

MINUTES

STATE OF IDAHO  
OUTFITTERS AND GUIDES LICENSING BOARD

Boardroom - Boise, Idaho  
May 8-12, 1989

A regular meeting of the Idaho Outfitters and Guides Licensing Board was convened on Monday, May 8, 1989 at 0830 hours with Board members Leo Crane, Dale Baird and Bill Meiners present. Board's attorney, Steve Mendive, and Board's Executive Director, Dean Sangrey, were likewise present. [NOTE: Hank Miller has a schedule conflict--will be present Wednesday. Board chairman received a call from the governor's office stating that Board members Miller and Meiners have been reappointed and that Ted Epley has been appointed to fill the unexpired term of Ron Vaughn. Mr. Epley will be in attendance starting Tuesday, May 9, 1989.]

**Minutes:** The Board reviewed the fiscal reports to date, inclusive of the third quarter ending March 31, 1989. Following review of these materials, MSC (Crane--Baird) THAT THE FISCAL REPORTS BE APPROVED AS SUBMITTED.

**Review/Update of Board Policies:** The Board discussed the ongoing review and updating of current policies and directed the Executive Director to continue the review of said policies and formulate a draft copy for Board review and consideration at its July meeting. The Board also directed that its attorney, Steve Mendive, look at Board Rules of Practice and Procedure and bring a recommendation to the Board at its July meeting as to what changes may be necessary to bring these documents current.

**Permitted Hunts (IOGA Resolution/Board Position):** The Board reviewed Grant Simonds', Executive Director, IOGA, May 3, 1989, memorandum concerning IOGA's resolution in support of the Licensing Board's permitted hunt position, specifically: "that it be resolved that the members of the Idaho Outfitters and Guides Association would request the Idaho Outfitters and Guides Licensing Board not to consider any amendment to a license to overlap another currently licensed holder's area of operations for controlled hunts." Following a discussion of this matter, the Board directs (1) THAT THIS MATTER BE MADE A PERMANENT BOARD RECORD. FURTHER, THAT A LETTER BE ADDRESSED TO GRANT SIMONDS, EXECUTIVE DIRECTOR, IOGA, THANKING THE IOGA FOR THEIR INTEREST AND SUPPORT IN THIS MATTER; AND (2) THE BOARD SHALL CONSIDER OUTFITTER AMENDMENT REQUESTS FOR CONDUCT OF PERMITTED/CONTROLLED HUNT SPECIES IN ACCORDANCE WITH ESTABLISHED LAW, RULE AND REGULATION (Title 36, Chapter 21, Sections 36-2108 and 36-2110 and Rules 7 and 24).

**Review of Office Equipment:** The Board reviewed office equipment, namely an appropriate table configuration for use in the boardroom. Following discussion on this matter, the Board directs THAT THE CHAIRMAN AND EXECUTIVE DIRECTOR BE INSTRUCTED TO FOLLOW UP AND SEE WHAT CAN BE DONE TO RESOLVE THIS SITUATION.

**Enforcement Coordinator:** Enforcement Coordinator Al Lewis met with the Board to review and update the Board relative to ongoing enforcement matters.

The Board recessed for lunch at 1215 hours and reconvened at 1345 hours.

**Equipment Lease/Rental Agreement:** The Board reviewed the proposed draft of an appropriate lease/rental agreement, as prepared by Board's attorney regarding the lease and/or rental of equipment by and between outfitters and/or outfitters and guides that would be acceptable to the Board; following which, it directed THE BOARD'S ATTORNEY TO FINALIZE A PROPOSAL FOR THE BOARD'S REVIEW AND APPROVAL AT ITS JULY MEETING.

**Negotiations/Cover Letter:** The Board discussed the proposed draft of a cover letter to accompany Notice of Show Cause Hearings relative to exploring such a negotiated settlement of said hearings before the Board. Following review of said draft letter, the Board APPROVED SAID LETTER FOR USE BY ITS ATTORNEY IN NEGOTIATING SETTLEMENTS OF SUCH MATTERS.

**Stanley Potts:** The Board reviewed Mr. Potts file relative to the Notice of Hearing, Case No. 89-296-5, In the matter of the Proposed Revocation of the 1989-1990 outfitter license issued to Stanley Potts for conduct of fishing, trailrides, backpacking and hunting activities. The Board further noted (1) Motion to Continue submitted by Mr. Potts' attorney, Jerry Meyers, and in consideration of this Motion, the Board APPROVED MOTION TO CONTINUE THE ABOVE REFERENCED MATTER; and (2) Motion For Change in Venue and Affidavit submitted by Stanley Potts in Support Thereof, following which MSC (Crane--Baird) THAT SAID MOTION FOR CHANGE IN VENUE BE DENIED. And finally, and in consideration of the overall Stanley Potts matter, the Board directs and authorizes ITS ATTORNEY STEVE MENDIVE TO SEEK A STIPULATED SETTLEMENT OF THIS MATTER, SUCH STIPULATION BEING AS FOLLOWS: (A) POTTS SHALL PAY A FINE OF \$500.00, PAYABLE ON OR BEFORE SEPTEMBER 1, 1989, PAYMENT OF SAID FINE SHALL NOT CONSTITUTE OR BE CONSTRUED AS AN ADMISSION OF GUILT AGAINST POTTS AND (B) THE BOARD AGREES NOT TO FILE ANY OTHER ADMINISTRATIVE ACTION BASED UPON THE SPECIFIC FACTS UNDERLYING THE NOTICE OF HEARING DATED STATE OF IDAHO

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APRIL 14, 1989, NOR TO USE THE ALLEGATIONS THEREIN TO ENHANCE  
LIABILITY FOR ANY SUBSEQUENT VIOLATION.

**Idaho Big Game, Inc./Jon Goodman, Designated Agent:** The Board reviewed Idaho Big Game, Inc.'s file noting the ongoing negotiations in settling Notice of Hearing, Case No. 464/137 in the Matter of the Denial of 1988-1989 Outfitter/Guide Licenses to Idaho Big Game, Inc./Jon Goodman, Designated Agent, for the conduct of fishing, trailrides, backpacking, and the hunting of deer, elk, goat, moose, bear, predators and forest grouse. Following a review of the updated Stipulated Settlement received by the Board May 2, 1989, MSC (Crane--Baird) THAT THE BOARD MODIFY ITS POSITION RELATIVE TO THE STIPULATED SETTLEMENT OF THIS MATTER AT ITS MARCH MEETING AND AUTHORIZE THE BOARD CHAIRMAN AND BOARD ATTORNEY TO SIGN SAID AGREEMENT AS CURRENTLY PRESENTED TO THE BOARD, THAT IS THE ONE DATED MAY 2, 1989.

**High Country Outfitters, Inc./Quentin Selby, Designated Agent:** The Board reviewed the file on this matter to note that this case is on appeal to Judge Duff McKee pending further action to resolve same.

**Lester (Zeke) West, dba Whitewater Outfitters:** The Board reviewed Mr. West's file regarding Notice of Hearing, Case No. 89-0433-33, in the matter of the proposed revocation of the 1989-1990 outfitter license issued to Lester (Zeke) West for conduct of fishing, trailrides, backpacking and hunting activities. Notice was taken of the proposed Stipulation for continuance of said case and also the ongoing negotiations by and between Board's attorney, Steve Mendive, and Mr. West's attorney, Scott Chapman, in seeking resolution of this problem, MSC (Baird--Crane) BOARD'S ATTORNEY, STEVE MENDIVE, BE AUTHORIZED TO CONTACT AND NEGOTIATE AN APPROPRIATE SETTLEMENT OF THIS PROPOSAL, IF AT ALL POSSIBLE, WITH THE FOLLOWING STIPULATION: IN EXCHANGE FOR AN ADMISSION OF GUILT, ZEKE WEST WILL BE FINED AN AMOUNT OF \$300.00.

**Cheryl Bransford, dba Meadow Creek Outfitters:** The Board reviewed Meadow Creek Outfitter's file regarding the material received from Tim Craig in which he submitted information regarding Ms. Bransford's advertisement for conduct of Salmon River Ranch hunts for trophy whitetail and mule deer. Following a discussion and review of this material MSC (Baird--Crane) THAT, PURSUANT TO THE REQUEST BY MEADOW CREEK OUTFITTERS FOR AN AMENDMENT TO THEIR LICENSE TO INCLUDE OPERATION ON PRIVATE LAND OWNED BY THEM ON THE SALMON RIVER AND ALSO IN CONSIDERATION OF THE FACT THAT A BROCHURE ADVERTISING SERVICES BY MEADOW CREEK OUTFITTERS INCLUDES SERVICES FOR WHICH MEADOW CREEK OUTFITTERS IS NOT CURRENTLY LICENSED, NOR WAS NOT LICENSED FOR AT THE TIME THE BROCHURE WAS DISTRIBUTED, THAT CHERYL BRANSFORD, dba MEADOW CREEK OUTFITTERS BE BROUGHT BEFORE THE BOARD ON A SHOW CAUSE HEARING  
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FOR SUSPENSION OR REVOCATION OF HER LICENSE. AUTHORITY FOR THIS ACTION IS TAKEN IN ACCORDANCE WITH IDAHO CODE 36-2113(A)(2).

The Board recessed for the day at 1715 hours and reconvened on Tuesday, May 9, 1989, at 0830 hours with Board members Baird, Crane, Epley, and Meiners present as well as Board Executive Director, Dean Sangrey, and Board attorney, Steve Mendive.

**Richard K. Bailey:** The Board reviewed Mr. Bailey's 1989-1990 guide license application requesting that we consider a log of experience he has submitted to the Board, in lieu of training trips to become licensed as a float boatman on (SN7) Snake River, Hells Canyon Dam to Pittsburgh Landing. Following a review of Mr. Bailey's application and a discussion of his submitted training card and log of experience, MSC (Baird--Epley) THAT THE BOARD CREDIT MR. BAILEY WITH THE EXPERIENCE VERIFIED ON HIS LOG AND APPROVE HIM AS FLOAT BOATMAN ON SN7 AND SN8.

**Ben C. Ball:** The Board reviewed Mr. Ball's 1989-1990 guide license application noting his citation for violation of Fish and Game law. Following review of his file and the citations issued, MSC (Baird--Crane) THAT MR. BALL'S 1989-1990 GUIDE LICENSE BE ISSUED "PROBATIONARY". STIPULATIONS OF SAID PROBATION SHALL BE NO AMENDMENTS TO SAID LICENSE OR VIOLATION OF LOCAL, STATE OR FEDERAL LAW DURING THE TERM OF PROBATION FOR THE 1989-1990 SEASON.

**Tyler Barton:** The Board reviewed Mr. Barton's 1989-1990 guide license application in which he has requested Board review of his experience log for him to become qualified as lead boatman on the Salmon River, Corn Creek to Vinegar Creek (SA6), and to approve his hunting credentials to go from an apprentice guide to guide status. Following review of Mr. Barton's file and log of experience, MSC (Crane--Baird; Epley, abstain) THAT HE BE APPROVED AS LEAD BOATMAN ON SA6; AND LIKEWISE BE APPROVED AS HUNTING GUIDE.

**Bradley J. Hess:** Mr. Hess has met with the Board regarding his Outfitter License application for the conduct of elk and deer hunting, trailriding and backpacking activities in Fish and Game Management Unit 73. During the course of the interview, it became evident that the area requested by Mr. Hess overlies an area currently licensed to Larry Cross for the conduct of big game hunting activities. After further discussion, Mr. Hess indicated his willingness to withdraw his application for elk and deer hunting pending further negotiations with Mr. Cross relative

to his willingness to relinquish that portion of his operating area for conduct of said activities. Meanwhile, Mr. Hess would like to move forward with his application for trailriding and backpacking activities. Following additional review of this matter, MSC (Baird--Epley) THAT MR. HESS'S APPLICATION TO CONDUCT BACKPACKING AND TRAILRIDING IN F&G MANAGEMENT UNIT 73 BE APPROVED AND THAT THE APPLICATION FOR DEER AND ELK HUNTING IN THE SAME UNIT BE HELD IN ABEYANCE UNTIL ADDITIONAL INFORMATION IS PROVIDED TO THE BOARD BY MR. HESS. [Administrative Note: Operating area for conduct of approved activities is F&G Management Unit 73.]

**Ronald James Clark:** Messrs. Clark and A.W. Angell met with the Board regarding the proposed sale and transfer of business between Mr. Angell and Mr. Clark for the conduct of big game hunting activities in Fish and Game Management Units 60, 60A, 62, 62A, and 64, which have been previously licensed to Mr. Angell. Further, that Mr. Angell would retain his trailriding and fishing activities in these units at the present time. Following a discussion with Messrs. Angell and Clark, MSC (Epley--Baird) THAT THE BOARD APPROVE THE PROPOSED SALE AND TRANSFER OF BUSINESS PENDING COMPLETION OF NECESSARY PAPERWORK. SAID PAPERWORK INCLUDES (1) SUBMISSION OF AN ASSUMED BUSINESS NAME CERTIFICATE FOR MR. CLARK TO OPERATE UNDER THE NAME OF "LOST CREEK OUTFITTERS"; (2) SATISFACTORY COMPLETION OF THE OUTFITTER EXAMINATION BY MR. CLARK; (3) MR. CLARK BE "NOT QUALIFIED TO GUIDE" UNTIL SUCH TIME AS HE HAS SUBMITTED THE NECESSARY AMERICAN RED CROSS CREDENTIALS AND IN THE MEANTIME, THAT HE HAS AN EMPLOYMENT CONTRACT WITH MR. ANGELL TO FULFILL THIS OBLIGATION FOR ISSUE OF OUTFITTER LICENSE; AND (4) PAYMENT OF NECESSARY FEES. UPON RECEIPT OF THIS PAPERWORK, AN OUTFITTER LICENSE MAY BE ISSUED. [See Addendum Nos. 1 and 2.]

**Idaho Guide Service, Inc./Olin Gardner, Designated Agent:** Mr. John Richie and Olin Gardner met with the Board relative to the Board's April 18, 1989 letter requesting clarification of Idaho Guide Service, Inc.'s intent in becoming relicensed for the conduct of boating activities on various Idaho waters, namely Snake River, Star Falls to Twin Falls (Murtaugh Section) (SN2); Snake River, Lower Salmon Falls to Bliss Dam (Hagerman Section) (SN3); Snake River, C.J. Strike Dam to Walters Ferry Bridge (Birds of Prey Area) (SN5); Salmon River, Vinegar Creek to Hammer Creek (License period from 4/1 to 9/30) (SA7A); Salmon River, Vinegar Creek to Spring Bar (SA7B); and Salmon River, Hammer Creek to Heller Bar or Lewiston (SA8). Additionally, the Board was concerned as to the ownership of the equipment listed. Apparently it is owned by Olin Gardner, and if so, is there going to be a lease/rental agreement to clarify the status of such equipment? Further, the Board requested clarification as to the

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condition of a jet boat or submission of a lease/rental agreement that would accommodate jet boating activities. The Board additionally requested settlement of the outstanding complaint against Idaho Guide Service, Inc./Olin Gardner, Designated Agent, filed by Mr. and Mrs. Vittolo of Anchorage, Alaska. After further discussion with the Board, it became evident that (1) the Bureau of Land Management is agreeable to issuance of a special use permit for float boating activities on all waters requested, namely SN2, SN3, SN5, SA7A, SA7B, and SA8. They, however, are not agreeable to issuance of a license for power boating activity on SA8; (2) Messrs. Richie and Gardner submitted a lease agreement covering the equipment in question; (3) Messrs. Powell, Richie and Gardner are currently working to resolve the complaint by Mr. and Mrs. Vitollo; and (4) that Idaho Guide Service, Inc. does not have a current bond on file with the Board. Following a discussion and consideration of these matters, MSC (Baird--Crane) THAT THE BOARD (1) APPROVE IDAHO GUIDE SERVICE, INC.'S APPLICATION FOR FLOAT BOATING ACTIVITY ON THE PRESCRIBED WATERS; (2) THAT THE BOARD NOT APPROVE POWER BOAT OPERATION ON SA8 UNTIL SUCH TIME AS THE BLM CONCURS THAT A PERMIT WILL BE ISSUED FOR THAT ACTIVITY; (3) THAT OLIN GARDNER BE APPROVED AS DESIGNATED AGENT FOR IDAHO GUIDE SERVICE, INC.; (4) THAT THIS APPROVAL BE CONTINGENT UPON A SIGNED AGREEMENT THAT THE COMPLAINT FILED BY MR. AND MRS. VITOLLO HAS BEEN RESOLVED; (5) THAT AN APPROPRIATE BOND BE ISSUED BY THE IOGA; AND (6) THAT THE LEASE AGREEMENT PROVIDED BY MR. GARDNER AND MR. RICHIE INDICATES THAT THERE IS ADEQUATE EQUIPMENT TO CONDUCT THE BUSINESS AS CURRENTLY PROPOSED. FURTHER, THAT UPON RECEIPT OF THE AFOREMENTIONED CLARIFICATION OF THE SETTLEMENT OF THE COMPLAINT AND BONDING, THAT LICENSE BE ISSUED WITH THE FURTHER STIPULATION THAT MONIES BE CREDITED AGAINST THE SUM OF \$525.00 PREVIOUSLY SUBMITTED BY IDAHO GUIDE SERVICE, INC. AND THAT IF ANY MONIES ARE OWING EITHER TO THE BOARD OR THE BOARD TO IDAHO GUIDE SERVICE, THAT THAT BE DETERMINED AND DISTRIBUTED ACCORDINGLY.

The Board recessed for lunch at 1200 hours and reconvened at 1320 hours.

**Jeff Bitton, dba Mystic Saddle Ranch:** The Board reviewed Mr. Bitton's outfitter amendment request for the conduct of trailrides as associated with Galena Lodge in Fish and Game Management Unit 48. Mr. Bitton met with the Board concerning this request at its March meeting, and outlined his proposal at that time. The Board advised Mr. Bitton that they would take no further action on his amendment request until such time as the Sawtooth National Recreation Area had concluded their

Environmental Assessment. The SNRA decision is to issue a separate outfitter/guide special use permit to conduct trailrides in the Big Wood River drainage from the Owl Creek/Spring Creek drainage north to Big Wood/Salmon River divide. Following a discussion of Mr. Bitton's Amendment Request and in consideration of the SNRA's decision regarding trailrides in association with, but separate from, Galena Lodge, MSC (Crane--Epley) THAT THE BOARD APPROVE MR. BITTON AS THE SELECTED INDIVIDUAL FOR THE CONDUCT OF TRAILRIDES AT GALENA LODGE IN CONFORMANCE WITH THOSE CRITERIA AS SET FORTH BY THE SNRA. THE APPROVED OPERATING AREA SHALL BE AS IS DEFINED BY THE SNRA. [See Addendum No. 3.] [Administrative Note: Mr. Butler should be notified that Jeff Bitton was the successful candidate for the trailriding operation.]

**Milt Butler - Non-Use Hearing:** Show cause hearing Case No. 89-0055-6, in the matter of the proposed removal of privileges licensed to Milton Butler for cougar hunting activity was reviewed/heard by the Board. Mr. Butler contacted the Board regarding this matter, stating he would be unable to attend due to a conflict in time/date. However, in learning that the Board's concern was with cougar hunting as it related to the Lemhi Bear/Cougar Joint-Use Area, and did not relate to cougar hunting within his own assigned area, Mr. Butler did on May 4, 1989 submit the following statement: "I, Milt Butler, have no objection to having cougar hunting in the Lemhi Joint Use Bear/Cougar Area removed from my licensed activities. I would, however, like to retain my bear hunting privileges in the aforementioned area. I would also like to retain cougar hunting privileges on my other licensed operating area." Thus, Findings of Fact are as follows: (1) Mr. Butler did have non-use of cougar hunting activities two out of the three preceding years in the Lemhi Joint Use Bear/Cougar area; (2) Mr. Butler freely admits to this fact; and (3) Mr. Butler has no objection to the deletion of cougar hunting within the Lemhi Bear/Cougar Joint Use area from his license. Conclusions of Law, therefore are: (1) Mr. Butler is in non-use in accordance with criteria set forth in Rule 22; (2) Mr. Butler did not submit any showing of good cause for why this non-use should be waived; and (3) Mr. Butler did submit a relinquishment of cougar hunting in the Lemhi Joint-use Bear/Cougar area. Following which, MSC (Baird--Epley) THAT MILT BUTLER'S COUGAR HUNTING PRIVILEGES IN THE LEMHI BEAR/COUGAR JOINT USE AREA BE DELETED FROM HIS LICENSED ACTIVITIES.

**Susan Bechdel:** The Board reviewed Ms. Bechdel's file relative to her request dated March 29, 1989, for qualifications to guide on the Middle Fork, Salmon River (MF1 and MF2). Following a review

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of the log she submitted, plus the fact that she had completed the one required trip on MF1 and MF2, MSC (Epley--Baird) THAT MS. BECHDEL BE APPROVED AS FLOAT BOATMAN ON THE MIDDLE FORK OF THE SALMON RIVER (MF1 AND MF2).

**Bill Bell:** The Board reviewed Mr. Bell's file and his 1989-1990 guide license application and noted that it appears that he has altered his first aid card which was submitted with his guide license application. This alleged alteration has been investigated by the Board's Enforcement Coordinator and confirmed by the American Red Cross. Following which, MSC (Baird--Crane) THAT MR. BELL'S 1989-1990 GUIDE LICENSE APPLICATION BE DENIED. AUTHORITY FOR THIS ACTION IS IN ACCORDANCE WITH IDAHO CODE 36-2109(C) AND 36-2113(A)(1).

**Kerry Brennan:** The Board reviewed Mr. Brennan's file and his 1989-1990 guide license application to note that he has been cited and convicted for violation of Idaho Fish and Game law and further that he answered negatively on his application Section C as to whether he had ever been convicted of any violation of Fish and Game laws in Idaho or any other state. Following which, MSC (Baird--Crane) THAT MR. BRENNAN'S 1989-1990 GUIDE LICENSE BE DENIED. AUTHORITY FOR THIS ACTION IS IN ACCORDANCE WITH IDAHO CODE 36-2109(C) AND 36-2113(A)(1 AND 6).

**Brent Galbraith:** The Board reviewed Mr. Galbraith's file and his 1989-1990 guide license application. Following such review, MSC (Baird--Crane) THAT THE BOARD APPROVE MR. GALBRAITH'S APPLICATION AND ISSUE HIS 1989-1990 GUIDE LICENSE WITH NO RESTRICTIONS.

**Salmon River Lodge, Inc./Steve Olsen, Designated Agent:** The Board met with Mr. Olsen relative to his application to become designated agent for Salmon River Lodge, Inc. Following a review of his application and additional discussion with Mr. Olsen, MSC (Epley--Baird) THAT THE BOARD (1) APPROVE MR. OLSEN'S 1988-1989 APPLICATION AS DESIGNATED AGENT - "NOT QUALIFIED TO GUIDE" FOR SALMON RIVER LODGE, INC., PENDING RECEIPT OF THE NECESSARY BONDING REQUIREMENTS; AND (2) UPON RECEIPT OF NECESSARY RENEWAL FOR THE 1989-1990 SEASON, THAT MR. OLSEN BE APPROVED AS "DESIGNATED AGENT - QUALIFIED TO GUIDE BIG GAME HUNTING ACTIVITY". [Administrative Note: The Idaho Outfitters and Guides Association should be notified to enable Mr. Olsen's name as Designated Agent to be placed on the bond for Salmon River Lodge, Inc.

**David P. Markham, dba Venture Outdoors:** Mr. Markham met with the board regarding his outfitter license application for the conduct of fishing, backpacking, and llama packing in Fish and Game

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Management Unit 48 in the Sun Valley area on the Sawtooth National Recreation Area and the Sawtooth National Forest lands. Following the interview and discussion of this matter, it was the Board's position and direction to Mr. Markham THAT ADDITIONAL RESEARCH WAS REQUIRED BEFORE FURTHER ACTION WOULD BE TAKEN ON HIS APPLICATION, NAMELY: (1) CONTACT THE FOREST SERVICE AS REGARDS M.O.U. COORDINATION NEEDS; AND (2) SEEK INPUT FROM THE IDAHO DEPARTMENT OF FISH AND GAME REQUESTING THEIR RECOMMENDATION. MR. MARKHAM WAS ALSO ADVISED THAT IF NECESSARY COORDINATION/RESEARCH IS COMPLETED TO ENABLE REVIEW AT THE JULY BOARD MEETING, THE BOARD WOULD DO SO, OTHERWISE HIS APPLICATION WOULD BE CONSIDERED AT A LATER DATE.

The Board recessed for the evening at 1700 hours and reconvened on Wednesday, May 10, 1989 at 0830 hours with all Board members present as well as Executive Director, Dean Sangrey, and Board attorney, Steve Mendive.

**Andre Molsee, dba Shattuck Creek Ranch and Outfitters:** Mr. Molsee met with the Board regarding and in explanation of his various outfitter amendment request, namely: (1) modify/expand operating area by purchase of a portion of Clearwater Outfitters business; (2) modify/expand operating area for conduct of elk, deer, bear, cougar and predator hunting as well as fishing, trailrides, backpacking and snowmobiling activities in F&G Units 6 and 9, an area adjacent to and easterly from current operating area; (3) modify/expand operating area for conduct of same activities as (2) above in F&G Unit 6 on lands administered by the Bureau of Land Management (BLM) adjacent to and north of current operating area, and (4) modify/expand operating area for conduct of cougar hunting in F&G Unit 8A (Potlatch Canyon) -- an area of mixed ownership that is predominantly privately owned adjacent to and current operating area on western boundary. Following review and discussion of this matter, it is the Board's understanding and position THAT: (1) NO DECISION HAS BEEN MADE BY CLEARWATER OUTFITTERS AS TO WHETHER A PORTION OF THEIR BUSINESS IS/IS NOT AVAILABLE FOR SALE, THUS, ACTION ON THIS AMENDMENT REQUEST IS MOOT; (2) A LETTER BE ADDRESSED TO MR. MOLSEE REQUESTING HIS CLARIFICATION OF HIS REQUESTS. THAT IS, CURRENT REQUESTS ARE CONFUSED/CONTRADICTIONARY AND OVERLAPPING; TO REQUIRE HIS DEFINING EXACTLY WHAT HE IS REQUESTING AND WHERE. ALSO TO ADVISE HIM THAT BLM SIGNED THE OG-2, BUT DID NOT INDICATE WHETHER THEY APPROVE/DISAPPROVE SAME; AND FINALLY (3) ADVISE MR. MOLSEE THAT UPON RECEIPT OF UPDATED/CLARIFIED AMENDMENT REQUESTS COMPLETED IN ACCORDANCE WITH INSTRUCTIONS THEREON, THE BOARD WILL INITIATE NECESSARY RESEARCH AND TAKE FURTHER ACTION/PROCESSING OF HIS OUTFITTER AMENDMENT REQUESTS.

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**Randy Hess:** The Board reviewed Mr. Hess's outfitter license amendment request for the addition of mountain bike touring, day hikes, and "float fishing" on SA1 and SN3 as licensable activities to his outfitter license. Following a review of Mr. Hess's file and discussion and review of his application and operating plan, MSC (Miller--Baird) THAT THE BOARD (1) APPROVE MR. HESS FOR THE CONDUCT OF DAY HIKES AND MOUNTAIN BIKE TOURING IN ACCORDANCE WITH HIS OPERATING PLAN [See Addendum No. 4]; AND (2) APPROVE INCIDENTAL FISHING ASSOCIATED WITH FLOAT BOATING ACTIVITY ON SA1 AND SN3, EXCLUSIVE OF STEELHEAD OR OTHER ANADROMOUS SPECIES ON SA1.

**Jody Ibisson:** The Board reviewed Ms. Ibisson's 1989-1990 guide license application and request to review her log of experience. The Board was asked to credit said experience to her for becoming licensed as a boatman for the conduct of float boating activities on the Middle Fork of the Salmon River (MF2). Following which, MSC (Miller--Epley) THAT THE BOARD (1) ACCEPT JODY IBISSON'S LOG AS BEING SUFFICIENT TO MEET MINIMUM MILEAGE REQUIREMENTS; (2) REQUIRE COMPLETION OF ONE TRIP ON THE MIDDLE FORK TO BECOME LICENSED AS BOATMAN FOR THAT SECTION; AND (3) SEND HER A TRAINING CARD AND NOTIFY HER THAT WHEN SHE HAS TAKEN THE REQUIRED TRAINING TRIP, SHE CAN BE LICENSED AS A BOATMAN. FURTHER, MS. IBISSON SHOULD BE ADVISED THAT IT WILL REQUIRE SIX TRIPS TO BECOME A LEAD BOATMAN ON ANY SECTION OF CLASSIFIED RIVER IN IDAHO.

**Tim Jantz:** The Board reviewed Mr. Jantz's file and his 1989-1990 guide license application, noting his conviction for violation of Idaho Fish and Game law and further, his falsification of his guide license application, Section C, in answering "no" relative to conviction of any violation of Idaho Fish and Game law. Following which, MSC (Crane--Miller) THAT MR. JANTZ'S 1989-1990 GUIDE LICENSE BE DENIED. AUTHORITY FOR THIS ACTION IS IN ACCORDANCE WITH IDAHO CODE 36-2109(C) AND 36-2113(A)(1 AND 6). A COPY OF THIS LETTER SHOULD GO TO HIS EMPLOYING OUTFITTER, PETER GRUBB.

**Kenneth Jafek, dba War Eagle Outfitter and Guides:** The Board reviewed Mr. Jafek's outfitter amendment request for the addition of trailriding and fishing activities within that area to which he is currently licensed for other activities. Following discussion of same, and noting that appropriate approval has been obtained from land managing agencies and Idaho Department of Fish and Game, MSC (Baird--Epley) THAT MR. JAFEK'S OUTFITTER AMENDMENT REQUEST FOR THE ADDITION OF TRAILRIDING AND FISHING ACTIVITIES FOR THAT OPERATING AREA WITHIN WHICH HE IS CURRENTLY LICENSED FOR OTHER ACTIVITIES BE APPROVED.

**Timothy L. Jewett, dba Hells Canyon Outfitters:** The Board again reviewed Mr. Jewett's outfitter license amendment request for the addition of bird hunting, fishing and power boating activities on SN4, SN5 and SN6, noting that Mr. Jewett had updated and re-submitted his amendment request relative to the Board's April 12, 1989 letter to him regarding his request in this regard. Following a discussion of this matter and review of the file MSC (Miller--Baird) THAT THE BOARD (1) APPROVE POWER BOAT AND FISHING ACTIVITY ON SN4, INCLUSIVE OF C.J. STRIKE RESERVOIR; (2) PLACE MR. JEWETT ON THE WAITING LIST FOR FUTURE CONSIDERATION OF ACTIVITIES ON SN5 AND SN6; AND (3) PLACE MR. JEWETT ON THE WAITING LIST RELATIVE TO HIS BIRD HUNTING REQUEST PENDING THE FINAL DETERMINATION AS TO HOW THIS ACTIVITY WILL/WILL NOT BE LICENSED. [Administrative Note: Need to establish a register for C.J. Strike Reservoir--it now has one licensee thereon.]

**Barton C. Armstrong:** Following the interview before the Board by Mr. Armstrong in consideration of his outfitter license application for the conduct of deer hunting in Fish and Game Management Unit 71 in an area formerly licensed to a Mr. David L. Whitworth, MSC (Crane--Baird) THAT THE BOARD (1) DECLARE THE AREA ABANDONED AND, IN ACCORDANCE WITH THE IDAHO OUTFITTERS AND GUIDES LICENSING BOARD RULES AND REGULATIONS, RULE 28(C), ACCEPT MR. ARMSTRONG'S APPLICATION AND MOVE TO ADVERTISE SAME IN ACCORDANCE WITH THE CRITERIA SET FORTH IN RULE 28(C); (2) CONTACT THE U.S. FOREST SERVICE AS TO THAT STEP OR STEPS, AS MAY BE NECESSARY, TO COMPLY WITH THE MEMORANDUM OF UNDERSTANDING AMENDMENT 1, EXHIBIT 2; (3) ADVERTISE THE AVAILABILITY OF THIS AREA IN THE POCATELLO PAPER, SETTING FORTH THE CRITERIA ACCEPTABLE TO THE BOARD FOR CONSIDERATION FOR RE-LICENSING OF THE AREA, NAMELY THREE HUNTERS PER WEEK, TO BE HUNTED ONLY DURING THE WEEK DAYS; AND (4) THAT THE BOARD NOTIFY MR. ARMSTRONG OF ITS ACTIONS RELATIVE TO HIS APPLICATION AND, UPON RECEIPT OF SAID MATERIALS AND EVALUATION THEREOF, THE BOARD SHALL TAKE THAT ACTION AS MAY BE DEEMED APPROPRIATE IN APPROVAL OR DENIAL OF HIS APPLICATION. [Administrative Note: Steps 2 and 3 above must go hand-in-hand in letter to the Forest Service M.O.U. coordination before advertisement is made under Rule 28(c).]

The Board recessed for lunch at 1230 hours and reconvened at 1330 hours.

**Rawhide Outfitters/John Cranney and Maurice Foland, Designated Agents:** Messrs. Cranney and Foland, together with Rick Hussey met with the Board regarding the proposed sale and transfer of business from Rick Hussey, dba Quarter Circle A Outfitters' business to Rawhide Outfitters, Messrs. Cranney and Foland, designated agents. Following the interview before the Board

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regarding this proposed sale and transfer of business, MSC (Miller--Baird) THAT THE BOARD (1) APPROVE THE PROPOSED SALE AND TRANSFER OF BUSINESS FROM MR. HUSSEY, dba QUARTER CIRCLE A OUTFITTERS TO RAWHIDE OUTFITTERS FOR ALL ACTIVITIES CURRENTLY LICENSED TO MR. HUSSEY AND WITHIN THAT OPERATING AREA TO WHICH MR. HUSSEY IS CURRENTLY LICENSED; (2) APPROVE MSSRS. CRANNEY AND FOLAND AS DESIGNATED AGENTS - QUALIFIED TO GUIDE; AND (3) LICENSE BE ISSUED UPON COMPLETION OF NECESSARY PAPERWORK, NAMELY CONFIRMATION OF BONDING REQUIREMENTS FROM THE IDAHO OUTFITTERS AND GUIDES ASSOCIATION, SHOWING RAWHIDE OUTFITTERS AS THE OUTFITTER WITH MSSRS. CRANNEY AND FOLAND AS DESIGNATED AGENTS, AND PAYMENT OF NECESSARY FEES.

**Magnum Outfitters, Inc./Frank L. Martin, Designated Agent:** Mr. Martin, together with Mr. and Mrs. Larry Moats met with the Board concerning the proposed sale and transfer of a portion of Mr. Moats' outfitting business to Magnum Outfitters, Inc. namely the big game hunting activities. Following the interview before the Board and in consideration of this proposed sale and transfer of business, MSC (Baird--Epley) THAT THE BOARD (1) APPROVE THE SALE AND TRANSFER OF BUSINESS OF THOSE BIG GAME HUNTING ACTIVITIES (ANTELOPE, DEER, ELK, GOAT, SHEEP, BEAR, COUGAR AND PREDATORS) LICENSED TO MR. MOATS TO MAGNUM OUTFITTERS, INC. WITH THE EXCEPTION OF THE LEMHI COUNTY JOINT-USE BEAR/COUGAR HUNTING AND POWER BOATING AND STEELHEAD FISHING ON SA4; (2) APPROVE MR. MOATS AS DESIGNATED AGENT - QUALIFIED TO GUIDE FOR THE ACTIVITY AND THAT MR. MARTIN WILL BE DESIGNATED AGENT - NOT QUALIFIED TO GUIDE UNTIL SUCH TIME AS HE MEETS THE NECESSARY CRITERIA TO BECOME QUALIFIED, NAMELY OBTAINING A CURRENT RED CROSS CARD. [See Addendum Nos. 5 and 6]

[Administrative Note: Notice should be taken that the Board needs to review the action taken regarding the transfer of business from Cliff Cummings, Sr. to Cliff Cummings, Jr., in which it appears the Lemhi Bear/Cougar Joint Use area was transferred. Further action will be taken as deemed appropriate.]

**Tom Jarvis - Non-Use Hearing:** Tom Jarvis met with the Board in the matter of a Show Cause Hearing, Case No. 89-0197-7, in the matter of the proposed removal of privileges licensed to Tom Jarvis for cougar hunting activities in the Custer Joint-Use area. Findings of Fact from the Show Cause Hearing are as follows: (1) Use reports show zero use for three out of the past three years for cougar hunting in the Custer Joint-Use area; (2) Mr. Jarvis acknowledges that he has done no cougar hunting as is alleged; and (3) Mr. Jarvis did not offer any good cause as to why these privileges should not be removed. Thus, the

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Conclusions of Law are: (1) that under Idaho Code 36-2113(a)(13)(i), that grounds for revocation include a failure of an outfitter, namely Tom Jarvis, to serve the public by reason of non-use of his licensed privileges; (2) that non-use or zero use of licensed activities for two of the last three preceding years is evident; and (3) Mr. Jarvis offered no extenuating circumstances for non-use of the area. Thus, with the foregoing Findings of Fact and Conclusions of Law in mind, MSC (Baird--Crane) THAT THE COUGAR HUNTING ACTIVITIES NOW LISTED ON MR. JARVIS'S OUTFITTING LICENSE AS ENCOMPASSING THE CUSTER COUNTY JOINT-USE AREA BE DELETED AND THAT MR. JARVIS BE CONFINED TO HIS CURRENT OPERATING AREA FOR CONDUCT OF COUGAR HUNTING.

**Daniel M. Wilson, dba Stanley Sports and Adventures:** Mr. Wilson met with the Board concerning his Outfitter License Application for the conduct of mountain bike touring in the Stanley Basin area. In the course of the interview it was found that Mr. Wilson's application is incomplete. Further, that what he is proposing will require further coordination by and between the Board and the Forest Service. These matters were related to Mr. Wilson with the Board advising him that they would initiate further research into this matter and, if all paperwork was received in time, they would consider his application further at its July meeting and require him to further complete his application at that time.

**Ralph Bass, dba The Equestrian Center:** Mr. Bass met with the Board regarding his Outfitter License Application for the conduct of trailrides, wagon rides, and sleigh rides on a lease arrangement to be operated on those lands owned by Kimberland Meadows out of New Meadows, Idaho. Following the interview and discussion of this matter, MSC (Miller--Epley) THAT: THE BOARD APPROVE MR. BASS'S OUTFITTER LICENSE APPLICATION FOR SAID ACTIVITIES PENDING COMPLETION OF NECESSARY PAPERWORK, NAMELY THE RECEIPT OF A LEGAL DESCRIPTION OF THOSE LANDS OWNED BY KIMBERLAND MEADOWS AND PAYMENT OF NECESSARY FEES. [Administrative Note: The operating area shall be the deeded land owned by Kimberland Meadows and will include the legal description, when received.] [See Addendum No. 7.]

The Board recessed for the evening at 1720 hours and reconvened on Thursday, May 11, 1989 at 0820 hours with all the Board members present, as well as Board Executive Director, Dean Sangrey, and Board attorney, Steve Mendive.

**Ron Julian/Herb Cummings, U.S. Forest Service:** The Board met with Messrs. Julian and Cummings of the Cascade Ranger District, Boise National Forest as regards Juniper Mountain Outfitters,

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Inc./Stanley P. Meholchick's 1988-1989 operating season and the proposed probationary rating for such conduct of business. Following a meeting with Messrs. Julian and Cummings, review of relevant file and hearing rationale proposed to the Board to sustain such a proposed rating, MSC (Miller--Epley) THAT A LETTER BE ADDRESSED TO MR. JULIAN, CASCADE RANGER DISTRICT, THAT (1) THE BOARD HAS NO ADVERSE INFORMATION REGARDING MR. MEHOLCHICK'S ACTIVITIES THIS PAST YEAR IN THE CONDUCT OF ELK AND DEER HUNTING DURING THE 1988-1989 SEASON; (2) THE LEVEL OF PERFORMANCE INDICATED TO THE BOARD BY RANGER JULIAN DOES NOT APPEAR TO POSE A SERIOUS THREAT TO THE SAFETY OF GUESTS OR OTHER DOES NOT INVOLVE SERIOUS VIOLATION OF LAW, OR POSE A THREAT OF SIGNIFICANT RESOURCE DAMAGE; (3) THE BOARD FEELS THAT THE ACTIONS AS HAVE BEEN TAKEN BY THE FOREST SERVICE HAVE SERVED TO ESTABLISH A BETTER COMMUNICATION WITH MR. MEHOLCHICK WHICH COULD, AND SHOULD, PREVENT FURTHER PROBLEMS IN THE FUTURE; AND (4) THE BOARD FEELS THAT THE PROPOSED PROBATIONARY RATING DOES NOT APPEAR TO MEET THE CRITERIA SET FORTH IN EXHIBIT NO. 1 OF THE M.O.U. ITEM NO. 8, RATING SYSTEM, SUB-PARAGRAPH 3 RELATING TO UNACCEPTABLE RATINGS.

**Leon Lyle Lemburg:** The Board reviewed Mr. Lemburg's 1989-1990 guide license application noting that he indicates on his application, Section C, that he had been cited for a violation of Fish and Game law. Following a discussion of this matter, MSC (Crane--Baird) THAT MR. LEMBURG BE ISSUED HIS 1989-1990 GUIDE LICENSE WITH NO RESTRICTION.

**Larry Tripp/Jesse Green - Mountain Home Ranger District, Boise National Forest:** Messrs. Tripp and Green met with the Board regarding licensing and permitting outfitting activities on the South Fork Boise River. Review of the Environmental Assessment and Decision Notice, as prepared by the Mountain Home Ranger District, Boise National Forest, as regards this matter was made. Following the presentation and notification of the Forest Service's decision (which was that no outfitted activities be allowed on the South Fork Boise River) discussion and consideration of the Forest Service's decision, it was the Board's position THAT (1) THE BOARD HAS NOT HAD TIME TO FULLY ANALYZE THE DECISION; AND (2) THE BOARD WILL BE CONSIDERING THE DECISION BY RANGER TRIPP AND REVIEWING THE OPTIONS WITH THE FOREST SERVICE AS PROVIDED FOR UNDER THE MEMORANDUM OF UNDERSTANDING. [See Board Minutes, proceedings of May 12, 1989.]

**Mile High Outfitters, Inc./Jerry Jeppson, Designated Agent:** The Board reviewed Mile High Outfitters, Inc.'s file and request to change the status of the operating business from a sole proprietor, namely Jerry Jeppson, dba Mile High Outfitters, to

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Mile High Outfitters, Inc., Jerry Jeppson, Designated Agent. Following consideration of this request MSC (Crane--Baird) THAT THIS AMENDMENT BE APPROVED.

**David Gene Moore:** The Board reviewed Mr. Moore's file and 1989-1990 guide license application, noting that Mr. Moore had been cited and convicted for violation of Fish and Game law and also that he did not acknowledge such citation and violation on Section C of his guide license application. Following a discussion of this matter, MSC (Crane--Epley) THAT MR. MOORE'S 1989-1990 GUIDE LICENSE APPLICATION BE DENIED. AUTHORITY FOR THIS DENIAL IS IN ACCORDANCE WITH IDAHO CODE 36-2109(C) AND 36-2113(1)(1 AND 6).

**Larry Jarrett, John Sutton, Grant Simonds, and Ron Shearer:** The Board met with Messrs. Jarrett, Sutton, Simonds and Shearer regarding a proposed rules change and clarification of operating area boundaries. Following the meeting with Messrs. Jarrett, Sutton, Simonds, and Shearer, the Board (1) advised Messrs. Jarrett, Sutton, and Shearer that they need to reduce their concerns to writing insofar as proposed rules changes for further Board review and consideration; and (2) agreed, upon receipt of the proposed need for clarification of operating area boundaries from Mr. Jarrett, as regards his suggested changes in said boundaries between Shearer, Allmon and Jarrett, to solicit and request similar response from Mr. Shearer and Mr. Allmon and set a meeting for a review of these matters at its July meeting.

The Board recessed for lunch at 1215 hours and reconvened at 1345 hours.

**Earl R. Keating, Jr. - Non-use Show Cause Hearing:** A Show Cause Hearing was conducted in the matter of the proposed removal of privileges licensed to Earl R. Keating, Jr. for bear hunting activities. Findings of Fact were as follows: (1) that Mr. Keating's record does show use during the last three years and does not fall under the non-use criteria of Rule 22, and (2) would have very likely shown more use during the same time period if there had been more availability of game in his hunting area. Conclusions of Law indicate that Mr. Keating does not fall under the purview of Rule 22. MSC (Miller--Epley) THAT THE BOARD TAKE NO ADVERSE ACTION AGAINST MR. KEATING AT THIS TIME REGARDING NON-USE OF HIS BEAR HUNTING PRIVILEGES.

**Earl R. Keating, Jr.:** The Board met with Earl R. Keating, Jr. relative to his Outfitter Amendment Request to add wagonrides, mountain bike touring and photography trips to his licensed activities within his currently licensed operating area.

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Following a discussion of this matter, MSC (Epley--Meiners) THAT THE BOARD (1) APPROVE MR. KEATING'S REQUEST FOR WAGON RIDES AND PHOTOGRAPHY TRIPS SUBJECT TO RECEIPT OF APPROPRIATE LAND MANAGER SIGNATURE AND COMPLETED OPERATING PLAN; AND (2) TO ADVISE MR. KEATING THAT THE BOARD WILL NOT TAKE ANY FURTHER ACTION ON HIS REQUEST FOR MOUNTAIN BIKE TOURING UNTIL HE SUBMITS AN APPROPRIATE OPERATING PLAN AND OTHER CRITERIA TO SUPPORT HIS REQUEST FOR THIS ACTIVITY.

**Ralph L. Hatter:** The Board reviewed Mr. Hatter's outfitter license amendment request to adjust his operating area boundary to include a 600 acre tract of privately owned property (Francis/Dolores Kaschmitter, owners) for conduct of whitetail deer hunting in Fish and Game Management Unit 14. Said tract is located approximately 25 miles from his currently licensed operating area. Further, the Board's research finds the Idaho Department of Fish and Game, by letter dated April 29, 1989, recommends against a license being issued. Following which, MSC (Baird--Crane) THAT MR. HATTER'S OUTFITTER LICENSE AMENDMENT REQUEST BE DENIED. AUTHORITY FOR THIS ACTION IS IN ACCORDANCE WITH IDAHO CODE 36-2109(B)(5) AND IDAHO DEPARTMENT OF FISH AND GAME RECOMMENDATION BY LETTER DATED APRIL 29, 1989.

**Rick Hawthorne, dba Sun Valley Balloon Adventures:** The Board met with Mr. Hawthorne in regards to his application for conduct of hot air balloon rides in the Sun Valley area. Following consideration/discussion of information presented to the Board during the interview, MSC (Baird--Miller; Meiners, no) THAT IT IS THE BOARD'S POSITION THAT MR. HAWTHORNE'S REQUEST FOR AN OUTFITTERS LICENSE FOR CONDUCT OF HOT AIR BALLOONING IN THE SUN VALLEY AREA DOES NOT FALL WITHIN THE PURVIEW OF THE IDAHO OUTFITTERS AND GUIDES ACT, IDAHO CODE, TITLE 36, CHAPTER 21. FURTHER, THAT A LETTER BE ADDRESSED TO MR. HAWTHORNE ADVISING HIM OF THIS ACTION. [Administrative Note: copy of letter to Mr. Hawthorne should be forwarded to the appropriate offices of the Forest Service.]

**Dean Sangrey, Executive Director:** Mr. Sangrey reviewed, briefed and updated the Board on his activities since coming on board as executive director effective April 2, 1989.

The Board recessed for the evening at 1730 hours and reconvened Friday, May 12, 1989 at 0820 hours with all Board members present together with Board's Executive Director, Dean Sangrey, and Board's attorney, Steve Mendive.

**David E. Williams:** The Board reviewed Mr. Williams' file relative to his employment of David Udy and Mr. Udy's activities

in having been cited and convicted of a violation of Idaho Fish and Game law for operating behind a closed gate in the Lemhi Bear/Cougar Joint-Use area. Following a discussion of this matter and in consideration that the Board holds the employing outfitter responsible for the activities of their guides, MSC (Crane--Baird) THAT THE BOARD ADDRESS A LETTER TO MR. WILLIAMS REQUESTING HIS PRESENCE AT THE NEXT BOARD MEETING IN JULY TO EXPLAIN CIRCUMSTANCES SURROUNDING THE FACT THAT ONE OF HIS LICENSED GUIDES (DAVID UDY) WAS CITED BEHIND A CLOSED GATE IN THE CONDUCT OF ONE OF HIS HUNTS.

**Hells Canyon National Recreation Area/Day-Use Float Boating:** The Board reviewed the applications received from the ten(10) individuals interested in being selected to conduct day-use float boating on SN7. Following consideration of these application and evaluation of said operating plans, it was the Board's decision THAT APPLICATIONS BE RATED IN THE FOLLOWING ORDER OF PREFERENCE:

1. Hells Canyon Adventures/Gary Armacost, D.A.
2. Adventures Afloat - a combination application of outfitting activities between Mike Luther/Scott Fasken
3. Mike Luther, dba Snake River Adventures
4. Idaho Afloat/Scott Fasken, D.A.
5. Northwest Adventures/Jeff Peavey, D.A.

Given these selectees, the Board will contact the Hells Canyon National Recreation Area - Art Seamons/Mike Scott to alert them as to the Board's action in this regard, following which the two selected individuals will be named with appropriate license/permits issued for conduct of this new opportunity of day-use float boating activity on the Snake River below Hells Canyon (SN7).

**Ronald L. Moore:** The Board reviewed Mr. Moore's file and Outfitter License Amendment Request for the addition of chukar/quail hunting activity along the river corridor to which he is currently licensed for power boating, namely Snake River (SN8). Following a discussion of Mr. Moore's amendment request and the fact that quail, per se, is not a licenseable activity under the upland game bird provisions, MSC (Miller--Crane) THAT THE BOARD APPROVE MR. MOORE'S AMENDMENT REQUEST FOR THE ADDITION OF CHUKAR HUNTING AND DENY QUAIL HUNTING AT THE CURRENT TIME, UNTIL SUCH TIME AS THE BOARD HAS FINALIZED ITS POSITION AS TO HOW, OR IF, THEY WILL LICENSE UPLAND GAME SPECIES.

**Two-M River Outfitters, Inc./Michael W. Murphy, Designated Agent:** The Board reviewed Mr. Murphy's file noting his Outfitter License Amendment Request for the addition of fishing and float boating

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activity on the South Fork Boise River. The Board further noted that Mr. Murphy had submitted his amendment request in June of 1988, upon which he had received a land manager sign-off; that is, the Forest Service would consider him eligible for an outfitter special use permit for said activities. The Board, however, was unable to accept this amendment request at the time because under the Idaho Outfitters and Guides Licensing Board Rules and Regulations, Rule 57, the South Fork Boise River was not open for commercial outfitter activity. Subsequently, the Board did act on a petition submitted to open the South Fork Boise River to commercial activity and, upon final Board action dated October 15, 1988, did open the river for commercial activities. This matter now comes back before the Board, together with a similar Outfitter License Amendment Request by the Middle Fork River Company/Steve Lentz, Designated Agent, for appropriate Board action. Following a discussion of these matters, MSF (Crane--Epley) THAT THE BOARD APPROVE MSSRS. MURPHY AND LENTZ FOR THE CONDUCT OF FLOAT BOATING ACTIVITY ON THE SOUTH FORK BOISE RIVER IN ACCORDANCE WITH RULE 57(A). (Following a discussion of this motion and, by roll call vote, the vote was as follows: Crane, Aye; Epley, Aye; Baird, Nay; Miller, Nay; and Meiners, Nay. Motion failed.) The foregoing action on this motion is predicated upon an agreement between the Board and the U.S. Forest Service that no action would be taken in issuance of a license on this river until such time as the Forest Service had concluded its environmental assessment (See Board Minutes dated December 9, 1988.) By Board letter dated December 28, 1988, the Board did so notify Dave Rittersbacher, Forest Supervisor (Capital City Supervisor) of the Board's action in this regard that is, the Board would not process any applications for boating activities on the South Fork Boise River until the Forest Service had had time to complete their environmental assessment. Said environmental assessment is now complete. Larry Tripp, District Ranger, Mountain Home Ranger District, at the Board Meeting May 11, 1989, stated the Forest Service's position is to exclude commercial outfitting activity on the South Fork Boise River. The foregoing circumstances would appear to indicate the Board and Forest Service are at an impasse on this issue. Thus, the Board directs THAT A LETTER BE ADDRESSED TO DAVE RITTERSBACHER, BOISE NATIONAL FOREST SUPERVISOR, TO EXPRESS (1) THE BOARD'S CONCERN REGARDING THE DECISION REACHED IN THE ENVIRONMENTAL ASSESSMENT; (2) THE NECESSITY FOR THE BOARD TO PROCESS PENDING APPLICATIONS FOR THE CONDUCT OF FISH AND BOATING ACTIVITIES ON THE SOUTH FORK BOISE RIVER; AND (3) TO REQUEST HIS REVIEW OF THIS MATTER AND CONTACT THE BOARD TO EXPLORE MEANS FOR RESOLUTION OF THIS PROBLEM. FURTHER, COPY OF THIS LETTER SHOULD BE SENT TO MSSRS. MURPHY AND LENTZ ADVISING THEM OF THE BOARD'S ACTION IN REGARD TO PROCESS OF THEIR APPLICATIONS PENDING BEFORE THE BOARD.

**Northwest Dories, Inc./Curtis Chang, Designated Agent:** The Board reviewed Northwest Dories, Inc.'s outfitter amendment request for the addition of recreational rowing on the Snake River at Lewiston, Idaho, and for the addition of mountain bike touring along the McGruder corridor. Following a review of the file in this regard and the input received to date, MSC (Miller--Epley) THAT THE BOARD (1) APPROVE RECREATIONAL ROWING AS REQUESTED AS AN ADDED ACTIVITY TO NORTHWEST DORIES' ACTIVITIES; AND (2) POSTPONE DECISION ON THE MOUNTAIN BIKE TOURING REQUEST UNTIL SUCH TIME AS THE FOREST SERVICE HAS CONCLUDED THEIR ENVIRONMENTAL ASSESSMENT AND HAS MADE A DECISION IN ACCORDANCE WITH THE M.O.U., AMENDMENT 1 THERETO.

**Scott G. Schnebley, dba Lost River Outfitters:** The Board reviewed Mr. Schnebley's file and his Outfitter Amendment Requests for the addition of upland game and waterfowl hunting, walk and wade fishing on SA1 and for day hikes in the general SNRA/Challis National Forest area. Following a review of the file and consideration of his amendment request MSC (Miller-Crane) THAT THE BOARD (1) ADVISE MR. SCHNEBLEY THAT HIS NAME WILL BE PLACED ON THE WAITING LIST FOR UPLAND GAME AND WATER FOWL HUNTING PENDING FINAL DETERMINATION AS TO HOW THIS ACTIVITY WILL BE LICENSED; (2) HIS NAME WILL BE PLACED ON THE WAITING LIST FOR WALK AND WADE FISHING ON SA1 PENDING FINAL DETERMINATION AS TO HOW THIS ACTIVITY WILL BE LICENSED; AND (3) THAT HIS REQUEST FOR DAY HIKE ACTIVITY BE APPROVED (PENDING RECEIPT OF A MORE DEFINITIVE OPERATING AREA BOUNDARY DESCRIPTION TO DEFINE THAT AREA IN WHICH HE WOULD PROPOSE TO CONDUCT SAID ACTIVITY, TO INCLUDE THOSE RESTRICTIONS AS IMPOSED BY THE SAWTOOTH NATIONAL RECREATION AREA AS AN ATTACHMENT TO MR. SCHNEBLEY'S AMENDED LICENSE.

**Leslie R. Sheldon:** The Board reviewed Ms. Sheldon's Outfitter License Application for the conduct of deer, bear, cougar, predator and bird hunting activities, as well as for furbearers (bobcat). Following a review of Ms. Sheldon's application and in consideration of the input received from the Idaho Department of Fish and Game, MSC (Baird--Crane) THAT MS. SHELDON'S OUTFITTER LICENSE APPLICATION BE DENIED. AUTHORITY FOR THIS DENIAL IS IN ACCORDANCE WITH IDAHO CODE 36-2109(B)(5) AND UPON RECOMMENDATIONS MADE BY IDAHO DEPARTMENT OF FISH AND GAME LETTER DATED APRIL 7, 1989.

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

**Indian Creek Ranch, Inc./Jacks Briggs, Designated Agent:** The Board reviewed Indian Creek Ranch, Inc.'s file in accordance with a Show Cause Hearing, Case No. 89-0191-9, in the matter of the

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proposed removal of privileges licensed to Indian Creek Ranch, Inc., Jack Briggs, Designated Agent, for bear and cougar hunting activities. Following the hearing regarding this matter, the Board found the following Findings of Fact: (1) Indian Creek Ranch, Inc. did, in fact, have non-use for two out of the three preceeding years; (2) that Mr. Briggs by letter dated April 27, 1989 acknowledges this fact; (3) Mr. Briggs by said letter of April 27, 1989 states "I would ask that you withhold my bear and cougar hunting in the Lemhi unit with no objection on my part"; (4) Mr. Briggs further states "I would like the Board to consider allowing me to continue to hunt bear in my own assigned hunting area"; and (5) that Mr. Briggs' inability to hunt bear and cougar in the past has been due to health reasons. Conclusions of Law are as follows: (1) Mr. Briggs is, in fact, in non-use status in accordance with Rule 22; (2) the Board accept Mr. Briggs' explanation of circumstances applicable his non-use status and request as stated in his April 27, 1989 letter. MSC (Miller--Crane) THAT THE BOARD (1) REMOVE BEAR AND COUGAR HUNTING IN THE LEMHI JOINT-USE AREA FROM INDIAN CREEK RANCH, INC./JACK BRIGGS, DESIGNATED AGENT'S LICENSED ACTIVITIES; (2) THAT INDIAN CREEK RANCH, INC./JACK BRIGGS, DESIGNATED AGENT, BE ALLOWED TO CONTINUE TO HUNT BOTH BEAR AND COUGAR WITHIN ITS OWN OPERATING AREA.

**Break Away Tours/Amy L. Hoover & Charles K. Thompson, Designated Agents:** Following an interview before the Board with Ms. Hoover regarding the proposed activities of Break Away Tours, Inc. for the conduct of mountain bike touring on the Salmon National Forest and adjacent Bureau of Land Management lands, MSC (Miller--Epley) THAT THE BOARD (1) APPROVE SAID APPLICATION FOR THE CONDUCT OF MOUNTAIN BIKE TOURING IN ACCORDANCE WITH THE OPERATING AREA BOUNDARIES AS SUBMITTED; (2) THAT THE BOARD APPROVE AMY L. HOOVER AND CHARLES K. THOMPSON AS DESIGNATED AGENTS - QUALIFIED TO GUIDE. [See Addendum No. 8] [Administrative Note: Ms. Hoover was requested to submit a worded area description outlining the operating area requested. Upon receipt and review of same, this shall be attached to the license denoting the operating area within which they shall be licensed.

**Robert M. Smith:** The Board reviewed Mr. Smith's file noting his letter dated February 28, 1989 in which he appears to request "some extra hunting area." The review also finds that this application is incomplete and this matter has been made known to Mr. Smith by letter dated April 17, 1989. At such time as the proper form and additional information is submitted to the Board, appropriate action will be taken.

**Sun Valley Rivers Company, Inc./Jon Charles McGregor, Designated Agent:** The Board reviewed Sun Valley Rivers Company, Inc.'s file

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to note Mr. McGregor's request for a change in business structure from a sole proprietor to a corporation. Further, that he be approved as designated agent for said corporate entity and, thirdly, his request for the addition of steelhead fishing on the Salmon River (SA1). Following a review of the file and paperwork submitted therewith, MSC (Miller--Crane) THAT THE BOARD (1) APPROVE THE CHANGE IN BUSINESS STRUCTURE FROM SOLE PROPRIETORSHIP TO CORPORATION, PENDING RECEIPT OF NECESSARY ARTICLES OF INCORPORATION AND UPON RECEIPT OF SAME AND REVIEW/APPROVAL BY CHAIRMAN, THAT SAID AMENDED LICENSE BE APPROVED; (2) APPROVE MR. MCGREGOR AS DESIGNATED AGENT - QUALIFIED TO GUIDE, PENDING THE APPROVAL OF THE CHANGE IN BUSINESS STRUCTURE FROM SOLE PROPRIETORSHIP TO CORPORATE STATUS; AND (3) THAT MR. MCGREGOR BE ADVISED THAT HIS NAME WILL BE PLACED ON THE WAITING LIST FOR CONSIDERATION FOR STEELHEAD FISHING ON SA1 AT SUCH TIME AS THE BOARD MAKES A DECISION AS TO THE LICENSING/NON-LICENSING OF INDIVIDUALS ON THIS RIVER REACH FOR STEELHEAD FISHING PURPOSES.

**Richard M. Winkler:** The Board reviewed Mr. Winkler's file and his 1989-1990 guide license application to note his citation for violation of Fish and Game law. Following discussion, MSC (Baird--Crane) THAT MR. WINKLER BE ISSUED HIS 1989-1990 GUIDE LICENSE, WITHOUT RESTRICTION.

**Wild River Outfitters, Inc./Rich Cook:** The Board reviewed Wild River Outfitters, Inc.'s file and Mr. Cook's request to become designated agent. Following this review and noting that the Board's April 25, 1989 letter to Dennis J. Sallaz, attorney for Wild River Outfitters, Inc. and Rich Cook, requesting clarification as to the status of the court settlement regarding Rich Cook's activities in the Wild Rivers Outfitters, Inc.'s business has not yet been answered, MSC (Miller--Crane; Epley, abstain) THAT FURTHER ACTION/PROCESSING OF THIS MATTER BE POSTPONED UNTIL ADDITIONAL INFORMATION IS RECEIVED.

**Ronald W. VanInderstine:** The Board reviewed Mr. VanInderstine's file and 1989-1990 guide license application in which he requests a review of a log he has submitted relative to becoming qualified as boatman on SA6. Following a review of this log, MSC (Miller--Baird) THAT THE BOARD ACCEPT THE LOG AS SUBMITTED AND THAT MR. VANIDERSTINE BE LICENSED - QUALIFIED TO GUIDE, AS BOATMAN ON SA6.

**George J. Meholchick:** The Board reviewed Mr. Meholchick's file and his 1989-1990 guide license application noting his citation and conviction for violation of Fish and Game law. Following which, MSC (Baird--Crane; Meiners, No) THAT MR. MEHOLCHICK'S APPLICATION FOR 1989-1990 GUIDE LICENSE BE DENIED. AUTHORITY FOR

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THIS ACTION IS IN ACCORDANCE WITH IDAHO CODE 36-2109(C) AND 36-2113(A)(6). [Administrative Note: Employing outfitter should get a copy of this denial letter.]

**Boulder Creek Outfitters, Inc./Tim Craig, Designated Agent:** The Board reviewed Mr. Craig's file and his outfitter amendment request for the addition of big game hunting activity as well as bird hunting, fishing, and trailrides in Fish and Game Management Unit 11A. Following a review of this matter, the Board directs THAT A LETTER BE ADDRESSED TO MR. CRAIG INFORMING HIM THAT IF HE IS TO OPERATE ON PRIVATELY OWNED LAND, THE BOARD WOULD REQUEST AND REQUIRE AN APPROPRIATE LEASE OF SAID LANDS FOR THE CONDUCT OF HIS PROPOSED ACTIVITIES AND, THAT IF SAID PROPOSAL ALSO INCLUDES BUREAU OF LAND MANAGEMENT, STATE, OR OTHER OWNED LAND, THAT APPROPRIATE APPROVAL FROM LAND OWNERSHIP BE ACQUIRED. FURTHER, THAT FOLLOWING RECEIPT OF SAID INFORMATION AND CONCLUSION OF RESEARCH, THE BOARD WILL TAKE FURTHER APPROPRIATE ACTION ON HIS AMENDMENT REQUEST.

**Gary W. Ade and Stephen Flaherty, dba Bugle Point Outfitters:** The Board reviewed this file and is uncertain as to just what is being requested to be done. It appears that what is being requested is to change from a partnership status to a corporate status, although there is no paperwork on file to reflect said requested change in business structure. A further request is that Jim Fuller be named and approved as a designated agent. This, however, is unable to be done until such time as clarification as to business structure has been determined. Following which, the Board DIRECTS THAT A LETTER BE ADDRESSED TO MSSRS. FLAHERTY, ADE, AND FULLER ASKING THAT THEY CLARIFY THEIR REQUEST TO THE BOARD AS TO JUST WHAT THEY WISH TO HAVE DONE AND THAT, IF INDEED THEY WISH TO MOVE FROM THEIR CURRENT BUSINESS STRUCTURE TO A CORPORATE STRUCTURE, THEY WOULD NEED TO SUBMIT ARTICLES OF INCORPORATION, LIST OF CORPORATE OFFICERS, BY-LAWS, ETC. FURTHER, APPROPRIATE FORMS MUST BE SUBMITTED TO THE BOARD. FOLLOWING RECEIPT OF THESE MATERIALS, THE BOARD WILL TAKE FURTHER ACTION ON THEIR REQUEST.

**Jeff Peavey, dba Northwest Voyageurs:** The Board reviewed Mr. Peavey's Outfitter License Amendment Requests, namely (1) that backpacking be restored as a licensable activity on his license in that said activity was licensed to the previous outfitter when he purchased same and was inadvertently left off his license at the time of sale and transfer of business; and (2) request for the conduct of float boating on the Little Salmon River. Following a discussion of this matter, MSC (Miller--Crane) THAT THE BOARD (1) APPROVE AND, BY ADMINISTRATIVE AMENDMENT, RESTORE BACKPACKING AS A LICENSABLE ACTIVITY ON MR. PEAVEY'S OUTFITTER

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LICENSE; AND (2) NOT ACCEPT OR FURTHER PROCESS THE REQUEST FOR FLOAT BOATING ACTIVITY ON THE LITTLE SALMON RIVER AS THE LITTLE SALMON RIVER IS NOT A LICENSABLE, COMMERCIAL RIVER AS DEFINED BY THE IDAHO OUTFITTERS AND GUIDES LICENSING BOARD RULES AND REGULATIONS, RULE 57(A). [Administrative Note: copy of this letter should go to the Forest Service (HCNRA) for their information.]

**Quentin L. Cook:** The Board reviewed Mr. Cook's file noting that his application is incomplete and further noted that this matter was discussed with Mr. Cook and Forest Service personnel by Board members Crane and Meiners during a meeting at Orofino in March. Following that meeting, it was their understanding that Mr. Cook was going to withdraw his application. Thus, the Board directs THAT MR. COOK'S APPLICATION BE HELD AND THAT A LETTER BE ADDRESSED TO MR. COOK TO REQUEST HIS CLARIFICATION AS TO HIS FURTHER WISHES IN THIS REGARD. [NOTE: Leo Crane will also contact Mr. Cook on this matter.]

**Doyle Markham, dba Snake River Llamas:** The Board reviewed Mr. Markham's Outfitter License Amendment Request for the addition of llama packing activities in three separate areas, namely the Targhee National Forest, Hells Canyon National Recreation Area, and the Challis National Forest noting that the application has a Land Manager Sign-Off sheet approved. However, no contact has been made with affected outfitters. Thus, the Board directs THAT A LETTER BE ADDRESSED TO SAID AFFECTED OUTFITTERS REQUESTING THEIR INPUT AS TO IMPACT SAID ACTIVITY WOULD HAVE UPON THEIR OPERATION. UPON RECEIPT OF SAID RESPONSE AND, IF SAID RESPONSE INDICATES NO ADVERSE CONDITIONS AS IMPACT UPON AFFECTED OUTFITTERS, THAT THE CHAIRMAN BE AUTHORIZED TO APPROVE SAID AMENDMENT REQUEST WITH SAID AMENDED LICENSE TO BE ISSUED.

**Phillip "Bub" Smith:** The Board reviewed Mr. Smith's Outfitter Amendment Request for the addition of bear hunting to be conducted within the same area to which he is licensed for cougar hunting. Following a review of his file with specific reference to the Decision and Order in Case No. 00362 in which Mr. Smith's license was revoked with revocation suspended and he was placed on probation for the 1989-1990 license year, that said terms of probation being that no amendment would be issued during the tenure of the probation. Thus, the Board directs THAT A LETTER BE ADDRESSED TO MR. SMITH TO ADVISE HIM OF THE TERMS OF HIS PROBATION AND THAT NO FURTHER ACTION WILL BE TAKEN ON HIS REQUEST UNTIL PROBATION HAS BEEN CONCLUDED.

**Gary Sylte, dba Coeur d'Alene River Big Game Outfitters:** The Board reviewed the Syltes' file and Outfitter License Application for the conduct of elk, deer and predator hunting in Fish and Game Management Unit 4. Following a review of the file and input received from the Forest Service and from the Idaho Department of

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Fish and Game, the Board also noted that a portion of the operating area requested is currently licensed to Richard A. Vander Meyden, dba Wilderness Lodge. The remaining portion of the requested operating area falls within that area formerly licensed to Rick Grunch. Following a discussion of these facts, MSC (Baird--Crane) THAT MR. SYLTE'S OUTFITTER LICENSE APPLICATION BE DENIED. AUTHORITY FOR THIS DENIAL IS IN ACCORDANCE WITH IDAHO CODE 36-2109(B)(4 AND 5); IDAHO OUTFITTER AND BOARD RULES AND REGULATIONS, RULE 19(F). FURTHER, IT IS THE BOARD'S DECISION THAT, IN ACCORDANCE WITH RULE 28(C), THE REMAINING REQUESTED OPERATING AREA FALLING WITHIN THAT AREA FORMERLY LICENSED TO RICK GRUNCH, dba THE GRUNCH BUNCH, IS AN AREA THE BOARD DEEMS NOT TO RE-LICENSE.

Idaho River Expeditions, Inc., dba Action Whitewater Adventures/Jay Verle Duerden, Designated Agent: The Board reviewed Idaho River Expeditions, Inc.'s file to note that (1) by letter dated November 14, 1988, Mr. Duerden notified the Board of Idaho River Expeditions, Inc.'s and Sierra Western River Guides' intent to combine their respective outfitter businesses into one single unit, under the new name "Action Whitewater Adventures"; (2) by Board letter dated November 18, 1988, the Board acknowledged Mr. Duerden's letter of intent and forwarded a packet of forms necessary to the fulfillment of this intent; (3) that since that time various communications have been ongoing between Mr. Duerden and the Board in attempting to complete the necessary paperwork to insure the combination of these two former businesses to now be known as "Idaho River Experiences, Inc., dba Action Whitewater Adventures/Jay Verle Duerden, Designated Agent" wherein the licensed activities formerly licensed to Idaho River Experiences, Inc., i.e. float boating activity on MF1 and MF2 and Sierra Western River Guides' licensed float boating activity on SA6 shall be combined and licensed under the new outfitter license, to be known as "Idaho River Expeditions, Inc., dba Action Whitewater Adventures". Following which, MSC (Baird--Miller) THAT THE BOARD (1) APPROVE THE PROPOSED SALE AND CONSOLIDATION OF THE TWO FORMER OUTFITTER BUSINESSES KNOWN AS IDAHO RIVER EXPERIENCES, INC. AND SIERRA WESTERN RIVER GUIDES INTO THE NEW CORPORATE LICENSE TO BE KNOWN AS "IDAHO RIVER EXPERIENCES, INC., dba ACTION WHITEWATER ADVENTURES" FOR THE CONDUCT OF FLOAT BOATING ACTIVITIES ON MF1, MF2 AND SA6; (2) APPROVE JAY VERLE DUERDEN AS DESIGNATED AGENT - QUALIFIED TO GUIDE; (3) THAT MR. DUERDEN BE REQUESTED TO SUBMIT AN UPDATED FINANCIAL STATEMENT CONCERNING THE CORPORATION, ARTICLES OF INCORPORATION AND BY-LAWS PERTINENT TO THE CORPORATE STRUCTURE; AND (4) THAT LICENSE MAY BE ISSUED PRIOR TO RECEIPT OF THESE MATERIALS.

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**Kirk D. Bachman, dba Sawtooth Mountain Guides:** The Board reviewed Mr. Bachman's outfitter amendment request for the addition of backpacking and technical mountaineering activities in the City of Rocks area on the Sawtooth National Forest, Albion Division. Following review of the file and noting that Mr. Bachman has Land Manager Sign-Off and that Mr. Bachman further defines that his activities will be confined to that portion of the City of Rocks within the Sawtooth National Forest, MSC (Epley--Miller) THAT THE BOARD APPROVE MR. BACHMAN'S AMENDMENT REQUEST. [See Addendum No. 9] [Administrative Note: The operating area on this will have to be taken off of the application precisely as written.]

**Rule 53 Waiver Form(s):** The Board reviewed and approved these forms to be completed by the outfitter and clients in their request to the Board for waiver of Idaho Outfitters and Guides Licensing Board Rules and Regulations, Rule 53.

**Dusty Youren:** The Board reviewed Mr. Youren's file and Board minutes concerning actions taken in processing/approving Mr. Youren's outfitter amendment requests to direct THAT (1) BOARD MINUTES OF JANUARY 9, 1989, BE CORRECTED/AMENDED TO REFLECT UPDATED FOREST SERVICE REVIEW/APPROVAL OF THE PROPOSED SALE/TRANSFER OF BUSINESS FROM IDAHO GUIDE SERVICE, INC./JOHN POWELL, DESIGNATED AGENT, TO DUSTY YOUREN IN FISH AND GAME MANAGEMENT UNITS 33 AND 35; AND (2) THAT LICENSE BE ISSUED IN ACCORDANCE WITH BOARD DIRECTION DEFINED BY BOARD MINUTES DATED JANUARY 9, 1989, AND OTHERWISE UPDATE/CORRECT MR. YOUREN'S OPERATING AREA DESCRIPTIONS. [See Addendum No. 10]

Chairman Meiners departed the meeting at 1700 hours due to prior commitments.

**Backcountry Bicycle Tours/Doug McSpadden and David Rusling, Designated Agents:** The Board reviewed Backcountry Bicycle Tours' Outfitter License Application for the conduct of backcountry bicycle tours in the Sawtooth National Recreation Area. Whereupon, reviewing said application, MSC (Crane--Epley) THAT THE BOARD (1) APPROVE THE APPLICATION FOR BACKCOUNTRY BICYCLE TOURS; (2) APPROVE DOUGLAS McSPADDEN AND DAVID RUSLING AS DESIGNATED AGENTS - QUALIFIED TO GUIDE; (3) REQUEST THE DESIGNATED AGENTS TO APPEAR BEFORE THE BOARD AT ITS JULY MEETING FOR AN INTERVIEW; AND (4) ACCEPT THE "IDAHO SAWTOOTH PROPOSED ITINERARY (AS SUBMITTED BY APPLICANT AND APPROVED BY THE SAWTOOTH NATIONAL RECREATION AREA MAY 8, 1989) AS THE APPROVED OPERATING AREA FOR 1989, ONLY. [See Addendum No. 11.]

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**Jim Guerry:** The Board reviewed the petition to go to rules making (as submitted by Mr. Guerry's attorney, Robert C. Weaver) to increase the number of licensable float boating slots on (1) (SN2) Snake River - Star Falls to Twin Falls (Murtaugh Section); and (2) (SN3) Snake River - Lower Salmon Falls to Bliss Dam (Hagerman Section) from five (5) to six (6) licensees. NO CHANGE IN POWER BOATING LICENSEES. Following said review and discussion of Mr. Guerry's request, MSC (Baird--Miller) THAT THE BOARD ACKNOWLEDGE MR. GUERRY'S PETITION TO (A) NOTIFY MR. WEAVER THAT THE BOARD HAS RECEIVED SAID PETITION; (B) CONTACT THE BUREAU OF LAND MANAGEMENT, SHOSHONE DISTRICT, AS PER THE M.O.U. TO ASCERTAIN THEIR INPUT/RESPONSE TO THE PETITION; AND (C) FOLLOWING RECEIPT OF BUREAU OF LAND MANAGEMENT INPUT, TAKE APPROPRIATE ACTION OF ACCEPTANCE/DENIAL OF SAID PETITION/RULES MAKING PROCEDURES.

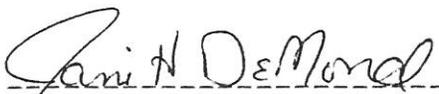
**Executive Session:** MSC (Baird--Crane; "Aye" votes cast by Crane, Baird, Epley and Miller) THAT THE BOARD GO INTO EXECUTIVE SESSION TO DISCUSS COMPLAINT MATTERS. The Board went into Executive Session at 1710 hours and came out at 1735 hours with no formal action taken.

**COMPLAINTS:** The Board reviewed the complaints on file and instructed the Chairman to take necessary action/steps to resolve/answer same.

There being no further business, the Board adjourned at 1735 hours.

  
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WILLIAM R. MEINERS, Chairman of the Board

ATTEST:

  
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JANI H. DEMOND, Office Secretary

ADDENDUM 1 (May Board Minutes - page 5)

RONALD JAMES CLARK  
dba Lost Creek Outfitters

AREAS FOR THE HUNTING OF ANTELOPE/DEER/ELK/MOOSE/SHEEP/  
BEAR/COUGAR/PREDATORS/FOREST GROUSE

OPERATING AREA 1: All of the area in the Targhee National Forest lying in Fish and Game Units 60 & 64. [Targhee National Forest Map, 1980]

OPERATING AREA 2: All of the area in the Targhee National Forest lying in Fish and Game Units 62 & 62A. [Targhee National Forest Map, 1980] [Joint-Use in part with Tilt's Area 1 and Robson's Area 1]

AREA FOR ELK AND DEER HUNTING ONLY

OPERATING AREA 3: The operating area for conduct of elk and deer hunting, only, is and shall be one and the same as Idaho Department of Fish and Game Management Unit 60A beginning at Spencer, Idaho (Sec. 25, T12N, R36E, B.M.). [F&G Unit 60A] [Targhee National Forest Map, 1980 (West Division) and Bureau of Land Management Map, Circular Butte, 1978]

ADDENDUM 2 (May Board Minutes - page 5)

A. W. ANGELL

AREAS FOR FISHING AND TRAILRIDES

OPERATING AREA 1: All of the area in the Targhee National Forest lying in Fish and Game Units 60 & 64. [Targhee National Forest Map, 1980]

OPERATING AREA 2: All of the area in the Targhee National Forest lying in Fish and Game Units 62 & 62A. [Targhee National Forest Map, 1980]

ADDENDUM 3 (May Board Minutes - page 7)

JEFFREY M. BITTON  
dba Mystic Saddle Ranch

ADDITIONAL OPERATING AREA FOR TRAILRIDES:  
Galena Lodge/Wood River Drainage

OPERATING AREA 7: Trailride activity is authorized out of Galena Lodge to that portion of the upper Wood River drainage (T6N, R.'s 15/16 E., B.M.) from, and inclusive of, the Owl Creek-Spring Creek drainages northerly, upstream to the Big Wood/Salmon River watershed divide. [F&G Unit 48] [Sawtooth National Forest Map, dated 1972]

ADDENDUM 4 (May Board Minutes - page 10)

RANDY HESS

OPERATING AREA FOR DAY HIKES AND MOUNTAIN BIKE TOURING

Day hikes and/or mountain bike touring may take place in the following, specific operating areas within the Sawtooth National Forest and Sawtooth National Recreation Area (SNRA):

1. North Fork Big Wood River drainage upstream of the SNRA headquarters (T6/7N, R16/17 & 18E B.M.) - day hikes only.
2. Upper Trail Creek drainage upstream from Badger Canyon/Corral Creek excluding the Pioneer Cabin area (T5/6N, R18/19E, B.M.) - mountain bike and day hikes.
3. Alturas Lake Creek drainage upstream from Alturas Lake excluding the Sawtooth Wilderness (T6/7N, R13/14E, B.M.) - day hikes only.
4. Rough Creek drainage (T10/11N, R14/15E, B.M.) - day hikes only.
5. Galena Summit area east of State Highway 75 (Sections 5/6 & 7, T6N, R15E, B.M. and Sections 32/33, T7N, R15E, B.M.) - day hikes only.
6. Upper Salmon River drainage south of State Highway 75 (Sections 1, 2, 11, 12, 13, 14, 22, 23, 24, 25, 26, 27, 34, 35, & 36, T6N, R14E, B.M.) - day hikes only.
7. Boulder Creek drainage (T5/6N, R16E, B.M.) - day hikes only.
8. Warm Springs Creek drainage (T3/4N, R15/16 & 17E, B.M.) - mountain bike touring only.

[F&G Units 36 & 48] [Sawtooth National Forest Map dated 1972]

OPERATING AREA FOR INCIDENTAL FISHING, EXCLUSIVE OF STEELHEAD OR OTHER ANADROMOUS SPECIES

Conduct of incidental fishing, exclusive of steelhead or other anadromous species, may take place in association with float boating activity on SA1 and SN3.

ADDENDUM 5 (May Board Minutes - page 12)

MAGNUM OUTFITTERS, INC.  
FRANK L. MARTIN AND LARRY MOATS, DESIGNATED AGENTS

OPERATING AREA FOR HUNTING OF ANTELOPE, DEER, ELK, GOAT,  
SHEEP, BEAR, COUGAR AND PREDATORS AS SPECIFIED ON LICENSE

OPERATING AREA 1 - Beginning at Salmon, Idaho (Sec. 6, T21N, R22E, B.M.); thence south on the Salmon River to Williams Creek Road; thence west on said road to Williams Creek Summit; thence north on the Salmon River Road 020 to Road 023; thence southeast on Road 023 to Highway 93; thence south on Highway 93 to the point of beginning. [F&G Unit 28] [Salmon National Forest Map, 1979]

OPERATING AREA 2 - Beginning at the Idaho/Montana stateline and Highway 29 (Sec. 8, T17N, R27E, B.M.); thence north on the stateline to the ridge south of Kirtley Creek; thence westerly on the ridge to the Lemhi River; thence south on the Lemhi River to Leadore; thence northeasterly on Highway 29 to the point of beginning. [F&G Unit 30] [Salmon National Forest Map, 1979]

ADDENDUM 6 (May Board Minutes - page 12)

LARRY MOATS

OPERATING AREA FOR FISHING

Fishing may take place along those river sections listed on your outfitter license.

License No. 00260 (5/88)

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ADDENDUM 7 (May Board Minutes - page 13)

RALPH BASS  
dba The Equestrian Center

OPERATING AREA FOR CONDUCT OF TRAILRIDES, WAGON RIDES,  
AND SLEIGH RIDES

Trailrides, wagon rides, and sleigh rides are authorized for conduct on Kimberland Meadows privately owned property located in Section 35, T20N, R1E, B.M., and in Sections 1, 2, 3, 10, 11, and 12, T19N, R1E, B.M., north of New Meadows, Idaho.

[F&G Unit 22] [Payette National Forest, blackline print, 1983]

License No. 00021 (6/89)

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BREAK AWAY TOURS, INC.

Amy L. Hoover and Charles K. Thompson, Designated Agents

OPERATING AREAS FOR CONDUCT OF MOUNTAIN BIKE TOURS

OPERATING AREA 1: Beginning on Panther Creek at the intersection of the Salmon River Ranger District boundary and Road 055 (Sec. 19, T23N, R18E, B.M.); thence southerly up the Panther Creek drainage on Road 055 to Morgan Creek Summit on the Panther/Morgan Creek watershed divide, Challis/Salmon National Forest boundary, and Idaho Department of Fish and Game Department Management Unit (IDFG) 28/36B boundary (Sec. 31, T18N, R19E, B.M.); thence easterly around the head of Morgan Creek on said boundaries approximately nine (9) miles to intersect the Fourth (4th) Standard Parallel (Sec. 35, T18N, R19E, B.M.); thence due East on said Parallel to the Salmon Ranger District/Salmon National Forest boundary (SE corner Sec. 35, T18N, R20E, B.M.); thence northerly along said boundary to the Main Salmon River and IDFG Unit 21A/28 boundary (Sec. 12, T23N, R21E, B.M.); thence northwesterly downstream in the Main Salmon River, Salmon River Ranger District, and IDFG boundary to North Fork, Idaho; thence westerly along the Salmon River Ranger District boundary to the POINT OF BEGINNING.

OPERATING AREA 2: Beginning at Tendoy, Idaho on the Idaho Department of Fish and Game Department Management Unit (IDFG) 29/30 boundary and State Highway 28/Road 013, "Agency Creek Road", intersection (Sec. 20, T19N, R24E, B.M.); thence easterly on Road 013 (Agency Creek Road) to the Salmon National Forest/Leadore Ranger District boundary (Sec. 15, T19N, R25E, B.M.); thence south and east on said boundary to the Idaho/Montana State and IDFG Unit 30 boundary; thence northwesterly on said boundary some fifteen (15) miles to intersect the township line common to Townships 20/21 North (Sec. 5, T20N, R25E, B.M.); thence due west on said township line some three and one-half (3 1/2) miles to the Salmon National Forest/Leadore Ranger District boundary (northwest corner Sec. 2, T20N, R24E, B.M.); thence southerly on said boundary to Road 013-point of ingress/egress to National Forest lands.

[F&G Units 28 and 30] [ Salmon National Forest Map, dated 1979]

KIRK D. BACHMAN  
dba Sawtooth Mountain Guides

OPERATING AREA FOR FISHING, BACKPACKING, AND  
TECHNICAL MOUNTAINEERING/ROCK CLIMBING

Fishing, backpacking, and technical mountaineering/rock climbing may take place in the area described as the Sawtooth Wilderness with direct access to and from trailheads as specified by the U.S. Forest Service.

OPERATING AREAS FOR CROSS-COUNTRY SKIING (SKI MOUNTAINEERING)

Cross-country skiing (ski mountaineering) may take place in the following areas:

- (1) the northern end of the Sawtooth Range as accessed from the Iron Creek transfer camp in the Sawtooth Wilderness area
- (2) the Stanley Basin area of the SNRA [T11.5N & R12E to T9.5N & R13.5E]
- (3) the Galena Pass area of the SNRA [T6.75N & R14E to T5.5N & R15E]
- (4) the Pioneer Range of the Challis N.F. [T7N & R18.5E to T5N & R22E]
- (5) the Lost River Range of the Challis N.F. [T10N & R21.5 to T7N & R24.5E]

ADDITIONAL OPERATING AREAS FOR TECHNICAL MOUNTAINEERING/ROCK  
CLIMBING, AND BACKPACKING

(1) Technical mountaineering/rock climbing and backpacking activities may take place in the Pioneer and Lost River Ranges of the Challis National Forest as noted in (4) and (5) above.

(2) Technical mountaineering/rock climbing and backpacking activities are authorized for conduct on the Sawtooth National Forest, Albion Division, and City of Rocks National Reserve within the following designated areas:

- (a) Sec. 13, 14, E1/2 15, E1/2 22, 23, 24, 25, 26, E1/2 27, 35 & 36, T15S, R23E, B.M.
- (b) Sec. 17, 18, 19, 20, 29, 30, 31 & 32, T15S, R23E, B.M.
- (c) Sec. 1, 2, 11, 12, N1/2 13 & N1/2 14, T16S, R23E, B.M.
- (d) Sec. 5, 6, T16S, R24E, B.M.

[F&G Units 36 & 55] [Sawtooth National Forest Maps dated 1970 & 1972]

DUSTY YOUREN

OPERATING AREA FOR BACKPACKING, TRAILRIDES, AND HUNTING OF ELK,  
DEER, BEAR, COUGAR, AND FOREST GROUSE AS SPECIFIED ON LICENSE

OPERATING AREA 2: Beginning on the South Fork Payette River (SFPR) at the mouth of Deadwood River (Sec. 32, T9N, R7E, B.M.); thence northeasterly up Deadwood/SFPR watershed divide along Deadwood Ridge to Idaho Department of Fish and Game Management (F&G Mgmt) Unit 33/34 boundary and Bear Valley Creek/Deadwood River/SFPR watershed divide and F&G Mgmt Unit 33/34 boundary around the head of Clear Creek to and along Boise/Valley County line to the juncture of F&G Mgmt Unit 33/34/35 boundary (Sec. 29, T11N, R9E, B.M.); thence southeasterly along the Eight Mile/Warm Springs Creek watershed divide on Trail 148 via Eight Mile Mountain to the SFPR and Warm Springs Guard Station (Sec. 5, T9N, R10E, B.M.); thence southwesterly downstream on the SFPR to the mouth of Deadwood Creek, the point of beginning. [F&G Units 33 & 35] Boise National Forest Map dated 1977]

BACKCOUNTRY BICYCLE TOURS  
Douglas McSpadden and David Rusling, Designated Agents

IDAHO SAWTOOTH PROPOSED ITINERARY  
(For 1989 License Year Only)

Group size is limited to fourteen guests and two professional tour leaders. We ride during the week and will not add to the weekend traffic. We would like to offer five, 5 1/2 day day trips with 2-3 days in the Sawtooth National Recreation Area for each trip.

Day One, Monday - Bicycling in and around the town of Ketchum. All riding is on bike paths, gravel and paved roads. Overnight at Busterback Ranch.

Day Two, Tuesday - From Busterback Ranch we will ride our bikes via gravel and dirt roads to Petit Lake. From there we will ride via gravel roads (#208 & 207) to Alturas Lake where we will spend the afternoon canoeing and windsurfing using equipment provided by the ranch. Overnight at Busterback Ranch.

Day Three, Wednesday - We will ride the valley road (gravel) then route 75 to the Idaho Rocky Mountain Ranch. For our more advanced riders (4-6 people) we would like to offer the Fisher-Williams Creek Loop. Overnight at Idaho Rocky Mountain Ranch.

Day Four, Thursday - From Idaho Rocky Mountain Ranch we will ride route 75 to Lower Stanley then via gravel roads (#633 and 455) to Stanley Lake. We will then ride the paved road back to I.R.M.R. Overnight at Idaho Rocky Mountain Ranch.

Day Five, Friday - We will shuttle in the van to the Redfish Lake area for hiking in the morning the shuttle back to Ketchum in the afternoon.

Other optional roads and points of origin:

Bicycle Rides Near Ketchum

1. Corral Creek - Road #137, Sec. 27, T5N, R18E
2. Warm Springs - Road #227, Sec. 13, T4N, R17E
3. Lake Creek - Road #142, Sec. 36, T5N, R17E
4. North Fork - Road #146, Sec. 10, T5N, R17E
5. Baker Creek - Road #162, Sec. 9, T5N, R16E
6. Quigley Creek - Road #115, Sec. 10, T2N, R18E
7. Adams Gulch - Road #141, Sec. 1, T4N, R17E

BACKCOUNTRY BICYCLE TOURS  
(page two)

Bicycle Rides North of Ketchum in the Sawtooth Valley

1. Smiley Creek - Road #77, Sec. 35, T7N, R14E
2. Beaver Creek - Road #204, Sec. 27, T7N, R14E
3. Pole Creek - Road #197, Sec. 25, T7N, R14E
4. Alturas Lake Creek - Road #205, Sec. 10, T7N, R14E
5. Valley Road - Road #194, Sec. 26, T7N, R14E
6. 4th of July Creek - Road #209, Sec. 16, T8N, R14E
7. Fisher Creek - Road #132, Sec. 5, T8N, R14E
8. Williams Creek - Trail #104, Sec. 29, T9N, R14E
9. Nip and Tuck Creek - Road #633, Sec. 34, T11N, R13E
10. Redfish Lake Road - Road #214, Sec. 26, T10N, R13E
11. Stanley Lake Creek - Road #455, Sec. 25, T11N, R12E
12. Petit Lake - Road #208, Sec. 33, T8N, R14E
13. Road #207, Sec. 32, T8N, R14E
14. Highway 75 from Ketchum to Lower Stanley
15. Highway 21 from Stanley to road #455 (Stanley Lake Road)

[F&G Units 36 and 48] [Sawtooth National Forest Map dated 1972]