

MINUTES

**STATE OF IDAHO
OUTFITTERS AND GUIDES LICENSING BOARD**

Boardroom - Boise, Idaho

April 23-27, 1990

A regular meeting of the Idaho Outfitters and Guides Licensing Board was convened on Monday, April 23, 1990, at 0830 hours with all Board members present. Board Executive Director Dean Sangrey, Board Attorney Dallas Burkhalter, and Board Enforcement Coordinator Al Lewis, also present.

Executive Director's Report: Executive Director, Dean Sangrey, reviewed and updated the Board as regards on-going activity since the last Board meeting.

Executive Session: Pursuant to Idaho Code Sec. 67-2345, MSC (Baird--Miller) (Crane - aye, Epley - aye, Baird - aye, Miller - aye, Meiners - aye) that Board go into Executive Session to discuss personnel matters. Session commenced at 0940 hours and ended at 1045 hours with no decisions made.

SCR 142: Board reviewed SCR 142 and its implications insofar as Board employees are concerned. Following review of recommendations of Executive Director Dean Sangrey regarding implementation of SCR 142, MSC (Epley--Crane, Baird abstains) THAT BOARD APPROVE RECOMMENDATIONS FOR SALARY INCREASES IN COORDINATION WITH PERFORMANCE EVALUATIONS SUBMITTED.

Enforcement Coordinator's Report: Enforcement Coordinator Al Lewis made a report to the Board to update them regarding ongoing enforcement activities since the February Board meeting.

Board Attorney Update: Mr. Burkhalter brought the Board up-to-date relative to all litigative matters currently before the Board, as well as other legal matters regarding Board Rules and Regulations.

Board recessed for lunch at 1200 hours and reconvened at 1315 hours.

Board Minutes - February Meeting: The Board reviewed the February 12-16, 1990 Board meeting minutes, following which MSC (Crane--Epley) THAT THE MINUTES BE APPROVED AS CORRECTED.

Fiscal Report: The Board reviewed the fiscal status of the Board's operating budget for the months of February and March, 1990, following which MSC (Epley--Miller) THAT SAID FISCAL REPORTS BE APPROVED AS SUBMITTED.

Proposed Rules Package: Board reviewed correspondence received from the Legislative Council pertaining to the Board's proposed

rules package. Following discussion of suggestions received from the Council regarding specific changes they would like to see made in the package, MSC (Miller--Epley) THAT 1) THE BOARD DROP THE REFERENCE TO a) BICYCLING REGULATIONS, PROPOSED RULES #47 AND #62, AND b) VEHICLE INSPECTION, RULE 69(a); 2) THESE MATTERS BE REVIEWED WITH THE LEGISLATIVE COUNCIL, AND IF NECESSARY, APPROPRIATE LEGISLATIVE ACTION BE CONSIDERED IN THE FUTURE TO ADDRESS THESE MATTERS; 3) IN VIEW OF THESE CHANGES MADE IN THE PROPOSED RULES PACKAGE, THE REVISED PACKAGE BE RESUBMITTED TO THE LEGISLATIVE COUNCIL FOR THEIR CONSIDERATION PENDING LEGISLATIVE COUNCIL CONCURRENCE, AND 4) THE BOARD INITIATE APPROPRIATE PUBLIC NOTICE AND SCHEDULE TWO PUBLIC HEARINGS, NAMELY: IDAHO FALLS ON MAY 29, AND BOISE ON MAY 30, TO RECEIVE PUBLIC INPUT REGARDING THE PROPOSED RULES PACKAGE. **Administrative Note:** Executive Director is requested to ask Board's attorney to review the definition of hazardous excursions in accommodation of the Legislative Council's concerns.

Moser's Idaho Adventures River Trips/Gary and Paula Moser, Sole Proprietors: Mr. and Mrs. Moser met with the Board relative to their proposed purchase of the Miller and Moser, dba Idaho Adventures, outfitting business. Following the interview before the Board regarding this proposed sale and transfer of business, MSC (Baird--Epley, Miller abstains) THAT 1) THE BOARD APPROVE THE PROPOSED SALE AND TRANSFER OF BUSINESS BY AND BETWEEN MILLER AND MOSER, DBA IDAHO ADVENTURES TO GARY AND PAULA MOSER, DBA MOSER'S IDAHO ADVENTURES RIVER TRIPS, FOR ALL ACTIVITIES PREVIOUSLY LICENSED TO MILLER AND MOSER, NAMELY: FLOAT BOATING ON SA5, SA6, SN7 AND SN8, CHUKAR HUNTING, FISHING, TRAILRIDES, BACKPACKING AND PHOTOGRAPHY TRIPS, 2) LICENSE BE ISSUED UPON COMPLETION OF PAPERWORK, NAMELY: SUBMISSION OF AN APPROPRIATE BOND, AND PASSAGE OF THE OUTFITTERS EXAMINATION, 3) BOTH GARY AND PAULA MOSER BE LICENSED QUALIFIED TO GUIDE ALL LICENSED OUTFITTER ACTIVITIES, AND 5) THIS APPROVAL OF SALE AND TRANSFER OF BUSINESS DOES NOT INCLUDE THE TRANSFER OF POWER BOATING ON SA6.

Hank Miller Steelhead: Mr. Miller submitted an outfitter license application for continued licensing as an outfitter for the conduct of power boating activities on SA6, together with chukar hunting, fishing activities and photography trips. Following a review of the file and finding that all information on the application is complete, MSC (Epley--Baird, Miller abstains) THAT THE BOARD APPROVE THE APPLICATION AS SUBMITTED FOR THE CONDUCT OF POWER BOATING ON SA6, CHUKAR HUNTING, FISHING AND PHOTOGRAPHY TRIPS, WITH MR. MILLER QUALIFIED TO GUIDE SAID ACTIVITIES.

Olivia James/Olivia Expeditions, Inc./ Betsy Barrymore Stoll, Designate Agent: Ms. Betsy Barrymore Stoll and Ms. Olivia James met with the Board regarding the proposed sale and transfer of Stanley Rafting Group #1 and #2, dba The River Company's float boating business on SA1 to Olivia James/Olivia Expeditions, Inc.,

and Betsy Barrymore Stoll's designated agent application. Following the interview, and a complete review of related files, and finding that all necessary paperwork has been completed, MSC (Miller--Crane) THAT THE BOARD 1) APPROVE THE PROPOSED SALE AND TRANSFER OF THE STANLEY RAFTING GROUP, dba THE RIVER COMPANY OUTFITTING BUSINESS FOR THE CONDUCT OF FLOAT BOATING ON SA1 TO OLIVIA EXPEDITIONS, dba THE RIVER COMPANY, 2) APPROVE BETSY BARRYMORE STOLL AS DESIGNATED AGENT, QUALIFIED TO GUIDE, AND 3) ISSUE APPROPRIATE LICENSES UPON COMPLETION OF PAPERWORK AND PAYMENT OF FEES.

Olivia Expeditions, Inc./Betsy Barrymore Stoll, Designated Agent: The Board reviewed the petition submitted by Olivia Expeditions, Inc./Betsy Barrymore Stoll, Designated Agent's request for an exemption to Rule 53(b) as regards inflatable kayaks, to allow a 6:1 client to guide ratio, with the further stipulation that a guide shall accompany each group in his own kayak. Following discussion and consideration of petition, MSC (Miller--Crane) THAT THE BOARD 1) APPROVE THE PETITION AS SUBMITTED BY OLIVIA EXPEDITIONS, INC./BETSY BARRYMORE STOLL, DESIGNATED AGENT, FOR AN EXEMPTION TO RULE 53(b) TO ALLOW A 6:1 CLIENT TO GUIDE RATIO WITH SAID GUIDE TO BE IN AN ACCOMPANYING KAYAK, AND 2) ISSUE AN AMENDED LICENSE UPON PAYMENT OF NECESSARY FEES.

Custer/Lemhi County Joint-Use Areas: The Board reviewed and discussed Lemhi County bear/cougar, and Custer County cougar hunting joint-use areas. Following this review and discussion and in consideration of the material submitted and compiled over the years, MSC (Epley--Crane) THAT THE BOARD 1) INVOKE IDAHO OUTFITTERS AND GUIDES LICENSING BOARD RULES AND REGULATIONS, RULE 24, AS MEANS TO RESOLVE THIS JOINT-USE SITUATION IN LEMHI AND CUSTER COUNTIES, 2) NOTIFY AFFECTED OUTFITTERS CURRENTLY LICENSED TO THESE JOINT-USE AREAS OF THE BOARD'S INTENT, 3) INVITE THEM TO A HEARING BEFORE THE BOARD AT THE JUNE MEETING TO REVIEW AND DISCUSS IMPLEMENTATION OF RULE 24, AND 4) AGAIN CONTACT THE FOREST SERVICE AND IDAHO DEPARTMENT OF FISH AND GAME REGARDING THEIR CONTINUED INTEREST, CONCERN AND INPUT TO THIS MATTER.

Executive Session: Pursuant to Idaho Code Sec. 67-2345, MSC (Miller--Epley) (Crane - aye, Epley - aye, Baird - aye, Miller - aye, Meiners - aye) THAT BOARD GO INTO EXECUTIVE SESSION AT 1705 HOURS FOR DISCUSSION OF POTENTIAL LITIGATIVE MATTERS. Board came out of Executive Session at 1730 hours, with no decisions made.

G&L York Outfitters, Inc./Gladys York, Designated Agent: The Board considered the request by Mrs. York's attorney, Robert Brower, that the Board approve a conditioned settlement of the pending action before the Board. Following consideration of this request, Board's attorney was instructed to advise Mr. Brower that it is the Board's position that the hearing go forward as scheduled.

The board recessed for the evening at 1710 hours, and reconvened on Tuesday, April 24, 1990, at 0820 hours, with all Board members present, as well as Board's Executive Director, Attorney, and Enforcement Coordinator.

Juniper Mountain Outfitters, Inc./Stan Meholchick, Designated Agent: Mr. Meholchick met with the Board on an informal basis to review some of the problems that he has been experiencing in the Warm Lake area relative to his outfitting business.

Targhee National Forest/Palisades Ranger District: Messrs Ron Dickemore and Brent Porter of the Palisades Ranger District met with the Board regarding the South Fork Snake River, and the proposed sale and transfer of business by and between John Hill/South Fork Lodge, and Jack Dennis/Jack Dennis Sports, Jackson Wyoming. Following a discussion and review of the public comment that has been received by both the Board and the Forest Service regarding this proposed sale and transfer of business, and additionally, the congested activities which are currently occurring on the Palisades Reservoir and the South Fork Snake River, MSC (Miller--Baird) THAT THE BOARD ADDRESS A LETTER TO THE U.S. FOREST SERVICE, ATTN: RON DICKEMORE, PALISADES RANGER DISTRICT, STATING THAT 1): a) THE BOARD THANKS THE FOREST SERVICE (RON DICKEMORE AND BRENT PORTER) FOR THEIR COOPERATION IN FOLLOWING THROUGH ON THE MOU IN ADDRESSING THE SOUTH FORK SNAKE RIVER ISSUE, b) THAT IN ACCORDANCE WITH A REVIEW OF THE PUBLIC INPUT RECEIVED BY THE BOARD AND FOREST SERVICE, THAT THE BOARD WILL NOT HONOR ANY FURTHER REQUESTS FOR LICENSING OF BOATING ACTIVITIES ON THE SOUTH FORK SNAKE RIVER UNTIL SUCH TIME AS CONDITIONS CHANGE THAT WOULD WARRANT A RECONSIDERATION OF THIS MATTER, c) THE BOARD WILL NOT HONOR ANY REQUESTS TO SPLIT COMBINATION POWER/FLOAT BOATING LICENSES CURRENTLY ISSUED ON THE SOUTH FORK SNAKE RIVER, PURSUANT TO IDAHO CODE 36-2109(b)(5), AND IDAHO OUTFITTERS AND GUIDES LICENSING BOARD RULES AND REGULATIONS, RULE 19(f), AND d) THE BOARD WILL NOT TAKE FURTHER ACTION ON THE PROPOSED SALE AND TRANSFER OF BUSINESS BETWEEN SOUTH FORK LODGE/JOHN HILL, DESIGNATED AGENT, AND JACK DENNIS/JACK DENNIS SPORTS, IN ACCORDANCE WITH ITEM c, ABOVE, INASMUCH AS SAID APPLICATION IS INCOMPLETE, AND 2) THAT a) AN ADDITIONAL LETTER BE ADDRESSED TO MR. DICKEMORE, OUTLINING THE BOARD'S POSITION REGARDING THE LICENSING OF OUTFITTERS FOR HUNTING AND SUMMER AND WINTER RECREATIONAL ACTIVITIES IN ACCORDANCE WITH IDAHO CODE TITLE 36, CHAPTER 21, AND BOARD'S RULES AND REGULATIONS. BOARD AUTHORITY AND THE LONG STANDING POSITION OF NOT ASSIGNING MORE THAN ONE OUTFITTER TO A SPECIFIC OPERATING AREA FOR THE CONDUCT OF BIG GAME HUNTING ACTIVITIES IS MADE IN AN EFFORT TO PROMOTE AND ENHANCE WILDLIFE MANAGEMENT ACTIVITIES. HOWEVER, THIS DOES NOT APPLY TO SUMMER AND WINTER RECREATIONAL ACTIVITIES. WHERE RESOURCES CAN SUSTAIN SUCH USE, AND FOLLOWING CONSULTATION WITH THE LAND MANAGEMENT AGENCIES AND IDAHO DEPARTMENT OF FISH AND GAME, THE BOARD WILL CONSIDER, AND OFTEN DOES, LICENSING MORE THAN ONE

OUTFITTER TO A SPECIFIC OPERATING AREA, AND b) COPIES OF THIS LETTER SHOULD BE MAILED TO THOSE INDIVIDUALS LICENSED FOR BOTH POWER AND FLOAT BOATING ACTIVITIES ON THE SOUTH FORK SNAKE RIVER.

Larry W. Cross, dba Cross Outfitters: Mr. Cross met with the Board at the Board's request to respond to the complaints filed with the Board by Mr. Bill Laas and Steve Gilley. Following the interview, and in consideration of the circumstances which Mr. Cross outlined regarding these complaints, MSC (Miller--Epley) THAT 1) THE BOARD FINDS THAT NO FURTHER ACTION IS NECESSARY, 2) A LETTER BE ADDRESSED TO MR. CROSS ADVISING HIM OF THE BOARD'S DECISION, AND, FURTHER, THE BOARD CONSIDERS THIS MATTER CLOSED, 3) THE LETTER EXPRESS THE BOARD'S CONCERN REGARDING MR. CROSS'S UNPROFESSIONAL CONDUCT AS EVIDENCED IN THE LETTER HE ADDRESSED TO MR. CAUSEY IN RESPONSE TO MR. LAAS'S COMPLAINT, AND 4) THE COMPLAINANTS BE NOTIFIED OF THE BOARD'S ACTIONS.

Board recessed for lunch at 1205 hours and reconvened at 1330 hours.

Rules and Regulations: Board reviewed the proposed rules package, and recommendations from the Legislative Council that Rules 47, 62, and 69(a) be deleted. Following consideration of this recommendation and conversation between Board Chairman Meiners and State Senator Laird Noh wherein Senator Noh expressed the opinion that a) rule changes such as are proposed in Rule 47, 62, and 69(a) would require legislative approval, and b) the Board might consider asking for an Attorney General's Opinion as to whether legislative authority is required in the matter. MSC (Miller--Crane) THAT THE BOARD DIRECT IT'S ATTORNEY TO REQUEST AN IDAHO ATTORNEY GENERAL'S OPINION AS REGARDS THE BOARD'S AUTHORITY TO PROMULGATE RULES THAT PROVIDE FOR 1) THE LICENSING OF BICYCLE TOURING OR SIMILAR ACTIVITIES THAT FALL WITHIN THE DEFINITION OF "HAZARDOUS EXCURSIONS", AND 2) REQUIRING INSPECTION OF OUTFITTERS VEHICLES AS PART OF THE LICENSING PROCEDURES. FURTHER, DEPENDENT UPON THE ATTORNEY GENERAL'S OPINION, THE REQUESTED INFORMATION COULD HAVE A BEARING ON THE BOARD'S LEGISLATIVE PACKAGE THAT MUST BE SUBMITTED WITH IT'S BUDGET REQUEST TO THE GOVERNOR'S OFFICE BY SEPTEMBER 1ST. THUS, THE BOARD WOULD REQUEST A TIMELY RESPONSE FROM THE ATTORNEY GENERAL'S OFFICE TO ENABLE THE BOARD TO MEET CERTAIN TIME CONSTRAINTS.

Diana Swift Haynes, dba Wapiti Meadows Ranch and Outfitters, East Fork/M. Barry Bryant, Designated Agent and Jerry Wilcox, dba Thunder Mountain Packers: Barry Bryant and Mr. & Mrs. Jerry Wilcox met with the Board regarding the proposed sale and transfer of business by and between Mr. Wilcox and Diana Swift Haynes. Following the interview and consideration of the proposed sale and transfer of business, MSC (Epley--Baird) THAT 1) THE BOARD APPROVE SAID TRANSFER OF BUSINESS BY AND BETWEEN JERRY WILCOX, dba THUNDER

MOUNTAIN PACKERS TO DIANA SWIFT HAYNES, dba WAPITI MEADOWS RANCH AND OUTFITTERS-EAST FORK, 2) SAID OPERATING AREA AND LICENSED ACTIVITIES SHALL BE ONE AND THE SAME AS WAS FORMERLY LICENSED TO THUNDER MOUNTAIN PACKERS, 3) BARRY BRYANT BE APPROVED AS DESIGNATED AGENT, QUALIFIED TO GUIDE, AND 4) LICENSE BE ISSUED UPON COMPLETION OF NECESSARY PAPERWORK. (See Addendum #1)

Diana Swift Haynes, dba Wapiti Meadows Ranch and Outfitters/M. Barry Bryant, Designated Agent: The Board reviewed an amendment request for the conduct of fishing activities on Riordan Lake. Following a discussion of this request with Mr. Bryant, and in review of the correspondence received from the Idaho Department of Fish & Game, and recommendation made by Donald R. Anderson, Regional Fisheries Manager, MSC (Baird--Miller) THAT THE BOARD APPROVE THE AMENDMENT REQUEST WITH THE LIMITATIONS IMPOSED AS ARE OUTLINED BY MR. ANDERSON IN HIS LETTER TO THE BOARD DATED MARCH 23, 1990. SAID RECOMMENDED LIMITATIONS ARE THAT TOTAL NUMBER OF VISITS BE LIMITED TO FOUR (4), NO MORE THAN TWO (2) DAYS IN DURATION, AND NO MORE THAN EIGHT (8) ANGLERS PER WEEK DURING THE MONTH OF JUNE. (See Addendum #1)

Lazy J Outfitters, Inc./Larry Jarrett, Designated Agent: The Board reviewed the letter received on April 16, 1990, from Mr. Jarrett, in which he again raised the question regarding an operating area boundary adjustment between himself and Del Allmon pertaining to their operations in Fish & Game Management Units 39 and 43. Following consideration of this matter, MSC (Baird--Epley) THAT A LETTER BE ADDRESSED TO MR. JARRETT STATING THAT THE BOARD IS FIRM IN IT'S POSITION THAT THE APPLICABLE OPERATING AREA BOUNDARIES WERE AGREED TO BY ALL PARTIES CONCERNED, HOWEVER, THAT THE BOARD WILL AGAIN LISTEN TO A DISCUSSION REGARDING THIS MATTER IF THE PARTIES CONCERNED CAN COME TO A MUTUAL AGREEMENT AND PRESENT SUCH AGREEMENT TO THE BOARD AT A FUTURE DATE.

First Responder First Aid Certification: A certificate of first aid qualification issued to Robert D. Anderson by First Responder from the State of Washington, was reviewed by the Board. Board requested that Ted Epley check with the American Red Cross as to the authenticity of this first aid training. Mr. Epley reported that qualification under this program is good for three years, and that the training exceeds the minimum standards imposed by the American Red Cross for an advanced first aid 44 hour course, that a minimum 10 hour refresher course is required annually. Following this discussion, MSC (Epley--Miller) THAT THE BOARD ACCEPT FIRST RESPONDER AS A QUALIFIED FIRST AID COURSE FOR LICENSING PURPOSES.

Rental Vehicle Insurance Coverage: The Board reviewed the Risk Management advisory dated March, 1990, in which they advise that there is an insurance policy available to cover state employees who drive rental vehicles. This coverage is available through Risk Management with an annual premium of \$72.00. Executive Director

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Dean Sangrey recommends that the Board consider approving the acquisition of this insurance. MSC (Epley--Miller) THAT THE BOARD APPROVE SECURING THIS COVERAGE FOR RENTAL VEHICLES THAT MIGHT BE USED BY THE BOARD OR IT'S EMPLOYEES.

G&L York Outfitters, Inc./Gladys L. York, Designated Agent: Gladys L. York appeared before the Board relative to show cause hearing's in the matter of G&L York Outfitters, Inc./Gladys L. York, Designated Agent alleged violation of Idaho Code, Title 36, Chapter 21, and Idaho Outfitters and Guides Licensing Board Rules and Regulations. Two show cause hearings were conducted concurrently, commencing at approximately 1515 hours and continuing through until 0025 hours, April 25, 1990. The hearing was concluded at that time, and the matter taken under advisement by the Board for further consideration.

The Board recessed for the evening at 0035 hours, April 25, 1990, and reconvened at 0830 hours, Wednesday, April 25, 1990, with all Board members present, as well as Board Executive Director, Board Attorney, and Board Enforcement Coordinator.

Ron Sherer, dba Steel Mountain Outfitters: Mr. Sherer met with the Board regarding possible expansion of his operating area for the conduct of cougar hunting in Fish & Game Management Unit 39, and/or to inquire as to the possibility of his applying for cougar hunting in that operating area formally licensed to Quentin Selby. The Board advised Mr. Sherer that 1) due to Idaho Department of Fish & Game concern relative to the potential adverse impacts on the Unit 39 cougar population, and their recommendation that the Board not license additional outfitted cougar hunters in Unit 39, the Board would no doubt deny an amendment to expand his operating area boundary in Unit 39, and 2) the Board would not consider splitting off cougar hunting as a separate activity in the operating area formally licensed to Mr. Selby.

Bruce Duncan/Patrick Prentice, dba Selkirk Guiding and Outfitting, Denial Hearing: Messrs Duncan and Prentice, and Richard Lindsey, Grizzly Outfitters, Inc., met before the Board regarding the denial of the outfitter license application for the purchase of the hunting outfitter business currently licensed to Grizzly Outfitters, Inc./Rick Lindsey, Designated Agent. Following the hearing and in consideration of the material presented to the Board by Messrs Duncan, Prentice, and Lindsey, regarding the proposed sale and transfer of business, MSC (Crane--Epley) THAT 1) THE BOARD RESCIND IT'S DENIAL OF MESSRS PRENTICE AND DUNCAN'S OUTFITTER LICENSE APPLICATION FOR THE PURCHASE OF THE HUNTING OUTFITTER BUSINESS FROM GRIZZLY OUTFITTERS, INC./RICK LINDSEY, DESIGNATED AGENT, 2) THE BOARD APPROVE SUCH SALE AND TRANSFER OF BUSINESS BETWEEN THE PARTIES INVOLVED, 3) THE OUTFITTER LICENSE ISSUED TO MR. DUNCAN AND MR. PRENTICE BE ISSUED ON A PROBATIONARY BASIS, 4)

THE BOARD APPROVE MR. PRENTICE AS DESIGNATED AGENT, WITH SAID DESIGNATED AGENT AND GUIDE LICENSES TO BE ISSUED ON A PROBATIONARY BASIS, 5) MR. DUNCAN'S GUIDE LICENSE ALSO BE APPROVED ON A PROBATIONARY BASIS, 6) ALL SUCH PROBATIONARY LICENSES BE ISSUED WITH THE CUSTOMARY RESTRICTIONS OF NO VIOLATION OF LOCAL, STATE AND FEDERAL LAW, AND THAT NO AMENDMENT REQUESTS WILL BE HONORED DURING THE COURSE OF THE CURRENT LICENSE YEAR, WHICH EXPIRES MARCH 31, 1991, 7) ALL APPROPRIATE LICENSES BE ISSUED UPON COMPLETION OF NECESSARY PAPERWORK, SPECIFICALLY, A COMPLETED LAND MANAGER SIGN-OFF TO SUSTAIN THE LETTERS WRITTEN BY THE FOREST SERVICE ON AN EARLIER OCCASION IN WHICH THEY INDICATED THAT THEY WOULD ISSUE A SPECIAL USE PERMIT TO THE PARTIES INVOLVED, AND 8) THE DEPARTMENT OF FISH & GAME BE NOTIFIED OF THE BOARD'S ACTION IN THIS REGARD, WITH RESTRICTIONS IMPOSED AS OUTLINED.

G&L York Outfitters, Inc./Gladys L. York, Designated Agent: Mrs. York appeared before the Board April 24, 1990, (see page 7) in a show cause hearing in the matter of G&L York Outfitters, Inc./Gladys L. York, Designated Agent, for alleged violation of Idaho Code 36-2113(a)(9). During the hearing the following Findings of Fact were established: 1) Mr. William Russell King was in fact employed by G&L York Outfitters, Inc. during the period 9-21-88 through 11-21-88, 2) Gladys L. York does admit employing Mr. King during this time period, 3) Mr. King did not have a valid guide license in his possession during this time, and that said guide license was not issued until November 15, 1988, 4) Mr. King has pled guilty to the crime of guiding without a license, 5) Mr. King's application, when submitted, indicated a violation of Fish & Game law, said application was signed by Gladys L. York, and when it was received by the Board it was necessary for the application to go before the Board for their review/decision, 6) with the preceding in mind (item 5), Mrs. York should have been aware the issuance of the license would be delayed pending Board review/decision, and 7) said license when issued was issued on a probationary basis. Consideration of the foregoing Findings of Fact sustain the following Conclusions of Law: 1) Mr. King was employed as an unlicensed guide by G&L York Outfitters, Inc., during the period September 21 through November 21, 1988, and 2) G&L York Outfitters, Inc./Gladys L. York, Designated Agent, is in violation of Idaho Code 36-2113(a)(9). Following which, MSC (Crane--Epley) THAT G&L YORK OUTFITTERS, INC./GLADYS L. YORK, DESIGNATED AGENT, BE FOUND IN VIOLATION OF IDAHO CODE 36-2113(a)(9), AND PURSUANT TO OUTFITTERS AND GUIDES LICENSING BOARD RULES AND REGULATIONS, RULE 64, THAT G&L YORK OUTFITTERS, INC./GLADYS L. YORK, DESIGNATED AGENT, BE ASSESSED A FINE IN THE AMOUNT \$300.00.

Kevin G. O'Donnell: Mr. O'Donnell met with the Board regarding his designated agent license application for employment with L.P. Enright, dba Busterback Ranch. Following the interview before the

Board, and in consideration of Mr. O'Donnell's qualifications, MSC (Miller--Crane) THAT THE BOARD APPROVE MR. O'DONNELL'S APPLICATION TO BECOME DESIGNATED AGENT FOR L.P. ENRIGHT, DBA BUSTERBACK RANCH, QUALIFIED TO GUIDE FOR BACKPACKING AND MOUNTAIN BIKE TOURING. FURTHER, THAT LICENSE BE ISSUED UPON PAYMENT OF NECESSARY FEES AND COMPLETION OF NECESSARY PAPERWORK.

Board recessed for lunch at 1235 hours, and reconvened at 1335 hours.

Paul M. Resnick, dba Shepp Ranch/M. Virginia Hopfenbeck, Designated Agent: Mr. Resnick, Ms. Hopfenbeck, and Mike and Kathy DeMerse, from the Shepp Ranch, and Bob Martin, Bob Abbott, and Rogers Thomas, representing the Salmon and Nez Perce National Forests, appeared before the Board relative to the show cause hearing in the matter of the Paul M. Resnick, dba Shepp Ranch/M. Virginia Hopfenbeck, Designated Agent, for alleged conduct of unlicensed float boating on the Salmon River (SA6), a violation of Idaho Code 36-2113(a)(8)(ii). During the course of the hearing, the following Findings of Fact were established, 1) the Forest Service did in fact observe Shepp Ranch employees in the conduct of a float boating activity on the Salmon River (SA6) on July 27, 1989, 2) representatives of the Forest Service did make contact with members of this party to ascertain that members of the party employed by Shepp Ranch did not have a valid Forest Service Special Use Permit or Idaho Outfitters and Guides outfitter license for the conduct of said float boat activities on SA6, 3) Paul Resnick, dba Shepp Ranch, did in fact admit to the violation of Idaho Code 36-2113(a)(8)(ii) as observed by the Forest Service. In consideration of the foregoing Findings of Fact, the Conclusions of Law are as follows: 1) Paul Resnick, dba Shepp Ranch, did in fact conduct a float boating activity on the Salmon River (SA6) on July 27, 1989, 2) Paul Resnick, dba Shepp Ranch, is in violation of Idaho Code 36-2113(a)(8)(ii). Therefore, MSC (Epley--Baird) THAT IN VIEW OF THE PRECEDING FINDINGS OF FACT AND CONCLUSIONS OF LAW, THAT THE BOARD 1) FIND PAUL W. RESNICK, DBA SHEPP RANCH, IN VIOLATION OF IDAHO CODE 36-2113(a)(8)(ii), 2) DIRECTS THAT PAUL M. RESNICK, DBA SHEPP RANCH'S, CURRENT OUTFITTER LICENSE ISSUED ON APRIL 19, 1990, BE RESCINDED, AND THE SAME HEREBY REQUESTED TO BE RETURNED TO THE IDAHO OUTFITTERS AND GUIDES LICENSING BOARD OFFICE AS SOON AS POSSIBLE, AND 3) ISSUE AN AMENDED OUTFITTER LICENSE TO PAUL M. RESNICK, DBA SHEPP RANCH, ON A PROBATIONARY BASIS, WITH SAID TERMS OF PROBATION BEING THAT THE LICENSEE NOT VIOLATE ANY LOCAL, STATE, OR FEDERAL LAW DURING THE CURRENT LICENSE YEAR, EXPIRING MARCH 31, 1991.

Charles C. Boyd/dba Salmon River Experiences: Mr. & Mrs. Boyd, along with employee Lori Beaver, appeared before the Board in a denial hearing regarding the denial of their outfitter license amendment request for conduct of mountain bike touring. Following

consideration of testimony presented during the hearing and submission of a more detailed operating plan relative to their proposed mountain bike touring activities, MSC (Epley--Crane) THAT THE BOARD 1) RESCIND IT'S PREVIOUS DENIAL OF THE AMENDMENT REQUEST FOR THE CONDUCT OF MOUNTAIN BIKE TOURING, 2) APPROVE SAID AMENDMENT REQUEST FOR THE ADDITION OF MOUNTAIN BIKE TOURING AS A LICENSEABLE ACTIVITY ON THE BOYD'S LICENSE, WITH THE UNDERSTANDING THAT THE APPLICANTS WILL SUBMIT A LISTING AND MAP SHOWING THOSE TRAILS, ROADS AND OTHER AREAS ON WHICH THEY WOULD NOT OPERATE, TO INCLUDE U.S. 95, SALMON RIVER ROAD, AND THE COTTONWOOD TO PINE BAR ROAD, AND OTHER HEAVILY TRAVELED ROADS WITHIN FISH & GAME MANAGEMENT UNITS 11, 14, AND 18, AND 3) APPROVE SAID LICENSE AMENDMENT REQUEST IN ACCORDANCE WITH CRITERIA AS OUTLINED IN THE UPDATED OPERATING PLAN.

Assumed Business Name Certificate: The Board reviewed the updated and corrected Assumed Business Name Certificate, following which the Board directs and approves the use of the corrected form to replace the form currently in use.

Blackadar Boating Shuttle Service: The Board reviewed a letter received from the Forest Service dated April 2, 1990, in which they have addressed a request by Blackadar Boating, of Salmon, Idaho, to provide a shuttle service for the delivery of rental equipment to various locations on Forest Service land. Following a review of this matter, and in consideration of a previous Attorney General opinion provided to the Board that addressed a similar situation involving Mr. Tom Webb, of the Island Park area, MSC (Epley--) THAT THE BOARD RESPOND TO THE FOREST SERVICE THAT IN THE BOARD'S OPINION, MR. BLACKADAR WOULD BE REQUIRED TO OBTAIN AN IDAHO OUTFITTERS LICENSE IN PROVIDING THIS SERVICE.

Milt Butler/dba Chilly Ranch Outfitters: Mr. Butler met with the Board to discuss a proposal that he would like to undertake in and around the Mackay, Idaho, area. He was advised to get his amendment request prepared and submitted to the Board for processing and appropriate review in accordance with Board procedures.

Wild River Outfitters, Inc./Richard A. Bradbury, Jr., Designated Agent: Mr. Bradbury appeared before the Board in a show cause hearing regarding the alleged violation of Idaho Code 36-2113 (a)(14), and Idaho Outfitters and Guides Licensing Board Rules and Regulations, Rule 53. Pursuant to respondents preliminary motion to dismiss, Board determines that the craft in question in this matter was a canoe, therefore Rule 53 is inapplicable. Following the hearing into this matter, and in consideration of the testimony offered during the course of said hearing, the following Findings of Fact are established: 1) The craft used by Wild River

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Outfitters, Inc., on August 7, 1989, is substantially similar to a craft which the Board decided was a canoe in September, 1987, 2) The craft in question is a canoe. In review and consideration of the foregoing Findings of Fact, the following Conclusion of Law is established: Idaho Outfitters and Guides Licensing Board Rules and Regulations, Rule 53, is inapplicable because the craft in question is a canoe. Following which, MSC (Baird--Miller) THAT THIS MATTER BE DISMISSED.

Exodus Corporation, Inc./Richard Bradbury Jr., Designated Agent: Mr. Bradbury met with the Board relative to the proposed change of the Wild River Outfitters, Inc., corporate name, to Exodus Corporation, Inc. Following a discussion with the Board regarding this proposed change in corporate name, MSC (Epley--Miller) THAT THE BOARD APPROVE THE PROPOSED CORPORATE NAME CHANGE, AS REQUESTED, FROM WILD RIVER OUTFITTERS, INC., TO EXODUS CORPORATION, INC. ALL CORPORATE OFFICERS WILL REMAIN THE SAME AS FORMALLY LISTED UNDER WILD RIVER OUTFITTERS, INC., NAMELY RICHARD A. BRADBURY JR., PRESIDENT, RICHARD A. BRADBURY, SR., VICE PRESIDENT AND TREASURER, DENNIS SALLAZ, SECRETARY, MARGE LATHAM, ASSISTANT SECRETARY.

Sherry Nygaard/ dba Lochsa River Outfitters: The Board reviewed Sherry Nygaard's file relative to the outfitter amendment request for a transfer of business, by inheritance of said business, from Jack O. Nygaard to Sherry Nygaard, together with a further request that Sherry Nygaard be licensed as the outfitter, qualified to guide. Following review of the files and consideration of the amendment requests, MSC (Crane--Baird) THAT BOARD 1) APPROVE SAID AMENDMENT REQUEST TO CHANGE THE JACK O. NYGAARD, DBA LOCHSA RIVER OUTFITTERS, COMPANY NAME TO SHERRY NYGAARD, DBA LOCHSA RIVER OUTFITTERS, 2) SHERRY NYGAARD BE LICENSED AS AN OUTFITTER, QUALIFIED TO GUIDE 3) APPROVE THE OPERATING AREA THE SAME AS WAS FORMALLY LICENSED TO JACK O. NYGAARD, AS WELL AS ALL ACTIVITIES PREVIOUSLY LICENSED, AND 4) PHOTOGRAPHY TRIPS AS A LICENSEABLE ACTIVITY.

Board recessed for the evening at 1650 hours, and reconvened at 0830 hours, on Thursday, April 26, 1990, with all Board members present, as well as Board's Attorney, Executive Director, Enforcement Coordinator.

G&L York Outfitters, Inc./Gladys L. York, Designated Agent: Mrs. York appeared before the Board, April 24 & 25, 1990, (See page 7) in a show cause hearing in the matter of G&L York Outfitters, Inc./Gladys L. York, Designated Agent, for alleged violation of Idaho Code 36-2113(a)(5)(8)(9)(14), and Idaho Outfitters and Guides Licensing Board Rules and Regulations, Rule 2(d)(ii), 8(a), and 10. Following the hearing into this matter, and in consideration of the testimony offered during the course of said hearing, the following

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Findings of Fact are established: 1) G&L York Outfitters, Inc., was a licensed outfitter in the State of Idaho during the period of October 11 to October 17, 1989, 2) G&L York Outfitters, Inc., did employ Steven W. Hackney as a guide during the 1989 elk season, inclusive of October 11-17, 1989, 3) on October 12 and 13, 1989, Steven W. Hackney guided hunters outside of G&L York Outfitters, Inc., licensed operating area while employed by said outfitter, 4) G&L York Outfitters, Inc., employed Dean King during the 1989 elk season, including the period from October 11-17, 1989, 5) Dean King was not licensed to guide during this period of time, 6) on October 14, 1989, Dean King guided a hunter to an area for the purpose of hunting bear, 7) on October 14, 1989, Dean King also guided a hunter to a location for the purpose of hunting deer, 8) during the period of October 11-17, 1989, G&L York Outfitters, Inc., employees exhibited disregard for Idaho Department of Fish & Game laws by a) advising a hunter that he did not have to have his hunting license and elk tag in his possession while hunting because a game warden did not come into the area, b) advising a client that a fishing license was not needed to fish at lakes in the area, and that there was no limit on the number of fish taken, and c) advising a hunter not to tag an elk killed by the hunter until the animal was dressed and taken to camp, 9) during the period October 11-17, 1989, the kitchen and latrine at the Bargamin Creek Camp were not maintained in a neat and orderly manner, particularly on October 14, 1989. Further, the food was not adequately protected from contamination in the Bargamin Creek Camp kitchen, 10) on October 15-16, 1989, the Sheep Hill Camp was not maintained in a neat and orderly manner. Mr. Bowerman's and Mr. Teeter's testimony established that the conditions at the Sheep Hill Camp were deplorable, as was further supported by testimony by Leon York, 11) on October 15-16, 1989, clean and fresh drinking water was not available at the Sheep Hill Camp, 12) G&L York Outfitters, Inc., excuses for the violations, and promises to improve, are not acceptable, or realistic, to the Board, 13) the Board notes the following items of correspondence in G&L York Outfitters, Inc., file: a) letter dated May 17, 1974, from the Board to Gladys York (1974-75 Outfitter License issued probationary for listed reasons, including cook tent not kept clean and sanitary); b) letter dated October 28, 1976, from the Board to Gladys York (1976-77 Outfitter License issued probationary for listed reasons, including poor management); c) letter dated July 23, 1979, to Gladys York from Rich Inman, Forest Service District Ranger, noting disappointing camp conditions at Boston Mountain; d) letter dated July 8, 1980, to Gladys York from Rich Inman, Forest Service District Ranger, noting unacceptable conditions at the Sheep Hill-Rattlesnake Camp; and e) letter from Steve Williams, Forest Service District Ranger, to Gladys York, dated October 11, 1988, concerning G&L York Outfitters, Inc., violation of a fire closure, 14) the Board further takes notice of G&L York Outfitters, Inc., previous employment of an unlicensed guide, namely, William

Russell King, during the 1988 elk season. In review and consideration of the foregoing Findings of Fact, the following Conclusions of Law are established: 1) on October 12-13, 1989, G&L York Outfitters, Inc., violated Idaho Code 36-2113(a)(8) by guiding hunters outside of it's licensed operating area, 2) on October 14, 1989, G&L York Outfitters, Inc., violated Idaho Code 36-2113(a)(9) by allowing an unlicensed employee to guide a hunter, 3) G&L York Outfitters, Inc., violated Idaho Code 36-2113(a)(5) and Idaho Outfitters and Guides Licensing Board Rules and Regulations, Rule 8(a), by guiding hunters outside of their licensed operating area, and exhibiting disregard for Idaho Department of Fish & Game law, with such conduct deemed as unprofessional and unethical, and 4) G&L York Outfitters, Inc., violated Idaho Code 36-2113(a)(14) and Idaho Outfitters and Guides Licensing Board Rules and Regulations, Rule 10, by failing to maintain neat, orderly, and sanitary camps, and failing to provide clean and fresh drinking water. In consideration of the foregoing Findings of Fact and Conclusions of Law, MSC (Epley--Meiners)(Crane - aye, Epley - aye, Baird - aye, Miller - aye, Meiners - aye) THAT G&L YORK OUTFITTERS, INC., OUTFITTER LICENSE BE REVOKED FOR VIOLATION OF IDAHO CODE 36-2113(a)(5)(8)(9)(14) AND IDAHO OUTFITTERS AND GUIDES LICENSING BOARD RULES AND REGULATIONS, RULES 8(a) AND 10.

Robert C. Burlingame, dba Flying B Ranch/Michael Popp, Designated Agent: Mr. Popp met with the Board to discuss the conditions for licensing specific activities on their outfitter license. Following the interview before the Board regarding this matter, and review of Idaho Department of Fish & Game recommendations, MSC (Crane--Epley) THAT ROBERT C. BURLINGAME, DBA FLYING B RANCH/MICHAEL POPP, DESIGNATED AGENT, OUTFITTER LICENSE BE ISSUED ON THE FOLLOWING BASIS AND RESTRICTIONS: 1) A LIMITATION OF 20 CLIENTS FOR DEER HUNTING, 2) A 4 BEAR AND 2 COUGAR LIMIT FOR INCIDENTAL BEAR AND COUGAR HUNTING, 3) THAT BIRD HUNTING BE RESTRICTED TO THE SHOOTING PRESERVE, AS LICENSED BY THE IDAHO DEPARTMENT OF FISH & GAME, 4) NO ELK HUNTING IS AUTHORIZED, AND 5) THAT SAID LICENSE INCLUDE AUTHORIZATION FOR FISHING, TRAILRIDES, AND PHOTOGRAPHY TRIPS.

James R. Thrash, dba Steelhead Outfitters: Mr. Thrash met with the Board relative to his proposed purchase of the Jim Temple, dba Ways West River/Trail Adventures power boating business on the Salmon River (SA6). Following the interview before the Board regarding this matter, and in contact with the Forest Service relative to their position in issuance of a Special Use Permit, MSC (Crane--Baird) THAT 1) THE BOARD APPROVE THE PROPOSED SALE AND TRANSFER OF BUSINESS BY AND BETWEEN MR. JIM TEMPLE AND MR. JIM THRASH FOR CONDUCT OF POWER BOATING ON THE SALMON RIVER (SA6), 2) LICENSE BE ISSUED PENDING RECEIPT OF NECESSARY PAPERWORK, NAMELY EMPLOYMENT BY MR. THRASH OF A QUALIFIED POWER BOAT GUIDE FOR OPERATION ON SA6 UNTIL SUCH TIME AS MR. THRASH BECOMES QUALIFIED TO CONDUCT THIS

ACTIVITY HIMSELF. FURTHER, ISSUANCE OF LICENSE TO BE DELAYED UNTIL THE BOARD OFFICE RECEIVES NOTIFICATION FROM MR. THRASH THAT THE REFERENCED SALE AND TRANSFER OF BUSINESS HAS, IN FACT, BEEN CONSUMATED.

James R. Thrash, dba SML Outfitters/Wagon Wheel Corrals: Mr. Thrash discussed the matter of clarifying his operating area boundaries, which is currently pending before the U.S. Forest Service. Review of the file finds that the Board has not yet received a response from the Payette National Forest regarding this situation, following which the Board directs that a letter be addressed to Forest Supervisor Sonny LaSalle, to request his attention and response, thereby enabling the Board to finalize processing of Mr. Thrash's amendment request.

James R. Thrash, dba Warren Outfitters: The Board reviewed the file, noting that when issued last year, the license had a restriction placed on it regarding the conduct of trophy whitetail deer hunting in Fish & Game Management Unit 14. Following a discussion of this matter, the Board directs that Mr. Thrash's 1990-91 renewal license be issued with same restriction in place until such time as this matter has been addressed/resolved through the Idaho Department of Fish & Game 5 year management plan. Further, that the apparent overlap between Mr. Thrash and Mr. Daude, be researched to determine if Mr. Daude can conduct mule deer hunting and Mr. Thrash can conduct whitetail deer hunting in the same general area with no actual overlap in species and/or season.

Middle Fork Lodge, Inc./Robert Cole, Designated Agent: Messrs Cole, Insinger, and Ratliffe met with the Board regarding the proposed sale and transfer of business of Middle Fork Lodge, Inc., to M.F.L., Inc. Following the interview before the Board, and clarification of the process by which this proposed sale and transfer of business is being made, MSC (Epley--Baird) THAT THE BOARD APPROVE THE PROPOSED SALE AND TRANSFER OF BUSINESS BETWEEN MIDDLE FORK LODGE, INC./ROBERT COLE, DESIGNATED AGENT, and M.F.L., INC./ROBERT COLE, DESIGNATED AGENT. FURTHER THAT BOB COLE BE APPROVED AS DESIGNATED AGENT, QUALIFIED TO GUIDE, FOR M.F.L., INC., AND THAT LICENSE BE ISSUED UPON COMPLETION AND RECEIPT OF NECESSARY PAPERWORK, NAMELY WRITTEN DOCUMENTATION OUTLINING THE SEQUENCE OF EVENTS LEADING TO THIS SALE AND TRANSFER OF BUSINESS, APPROPRIATE BOND, AND PAYMENT OF REQUIRED FEES. ADDITIONALLY, THE OPERATING AREA, AND LICENSED ACTIVITIES, SHALL REMAIN ONE AND THE SAME AS WAS PREVIOUSLY LICENSED TO MIDDLE FORK LODGE, INC.

Board recessed for lunch at 1225 hours. The Board reconvened at 1320 hours.

David P. Markham, dba Venture Outdoors: Mr. Markham and his

attorney, H. Craig Haukaas, appeared before the Board in a denial hearing regarding the denial of Mr. Markham's outfitter license application for the conduct of fishing, trailride, and llama packing activities in the Sawtooth National Forest. Following the hearing before the Board, MSC (Baird--Crane) THAT THE BOARD REVERSE IT'S DENIAL OF SAID OUTFITTER APPLICATION, AND MOVE TO 1) ISSUE THE REQUESTED OUTFITTER LICENSE, WITH RESTRICTIONS AS PROVIDED BY THE IDAHO DEPARTMENT OF FISH AND GAME BY LETTER DATED NOVEMBER 14, 1989, 2) APPROVE MR. MARKHAM, QUALIFIED TO GUIDE, AND 3) ISSUE LICENSE PENDING RECEIPT OF ANY NECESSARY PAPERWORK AND PAYMENT OF APPROPRIATE FEES.

Richard Armiger, dba Paradise Outfitters: The Board reviewed Mr. Armiger's April 17, 1990, letter, in which he requests Licensing Board representation at an upcoming Idaho Wildlife Council Region 2 meeting to be held in Orofino, Idaho. After review of this matter, the Board has requested that Mr. Crane represent the Board at this meeting.

Outpost Wilderness Adventures: The Board reviewed a letter dated April 12, 1990, received from Mr. David Appleton, regarding his request for permission to bring one group of students to climb Mt. Borah during the period July 27-28, 1990. The letter does not provide much detail as to what route the group would use in climbing the mountain. Following a discussion of this request, MSC (Miller--Baird) THAT A LETTER BE ADDRESSED TO MR. APPLETON STATING THAT IF HIS PROPOSED ROUTE TO THE TOP OF MT. BORAH IS TO UTILIZE THE "WALKING" TRAIL TO THE SUMMIT, BOARD PERMISSION TO CONDUCT THIS CLIMB CAN BE GRANTED FOR A "ONE-TIME-ONLY" CLIMB, WITHOUT THE NECESSITY OF OBTAINING AN OUTFITTER AND GUIDE LICENSE. HOWEVER, IF THE PROPOSED ROUTE TRAVERSES PORTIONS OF THE MOUNTAIN THAT REQUIRE MOUNTAIN CLIMBING SKILLS, THE BOARD WOULD REQUIRE a) ADDITIONAL INFORMATION REGARDING THE QUALIFICATIONS OF INDIVIDUALS PARTICIPATING IN THE CLIMB, AND b) REQUIRE THE ISSUANCE OF AN IDAHO OUTFITTERS LICENSE AND APPROPRIATE GUIDES LICENSES BEFORE THE PROPOSED CLIMB COULD PROCEED. FURTHER, THAT A LETTER BE ADDRESSED TO MR. APPLETON ADVISING HIM OF THE BOARD'S RESPONSE TO HIS REQUEST.

Burdette B. Calkins, dba Perception West: The Board reviewed Mr. Calkins' March 8, 1990, letter in which he again requested a continuance of his waiver for non-use of his licensed activities on Lake Pend Orielle. Following discussion of this matter, MSC (Crane--Epley) THAT THE BOARD APPROVE MR. CALKINS' 1990 REQUEST FOR THE 1990-91 LICENSE YEAR, AND FURTHER ADVISE HIM THAT HE MUST HAVE REPORTABLE ACTIVITY DURING THE 1991-92 LICENSE YEAR TO PRECLUDE THE BOARD TAKING APPROPRIATE NON-USE ACTION AGAINST HIS LICENSE IN THE FUTURE.

Rule 53 Waiver Requests from Richard P. Helfrich, Jerry Hughes, and

Bill Bernt: Following a review of the waiver requests submitted to the Board by these three outfitters, MSC (Miller--Epley) THAT SAID RULE 53 WAIVER REQUESTS BE APPROVED AS SUBMITTED.

Dannie A. Strand/Rusty Gore/Larry Moats: Messrs Strand, Gore and Moats, met with the Board regarding the proposed purchase and transfer of 1) Mr. Gores' float boat and fishing business on SA3, and 2) Mr. Moats' float boat and fishing business on SA2. Following research of the files and interview before the Board and finding that applications appear to be complete, MSC (Crane--Baird) THAT THE BOARD APPROVE THE SALE AND TRANSFER OF BUSINESSES AS NOTED ABOVE, WITH MR. STRAND QUALIFIED TO GUIDE LICENSED ACTIVITIES ON SA2 AND SA3. FURTHER THAT LICENSES BE ISSUED UPON COMPLETION OF ANY NECESSARY PAPERWORK AND PAYMENT OF FEES.

David Freel, dba Double D Outfitters: Mr. Freel met with the Board regarding his proposed purchase of the Larry Moats SA4A and SA4B float boating and fishing business on the Salmon River. Following the interview before the Board regarding this matter, MSC (Baird--Crane) THAT THE BOARD APPROVE 1) THE PROPOSED SALE AND TRANSFER OF BUSINESS BY AND BETWEEN DAVID FREEL, DBA DOUBLE D OUTFITTERS, AND LARRY MOATS, FOR THE FLOAT BOATING AND FISHING BUSINESS ON SA4A AND SA4B, AND 2) MR. FREEL, QUALIFIED TO GUIDE LICENSED ACTIVITIES ON SA4A AND SA4B. FURTHER, THAT LICENSE BE ISSUED PENDING RECEIPT OF AN APPROPRIATE BOND AND PAYMENT OF FEES. (Administrative Note: The foregoing sales and transfer of Larry Moats business removes Mr. Moats as a licensed Idaho outfitter).

The Board recessed for the evening at 1725 hours, and reconvened at 0830 hours on Friday, April 27, 1990, with all Board members present, as well as Board Executive Director, Board Attorney, and Board Enforcement Coordinator.

G&L York Outfitters, Inc./Gladys L. York, Designated Agent: MSC (Miller--Crane) THAT THE BOARD CONSIDER BRINGING THE G&L YORK OUTFITTERS, INC., MATTER BACK BEFORE THE BOARD FOR RECONSIDERATION. FOLLOWING DISCUSSION, (Crane - nay, Epley - nay, Baird - nay, Miller - aye, Meiners - nay) MOTION FAILED.

G&L York Outfitters, Inc./Gladys L. York, Designated Agent: Board's Attorney reported on his conversation with Robert Brower, attorney for G&L York Outfitters, Inc., relative to the Board's prior action to revoke the outfitter license of Gladys L. York. The indication from Mr. Brower was that he would probably apply under the Board's Rules of Practice and Procedure, Rule 11.1, for the Board's reconsideration of it's decision at it's June meeting. Following a discussion of this matter, and in consideration of the Board's Rules of Practice and Procedure, MSC (Crane--Epley) THAT THE BOARD ADVISE MR. BROWER THAT A POSSIBLE REHEARING WILL BE LIMITED TO THE PRESENT RECORD AND EVIDENCE IN THIS CASE NOW BEFORE THE BOARD.

Keith Rush, dba Lakeview Guest Ranch and Outfitter and Guide School: Mr. & Mrs. Rush, together with their daughter, Ms. Connie Kaiser, met with the Board relative to their amendment request for licensing to the remainder of Fish & Game Management Unit 61. This matter was originally discussed and acted on by the Board in May, 1988, at which time the Board denied the request to include all of the management unit west of Camas Creek. Following a discussion of this matter with the parties involved, the Board directs that a letter be addressed to Mr. Rush to affirm the Board's May, 1988, action. Further, that Mr. Rush be advised he can submit a request to be placed on a waiting list for consideration if or when an opening becomes available for the area in question.

Roger G. Schwartz: Mr. Schwartz met with the Board regarding his designated agent application for employment with Terry Ring, dba Silver Creek Outfitters. Following the interview before the Board, and in review of the file relative to Mr. Schwartz's qualifications, MSC (Epley--Baird) THAT THE BOARD APPROVE MR. SCHWARTZ AS DESIGNATED AGENT, QUALIFIED TO GUIDE, FOR TERRY RING, DBA SILVER CREEK OUTFITTERS.

Rich Grunch, dba The Grunch Bunch Outfitters, Unlimited: Mr. Grunch met before the Board in a show cause hearing for alleged violation of Idaho Code 36-2113(a)(2)(5)(7)(9)(10). During the course of the show cause hearing, the following Findings of Fact were established: 1) Richard Grunch, dba The Grunch Bunch Outfitters, Unlimited, held an Idaho Outfitters license during the 1989-90 license year, 2) Richard Grunch contracted to provide an outfitted elk hunt to Stan Towarnicki and Lance Towarnicki during the period from October 21-25, 1989, 3) the hunt did not (Exhibit 1) conform to Mr. Grunch's advertisements with regard to quality of camp conditions, number of guides, experience of guides, and quality and availability of livestock, 4) the hunt provided did not conform to the contract between Rich Grunch and Stan and Lance Towarnicki, in that Mr. Grunch failed to provide camp conditions, guides, and horses, as agreed to in the contract, 5) Stan Towarnicki and the remainder of their hunting party left the hunt one day early because of the poor conditions, 6) during October 21-25, 1989, Richard Grunch employed Paul Coffinger, Brian Stark, and an individual named "Dan" (last name unknown). During this period Paul Coffinger, Brian Stark, and "Dan", acted as guides, 7) Paul Coffinger's guide license application was received by the Board on November 8, 1989, with his guide licensed subsequently issued on November 13, 1989, 8) Paul Coffinger was not licensed to guide clientele during October 21-25, 1989, 9) the Board has no record of guide licenses being issued to Brian Stark or "Dan" during the 1989-90 season, 10) the horses provided by Mr. Grunch during the period October 21-25, 1989, to Stan Towarnicki and other hunters at the Nelson Peak Camp were not properly cared for, including being overworked. As a result, the horses developed sores and were

exhausted, 11) during October 21-25, 1989, horses at the Nelson Creek Camp bucked their riders off and laid down while being ridden by clients, 12) by letter dated April 13, 1984, the Board notified Mr. Grunch that his 1984-85 outfitter license was issued probationary. The reasons for this Board action were a) Mr. Grunch's inability to manage an outfitting operation such as he was then operating, b) his inability to select and manage guides of sufficient integrity, experience and expertise (the Board stated "An outfitter must recognize that poor help is often a reflection of poor management"), c) his inadequate selection, treatment, conditioning, and maintenance of holding facilities for animals, d) Mr. Grunch's inadequate handling of food and staples for the camp, 13) on December 17, 1984, the Board ordered Mr. Grunch's 1985-86 outfitter license to be issued on a probationary basis as a result of his issuance of an insufficient funds check for payment of guides license fees (see also Board's letter to Mr. Grunch dated April 25, 1985). In view of the foregoing Findings of Fact, the following Conclusions of Law are established: 1) Mr. Grunch failed to provide services as advertised and contracted. Mr. Grunch's conduct of the hunt in question was inappropriate to the conduct of the outfitting profession. Such conduct constituted unethical and unprofessional conduct in violation of Idaho Code 36-2113(a)(5), 2) Mr. Grunch substantially breached his contract with Stan Towarnicki, in violation of Idaho Code 36-2113(a)(7), 3) during October 21-25, 1989, Mr. Grunch employed unlicensed guides, in violation of Idaho Code 36-2113(a)(9), 4) the horses used by Mr. Grunch in the conduct of the referenced hunt endangered the safety, health, and welfare, of Mr. Grunch's clients, and interfered with the conduct of his outfitting business. Therefore, Mr. Grunch violated Idaho Code 36-2113(a)(10), and 5) Mr. Grunch failed to provide qualified licensed guides and services to adequately serve and protect his clients during the hunt conducted October 21-25, 1989, in violation of Idaho Code 36-2113(a)(14). Thus, in consideration of the foregoing Findings of Fact and Conclusions of Law, MSC (Crane--Baird)(Crane - aye, Epley - aye, Miller - aye, Baird - aye, Meiners - aye) THAT RICK GRUNCH, DBA GRUNCH BUNCH OUTFITTERS, UNLIMITED, OUTFITTER LICENSE BE REVOKED FOR VIOLATION OF IDAHO CODE 36-2113(A)(5)(7)(9)(10)(14).

Board recessed for lunch at 1230 hours, and reconvened at 1340 hours. Dale Baird excused to keep a prior appointment.

Michael J. Stockton, dba Michael J. Stockton Outfitting: Mr. Stockton met before the Board regarding complaints filed against him by Messrs David Scyblemski and the Gene Callender group. Following the meeting with the Board, review of file, and listening to the explanations provided by Mr. Stockton relative to these complaints, MSC (Crane--Epley) THAT IN CONSIDERATION OF THE EXPLANATION PROVIDED BY MR. STOCKTON TO THE REFERENCED COMPLAINTS, THERE IS NO FURTHER ACTION NECESSARY AND THE BOARD CONSIDERS THESE MATTERS CLOSED.

Michael J. Stockton, dba Michael J. Stockton Outfitting: Mr. Stockton met with the Board to discuss the apparent overlap between Mr. Stockton and Mr. Zeke West in Fish & Game Management Unit 10. Following a discussion of the matter, it appears that there is an incorrect designation regarding these operating areas, and the description should read "Unit 10A" rather than "10". Further, Mr. Stockton indicated that he has no objection to the Board making the necessary corrections to his operating area description.

Joyce R. Jacobson, dba Jacobson's Lure and Fly Co.: Ms. Jacobson and her son Mark Jacobson, met before the Board relative to their outfitter license application for the conduct of fishing activities on Cascade Reservoir and the Payette River, from the Cascade Reservoir outlet to Smith's Ferry. The requested fishing activities would include fly fishing, walk and wade fishing, and incidental fishing on the Payette River and along the shore of Cascade Reservoir, as well as power boat fishing on Cascade Reservoir. Following a discussion of the proposed outfitter application, MSC (Epley--Crane) THAT THE BOARD APPROVE JOYCE R. JACOBSON, DBA JACOBSON LURE AND FLY CO. FOR THE CONDUCT OF THE REQUESTED BOATING AND FISHING ACTIVITIES ON CASCADE RESERVOIR AND THE PAYETTE RIVER, LICENSE ISSUED TO EMBRACE POSSIBLE RESTRICTIONS PENDING RECEIPT OF RECOMMENDATIONS FROM THE IDAHO DEPARTMENT OF FISH & GAME. FURTHER, THAT MARK JACOBSON BE APPROVED AS DESIGNATED AGENT, QUALIFIED TO GUIDE.

Northwest Mountain Adventures, Inc./Scott Unger, Designated Agent: Mr. Unger met with the Board relative to his outfitter license application for the conduct of historic jeep tours in the Coeur d'Alene area. Following the interview before the Board, and review of the proposed operating plan for Northwest Mountain Adventures, Inc., MSC (Miller--Crane) THAT THE BOARD APPROVE NORTHWEST MOUNTAIN ADVENTURES, INC., OUTFITTER LICENSE APPLICATION FOR CONDUCT OF HISTORIC JEEP TOURS AS PORTRAYED IN MR. UNGER'S OPERATING PLAN AND OPERATING AREA. FURTHER, THAT MR. UNGER BE APPROVED AS DESIGNATED AGENT, QUALIFIED TO GUIDE. THE OTHER ADDITIONAL ACTIVITIES ASSOCIATED WITH THIS APPLICATION WILL BE PHOTOGRAPHY TRIPS AND BACKPACKING. LICENSE TO BE ISSUED UPON COMPLETION OF NECESSARY PAPERWORK, NAMELY SUBMISSION OF APPROPRIATE BOND, AND PAYMENT OF FEES. (See Addendum # 2)

Board member Dale Baird returned to the meeting at 1500 hours.

Fred F. Ehlert, dba Alpenhaus Motel and Fly Shop: The Board reviewed Mr. Ehlert's 1990-91 outfitter license renewal application and file, noting he had not truthfully answered all of the questions on his renewal application. Following a review of the file and discussion of this matter, MSC (Epley--Crane) THAT THE BOARD DENY THE LICENSE RENEWAL APPLICATION OF FRED F. EHLERT, DBA ALPENHAUS MOTEL AND FLY SHOP, FOR HIS 1990-91 LICENSE. AUTHORITY

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FOR THIS DENIAL IS PURSUANT TO IDAHO CODE 36-2109(c) and 36-2113(a)(1)(3)(14).

Billy Wayne Hampton: The Board reviewed Mr. Hampton's 1990-91 Guide License Application noting that Mr. Hampton had been issued a probationary license for the 1989-90 season on a probationary basis for violation of Idaho Fish & Game law, and further noted that he has another violation for Fish & Game law which occurred in December, 1989. Following a discussion of this matter, MSC (Epley--Crane) THAT MR. HAMPTON'S 1990-91 GUIDE LICENSE APPLICATION BE DENIED. AUTHORITY FOR THIS DENIAL IS PURSUANT TO IDAHO CODE 36-2109(c), 36-2113(a)(5)(6)(14), AND IDAHO OUTFITTERS AND GUIDES LICENSING BOARD RULES AND REGULATIONS, RULE 8(b)(ii).

Quentin Selby, High Country Outfitters, Inc.: The Board reviewed the file of High Country Outfitters, Inc., in consideration of U.S. Forest Service and Idaho Department of Fish & Game recommendations for relicensing of the area. Before relicensing occurs, Board directs that further research be conducted to establish appropriate operating areas for licensing consideration, and that this information be available for review at the June meeting.

Ridge W. Taylor: The Board reviewed the file of Ridge W. Taylor, noting that Mr. Taylor had been scheduled for a show cause hearing on Wednesday, April 25, 1990, but that Mr. Taylor had written to advise that he could not attend the scheduled hearing because of a previous commitment. In consideration of Mr. Taylor's file and other information presented, Board directs that a letter be sent to Mr. Taylor advising him that his show cause hearing to address alleged illegal hunting activities on private property has been rescheduled for the June Board meeting.

Stewart Fitzgerald: The Board reviewed Mr. Fitzgerald's 1990-91 Guide License Application noting that he has been convicted of a Fish & Game violation to which he did not acknowledge when completing his license application. Following this review, MSC (Baird--Epley) THAT MR. FITZGERALD'S 1990-91 GUIDE LICENSE APPLICATION BE DENIED. AUTHORITY FOR THIS DENIAL IS PURSUANT TO IDAHO CODE 36-2109(c), and 36-2113(a)(1)(5)(6)(14), AND IDAHO OUTFITTERS AND GUIDES LICENSING BOARD RULES AND REGULATIONS, RULE 8(b)(ii).

David F. Batterton: The Board reviewed Mr. Batterton's 1990-91 Guide License Application noting that he has been convicted of an Idaho Fish & Game violation in December, 1989, to which he did acknowledge in Section C of his application. Following review and consideration of this information, MSC (Epley--Crane) THAT MR. BATTERTON'S 1990-91 GUIDE LICENSE APPLICATION BE ISSUED ON A PROBATIONARY BASIS. CONDITIONS OF SAID PROBATION SHALL BE THAT MR. BATTERTON NOT VIOLATE ANY LOCAL, STATE, OR FEDERAL LAW, NOR ANY

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AMENDMENT BE CONSIDERED BY THE BOARD DURING THE COURSE OF THIS LICENSE YEAR, ENDING MARCH 31, 1991.

Darrell R. Norris: Board reviewed Mr. Norris's designated agent application to become designated agent for Richard L. Norris, dba Moose Creek Outfitters. Following a review of Mr. Norris's application and file, and upon recommendation of Mr. Crane as to Mr. Norris's qualifications, MSC (Crane--Epley) THAT THE BOARD APPROVE MR. DARRELL R. NORRIS AS DESIGNATED AGENT FOR RICHARD L. NORRIS, DBA MOOSE CREEK OUTFITTERS, QUALIFIED TO GUIDE.

James A. Dowd: The Board reviewed Mr. Dowd's 1990-91 Guide License Application noting that he has had repeated violations of Fish & Game law. Following a review of this application and checking further with the Idaho Department of Fish & Game regarding these violations, MSC (Crane--Miller) THAT THE BOARD DENY THE 1990-91 GUIDE LICENSE APPLICATION SUBMITTED BY JAMES A. DOWD. AUTHORITY FOR THIS DENIAL IS PURSUANT TO IDAHO CODE 36-2113(a)(1)(5)(6)(14), AND IDAHO OUTFITTERS AND GUIDES LICENSING BOARD RULES AND REGULATIONS, RULE 8(b)(ii).

Lloyd Schoenauer: The Board reviewed Mr. Schoenauer's 1990-91 Designated Agent Application, noting that he has not completed his outfitter's examination, nor does he have a valid first aid card, if he intends to be licensed qualified to guide. Thus, the Board instructs that Mr. Schoenauer be so notified and an appointment be scheduled for him to appear before the Board at the June meeting relative to his application.

Chris Nelson: The Board reviewed the 1990-91 Guide License Application received from Mr. Nelson, noting that he does not have a valid first aid card, and further noting that the Board had denied Mr. Nelson a guide license in 1989. Following discussion and consideration of this guide license application, MSC (Crane--Epley) THAT MR. NELSON'S 1990-91 GUIDE LICENSE APPLICATION BE APPROVED PROBATIONARY PENDING RECEIPT OF A VALID FIRST AID CARD. TERMS OF SAID PROBATION SHALL BE HE SHALL NOT VIOLATE ANY LOCAL, STATE, OR FEDERAL LAWS, NOR WILL THE BOARD ENTERTAIN ANY AMENDMENT REQUESTS TO HIS LICENSE DURING THE CURRENT LICENSE YEAR ENDING MARCH 31, 1991.

Mark Troy: The Board reviewed Mr. Troy's 1990-91 Guide License Application, noting that he has been cited for violation of Fish & Game law. Following review and discussion of this application, MSC (Epley--Miller) THAT THE BOARD ISSUE MR. TROY'S 1990-91 GUIDE LICENSE ON A PROBATIONARY BASIS. TERMS OF PROBATION SHALL BE THAT NO VIOLATION OF LOCAL, STATE, OF FEDERAL LAW SHALL BE ALLOWED, NOR ANY AMENDMENT TO THE LICENSE WILL BE ENTERTAINED DURING THE LICENSE YEAR ENDING MARCH 31, 1991. FURTHER, THAT A LETTER SHOULD ACCOMPANY THE LICENSE REPRIMANDING MR. TROY FOR FALSIFYING HIS

GUIDE LICENSE APPLICATION BY NOT TRUTHFULLY ANSWERING THE QUESTIONS IN SECTION C. A COPY OF THIS LETTER SHOULD ALSO GO TO THE EMPLOYING OUTFITTER.

Jim Spickelmeir: The Board reviewed Mr. Spickelmeir's Designated Agent Application to become designated agent for Idaho Fishing Charters. Following review of the file and upon further recommendation of Mr. Epley, MSC (Epley--Crane) THAT MR. SPICKELMEIR'S DESIGNATED AGENT APPLICATION BE APPROVED, QUALIFIED TO GUIDE.

Mel Reingold: The Board reviewed Mr. Reingold's 1990-91 Designated Agent License Application to become designated agent for Norm H. Guth, Inc. Following review of the file, and upon recommendation of Hank Miller, MSC (Miller--Baird) THAT THE BOARD APPROVE MR. REINGOLD'S DESIGNATED AGENT APPLICATION, QUALIFIED TO GUIDE.

Leo Crane/dba Clearwater Outfitters: The Board reviewed Mr. Crane's outfitter amendment request for the addition of photography trips as a licenseable activity on his license. Following a review of the request and in consideration thereof, MSC (Epley--Baird, Crane abstains) THAT THE BOARD APPROVE SAID AMENDMENT REQUEST.

Andre Molsee/dba Shattuck Creek Ranch and Outfitter: The Board reviewed Mr. Molsee's outfitter amendment request for the addition of cross country skiing, wagonrides, sleighrides, mountain bike touring, photography trips, and dog sled rides to be conducted within his currently licensed operating area. Following a review of the file and noting that Mr. Molsee has obtained land manager approval of his requested activities, MSC (Baird--Miller) THAT THE BOARD APPROVE MR. MOLSEE'S OUTFITTER LICENSE AMENDMENT REQUEST FOR THE ADDITION OF WAGONRIDES, SLEIGHRIDES, MOUNTAIN BIKE TOURING, PHOTOGRAPHY TRIPS, AND DOG SLED RIDES. FURTHER, THAT MR. MOLSEE BE NOTIFIED THAT NO ACTION WILL BE TAKEN ON THE REQUEST FOR CROSS COUNTRY SKIING UNTIL SUCH TIME AS EITHER HE OR ONE OF HIS EMPLOYEES BECOMES QUALIFIED TO CONDUCT THIS ACTIVITY.

John A.K. Barker/dba Barker River Trips: The Board reviewed Mr. Barker's 1990-91 Outfitter Amendment Request to 1) change his dba to a corporate status to be known as Barker River Trips, Inc., and 2) to add mountain bike touring as a licenseable activity within his operating area. Following a discussion and review of this matter, MSC (Baird--Miller) THAT THE BOARD 1) APPROVE MR. BARKER'S AMENDMENT REQUEST TO ESTABLISH A CORPORATE ENTITY KNOWN AS BARKER RIVER TRIPS, INC., 2) APPROVE MOUNTAIN BIKE TOURING AS A LICENSEABLE ACTIVITY WITHIN HIS PRESENT LICENSED OPERATING AREA, AND 3) THAT JOHN A.K. BARKER BE APPROVED AS DESIGNATED AGENT, QUALIFIED TO GUIDE.

Bressler (Vern) Outfitters, Inc./Joe Bressler, Designated Agent:

The Board reviewed Mr. Bressler's April 10, 1990, letter to the Board in which he requested that the Henry's Lake portion of their licensed activities be removed from their outfitter license. Following review of this request, MSC (Epley--) THAT THE BOARD ACCEPT MR. BRESSLER'S RELINQUISHMENT OF BRESSLER (VERN) OUTFITTERS, INC., LICENSED ACTIVITIES ON HENRY'S LAKE.

Paul Wilson/dba Singing Reels, and William Hutton/dba Bayview Charters: The Board reviewed the two outfitter license applications submitted separately by Mr. Wilson and Mr. Hutton, in which they have each requested licensing on Lake Pend Orielle for power boat fishing. Following a review of their applications, and in consideration of Rule 57, which establishes a limit for the number of licenses allowed on Lake Pend Orielle, MSC (Baird--Crane) THAT BOTH MESSRS WILSON AND HUTTON'S OUTFITTER LICENSE APPLICATIONS BE DENIED. AUTHORITY FOR THIS ACTION IS PURSUANT TO IDAHO CODE 36-2109(b)(5), AND IDAHO OUTFITTERS AND GUIDES LICENSING BOARD RULES AND REGULATIONS, RULE 57(b).

Peter H. Grubb/dba Rivers Odysseys West: The Board reviewed Mr. Grubb's outfitter amendment request for the addition of "walking tours" which he has further requested that the Board determine whether this would be considered a new activity, or whether it falls within the purview of backpacking. Following a discussion of this matter, the Board directs that a letter be addressed to Mr. Grubb advising him that the Board considers this as a backpacking activity, and thus, he should submit an appropriate amendment request with applicable land manager approval, for Board consideration.

John C. Caccia: The Board reviewed Mr. Caccia's May 11, 1989, letter in which he had relinquished his boating privileges on SN2. Following a review of this letter, MSC (Epley--Baird) THAT THE BOARD ACCEPT MR. CACCIA'S VOLUNTARY RELINQUISHMENT OF THESE BOATING PRIVILEGES ON SN2.

Mike Crevelt/dba Team Adventures Serving the Community - T.A.S.C.: Mr. Crevelt, with reference to the February Board Meeting, (page 7 of Board Minutes), has now submitted the necessary paperwork for the Board to consider his outfitter application for the conduct of fishing, backpacking, technical mountaineering, and cross country skiing activities. Following a review of the file, and in consideration of the application as submitted, MSC (Baird--Epley) THAT THE BOARD APPROVE MR. CREVELT'S OUTFITTER LICENSE APPLICATION FOR THE CONDUCT OF INCIDENTAL FISHING, BACKPACKING, TECHNICAL MOUNTAINEERING/ROCK CLIMBING AS PER PREVIOUS LIMITATIONS PLACED ON MR. CREVELT WHEN LICENSED WITH QUAKER HILL CONFERENCE, AND DAY CROSS COUNTRY SKIING ACTIVITIES. OPERATING AREA SHALL BE AS IS INDICATED ON HIS APPICATION, WHEREIN MR. CREVELT NOTES THAT THE FOREST SERVICE SHALL ASSIGN SITES WITHIN THE GOSPLE HUMP AND FRANK

CHURCH RIVER OF NO RETURN WILDERNESS AREAS ON THE PAYETTE AND NEZ PERCE NATIONAL FORESTS. FURTHER, CROSS COUNTRY SKIING ACTIVITIES ARE AUTHORIZED ON PONDEROSA STATE PARK IN MCCALL, LITTLE SKI HILL, MCCALL, IDAHO CITY AIRPORT, IDAHO CITY, AND ROCK CLIMBING ACTIVITIES ARE CONFINED TO IDAHO STATE LAND, TYEE CREEK AND LICK CREEK ROAD, ADJACENT TO LITTLE PAYETTE LAKE. (See Addendum # 3)

Earl R. Keating, Jr./dba Keating Outfitters, Garry Merritt/Idaho Wilderness Camps, Inc., and Steven McLemore, Magnum Outfitters, Inc.: The Board reviewed an operating plan submitted by these three individuals in which they have requested authorization for the conduct of wagonrides in conjunction with the Centennial Celebration at North Fork, Idaho. Following review of this request which is contained on an operating plan form, MSC (Miller--Epley) THAT MESSRS KEATING, MERRITT, AND MCLEMORE, BE ADVISED THAT THE BOARD WILL AUTHORIZE THIS REQUEST FOR CONDUCT OF WAGONRIDES AT NORTH FORK, IDAHO, ON A ONE-TIME BASIS ONLY, IN CONJUNCTION WITH THE CENTENNIAL CELEBRATION.

Idaho Big Game, Inc./Jon Goodman, Designated Agent: The Board reviewed the availability of the operating area formally licensed to Idaho Big Game, Inc., and responses received from the Idaho Department of Fish & Game and the U.S. Forest Service concerning the relicensing of said operating area. Following which, MSC (Epley--Baird) THAT THE BOARD MOVE UNDER PURVIEW OF RULE 28(c) TO ADVERTISE THE AREA FOR RELICENSING. THE ADVERTISEMENT SHOULD CONTAIN LANGUAGE WHICH WOULD INDICATE THAT RELICENSING MAY BE LIMITED BY EXCLUSION OF ANY CAMPSITES ADJACENT TO THE MOOSE CREEK AIRSTRIP, AND ON THE RECOMMENDATION OF THE IDAHO DEPARTMENT OF FISH & GAME THAT THERE BE A LIMIT IN THE AREA OF TEN (10) ELK HUNTERS PER YEAR. (Administrative note: There are some individuals currently on the waiting list for consideration for this area).

Phillip Bub Smith: The Board reviewed Mr. Smith's outfitter amendment request for the addition of bear hunting within his currently licensed operation area. Following a review of Mr. Smith's file and letter of recommendation received from the Department of Fish & Game dated March 30, 1990, MSC (Crane--Baird) THAT THE BOARD DENY MR. SMITH'S OUTFITTER AMENDMENT REQUEST. AUTHORITY FOR THIS DENIAL IS PURSUANT TO IDAHO CODE 36-2109(b)(5).

Randy Brink/dba Payette River Co.: Mr. Brink met before the Board relative to the outfitter license renewal application for his 1989-90 outfitter license, and his further request that the Board approve his request to change his operating business structure from a corporation to sole proprietor. Following a discussion and in consideration of Mr. Brink's request, MSC (Miller--Baird) THAT THE BOARD 1) APPROVE MR. BRINK'S OUTFITTER LICENSE APPLICATION FOR THE 1989-90 SEASON, UNDER THE PURVIEW OF IDAHO OUTFITTERS AND GUIDES BOARD RULES AND REGULATIONS, RULE 13(a)(iii), AND 2) ACCEPT AND

APPROVE MR. BRINK'S REQUEST TO CHANGE THE FORMAL BUSINESS STATUS OF HIS OUTFITTER BUSINESS FROM PAYETTE RIVER CO., INC., TO RANDY BRINK, DBA BRINK'S PAYETTE RIVER CO. FURTHER, THAT LICENSES BE ISSUED UPON COMPLETION OF NECESSARY PAPERWORK, NAMELY, SUBMISSION OF AN APPROPRIATE BOND AND PAYMENT OF FEES.

Randy Brink/dba Brink's Payette River Co.: The Board reviewed Mr. Brink's 1990-91 outfitter license renewal application and request for proposed sale by and between himself and Idaho Whitewater, Unlimited Inc./David B. Fisher, Designated Agent, for Mr. Brink's float boating business on the Payette River (PN2). Following consideration of the renewal application and proposed sale of business, MSC (Epley--Baird) THAT THE BOARD 1) APPROVE MR. BRINK'S RENEWAL APPLICATION FOR THE 1990-91 LICENSE YEAR, WITH LICENSE ISSUED ON A PROBATIONARY BASIS, UPON COMPLETION OF NECESSARY PAPERWORK, NAMELY NECESSARY BONDING AND PAYMENT OF FEES, INCLUSIVE OF PAYMENT OF A LATE FEE, AND 2) APPROVE THE PROPOSED SALE AND TRANSFER OF BUSINESS BY AND BETWEEN MR. BRINK AND IDAHO WHITEWATER, UNLIMITED, INC./DAVID B. FISHER, DESIGNATED AGENT, FOR THE TRANSFER OF MR. BRINK'S FLOAT BOATING BUSINESS ON PN2. FURTHER, THAT MR. FISHER'S OUTFITTER LICENSE BE AMENDED TO REFLECT THIS PROPOSED SALE AND TRANSFER OF BUSINESS UPON PAYMENT OF PROPER FEES.

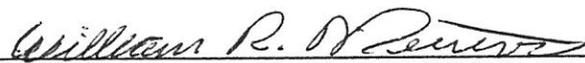
Frank N. Hough: The Board reviewed Mr. Hough's outfitter license application for the conduct of deer, moose, cougar, predator, and forest grouse hunting, as well as trailrides and mountain bike touring activities in Fish & Game Management Unit 71 in an area formally licensed to David Whitworth/dba Hammerhead Outfitters. The area requested is an area that was relinquished by Mr. Whitworth, and therefore falls within the purview of Rule 28(c). Following a discussion of this application, MSC (Crane--Baird) THAT UNDER THE PURVIEW OF RULE 28(c), AND RECOMMENDATIONS ON RECORD AT THE BOARD OFFICE FROM THE IDAHO DEPARTMENT OF FISH & GAME BY LETTER DATED JANUARY 24, 1986, THAT THIS AREA NOT BE LICENSED FOR COMMERCIAL OUTFITTER USE. THUS, IN CONSIDERATION OF FILE RECORD AND IDAHO DEPARTMENT OF FISH & GAME RECOMMENDATION, THE BOARD DEEM THIS AREA AS NOT AVAILABLE FOR LICENSING. THUS, THE BOARD HEREBY DENIES THE OUTFITTER LICENSE APPLICATION SUBMITTED BY MR. HOUGH. AUTHORITY FOR THIS DENIAL IS PURSUANT TO IDAHO CODE 36-2109(b)(4)(5) AND IDAHO OUTFITTERS AND GUIDES LICENSING BOARD RULES AND REGULATIONS, RULE 28(c).

Randy P. Hess/dba White Otter Outdoor Adventures: The Board reviewed Mr. Hess's March 21, 1990, letter in which he requested a continuance of his exemption to Rule 53(b), allowing a 1:6 guide to client ratio on SA1 with inflatable kayaks, and a 1:4 guide to client ratio for hard shell kayaks on portions of SA1 and SA2. Following a discussion of this matter, MSC (Miller--Epley) THAT THE BOARD APPROVE MR. HESS'S CONTINUED EXEMPTION AND VARIANCE TO RULE 53(b).

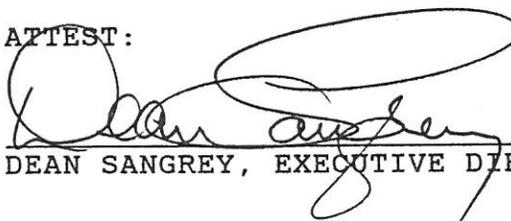
Randall G. Baugh/dba Valley Ranch Outfitters: The Board reviewed Mr. Baugh's outfitter amendment request for the addition of wagonrides and sleighrides within his currently licensed operating area. The proposed additional activities are to take place on a privately owned ranch within his currently licensed operating area. A review of the file indicates that Mr. Baugh has obtained a lease from the private landowners involved. Following which, MSC (Epley--Crane) THAT THE AMENDMENT REQUEST FOR THE CONDUCT OF WAGONRIDES AND SLEIGHRIDES ON THE PRIVATELY OWNED PROPERTY BE APPROVED AND ADDED TO MR. BAUGH'S LICENSE.

Chamberlain Basin Outfitters, Inc./Ed McCallum, Designated Agent: The Board reviewed Mr. McCallum's outfitter amendment request for additional access routes into his current operating area, and for the addition of moose as a licenseable activity. Following a review of these requests, MSC (Epley--Baird) THAT 1) MR. MCCALLUM BE ADVISED THAT THE ADDITIONAL ACCESS ROUTES DOES NOT REQUIRE AN AMENDMENT TO HIS LICENSE, BUT DOES REQUIRE FOREST SERVICE APPROVAL FOR THE USE OF THE REQUESTED ACCESS ROUTES THROUGH ANOTHER OUTFITTERS OPERATING AREA, AND 2) THAT THE BOARD APPROVE MOOSE AS A LICENSEABLE ACTIVITY AS REQUESTED.

There being no further business to come before the Board, the meeting was adjourned at 1835 hours.



WILLIAM R. MEINERS, CHAIRMAN OF THE BOARD

ATTEST:


DEAN SANGREY, EXECUTIVE DIRECTOR

DIANA SWIFT HAYNES,
dba WAPITI MEADOW RANCH AND OUTFITTERS - EAST FORK
M. BARRY BRYANT, Designated Agent

OPERATING AREA FOR HUNTING DEER, ELK, GOAT, SHEEP, BEAR, COUGAR,
PREDATORS, AND FOREST GROUSE, AND FISHING, TRAILRIDE, AND
BACKPACKING ACTIVITIES

Beginning on the East Fork of the South Fork Salmon River (EFSFSR) at the mouth of Quartz Creek (Sec. 21, T19N, R8E, BM); thence westerly downstream on the EFSFSR to its confluence with the South Fork Salmon River (Sec. 3, T19N, R6E, BM); thence easterly up the EFSFSR watershed divide via Iodine Point to Williams Peak and continuing easterly along said watershed divide around the head of Sheep Creek to the Elk/Sheep/Quartz Creek watershed divide and Fish and Game Management Unit 20A/25 boundary (Sec. 20, T20N, R8E, BM) and continuing easterly on said F&G Mgmt Unit boundary and Elk/Quartz Creek boundary to Profile Peak (Sec. 15, T20N, R8E, BM) on the EFSFSR/South Fork Salmon River/Big Creek watershed divide and F&G Mgmt Unit 20A/25/26 boundary juncture; thence southeasterly on the EFSFSR/Big Creek and EFSFSR/Monumental Creek watershed divide and F&G Mgmt Unit 25/26 boundary via Profile Gap, Coin Mountain, Pinnacle Peak to Rainbow Peak (Sec. 22, T19N, R10E, BM); thence continuing southeasterly down the Rainbow/Trap Creek watershed divide and F&G Mgmt Unit 25/26 boundary to and across Monumental Creek and up the Coon/Divide Creek watershed divide to the Monumental/Marble Creek watershed divide and juncture of F&G Mgmt Units 25/26/27 (Sec. 31, T19N, R11E, BM); thence northeasterly on said watershed divide and F&G Mgmt Unit 26/27 boundary via Thunder Mountain and Lookout Mountain Ridge to the head of Marble Creek on the Corner/Marble/East Fork Holy Terror Creek watershed divide (Sec. 14, T19N, R11E, BM); thence southerly around the head of Marble Creek on the Corner/Marble Creek watershed divide and F&G Mgmt Unit 26/27 boundary to Black Pole on Shellrock Ridge at the head of Safety Creek (Sec. 35, T19N, R11E, BM); thence westerly downstream on Safety Creek to Marble Creek; thence southwesterly downstream on Marble Creek to the Big Cottonwood/Dynamite Creek watershed divide and Boise/Payette National Forest ((B/PNF) boundary (Sec. 24, T18N, R11E, BM); thence westerly up and along said watershed divide (Red Ridge) and the B/PNF boundary to and along F&G Mgmt Unit 25/27 boundary to Murphy Peak (Sec. 17, T18N, R10E, BM) on the Frank Church River of No Return Wilderness (FCRNRW) boundary and Indian Creek/EFSFSR watershed divide; thence southwesterly along said watershed divide/said F&G Mgmt Unit boundary/FCRNRW/Indian Creek divide via Mule Hill and Indian Creek point to the B/PNF boundary and Johnson Creek/EFSFSR divide (Sec. 32, T18N, R9E, BM); thence northwesterly along Johnson Creek/EFSFSR watershed divide via Meadow Creek Lookout/Horse Heaven to and down Antimony Ridge along B/PNF boundary to EFSFSR (Sec. 26, T19N, R8E, BM); thence westerly downstream on the EFSFSR to Quartz Creek, the point of beginning. [F&G Units 25, 26 & 27] [Frank Church River of No Return Wilderness Map dated 1984]

DIANA SWIFT HAYNES dba WAPITI MEADOW RANCH AND OUTFITTERS
M. Barry Bryant, Designated Agent

OPERATING AREA FOR FISHING, TRAILRIDES, BACKPACKING AND
SNOWMOBILING

Beginning at the East Fork of the South Fork Salmon River (EFSF)/Caton Creek confluence (Sec. 34, T19N, R7E, BM); thence southerly upstream along Caton Creek and the Boise/Payette National Forest boundary to Log Mountain on the South Fork Salmon River/Johnson Creek watershed divide (Sec. 10, T17N, R7E, BM); thence continuing southerly on said waterside divide via Thunder Mountain to the Trout/Park Creek watershed divide (Sec. 21, T16N, R7E, BM); thence easterly around the head of Trout Creek and down said watershed divide to intersect Road 413 (Sec. 12, T16N, R7E, BM); thence south and east on Roads 413, 447, and 447E via Landmark to Snowshoe Summit on the Frank Church River of No Return Wilderness (FCRNRW) boundary (Sec. 11, T15N, R8E, BM); thence northerly on said wilderness boundary to intersect Trail 228 at the head of Pistol Creek; thence northeasterly down the Pistol Creek drainage along Trail 228 to a point in Sec. 16, T16N, R10E, BM; thence easterly across Pistol Creek to a campsite on the south side; thence continuing along Trail 228 to the Middle Fork Salmon River (MFSR - Sec. 19, T16N, R11E, BM); thence continuing northeasterly downstream on the MFSR to the MFSR/Indian Creek confluence and Trail 225; thence northwesterly up the Indian Creek drainage along Trail 225 to its juncture with Trail 219 (Mule Hill Trail - Sec. 5, T17N, R10E, BM); thence northerly on Trail 219 to Mule Hill on the FCRNRW boundary and Road 640 and continuing northerly on Roads 640 and 641 to and across Road 375 at Monumental Saddle to the FCRNRW boundary (Sec 8, T18N, R10E, BM); thence northerly and westerly along said wilderness boundary to the EFSF/Tamarack Creek confluence (Sec. 29, T19N, R9E, BM) and continuing westerly downstream on the EFSR to the point of beginning. [F&G Units 25 & 27] [Frank Church River of No Return Wilderness Map dated 1984]

ADDITIONAL OPERATING AREA FOR FISHING

Fishing activities may be conducted on Riordan Lake, WITH THE FOLLOWING LIMITATIONS: Fishing may take place only during the month of June, with total number of visits limited to four, of no more than two (2) days duration each, and no more than eight (8) anglers per week.

RESTRICTION

Fishing may not be conducted in Mud, Pistol, or Roosevelt Lakes.

NORTHWEST MOUNTAIN ADVENTURES, INC.
Scott E. Unger, Designated Agent

**OPERATING AREA FOR HISTORIC JEEP TOURS, BACKPACKING
AND PHOTOGRAPHY TRIPS**

Tours will be conducted in the vicinity of Coeur d'Alene, Kingston, Kellogg and Wallace, Idaho. In the Wallace area, touring route will include traveling south on County Road 456, Sec. 34, T48N, R4E, BM; thence southeasterly along Placer Creek to Moon Pass, and continuing easterly approximately one (1) mile to jeep trail, Sec 16, T47N, R5E, BM; thence easterly on said jeep trail approximately two (2) miles to top of ridge below Champion Point. From this point, tours will return over same route to Wallace, etc., to point of beginning. (Idaho Panhandle National Forest Map, #2)(F&G Unit 4)

MIKE CREVELT

dba Team Adventures Serving the Community - T.A.S.C.

OPERATING AREA FOR FISHING, BACKPACKING, TECHNICAL MOUNTAINEERING/
ROCK CLIMBING, CROSS COUNTRY SKIING, AND RELATED WORK PROJECTS

The Forest Service will assign backcountry worksites in both the Gospel Hump and Frank Church River of No Return Wilderness Areas of the Payette and Nez Perce National Forests. Campground work is proposed primarily on the Red River, Moose Creek, and Slate Creek Ranger Districts. The Special Use Permits on both Forests will be administered by the Nez Perce National Forest.

Day-time only cross country skiing activities are authorized at Ponderosa State Park and the Little Ski Hill, McCall, Idaho, and at the Idaho City Airport, Idaho City, Idaho.

Rock climbing activities shall be confined to Idaho state land, Tye Creek, and the Lick Creek Road adjacent to Little Payette Lake, McCall, Idaho. RESTRICTIONS: The following mountaineering/rock climbing restrictions, as previously approved for Mike Crevelt by the Board in December, 1988, shall apply to the operations of T.A.S.C.:

- ** Guiding only beginners
- ** Top rope only
- ** Rappelling with back-up belay
- ** 150' maximum height
- ** Belay from above on 3 anchor system, back-up on top rope anchor
- ** Minimum two (2) guides present with group
- ** Harnesses and helmets worn by clients
- ** No lead climbing