

MINUTES

STATE OF IDAHO  
OUTFITTERS AND GUIDES LICENSING BOARD

Boardroom - Boise, Idaho  
November 13-17, 1989

A regular meeting of the Idaho Outfitters and Guides Licensing Board was convened on Monday, November 13, 1989 at 0815 hours with all Board members, except Ted Epley, present. Board Executive Director, Dean Sangrey and Board Attorney, Dallas Burkhalter, are also present.

**Executive Director's Report:** Executive Director, Dean Sangrey, reviewed and updated the Board as regards progress and fiscal reports generated by the September Board meeting and our fiscal status at the end of the first quarter, as well as at the end of business October 31, 1989. The Director was commended for the reports made showing Board fiscal standing and was asked to make necessary arrangements for attendance of Board members and staff at the fall IOGA meeting.

**Personnel:** Board reviewed the performance evaluation and step increase as prepared/recommended by Board Chairman regarding Dean Sangrey's job performance since his date of employment with the Board on April 1, 1989, following which MSC(Miller--Crane) THAT SAID PERFORMANCE RATING AND STEP INCREASE BE APPROVED.

**Board Attorney Update:** Board Attorney, Dallas Burkhalter, updated the Board regarding various legal matters currently pending before the Board.

**Bear Valley River Co., Inc.:** Following a review of this matter by Board's attorney, MSC (Baird--Crane) THAT THE CHAIRMAN BE AUTHORIZED TO SIGN THE PROPOSED STIPULATION AND RESOLUTION OF THIS MATTER, NAMELY, 1) STIPULATED SETTLEMENT BY AND BETWEEN THE BOARD AND BEAR VALLEY RIVER CO., INC.,; 2) DISMISSAL OF ANY ACTION PENDING AGAINST MICHAEL A. SZWEC; AND 3) UPON SECURING GREG DEVAN'S SIGNATURE ON SAID STIPULATED SETTLEMENT, THE BOARD CHAIRMAN BE AUTHORIZED TO SIGN SAID SETTLEMENT BY AND BETWEEN GREG DEVAN AND THE BOARD.

**Idaho Big Game, Inc./Jon C. Goodman, Designated Agent:** The Board reviewed Idaho Big Game, Inc.'s file, noting 1) the pending outfitter license renewal application for the 1989-90 license year; 2) complaints that have been filed with the Board regarding Mr. Goodman's conduct this past year; 3) alleged/apparent violation by Mr. Goodman of the stipulated settlement previously entered into with the Board; and 4) Mr. Goodman's conviction of a felony, filed with the Federal Court, Pocatello, Idaho. Following a discussion of this matter, MSC (Crane--Baird) THAT THE BOARD DENY ISSUANCE OF

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1989-90 OUTFITTER LICENSE TO IDAHO BIG GAME, INC./JOH C. GOODMAN, DESIGNATED AGENT. AUTHORITY FOR THIS ACTION IS PURSUANT TO IDAHO CODE 36-2113(a) (2, 3, 5, 7, and 14) AND IDAHO OUTFITTERS AND GUIDES LICENSING BOARD RULES AND REGULATIONS, RULES 8(b)(ii), 13(a)(iii), and 64.

**Mountain Home Ranger District:** Messrs Larry Tripp and Jeff Green met with the Board regarding an outfitter license application for the conduct of boating activities on Anderson Ranch Reservoir. This being a new opportunity, Mr. Tripp and Mr. Green met with the Board to discuss procedures required to consider the application in accordance with the MOU, Amendment 1. Following discussion of the proposal and procedures, it is the Board's understanding that the Forest Service will initiate a preliminary investigation to determine public interest in the requested boating activities with the possibility it can be processed as a categorical exclusion (dependent upon public interest) with licensing/permitting of said activity proceeding from that point if that be the case. Necessary procedures will be initiated in the near future with a report to the Board relative to findings after which further appropriate steps will be taken in accordance with the MOU, Amendment #1, to process the application, if the proposal is to move forward.

**G & L York Outfitters, Inc./Gladys York, Designated Agent:** The Board reviewed G & L York Outfitters, Inc. file relative to the alleged illegal outfitting activities they have conducted this past hunting season. In view of the seriousness of these allegations, MSC (Baird--Crane) THAT G & L YORK OUTFITTERS, INC., GLADYS YORK/DESIGNATED AGENT, BE BROUGHT BEFORE THE BOARD FOR A SHOW CAUSE HEARING FOR SUSPENSION/REVOCATION OF THE RESPECTIVE LICENSE'S FOR ALLEGED VIOLATION OF THE IDAHO OUTFITTERS AND GUIDES ACT AND IDAHO OUTFITTERS AND GUIDES LICENSING BOARD RULES AND REGULATIONS. SAID HEARING TO BE SCHEDULED FOR THE DECEMBER BOARD MEETING. AUTHORITY FOR THIS ACTION IS PURSUANT TO IDAHO CODE 36-2113(a)(4, 5, 8[i], 9, and 14), AND IDAHO OUTFITTERS AND GUIDES LICENSING BOARD RULES AND REGULATIONS, RULES (2[d][ii], 5[a], 8[a], and 10).

**David P. Markham/dba Adventures Outdoors:** The Board reviewed Mr. Markham's 1989-90 Outfitter License Application for the conduct of fishing, backpacking, and llama packing in Fish & Game Management Unit 43. Following review of the file, and consideration of the responses received from various affected outfitters, and the fact that the area is currently licensed to other outfitters for conduct of similar activities other than llama packing, MSC (Crane--Baird) THAT THE BOARD DENY MR. MARKHAM'S OUTFITTER LICENSE APPLICATION. AUTHORITY FOR THIS ACTION IS PURSUANT TO IDAHO CODE 36-2109(b)(5), AND IDAHO OUTFITTERS AND GUIDES BOARD RULES AND REGULATIONS, RULE 19(f).

**Middlefork Ranch, Inc./Ben A. Grammar:** Messrs Grammar and Jim Sullivan, Boise Area Administrator for Middlefork Ranch, Inc., met with the Board regarding Mr. Grammar becoming the Designated Agent for Middlefork Ranch, Inc. Following the interview regarding this matter, MSC (Miller--Baird) THAT THE BOARD APPROVE MR. GRAMMAR AS DESIGNATED AGENT AS REQUESTED.

**Middlefork Ranch, Inc./Paul Cox, Designated Agent:** The Board reviewed the Middlefork Ranch, Inc. file noting Mr. Paul Cox's letter of resignation addressed to Mr. Chet Lancaster, President of Middlefork Ranch, Inc., requesting acceptance of Mr. Cox's resignation as Designated Agent for Middlefork Ranch, Inc., with said resignation to become effective upon licensing of a new designated agent by the Idaho Outfitters and Guides Licensing Board. Following discussion of Mr. Cox's letter and in consideration of prior Board action, MSC (Crane--Baird) THAT, 1) EFFECTIVE THIS DATE, THE BOARD ACCEPT MR. COX'S RESIGNATION AS DESIGNATED AGENT, MIDDLEFORK RANCH, INC., 2) THAT THE DESIGNATED AGENT LICENSE CURRENTLY HELD BY MR. PAUL COX IS DECLARED NULL AND VOID, AND 3) THAT BOARD'S ENFORCEMENT COORDINATOR BE INSTRUCTED TO RESEARCH THE ALLEGED FISH & GAME VIOLATIONS RELATED TO THIS INCIDENT AND DETERMINE WHETHER ANY FURTHER BOARD ACTION IS NECESSARY.

**Patrick Stearns:** The Board reviewed Mr. Stearns' guide license application for the conduct of backcountry alpine and crosscountry skiing activities, and his further request for clarification of his status as lead guide for backcountry alpine skiing. Review/discussion of Mr. Stearns' file, qualifications, and prior Board action found that, due to an administrative oversight, Mr. Stearns' qualifications to become a lead backcountry alpine skiing guide were overlooked at the time of issuance of his 1989-90 guide license; following which, MSC (Crane--Miller) THAT, BY ADMINISTRATIVE AMENDMENT, THE BOARD CORRECT MR. STEARNS' 1989-90 GUIDE LICENSE BY RE-ISSUING SAME, QUALIFIED AS LEAD BACKCOUNTRY ALPINE SKIING GUIDE.

**Gregory Orr:** The Board reviewed Mr. Orr's 1989-90 Guide License Application for conduct of deer, elk, bear, cougar, and forest grouse hunting and trailride activities while in the employ of Richard C. Grunch. A check of Fish and Game records finds that Mr. Orr has been cited for violation of Fish and Game law and that he is also allegedly in violation of guiding without a license. Following discussion/consideration of this application, the Board directs that a letter be addressed to Mr. Orr (with a copy to his employing outfitter) stating no further action will be taken on his license application pending completion of investigation/resolution of his alleged violation of Idaho law.

**Boyd Burbank:** The Board reviewed Mr. Burbank's 1989-90 Guide License Application for conduct of deer, elk, bear, cougar, predator, forest grouse and chukar hunting, fishing, trailrides and back packing activities while in the employ of Larry Cross. Board notes that Mr. Burbank indicates in section C of the application that he has not had any Fish and Game violations, however, a check of Fish and Game files finds that he has a 1986 violation for which he was convicted. Following discussion of this matter MSC (Baird--Miller) THAT MR. BURBANK'S GUIDE LICENSE APPLICATION BE DENIED. AUTHORITY FOR THIS ACTION IS IN ACCORDANCE WITH IDAHO CODE 36-2109(c) and 36-2113(a)(1, 6, and 14). FURTHER, THAT MR. CROSS, HIS EMPLOYING OUTFITTER, BE NOTIFIED OF THE BOARD'S ACTION.

**Douglas S. Easter:** The Board reviewed Mr. Easter's 1989-90 Guide License Application for conduct of deer, elk, goat, sheep, bear, cougar, predator, forest grouse and chukar hunting, as well as fishing, trailrides and backpacking activities while in the employ of Mile Hi Outfitters. The Board notes that Mr. Easter appears to have a rather consistant record of violations of Fish and Game law and other matters; following which, MSC (Miller--Crane) THAT MR. EASTER'S GUIDE LICENSE APPLICATION BE DENIED. AUTHORITY FOR THIS ACTION IS IN ACCORDANCE WITH IDAHO CODE 36-2109(c) and 36-2113(a)(1, 3, 6, and 14). FURTHER, THAT MILE HI OUTFITTERS, HIS EMPLOYING OUTFITTER, BE NOTIFIED OF THE BOARD'S ACTION.

**Thomas J. Hash:** The Board reviewed Mr. Hash's 1989-90 Guide License Application for conduct of deer, elk, bear and forest grouse hunting and trailride activities while in the employ of Steve Jones/Weitas Creek Outfitters. Board staff review of Mr. Hash's application noted that it appeared his first aid card had been falsified. Further research with the American Red Cross finds that Mr. Hash did not attend an instruction course as indicated and claimed in his application; following which, MSC (Miller--Baird) THAT MR. HASH'S GUIDE LICENSE APPLICATION BE DENIED. AUTHORITY FOR THIS ACTION IS IN ACCORDANCE WITH IDAHO CODE 36-2109(c) and 36-2113(a)(1, and 14). FURTHER, THAT STEVE JONES/WEITAS CREEK OUTFITTERS, HIS EMPLOYING OUTFITTER, BE NOTIFIED OF THE BOARD'S ACTION.

**Tawna Skinner:** The Board reviewed Ms. Skinner's 1989-90 Guide License Application for conduct of cross country skiing activities while in the employ of Salmon River Properties. The Board reviewed Ms. Skinner's ski log and also recommendations made by its technical advisory committee regarding Ms. Skinner's qualifications, noting that she is recommended to be licensed for lead guide status; following which, MSC (Miller--Baird) THAT MS.

SKINNER'S GUIDE LICENSE APPLICATION BE APPROVED. (Administrative Note: Apparently Salmon River Properties, Inc., application to amend their outfitter license for conduct of crosscountry skiing is awaiting approval, pending their securing the employment of a qualified lead guide for this activity. Upon approval of Ms. Skinner's application, this qualification is now met so that Salmon River Properties, Inc., amendment request can be processed and amended license issued.)

**Jack Milbrodt:** Mr. Milbrodt was to appear before the Board at 10:00 a.m., November 14, 1989 in regards to the proposed revocation of his guide license for the 1989-90 season. Board's attorney, Dallas Burkhalter, met with Mr. Milbrodt's attorney, Bill Brauner, regarding this matter in discussion and clarification of the issues. Following this discussion and receipt of written communications from Valley County Prosecuting Attorney Clayton Anderson, Board's attorney recommends that the charges against Mr. Milbrodt be dismissed; following which MSC (Miller--Crane) THAT UPON ADVICE OF COUNSEL THE BOARD CEASE PROCEEDINGS ON ALL CHARGES PENDING BEFORE THE BOARD AGAINST MR. MILBRODT.

**Mitchell D. Richardson:** The Board reviewed Mr. Richardson's 1989-90 Guide License Application for conduct of elk, deer, sheep, bear, and cougar hunting, noting that in Section C of said application, Mr. Richardson admits to violation of Idaho Fish and Game law in 1986. Following review and consideration of this matter, MSC (Baird--Crane) THAT MR. RICHARDSON'S 1989-90 GUIDE LICENSE APPLICATION BE ISSUED PROBATIONARY. THE CONDITIONS OF PROBATION ARE THAT HE NOT VIOLATE ANY LOCAL, STATE OR FEDERAL LAW NOR THAT ANY AMENDMENT SHALL BE MADE TO HIS LICENSE DURING THE CURRENT LICENSE YEAR ENDING MARCH 31, 1990.

**Board Minutes - September Meeting:** The Board reviewed the September 11-15, 1989, Board meeting minutes, following which MSC (Crane--Miller) THAT THE MINUTES BE APPROVED AS CORRECTED.

The Board recessed for the evening at 1645 hours. Tuesday morning, November 14, 1989 the Board reconvened at 0830 hours. All Board members present except Ted Epley. Board Attorney, Dallas Burkhalter, and Executive Director, Dean Sangrey, also present.

**Quinton Cook:** The Board reviewed Mr. Cook's undated letter received by the Board November 8, 1989, in which he expresses his interpretation of a Board position relative to walk and wade fishing on Idaho waters. Following discussion of this matter, the Board directs a letter be addressed to Mr. Cook to advise him that his understanding of the Board's action as regards walk and wade fishing is in error, and that the Board has taken no such action.

**Cougar Ranch Outfitters/Brent Hill, Designated Agent:** The Board reviewed Enforcement Officer Stan Jensen's camp inspection reports regarding his recent visitation to camps and interviews with guides employed by Cougar Ranch Outfitters. Apparently he found certain individuals were in the field guiding hunters without having a current guide license in possession, as required by Idaho Outfitters and Guides Board Rules and Regulations, Rules 2(a) and 3. Following review of this information, MSC (Baird--Meiners) THAT MR. HILL BE BROUGHT BEFORE THE BOARD FOR A SHOW CAUSE HEARING FOR SUSPENSION OR REVOCATION OF THE RESPECTIVE LICENSES FOR ALLEGED EMPLOYMENT OF UNLICENSED GUIDES. AUTHORITY FOR THIS ACTION IS PURSUANT TO IDAHO CODE 36-2113(a)(9 and 14) AND BOARD RULES AND REGULATIONS, RULE 2(a).

**South Fork Snake River:** The Board reviewed correspondence received from concerned individuals regarding outfitted activities on the South Fork Snake River in which it is alleged various violations of the Outfitters and Guides Act and Outfitters and Guides Rules and Regulations are being observed on the river. The correspondence expresses a concern that no apparent enforcement effort is being made to address these alleged violations. And, that various Idaho Department of Fish & Game enforcement personnel are aware of the situation but make no attempt to address the problem. Following discussion of this situation, the Board directs a letter be addressed to Herb Pollard, Regional Supervisor, Region VI, Idaho Department of Fish & Game (inclusive of a copy of the letter received from officers of the Region VI Idaho Wildlife Council with his attention drawn to the second paragraph, page 2) to ask his response as to what violations, etc., Fish & Game officers are observing of which the Board is knowledgeable and not responding to in a prompt manner. Further, the Board would appreciate his ideas and suggestions regarding the South Fork Snake River situation.

**Payette River Co./Randy Brink, Designated Agent:** Mr. Brink appeared before the Board in response to the Board's request that he meet with the Board to explain the circumstances regarding Ms. Zella Johnson's complaint; i.e., nonfulfillment of a "no-show" on his part for a booked float trip this past summer on the Payette River (PA2). The Board also inquired as to the circumstances surrounding Mr. Brink's authentication of various training cards for the Payette River, Sections PN2, PS1, and PS2, when in fact he was not a licensed outfitter. Following the interview and discussion of Mr. Brink's explanation of circumstances surrounding his activities this past summer and his further expressed apology for having functioned as an outfitter when in fact he was not, MSC

(Miller--Baird) THAT THE BOARD 1) ADDRESS A LETTER OF REPRIMAND TO MR. BRINK, EXPRESSING IT'S CONCERN THAT HE HELD HIMSELF OUT AS A VALID LICENSED OUTFITTER THIS PAST SUMMER BY BOOKING CLIENTS AND SIGNING GUIDE TRAINING CARDS, WHEN IN FACT HE WAS NOT; 2) FLAG MR. BRINK'S FILE THAT UPON HIS MAKING RENEWAL APPLICATION FOR HIS 1990-91 OUTFITTER LICENSE, THAT SAID LICNESE BE ISSUED ON A PROBATIONARY BASIS WITH TERMS OF SAID PROBATION BEING NO VIOLATION OF LOCAL, STATE OR FEDERAL LAW, NOR ANY AMENDMENT DURING LICENSE YEAR ENDING MARCH 31, 1990; AND 3) ADDRESS A LETTER TO MS. ZELLA JOHNSON STATING THE BOARD HAS MET WITH MR. BRINK REGARDING HER COMPLAINT, AND IT IS THE BOARD'S UNDERSTANDING THAT MR. BRINK HAS CONTACTED HER AND HAS RESOLVED HER COMPLAINT TO HER/THEIR MUTUAL SATISFACTION.

**Buzz Fawcett/Shooting Preserve:** Mr. Buzz Fawcett and his attorney, Mr. Stu Carty, met with the Board as regards whether certain activities conducted on a state licensed hunting preserve would fall under the purview of the Idaho Outfitters and Guides Act and Idaho Outfitters and Guides Board Rules and Regulations. Following the discussion and interview with Messrs Fawcett and Carty, the following elements became apparent: 1) The Preserve activities are limited to its membership; 2) activities conducted on the preserve do not appear to fall within the purview of the Act, or Board Rules and Regulations, as guided activities; 3) that, as referenced in their brochure, the so called guidedog handlers in actuality are functioning only as volunteer individuals providing supervision for the utilization of their own dogs on a training basis for which they receive no compensation; and 4) current or past advertisements describing their activities offered on The Preserve perhaps use a poor choice of words in describing said activities. With the foregoing in mind, it is the Board's position that current operations on The Preserve appear to fall outside the scope of the Idaho Outfitters and Guides Act and Idaho Outfitters and Guides Board Rules and Regulations. However, if such activities change to involve the general public or other activities falling within the purview of the Act and Board Rules and Regulations, it is the Board's understanding that The Preserve will take the necessary steps to obtain appropriate outfitter/guide license(s). The Board directs a letter be addressed to Mr. Fawcett thanking him, and Mr. Carty, for meeting with the Board to clarify The Preserve operations and to express the Board's position/understanding as regards their current operation and possible future activities/plans.

The Board recessed for lunch at 1210 hours and reconvened at 1315 hours.

**Magnum Outfitters, Inc.:** Mr. and Mrs. Reagan McLemore, Mr. Stephen McLemore, and Doug Marsing, representing Magnum Outfitters, Inc., appeared before the Board regarding 1) Mr. Stephen I. McLemore becoming the Designated Agent for Magnum Outfitters, Inc.; and 2) the proposed sale and transfer of business by and between Miller/Moser, dba Idaho Adventures, and Magnum Outfitters, Inc., for the conduct of float boating activities on SA4A and SA4B. Following the interview and in consideration of these proposals; 1) MSC (Baird--Crane) THAT MR. STEPHEN I. MCLEMORE BE APPROVED AS DESIGNATED AGENT, QUALIFIED TO GUIDE, UPON COMPLETION OF THE NECESSARY PAPERWORK, AND 2) MSC (Crane--Baird, Miller abstains) THAT THE PROPOSED SALE AND TRANSFER OF BUSINESS BY AND BETWEEN MILLER/MOSER, DBA IDAHO ADVENTURES, AND MAGNUM OUTFITTERS, INC., FOR THE CONDUCT OF FLOAT BOATING ACTIVITIES ON SA4A AND SA4B, BE APPROVED.

**Lazy J Outfitters, Inc./Larry Jarrett, Designated Agent and Fall Creek Outfitters, Inc./Del Allmon, Designated Agent:** Messrs Larry Jarrett and Del Allmon met with the Board regarding a disputed operating area boundary. It was suggested that a change be made in said operating boundary to accommodate bear and cougar hunting in Fish & Game Management Units 39 and 43. Following the interview and discussion of this information, it is the Board's position that: 1) it will research the use records submitted by the parties involved to ascertain the numbers of cougar taken in the past three (3) years; 2) it will contact the Idaho Department of Fish & Game to ascertain the rationale for having imposed a five (5) female limit for cougar taken in Management Unit 39; and 3) given this data, the Board will evaluate said data at its December meeting and again contact the parties involved to attempt to resolve the issue.

**George Duncan and Leo Crane, dba Clearwater Outfitters:** Messrs Duncan and Crane met with the Board regarding the proposed sale and transfer of a portion of Mr. Crane's, dba Clearwater Outfitters, business situated in Fish & Game Management Unit 10 to Mr. Duncan for conduct of deer, elk, bear, cougar and forest grouse hunting. Following the interview before the Board, MSC (Baird--Meiners) THAT THE PROPOSED SALE AND TRANSFER OF BUSINESS FOR CONDUCT OF DEER, ELK, BEAR, COUGAR AND FOREST GROUSE HUNTING IN FISH AND GAME MANAGEMENT UNIT 10 BE APPROVED. THE OPERATING AREA IS AS DESCRIBED IN THE APPLICATION. (SEE ADDENDUM #1)

**Gary Sylte, dba Coeur d'Alene River Big Game Outfitters:** The Board reviewed Mr. Sylte's file, noting that the Wallace Ranger District has concurred with the Board's selection of Gary Sylte, dba Coeur

d'Alene River Big Game Outfitters, as the qualified applicant for conduct of outfitted activities in that operating area formerly assigned to Richard Grunch, dba The Grunch Bunch. This selection/determination has been made in accordance with procedures outlined in the Memorandum of Understanding, Amendment 1, and Idaho Outfitters and Guides Board Rules and Regulations, Rule 28(c); following which MSC (Crane--Miller) THAT THE BOARD APPROVE MR. GARY SYLTE, DBA COEUR d'ALENE RIVER BIG GAME OUTFITTERS, FOR LICENSING INTO THAT OPERATING AREA FORMERLY LICENSED TO RICHARD C. GRUNCH FOR CONDUCT OF ELK, DEER, BEAR, COUGAR, AND PREDATOR HUNTING. THE OPERATING AREA BOUNDARIES SHALL BE ONE AND THE SAME AS WAS FORMERLY LICENSED TO MR. GRUNCH (SEE ADDENDUM #2).

**Wild River Outfitters:** Judy Cook met with the Board relative to her application to become Designated Agent for Wild River Outfitters. This was a follow-up meeting with Ms. Cook regarding this application as she had been requested at the Board's September meeting to provide additional information regarding her application. Said information is now at hand; namely a corporate resolution, signed by a majority of Wild River Outfitters Corporate Directors, in which they have asked the Board to license an additional, second, designated agent, namely Judy Cook, for conduct of their business. Following consideration of this matter, MSC (Baird--Miller) THAT THE BOARD APPROVE JUDY COOK AS A SECOND DESIGNATED AGENT FOR WILD RIVER OUTFITTERS, QUALIFIED TO GUIDE SNOWMOBILING AND FLOAT BOATING ACTIVITIES.

**Hells Canyon NRA Day Use Float Permits:** The Board again reviewed the file regarding selection of appropriate applicants for the conduct of day use float permits on the Snake River below Hells Canyon, SN7. Following review of the file, and in consideration of the correspondence which has been received regarding the applicants selected, the Board finds that 1) pursuant to the request made to Messrs Art Seamons and Ed Cole, U. S. Forest Service, and criteria set forth in the Memorandum of Understanding, Step 8, wherein the Forest Service was to submit written documentation regarding any applicant not acceptable to the Forest Service for the issuance of an appropriate license/permit, that said information has not been forthcoming to date; and 2) Canyon Outfitters's proposal submitted in response to the advertised prospectus as regards this activity presents an impractical approach to accommodate the proposed float activity and would not offer a quality recreational experience for clientele participating in the day float proposal. Thus, the Board directs a letter be addressed to the Forest Service to advise them that, in the Board's

opinion, the Forest Service has not fulfilled their obligations as required under the MOU, Amendment 1, Step 8, and that the Board reaffirms its position that the two applicants the Board selected, namely Adventures Afloat and Gary Armacost, dba Hells Canyon Adventures, represent the two best qualified individuals to perform day use float boating activities below Hells Canyon Dam, SN7.

Board recessed for the evening at 1715 hours. Wednesday morning, November 15, 1989 the Board reconvened at 0820 hours with all Board members, except Ted Epley, present. Board Attorney and Executive Director present.

**Sleeping Deer Outfitters, Inc./Scott Berry, Designated Agent:** The Board reviewed Sleeping Deer Outfitters, Inc., file noting the Board Chairman had received a telephone call, and subsequent letter, from the Forest Service regarding Sleeping Deer Outfitters, Inc., not maintaining valid insurance coverage as required by Forest Service permit clause 22(b-10). Following discussion of this matter, the Board directs a letter to addressed to Mr. Berry advising him that the Board 1) is aware of his noncompliance with Forest Service special use permit requirements; 2) request his compliance with Forest Service Special Use Permit requirements in as timely a manner as possible; 3) request that if in fact Sleeping Deer Outfitters, Inc., does not intend to operate for the balance of the year, etc., that the Board be so notified; and 4) will require that necessary insurance coverage to validate Sleeping Deer Outfitters, Inc.'s special use permit must be in place prior to renewal/issue of a 1990-91 outfitter license.

**David M. Friedman:** The Board reviewed Mr. Friedman's file, noting his letter addressed to the Board dated November 7, 1989, regarding a citation he received for violation of Idaho Fish & Game law. Also noted was a letter dated October 24, 1989, received from David Ortman, Idaho Department of Fish & Game Regional Supervisor, regarding the same matter. Following consideration of the information provided, which shows a pattern of repeated violation of Idaho Fish & Game law, MSC (Baird--Crane) THAT MR. FRIEDMAN BE REQUESTED TO APPEAR BEFORE THE BOARD TO OFFER AN EXPLANATION OF THE CIRCUMSTANCES THAT PERTAIN TO THESE REPEATED VIOLATIONS OF IDAHO FISH AND GAME LAW, AND IDAHO OUTFITTERS AND GUIDES LICENSING BOARD RULES AND REGULATIONS, RULE 8(b)(ii).

**Jack Dennis Sports, Inc.:** Mr. John Hill, South Fork Expeditions, Ltd., and Doug Meyer, Jack Dennis Sports, Inc., met with the Board

regarding the proposed sale and transfer of South Fork Expeditions, Ltd.'s power boat business on SS1 to Jack Dennis Sports, Inc. (South Fork Expeditions would retain their float business on SS1). There were various matters on which Mr. Meyer requested clarification before continuing with the completion of this proposed sale and transfer of business. The Board attempted to answer Mr. Meyer's questions and likewise instructed him that the Board would require submission of complete paperwork before any further action would be taken on the proposed sale of business. This was mutually understood by all parties, with a meeting scheduled for the December Board meeting to consider this proposed sale and transfer of business. In view of the above, no formal Board action was required or taken.

**Mike Sohrakoff:** Mr. Sohrakoff, his attorney, Mr. Jeff Wilson, and witnesses Jim Campbell and Mike DeMerse, appeared before the Board in conduct of a show cause hearing for suspension or revocation of Mr. Sohrakoff's 1989-90 Guide License for alleged violations of Idaho Outfitters and Guides Board Rules and Regulations. Following the hearing, and as a consequence thereof, the respective attorneys are to prepare and submit briefs relative to this matter for Board review and final action. No formal Board action is contemplated until the December meeting.

The Board recessed for lunch at 1145 hours and reconvened at 1230 hours.

**Leo Crane, dba Clearwater Outfitters:** The Board reviewed Mr. Crane's file and outfitter license amendment request for the addition of forest grouse hunting within his currently licensed operating area. Following consideration of this matter, MSC (Baird--Miller) THAT MR. CRANE'S AMENDMENT REQUEST BE APPROVED.

**Waiting Lists:** The Board reviewed current waiting lists to determine additional research is required before taking formal action in identity of those activities and operating areas to again be licensed in accordance with Rule 28(c) and the MOU.

**Oregon Trail Adventures, Inc./Lenard Porfily, Designated Agent:** Mr. Lenard Porfily, proposed Designated Agent, and Mr. John T. Harris, representing Oregon Trail Adventures, Inc., met with the Board regarding the proposed sale and transfer of business wherein Oregon Trail Adventures, Inc., would acquire Ken Warren Outdoors, Inc., float boating business on the Snake River, SN7 and SN8. Mr. Porfily requested that he be licensed as designated agent of said

corporation, qualified to guide. Following the interview before the Board and review of file, MSC (Miller--Baird) THAT THE BOARD APPROVE THE PROPOSED SALE AND TRANSFER OF BUSINESS BY AND BETWEEN THE PARTIES INVOLVED UPON COMPLETION AND SUBMISSION OF NECESSARY PAPERWORK, NAMELY 1) ARTICLES OF INCORPORATION, SAID ARTICLES HAVING BEEN REGISTERED IN THE STATE OF IDAHO; 2) A RELEASE FROM KEN WARREN STATING THAT UPON CONSUMMATION OF THIS SALE THAT HE HAS NO FURTHER INTEREST IN THE BUSINESS; 3) A SCHEDULE "A" SHOWING THE KINDS AND AMOUNTS OF EQUIPMENT BEING TRANSFERRED IN SAID SALE; 4) BOND SHOWING THE NAME OF THE CORPORATION AND THE NAME OF THE DESIGNATED AGENT; 5) THAT MR. PORFILY BE APPROVED AS DESIGNATED AGENT QUALIFIED TO GUIDE ON SN7 AND SN8; AND 6) PAYMENT OF FEES.

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

**Teton Valley Lodge/Randy Berry, Designated Agent:** The Board reviewed Teton Valley Lodge's file and investigative officer Arlo Larsen's report regarding the outfitter's employment of unlicensed guides. Following this review, MSC (Baird--Crane) THAT RANDY BERRY, DESIGNATED AGENT, TETON VALLEY LODGE, BE BROUGHT BEFORE THE BOARD FOR A SHOW CAUSE HEARING FOR SUSPENSION OR REVOCATION OF THE RESPECTIVE LICENSES FOR THE EMPLOYMENT OF UNLICENSED GUIDES. AUTHORITY FOR THIS ACTION IS IN ACCORDANCE WITH IDAHO CODE 36-2113(a)(9), AND IDAHO OUTFITTERS AND GUIDES LICENSING BOARD RULES AND REGULATIONS, RULE 2(a).

**Boulder Outdoor Survival School, Inc./David Wescott, Designated Agent:** Mr. Wescott met with the Board regarding his outfitter license amendment request for 1) the addition of snowmobiling, dog sled rides, and survival course activities, to his currently licensed activities, and 2) to request an extension of his currently licensed operating area boundaries to include lands in Fish & Game Management Units 61 and 62A. Following the interview and discussion of proposed amendment requests, MSC (Baird--Crane) THAT THE BOARD APPROVE SAID OUTFITTER LICENSE AMENDMENT REQUESTS PENDING 1) CONCURRENCE BY THE FOREST SERVICE THAT THEY WILL ISSUE A SPECIAL USE PERMIT; 2) CONTACT OF AFFECTED OUTFITTERS REGARDING PROPOSED ACTIVITIES WITHIN THEIR RESPECTIVE OPERATING AREAS; 3) THAT SAID OPERATING AREA BOUNDARY, IF APPROVED, IS AS DESCRIBED IN THE AMENDMENT REQUEST TO REFLECT THE CADASTRAL DESCRIPTION OF LANDS INVOLVED, TOWNSHIPS 6, 7, 8, 9, 10, 11, AND 12 NORTH, AND RANGES 42, 43, AND 44 EAST; AND 4) PAYMENT OF NECESSARY AMENDMENT FEE, BEFORE FINAL ACTION IS TAKEN BY THE BOARD. [Administrative Note:

The Board needs to make phone contact with the Forest Service and affected outfitters, followed up by a letter, for response to this license amendment request to enable Board action at its December meeting, if possible.]

**Wild River Outfitters, Inc.:** The Board reviewed Wild River Outfitters, Inc., file in consideration of the August 7, 1989 boating accident on the lower Salmon River (SA7) and investigative information regarding same, following which, MSC (Miller--Crane) THAT THE BOARD INITIATE AN EVALUATION OF THIS ACCIDENT AND RELATED REPORTS TO ASCERTAIN WHETHER VIOLATION OF IDAHO OUTFITTERS AND GUIDES LICENSING BOARD ACT OR OUTFITTERS AND GUIDES LICENSING BOARD RULES AND REGULATIONS OCCURRED. IF SO, TO TAKE APPROPRIATE ACTION REGARDING THIS MATTER IN PROSECUTING ANY VIOLATION THAT MAY HAVE OCCURRED.

The Board recessed for the evening at 1600 hours. Thursday morning, November 16, 1989, the Board reconvened at 0820 hours. All Board members except Ted Epley present. Board Attorney and Executive Director both present.

**SA1 Walk and Wade Fishing:** The Board reviewed the 13 applications received in response to the solicitation of interested applicants for the conduct of walk and wade fishing on the Salmon River, SA1. Following evaluation procedures in scoring individuals according to the operating plans and applications submitted to the Board for their review, the four (4) successful applicants are:

Robert L. Cole, dba Sawtooth Guide Service  
Sevy Guide Service, Inc./Robert J. Sevy, D.A.  
The Stanley Rafting Group, Inc./dba The River Co.  
Betsy Barrymore Stoll, D.A.  
Sun Valley Rivers Co./Jon McGregor, D.A.

Following which, MSC (Miller--Baird) THAT THE BOARD APPROVE THE FOUR (4) APPLICANTS FOR ISSUE OF AN AMENDED LICENSE FOLLOWING 1) NOTIFICATION TO THE SNRA OF THE BOARD'S ACTION IN THIS REGARD TO REQUEST THEIR REVIEW AND COMMENTS; 2) UPON RECEIPT OF SNRA RESPONSE, IF ALL APPLICANTS ARE ACCEPTABLE TO THEM, THAT AMENDMENT OF THE RESPECTIVE LICENSES BE MADE AND ISSUED UPON PAYMENT OF NECESSARY FEES; AND 3) THAT UNSUCCESSFUL APPLICANTS BE SO NOTIFIED.

The Board recessed for lunch at 1115 hours and reconvened at 1250 hours.

**Quinton L. Cook (Guide License #4339):** The Board received telephone communication from law enforcement authorities in the Orofino area that within the past twenty-four (24) hours a drowning has occurred on the Clearwater River (CL3). Apparently the accident occurred while a guided fishing trip was being conducted. Following consideration of this information, MSC (Baird--Miller) THAT THE BOARD FINDS THAT THERE IS POTENTIAL FOR POSSIBLE ENDANGERMENT OF THE HEALTH, SAFETY AND WELFARE OF THE PUBLIC IF MR. COOK IS ALLOWED TO CONTINUE TO GUIDE STEELHEAD FISHERMAN THIS FALL. PURSUANT TO SUCH FINDING, AND IN ACCORDANCE WITH IDAHO CODE SEC. 67-5214(c), THE BOARD TAKES SUMMARY JUDGEMENT IN THE TEMPORARY SUSPENSION OF MR. COOK'S GUIDE LICENSE, NO. 4339; AN EMERGENCY IS DECLARED TO EXIST. THIS SUSPENSION WILL BE EFFECTIVE FORTHWITH. FURTHER, THAT ENFORCEMENT COORDINATOR AL LEWIS IS INSTRUCTED TO RECOVER OR PICK UP MR. COOK'S GUIDE LICENSE AS SOON AS POSSIBLE.

**Marlene A. West, dba Ridgerunner Outfitters:** Ms. West and John Stover met with the Board regarding the proposed sale and transfer of business by and between John Stover, dba Stover Outfitters, to Marlene A. West, dba Ridgerunner Outfitters. Ms. West requests that her outfitter license be and is the same as that currently licensed to John Stover, dba Stover Outfitters, namely, for conduct of deer, elk, goat, bear, cougar, predator, and forest grouse hunting, fishing, trailriding and photography trips within that operating area currently licensed to Mr. Stover. Following the interview before the Board, MSC (Crane--Baird) THAT BOARD APPROVE THE PROPOSED SALE AND TRANSFER OF BUSINESS, WITH LICENSE ISSUED, PENDING PAYMENT OF FEES. THE OPERATING AREA BOUNDARY SHALL BE ONE AND THE SAME AS CURRENTLY LICENSED TO JOHN STOVER, DBA STOVER OUTFITTERS. FURTHER MS. WEST TO BE LICENSED NOT QUALIFIED TO GUIDE, HOWEVER, SHE WILL BE EMPLOYING MR. JOHN STOVER AS A GUIDE FOR THE LICENSED ACTIVITIES. (SEE ADDENDUM #3)

**Review of Licensing Forms:** The Board reviewed existing application and other forms, to make those modifications as deemed necessary to update/correct said forms. Following this review of changes in the forms, the Board directs that appropriate steps be taken to have the required changes made in the forms and adequate forms printed in preparation for the 1990-91 license year.

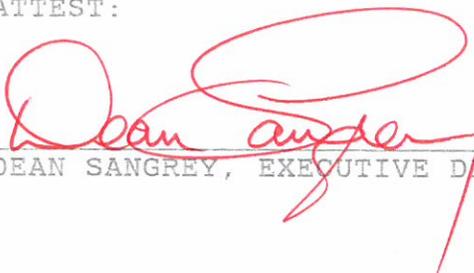
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There being no further business to come before the Board, the meeting was adjourned at 1530 hours, November 16, 1989.

  
\_\_\_\_\_  
WILLIAM R. MEINERS, CHAIRMAN OF THE BOARD

ATTEST:

  
\_\_\_\_\_  
DEAN SANGREY, EXECUTIVE DIRECTOR

OG0008

GEORGE E. DUNCAN

OPERATING AREA FOR HUNTING OF DEER, ELK, BEAR, COUGAR, FOREST  
GROUSE AND PREDATORS

(Joint Area, in part, with Lester West)

OPERATING AREA #1: Beginning at Dent Bridge (Sec. 26, T38N, R2E, BM); thence easterly along the south and east side of Dworshak Reservoir to the ridge east of Thompson Creek on the North Fork of the Clearwater River; thence south and west on this ridge along Swan Point and Beaver Butte to Bingo Saddle and the Harlan Creek Road; thence southeasterly on Harlan Creek Road to Beaver Creek and Road 247; thence southerly on Roads 247, 251, and 246 to Headquarters; thence southerly on State Highway 11 to Quartz Creek; thence westerly by Road 311 to Whiskey Creek and road junction north to Johnson; thence northwesterly along road to Dent Bridge, the point of beginning. [F&G Units 10 & 10A] [Clearwater National Forest Map, 1980]

ADDITIONAL OPERATING AREA FOR HUNTING BEAR AND COUGAR

OPERATING AREA #2: Beginning at Hollywood Junction on State Highway 11 (Sec. 16, T37N, R5E, BM) and Idaho Department of Fish and Game Management Unit Boundary 10/10A; thence northeasterly on State Highway 11 to Summit Landing and juncture with Forest Road 669 (Sec. 35, T38N, R5E, BM); thence easterly on Forest Road 669 to its juncture with an unnumbered road (SW 1/4 Sec. 32, T38N, R6E, BM); thence northeasterly along said unnumbered road leading to Elk Mountain and juncture with Trail 601 (Sec. 7, T38N, R7E, BM); thence easterly on Trail 601 via Clark Mountain to Bungalow on the North Fork Clearwater River at the mouth of Orogrande Creek (Sec. 18, T38N, R8E, BM); thence southwesterly up the Orogrande Creek drainage on Forest Roads 250 and 547 to and along Hemlock Ridge on the French/Hemlock Creek watershed divide to Hemlock Butte (Sec. 7, T36N, R7E, BM); thence continuing southwesterly on Forest Roads 535, 5158, and 103 via Lolo Forks to the juncture of Forest Road 100 at Mussel Shell Meadows (Sec. 29, T35N, R6E, BM) and Idaho Department of Fish and Game Management Unit Boundary 10/10A; thence northerly on Forest Road 100 and said Fish and Game Management Unit Boundary to the juncture with State Highway 11 and continuing northerly on State Highway 11 and said Fish and Game management Unit Boundary via Pierce to Hollywood Junction, the point of beginning. [F&G Unit 10] [Clearwater National Forest Map, 1980]

GARY SYLTE

dba: Coeur d'Alene River Big Game Outfitters

OPERATING AREA FOR HUNTING DEER AND ELK AS SPECIFIED ON LICENSE

OPERATING AREA #1 - Starting at the junction of Miners Creek and the Coeur d'Alene River Road, #208, Sec. 19, T52N, R3E, BM; thence north on the Coeur d'Alene River Road to the junction of Road #3099 and #6310 in Sec. 4, T52N, R2E, BM; thence southwesterly along Road #6310 to the junction with Halsey Creek Trail in Sec. 25, T52N, R1E, BM; thence easterly on the Halsey Creek Trail to Stony Point and the junction of Road #804 in Sec. 34, T52N, R2E, BM; thence easterly on Miner's Creek Road to junction with the Coeur d'Alene River Road to the point of beginning. (Idaho Panhandle National Forest Map, 1981. Map #2)(F&G Unit 4)

OPERATING AREA #2 - Beginning at Shoshone Camp Work Center on the Coeur d'Alene River at the Shoshone Creek confluence, Sec. 5, T50N, R4E, BM; thence northerly upstream along Shoshone Creek along Road #412 to intersect a power transmission line in Sec. 9, T51N, R4E, BM; thence northeasterly along said power transmission line to the Idaho/Montana state line and the boundary of F&G Unit 4, Sec. 29, T52N, R5E, BM; thence northwesterly along state line and F&G Unit 4 boundary to intersect Road #992, SW 1/4, Sec. 12, T53N, R3E, BM; thence southwesterly along Road #992 to Jordan Saddle; thence northwesterly downstream along Lost and Jordan Creeks to the Coeur d'Alene River at Jordan Camp, Sec. 17, T53N, R3E, BM; thence southwesterly and southeasterly along the Coeur d'Alene River to intersect Road #208, Sec. 1, T52N, R2E, BM; thence southwesterly along the Coeur d'Alene River and Road #208 to the Point of Beginning at the Shoshone Camp Work Center. (Idaho Panhandle National Forest Map, 1981. Map #2)(F&G Unit 4)

MARLENE A. WEST  
dba: Ridgerunner Outfitters

OPERATING AREA FOR FISHING, TRAILRIDES, AND HUNTING FOR DEER, ELK  
GOAT, BEAR AND COUGAR

Beginning on the North Fork Clearwater River at Isabella Creek (Sec. 31, T41N, R7E, BM) and Idaho Department of Fish and Game Management (F&G Mgmt) Unit 9A/10 boundary; thence easterly upstream on North Fork Clearwater River and said F&G Mgmt Unit boundary to Quartz Creek and continuing easterly on Quartz Creek and said F&G Mgmt Unit boundary to the mouth of Twin Cabins Creek (Sec. 34, T41N, R10E, BM); thence northerly upstream on Twin Cabins Creek to Indian Henry Ridge, Skull/Quartz Creek watershed divide, and Road 5371; thence easterly on said watershed divide and Road 5371 to Pat Mountain Ridge on the Skull/Meadow Creek watershed divide, F&G Mgmt Unit 9A/10 boundary and Road 715 (Sec. 19, T41N, R10E, BM); thence northerly on said boundaries and Road 715 to juncture with Trail 59 (Sec. 31, T42N, R10E, BM); thence westerly around the head of Copper Creek to and down the Copper/Roaring Creek watershed divide; thence southwesterly down said watershed divide to the mouth of Frost Creek (Sec. 8, T41N, R9E, BM); thence upstream on Frost Creek to Lost Trail Ridge and Trail 283 and continuing northerly on Trail 283 to the Clearwater/Panhandle National Forest boundary to the head of Spud Creek near Road 6105 and F&G Mgmt Unit 7/9A boundary (NW corner Sec. 36, T42N, R8E, BM); thence on a straight line southwesterly across Perry and Collins Creeks to the juncture of Trails 97 and 685 on Avalanche Ridge (Sec. 24, T41N, R7E, BM); thence northerly on Trail 97 to the head of Isabella Creek and juncture with Trail 95 (Sec. 7, T41N, R8E, BM); thence southwesterly downstream along Isabella Creek to North Fork Clearwater River, the point of beginning. [F&G Unit 9A] [Clearwater National Forest Map, 1980]