

MINUTES

IDAHO OUTFITTERS AND GUIDES BOARD

March 16-20, 1987  
Boardroom - Boise, Idaho

A regular meeting of the Idaho Outfitters and Guides Board convened at 0830 hours on Monday, March 16, 1987, with all Board members present.

**Minutes:** Following a review of the February Board Minutes, MSC (Miller-Farr) THAT THE MINUTES BE APPROVED AS AMENDED.

**Lester West:** Following a review of this file, MSC (Miller-Baird) THAT A LETTER BE ADDRESSED TO MR. WEST REQUESTING CLARIFICATION OF HIS REPORTED USE FOR THE PAST THREE YEARS FOR POWER BOATING ON THE SNAKE RIVER-HELLS CANYON DAM TO PITTSBURG LANDING [SN7] AND PITTSBURG LANDING TO LEWISTON [SN8]. A COPY OF THIS LETTER TO BE SENT TO ART SEAMANS-HCNRA AND LUYERNE GRUSSING-BLM FOR THEIR INFORMATION.

**Michael J. Stockton dba Elk River Outfitters/Andre Molsee dba Shattuck Creek Outfitters/B-Bar-C Outfitters, Inc.:** The Board reviewed the proposed sale of a portion of Mr. Stockton's assigned area to Mr. Molsee and Mr. Stockton, Managing Agent, and his ultimate purchase of the B-Bar C Outfitters, Inc. Following a discussion of this matter, MSC (Vaughn-Farr) THAT A LETTER BE ADDRESSED TO MESSRS. STOCKTON AND MOLSEE REQUESTING THAT THEY SUBMIT AN APPROPRIATE AMENDMENT FORM INCLUSIVE OF APPROPRIATE FOREST SERVICE RESPONSE REGARDING SUCH ACTIVITIES AND BOUNDARY ADJUSTMENTS AND, FURTHER, THAT THE BOARD WOULD CONDUCT THE NECESSARY RESEARCH ON ITS OWN RELATIVE TO THE PROPOSED BOUNDARY CHANGES TO ENABLE APPROPRIATE BOARD ACTION REGARDING THIS REQUEST.

**Richard D. Armiger dba Paradise Outfitters:** The Board reviewed Mr. Armiger's amendment requests, following which MSC (Farr-Baird) THAT (1) REGARDING MR. ARMIGER'S REQUESTED AMENDMENT TO ADD BEAR AND COUGAR HUNTING TO HIS LICENSE IN THAT AREA FORMERLY LICENSED TO DALE JENNINGS, RESEARCH BE CONDUCTED IN ACCORDANCE WITH RULE 28.C. FOR BOARD DETERMINATION AS TO WHETHER THE AREA IS RELICENSEABLE; AND (2) MR. ARMIGER BE REQUESTED TO PROVIDE ADDITIONAL INFORMATION REGARDING HIS PROPOSED USE OF PRIVATELY OWNED LANDS ENCOMPASSED IN THIS AREA (FISH AND GAME MANAGEMENT UNIT 10A), NAMELY THE ACCEPTANCE/REFUSAL OF PRIVATE LANDOWNERS INVOLVED, AND IN KEEPING WITH THE DEPARTMENT OF FISH AND GAME'S RECOMMENDATION THAT, IF LICENSED, A LIMIT OF 4 HUNTERS PER WEEK BE IMPOSED FOR THE USE OF THE AREA; AND (3) MR. ARMIGER WAS REQUESTED TO CONTACT MR. JAMES L. SCHNEIDER DBA LOLO CREEK OUTFITTERS REGARDING MR. SCHNEIDER'S PROPOSED APPLICATION FOR WHAT APPEARS TO BE THE SAME AREA FOR IDENTICAL ACTIVITIES TO

ASCERTAIN WHETHER SOME COMPROMISE AND/OR AGREEMENT CAN BE REACHED AS TO AREA AND ACTIVITIES REQUESTED. UPON RECEIPT OF SUCH MATERIALS, THE BOARD WILL TAKE APPROPRIATE ACTION IN MAKING ITS DECISION.

**Richard E. Grunch dba The Grunch Bunch Outfitters Unlimited:** The Board reviewed Mr. Grunch's alleged hunting outside of his assigned area on the Selway River. Mr. Grunch met with the Board to discuss this matter, following which the Board directs that a letter be written to Mr. Grunch reprimanding him for his non-professional conduct as a licensed outfitter, even though it appears that the hunt, in and of itself, was a private-party hunt but the size of the party and the conduct of the hunt gave every impression that it was an outfitted hunt, thereby creating a poor public relations situation regarding licensed outfitters.

**Peter DePagter:** The Board reviewed Mr. DePagter's amendment request to add technical mountaineering in the City of Rocks area, following which MSC (Farr-Vaughn) THAT THE REQUESTED AMENDMENT BE APPROVED.

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

**Vic Ford & Stephen Ray Allen dba Cabinet Mountain Outfitters/POLICY:** The Board reviewed these outfitter applications to be licensed in Fish and Game Management Unit 1. Following a discussion of their application, the Board directs that where such applications are received and the area requested falls totally within an area licensed to another outfitter, that the Administrative Secretary is instructed to review said application to establish such facts [If any question should arise, the application is to be checked with the Chairman or Vice Chairman.], following which a letter will be addressed to the applicant(s) advising him/them that the area and activities requested are currently licensed to another outfitter and not available for licensing to another licensee. The applicant shall be further advised that his/their name(s) will be placed on the consideration list in accordance with Outfitters and Guides Board Rule 28.a.

**Canyons, Inc./Les Bechdel, Managing Agent:** The Board reviewed Mr. Bechdel's request for a variance to Rule 53.a., following which MSC (Miller-Farr) THAT SAID VARIANCE BE GRANTED IN ACCORDANCE WITH THE CRITERIA AS OUTLINED IN MR. BECHDEL'S LETTER TO THE BOARD DATED MARCH 3, 1987.

**David Ramsey dba Ramsey's Idaho Trails:** The Board reviewed Mr. Ramsey's amendment request for the addition of fishing to his licensed activities, following which MSC (Baird-Vaughn) THAT MR. RAMSEY'S AMENDMENT REQUEST FOR FISHING BE DENIED IN ACCORDANCE WITH IDAHO CODE 36-2109(b)(5) AND, FURTHER, AS PREDICATED UPON THE RECOMMENDATIONS MADE BY THE IDAHO DEPARTMENT OF FISH AND GAME IN THEIR LETTER DATED MARCH 12, 1987.

**Kimberland Meadows/Ralph W. Bass, Managing Agent:** The Board reviewed Kimberland Meadows' amendment request to add various recreational activities to their license outside their currently licensed area of operation as set forth in their amendment request and identified as Areas A, B, and C. Following this review, MSC (Vaughn-Farr) THAT THE AMENDMENT REQUEST FOR AREAS A AND B BE APPROVED AS REQUESTED AND THAT THE AMENDMENT REQUEST FOR AREA C BE TABLED AT THIS TIME AND KIMBERLAND MEADOWS ADVISED THAT FURTHER RESEARCH AND COORDINATION WITH THE FOREST SERVICE REGARDING LICENSING OF AN OUTFITTER IN THIS AREA IS REQUIRED AND THAT AN APPROPRIATE DECISION WILL BE MADE AS SOON AS THIS HAS BEEN COMPLETED. [A letter should be addressed to Peter Walker, District Ranger, regarding this amendment request concerning the E.A. which is prepared on this area.]

**Tim Craig, Managing Agent/Boulder Creek Outfitters:** Mr. Craig, in lieu of appearing before the Board at this time, submitted additional materials for Board review in consideration of the complaint against Boulder Creek Outfitters, following which MSC (Baird-Miller) THAT THE BOARD FINDS INSUFFICIENT EVIDENCE TO TAKE ACTION AGAINST MR. CRAIG'S OUTFITTER LICENSE.

**Ray Hamell:** Mr. Hamell met with the Board to discuss the circumstances surrounding the donated trip he made to the Safari Club in Sacramento, California. Following this discussion, it is the Board's understanding that Mr. Hamell will contact the Safari Club regarding this matter to assure that the situation will not again occur and, further, the Board directs that a letter be addressed to the Safari Club stating that it should make amply clear in their promotional materials to their clients whether the hunt they are purchasing is or is not with a licensed outfitter in the state of Idaho. Further, the ramifications of not being a licensed outfitter as regards liability insurance, accountability of the hunt, etc. should be pointed out to the Safari Club. Additionally, copies of the Act and Board Rules and Regulations should be sent to the Safari Club as well as a copy of the Board's currently licensed outfitters.

**Richard L. Norris dba Moose Creek Outfitters:** The Board reviewed Mr. Ken Smith's letter received March 9, 1987, regarding various matters but of specific interest was the suggestion of giving permission to Richard Norris to hunt spring bear in Ken Smith's licensed area. Following this review, the Board directed that a letter be addressed to both Messrs. Smith and Norris advising them of the illegality of third party agreements and that if, indeed, Mr. Norris was to work for Mr. Smith he should more properly be licensed as a guide with all said bear hunting trips booked to and through Mr. Smith for conduct within the 62 Ridge Outfitter's licensed area with all other aspects of Mr. Smith's licensed activities followed in detail relative to Idaho Outfitter license requirements and Forest Service special use permit requirements.

**Sherer & Allmon dba Fall Creek Outfitters/Ronald Sherer, Managing Agent:** The Board reviewed Mr. Sherer's file, following which MSC (Farr-Vaughn) THAT MR. SHERER'S 1987-1988 LICENSE BE ISSUED ON A PROBATIONARY BASIS.

The Board recessed at 1730 hours and reconvened on Tuesday, March 17, 1987, at 0830 hours with all members present.

**Michael Scott:** The Board reviewed Mr. Scott's file and the USFS letter relative to the issue of a special use permit. In discussion of this matter and by a telephone call to the Challis National Forest, Yankee Fork Ranger Station, it was found that the letter received from the Sawtooth NRA dated February 20, 1987, addresses only the concerns of the Sawtooth NRA and not the concerns of the Challis National Forest and that the Yankee Fork Ranger District will honor and issue a special use permit and will be forwarding a letter to the Board to that effect. Following this review, MSC (Vaughn-Baird) THAT THE BOARD STAND BY THE LICENSE ISSUED TO MR. SCOTT FOR FISH AND GAME MANAGEMENT UNITS 36, 36A, AND 36B WITH THE UNDERSTANDING THAT MR. SCOTT WILL NEED TO RESOLVE HIS SPECIAL USE PERMIT ISSUANCE ON THE SAWTOOTH NRA. FURTHER, THAT HIS LICENSE BE ADMINISTRATIVELY AMENDED TO INCLUDE SHEEP AND ANTELOPE HUNTING AND CORRECTED TO SHOW INCIDENTAL COUGAR HUNTING.

**Delbert Jepson:** The Board reviewed Mr. Jepson's file regarding his Fish and Game citation relative to the issue of his 1987-1988 outfitter license. Following a discussion on this matter and a telephone call with the Fish and Game Enforcement Officer at Priest River, MSC (Farr-Vaughn) THAT MR. JEPSON'S LICENSE BE ISSUED PROBATIONARY.

**Willis B. Benjamin:** The Board reviewed Mr. Benjamin's file relative to nonuse of licensed activities, following which MSC (Farr-Baird) THAT MR. BENJAMIN BE SCHEDULED BEFORE THE BOARD FOR A SHOW CAUSE HEARING FOR SUSPENSION OR REVOCATION OF ALL LICENSED ACTIVITIES.

**Richard P. Helfrich:** The Board reviewed Mr. Helfrich's file regarding nonuse status on the Salmon River [SA6, SA7A, and SA8], following which MSC (Miller-Baird) IN ACCORDANCE WITH MR. HELFRICH'S LETTER AND RECOMMENDATIONS MADE BY THE BUREAU OF LAND MANAGEMENT REGARDING THESE MATTERS, THAT THE SALMON RIVER-VINEGAR CREEK TO HAMMER CREEK [SA7A] BE DELETED FROM THIS LICENSE AND THAT THE SALMON RIVER-HAMMER CREEK TO THE CONFLUENCE AND ON TO LEWISTON [SA8] CONTINUE TO BE LICENSED TO MR. HELFRICH IN ACCORDANCE WITH THE STIPULATIONS AS SET FORTH IN THE BUREAU OF LAND MANAGEMENT'S LETTER RECEIVED BY THE BOARD JANUARY 28, 1987, AND THAT MR. HELFRICH BE ADVISED THAT RESEARCH OF BOARD FILES FINDS THAT HE HAS NEVER BEEN LICENSED FOR FLOAT BOATING ACTIVITIES ON THE SALMON RIVER-CORN CREEK TO VINEGAR CREEK [SA6] AND THAT THIS RIVER REACH, THEREFORE, IS NOT LICENSEABLE TO HIM.

**Harold E. Thomas:** The Board reviewed Mr. Thomas' file relative to nonuse of float boating activities on the Salmon River-Corn Creek to Vinegar Creek [SA6], following which MSC (Miller-Farr) THAT MR. THOMAS BE NOTIFIED OF THIS NONUSE STATUS AND A SHOW CAUSE HEARING SCHEDULED FOR SUSPENSION OR REVOCATION OF FLOAT BOATING ON SA6.

**Eastern Washington University/Howard Uibel, Managing Agent:** The Board reviewed the respective files on this matter relative to nonuse of float boating activities on the Moyie River [M01] and on the Salmon River-Vinegar Creek to Hammer Creek [SA7A], following which MSC (Miller-Baird) THAT EASTERN WASHINGTON UNIVERSITY BE NOTIFIED OF THIS NONUSE STATUS WITH A SHOW CAUSE HEARING FOR SUSPENSION OR REVOCATION OF FLOAT BOATING ACTIVITIES ON M01 AND SA7A.

**Laren M. Piquet:** The Board reviewed Mr. Piquet's file relative to the nonuse status of boating activities on the Teton River, following which the Board directs that Mr. Piquet's file be flagged for reconsideration next year. Mr. Piquet's use at this point in time on a combination float/power boat operation shows that he has been making use of the river waters and, therefore, his license should be approved for the 1987-1988 year.

**Martin Capps:** The Board conducted a hearing on the proposed revocation of bear and cougar hunting licensed to Mr. Capps, following which MSC (Vaughn-Farr) THAT BEAR AND COUGAR HUNTING PRIVILEGES BE REMOVED IN THE LEMHI JOINT-USE AREA BUT THAT SAID HUNTING REMAIN IN OTHER AREAS LICENSED TO MR. CAPPS.

**Clifford Cummings:** The Board reviewed a letter submitted by Mr. Cummings relative to the proposed revocation of bear and cougar hunting privileges, following which MSC (Farr-Baird) THAT COUGAR HUNTING PRIVILEGES BE REMOVED IN THE LEMHI JOINT-USE AREA BUT THAT SAID HUNTING REMAIN IN OTHER AREAS LICENSED TO MR. CUMMINGS.

**Rick Hussey dba Quarter Circle A Outfitters:** The Board conducted a hearing on the proposed revocation of bear and cougar hunting privileges, following which MSC (Farr-Vaughn) THAT BEAR AND COUGAR HUNTING PRIVILEGES BE REMOVED IN THE LEMHI JOINT-USE AREA BUT THAT SAID HUNTING REMAIN IN OTHER AREAS LICENSED TO MR. HUSSEY.

**Richard McAfee:** The Board conducted a hearing on the proposed revocation of bear and cougar hunting privileges, following which MSC (Farr-Baird) THAT BEAR AND COUGAR HUNTING PRIVILEGES BE REMOVED IN THE LEMHI JOINT-USE AREA BUT THAT SAID HUNTING REMAIN IN OTHER AREAS LICENSED TO MR. McAFEE.

**Earl Keating:** The Board reviewed Mr. Keating's letter of relinquishment, following which MSC (Vaughn-Farr) THAT THE BOARD ACCEPT MR. KEATING'S LETTER RELATIVE TO COUGAR HUNTING BUT THAT A LETTER BE ADDRESSED TO HIM ASKING FOR A CLARIFICATION OF HIS SPRING VERSUS HIS FALL (INCIDENTAL) HUNTING OF COUGAR AND THAT HE BE ADVISED THE BOARD IS INTERESTED IN COUGAR HUNTING IN THE LEMHI JOINT-USE AREA AND NOT IN HIS OTHER LICENSED AREAS.

**Larry Moats:** The Board conducted a hearing on the revocation of bear and cougar hunting, following which MSC (Baird-Vaughn) THAT BEAR AND COUGAR HUNTING PRIVILEGES BE REMOVED IN THE LEMHI JOINT-USE AREA BUT THAT SAID HUNTING REMAIN IN THE OTHER AREAS LICENSED TO MR. MOATS.

**Jeffrey Bitton dba Mystic Saddle Ranch:** The Board conducted a hearing on the revocation of cougar hunting, following which MSC (Vaughn-Baird; Farr abstained) THAT COUGAR HUNTING BE REMOVED FROM MR. BITTON'S LICENSE BUT THAT HE BE ALLOWED INCIDENTAL COUGAR HUNTING IN AREAS OF OPERATION LICENSED TO HIM OUTSIDE THE CUSTER JOINT-USE AREA.

**Diamond D Ranch/Thomas A. Demorest, Managing Agent:** The Board reviewed Mr. Demorest's letter dated March 5, 1987, requesting a continuance on the hearing for the proposed revocation of cougar hunting privileges, following which it directed that the continuance be granted and that Diamond D Ranch's 1987-1988 license be issued the same as last year should a renewal application be received prior to the revocation hearing.

**Dare R. Anderson:** The Board conducted a hearing on the proposed revocation of bear and cougar hunting, following which MSC (Baird-Vaughn) THAT BEAR AND COUGAR HUNTING PRIVILEGES BE REMOVED IN THE LEMHI JOINT-USE AREA BUT THAT SAID HUNTING REMAIN IN ALL OTHER AREAS LICENSED TO MR. ANDERSON.

**Dare R. Anderson/Grady R. Smith:** The Board reviewed the proposed sale of Mr. Anderson's business to Mr. Smith and conducted an interview, following which MSC (Vaughn-Baird) THAT THE TRANSFER BE APPROVED PENDING COMPLETION OF THE APPLICATION INCLUSIVE OF SATISFACTORY PASSING OF THE TEST PRIOR TO ISSUE OF LICENSE.

**Jerry Hughes dba Hughes River Expeditions:** The Board reviewed Mr. Hughes' file relative to his nonuse status for float boating activities on the Owyhee River [OW1], following which MSC (Miller-Vaughn) THAT THE NONUSE BE WAIVED FOR THIS YEAR AND THAT MR. HUGHES' FILE BE FLAGGED FOR RECONSIDERATION NEXT YEAR.

**American River Touring Association/Steven R. Welch, Managing Agent:** The Board reviewed this file regarding the nonuse of float boating activities on the Selway River-Selway Falls to the confluence [SE2], following which it was the Board's determination that this river segment has only been licensed for 2 years and, therefore, is not in nonuse status at this point in time. Further, MSC (Miller-Vaughn) THAT HARVEY YOUNG BE ACCEPTED AND APPROVED AS AN ADDITIONAL MANAGING AGENT FOR ARTA AND THAT HE NOT BE REQUIRED TO COME BEFORE THE BOARD FOR AN INTERVIEW.

**Grizzly Outfitters/David L. Deeds & R. Dean Hoff, Managing Agents:** The Board reviewed the file relative to the nonuse status regarding licensed activities for Grizzly Outfitters together with the request for Mr. Hank Wyman and Michael L. Duvall to become new Managing Agents, following which MSC (Vaughn-Baird) THAT EXTENUATING CIRCUMSTANCES APPEAR TO HAVE HAD A PROFOUND IMPACT UPON THE ABILITY OF GRIZZLY OUTFITTERS TO PERFORM NECESSARY OUTFITTING ACTIVITIES OVER THE PAST 2 YEARS AND THAT THEY BE GIVEN AN ADDITIONAL YEAR IN WHICH TO INITIATE APPROPRIATE UTILIZATION OF THEIR LICENSED ACTIVITIES AND ARE, THEREFORE, NOT DETERMINED TO BE IN NONUSE STATUS AT THE PRESENT TIME. FURTHER, THAT MESSRS. WYMAN AND DUVALL BE REQUESTED TO COME BEFORE THE BOARD FOR INTERVIEWS AND COMPLETION OF OTHER NECESSARY MATERIALS TO BECOME MANAGING AGENTS FOR GRIZZLY OUTFITTERS.

**David Helfrich River Outfitters, Inc.:** The Board reviewed Mr. Helfrich's file regarding the nonuse status of float boating activities on the Salmon River-Hammer Creek to the Confluence and on to Lewiston [SAB], following which MSC (Miller-Vaughn) THAT

THE BOARD CONTINUE TO LICENSE DAVE HELFRICH ON SAB UNDER THE SAME CONDITIONS AS OUTLINED IN THE LETTER RECEIVED FROM THE BLM ON JANUARY 28, 1987, REGARDING NON-TRANSFERABILITY OF THAT LICENSED PRIVILEGE FOR 5 YEARS.

**Middle Fork Rapid Transit #1/Greg Edson, Managing Agent:** The Board reviewed this file regarding the nonuse status of power boating activities on the Snake River-Lower Salmon Falls to Bliss Dam [SN3], following which MSC (Baird-Farr) THAT MIDDLE FORK RAPID TRANSIT #1 BE NOTIFIED OF THEIR NONUSE STATUS AND REQUESTED TO COME BEFORE THE BOARD ON A SHOW CAUSE HEARING FOR SUSPENSION OR REVOCATION OF THIS LICENSED ACTIVITY.

**Kenneth Elwood Masoner:** The Board reviewed Mr. Masoner's file regarding the nonuse status on the Selway River [SE2], following which the Board determined that this river reach has only been licenseable for 2 years and, therefore, nonuse status is non-applicable.

**Steven D. Schaefer:** The Board reviewed Mr. Schaefer's file relative to the nonuse status on the Salmon River-Vinegar Creek to Hammer Creek [SA7A], following which MSC (Miller-Vaughn) THAT MR. SCHAEFERS' BE ADVISED OF HIS NONUSE STATUS AND REQUESTED TO COME BEFORE THE BOARD ON A SHOW CAUSE HEARING ON SUSPENSION OR REVOCATION OF LICENSED PRIVILEGES.

The Board recessed at 1711 hours and reconvened on Wednesday, March 18, 1987, with all members present.

**Outfitter Examinations/Operating Plans:** The Board reviewed the current outfitter examination and determined that a question should be added to this examination addressing third party agreements and further directed that the Administrative Secretary be authorized to have both the examinations and operating plans photocopied commercially.

**Federal Surplus Property:** The Board reviewed the memorandum from the Department of Administration relative to surplus property, following which the Board directed that the Administrative Secretary or Chairman be authorized to sign the appropriate papers required for the Outfitters and Guides Board to participate in the Federal Surplus Property Program.

**Bureau of Land Management:** The Board reviewed the BLM letter dated February 27, 1987, regarding their proposed 20-year withdrawal on a portion of the Salmon River for segregation of the area from surface entry and mining. Following this review and a discussion on the matter, MSC (Miller-Farr) THAT A LETTER BE ADDRESSED TO THE BUREAU OF LAND MANAGEMENT IN SUPPORT OF THEIR PROPOSED 20-YEAR WITHDRAWAL ON THIS PORTION OF THE SALMON RIVER.

The Board recessed at 1205 hours and reconvened at 1315 hours.

**Donald Wilson:** Following a meeting before the Board regarding alleged violation of the Forest Service's special use permit criteria and Outfitters and Guides Board law violations, MSC (Baird-Vaughn) THAT MR. WILSON BE GRANTED A PROBATIONARY LICENSE FOR THE 1987-1988 YEAR PENDING ASSURANCE/INDICATION FROM THE FOREST SERVICE THAT THEY WILL ALLOW HIM TO OPERATE OR THAT MR. WILSON RECEIVES A STAY IF THEY DENY HIS SPECIAL USE PERMIT. COMMENSURATE WITH THAT, THE BOARD INITIATE CONTACT WITH THE FOREST SERVICE TO ASCERTAIN THEIR ACTUAL POSITION IN THIS MATTER AND THAT BOARD MEMBERS MEINERS AND MILLER ATTEMPT TO HAVE A MEETING WITH THE FOREST SERVICE REGARDING THE UNSATISFACTORY EVALUATION OF MR. WILSON'S USE PERMIT AT THE ASSOCIATION MEETING IN MOSCOW. FURTHER, THE TELEPHONE CONTACT FOLLOWED BY A LETTER SHOULD BE MADE WITH TOM KOVALICKY AND GLORIA FLORA CONCERNING THE BOARD'S RESPONSE TO THE PROPOSED EVALUATION MADE FOR MR. WILSON.

**Randall Lemburg:** Following the hearing before the Board in which Mr. Lemburg requested a re-evaluation of the Board's denial decision, MSC (Baird-Vaughn) THAT PURSUANT TO MR. LEMBURG'S INDICATION THAT HE IS DROPPING HIS APPEAL OF THE BOARD'S DECISION TO DISALLOW HIM ELK HUNTING, SAID DECISION STANDS. WITH REGARDS TO HIS REQUEST FOR A CHANGE IN HIS STATUS TO ALLOW HIM TO HUNT BEAR WITHIN HIS ASSIGNED AREA, THE BOARD RECONSIDERS ITS POSITION AND WILL ALLOW HIM THAT PRIVILEGE.

**Robert Donald Gregg:** The Board reviewed the letter from Mr. Gregg's attorney relative to his nonuse of power boating activities on the Salmon River from Vinegar Creek to Hammer Creek [SA7A], following which the Board decided to postpone a decision on this matter until a hearing could be scheduled in May 1987. Further, Mr. Gregg will be sent an amended Notice of Nonuse and Show Cause Hearing.

**Gillihan & Stoddard, Inc./Jerry Jeppson:** The Board reviewed the files relative to the dissolution of the Gillihan & Stoddard, Inc. corporation together with the request for sale and transfer of business from Mr. Gillihan to Mr. Jeppson, following which MSC (Baird-Vaughn) THAT INASMUCH AS THE PARTNERSHIP BETWEEN GILLIHAN AND STODDARD APPEARS TO BE IN DISPUTE, THE BOARD CANNOT MAKE A DECISION IN THIS MATTER AT THE PRESENT TIME. FURTHER, THAT THIS MATTER BE RESCHEDULED FOR APPROPRIATE BOARD ACTION AT A LATER DATE.

**Thunder Mountain Packers/Jerry Wilcox, Managing Agent:** The Board conducted a hearing on the proposed revocation/suspension of licensed privileges for alleged violation of state law and/or federal special use permit criterial, following which MSC (Farr-Baird) THAT (1) THE BOARD FINDS THAT MR. WILCOX DID, IN FACT, ATTEMPT TO FULFILL HIS OBLIGATIONS AS MANAGING AGENT IN CONDUCT OF THE THUNDER MOUNTAIN PACKERS OPERATION; (2) THE BOARD FINDS INSUFFICIENT EVIDENCE/DATA TO WARRANT TAKING ACTION AGAINST MR. WILCOX'S MANAGING AGENT LICENSE FOR ALLEGED VIOLATION OF STATE LAW; AND (3) FURTHER ACTION ON THIS MATTER BE TABLED PENDING RESOLUTION OF THE THUNDER MOUNTAIN PACKERS ORGANIZATION/STRUCTURE AND FUTURE STATUS.

The Board recessed at 1700 hours and reconvened on Thursday, March 19, 1987, at 0830 hours with all members present.

**IOGB Newsletter:** Following a discussion on this matter, MSC (Miller-Baird) THAT THE IOGB NEWSLETTER BE INCLUDED WITH THE MAILINGS TO LICENSED OUTFITTERS THROUGHOUT THE STATE AND TO OTHER INTERESTED PARTIES. FURTHER, THAT THE REPRODUCTION OF THIS NEWSLETTER BE DONE THROUGH A COMMERCIAL PHOTOCOPY PROCESS.

**North Dakota State University:** The Board reviewed the proposed plan of operation submitted regarding the University's proposed raft trip on Hells Canyon of the Snake River, following which MSC (Baird-Vaughn) THE BOARD DECLARE THE OUTING AS PROPOSED BY NORTH DAKOTA STATE UNIVERSITY AND OUTLINED IN THEIR LETTER TO THE BOARD DATED MARCH 10, 1987, OUTSIDE THE SCOPE OF THE OUTFITTERS AND GUIDES ACT WITH A DECLARATORY RULING MADE TO THIS END. FURTHER, THAT MISS COLETTE BERGE BE SO ADVISED BY TELEPHONE, FOLLOWED BY A LETTER TO CONFIRM THE BOARD'S POSITION IN THIS MATTER.

**Fiscal Report:** The Board reviewed this report and directs that the proposed purchase of capital outlay be approved and that expenses for Board and enforcement activities through March be authorized.

**Northwest Whitewater Excursions/Galand Haas, Managing Agent:** The Board reviewed Mr. Haas' letter of March 12, 1987, regarding his concern of limitations imposed upon float boating/steelhead fishing activities on the Clearwater River. Following a discussion of this matter, the Board directs that a letter be addressed to Mr. Haas thanking him for his input and further stating that this would, indeed, need to go to a rules-making procedure to make any change, that he should probably likewise

address his concerns to the Idaho Department of Fish and Game relative to not on the commercial outfitting impact but to the total impact that is being imposed upon certain rivers, asking their assistance in resolving the problem, and further that he should seek support from the IOGA and other concerned outfitters in trying to resolve the problem.

**Enforcement Activities:** The Board reviewed the IOGA letter regarding the Board's enforcement activities and directs that the Chairman and, if available, Joe Blackburn be asked to attend and participate in the panel discussion at the IOGA meeting in Moscow. Further, that the IOGA questionnaire be distributed to enforcement personnel and a letter to IOGA requesting the IOGA to summarize the survey results [Board's enforcement personnel and Department of Fish and Game personnel as well], and provide same to the Board for its information and use.

**Hells Canyon National Recreation Area:** The Board reviewed Art Seamans' letter regarding consideration of one-day float trips on the Snake River-Hells Canyon Dam to Pittsburg Landing [SN7], and Gary Armacost's letter relative to this matter, following which MSC (Miller-Baird) THAT A LETTER BE ADDRESSED TO ART SEAMANS WHICH WOULD INDICATE THE BOARD'S CONCURRENCE IN CONSIDERING A RULES-MAKING PROCEDURE TO ADD THE TWO FLOAT BOAT SLOTS TO RULE 57. FURTHER, THAT IN THE INTERIM, THE BOARD WILL GO ALONG WITH THE IDEA OF ALLOCATING THE SIXTEENTH SLOT NOW VACANT TO THIS USE IN ACCORDANCE WITH THE PROCEDURES AS OUTLINED IN MR. SEAMANS' LETTER AND THAT THE BOARD WILL REQUEST ADDITIONAL INFORMATION FROM MR. SEAMANS REGARDING HIS CONCERN FOR POWER BOATING ACTIVITIES ON THE SNAKE RIVER-PITTSBURG LANDING TO LEWISTON [SN8].

The Board recessed at 1140 hours and reconvened at 1300 hours.

**Kenneth L. Smith dba 62 Ridge Outfitters/Chris Schlieper:** Messrs. Smith and Schlieper appeared before the Board relative to the complaint filed by Messrs. Paul, Chris, and Andrew Darnell of Bloomfield, Colorado, and their dissatisfaction of a hunt that was booked with 62 Ridge Outfitters during the 1986 elk hunting season. Following the interview before the Board regarding this matter, the Board directs that a letter be addressed to Messrs. Darnell advising them that the Board has concluded its research regarding their complaint, thus: (1) that the Board requested and did have both the outfitter and the guide involved before it in response to their complaint; (2) that there appears to be no improper or unethical actions on the part of the outfitter or guide in the services and facilities offered/provided; (3) that there appears to have been a lack of communication or misunderstanding between and among the parties concerned regarding the scope and intent of the booked hunt inasmuch as

such arrangements were not reduced to writing by the parties involved; and (4) the Board finds no further action is necessary with copies of letters to Messrs. Darnell and Smith sent the Forest Service as regards the Board's decision in this matter.

**David Powers:** The Board conducted a hearing on the proposed revocation of his outfitter's license for falsification of the record in obtaining same and in consideration of the testimony offered and evidence provided the Board, MSC (Vaughn-Miller) IN CONSIDERATION OF THE FACTS PRESENTED AT THE HEARING, SPECIFICALLY EXHIBITS 2 AND 3, THAT THE BOARD NOT REVOKE MR. POWERS' LICENSE AND TAKE NO FURTHER ACTION REGARDING HIS LICENSE RELATIVE TO THE FELONY CHARGES.

**Ralph Yates:** The Board conducted a hearing regarding its denial of Mr. Yates' outfitter application, following which MSC (Vaughn-Farr) THAT THE BOARD RE-AFFIRM ITS PRIOR DECISION IN DENIAL OF AN OUTFITTER LICENSE TO RALPH YATES.

**Galand Haas dba Northwest Whitewater Excursions:** The Board reviewed Mr. Haas' file relative to his apparent nonuse status on the Salmon River-Vinegar Creek to Hammer Creek [SA7A], following which MSC (Miller-Farr) THAT MR. HAAS BE REQUESTED TO COME BEFORE THE BOARD ON A SHOW CAUSE HEARING FOR SUSPENSION OR REVOCATION OF LICENSED ACTIVITIES ON SA7A.

**Garden Valley Outfitters/Dan Rotthoff, Managing Agent:** An informal hearing was held before the Board to discuss the matter of alleged falsification of Red Cross cards, following which the Board directs its attorney to proceed with further investigation into the matter to determine whether or not a formal hearing should be held.

**USFS/IOGB Relations:** The Board reviewed the letter received from the Forest Service dated March 9, 1987, regarding the proposed Coordinating Guidelines, Amendment 1 to the M.O.U. Following a discussion of this matter, the Board directs its attorney to review same and make recommendations to the Board for its consideration and further action.

**Mike Daly dba Bugle Point Outfitters:** Mr. Daly notified the Board that he would be unable to keep his appointment with the Board but did submit a letter in response to the complaint filed against Bugle Point Outfitters. Following a review of said complaint and Mr. Daly's letter, MSC (Miller-Baird) THAT THE BOARD ADDRESS A LETTER TO THE AGGRIEVED PARTY STATING THE BOARD HAS CONCLUDED ITS RESEARCH REGARDING HIS COMPLAINT AND FINDS NO SUBSTANTIVE EVIDENCE TO REQUIRE FURTHER ACTION AND, THUS, CONSIDERS THE MATTER CLOSED.

**Sun Valley Wilderness Outfitters, Inc./R. J. Lewy, Managing Agent:** Mr. Lewy contacted the Board regarding the complaint against Sun Valley Wilderness Outfitters, Inc. as was filed with the Foundation for North American Wild Sheep stating he had responded to this complaint to the Foundation for North American Wild Sheep and asked that the Board review this response and consider it his position relative to said complaint, following which MSC (Farr-Baird) THAT THE BOARD BELIEVES MR. LEWY'S RESPONSE TO THE FOUNDATION FOR NORTH AMERICAN WILD SHEEP ADDRESSES THE SITUATION AND THAT NO FURTHER ACTION BY THE BOARD IS NECESSARY. FURTHER, THAT A LETTER BE ADDRESSED TO THE COMPLAINANT AS WELL AS THE FOUNDATION FOR NORTH AMERICAN WILD SHEEP ADVISING THEM OF THE BOARD'S POSITION IN THIS MATTER.

The Board recessed at 1700 hours and reconvened on Friday, March 20, 1987, at 0830 hours with all members present.

**Tony Diebold/Marvin Stimmel/Gordon Stimmel:** The Board met with Messrs. Stimmel and Diebold regarding the proposed sale of Gordon Stimmel's outfitting business to Marvin Stimmel/Tony Diebold, following which MSC (Farr-Baird) THAT THE PROPOSED SALE AND PURCHASE OF BUSINESS BE APPROVED AND ACCEPTED UPON COMPLETION OF THE APPLICATION.

**Proposed Rules Changes:** The Board reviewed the proposed rules changes, testimony submitted at the public hearing, and written comments received, following which MSC (Vaughn-Baird) THAT THE PROPOSED RULES PACKAGE BE ADOPTED AS WRITTEN. [The new river section from Slate Creek to the First Highway Bridge above Challis shall be designated as SA2 with the current SA2 section, Salmon River-First Highway 93 Bridge above Challis to Iron Creek, re-designated as SA3.]

**William J. Scifres:** The Board met with Mr. Scifres relative to his outfitter application to be licensed for a fishing charter boat operation on Magic Reservoir, following which MSC (Farr-Vaughn) THAT THE BOARD APPROVE THIS LICENSE APPLICATION.

**Joe Bressler:** The Board met with Mr. Bressler relative to his application to become the Managing Agent for Vern Bressler Outfitter, Inc., following which MSC (Miller-Farr) THAT THE APPLICATION BE APPROVED PENDING COMPLETION OF SAID APPLICATION.

The Board recessed at 1130 hours and reconvened at 1315 hours.

**USDA/USFS/Law Enforcement:** The Board reviewed the proposed cooperative agreement, financial and operating plan as applicable to the Idaho/Panhandle, Clearwater, and NezPerce National Forests in the establishment and allocation of funds for conduct of Board enforcement activities within said national forests.

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Following a discussion of this matter and consultation with the Board's attorney, the Board directs that a letter be addressed to the Forest Service outlining the Board's concerns in this matter and asking for further clarification of the proposed cooperative agreement in its application to and impact upon Board enforcement activities.

**Doug Miller:** The Board reviewed Mr. Miller's letter dated March 1, 1987, in which he asks for guidance relative to his proposed conduct of services on Priest Lake, following which the Board directs that a letter be addressed to Mr. Miller stating that, from his letter, it would appear he will be providing excursion services on Priest Lake and such activity is outside the scope of the Outfitters and Guides Act.

**Robert D. Anderson dba Anderson River Adventures/Jim Walker:** Following the interview before the Board with Mr. Anderson relative to the purchase and transfer of the Jim Walker float and power boating business on the Snake River-Hells Canyon Dam to Pittsburg Landing [SN7] and Snake River-Pittsburg Landing to Lewiston [SN8], MSC (Farr-Miller) THAT THIS BUSINESS TRANSFER BE APPROVED UPON COMPLETION OF THE APPLICATION.

**HCNRA Performance Evaluations:** The Board reviewed a letter from Art Seamans regarding such evaluations. Following a discussion of this matter, the Board directs that a letter be addressed to Mr. Seamans stating that at the present time there are no known actions taken against any of the individuals listed for violation of the Outfitters and Guides Act nor Rules and Regulations.

**Policy re: Lemhi/Custer Joint-Use Areas:** Following a discussion of the Board's policy on nonuse, MSC (Farr-Vaughn) THAT IT BE THE BOARD'S POLICY THAT AFTER ALL PRESENT LICENSEES OF THE LEMHI AND CUSTER JOINT-USE AREAS ARE SCREENED FOR NONUSE, THAT THOSE REMAINING OUTFITTERS BE BROUGHT BEFORE THE BOARD IN AN ATTEMPT TO LICENSE EACH TO A SPECIFIED AREA OUTSIDE THOSE AREAS ALREADY LICENSED TO EXISTING OUTFITTERS FOR BEAR AND/OR COUGAR. FURTHER, THE TOTAL LICENSEES SHALL NOT EXCEED THOSE NUMBERS AS PREVIOUSLY ESTABLISHED BY BOARD POLICY DATED APRIL 11, 1986, FOR THE LEMHI BEAR/COUGAR AND CUSTER COUGAR JOINT-USE AREAS.

**Gerald Richie:** The Board considered Mr. Richie's 1987-1988 outfitter license renewal application and directs the office staff to hold said application pending litigation against Mr. Richie for the alleged employment of unlicensed guides. [This same holding of the processing of any license application will apply to Richard Sourbrine.]

**The River Co./Steve Lentz, Managing Agent:** Following a review of the file and requested changes in structure of the business, MSC (Miller-Baird) THAT THE BOARD APPROVE THE SPLITTING OF THE RIVER CO. AND THE LICENSING OF BETSY BARRYMORE AS MANAGING AGENT OF STANLEY RAFTING GROUP #1 AND #2 UPON COMPLETION OF ALL NECESSARY PAPERWORK. FURTHER, THAT THE BOARD NOT REQUIRE A PERSONAL INTERVIEW WITH MS. BARRYMORE.

**S. C. Buttram:** The Board reviewed a letter received from Attorney Dennis R. Scott, apparent attorney for S. C. Buttram, addressing a proposed sale of the business to Kenneth L. Jackson, following which the Board directs that a letter be written to Mr. Scott advising him of the possible nonuse status of the S. C. Buttram license and the probable unavailability of a sale or transfer of said business.

**Complaints:** The Board reviewed the complaints on file, following which it directs the Chairman to take appropriate action.

**Department of Interior/Bureau of Land Management:** The Board reviewed the letter regarding the proposed wilderness areas throughout the state and directs that a letter be addressed to the Bureau of Land Management in support of the wilderness classification of these areas.

**Scott Farr/Harry Vaughn:** Considering the fact that this is the final Board meeting for Board members Farr and Vaughn will attend/participate in, MSC (Baird-Miller; Farr & Vaughn abstained) THAT THE BOARD GO ON RECORD IN EXTENDING A SINCERE, HEARTFELT VOTE OF APPRECIATION TO MESSRS. FARR AND VAUGHN FOR THEIR TIRELESS EFFORTS IN SUPPORTING THE CAUSE AND FURTHERING THE PROFESSIONALISM OF THE OUTFITTING INDUSTRY IN THE STATE OF IDAHO AND THAT LETTERS SHOULD BE ADDRESSED TO EACH EXPRESSING THE BOARD'S FEELINGS IN THIS MATTER.

All business having been concluded, the meeting adjourned at 1515 hours.

  
WILLIAM R. MEINERS, Chairman of the Board

ATTEST:

  
LINDA L. ELWOOD, Administrative Secretary