Resort Ranches: Because the Board has received no adverse reaction to the proposed joint-use agreement, this agreement is to be added to the existing licenses of Con Hourihan and Flying Resort Ranches.

Con Hourihan: Relative to Mr. Hourihan's request for spring bear hunting, MSC (Meiners--Salter) THAT THE CHAIRMAN ADVISE MR. HOURIHAN THAT THE BOARD DOES NOT HAVE ANY AREAS OPEN AT THE PRESENT TIME, BUT AT SOME TIME IN THE FUTURE IT MAY DEVELOP A CONSIDERATION LIST.

Jerry E. Griffin: In response to his letter relative to the Quentin Selby area, MSC (Meiners--Salter) THAT THE CHAIRMAN ADVISE MR. GRIFFIN THIS AREA IS NOT OPEN AT THE PRESENT, BUT AT SOME TIME IN THE FUTURE IT MAY DEVELOP A CONSIDERATION LIST.

Owyhee River Licensees: Bill Meiners reported on a telephone conversation he had with officials of the Bureau of Land Management. MSC (Salter--Farr) THAT ON AN INTERIM BASIS, OUTFITTERS LICENSED FOR THE EAST FORK (NEVADA STATELINE TO OREGON STATELINE) OF THE OWYHEE RIVER AND THE SOUTH FORK OF THE OWYHEE RIVER BE ADVISED THEIR LICENSES ARE HEREBY AMENDED TO CONFORM WITH THE OPERATING PLAN OF THE BUREAU OF LAND MANAGEMENT FOR THE 1985 FLOAT SEASON AND THAT THEY MAY UTILIZE EITHER SECTION OF THE OWYHEE RIVER UNDER THEIR LICENSES.

Betchart Expeditions: MSC (Salter--Vaughn) THAT MARGARET BETCHART BE ADVISED THAT AFTER DUE CONSIDERATION, IT IS THE FINDING OF THE BOARD THAT HER OPERATIONS AS DETAILED IN HER FEBRUARY 12, 1985, LETTER DO NOT CONSTITUTE OUTFITTING. FURTHER, THAT THE BOARD ADVISE HER TO INDICATE THAT FLOATING ACTIVITIES ARE CONDUCTED BY LICENSED OUTFITTERS.

Milton Butler: At 1010 a denial hearing was held at the request of Mr. Butler. Present for this hearing were all Board members; Mark Martin, Deputy Attorney General; Virgil Moore, Resident Fish Manager for the Idaho Department of Fish and Game; and the Board's Administrative Secretary. Following opening statements, Mr. Martin asked the Board to take judicial notice of the following documents:

1984-1985 outfitter license of Timothy Gardiner
1984-1985 outfitter license of Tom Jarvis
File of Milton Butler, including 1960 Challis N.F. Map
Challis National Forest Map, East Half, dated 1965

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Following arguments and summations by all parties, the Chairman advised Mr. Butler he would be notified by certified mail when the Board renders its decision. MSC (Meiners--Salter) THAT THE BOARD CONTACT ITS ATTORNEY AS TO THE ADVISABILITY OF SUPOENAING THE RECORDS OF TIMOTHY GARDINER AND TOM JARVIS TO VERIFY THEIR CURRENT USE LEVELS IN LICENSED AREAS AND REQUEST THEIR APPEARANCE AT THE MARCH BOARD MEETING. FURTHER, THAT THE DECISION ON THE BUTLER MATTER BE DEFERRED PENDING THE RESULTS OF THIS RESEARCH.

Charles Weddle, Jr.: At 1130 Mr. Weddle and Roy Connolly met with the Board regarding a new outfitter application. MSC (Vaughn--Farr) THAT THE APPLICATION BE APPROVED AND LICENSE ISSUED UPON COMPLETION. FURTHER, THAT MR. WEDDLE BE ADVISED OF THE FISH AND GAME LETTER OF JANUARY 30, 1985, RELATIVE TO THE PROPOSED LOGGING AND TIMBER HARVEST IN THE AREA OF HIS PROPOSED OPERATION. The area description will read as follows:

Beginning on Quartz Creek at the junction of Forest Service Roads 711 and 712 (Sec. 13, T40N, R8E); thence northeasterly up Quartz Creek to Twin Cabin Creek (Sec. 34, T41N, R9E); thence northeasterly up Twin Cabin Creek to Indian Henry Ridge and Forest Service Road 5371 (NW 1/4 Sec. 26, T41N, R9E); thence easterly on the ridge and Forest Service Road 5371 to Pot Mountain Ridge and Fly Hill Road 715 (Sec. 19, T41N, R10E); thence southerly on Fly Hill Road 715 to Forest Service Trail 169 near Fly Hill (Sec. 31, T41N, R10E); thence south on Trail 169 via Fly Hill around the head of Quartz Creek to its juncture with Forest Service Trail 437 on the divide between Quartz, Hidden, and Fix Creeks (Sec. 5, T40N, R10E); thence southeasterly on the watershed divide between Hidden and Fix Creeks to the North Fork of the Clearwater River (Sec. 10, T40N, R10E); thence southwesterly down the North Fork of the Clearwater River to the mouth of Elizabeth Creek and Forest Service Trail 440; thence westerly on Trail 440 to the vicinity of, but excluding, Spring Lake (the approximate center of Sec. 23, T40N, R9E); thence due west to Forest Service Trail 169; thence southwesterly on Forest Service Trail 169 to Mush Saddle; thence northerly on Forest Service Road 711 to its juncture with Forest Service Road 712 on Quartz Creek, the point of beginning. [Clearwater National Forest Map, 1980 edition]

The meeting recessed at 1225 and reconvened at 1330. The following matters were discussed:

Randy Baugh/Jim Pepcorn: Messrs. Baugh and Pepcorn met with the Board to discuss the sale of Mr. Pepcorn's outfitting business to Mr. Baugh. MSC (Meiners--Vaughn; Salter "no") THAT THIS APPLICATION BE APPROVED AND LICENSE ISSUED UPON COMPLETION OF THE

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NECESSARY ITEMS. FURTHER, THAT COUGAR HUNTING BE LIMITED TO INCIDENTAL FALL COUGAR IN CONNECTION WITH THE ELK AND DEER SEASON FOR THAT AREA. Mr. Salter requests that the record reflect his "no" vote was not based on the merits of the transfer of this license.

Charmaine Allen Miller: At 1425 Ms. Miller met with the Board regarding her application for an outfitter's license to conduct trailrides at Hells Gate Stables in Lewiston. MSC (Meiners--Salter) THAT AFTER REVIEWING HER APPLICATION, THIS REQUEST BE DENIED AND THAT MS. MILLER BE ADVISED HER PROPOSED ACTIVITIES DO NOT FALL UNDER THE PURVIEW OF THE IDAHO OUTFITTERS AND GUIDES ACT.

Ken Walters: At 1530 Mr. Walters met with the Board to discuss the possibility of an outfitting business to hunt elk and deer in Fish and Game Units 19A and 23 southeast of Riggins. The Chairman advised Mr. Walters that he could submit an application for same and the Board would then review his request.

David Murdock: At 1600 Mr. & Mrs. Murdock met with the Board regarding the Lyle Kunz hunting area which they are interested in obtaining. Mr. Murdock played a tape of a telephone conversation he had with Mr. Kunz in which it was indicated no equipment was being sold to Mr. Tilt, just a license. Mr. Murdock also expressed his concern for the elk population in that area should a license for hunting be issued. The Chairman advised that the Board would consider his testimony and inform him of its decision by mail. MSC (Meiners--Salter) THAT THE BOARD CONTACT THE IDAHO DEPARTMENT OF FISH AND GAME AND THE U.S. FOREST SERVICE REGARDING THE LYLE KUNZ/DALE ROBSON/A. W. ANGELL AREA AND THAT THE BOARD DEFER ITS DECISION ON THE MURDOCK AND TILT APPLICATIONS UNTIL SUCH INPUT IS REVIEWED BY THE BOARD.

The meeting recessed at 1700 and reconvened on Saturday, February 16, 1985, at 0805. All members were present except Bob Salter. The following matters were reviewed:

Lazy J/Double K Outfitters: MSC (Meiners--Vaughn) THAT THE BOARD NOTIFY JOHN TWISS OF THE SELWAY RANGER DISTRICT, NEZPERCE NATIONAL FOREST, THAT IT HAS NO APPLICATION TO REVIEW RELATIVE TO THE PROPOSED SALE OF THE DOUBLE K AREA TO LAZY J OUTFITTERS, AND HAS, THEREFORE, HAD NO OPPORTUNITY TO RESEARCH SAME.

Dick Teller: MSC (Vaughn--Farr) THAT THE BOARD ADVISE MR. TELLER HIS PHOTOGRAPHY TOURS AS OUTLINED IN HIS LETTER OF JANUARY 28, 1985, DO NOT FALL UNDER THE PURVIEW OF THE IDAHO OUTFITTERS AND GUIDES ACT.

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Merrill McNeel: MSC (Vaughn--Meiners) THAT HIS REQUEST FOR AN OUTFITTER LICENSE BE DENIED PURSUANT TO THE PROVISIONS OF IDAHO CODE 36-2109(b)(4) AND (b)(5) AND THE CURRENT BEAR MORATORIUM.

Wilderness River Outfitters: MSC (Vaughn--Meiners) THAT A LETTER BE SENT TO WILDERNESS RIVER OUTFITTERS INDICATING THE BOARD WOULD APPROVE THE APPLICATIONS OF JOE TONSMEIRE, JEFF BEVAN, AND WILLIAM LEAVELL WHEN SUBMITTED PURSUANT TO WILDERNESS RIVER OUTFITTERS' LETTER OF JANUARY 28, 1985. FURTHER, THAT JOE TONSMEIRE BE THANKED FOR HIS RESPONSE TO THE BOARD'S REQUEST FOR GUIDELINES RELATIVE TO ICE CLIMBING AND THAT IT WILL BE CONSIDERING HIS SUGGESTION FOR A POSSIBLE REVIEW OF RULE 44.

Charles Massey/Jerry Thornock: MSC (Vaughn--Meiners) THAT MR. MASSEY BE ISSUED A GUIDE'S LICENSE AND THE MONIES PAID FOR MR. THORNOCK'S LICENSE BE TRANSFERRED TO MR. MASSEY PER MR. DUNFORD'S LETTER OF OCTOBER 18, 1984.

Howard Thompson: MSC (Vaughn--Meiners) THAT A LETTER BE SENT ADVISING MR. THOMPSON THAT AN APPLICATION, COMPLETE WITH MAP AND ASSUMED NAME CERTIFICATE, MUST BE SUBMITTED SO THE BOARD CAN CONDUCT THE NECESSARY RESEARCH. FURTHER, MR. THOMPSON IS TO BE ADVISED THAT BUS TOURS DO NOT FALL UNDER THE PURVIEW OF THE IDAHO OUTFITTERS AND GUIDES ACT. ADDITIONALLY, MR. THOMPSON IS TO BE ASKED WHY THERE ARE THREE DIFFERENT AREAS LISTED RATHER THAN ONE INASMUCH AS IT APPEARS THESE AREAS ARE ADJACENT TO ONE ANOTHER.

DBA's on Licenses: The Administrative Secretary was directed to continue issuing licenses with the dba's noted thereon for existing licensees even though an assumed name certificate is not on file. All new applicants will be required to have such a certificate on file before a dba will be noted on their licenses. The Board will do further research on the memorandum from Mark Martin, Deputy Attorney General, relative to same.

Steve Guinn: MSC (Meiners--Farr) THAT MR. GUINN'S REQUEST FOR A ONE-TIME SPECIAL EXEMPTION TO RULE 22.C.42 TO ACCOMMODATE THE NATIONAL GOVERNOR'S CONFERENCE TO BE HELD IN AUGUST 1985 BE GRANTED. FURTHER, THAT HE BE ADVISED HIS PETITION FOR AN AMENDMENT TO RULE 22.C.42 BE ACCEPTED AND THE BOARD GO TO RULEMAKING IN THE FUTURE ON THE CLOSURE DATE OF THE PAYETTE RIVER AS ADDRESSED IN MR. GUINN'S PETITION.

Thomas P. Farbo: MSC (Meiners--Farr) THAT A LETTER BE SENT TO MR. FARBO INDICATING THE PROPOSED RULE CHANGES ON THE CLEARWATER RIVER IN RESPONSE TO HIS LETTER OF JANUARY 28, 1985. FURTHER, A COPY OF THE IDAHO DEPARTMENT OF FISH AND GAME'S LETTER OF SEPTEMBER 28, 1984, ALONG WITH A COPY OF THE CURRENT ACTIVITY REPORT ARE TO BE SENT MR. FARBO PER HIS REQUEST. ADDITIONALLY, HE IS TO BE ADVISED THAT HE HAS BEEN PLACED ON THE CONSIDERATION LIST.

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James Steen: The Board reviewed Mr. Steen's renewal application, noting he had omitted indicating his boat identification. The Administrative Secretary was instructed to issue the license and send it along with a photocopy of the appropriate page of his renewal application, requesting his completion of same. This policy to be followed when other applicants omit the boat identification as well.

Steve Stanhope: MSC (Meiners--Farr) THAT HIS REQUEST TO BE LICENSED ON THE LOWER SALMON RIVER BE DENIED PURSUANT TO THE MORATORIUM ON NEW LICENSEES INVOKED AT THE REQUEST OF THE BUREAU OF LAND MANAGEMENT PER THEIR LETTER OF FEBRUARY 24, 1982. FURTHER, THAT MR. STANHOPE BE ADVISED HE IS BEING PLACED ON THE CONSIDERATION LIST SHOULD AN OPENING BECOME AVAILABLE IN THE FUTURE.

Harry Vaughn: MSC (Farr--Meiners; Vaughn abstained) THAT MR. VAUGHN'S REQUEST TO ADD BEAR AND COUGAR HUNTING TO HIS LICENSE BE HELD IN ABEYANCE UNTIL NONUSE GUIDELINES ARE ESTABLISHED AND PUT INTO EFFECT.

Conrad M. Sandoval: MSC (Meiners--Farr) THAT A CERTIFIED LETTER BE SENT TO MR. SANDOVAL INDICATING HIS FAILURE TO PRODUCE A PHOTOCOPY OF AN AMERICAN RED CROSS MULTIMEDIA CARD COULD RESULT IN THE DENIAL OF FUTURE APPLICATIONS FOR GUIDING PRIVILEGES.

Doug Tims: MSC (Meiners--Farr) THAT THE BOARD APPROVE THE APPLICATION FOR THE TRANSFER OF THE SELWAY BOATING PRIVILEGES FROM STEVE CURREY TO DOUG TIMS SUBJECT TO THE RECEIPT OF A PROPERLY EXECUTED CONTRACT OR BILL OF SALE CERTIFYING THE TRANSFER OF PHYSICAL ASSETS FROM MR. CURREY TO MR. TIMS. UPON RECEIPT OF THIS DOCUMENT AND SUBSEQUENT APPROVAL OF THE CHAIRMAN OR VICE CHAIRMAN, THE LICENSE CAN BE ISSUED.

The meeting recessed at 1205 and reconvened at 1315, taking the following matters into consideration:

Andre Molsee: MSC (Meiners--Vaughn) THAT COUGAR HUNTING AND CROSS-COUNTRY SKIING CAN BE ADDED TO MR. MOLSEE'S LICENSE WHEN HE IS PROPERLY QUALIFIED OR EMPLOYS A QUALIFIED GUIDE. FURTHER, MR. MOLSEE IS TO BE ADVISED THAT AS LONG AS HE IS ON DESIGNATED ROADS, VAN AND BUS TOURS DO NOT FALL UNDER THE PURVIEW OF THE OUTFITTERS AND GUIDES ACT. ADDITIONALLY, TO CLARIFY THE JANUARY MINUTES, MR. MOLSEE'S APPLICATION IS APPROVED AS REQUESTED AND HIS SUMMER ACTIVITIES ARE TO BE CONFINED TO THE HUNTING AREA EXCEPT THAT FISHING IS AUTHORIZED ON DWORSHAK RESERVOIR.

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Donald Merrell: MSC (Vaughn--Farr) THAT THE FIRST AID CERTIFICATION SUBMITTED BY MR. MERRELL BE ACCEPTED AND A GUIDE LICENSE ISSUED AS REQUESTED. Upon the Board's receipt of the requested letter from Art Israelson, instructor of the Medic First Aid course, a copy of same is to be forwarded to the American Red Cross in Boise for their comments.

Stanley Potts/Scott Farr: The Board deferred making a decision on the joint-use agreement until the March meeting.

S. C. Buttram: MSC (Meiners--Vaughn; Farr voted "No") THAT THE DENIAL OF S. C. BUTTRAM'S REQUEST BE UPHELD AND THAT THE BOARD'S ATTORNEY BE INSTRUCTED TO PREPARE FINDINGS OF FACT, CONCLUSIONS OF LAW, AND AN ORDER RELATIVE TO THIS DECISION.

Michael J. Storaasli: MSC (Meiners--Farr) THAT MR. STORAASLI'S REQUEST FOR SUMMER ACTIVITIES BE APPROVED, BUT THAT HIS REQUEST FOR THE HUNTING OF ELK, DEER, BEAR, AND COUGAR BE DENIED PURSUANT TO THE PROVISIONS OF IDAHO CODE 36-2109(b)(1), (b)(2), AND (b)(5), AND THE RECOMMENDATIONS OF THE IDAHO DEPARTMENT OF FISH AND GAME AS OUTLINED IN THEIR LETTER OF SEPTEMBER 30, 1983.

Transcriptions of Tapes: MSC (Farr--Vaughn) THAT THE ENFORCEMENT COORDINATOR BE DIRECTED TO EXPLORE THE POSSIBILITY AND EMPLOY, ON AN EXPERIMENTAL CONTRACTUAL BASIS, A PERSON TO TRANSCRIBE TAPES. SUCH CONTRACTUAL ARRANGEMENT SHOULD BE MADE TO ENSURE MAXIMUM CONFIDENTIALITY OF ENFORCEMENT MATTERS.

Consideration List: MSC (Meiners--Vaughn) THAT EFFECTIVE IMMEDIATELY, RULE 22.c. BE PUT INTO FULL FORCE AND EFFECT REGARDING THE ESTABLISHMENT AND MAINTENANCE OF A CONSIDERATION LIST WITH THE FOLLOWING GUIDELINES:

- (1) ALL INITIAL APPLICATIONS, EITHER BY AN EXISTING OUTFITTER OR A NEW APPLICANT, MUST BE SUBMITTED ON FORM OG-1 IN ACCORDANCE WITH THE RULES AND REGULATIONS. EXISTING LICENSED OUTFITTERS SHOULD MAKE REFERENCE ON THE FORM TO THEIR QUALIFICATIONS AND OTHER LICENSED ACTIVITIES.
- (2) THE DATE THE ORIGINAL APPLICATION IS RECEIVED BY THE BOARD SHALL CONSTITUTE THE PREFERENCE DATE. FOR RETENTION ON THE CONSIDERATION LIST, A REQUEST MUST BE RECEIVED BY THE BOARD WITHIN A ONE YEAR PERIOD FROM THAT DATE. IN ANY SUBSEQUENT YEARS, THE RENEWAL APPLICATION MUST BE RECEIVED WITHIN A ONE YEAR PERIOD FROM THE RECEIPT OF THE LAST APPLICATION.
- (3) THE ANNUAL REQUEST FOR CONTINUATION ON A GIVEN CONSIDERATION LIST SHALL BE IN A LEGIBLE, WRITTEN FORM AND SHALL INCLUDE, AT A MINIMUM, A DETAILED DESCRIPTION OF THE AREA OF OPERATION, THE ACTIVITIES APPLIED FOR, AND THE SIGNATURE OF THE APPLICANT.

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proceedings of the sixteenth

Colleen Sweeney: MSC (Meiners--Farr) THAT IN VIEW OF THE RESIGNATION OF COLLEEN SWEENEY, THE ADMINISTRATIVE SECRETARY BE INSTRUCTED TO CALL FOR THE REGISTER FOR AN AUTOMATED RECORDS CLERK ON TUESDAY, FEBRUARY 19, 1985.

York/Thomas Dispute: MSC (Meiners--Vaughn) THAT THE BOARD ADOPT THE DECISION AS DRAFTED BY MARK MARTIN, DEPUTY ATTORNEY GENERAL.

Chuck Neill: MSC (Farr--Meiners) THAT THE BOARD ADOPT THE DECISION AS DRAFTED BY MARK MARTIN, DEPUTY ATTORNEY GENERAL.

The meeting adjourned at 1550 hours.



GLEN R. FOSTER, Chairman of the Board

ATTEST:



LINDA L. ELWOOD, Administrative Secretary