

MINUTES

IDAHO OUTFITTERS AND GUIDES BOARD

May 5-9, 1986

Boardroom - Boise, Idaho

A regular meeting of the Idaho Outfitters and Guides Board convened on Monday, May 5, 1986, at 0830 hours with Board members Meiners, Salter, Vaughn, and Miller (newly appointed outfitter member who replaced Glen Foster) in attendance.

Martin Capps: MSC (Salter--Vaughn) THAT DUE NOTICE HAVING BEEN GIVEN AND HEARING HELD; FURTHER WITH DUE NOTICE TAKEN OF THE LETTER RECEIVED FROM MR. CAPPS DATED 4-26-86 AND TELEPHONE CALL RECEIVED FROM MR. CAPPS AT 0840 HOURS ON THIS DATE; WITH REVIEW OF HIS USE REPORTS FOR THE PRECEDING THREE (3) YEARS; AND WITH REVIEW OF A LETTER DATED 4-30-86 FROM THE BUREAU OF LAND MANAGEMENT INDICATING THAT MR. CAPPS DOES NOT HAVE A BLM PERMIT ON THE LOWER SALMON RIVER: IT IS DIRECTED THAT MARTIN CAPPS' OUTFITTER LICENSE BE AMENDED IN ACCORDANCE WITH RULE 22 RELATIVE TO NONUSE TO DELETE THE FOLLOWING RIVER ACTIVITIES: (1) SA4A (SALMON RIVER-IRON CREEK TO NORTH FORK FOR POWER); (2) SA5 (SALMON RIVER-NORTH FORK TO CORN CREEK FOR POWER); (3) SA6 (SALMON RIVER-MIDDLE FORK TO SPRING BAR FOR POWER); (4) SA6 (SALMON RIVER-MIDDLE FORK TO SPRING BAR FOR FLOAT); (5) SA7 (SALMON RIVER-VINEGAR CREEK TO HAMMER CREEK FOR POWER); AND (6) SAB (SALMON RIVER-HAMMER CREEK TO CONFLUENCE FOR POWER). IT SHOULD ALSO BE NOTED THAT MR. CAPPS BE ADVISED THAT HIS ACTIVITIES AS OUTLINED IN HIS LETTER TO ACCOMMODATE THE CORPS OF ENGINEERS POWERLINE USE, ETC. DO NOT FALL WITHIN THE PURVIEW OF THE OUTFITTERS AND GUIDES ACT AND THAT HE BE FURTHER ADVISED THAT HE HAS APPEALS RIGHTS TO THE BOARD'S DECISION.

Dave Helfrich: Mr. Helfrich, by letter dated 4-24-86 and by a telephone call in which he discussed his nonuse concerns with Mr. Meiners during the week of April 28, 1986, indicated he had a problem in being able to keep his May 9th appointment before the Board and asked that the Board consider his concerns and circumstances as is outlined in his letter dated 4-24-86, following which MSC (Miller--Vaughn) THAT (1) SA6 (SALMON RIVER-MIDDLE FORK TO SPRING BAR FOR POWER); (2) SA6 (SALMON RIVER-MIDDLE FORK TO SPRING BAR FOR FLOAT); (3) SA7 (SALMON RIVER-VINEGAR CREEK TO HAMMER CREEK FOR POWER); (4) SA7 (SALMON RIVER-VINEGAR CREEK TO HAMMER CREEK FOR FLOAT); (5) SAB (SALMON RIVER-HAMMER CREEK TO HELLER BAR FOR POWER) ALL BE DELETED FROM DAVE HELFRICH'S OUTFITTER LICENSE, BUT SAB (SALMON RIVER-HAMMER CREEK TO HELLER BAR FOR FLOAT) SHALL REMAIN LICENSED TO MR. HELFRICH. FURTHER, MR. HELFRICH IS TO BE ADVISED THAT THE BOARD IS CONCERNED OF THE LIMITED USE MADE ON SAB (FLOAT) AND THAT IT WILL TAKE A FURTHER VIEW OF THIS USE IN SUBSEQUENT YEARS IN EVALUATION OF SAID USE AND ITS CONTRIBUTION TO HIS OVERALL OPERATION.

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Idaho Adventures/Hank Miller: MSC (Salter--Vaughn; Miller abstained) THAT DUE NOTICE HAVING BEEN GIVEN FOR A SHOW CAUSE HEARING, THAT THE RECORD SHOW THAT THE HEARING WAS HELD, THAT MR. MILLER APPEARED BEFORE THE BOARD AND AFTER DUE CONSIDERATION OF HIS TESTIMONY THAT THE BOARD TAKE THE FOLLOWING ACTION: TO DELETE THE FOLLOWING RIVER SEGMENTS FROM MR. MILLER'S OUTFITTER LICENSE: (1) CL2 (CLEARWATER RIVER-KOOSKIA TO OROFINO FOR POWER); (2) CL3 (CLEARWATER RIVER-OROFINO TO LEWISTON FOR POWER); (3) SA7 (SALMON RIVER-SPRING BAR TO HAMMER CREEK FOR POWER); (4) SA7 (SALMON RIVER-SPRING BAR TO HAMMER CREEK FOR FLOAT); (5) SAB (SALMON RIVER-HAMMER CREEK TO CONFLUENCE FOR POWER), BUT THAT MR. MILLER'S PRIVILEGE ON SAB (SALMON RIVER-HAMMER CREEK TO CONFLUENCE FOR FLOAT) BE RETAINED BECAUSE OF PREVIOUS USE. HOWEVER, MR. MILLER IS TO BE NOTIFIED THAT THE USE OF THE PAST THREE (3) YEARS HAS BEEN RATHER MINIMAL AND THAT THIS SECTION WOULD BE OPEN FOR REVIEW FOR NONUSE IN THE FUTURE IF NO ADDITIONAL ACTIVITY IS UNDERTAKEN. FURTHER, RELATIVE TO THE REMOVAL OF FLOAT BOATING PRIVILEGES ON SA7 (SALMON RIVER-SPRING BAR TO HAMMER CREEK), THIS ACTION IS TAKEN WITH CONSIDERATION THAT IF IT IS NOT POSSIBLE FOR THE BLM TO ISSUE ONE (1) TRIP PERMIT WITHOUT HOLDING THE PERMIT FOR THE FULL SEASON, THIS DELETION WILL BE REVIEWED. RELATIVE TO HIS NORTH FORK TO CORN CREEK PRIVILEGE, THIS IS NOT A MATTER FOR NONUSE CONSIDERATION AT THIS TIME AS MR. MILLER HAS ONLY BEEN LICENSED FOR ONE (1) YEAR ON SAID SEGMENT.

Scott Farr joined the Board meeting at 1400 hours.

Bob Smith/Salmon River Boat Tours, Inc.: MSC (Farr--Salter; Miller "no" because he believes there should be an opportunity for a unique power boat experience from Corn Creek to Lewiston) THAT MR. SMITH'S AND SALMON RIVER BOAT TOURS, INC.'S LICENSES BE AMENDED TO DELETE BOATING PRIVILEGES ON: (1) SA7 (SALMON RIVER-VINEGAR CREEK TO HAMMER CREEK FOR POWER); AND (2) SAB (SALMON RIVER-HAMMER CREEK TO THE CONFLUENCE FOR POWER). THIS ACTION IS TAKEN IN FULL CONSIDERATION OF THE REPORT OF USE SUBMITTED BY MR. SMITH ON THE LOWER SALMON RIVER AS OUTLINED IN A BLM LETTER DATED 4-30-86.

Jack P. Smith: MSC (Salter--Vaughn; Miller "no" because he would like to see someone authorized to be able to offer a jet boat trip from Corn Creek to Lewiston as a unique experience in Idaho) THAT DUE NOTICE HAVING BEEN GIVEN AND AFTER HEARING TESTIMONY FROM MR. SMITH, THAT THE BOARD REMOVE FROM HIS LICENSE: (1) SA7 (SALMON RIVER-SPRING BAR TO HAMMER CREEK FOR POWER) AND (2) SAB (SALMON RIVER-HAMMER CREEK TO CONFLUENCE FOR POWER) BASED UPON REPORTED NONUSE AND LACK OF PROPER BLM PERMITS AS OUTLINED IN THE BLM LETTER DATED 4-30-86. FURTHER, THAT MR. SMITH BE

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ADVISED THAT NO ACTION WILL BE TAKEN AT THIS TIME ON HIS LICENSED SECTION OF THE SALMON RIVER-IRON CREEK TO NORTH FORK (SA4A), BUT THAT HE BE PUT ON NOTICE THAT THE USE THAT HE HAS SHOWN IN THE PAST THREE (3) YEARS WILL PROBABLY NOT MEET THE CRITERIA WHICH WILL BE ESTABLISHED BY THE BOARD AS MINIMUM USE OF THIS STRETCH OF RIVER.

Norman Riddle: MSC (Miller--Farr) THAT DUE NOTICE HAVING BEEN GIVEN AND HEARING HELD, THAT MR. RIDDLE APPEARED BEFORE THE BOARD AND AFTER CONSIDERATION OF MR. RIDDLE'S TESTIMONY AND REVIEW OF REPORTED USE RECORDS, THE BOARD HEREBY DIRECTS THAT THE FOLLOWING BOATING PRIVILEGES BE DELETED FROM MR. RIDDLE'S OUTFITTER LICENSE: (1) CL2 (CLEARWATER RIVER-KOOSKIA TO OROFINO FOR POWER). THE BOARD FINDS THAT CL2 (CLEARWATER RIVER-KOOSKIA TO OROFINO FOR FLOAT) AND CL3 (CLEARWATER RIVER-OROFINO TO LEWISTON FOR FLOAT) FALL INTO THE NONUSE CATEGORY, BUT THE BOARD WILL EXTEND SAID LICENSING FOR ONE (1) YEAR BASED ON MR. RIDDLE'S TESTIMONY BEFORE THE BOARD AND WITH FULL UNDERSTANDING THAT CONTNUED NONUSE WILL RESULT IN REMOVAL OF THIS RIVER SEGMENT FROM MR. RIDDLE'S LICENSE, AND, PROVIDED FURTHER, THAT TRANSFER OF CL2 AND/OR CL3 IN ANY BUSINESS SALE WILL NOT BE APPROVED BY THE BOARD UNTIL SUCH A TIME AS A VALID CL2 AND/OR CL3 FLOAT BUSINESS EXISTS.

Martin Capps/Dave Helfrich/Hank Miller/Bob Smith/Jack P. Smith/Norman Riddle: MSC (Farr--Vaughn; Miller abstained) THAT THESE LICENSES BE ISSUED THE SAME AS LAST YEAR WITH ADMINISTRATIVE AMENDMENTS IN ACCORDANCE WITH THE NONUSE ACTIONS TAKEN FOLLOWING CONCLUSION OF APPEAL PROCESS PERIOD.

Reorganization of Board: MSC (Salter--Farr) THAT WILLIAM MEINERS BE APPOINTED AS CHAIRMAN. MSC (Vaughn--Miller) THAT SCOTT FARR BE APPOINTED AS VICE CHAIRMAN. The Enforcement Coordinator will remain as is; that is, Bill Meiners will be the Coordinator working in cooperation with Scott Farr, Vice Chairman.

The Board recessed at 1700 hours and reconvened on Tuesday, May 6, 1986, at 0830 hours with all members present.

Reservoirs/Lakes in Northern Idaho: MSC (Salter--Vaughn) THAT THE MOTION FOUND IN THE FEBRUARY 5, 1986, MINUTES, PAGE 9, BE RESCINDED. IN ITS PLACE THE BOARD'S POLICY IS THAT IN LICENSING A FISHING CHARTER BOAT OUTFITTER, THE APPLICANT WILL BE NOTIFIED THAT HE MUST MEET THE U.S. COAST GUARD REQUIREMENTS FOR THOSE WATERS IN THEIR JURISDICTION IN NORTHERN IDAHO. PROVIDED FURTHER, THAT ANY FISHING CHARTER BOAT OPERATOR WHO HAS BEEN LICENSED BY THE BOARD PRIOR TO THIS TIME SHALL BE REQUIRED TO MEET THESE COAST GUARD REQUIREMENTS PRIOR TO THE BOARD LICENSING SAID OPERATOR FOR THE 1987-1988 LICENSE YEAR AND THAT THOSE AFFECTED BY THIS POLICY SHALL BE SO NOTIFIED. MOREOVER, IT SHOULD BE

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NOTED IN THE LETTER TO THOSE INDIVIDUALS WHO CURRENTLY HOLD IDAHO OUTFITTER LICENSES ON SUCH WATERS THAT AN IDAHO OUTFITTER LICENSE DOES NOT REPLACE NOR ABSOLVE THE OPERATOR FROM MEETING COAST GUARD REQUIREMENTS FOR OPERATING ON THOSE WATERS IN NORTHERN IDAHO ON WHICH THE COAST GUARD HAS JURISDICTION.

Linda Elwood/Sande Skogerson: MSC (Salter--Farr) THAT THE CHAIRMAN BE AUTHORIZED TO TAKE WHATEVER ACTION IS NECESSARY TO EXTEND THE MERIT PAY INCREASES THAT HAVE BEEN GRANTED TO LINDA ELWOOD AND SANDE SKOGERSON.

Policy: New Applicants for Fishing Charter Boat Activities: MSC (Salter--Farr) THAT THE GENERAL POLICY REQUIRING NEW APPLICANTS FOR OUTFITTER LICENSES TO APPEAR BEFORE THE BOARD BE WAIVED FOR THOSE PERSONS WHO MAKE APPLICATION FOR FISHING CHARTER BOAT ACTIVITIES ON THE LARGE LAKES IN NORTHERN IDAHO WHICH LIE WITHIN THE JURISDICTION OF THE U.S. COAST GUARD. THIS WOULD APPLY TO THOSE WHO HAVE DEMONSTRATED THAT THEY HAVE BEEN FURNISHING THESE SERVICES FOR THE LAST SEVERAL YEARS PRECEDING THE APPLICATION.

Lafe Cox: The Board reviewed the letter dated 4-30-86 received from Mr. Cox. Mr. Cox informed the Board he had transferred his ranch on Johnson Creek near Yellowpine, Idaho, to his daughters and requested that his former licensed area associated with this property on Johnson Creek be held in the event that it could be licensed to his daughters at some future date. The Board directed that Mr. Cox be advised that this area has subsequently been licensed to other outfitters and that his attention be drawn to the appropriate Outfitters and Guide Act and Rule that mandates that licenses must be renewed on a timely basis in order to retain priority use in the area.

Computer Service Agreement: MSC (Salter--Farr) THAT THE CHAIRMAN BE AUTHORIZED TO SIGN THE SERVICE LEVEL AGREEMENT FOR DATA PROCESSING SERVICES WITH THE OFFICE OF THE STATE AUDITOR/COMPUTER SERVICE CENTER.

License Option/Waiver-SA7 (Salmon River-Vinegar Creek to Hammer Creek): Bob Salter reported on his 5-6-86 telephone conversation with LuVerne Grussing of the BLM in Cottonwood who advised that in conformity with the Board's inquiry regarding licensing a once-a-year "float-through" option to licensees holding both the upper Salmon (SA6) and lower Salmon (SA8) license, Mr. Grussing would have no problem in issuing permits on either an annual or a one-trip basis for a "float-through" waiver on SA7 in accommodation and utilization of a Salmon River (Corn Creek to Lewiston) experience to allow them to utilize the section of river from Vinegar Creek to Hammer Creek without them holding an annual license from the Board.

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Policy: SA7 (Salmon River-Vinegar Creek to Hammer Creek): Following Board discussion and contact with the BLM, MSC (Salter--Vaughn; Miller abstained) THAT THE BOARD GIVE DUE CONSIDERATION TO LICENSEES ON SA6 (SALMON RIVER TO VINEGAR CREEK) AND SA8 (SALMON RIVER-HAMMER CREEK TO HELLER BAR OR LEWISTON ON SNAKE) FOR FLOAT BOATING REQUESTS ON A ONCE-A-YEAR BASIS TO ACCOMMODATE A "THROUGH" FLOAT TO UTILIZE SA7 (SALMON RIVER-VINEGAR CREEK TO HAMMER CREEK) IN THEIR BOATING OPERATION. SUCH REQUESTS MUST BE MADE FORTY-FIVE (45) DAYS PRIOR TO LAUNCH DATE AND MUST HAVE CONCURRENCE OF THE LAND MANAGING AGENCIES.

Donated River Trip: LuVerne Grussing of the BLM in Cottonwood inquired if a boatman working for him who had offered to donate a 1-day river trip on the lower Salmon to a local fund-raising raffle required a state license. He was informed that prior Board practice has found that this did not conflict with the Outfitters and Guides Act provided that the person did not advertise himself as an outfitter and that he received no remuneration whatsoever for his donated service. MSC (Salter--Farr) THAT LUVERNE GRUSSING BE CONTACTED TO DETERMINE THE NAME OF THE INDIVIDUAL AND THE ORGANIZATION SPONSORING THE RAFFLE AND THAT A LETTER BE SENT TO HIM OUTLINING THE CONDITIONS OF THE BOARD'S APPROVAL.

Weiser Recreation Department: The Board reviewed the letter dated 4-17-86 from Lou Giordani, Recreation Director, relative to his request for a declaratory judgment relative to taking a fishing excursion on Brownlee Reservoir on August 6th and 13th in connection with the Weiser Recreation Department's summer program. MSC (Farr--Miller) THAT THE BOARD ALLOW THIS PERMIT TO BE APPROVED, THAT THEY BE NOTIFIED OF THIS DECISION, AND THAT THEY CLEARLY UNDERSTAND THAT THEY OFFER THIS AS A SUMMER RECREATION PROGRAM AND NOT AN OUTFITTED SERVICE.

Policy: Routine Matters to be Handled by Chairman: In order to expedite the conduct of business, the Board concurs that on routine matters which are covered by existing Board policies, that except in cases where there may be extenuating circumstances, the Chairman should handle them without Board review.

PSIA Examinations: The Board reviewed the response from Curtis Olson and the Ski Committee relative to their review and evaluation of the proposal received from Chi Melville of Driggs, Idaho, and the examination of professional ski instructors, following which it was requested that the Ski Committee be invited to meet with the Board at the June meeting to further discuss their concerns of the procedures involved so that the Board might take appropriate action.

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G&L York Outfitters: The Board reviewed Gladys York's letter received 4-30-86 regarding a boundary area conflict with the Allison Ranch at Rainey Point. The Board directed that Mrs. York be advised that it would take her comments under advisement, and would research the situation relative to Rule 24 to enable making a final decision on the matter.

Marilyn Mueller: MSC (Salter--Farr) THAT BASED UPON THE USE REPORTS IN MS. MUELLER'S FILE AND BASED ON A LETTER RECEIVED FROM THE FOREST SERVICE DATED 4-25-86, THE BOARD SCHEDULE A NONUSE HEARING FOR MARILYN MUELLER TO DETERMINE WHETHER OR NOT HER LICENSE SHOULD BE RENEWED.

Randy Hess: MSC (Salter--Miller) THAT MR. HESS' LICENSE BE ISSUED THE SAME AS LAST YEAR AND A LETTER WRITTEN TO MR. HESS WITH REFERENCE TO THE BOARD'S PREVIOUS CORRESPONDENCE ASKING FOR MORE INFORMATION ABOUT THE AMENDMENTS WHICH HE HAS REQUESTED.

Gary Armacost: MSC (Salter--Vaughn) THAT MR. ARMACOST DBA HELLS CANYON ADVENTURES BE REFUNDED HIS \$50.00 LATE FEE.

Policy: Notary Public Fee: MSC (Salter--Farr) THAT IN THE FUTURE THE OFFICE NOT CHARGE SUCH FEE FOR OUTFITTER APPLICATIONS.

James W. Holcomb dba Alpine Wilderness Outfitters: MSC (Salter--Miller) THAT MR. HOLCOMB'S LICENSE BE ISSUED AS REQUESTED AND THAT HE BE REFUNDED THE \$50.00 LATE FEE.

Dan Rotthoff/Garden Valley Outfitters/Steve White: MSC (Salter--Miller; Vaughn "no") THAT MR. ROTTHOFF'S LICENSES BE ISSUED THE SAME AS LAST YEAR. FURTHER, WITH REFERENCE TO THE CITATIONS ISSUED FOR EMPLOYMENT OF AN UNLICENSED GUIDE (DAN ROTTHOFF) AND ACTING AS AN UNLICENSED GUIDE (STEVE WHITE), THAT FOLLOWING REVIEW OF INFORMATION THAT HAS COME TO THE ATTENTION OF THE BOARD, SUCH CITATIONS BE DISMISSED.

Dick McAfee/Castle Creek Outfitters: MSC (Salter--Farr) THAT THE \$50.00 LATE FEE BE WAIVED AND THE MONIES BE REFUNDED.

World Wide River Expeditions, Inc./Richard Jones, M.A.: MSC (Farr--Salter) THAT THE \$50.00 LATE FEE ASSESSED TO MR. JONES BE REFUNDED. SUCH A LATE FEE IS APPLICABLE TO THE CORPORATION BUT THE \$50.00 LATE FEE IS NOT APPLICABLE TO RICHARD JONES AS MANAGING AGENT. MR. JONES FIRST AID CARD SHOULD BE RETAINED.

Myrna Beamer: The Board reviewed Ms. Beamer's training card for operations of power boating on the Snake River, Hells Canyon Dam to Lewiston, and on the Salmon River, Hammer Creek to the Confluence, following which MSC (Miller--Farr) THAT MS. BEAMER BE LICENSED ON SN7 (SNAKE RIVER-LEWISTON TO PITTSBURG LANDING).

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FURTHER, THAT MS. BEAMER BE LICENSED FOR POWER BOATING ON THE SNAKE RIVER FROM LEWISTON TO PITTSBURG LANDING (SN8) AND THAT SHE BE NOTIFIED THAT IN ORDER TO BE LICENSED FOR POWER BOATING FROM PITTSBURG LANDING TO HELLS CANYON DAM (SN7), SHE NEEDS TO COMPLETE HER TRAINING FROM JOHNSON'S BAR TO HELLS CANYON DAM; AND FURTHER THAT IN ORDER FOR HER TO BE LICENSED FOR POWER BOATING ON THE SALMON RIVER FROM HAMMER CREEK TO THE CONFLUENCE (SAB), SHE NEEDS TO COMPLETE HER TRAINING FROM EAGLE CREEK TO HAMMER CREEK.

Stanley Potts/Scott Farr: The Board discussed the matter of a dispute of hunting area boundary between Messrs. Potts and Farr, following which MSC (Vaughn--Miller; Farr and Salter abstained) THAT IN RESPONSE TO MR. POTTS' LETTER DATED 4-14-86 THAT THE BOARD RE-AFFIRM ITS PREVIOUS STAND ON THIS MATTER REFERRING TO THE BOARD'S LETTER OF 12-19-85.

Dave Helfrich: The Board reviewed Mr. Helfrich's request for a variance of Rule 53, following MSC (Farr--Vaughn) THAT MR. HELFRICH'S REQUEST FOR EXEMPTION TO RULE 53 BE APPROVED.

Richard L. Norris/Jon C. Goodman: The Board next reviewed Mr. Norris' letter of 4-22-86 relative to the nonuse in Jon C. Goodman's area, following which MSC (Vaughn--Farr) IN RESPONSE TO MR. NORRIS' LETTER DATED 4-22-86 BRINGING THE BOARD'S ATTENTION TO JON GOODMAN'S NONUSE OF HIS BEAR AREA, THE BOARD FINDS BY EXAMINING MR. GOODMAN'S USE RECORDS THAT HE DOES NOT SHOW NONUSE AS ALLEGED. A LETTER TO MR. NORRIS SHOULD ADVISE HIM OF THE BOARD'S RESEARCH ON THIS MATTER AND THANK HIM FOR HIS OFFER TO ASSIST IN PURSUING THE NONUSE CONCEPT.

Dusty Youren: The Board reviewed Mr. Youren's file relative to his receiving citations from the Forest Service for cougar hunting without a Forest Service permit, following which a telephone call was made to Pat Aguilar, District Ranger of the Lowman District, to ascertain the outcome of these citations. The Board was advised that Mr. Youren had plead guilty to both charges, had paid a \$50.00 fine on each count, and that upon inquiry as to whether the Forest Service would issue a special use permit for this current license year, Mr. Aguilar stated that he would have no problem in issuing this permit to Mr. Youren with the understanding by Mr. Youren that if any further violations of Forest Service rules, regulations, and special use criteria were made, that future permits may be in jeopardy, following which MSC (Salter--Vaughn) THAT BASED ON THE RECORD OF VIOLATIONS OF FOREST SERVICE RULES AND REGULATIONS, IE; NOT OBTAINING A PERMIT FOR COUGAR HUNTING, THAT MR. YOUREN'S LICENSE BE RE-ISSUED AND MADE A PROBATIONARY LICENSE AND THAT A LETTER BE WRITTEN TO HIM POINTING OUT WHY THIS WAS DONE WITH A COPY TO GO TO THE U.S. FOREST SERVICE. [When this license is prepared, it should be sent via certified mail with a request to return the license he now holds in his possession.]

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Oregon River Experiences, Inc./Robert E. Doppelt, M.A.: The Board reviewed Mr. Doppelt's request for a variance of Rule 53, following which MSC (Vaughn--Farr) THAT THIS REQUEST BE APPROVED.

Mark S. Thorkelson: The Board reviewed Dr. Richard R. Smith's letter relative to alleged illegal outfitting activities by Mr. Thorkelson, following which it was directed that a letter be addressed to Dr. Smith stating that the Board was previously aware of Mr. Thorkelson's alleged activities, that the Board had flagged his file that if and when he made application for a 1986-1987 guide license that it would be denied.

Robert L. Stewart: The Board reviewed Mr. Stewart's letters to the Board relative to the alleged nonuse by Gerald Ritchie of his assigned area in the vicinity of Indian Creek. Also, the Board reviewed Mr. Stewart's request for fishing and pack trips to be authorized within his presently licensed area, following which MSC (Salter--Farr) THAT IN RESPONSE TO CORRESPONDENCE RECEIVED FROM MR. STEWART, THAT HE BE ADVISED THAT NONUSE HAS NOT BEEN ESTABLISHED IN ACCORDANCE WITH THE CRITERIA SET FORTH IN RULE 22 AND, THEREFORE, THE AREA IS NOT AVAILABLE FOR REASSIGNMENT TO HIM OR ANYONE ELSE AT THIS TIME. FURTHER, THAT HE BE REQUESTED TO SUBMIT AN OPERATING PLAN FOR HIS PROPOSED FISHING AND TRAILRIDING ACTIVITIES TO ENABLE APPROPRIATE RESEARCH WITH THE IDAHO DEPARTMENT OF FISH AND GAME AND CONSIDERATION BY THE BOARD.

George E. Duncan: The Board reviewed Mr. Duncan's amendment request for additional area and activities, following which MSC (Salter--Vaughn) BASED UPON INPUT RECEIVED FROM THE IDAHO DEPARTMENT OF FISH AND GAME DATED 4-17-86, THAT MR. DUNCAN'S REQUEST FOR BLACK BEAR AND MOUNTAIN LION IN UNIT 10 BE APPROVED AND HIS REQUEST FOR ADDITIONAL DEER, ELK, AND BLACK BEAR AREAS IN UNITS 14 AND 15 BE DENIED. THIS DENIAL IS BASED ON IDAHO CODE 36-2109(b)(4) AND (b)(5) AND IN ACCORDANCE WITH THE RECOMMENDATIONS BY THE IDAHO DEPARTMENT OF FISH AND GAME IN A LETTER DATED 4-17-86.

Ronald L. Howell: The Board reviewed Mr. Howell's application to be licensed as an outfitter on the Salmon River from Vinegar Creek to Hammer Creek, following which MSC (Vaughn--Farr) THAT A LETTER BE ADDRESSED TO MR. HOWELL ADVISING HIM THAT: (1) HIS APPLICATION FOR FLOAT BOATING ON THE SALMON RIVER-VINEGAR CREEK TO HAMMER CREEK [SA7A] IS DENIED. THE BASIS FOR DENIAL IS IDAHO OUTFITTERS AND GUIDES BOARD RULES AND REGULATIONS, RULE 57, WHEREIN A MAXIMUM OF 37 FLOAT LICENSES CAN BE ISSUED AND ALL SUCH LICENSES ARE ISSUED. HOWEVER, MR. HOWELL SHOULD BE ADVISED THAT HIS NAME IS PLACED ON THE CONSIDERATION LIST FOR SELECTION OF A FUTURE APPLICANT IN ACCORDANCE WITH RULE 19 SHOULD A VACANT SLOT BECOME AVAILABLE. AND, (2) MR. HOWELL'S 3-25-86 LETTER INDICATES A WISH TO BE LICENSED FOR ONE (1) OF THE THREE (3) STEELHEAD

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FISHING LICENSES ADDRESSED IN RULE 57: SALMON RIVER-VINEGAR CREEK TO HAMMER CREEK AND, MORE SPECIFICALLY, SUBPARAGRAPH (3) "DESIGNATED OUTFITTERS MAY UTILIZE FLOAT BOATS TO FISH FROM THE RIGGINS CITY BOAT DOCK TO HAMMER CREEK DURING THE PERIOD FROM OCTOBER 1 TO MARCH 31" ALTHOUGH THIS IS NOT SO INDICATED ON HIS OUTFITTER LICENSE APPLICATION. MR. HOWELL IS TO BE ADVISED THAT IN ORDER TO PLACE HIS NAME ON THE CONSIDERATION LIST FOR SELECTION OF A QUALIFIED OUTFITTER FOR THIS ACTIVITY, A COMPLETED APPLICATION IN ACCORDANCE WITH THE PROVISIONS OF RULE 28 WOULD BE REQUIRED.

David M. Wilson: The Board reviewed Mr. Wilson's application to be the designated Managing Agent for Don Wilson of Coolwater Outfitters, following which MSC (Vaughn--Salter) THAT MR. WILSON'S APPLICATION BE APPROVED.

Clarence Reece: The Board reviewed Mr. Reece's application to be licensed as an outfitter on the Salmon River, Vinegar Creek to Lewiston, and on the Snake River, Hells Canyon Dam to Lewiston, and for float boating activities on the Little Salmon River, Pollock to Riggins, following which MSC (Salter--Miller) THAT MR. REECE BE ADVISED THAT THE BOARD'S POSITION HAS NOT CHANGED RELATIVE TO LICENSING ON THE LITTLE SALMON RIVER AND THAT THE BOARD IS NOT TAKING APPLICATIONS AT THIS TIME FOR THE SALMON RIVER FROM VINEGAR CREEK TO LEWISTON NOR ON THE SNAKE RIVER FROM HELLS CANYON DAM TO LEWISTON, BUT THAT MR. REECE WILL BE PUT ON THE CONSIDERATION LIST AND BE ADVISED WHEN APPLICATIONS WILL BE RECEIVED BY THE BOARD.

Jacey O. Nygaard: The Board reviewed Mr. Nygaard's application to be licensed as a Managing Agent for Jack Nygaard dba Lochsa River Outfitters, following which MSC (Vaughn--Farr) THAT THE APPLICATION BE APPROVED.

The Board recessed for lunch at 1215 hours and reconvened at 1330 hours.

Salmon River Challenge/Gerald Kooyers, M.A.: The Board reviewed the proposed sale to Pat and Shari Marek of Riggins, Idaho, and the various paperwork submitted and noted that the application is incomplete in several respects and that a letter be directed to the parties concerned outlining the necessary items to be completed and requesting that the Marek's and Mr. Kooyers appear before the Board at the June meeting before final action is taken on this matter.

Jack Riddle: The Board reviewed Mr. Riddle's application to be licensed as an outfitter for bear and cougar hunting in portions of Unit 1 and determined that that portion of the area requested lying north of the Boundary/Bonner County line is currently

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licensed to active bear and cougar hunters and, therefore, not available and further determined that the area south of said county line will be researched with the Idaho Department of Fish and Game requesting their input relative to the requested application.

Fish and Game Research Letters: MSC (Salter--Farr) THAT IN ORDER TO SAVE THE DEPARTMENT AND THE BOARD CONSIDERABLE TIME IN EVALUATING OUTFITTER APPLICATIONS, THAT A LETTER BE SENT TO TOM REINECKER, CHIEF OF WILDLIFE, ASKING THEM TO DELINEATE THOSE AREAS WITHIN THE STATE, BY MANAGEMENT UNIT AND PORTIONS THEREOF, THAT THEY WILL NOT CONSIDER APPROVING ADDITIONAL BEAR OR COUGAR HUNTING FOR A DETERMINATE PERIOD OF TIME, IE; 1 OR 2 YEARS.

Clinton G. Galbraith: The Board reviewed Mr. Galbraith's request for a waiver of the late fee, following which MSC (Salter--Farr) THAT MR. GALBRAITH'S REQUEST FOR A REFUND OF THE LATE FEE BE GRANTED.

Richard Linford, M.A./ECHO: The Board reviewed Mr. Linford's letter requesting a waiver of the late fee, following which MSC (Miller--Farr) THAT MR. LINFORD BE REFUNDED THE LATE FILING FEE OF \$50.00.

Pebble Creek Ski Area: The Board reviewed Pebble Creek Ski Area's request to put on hold on their license until helicopter service could be obtain. Following discussion by the Board, MSC (Farr--Miller) THAT JOHN C. LYM, GENERAL PARTNER, BE ADVISED THAT THE BOARD WOULD BE HAPPY TO RETAIN THE AREA FOR THEM, BUT THAT STATE LAW REQUIRES A LICENSE BE IN PLACE TO RETAIN PRIORITY OF USE.

Kenneth C. Masoner: The Board reviewed Mr. Masoner's renewal application and request for a waiver of late fee. Following Board discussion, MSC (Farr--Vaughn) THAT MR. MASONER'S APPLICATION BE APPROVED NON-PROBATIONARY BASED ON THE NATURE OF THE FISH AND GAME CITATION AND THE 6-4-85 LETTER OF CARL RUCKUS OF STAR, IDAHO, AND THAT THE \$50.00 LATE FEE BE REFUNDED.

Gordon E. Frost/Fred Wright/FWL Warm Springs Outfitters: The renewal applications of Messrs. Frost and Wright were reviewed by the Board. The matter of the non-response to the Board's letters requiring additional information was discussed, following which MSC (Vaughn--Farr) THAT A LETTER BE WRITTEN TO MR. FROST INDICATING THAT THERE WERE CERTAIN MATTERS THAT NEEDED TO BE COMPLETED BEFORE THE 1986-1987 LICENSE COULD BE ISSUED, THAT THIS MATTER WAS DRAWN TO THE ATTENTION OF MR. WRIGHT SOMETIME BACK AND HE HAS NOT SEEN FIT TO COMPLY WITH SAID REQUEST, AND UNTIL SUCH

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TIME AS THE MATTER IS RESOLVED, THE 1986-1987 LICENSE WILL NOT BE ISSUED. [This letter should include the shortcomings of what is needed; namely, the amendment fee and an assumed name certificate.]

Marriner R. Jensen: The Board reviewed Mr. Jensen's letter requesting clarification of his area description and addition of his amendment to float on the Clearwater River, following which it was determined that a letter be written to Mr. Jensen outlining the change of area description and the background for it, pointing out that the exception of the 1-mile corridor accomplishes really no purpose in that Mr. Dunford overlaps him clear to the Utah stateline and conversely he overlaps Mr. Dunford from the Utah stateline north to 1-mile north of St. Gerald's Creek.

Lester West: The Board reviewed Mr. West's request to add deer hunting in that area to which he is presently licensed for bear hunting and to add float boating on the Lochsa River and on the Middle Fork of the Clearwater River, following which MSC (Farr--Miller) THAT THE AREA REQUESTED FOR DEER HUNTING BE DENIED IN THAT IT IS CURRENTLY LICENSED TO OTHER OUTFITTERS AND THAT THE FLOAT BOATING REQUEST FOR THE LOCHSA RIVER BE DENIED IN THAT THERE IS NO ROOM IN ACCORDANCE WITH RULE 57, BUT THAT HE BE ADVISED HE WILL BE PLACED ON THE CONSIDERATION LIST. FURTHER, THAT HE BE ADVISED HIS REQUEST FOR THE CLEARWATER RIVER HAS BEEN ACCOMMODATED BY LETTER OF 3-24-86 IN WHICH HE WAS NOTIFIED OF HIS SELECTION AS ONE OF THE MOST QUALIFIED CANDIDATES FOR A FLOAT BOATING OPERATION ON THE CLEARWATER RIVER FROM KOOSKIA TO OROFINO.

The Board meeting recessed at 1825 hours and reconvened on Wednesday, May 7, 1986, at 0830 hours with all members present except Bob Salter.

Randy Baugh/Jim Pepcorn: The Board conducted a denial hearing on the appeal of Mr. Baugh relative to the transfer of business between himself and Mr. Pepcorn. After a review of the file and the testimony offered during the hearing, MSC (Farr--Vaughn) IN CONSIDERATION OF THE REVIEW OF THE CASE FILE AND TESTIMONY OFFERED, THAT THE BOARD REVERSE THE MOTION MADE AND RECORDED IN THE MINUTES DATED 4-12-86 AND IN LIEU THEREOF THAT THE BOARD APPROVE THE REQUEST OF MR. BAUGH TO ACQUIRE THE BUSINESS HELD BY MR. PEPCORN IN ACCORDANCE WITH THE SALE AGREEMENT PRESENTED TO THE BOARD ON 5-7-86. FURTHER, THAT THIS ACTION WAS TAKEN FOLLOWING A TELEPHONE CONVERSATION WITH THE SNRA TO ASCERTAIN THEIR WILLINGNESS TO APPROVE A SPECIAL USE PERMIT TO MR. BAUGH IF SAID APPLICATION AND LICENSE WAS ISSUED. FURTHER, THAT THE LATE

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FEE BE WAIVED AND THE LICENSE ISSUED PENDING COMPLETION OF THE APPLICATION. IT SHOULD BE NOTED THAT THE AREA APPLIED FOR SHOULD BE ONE AND THE SAME AS THE AREA PREVIOUSLY LICENSED TO JAMES PEPCORN AND AS IS CURRENTLY SHOWN ON RANDY BAUGH'S 1985-1986 LICENSE MINUS THAT AREA CONTAINED IN THE DENNIS HILL AREA OF OPERATION.

Doug Bruce: The Board met with Mr. Bruce, a new outfitter applicant who is requesting to conduct trailrides, backpacking, and other similar activities, following which MSC (Farr--Miller) THAT MR. BRUCE'S APPLICATION BE APPROVED AS SUBMITTED IN THE AREA HE CURRENTLY HAS MADE APPLICATION FOR AND THAT THE LICENSE BE ISSUED PENDING COMPLETION. FURTHER, IN THE MATTER OF THE DISCUSSION WITH MR. BRUCE RELATIVE TO HIS FURTHER INTEREST IN THE FOG MOUNTAIN AREA, IT WAS SUGGESTED HE SUBMIT AN APPROPRIATE AMENDMENT TO INCLUDE THIS AREA FOR FURTHER BOARD CONSIDERATION AND THAT THIS AMENDMENT WOULD BE CONSIDERED AS BEING TIMELY FILED WITH NO LATE FEE NECESSARY. [See Addendum 1]

Richard Douglas Lindsey: The Board interviewed Mr. Lindsey who is an applicant for outfitting on various waters in northern Idaho. Following said interview and the discussion of the application and plan of operation submitted, MSC (Farr--Vaughn) THAT THE APPLICATION BE APPROVED FOR OPERATION ON COEUR D'ALENE, PEND OREILLE, AND PRIEST LAKES PENDING THE APPLICANT'S MEETING APPROPRIATE COAST GUARD LICENSING REQUIREMENTS. HAYDEN LAKE AND OTHER WATERS APPLIED FOR WILL BE RESEARCHED WITH THE IDAHO DEPARTMENT OF FISH AND GAME. UPON RESPONSE TO THE BOARD'S INQUIRY AND EVALUATION OF THAT RESPONSE, THE BOARD WILL APPROVE OR DENY WATERS APPLIED FOR RELATIVE TO SUCH RESPONSE. FURTHER, THAT MR. LINDSEY IS APPROVED FOR A POWER BOAT OPERATION ON THE ST. JOE RIVER (SJ1), SPRUCE TREE CAMPGROUND TO COEUR D'ALENE. IT SHOULD BE NOTED THAT IF AN AMENDMENT IS MADE TO ADD ADDITIONAL WATERS (AS ABOVE REFERENCED), IT WILL BE MADE AS AN ADMINISTRATIVE AMENDMENT.

The Board then recessed for lunch at 1220 hours and reconvened at 1330 hours.

Marvin Todd: The Board conducted a hearing relative to the denial of Mr. Todd's outfitter license renewal, following which MSC (Salter--Farr; Vaughn & Miller abstained) THAT THE BOARD, IN ITS REVIEW OF THE PARTICULARS OF THE FISH AND GAME CITATIONS AND COURT ACTION, ADVISE MR. TODD AS TO THE FOLLOWING BOARD ACTION: (1) THAT THE EVIDENCE PRESENTED DOES NOT SUSTAIN PRIOR BOARD ACTION; THEREFORE, THE BOARD WILL REVERSE ITS DECISION TO DENY MR. TODD'S 1986-1987 LICENSE; AND (2) THAT MR. TODD BE ISSUED A PROBATIONARY 1986-1987 IDAHO OUTFITTER LICENSE WITH TERMS OF SAID PROBATION BEING THAT MR. TODD NOT VIOLATE ANY LOCAL, STATE, OR

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FEDERAL LAW, RULE, OR REGULATION DURING THE 1986-1987 LICENSE YEAR. THE AUTHORITY FOR THIS ACTION IS BASED UPON IDAHO CODE 36-2113(14) AND IDAHO OUTFITTERS AND GUIDES BOARD RULES AND REGULATIONS, RULE 8, AS IS APPLICABLE TO MR. TODD'S PLEADING OF GUILT IN THE COMMISSION OF A MISDEMEANOR.

Bill Bernt/Seven Investors: The Board reviewed Mr. Bernt's proposed purchase of Seven Investors dba Idaho River Company on the Middle Fork of the Salmon River. By telephone call on 5-7-86, Mr. Bernt contacted the Board to ask whether it could take action on his proposed purchase with the submission of his necessary paperwork and without the necessity of his appearing before the Board. The Board reviewed his request, following which MSC (Farr--Miller) THAT THE PROPOSED PURCHASE OF THE SEVEN INVESTORS BUSINESS BY BILL BERNT BE APPROVED PENDING SUBMISSION OF THE NECESSARY PAPERWORK. HOWEVER, THIS PAPERWORK IS TO BE REVIEWED BY THE CHAIRMAN AND IF IN ORDER, THE CHAIRMAN IS AUTHORIZED TO APPROVE THE TRANSACTION AND AUTHORIZE THE ISSUANCE OF THE LICENSE.

Mary Ann McManus: Ms. McManus met with the Board in review and discussion of her proposed application which resulted in various factors which were drawn to Ms. McManus' attention. It was suggested that she should perhaps pursue her application on the basis that catering to a handicapped clientele could serve a very real public purpose and that she might wish to pursue that as a thrust in her proposed operation. It was also suggested that she review the area requested to modify it and to confine it to an area that is not currently licensed to other outfitters. It was further pointed out that in view of the Memorandum of Understanding by and between the Forest Service and the Board that her proposal may fall into what is known as a "new outfitting opportunity" and therefore be subject to an environmental assessment under the conditions of the MOU. Following this review and discussion, MSC (Vaughn--Miller) THAT A LETTER BE ADDRESSED TO MS. MCMANUS OUTLINING THESE FACTORS AND SUGGESTING THAT SHE AMEND HER APPLICATION IN FULL CONSIDERATION OF THESE FACTORS AND THAT THE BOARD WILL ESSENTIALLY TABLE HER APPLICATION PENDING RECEIPT OF HER AMENDED APPLICATION, AT WHICH TIME IT WOULD BE REVIEWED AND SUBMITTED FOR FOREST SERVICE AND IDAHO DEPARTMENT OF FISH AND GAME REVIEW AND EVALUATION.

Thomas B. Mackey: Mr. Mackey was scheduled to meet with the Board at 1430 hours, but he failed to keep this appointment.

Jerry S. Pippen: The Board reviewed Mr. Pippen's application for an outfitter license requesting elk and deer hunting in Fish and Game Management Units 11A and 14. It was noted the requested area included a significant amount of privately owned lands and lands within the NezPerce Indian Reservation. Also, the application

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and operating plan did not contain sufficient information to enable appropriate Board research and action to be taken. The Board directed that a letter be written to Mr. Pippen requesting that he be more precise in describing his requested area of operation in view of privately owned and/or Indian Reservation lands utilizing natural features (creeks, watershed divides, etc.) to the extent possible in defining area boundaries inclusive of reference to Section, Township, and Range points of reference; submit a plan of operation to enable evaluation of his proposed operation; and be requested to contact the Board to schedule an interview for the June Board meeting, if possible. Further, upon receipt of an amended application, appropriate Fish and Game research should be initiated. It is noted that the BLM has indicated willingness to consider Mr. Pippen's request upon licensing by the Board.

Ralph Yates: The Board reviewed Mr. Yates' application for an outfitter license for fishing, trailrides, and bird hunting as requested on his application, but noted in a subsequent letter attached to the application he also indicates a desire to be licensed for big game hunting. MSC (Vaughn--Farr) THAT A LETTER BE ADDRESSED TO MR. YATES ADVISING HIM THAT: (1) CLARIFICATION IS NEEDED AS TO WHAT BIG GAME SPECIES HE WISHES TO HUNT AND IN WHAT AREA; (2) THAT HE SUBMIT AN APPROPRIATE MAP AT 1/2 INCH TO THE MILE SCALE AND WORDED AREA DESCRIPTION DEFINING THE AREA REQUESTED; (3) THAT HE SUBMIT AN OPERATING PLAN IN SUFFICIENT DETAIL TO ENABLE BOARD EVALUATION OF THE PROPOSED OPERATION; (4) THAT HIS APPLICATION WILL REQUIRE COORDINATION WITH THE FOREST SERVICE RELATIVE TO MOU REQUIREMENTS OF "NEW OPPORTUNITIES" AND THAT AN ENVIRONMENTAL ASSESSMENT BY THE FOREST SERVICE MAY BE REQUIRED; AND (5) FOLLOWING RECEIPT OF THE FOREGOING, AMENDED APPLICATION, THE NECESSARY RESEARCH WILL BE INITIATED WITH BOARD DECISION PENDING THE OUTCOME OF SAID RESEARCH AND NECESSARY COORDINATION WITH THE FOREST SERVICE IN THE SELECTION AND ISSUE OF AN OUTFITTER LICENSE FOR THE AREA REQUESTED.

Board Minutes: The Board reviewed the April 7-12, 1986, Board Minutes, following which MSC (Farr--Vaughn) THAT THE MINUTES BE APPROVED AS AMENDED.

Board Meeting Dates: The July Board meeting is scheduled for Monday, July 28th, through Friday, August 1st, with nonuse hearings on Monday, Board business on Tuesday, and appointments for the remaining part of the week. The August Board meeting is scheduled for Monday, August 18th, through Friday, August 22nd, with nonuse hearings scheduled on Monday, Board business on Tuesday, and the remaining part of the week for appointments.

The Board recessed at 1900 hours and reconvened on Thursday, May 8, 1986, at 0830 hours with all members present.

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Kirk D. Bachman dba Sawtooth Mountain Guides: Th Board reviewed Mr. Bachman's amendment request to conduct ski mountaineering in the Sawtooth range. Following a discussion, MSC (Farr--Miller) THAT MR. BACHMAN'S REQUEST BE APPROVED.

American Red Cross Cards: Relative to the validity of American Red Cross cards, MSC (Vaughn--Miller) AS A BOARD POLICY, THE SECRETARIAL STAFF BE ADVISED THAT WHERE RED CROSS CARDS ARE SUBMITTED WITH LICENSE APPLICATIONS AND SAID CARDS ARE NOT SIGNED BY THE APPLICANTS, THE LICENSE WILL BE ISSUED WITH AN ACCOMPANYING LETTER REQUESTING A SIGNED COPY OF THE AMERICAN RED CROSS CARD BE IMMEDIATELY SUBMITTED TO THE BOARD'S OFFICE.

Bob Gillihan/Cal Stoddard: Mr. & Mrs. Gillihan and Mr. Stoddard met with the Board relative to the establishment of a Gillihan/Stoddard corporation to operate in the Gillihan area as presently described. Following a consideration of the information provided in this interview and a review of the file, MSC (Salter--Miller) THAT THE TRANSACTION BE APPROVED BASED ON THE PAPERWORK AND INCLUDING THE PAYMENT OF AN AMENDMENT FEE FOR GILLIHAN'S GUIDE SERVICE.

Dave Udy: The Board interviewed Mr. Udy concerning his application for an outfitter license to operate in Unit 59A, following which the Board determined that there is a joint application with Terry Throckmorton for essentially the same area. Further, the Board would need to contact the Forest Service and the Idaho Department of Fish and Game for their input, and that a decision would be made at a later date relative to the responses received from these agencies and evaluation of such responses.

Terry Throckmorton: Mr. Throckmorton met with the Board relative to his outfitter application to operate in Units 58 and 59A. Following the interview with Mr. Throckmorton and discussion of the fact that portions of Mr. Throckmorton's requested area of operation (Unit 58) is currently licensed to another outfitter, MSC (Vaughn--Farr) THAT THE BOARD DELETE UNIT 58 FROM MR. THROCKMORTON'S APPLICATION AND PROCEED TO CONTACT THE FOREST SERVICE AND THE IDAHO DEPARTMENT OF FISH AND GAME ON THAT PORTION REMAINING IN HIS REQUESTED AREA OF OPERATION (59A) SEEKING THEIR INPUT RELATIVE TO THIS APPLICATION. FOLLOWING RECEIPT OF SUCH RESPONSES TO THE BOARD'S INQUIRY, A DECISION WILL BE MADE RELATIVE TO SELECTION OF THE OUTFITTER. IT IS TO BE NOTED THAT MR. THROCKMORTON'S APPLICATION (NEW UNIT 59A) OVERLIES THE APPLICATION MADE BY DAVID UDY.

The Board recessed for lunch at 1200 hours and reconvened at 1330 hours.

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Ed and Peggy McCallum: Mr. & Mrs. McCallum met with the Board to discuss the complaint against their operation filed by Sonny Arnold. After a review of the file and testimony by the McCallum's, MSC (Farr--Miller) THAT THERE IS NO CONCLUSIVE EVIDENCE THAT MR. MCCALLUM WOULD GUIDE FOR MR. ARNOLD AND THAT THERE IS INSUFFICIENT BASIS TO TAKE ANY FURTHER ACTION AGAINST MR. MCCALLUM'S LICENSE. FURTHER, THAT A LETTER BE ADDRESSED TO MR. ARNOLD ADVISING HIM OF THE BOARD'S ACTION ON THIS MATTER.

Kevin Duncan: The Board interviewed Mr. Duncan relative to his application to hunt cougar in Unit 1 and the Priest Lake area, following which it was determined a letter would be written to Fish and Game to gather their response to this proposal and that a final decision would be made after receiving said input.

Anthony Popp, Jr.: The Board interviewed Mr. Popp relative to his application to purchase the Cook Ranch portion of the Harold Thomas' operation. Following discussion of the matter with Messrs. Popp and Garn Christensen who represented Mr. Thomas and a review of the file, MSC (Salter--Miller) THAT THE PROPOSED TRANSFER OF THE COOK RANCH OPERATIONS FROM THE ALLISON RANCH BE TAKEN UNDER ADVISEMENT IN ACCORDANCE WITH THE FOLLOWING CRITERIA: (1) THAT RESEARCH BE DONE ON THE POSSIBILITY OF RE-ALIGNING THE BOUNDARY AROUND RAINEY POINT BETWEEN THE ALLISON RANCH AND GLADYS YORK; (2) THAT THE BOARD RECEIVE RE-CLARIFICATION OF THE EXTENT AND NATURE OF THE TRAILRIDING ACTIVITY RETAINED AND TO BE UTILIZED BY MR. POPP OUT OF THE COOK RANCH; (3) THAT UPON RECEIPT BY THE BOARD OF THE PROPOSED CONTRACT OF SALE, THAT IT BE SENT TO THE BOARD'S ATTORNEY FOR REVIEW; (4) THAT AN OUTFITTER APPLICATION BE REQUESTED FROM HAROLD THOMAS SHOWING THE ACTIVITIES HE PROPOSED TO RETAIN AND OPERATE OUT OF THE ALLISON RANCH, DEFINING THE AREA IN WHICH HE WOULD CONTINUE HIS TRAILRIDING, FISHING, AND BACKPACKING ACTIVITIES; AND (5) A RELINQUISHMENT, OF MR. THOMAS' INTEREST IN HIS CURRENT LICENSED BUSINESS AND ACTIVITIES BE OBTAINED IF SAID RELINQUISHMENT IS NOT CONTAINED IN THE SALES AGREEMENT. FURTHER, A LETTER IS TO BE ADDRESSED TO THE PARTIES CONCERNED TO OUTLINE THE BOARD'S POSITION IN THIS MATTER.

Keith Massie/Get Wet River Trips: Mr. Massie met with the Board at the April meeting relative to being licensed as an outfitter in Idaho. At that time it was the Board's direction that references be contacted relative to his qualifications to operate his proposed business. Responses to the Board have been received from various references, following which MSC (Vaughn--Miller) THAT MR. MASSIE'S APPLICATION BE APPROVED AND LICENSE ISSUED.

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Vernon P. Johnson: In the matter of the status of Mr. Johnson's business and the action taken by the Board during the April 11th meeting, MSC (Salter--Vaughn) THAT A NOTICE OF HEARING FOR NONUSE RELATIVE TO MR. JOHNSON'S HUNTING OPERATION BE SENT WITH A HEARING DATE SET UP, IF POSSIBLE, IN JUNE AND THAT A LETTER BE WRITTEN TO MR. JOHNSON POINTING OUT THE HEARING MATTER AND ADVISING HIM THAT IF HE WISHES TO RENEW HIS 1985-1987 LICENSE AS FAR AS THE FISHING PORTION IS CONCERNED, THE BOARD WOULD CONSIDER IT FAVORABLY. THE NONUSE NOTICE IS BASED PRIMARILY UPON THE LETTR FROM THE FOREST SERVICE STATING THE MR. JOHNSON HAD NOT HAD A PERMIT SINCE 1972.

Policy Re: Managing Agents: The Board discussed the necessity of interviewing proposed Managing Agents to be employed by outfitters in the conduct of their outfitting business, following which MSC (Vaughn--Farr) THAT IT BE A BOARD POLICY THAT HENCEFORTH MANAGING AGENTS NOT BE REQUIRED TO APPEAR BEFORE THE BOARD FOR AN INTERVIEW UNLESS THE CHAIRMAN, IN REVIEW OF THE APPLICATION, DECIDES THERE ARE EXTENUATING CIRCUMSTANCES THAT SHOULD COME TO THE ATTENTION OF THE BOARD BEFORE APPROVAL AND ISSUE OF THE LICENSE.

Nonuse Policy: In discussion and in review of the nonuse hearings held regarding river or other activities, following the conclusion of such hearings and expiration of the appeal process wherein final judgment is made as to those river segments or other activities to be deleted from an outfitter's license, MSC (Miller--Salter) THAT, AS A BOARD POLICY, A LISTING OF THOSE OUTFITTERS AND THOSE RIVER SEGMENTS AND/OR ACTIVITIES DELETED FROM THE LICENSED ACTIVITIES OF AFFECTED OUTFITTER LICENSES BE TABULATED AND MADE KNOWN TO THE APPROPRIATE LAND MANAGING AGENCY AND THE IDAHO DEPARTMENT OF FISH AND GAME IN A TIMELY MANNER TO FACILITATE LICENSE/PERMIT REQUIREMENTS AND MAINTAIN GOOD WORKING RELATIONSHIPS.

Policy re: Letters on Qualifications for Lead Boatman Status: MSC (Miller--Farr) THAT THE CHAIRMAN BE AUTHORIZED TO INITIAL LETTERS OF QUALIFICATIONS RECEIVED FROM APPLICANTS FOR LEAD BOATMAN STATUS TO MEET THE NECESSARY TRAINING REQUIREMENTS ON NEWLY OPENED RIVER SEGMENTS AND/OR ON THOSE RIVERS WHERE DIFFICULTY IS EXPERIENCED IN OBTAINING TRAINED BOATMAN STATUS DUE TO REMOTENESS. SUCH RIVERS INCLUDE THE OWYHEE, BRUNEAU/JARBIDGE, AND SELWAY.

Salmon River-Iron Creek to North Fork (SA4B) and Salmon River-Vinegar Creek to Hammer Creek (SA7B): The Board discussed the need for selection of qualified outfitters on the Salmon River, SA4B and SA7B, following which MSC (Farr--Miller) THAT THE CHAIRMAN BE DIRECTED TO WRITE THOSE EXISTING POWER BOAT AND FLOAT BOAT OPERATORS AND OTHER INTERESTED PARTIES ON THE SALMON RIVER,

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SA4A AND SA7A, TO REQUEST OPERATING PLANS AS TO THEIR PROPOSED USE OF THESE RIVER REACHES FOR STEELHEAD FISHING. FURTHER, THAT INDIVIDUALS SUBMITTING OPERATING PLAN BE ADVISED THAT SAID OPERATING PLANS SUBMITTED TO THE BOARD MUST BE POSTMARKED NO LATER THAN 6-3-86. AND, PROVIDED FURTHER, THAT SUCH INQUIRY OF POWER AND FLOAT BOAT OPERATORS REQUEST, AS A PART OF THE OPERATING PLAN, A CATEGORY TO INDICATE WHETHER THE OUTFITTER HAS HAD A LAND MANAGING AGENCIES (BLM AND/OR FOREST SERVICE) SPECIAL USE PERMIT, HOW MANY YEARS HE HAS HAD SAID PERMIT, AND THE AMOUNT OF USE REPORTED FOR THOSE YEARS.

The Board recessed at 1800 hours and reconvened on Friday, May 9, 1986, at 0800 hours with all members present.

Roger Warrick/Idaho Helicopters, Inc.: The Board interviewed Mr. Warrick, an outfitter applicant to do helicopter fishing in various waters in southern Idaho. Following a review of the application and said interview, MSC (Salter--Farr) THAT THE APPLICATION BE APPROVED, WITH RELATION TO THAT PART WHICH APPLIES TO OWYHEE COUNTY, PROVIDED THAT PROPER CLEARANCE FROM THE BLM IS RECEIVED AND THE APPLICATION PROCESS IS COMPLETED. IT IS THE BOARD'S UNDERSTANDING THAT THERE WILL PROBABLY BE ADDITIONAL AMENDMENTS ADDING ADDITIONAL AREAS, PRINCIPALLY FOREST SERVICE AREAS, AT A LATER TIME. AS ADDITIONAL AREAS ARE REQUESTED AND IF APPROVED BY THE FOREST SERVICE AND/OR THE IDAHO DEPARTMENT OF FISH AND GAME, THAT THEY BE ADDED TO THE LICENSE WITHOUT FURTHER BOARD ACTION UNLESS LIMITATIONS AND/OR CONDITIONS ARE IMPOSED THAT MAY REQUIRE BOARD REVIEW/APPROVAL.

Dr. Howard Uibel: The Board met with Dr. Uibel who is the applicant to become the new Managing Agent for Eastern Washington University, following which MSC (Salter--Miller) THAT THIS APPLICATION BE APPROVED WHEN COMPLETED AND THE EXAMINATION HAS BEEN PASSED.

The Board recessed for lunch at 1230 hours and reconvened at 1325 hours.

Randall Lemburg: The Board interviewed Mr. Lemburg who is applying for various outfitting activities in Unit 1. Following said interview and discussion, the Board found that: (1) his original request includes an area licensed to another outfitter. Upon pointing this out to Mr. Lemburg, he concurred in a reduction and submitted an alternative plan for hunting activities which would exclude the area licensed to S. C. Buttram, but he did request that upon the availability of this area in any subsequent action relative to nonuse, that he be placed and kept on the consideration list; (2) that the Board would approve his being licensed for charter fishing operations on Priest Lake; (3) that requested summer activities

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(trailrides, etc.) and snowmobiling are not exclusive and, therefore, need not be restricted to the area to which he may be licensed for hunting. However, Mr. Lemburg was requested to submit a better definition of the trails, waters, and snowmobile routes upon which he would propose to operate for further Board consideration; and (4) that summer trailriding activities for this year, if licensed, would be restricted to day-use rides out of his base private lands (Sec. 11, T65N, R5W, BM). However, before any Board action can be taken on his hunting request, the Board will contact the Idaho Department of Fish and Game and the Forest Service for a response. MSC (Farr--Miller; Salter "no"; Meiners abstained) THAT THE BOARD APPROVE MR. LEMBURG'S REQUEST FOR SNOWMOBILING ON THE GROOMED TRAILS AS SHOWN ON THE PRIEST LAKE WINTER RECREATION TRAILS MAP, DAY-USE TRAILRIDES THAT ORIGINATE OUT OF HIS PRIVATE PROPERTY (SEC. 11, T61N, R5W, BM), AND CHARTER FISHING ON PRIEST LAKE.

Idaho Fishing Charters/Lawrence Voss, M.A.: Relative to Mr. Voss' amendment request to be licensed from the mouth of the Salmon River upstream to Pittsburg Landing on the Snake River, and Clearwater River-Orofino to Lewiston (CL2 and CL3), MSC (Salter--Vaughn) THAT MR. VOSS' APPLICATION BE DENIED. THIS DENIAL IS BASED ON RULE 57 AND LIMITS IMPOSED BY SAID RULE AS TO THE MAXIMUM NUMBER OF POWER AND FLOAT BOAT LICENSES TO BE ISSUED BY DESIGNATED RIVER SEGMENT. AT THE PRESENT TIME ALL AVAILABLE LICENSES ARE ALLOCATED ON BOTH THE CLEARWATER AND SNAKE RIVER SEGMENTS REQUESTED. FURTHER, THAT MR. VOSS BE ADVISED THAT HIS NAME WILL BE PLACED ON THE CONSIDERATION LISTS FOR THE RIVER SEGMENTS REQUESTED AND THAT HIS LICENSE BE ISSUED THE SAME AS LAST YEAR.

Todd VanBraemer: The Board met with Mr. VanBraemer who is applying to become the new Managing Agent for Sun Valley Outfitters, Inc. to replace Brian Brockette. Following a review of the file and the interview with the applicant, MSC (Vaughn--Farr) THAT MR. VANBRAEMER'S APPLICATION BE APPROVED UPON THE SUCCESSFUL COMPLETION OF THE OUTFITTER EXAMINATION AND A RELEASE OR CONTRACT OF TRANSFER OF INTEREST IN THE COMPANY FROM MR. BROCKETTE TO MR. VANBRAEMER.

Dr. Tom Allegrezza: The Board met with Dr. Allegrezza who is applying to become the new Managing Agent for the Sulphur Creek Ranch, MSC (Vaughn--Farr) THAT THIS APPLICATION BE APPROVED PENDING PASSING THE OUTFITTER EXAMINATION.

Tim Craig/Harvey Whitten/Steve Galles/Andre Molsee: Following a discussion on the matter of area allocations and boundary adjustments concerning Messrs. Craig, Whitten, Galles, and the prospective purchaser of Galles' operation in Unit 13 Andre

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Molsee, MSC (Farr--Vaughn) THAT MESSRS. CRAIG, WHITTEN, GALLES, AND MOLSEE BE REQUESTED TO COME BEFORE THE BOARD AT 3:30 P.M. ON 6-11-86 TO REVIEW THE SITUATION AND TO SEE IF SOME APPLICABLE OR ACCEPTABLE SOLUTION CAN BE FOUND. IN THE LETTER TO THESE GENTLEMEN THE BOARD FURTHER DIRECTS THAT THEY BE ASKED TO COMMUNICATE ONE WITH THE OTHER TO SEE IF THEY CAN COME TO AN AGREEMENT THAT WOULD BE ACCEPTABLE TO THEM AND THAT WOULD ALSO BE ACCEPTABLE TO THE BOARD.

Fiscal Review: Following a review of the printout of the budget to date and a discussion thereof, MSC (Salter--Miller) THAT AFTER REVIEWING THE FISCAL REPORT DATED 4-30-86, THAT UNTIL FURTHER NOTICE BY THE BOARD THE ENFORCEMENT COORDINATOR BE REQUESTED TO HOLD ENFORCEMENT EXPENSES TO A MINIMUM AND THAT THE CHAIRMAN BE REQUESTED TO EXERCISE EVERY PRECAUTION TO HOLD DOWN EXPENSES UNTIL SUCH A TIME AS AN INTERNAL LINE-ITEM BUDGET IS APPROVED.

MSC (Vaughn--Farr) THAT PURSUANT TO IDAHO CODE 67-2345(b), THE BOARD GO INTO EXECUTIVE SESSION TO DISCUSS MATTERS OF PERSONNEL. Votes were cast as follows: Meiners - "Aye"; Salter - "Aye"; Farr - "Aye"; Miller - "Aye"; and Vaughn - "Aye". The Executive Session began at 1720 hours and ended at 1755 hours with no formal action being taken during the Session.

Hershel Coulter: The Board reviewed the complaint filed by Charles M. Bramer of Tampa, Florida, regarding a lynx hunt purchased at the North American Wild Sheep Foundation meeting from Mr. Coulter on 2-23-85. Following this review, MSC (Farr--Vaughn) THAT A LETTER BE ADDRESSED TO MR. BRAMER STATING THAT MR. COULTER IS NOT LICENSED AS AN OUTFITTER IN IDAHO AT THIS TIME AND THAT THE BOARD, THEREFORE, HAS NO JURISDICTION IN THE MATTER. FURTHER, IT IS SUGGESTED THAT MR. BRAMER REPORT THIS TO THE NORTH AMERICAN WILD SHEEP FOUNDATION STATING THE SPECIFICS OF THE CASE AND HIS PROBLEM WITH MR. COULTER. FURTHER, THAT COPIES OF THIS LETTER BE ADDRESSED TO THE DISTRICT COURT AT CASCADE, IDAHO; TO LYDIA EDWARDS, REPRESENTATIVE OF DISTRICT 9 AT DONNELLY; TO THE FOREST SERVICE; AND TO JERRY LOCKHART OF THE IDAHO DEPARTMENT OF FISH AND GAME AT MCCALL, IDAHO.

Northwest River Company/Doug Tims, M.A.: The Board discussed a letter received from Dick Teller who is a licensee on the Loon Creek area protesting the Board's licensing of Northwest River Company to conduct trail and fishing trips down Loon Creek, following which MSC (Salter--Farr) THAT A LETTER BE SENT TO MR. TIMS ADVISING HIM THAT A CONCERN HAS BEEN EXPRESSED BY THE OUTFITTER WHOSE AREA HE WILL BE IN WHEN HE TAKES A GROUP FROM THE END OF THE ROAD AT LOON CREEK DOWN TO THE MOUTH OF LOON CREEK TO MEET HIS RAFTS, AND THAT THE BOARD SUGGESTS THAT HE CONTACT MR. TELLER AND SEE IF THERE IS A POSSIBILITY OF ARRANGING THE

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ITINERARY SO THAT IT WOULD LESSEN ANY POSSIBILITY OF CONFLICT BETWEEN THESE TWO OUTFITS. FURTHER, THAT HE, BY HIS OWN VOLITION, TRY TO KEEP HIS UTILIZATION OF THE FISHERIES RESOURCE TO A MINIMUM, THAT IS TO FOLLOW A CATCH-AND-RELEASE POLICY IF AT ALL POSSIBLE.

Dennis Hill: The Board then reviewed a letter from John E. Phipps, District Ranger of the Ketchum Ranger District, concerning Mr. Hill's area of operation in which Mr. Phipps requests information concerning outfitted activities in the area, following which the Board directed that a letter be addressed to Mr. Phipps that outlines or lists the outfitters that are licensed in the Ketchum District with copies of the licensed area descriptions enclosed from which Mr. Phipps can draft a map outlining the areas involved.

Rusty Gore: The Board reviewed a letter from Rogers M. Thomas, District Ranger at the North Fork Ranger District of the Salmon National Forest, concerning the licenses issued to Mr. Gore, following which the Board directed that a letter be addressed to Mr. Thomas stating that Mr. Gore has been scheduled for a nonuse hearing and that upon conclusion of the outcome of that hearing, he would be so notified as to the status of Mr. Gore's license.

Outfitters Licensed within West Fork Ranger District: The Board reviewed a letter from Mr. Dean R. Byrne, District Ranger of the West Fork Ranger Station in Darby, Montana, in which he outlines the list of outfitters licensed within his district requesting the Board to review said list and notify him of the current licensees relative to their issuance of permits thereto, following which the Board directed that a letter be addressed to Mr. Byrne to update his list in accordance with his request for clarification.

Andre Molsee/Shattuck Creek Outfitters: The Board reviewed a letter from Mr. Molsee regarding his request concerning several points of concern and/or activities he wishes to pursue. Following a discussion of these matters, the Board directed that a letter be addressed to Mr. Molsee in response to each specific point raised in his letter: (1) that he be asked to come before the Board together with Messrs. Craig, Galles, and Whitten to see if the Board can resolve the sale of business and area boundaries; (2) that the area upstream past boat, canoe, and tour boat operation on the Dworshak Reservoir is a river reach under Idaho Outfitters and Guides Board Rules and Regulations, Rule 57, that is closed to commercial boating; (3) that a van tour by the Shattuck Creek Ranch to the Big Tree area is an activity outside the scope of the Outfitters and Guides Act and is regarded as transportation unless he is providing personal services to

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clientele involved. In such case, this activity should be shown on the license and would be considered non-exclusive recreation; (4 & 7) regarding snowmobiling on groomed trails, that this use is not an exclusive use by licensee but must be conducted within that area as has been defined and described on Mr. Molsee's license; (5) the request for steelhead fishing on the Clearwater River is licensed, that the Board is unable to grant the request because there is not a slot available under the Board's allocation of use on this river, but the application will be placed on the consideration list; and (6) that the matter of conducting or giving instructions in the use of canoes and boating on Elk Creek Reservoir is a matter outside the scope of the Outfitters and Guides Act. The Board further directed that Mr. Molsee be advised that it is in receipt of his letter of 4-30-86 regarding the complaint filed by Mr. Orlando and has duly noted this into his file.

Coolwater Outfitters/Don Wilson: The Board reviewed the complaint filed against Mr. Wilson by Mr. William Riggirello. Reference is made to Board Minutes in which Mr. Wilson appeared before the Board regarding this matter at which time Mr. Wilson was advised that if he were to make a good faith attempt at resolving the complaint, the Board would consider the matter closed, following which MSC (Vaughn--Miller) THAT THE BOARD ACCEPT MR. WILSON'S LETTER AS A GOOD FAITH EFFORT TO PUT THIS ISSUE AT REST.

The Board meeting adjourned at 1900 hours.


WILLIAM R. MEINERS, Chairman of the Board

ATTEST:


LINDA L. ELWOOD, Administrative Secretary

DOUGLAS E. BRUCE

AREA FOR FISHING, TRAILRIDES, AND BACKPACKING

AREA 1: Beginning at Trail 261 trailhead on Marble Creek on the approximate section line common to Sections 28 and 33, Township 44 North, Range 3 East, Boise Meridian; thence easterly in a straight line on this common section line to intersect Forest Road 216 (NW 1/4 Sec. 34, T44N, R4E, BM); thence southerly on Road 216 via Breezy Point to the Clearwater National Forest boundary at the approximate section corner common to Sections 2 and 3, Township 15 North, and Sections 34 and 35, Township 16 North, Range 4 East, Boise Meridian; thence east and south on said national forest boundary to intersect Idaho Department of Fish and Game Management Unit 6/10 boundary at that point where Forest Road 301 crosses the national forest boundary (Sec. 25, T15N, R4E, BM); thence westerly on said Fish and Game Management Unit 6/10 boundary and Forest Road 301 via Orphan Point, Crater Peak, and White Rocks Springs to intersect the Clearwater National Forest boundary (SW 1/4 Sec. 7, T42N, R3E, BM); thence northerly on said national forest boundary to and along Road 1905 via Hobo Pass to Road 3357 and continuing northerly on Road 3357 to Marble Creek and Trail 261 trailhead, the point of beginning. [F&G Unit 6] [Clearwater National Forest Map, 1980]

ADDITIONAL AREAS FOR TRAILRIDES - DAY-USE ONLY

AREA 2: Beginning on Big Creek at trailhead 155 (Sec. 7, T46N, R3E, BM); thence northerly on Trail 155 to Trail 44 (Sec. 28, T47N, R3E, BM); thence northwesterly on Trail 44 to its intersection with Trail 8 at Kellogg Saddle and Fish & Game Unit 6 boundary (Sec. 18, T19N, R3E, BM); thence westerly on Trail 8 around the head of West Fork Big Creek to its intersection with Trail 555 (Sec. 28, T19N, R2E, BM); thence southeasterly on Trails 555 and 563 via Lemonade Peak to Big Creek and trailhead 155, the point of beginning. ALSO, Road 537 along Big Creek at trailhead 252 (Sec. 20, T46N, R3E, BM) inclusive of Trail 565 and its juncture with Trail 252 in the vicinity of Daugherty Hill and continuing northerly along Trail 252 via Cameron Hill/Bronson Meadows to its juncture with Trail 570 and continuing northeasterly on Trails 570 and 226 to its juncture with Trail 8 (Sec. 13, T19N, R3E, BM); thence westerly on Trail 8 to its juncture with and use of Trail 155 and/or continuing westerly on Trail 8 to its juncture with Trail 44 at Kellogg Saddle; thence southerly on previously authorized trails to trailheads 155, 565, or 252, the points of beginning on Big Creek and Forest Road 537. [F&G Unit 6] [Clearwater National Forest Map, 1980]