

MINUTES

IDAHO OUTFITTERS AND GUIDES BOARD

May 7-10, 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, May 7, 1985, with members Farr, Meiners, and Vaughn in attendance.

MSC (Vaughn--Meiners) THAT PURSUANT TO IDAHO CODE SECTION 67-2345(b), THE BOARD GO INTO EXECUTIVE SESSION TO DISCUSS MATTERS OF PERSONNEL. Votes were cast as follows: Foster..."aye"; Farr..."aye"; Meiners..."Aye"; Vaughn..."Aye". The Executive Session began at 0830 and ended at 0937 with no formal action being taken during the meeting.

The following matters were reviewed:

**Duane Opdahl/Harlan Opdahl/Al Latch:** The Chairman was instructed to write letters to the Fish and Game and the Forest Service conducting basic research on the areas requested. The letters should reflect that the Board feels there should be an overall re-definition of area boundaries between Fred Wright, the Opdahl area, and the area formerly licensed to Dave Peterson so that the boundary along the motorway follows more natural boundaries instead of the Clearwater/Idaho County Line. One of the matters considered in this possible re-definition is that the Fred Wright area overlaps two Fish and Game Units with different seasons and the portion of his area that overlaps Fish and Game Unit 10 is not large enough to utilize effectively. Affected outfitters will not be contacted at this time but will be contacted before a final decision is made.

**Gladys York:** The area description of Gladys York/G & L York Outfitters, Inc. bears reference to a joint-use with Guth Enterprises and with Lester West. The name should be changed on the description to reflect the fact that the Guth business is now owned by Eakin Ridge Outfitters, Inc. Corresponding changes should be made in the area descriptions for Lester West and for Eakin Ridge Outfitters, Inc.

**Late Fees:** MSC (Meiners--Vaughn) THAT THE OFFICE STAFF BE DIRECTED TO FOLLOW THE RULES VERY CAREFULLY IN TERMS OF THE COMPLETION OF APPLICATIONS AND THE APPLICATION OF THE LATE FEE. IF AN APPLICATION IS NOT COMPLETE IN ANY SENSE BY MARCH 31, THE OUTFITTER IS TO BE CHARGED THE LATE FEE. IF THERE ARE EXTENUATING REASONS THAT ARE OFFERED BY THE OUTFITTER, THE BOARD WILL BE ALLOWED THE OPPORTUNITY TO EVALUATE THE REASONS AND DETERMINE WHETHER THE LATE FEE MAY BE WAIVED.

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**G & L York Outfitters, Inc.:** MSC (Meiners--Farr) IN VIEW OF THE CONSIDERATIONS OFFERED BY THE INSURANCE COMPANY THAT MRS. YORK HAD ACTED IN GOOD FAITH AND HAD FILED HER APPLICATION IN A TIMELY FASHION AND THAT THE BOND WAS LATE DUE TO NO FAULT OF MRS. YORK, THAT THE LATE FEE BE WAIVED.

**Albert Tilt III:** MSC (Meiners--Vaughn) THAT THE ALBERT TILT APPLICATION FOR A 1985-1986 OUTFITTER LICENSE BE CLARIFIED TO INCLUDE HUNTING FOR FOREST GROUSE, TRAILRIDES, AND FISHING. THESE ACTIVITIES MAY BE CONDUCTED IN HIS BIG GAME HUNTING AREA, EXCEPT THAT NO BOATING FISHING IS ALLOWED ON THE TETON RIVER, FALL RIVER, OR THE HENRY'S FORK OF THE SNAKE RIVER.

**David D. Giles/Salmon River Lodge:** The Board reviewed Mr. Giles' and Salmon River Lodge's request for an amendment to add trailrides in the vicinity of the Cold Meadows airstrip. The Board will write a letter to the Forest Service asking if their official position is still the position reflected in the letter to Salmon River Lodge dated February 12, 1985. Also, a letter is to be written to David Giles asking for a detailed operating plan showing the use of the area currently licensed to him, the effect which the amendment would have on Cal Stoddard's operation, and why he feels a need for additional area at this time. The letter will also request a detailed worded description of the trails he intends to use and the lakes he intends to fish in the vicinity of the Cold Meadows airstrip. Following receipt of these materials, the Board will then make a decision.

The Board recessed at 1215 and reconvened at 1330, reviewing the following matters:

**Michael E. Stanford:** The Board reviewed Mr. Stanford's file and determined that research on his request for trailrides, fishing, snowmobiling, and backpacking should include letters to the Fish and Game, to Stan Meholchick, and to the Bureau of Land Management.

**Ronald Vaughn:** MSC (Vaughn--Meiners) THAT RONALD VAUGHN'S APPLICATION FOR BIG GAME HUNTING, BEAR AND PREDATOR HUNTING, IN THE BIG CREEK AREA BE DENIED ON THE BASIS THAT IT HAS BEEN DENIED TO SEVERAL PREVIOUS APPLICANTS AND ALSO THAT IT IS A HEAVILY USED PUBLIC AREA. THE DENIAL IS IN ACCORDANCE WITH THE PROVISIONS OF IDAHO CODE 36-2109(b)(4) AND (b)(5). With regard to Mr. Vaughn's request for meatpacking in the vicinity of Big Creek, the Board will continue research and a decision will be made at a forthcoming meeting. That research will include letters to Bob Gillihan, Dave Stucker, Big Creek Lodge, and the Fish and Game.

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**Policy on Worded Area Descriptions:** MSC (Meiners--Vaughn) AS A MATTER OF BOARD POLICY AND GUIDANCE INVOLVING APPLICATIONS FOR AN OUTFITTER'S LICENSE AND/OR AMENDMENTS TO EXISTING LICENSES, THAT THE WORDED AREA DESCRIPTION BE ACCEPTED ON ITS FACE EXCEPT WHERE SUCH DESCRIPTION DOES NOT CONTAIN THE MINIMUM CRITERIA SET FORTH ON FORM OG-1 (1984), SECTION F. THE ADMINISTRATIVE SECRETARY IS INSTRUCTED TO REVIEW THE APPLICATION AND/OR AMENDMENT REQUEST. WHERE THE FOREGOING DESCRIPTION CRITERIA IS MET AND ADDITIONAL RESEARCH IS DESIRED, THE DESCRIPTION IS TO BE PHOTOCOPIED AND A LETTER DRAFTED TO THE VARIOUS AFFECTED AGENCIES (FOREST SERVICE, BUREAU OF LAND MANAGEMENT, OR FISH AND GAME) REQUESTING THEIR INPUT AND COMMENTS ON THE PROPOSAL. WHERE THE WORDED DESCRIPTION DOES NOT MEET THESE CRITERIA, A PHOTOCOPY OF THAT PORTION OF THE APPLICATION WILL BE RETURNED TO THE APPLICANT FOR CORRECTION AND COMPLIANCE WITH FORM OG-1 (1984), SECTION F. WHERE A DOUBT MAY EXIST AS TO THE ADEQUACY OF THE DESCRIPTION, THE APPLICATION WILL BE HELD FOR REVIEW AND DECISION BY THE CHAIRMAN OR VICE CHAIRMAN. THE AREA DESCRIPTION WILL BE FINALIZED FOLLOWING FINAL BOARD ACTION. THE APPROVED MINUTES OF THAT MEETING WILL CONTAIN THE APPROVED AREA DESCRIPTION.

**Richard VanderMeyden:** Following a review of Mr. VanderMeyden's request for an amendment to his 1985-1986 outfitter license, MSC (Meiners--Vaughn) THAT RESEARCH BE INITIATED WITH THE FISH AND GAME DEPARTMENT AND THE FOREST SERVICE TO DETERMINE WHETHER RICHARD GRUNCH HAS HAD A VALID FOREST SERVICE PERMIT OR HAS UTILIZED THE AREA BEING REQUESTED BY MR. VANDERMEYDEN; THAT LETTERS BE SENT TO THE RESPECTIVE PARTIES, MESSRS. VANDERMEYDEN AND GRUNCH, REQUESTING A DETAILED PLAN OF OPERATION SHOWING LOCATION OF CAMPS, UTILIZATION OF THE AREA, NUMBERS OF HUNTERS, AND HOW THE USE OF THE AREA WILL BE SHARED BY THE RESPECTIVE PARTIES. FURTHERMORE, THAT THE LETTER INDICATE THAT IF THIS IS A PROPOSED PARTNERSHIP AGREEMENT, THAT THE BOARD CANNOT APPROVE THE AGREEMENT AS REQUESTED WITHOUT A LEGAL PARTNERSHIP CONTRACT INCLUDING THE WORKING RELATIONSHIP OF THE PARTNERS AND PROPOSED DISSOLUTION OF THE PARTNERSHIP SHOULD DISAGREEMENTS ARISE, PARTNERSHIP FINANCIAL STATEMENT, AND OTHER RELEVANT DOCUMENTS.

**Forrest Wilson:** MSC (Meiners--Farr) THAT FORREST WILSON'S OUTFITTER APPLICATION BE APPROVED AND ISSUED THE SAME AS LAST YEAR RELATIVE TO AREA AND ACTIVITIES CONSISTENT WITH LEGAL COUNSEL, BECAUSE THE PARTNERSHIP AGREEMENT BETWEEN MESSRS. WILSON AND MADDEN HAS BEEN FOUND IN DEFAULT AND THAT WIND RIVER OUTFITTERS NO LONGER EXISTS.

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**Duane Whipple:** Following a review of Mr. Whipple's response to the Board's letter of April 29, 1985, requesting that he address the complaint signed by Mr. Herb Fromelt, Jr., MSC (Farr--Vaughn) THAT MR. FROMELT BE CONTACTED INDICATING THAT THE INVESTIGATION INVOLVING HIS COMPLAINT AGAINST MR. WHIPPLE HAS BEEN CONCLUDED AND THAT THOUGH THE BOARD REGRETS HIS DISSATISFACTION WITH THE HUNT, NO FURTHER ACTION WILL BE TAKEN AT THIS TIME AGAINST MR. WHIPPLE'S LICENSE. FURTHER, THAT A LETTER BE WRITTEN TO DUANE M. WHIPPLE STATING THAT THE BOARD FEELS THERE NEEDS TO BE AN IMPROVEMENT WITH REGARD TO COMMUNICATION INVOLVING POTENTIAL CLIENTS, THAT THERE NEEDS TO BE A BETTER UNDERSTANDING BEFORE THE CLIENTS ARRIVE IN THE HUNTING CAMP AS TO WHAT SERVICES ARE BEING OFFERED BY THE OUTFITTER, THAT SUCH UNDERSTANDING BE IN WRITTEN FORMAT SO THAT BOTH PARTIES HAVE, IN WRITING, AN UNDERSTANDING OF WHAT THE ARRANGEMENTS ARE TO BE, THAT MR. WHIPPLE BE REPRIMANDED FOR THE USE OF AN UNLICENSED GUIDE, BUT THAT THERE WOULD BE NO FURTHER ACTION TAKEN AGAINST HIS LICENSE AT THIS TIME. ON THE BASIS OF THIS INVESTIGATION, DUANE M. WHIPPLE'S 1985-1986 OUTFITTER LICENSE IS TO BE ISSUED ON A REGULAR BASIS.

**Jim Davis:** Following a review of the documentation from Patricia Rush with regard to dissolution of the Lolo Trail Expeditions partnership with Jim Davis, MSC (Vaughn--Meiners) THAT JAMES G. DAVIS' OUTFITTER LICENSE FOR 1985-1986 BE ISSUED AS A SOLE PROPRIETORSHIP WITH THE SAME AREA DESCRIPTION AS WAS ON THE LICENSE IN 1984.

**Idaho Fishing Charters:** Following receipt of all of the necessary documentation as referenced in the April Minutes, MSC (Farr--Vaughn) THAT THE OUTFITTER LICENSE APPLICATION BE APPROVED FOR IDAHO FISHING CHARTERS AND FOR LAWRENCE VOSS, MANAGING AGENT, AND THAT THE LICENSES BE ISSUED FOR THE AREA FORMERLY ISSUED TO CHARLEY THOMPSON DBA CHARLEY'S WHITEWATER CHARTERS.

**Archie George:** MSC (Farr--Vaughn) THAT THE OUTFITTER LICENSE APPLICATION OF ARCHIE H. GEORGE FOR 1985-1986 BE ISSUED ON A REGULAR BASIS (NON-PROBATIONARY) FOR THE SAME ACTIVITIES AND AREA AS HE WAS LICENSED FOR IN 1984-1985. FURTHER, THAT A LETTER BE MAILED TO MR. GEORGE INDICATING THAT HE HAS NOT FORMALIZED HIS REQUEST FOR A CROSS-COUNTRY SKIING OPERATION, INDICATING WHAT IS NECESSARY TO COMPLETE THAT REQUEST, AND THAT WHEN THE REQUEST IS COMPLETED, THE BOARD WILL GIVE IT DUE CONSIDERATION. THIS ACTIVITY WILL HAVE TO BE REQUESTED AS AN AMENDMENT AND WILL NEED TO BE ACCOMPANIED BY A \$10.00 AMENDMENT FEE.

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**Loren G. Rogers:** MSC (Farr--Vaughn) THAT THE OUTFITTER LICENSE APPLICATION OF LOREN G. ROGERS BE APPROVED ON A NON-PROBATIONARY BASIS FOR 1985-1986, BUT THAT SINCE THE RED CROSS CARD WAS NOT RECEIVED UNTIL APRIL 22, 1985, MR. ROGERS SHOULD BE ASSESSED THE \$50.00 LATE FEE. WHEN THE LATE FEE HAS BEEN PAID, THE OUTFITTER LICENSE CAN BE ISSUED. ALSO, THAT MR. ROGERS BE NOTIFIED THAT THE LOWER SALMON RIVER IS LICENSED TO THE MAXIMUM ALLOWED BY RULES AND REGULATIONS AND, THEREFORE, HIS REQUEST HAS AGAIN BEEN DENIED ON THE SAME GROUNDS AS IN THE LETTER OF NOVEMBER 19, 1984, BUT THAT HIS NAME WILL REMAIN ON THE CONSIDERATION LIST FOR POSSIBLE FUTURE LICENSING SHOULD A SPACE BECOME AVAILABLE.

**Richard R. Reinwald:** Following a review of a request to amend the outfitter license of Mr. Reinwald to include fishing and power boating on Priest Lake in addition to the lakes approved in the March meeting (Pend Oreille and Coeur d'Alene), MSC (Farr--Vaughn) THAT THE REQUEST FOR AN AMENDMENT BE APPROVED AND THAT PRIEST BE ADDED TO THE OTHER TWO LAKES WHEN THIS LICENSE IS ISSUED.

The meeting recessed at 1800 and reconvened on Wednesday, May 8, 1985, at 0830. The following business was conducted:

**David Powers:** The Board reviewed the outfitter license application of Mr. Powers, developed a temporary description for research purposes, and directed that a letter be sent to Mr. Powers indicating that he needs approval from the land managers, that he needs to furnish the Board with a detailed operating plan indicating the number of hunters he intends to accommodate and the methods by which he will accommodate those hunters, and that he should also be told of the other things needed to complete his application for an outfitter's license.

**Sun Valley Trekking, Inc./Joe Leonard/Leonard-Ayer, Inc./Randy Hess:** The Board again reviewed these outfitter license applications. There are some problems with the contract, particularly with reference to the sale of permits and the implication that licenses are being sold. Also, the Board is still not clear on exactly how the business is being divided up or who is retaining what parts of the business formerly owned by Sun Valley Trekking, Inc. The Board will again communicate with the respective parties for a clarification on these issues.

**Boulder Creek Outfitters, Inc./Tim Craig:** MSC (Meiners--Vaughn) THAT THE APPLICATION MADE BY BOULDER CREEK OUTFITTERS, INC. AND TIM CRAIG AS MANAGING AGENT BE RECONSIDERED BASED ON HIS RESPONSE TO THE BOARD'S LETTER OF APRIL 24, 1985, DENYING HIS PREVIOUS APPLICATION. MR. CRAIG NOW HAS MODIFIED HIS APPLICATION FOR THE BOARD'S RECONSIDERATION AND BASED ON THAT APPLICATION WHICH INDICATES THAT HE WILL COMPLY WITH THE REQUIREMENTS SET FORTH IN

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THE LETTER OF DENIAL, THAT THE BOARD APPROVE MR. CRAIG'S REQUEST TO PURCHASE THE LARRY WALKER BUSINESS IN ACCORDANCE WITH THE CRITERIA SET FORTH IN MR. CRAIG'S SUBMISSION DATED APRIL 26, 1985, AND MADE A PART OF HIS OFFICIAL RECORD. FURTHER, THAT MR. CRAIG BE ADVISED THAT COMPARISON OF HISTORICAL KILL RECORDS OF SURROUNDING OUTFITTERS TO THOSE OF BOULDER CREEK OUTFITTERS WOULD SEEM TO INDICATE THAT MR. CRAIG IS TAKING FAR TOO MANY HUNTERS IN THE BOULDER CREEK AREA AND, BASED ON THE COMPLAINTS THAT HAVE BEEN FILED PREVIOUSLY, THAT HIS ABILITY TO ACCOMMODATE THOSE HUNTERS IS IN QUESTION. THUS, THE BOARD AGAIN RECOMMENDS THAT MR. CRAIG CONTINUE TO REORGANIZE HIS OPERATION SO AS TO REDUCE THE TOTAL NUMBER OF HUNTERS THAT HE WOULD BE TAKING IN KEEPING WITH THE ABILITY OF THE AREA TO SUPPORT CONTINUOUS HUNTING, PARTICULARLY AS IT RELATES TO THE WOUNDED DOE CAMP. FURTHER, IN REGARD TO MR. CRAIG'S DESIRE TO EMPLOY A MR. ALLEN D. JONES AS MANAGING AGENT FOR PART OF HIS OPERATION, THE BOARD TENTATIVELY APPROVES MR. JONES AS MANAGING AGENT BASED ON HIS LETTER OF APPLICATION. HOWEVER, THIS LETTER OF APPLICATION OF APRIL 29, 1985, IS NOT IN APPROPRIATE FORM FOR FINAL BOARD ACTION, AND SUCH ACTION WOULD NECESSARILY NEED TO AWAIT SUBMISSION OF AN APPLICATION FORM SIGNED BY MR. CRAIG AS THE EMPLOYING OUTFITTER IN ORDER TO PERMIT FINAL BOARD ACTION IN THIS MATTER. FURTHER, THE BOARD APPROVES MR. CRAIG'S SUGGESTED USE OF PRIVATELY OWNED LANDS IN THE JOSEPH PLAINS AREA AS IS OUTLINED IN HIS APPLICATION. FINALLY, MR. CRAIG'S REQUEST FOR AN AMENDMENT TO EXTEND HIS SUMMER ACTIVITIES' AREA INTO THE RAY RUGG AND RALPH OSWOLD AREAS BE DENIED. MESSRS. RUGG AND OSWOLD BOTH UTILIZE THESE AREAS, OTHER OUTFITTERS ARE ALSO LICENSED FOR THE REQUESTED AREA, AND THERE IS ALREADY OVERUSE REPORTED BY THE LAND MANAGERS. THIS DENIAL IS IN ACCORDANCE WITH IDAHO CODE 36-2109(b)(4) AND (b)(5).

**Rex C. Lanham, Jr.:** Mr. Lanham was before the Board with a revised outfitter application requesting an extended area for elk, deer, bear, and cross-country skiing. The Board reviewed his application, interviewed Mr. Lanham, and determined that additional research was necessary with the Fish and Game Department before a final decision could be made on his request.

The Board recessed at 1210 and reconvened at 1315, reviewing the following matters:

**Michael W. Butler:** The Board interviewed Mr. Butler who is requesting an outfitter license on the Payette River. Several of his concerns will be addressed in a forthcoming rules hearing, i.e. his request to extend the commercial operating time on the Payette, his request to be licensed in areas where rules currently prohibit such licensing, and his request to increase

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the number of outfitters on the Payette. He also addressed nonuse concerns, indicating that some outfitters licensed on the Payette are not using their license privileges. The Board indicated that this would also be addressed in a forthcoming rules hearing.

**Larry Jarrett:** The Board interviewed Mr. Jarrett with respect to his request to purchase the Dave Cox business. The Board indicated that it would need copies of the contract between Messrs. Jarrett and Cox spelling out the financial details and that there would have to be evidence that Mr. Cox does have a business for sale. He was also requested to submit a detailed operating plan about how the proposed new area would fit in with the area he already has. The Board will await the submission of these materials by Mr. Jarrett in order to conduct the research necessary to make a decision.

**Jack M. Skille:** The Board interviewed Mr. & Mrs. Skille. Mr. Skille voluntarily revised the area that he was requesting. The Board agreed to do research with the Fish and Game Department and indicated to Mr. Skille that he should not do any advertising or otherwise promote his business until a license is issued.

The Board recessed at 1730 and reconvened on Thursday, May 9, 1985, at 0830. The following matters were discussed:

**Scott Farr/Cornelius Hourihan:** The Board worked out a revised area description between Messrs. Farr and Hourihan as per the agreement that they had signed and mailed to the Board on March 15, 1985.

**Randy Berry/Teton Valley Lodge, Inc.:** The Board reviewed the correspondence from Mr. Berry, Managing Agent of Teton Valley Lodge, Inc., and determined that the Chairman would respond to his letters, that research would continue on his requested amendments, but that in the meantime his 1985-1986 outfitter license would be issued the same as last year so that he could conduct his regular activities.

**Stan Morris:** MSC (Meiners--Vaughn) THAT STAN MORRIS DBA PRIEST LAKE HELICOPTER SKIING BE CONTACTED BY LETTER STATING THAT THE LETTER OF DENIAL WHICH WAS SENT ON APRIL 29, 1985, WAS SENT AT A TIME WHEN THE BOARD DID NOT HAVE THE ADDITIONAL MATERIAL THAT HAD BEEN REQUESTED BY LETTER DATED DECEMBER 14, 1984. SINCE RECEIVING THIS MATERIAL, MR. MORRIS SHOULD BE ADVISED THAT THE BOARD WILL REVIEW IT AND THAT A COMMITTEE OF EXPERTS ON HELICOPTER SKIING AND SKIING IN GENERAL WILL ALSO REVIEW IT AND MAKE A RECOMMENDATION. FOLLOWING SUCH RECOMMENDATION, THE BOARD WILL MAKE A DECISION. THIS SAME COURSE OF ACTION WILL ALSO APPLY TO HIS PROPOSED GUIDE, CRAIG W. HILL.

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**Peter DePagter:** The Board interviewed Mr. DePagter with regard to the partnership dispute between he and Lyman Dye, EE-DA-HOW Mountaineering. It is Mr. DePagter's testimony that he is purchasing Lyman Dye's interest in EE-DA-HOW Mountaineering, that a contract will be drawn up shortly and executed between the two of them for the purchase of the business, and Mr. DePagter will become the sole owner. The Board instructed him to furnish copies of that contract detailing the equipment that will be transferred and financial arrangements. He was also requested to furnish a detailed operating plan and proper credentials for Board review. The Board will then refer these materials to a committee of experts for review and recommendation, following which a decision will be rendered by the Board.

**C. Jackson Ramsey:** The Board interviewed Mr. Ramsey and his proposed partner for a trapping school in the McCall area. The Board indicated that additional research would be conducted with the Fish and Game Department and with other affected outfitters. During the interview, the area requested was reduced and this revised area was delineated by a yellow line on the map. They were told that it would take perhaps another thirty days for the Board to conduct its research and make a decision.

**Rex & Robert Black:** The Board then interviewed Rex & Robert Black with regard to the purchase of Norm Riddle's lower Salmon business. There was a determination made that Robert Black would be the Managing Agent; that though a certain amount of the training that Robert Black has on the lower Salmon may apply to a boatman's license, he would still have to have his six trips for a lead boatman; and that they would need to have an employment relationship with a qualified guide or with Mr. Riddle or with one of Mr. Riddle's guides until such qualifications are completed. The request is being made to license Messrs. Black for the same activities for which Norm Riddle was licensed on the lower Salmon.

The Board then recessed at 1145 and reconvened at 1330, considering the following matters: (Note: Farr not present as he was attending meetings at the Fish and Game Department.)

**Ken Jafek:** MSC (Vaughn--Meiners) THAT THE BOARD APPROVE THE EXTENSION OF MR. JAFEK TO INCLUDE UNIT 52 FOR HUNTING DEER, ELK, ANTELOPE, AND COUGAR.

**Zeb Bell/Ron Bricker:** MSC (Vaughn--Meiners) THAT THE BOARD APPROVE THE APPLICATION OF MESSRS. BELL AND BRICKER FOR THE EXTENSION OF THEIR AREA TO INCLUDE UNITS 47 AND 54 PLUS FISHING ON THE SALMON FALLS RESERVOIR. FURTHER, THAT THEIR APPLICATION FOR UNIT 55 BE DENIED PURSUANT TO IDAHO CODE 36-2109, RULE 22.c., AND BECAUSE THE AREA REQUESTED IS LICENSED TO ANOTHER OUTFITTER.

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**Wilbur Braddick/Bill Terry:** Following their interview with the Board, MSC (Vaughn--Meiners) THAT THE BOARD APPROVE THE TRANSFER OF THE MACKAY BAR FLOAT PERMIT FROM VINEGAR CREEK TO LEWISTON TO BILL TERRY AND WILBUR BRADDICK, SUBJECT TO COMPLETION OF THE APPLICATION. SUCH COMPLETION INCLUDES THE RECEIPT OF A PROPERLY EXECUTED CONTRACT BETWEEN MACKAY BAR AND MESSRS. BRADDICK AND TERRY, AND THE ESTABLISHMENT OF A CORPORATION AND RECEIPT OF THE PROPER DOCUMENTS ON THE REGISTRATION OF THE CORPORATION WITH THE SECRETARY OF STATE. UPON RECEIPT OF THE ABOVE DOCUMENTS, PROVIDED THEY ARE IN ORDER AND ARE REVIEWED BY THE CHAIRMAN OR VICE CHAIRMAN, THIS LICENSE MAY BE ISSUED. FURTHER, THAT THE REQUEST FOR FLOATING ON THE PAYETTE RIVER BE DENIED, BUT THAT THEY BE PLACED ON THE CONSIDERATION LIST.

**Dr. Philip Krueger:** The Board interviewed Dr. Krueger with regard to the purchase of the McAfee business, the Jerry Meyers business, and the combining of these areas with the unlicensed area around the Ramshorn Guest Ranch as outlined in the Board's letter of January 23, 1985. Following the interview and discussion, MSC (Vaughn--Meiners) THAT THE BOARD APPROVE DR. KREUGER'S REQUEST TO PURCHASE THE McAFEE AND MEYERS BUSINESSES SUBJECT TO THE FOLLOWING CONDITIONS: (1) THAT A PROPERLY EXECUTED CONTRACT BETWEEN McAFEE AND KRUEGER BE SUBMITTED TO THE BOARD AND APPROVED BY THE CHAIRMAN OR VICE CHAIRMAN; (2) THAT THE NUMBER OF ELK AND/OR DEER HUNTERS OR COMBINATION THEREOF BE LIMITED TO NOT MORE THAN TEN PER YEAR IN UNIT 27; (3) THAT THE BUSINESS BE LICENSED TO RAMSHORN GUEST RANCH AND THAT THE BUSINESS LICENSE BE RETAINED BY RAMSHORN GUEST RANCH IN ANY FUTURE SALE OF THAT OPERATION; (4) THAT THE CHAIRMAN CONTACT THE FOREST SERVICE INDICATING THE NATURE OF THE BOARD'S DECISION.

**Henry's Fork of the Snake River:** The Board held a public hearing from 1900 hours to 2100 hours in Boise with regard to whether there should be more outfitters on and further segmentation of the Henry's Fork.

On Friday, May 10, 1985, the Board reconvened at 0830 and considered the following matters: (Farr was not present on this day.)

MSC (Vaughn--Meiners) THAT PURSUANT TO IDAHO CODE SECTION 67-2345(b), THE BOARD GO INTO EXECUTIVE SESSION TO DISCUSS MATTERS OF PERSONNEL. Votes were cast as follows: Foster - "Aye"; Meiners - "Aye"; Vaughn - "Aye". The Executive Session began at 0835 and ended at 0900 with no formal action being taken during the session.

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**Administrative Secretary:** The Board reviewed and approved the job description for the position of Administrative Secretary and that description was delivered to her and she acknowledged receipt thereof. This job description had been previously discussed by the Board earlier in the week and the description that was delivered to the Administrative Secretary had the full concurrence and approval of Scott Farr who was not here at the time this was presented to the Administrative Secretary.

**Larry Wandschneider:** The Board was presented with a letter of resignation from Larry Wandschneider, Automated Records Clerk, dated May 10, 1985. Upon receipt of this letter, MSC (Meiners--Vaughn) THAT THE BOARD ACCEPT THIS RESIGNATION.

**William B. Means:** The Board also received a letter of resignation from Mr. Means dated May 8, 1985. Upon receipt of this letter, MSC (Meiners--Vaughn) THAT THE BOARD ACCEPT THIS RESIGNATION.

**Tour West, Inc.:** The Board considered a request for an amendment by Tour West, Inc./Howard H. Lewis, Managing Agent. The requested amendment was to include incidental resident fishing on the Salmon River, a section for which Tour West, Inc. is currently licensed for float boating activities. MSC (Vaughn--Meiners) THAT THE TOUR WEST, INC. OUTFITTER LICENSE BE AMENDED TO INCLUDE INCIDENTAL RESIDENT FISHING IN CONNECTION WITH THE FLOAT BOATING ACTIVITIES ON THE SALMON RIVER PORTION TO WHICH THEY ARE LICENSED.

**Michael David Gore:** MSC (Vaughn--Meiners) THAT THE GUIDE LICENSE APPLICATION OF MICHAEL DAVID GORE BE APPROVED WITHOUT PROBATION.

**Keri Marler:** MSC (Vaughn--Meiners) THAT THE GUIDE APPLICATION OF KERI MARLER BE APPROVED WITHOUT PROBATION. The Board checked with the Idaho Department of Fish and Game as to the nature of his citations and they were minor and the charges dismissed.

**Robert D. Black:** MSC (Vaughn--Meiners) THAT IN VIEW OF THE FACT THAT MR. BLACK HAS NOW SUBMITTED THE REMAINING MATERIAL THAT WAS NECESSARY IN ORDER TO SATISFY THE REQUIREMENTS OF THE BOARD, THAT HIS OUTFITTER LICENSE APPLICATION BE APPROVED AS MANAGING AGENT FOR R & R OUTDOORS, INC. FOR THE LOWER SALMON FLOAT BOATING BUSINESS FORMERLY LICENSED TO NORM RIDDLE. THE MATERIALS SUBMITTED AND APPROVED BY THE BOARD ARE THE SALES AGREEMENT BETWEEN MR. RIDDLE AND R & R OUTDOORS, INC. AND THE AGREEMENT THAT R & R OUTDOORS, INC. WOULD HIRE AS LEAD BOATMEN BRIAN LARSON AND DAVE BARFTY UNTIL ROBERT BLACK'S TRAINING QUALIFICATIONS ARE COMPLETED.

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**Steven J. Guinn:** The Board considered Mr. Guinn's request for a license amendment. Following some discussion, MSC (Vaughn--Meiners), THAT THE REQUEST OF MR. GUINN TO ADD POWER BOATING AND FLOAT BOATING FROM WALTER'S FERRY BRIDGE TO BROWNLEE DAM AND TO ADD FLOAT AND POWER BOATING FROM LOWER SALMON FALLS TO LOVERIDGE BRIDGE BE APPROVED.

**Boise State University:** The Board reviewed the outfitter license application of Boise State University/Bill Bowman, Managing Agent, and the requested extension to that license for the following activities: cross-country skiing, back-country skiing, hiking, camping, survival skills (winter and desert), climbing, and fishing. Following a review of the materials submitted, MSC (Vaughn--Meiners) THAT THE OUTFITTER LICENSE FOR BOISE STATE UNIVERSITY AND THE LICENSE FOR BILL BOWMAN, MANAGING AGENT, BE APPROVED AND ISSUED THE SAME AS LAST YEAR. FURTHER, THAT THE REQUESTED EXTENSIONS BE RESEARCHED WITH THE FOREST SERVICE AND THE DEPARTMENT OF FISH AND GAME. SPECIFICALLY, THAT THE BOARD IDENTIFY THE AREAS IN WHICH THEY INTEND TO CONDUCT FISHING ACTIVITIES AND IF THE AREA THEY ARE INTERESTED IN INVOLVES CASCADE RESERVOIR, THAT BOISE STATE UNIVERSITY BE INFORMED THE BOARD INTENDS TO HOLD A PUBLIC HEARING TO DISCOVER WHETHER CASCADE RESERVOIR SHOULD BE OPEN TO COMMERCIAL FISHING. ONCE PROPER RESEARCH HAS BEEN CONDUCTED WITH REGARD TO THESE ACTIVITIES, BOISE STATE WILL BE NOTIFIED EITHER BY ADMINISTRATIVE AMENDMENT OR BY LETTER OF DENIAL.

**Wayne R. Miller/Dave Warren:** The Board reviewed the guide license applications of Messrs. Miller and Warren. Following this review, MSC (Meiners--Vaughn) THAT THESE LICENSE APPLICATIONS BE APPROVED TO GUIDE FOR BOISE STATE UNIVERSITY.

**Steve Currey Expeditions:** The Board reviewed the training card submitted by Steve Curry to certify training on the Murtaugh Section of the Snake River and to have this added to his outfitter license. MSC (Vaughn--Meiners) THAT STEVE CURREY'S LICENSE AMENDMENT BE ISSUED TO INCLUDE THIS SECTION OF THE SNAKE RIVER WITH HIM BEING LICENSED AS A BOATMAN ON THIS UNCLASSIFIED PORTION OF THE SNAKE RIVER.

**Dick McAfee:** The Board reviewed Mr. McAfee's file and determined that because it was integrally related to the Krueger/Ramshorn situation, McAfee's license would be held until Krueger and McAfee had concluded an acceptable purchase/sale transaction, but that if this documentation is received prior to the June meeting, that inasmuch as the Board has nothing adverse in the file with regard to Mr. McAfee, his license be issued with the approval of the Chairman or Vice Chairman. The license should not be issued until the modified description which results from the sale to RamsHorn is integrated.

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**Mark Russell:** MSC (Meiners--Vaughn) THAT WITH REFERENCE TO THE OUTFITTER LICENSE OF MR. RUSSELL DBA IDAHO WILDERNESS PACKING COMPANY AS APPROVED AND REFERENCED IN THE MINUTES OF APRIL'S BOARD MEETING, THE AREA TO WHICH MR. RUSSELL IS LICENSED IS THE SAME AS THAT WHICH WAS LICENSED TO D-DOUBLE-S OUTFITTERS FOR TRAILRIDES AND FISHING AS FOLLOWS:

BEGINNING AT PADDY FLAT GUARD STATION (SEC. 27, T17N, R4E, BM); THENCE EASTERLY TO KENNALLY CREEK RECREATION SITE; THENCE NORTHEASTERLY TO BLACKMARE MOUNTAIN; THENCE NORTH TO PONDEROSA RECREATION SITE; THENCE SOUTHWESTERLY TO 33 LAKE; CONTINUING SOUTHWESTERLY TO LAKE FORK GUARD STATION; THENCE SOUTH TO PADDY FLAT GUARD STATION, THE POINT OF BEGINNING. (EAST HALF-PAYETTE NATIONAL FOREST BLACKLINE MAP, 1983)

**Robert M. Smith:** The Board reviewed Mr. Smith's letter received April 22, 1985, with regard to an agreement between Bob Dennis of Helena, Montana, and Mr. Smith to allow Mr. Dennis to use Smith's area from Kamiah to Lolo Creek and Bess Creek, to Pete Fork, to Postoffice Creek, within five miles of the Lochsa River for the purpose of bear and lion hunting from April 1, 1985, to February 28, 1986. Also reviewed was Mr. Smith's request for an expanded area in which to conduct archery deer and elk hunting. Following a review of this letter, MSC (Meiners--Vaughn) THAT MR. SMITH'S WILLINGNESS TO SHARE HIS BEAR HUNTING AREA WITH ANOTHER OUTFITTER INDICATES THAT HE HAS MORE BEAR AND COUGAR AREA THAN HE CAN UTILIZE. THEREFORE, IF HE WOULD RELINQUISH HIS BEAR AND COUGAR HUNTING IN UNITS 10 AND 12, THE BOARD WOULD THEN CONSIDER HIM FOR ARCHERY DEER AND ELK HUNTING IN ALL OF UNIT 10A. The Chairman was directed to write a letter to Mr. Smith to this effect.

**Bill Oldham/Richard Blake Dispute:** At 1500 hours the Board received a call from Mr. Oldham relative to his dispute with Mr. Blake over Salmon River Adventures. Mr. Oldham is attending a school in Mexico and wished to know what action the Board had taken at this meeting on his application. He was advised that the Board had taken no action and would not take action until the next meeting. He did request, however, that he be written a note in answer to the question raised in his letter.

**National Outdoor Leadership School/Molly Hampton:** The Board reviewed Ms. Hampton's letter dated March 28, 1985, requesting a declaratory ruling and in response to the Board's letter of March 7, 1985. It was the determination of the Board that she does fall under the Outfitters and Guides Act and, therefore, she is to be contacted and requested to submit an application for consideration by the Board. The Chairman will draft a letter indicating this information, including application forms, and requesting an early response.

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**Stan Meholchick:** The Board reviewed the requested amendment of Mr. Meholchick to add elk hunting in the area presently licensed for bear hunting in Unit 25 and to add bear hunting in his previously licensed fishing area in Unit 25. Also reviewed was Mr. Meholchick's request for clarification of spring bear hunting. MSC (Vaughn--Meiners) THAT THE BOARD DENY MR. MEHOLCHICK'S REQUEST FOR ELK HUNTING ON THE BASIS THAT IT HAS BEEN REQUESTED BY AND DENIED TO OTHER APPLICANTS; THAT THE AREA REQUESTED IS NOT SUFFICIENT TO MAINTAIN AN OUTFITTING OPERATION, AND THAT IT IS AN AREA OF HIGH PUBLIC ACCESSIBILITY. THE DENIAL IS PURSUANT TO THE PROVISIONS OF IDAHO CODE 36-2109(b)(4) AND (b)(5). FURTHER, THAT GENERAL BEAR HUNTING BE ADDED IN THE AREA TO WHICH HE IS LICENSED FOR FISHING ONLY IN UNIT 25, AND THAT THE WORD "SPRING" BE DELETED FROM HIS AREA DESCRIPTION TO ALLOW FOR BOTH SPRING AND FALL BEAR HUNTING.

**Guided Outdoor Adventure Tours/Alexander Urfer:** MSC (Meiners--Vaughn) THAT A LETTER BE WRITTEN TO MR. URFER REGARDING HIS INTENTION TO SELL HIS BUSINESS AND HIS REQUEST FOR A WAIVER OF AN OUTFITTER'S LICENSE FOR THE 1985-1986 LICENSE YEAR WHILE THE SALE IS TAKING PLACE ADVISING HIM IT WAS THE BOARD'S DECISION THAT THERE ARE NO PROVISIONS TO ALLOW FOR SUCH A WAIVER, EITHER IN THE OUTFITTERS AND GUIDES ACT OR IN RULES AND REGULATIONS PROMULGATED PURSUANT THERETO; FURTHER, THAT THE RULES EXPRESSLY INDICATE THAT A LICENSE EXPIRES ON MARCH 31ST AND THAT PRIORITY MAY BE LOST FOLLOWING THE EXPIRATION OF THAT LICENSE IF A CURRENT APPLICATION IS NOT IN THE BOARD'S OFFICES; FURTHER, THAT THE BOARD WOULD NOT BE ABLE TO RECOGNIZE A TRANSFER OF THE BUSINESS WITHOUT A LICENSE BEING CURRENT.

**Board Minutes:** Following a review of the March Board minutes, MSC (Meiners--Farr) THAT THE MINUTES BE APPROVED AS CORRECTED.

**David Early/Fairchild AFB:** The Board reviewed a letter from LuVerne Grussing of the Bureau of Land Management regarding trips being taken by Mr. Early on the Salmon River. The Board will write a letter to Mr. Early indicating that, if indeed he conducts outfitting trips on the waters in the State of Idaho, he needs to apply for and obtain an outfitter's license before he can conduct any of these activities as outlined in his letter to the Bureau of Land Management. Further, that Mr. Early be instructed to carefully review his proposed activities with legal counsel to make sure they are in full compliance with Idaho law.

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**Boise River Concession:** Messrs. T. A. Minter and M. K. Wigle submitted a request for a declaratory ruling on whether they need to have an outfitter's license in order to run an inner tube concession. The Board reviewed their written request of April 12, 1985, and the testimony given before Bill Meiners and Glen Foster and concluded that this activity, if conducted in the manner described in their letter, does not fall under the purview of the Outfitters and Guides Act and, therefore, does not require an outfitter's license. The parties are to be cautioned that if their activities change in any way from that described in their letter, they should again review same with the Board to assure their full compliance with Idaho law.

The Board adjourned at 1700 hours.

*Glen R. Foster*

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GLEN R. FOSTER, Chairman of the Board

ATTEST:

*Linda L. Elwood*

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LINDA L. ELWOOD, Administrative Secretary