

S T A T E O F I D A H O  
OUTFITTERS AND GUIDES LICENSING BOARD  
APPROVED MINUTES

Board Meeting - February 22 - 25, 1993  
Boardroom - Boise, Idaho

A regularly scheduled meeting of the Idaho Outfitters and Guides Licensing Board was convened on Monday, February 22, 1993, at 8:00 AM, at the boardroom in Boise, Idaho. All Board members present except John A.K. Barker, who is scheduled to arrive later by plane from Lewiston. Also present Board Executive Director and Board's attorney.

**December Minutes:** After review and discussion, MSC (Epley--Crane) THAT THE MINUTES BE APPROVED AS AMENDED.

Board member John A.K. Barker and Enforcement Coordinator Al Lewis arrived at 8:40 AM.

**Executive Session:** MSC (Kovalicky--Epley) THAT IN ACCORDANCE WITH IDAHO CODE §67-1234, THE BOARD GO INTO EXECUTIVE SESSION FOR A DISCUSSION OF PERSONNEL MATTERS. The Board went in to executive session at 8:50 AM and came out of executive session at 10:00 AM, with no decisions made.

**Fiscal Report:** After review and discussion, MSC (Epley--Crane) THAT THE EXECUTIVE DIRECTOR'S BUDGET REPORT BE ACCEPTED.

**Steve Scanlin:** Board's attorney, Steve Scanlin, reviewed legislation and legal matters pending before the Board.

Board adjourned for lunch at 11:45 AM and reconvened at 3:15 PM after attending the Senate Resources and Environment Committee meeting regarding confirmation hearings for Board members Baird, Kovalicky, and Barker, and a review of proposed Board legislation.

**Enforcement Report:** Enforcement Coordinator Al Lewis gave a report regarding the status of current enforcement efforts and cases pending before the Board.

**Juniper Mountain Outfitters, Inc., Stan Meholchick, DA:** Following review and discussion of a report by Al Lewis, MSC (Epley--Barker) THAT MR. MEHOLCHICK BE CITED TO APPEAR BEFORE THE BOARD FOR A SHOW CAUSE HEARING.

**T. G. & Z., Inc., Janice Gilbert, DA:** Janice and Gene Gilbert appeared before the Board to discuss their outfitter license application for the conduct of trailrides in the vicinity of their private ranch located near Clark Fork, Idaho. After review and discussion, MSC (Barker--Crane) THAT THIS LICENSE BE APPROVED FOR THE CONDUCT OF TRAILRIDES AND BACKPACKING ACTIVITIES ON THE GILBERT'S PRIVATE PROPERTY AS WELL AS THOSE PRIVATE LANDS FOR WHICH

STATE OF IDAHO  
OUTFITTERS AND GUIDES LICENSING BOARD  
APPROVED MINUTES  
FEBRUARY 22 - 25, 1993

THE CONDUCT OF TRAILRIDES AND BACKPACKING ACTIVITIES ON THE GILBERT'S PRIVATE PROPERTY AS WELL AS THOSE PRIVATE LANDS FOR WHICH GILBERTS HAVE SECURED WRITTEN PERMISSION, AND FOR SUCH FOREST SERVICE TRAILS AS MAY BE APPROVED BY THE SANDPOINT AND FERNAN RANGER DISTRICTS UPON COMPLETION OF NECESSARY REVIEW AND EVALUATION. FURTHER, JANICE GILBERT IS APPROVED AS DESIGNATED AGENT, QUALIFIED TO GUIDE. (see addendum #1)

✓ **Darell Bentz:** Board reviewed the Darell Bentz matter regarding the violation notice he received for stream alterations made on the Salmon River. Board has received notification from the Bureau of Land Management and Idaho Department of Water Resources that Mr. Bentz has made satisfactory efforts to restore the altered terrain and both agencies indicate he has fulfilled all requirements established for resolving this problem. Following review and discussion, MSC (Crane--Kovalicky) MR. BENTZ BE ADVISED THAT IN VIEW OF THE RESULTS OF HIS WORK TO CORRECT THESE PROBLEMS, THE BOARD FEELS IT IS NOT NECESSARY FOR HIM TO APPEAR TO DISCUSS THE SITUATION, AND THAT THE MATTER BE CLOSED.

Board adjourned at 5:45 PM, and reconvened at 8:00 AM, Tuesday, February 23, 1993.

**Steve Jones, Cascade Raft Company:** Mr. Jones presented a petition to the Board requesting consideration for opening a section of the Deadwood River for the conduct of commercial floatboating activities. After review and discussion, MSC (Epley--Barker) THAT THE PETITION BE ACCEPTED AND RESEARCH BE STARTED TO CONSIDER AN APPROPRIATE RULES AMENDMENT.

✓ **Ron and Susan Sherer:** Board reviewed a formal request for a re-hearing regarding both the Ron Sherer and Susan Sherer Show Cause Hearings. Following a review and discussion of the requests with the Board attorney, the Board agreed to grant the re-hearings. Board Executive Director will coordinate with the Sherer's for a hearing date at the April meeting.

**Joe Eld:** Pursuant to Board Rule 113, Mr. Eld appeared to discuss the delinquent renewal of his outfitter license for the 1992-93 season. After review and discussion, it was determined by the Board that this license should continue without interruption or further discipline.

✓ **Bogus Creek Outfitters, Inc., Bob LaVelle, DA:** Board Attorney Steve Scanlin reviewed the present status of the Bogus Creek Outfitters license relative to the request for re-hearing and subsequent negotiations with Mr. LaVelle's attorney. Following a

review and discussion with Board counsel and Mr. Martin Martelle, counsel for Mr. LaVelle, MSC (Barker--Epley) THAT THIS MATTER BE CONTINUED TO THE AUGUST MEETING OF THE BOARD, AND THAT IN THE INTERIM, THE PARTIES ARE DIRECTED TO PURSUE A SETTLEMENT OF THIS MATTER THROUGH ALTERNATIVE DISPUTE RESOLUTION. THE BOARD WILL REVIEW THIS MATTER AT THE AUGUST MEETING AND AT THAT TIME DETERMINE IF FURTHER ACTION IS NECESSARY.

**Edd Woslum, dba: Yellow Wolf Ranch:** Mr. Woslum appeared to discuss his outfitter license application to conduct hunting activities on privately owned and leased property in the vicinity of Whitebird, Idaho. Mr. Woslum owns several parcels of land, totaling approximately 3000 acres, in the Chapman/Cottonwood/Blacktail Creeks area north of Whitebird. Additionally, he has leased approximately 8000 acres from Mr. Ernest Robinson in the Twin Bridges area north of Slate Creek along the Salmon River. After review and discussion, MSC (Barker--Epley) THAT THE BOARD ACCEPT THE MODIFIED PROPOSAL DESCRIBED BY MR. WOSLUM, AND THAT THE EXECUTIVE DIRECTOR BE INSTRUCTED TO PURSUE THE ISSUANCE OF THIS OUTFITTER LICENSE UPON RECEIPT OF NOTIFICATION FROM THE IDF&G THAT THIS MODIFIED PROPOSAL MEETS WITH THEIR APPROVAL. (see addendum #2)

**Eric Rector:** Mr. Rector appeared in a show cause hearing regarding alleged unprofessional conduct during a float trip on the Middle Fork of the Salmon River in 1992. At the conclusion of the hearing, the following Findings of Fact were established: that Mr. Rector did use profane and unreasonable language and did make unreasonable demands on U.S. Forest Service representatives stationed at Indian Creek Guard Station on the Middle Fork of the Salmon River. Accordingly, the Conclusion of Law are: this action does constitute unprofessional conduct within the scope of Licensing Board Rules. Pursuant to the above, MSC (Kovalicky--Barker) THAT IN LIEU OF REVOCATION OF HIS GUIDE LICENSE, MR. RECTOR BE FINED IN THE AMOUNT OF \$200.00. SAID FINE TO BE PAID PRIOR TO ISSUANCE OF ANY FUTURE LICENSE TO MR. RECTOR.

Board recessed for lunch at 11:40 AM and reconvened at 1:30 PM.

**Gary Fugit:** Mr. Fugit appeared in a show cause hearing relating to alleged employment of an unlicensed guide for the conduct of a floatboat trip on the Payette River in 1992. At the start of the hearing Mr. Fugit stipulated to the charges, acknowledging that he had employed an unlicensed guide and exhibited unprofessional conduct during a commercial trip in 1992. Therefore, Conclusions of Law are that this action does constitute a violation of Idaho Code §36-2113(a)(5) and (9), and Rule 102(d)(ii), Board Rules, as set forth in the complaint. Subject to such findings, motion made

by Barker that Mr. Fugit be fined in the amount of \$700.00 in lieu of suspension or revocation of his outfitter license. Motion died for lack of a second. MSC (Kovalicky--Baird) THAT MR. FUGIT BE FINED IN THE AMOUNT OF \$800.00, WHICH REPRESENTS A FINE OF \$300.00 FOR UNPROFESSIONAL CONDUCT AND \$500.00 FOR EMPLOYING AN UNLICENSED GUIDE.

**Lazy J Outfitters, Inc., Larry Jarrett, DA:** Mr. Jarrett appeared in a show cause hearing regarding alleged employment of an unlicensed guide. As a result of testimony provided at the hearing, the following Findings of Fact were established: 1) during the month of September, 1992, Larry Jarrett did book an archery elk hunt with Mr. John Davies; 2) Mr. Jarrett was at that time committed to operating his outfitter business in Alaska and was unable to personally guide this hunt; 3) Mr. Jarrett subsequently made arrangements to employ Mike Popp to act on his behalf and conduct this hunt for Mr. Davies; 4) Mr. Popp did conduct this elk hunt for Mr. Jarrett and did use the services of Mr. Forrest Wimer, an unlicensed guide, in the conduct of this hunt; and 5) Mr. Jarrett was unaware of the status of Mr. Wimer as far as him being licensed or unlicensed, and was not aware of who Mike Popp obtained to assist with this hunt. Conclusions of law: 1) Mr. Davies was guided on an archery elk hunt conducted under the outfitter license of Mr. Jarrett by Mr. Forrest Wimer, who did not possess a valid guide license; and 2) as the licensed outfitter authorized in this particular area, Mr. Jarrett was responsible for the conduct of this hunt. Pursuant to said findings, MSF (Crane--Baird) THAT MR. JARRETT BE ISSUED A LETTER OF REPRIMAND ADVISING THAT IF HE CONTINUES TO OPERATE AS AN IDAHO OUTFITTER, HE SHOULD STAY IN CLOSER CONTACT WITH HIS BUSINESS. FURTHER, THAT THIS LETTER SHOULD BE MADE A PART OF HIS OFFICIAL FILE. After additional discussion, Tom Kovalicky moved that a letter of reprimand be sent to Mr. Jarrett and that he be fined in the amount of \$300, in lieu of revocation or suspension of his license. Motion failed for lack of a second. Mr. Kovalicky then requested that the original motion be brought forward for reconsideration. MSC (Crane--Kovalicky) THAT MR. JARRETT BE ISSUED A LETTER OF REPRIMAND.

**Patrick Connolly:** Mr. Connolly appeared in a hearing regarding the denial of his 1992-93 guide license application. After review and discussion, MSC (Barker--Crane) THAT THE BOARD SUSTAIN IT'S DENIAL OF MR. CONNOLLY'S 1992-93 GUIDE LICENSE, AND ACCEPT AN APPLICATION FROM HIM FOR A 1993-94 GUIDE LICENSE, WITH SUCH LICENSE APPROVED PROBATIONARY WITH THE USUAL TERMS OF PROBATION APPLYING.

**IOGA Staff & Members:** Grant Simonds, IOGA Executive Director, President Doug Tims, along with Association members Shelley Fisher,

STATE OF IDAHO  
OUTFITTERS AND GUIDES LICENSING BOARD  
APPROVED MINUTES  
FEBRUARY 22 - 25, 1993

Page 5

Cheryl Bransford, Lester Lowe, and Richard Escott, met with the Board to discuss the development of an IOGA task force to examine the laws, rules, and regulations of the Licensing Board, as well as the role of the Board enforcement program. It was an informative session and helped set the stage for future cooperative examination of these areas of concern.

Meeting adjourned at 6:15 PM, and reconvened at 8:00 AM, Wednesday, February 24, 1993. All Board members present, as well as Board's Executive Director and Enforcement Coordinator.

**John Patterson:** Enforcement Coordinator Al Lewis presented a report regarding Mr. John Patterson. After review and discussion, MSC (Kovalicky--Epley) THAT MR. PATTERSON BE CITED TO APPEAR FOR A SHOW CAUSE HEARING AT THE APRIL MEETING.

**Dave Bream:** Enforcement Coordinator presented a report regarding Mr. Dave Bream. Pursuant to review and discussion, MSC (Kovalicky--Barker) THAT MR. BREAM BE CITED TO APPEAR FOR A SHOW CAUSE HEARING BEFORE THE BOARD. **Administrative Note:** An attempt should be made to schedule this hearing in junction with the spring IOGA meeting in Moscow, if possible.

**Terry Kayser:** Board reviewed the results from research conducted into a proposal submitted by Mr. Terry Kayser to consider relicensing him in an area in which he was formerly licensed for big game hunting on the Sandpoint and Troy (MT) Ranger Districts. After review and discussion, MSC (Kovalicky--Epley) THAT THE BOARD NOT CONSIDER THIS AREA FOR RELICENSING PURSUANT TO RULE 128 BASED ON CONCERNS EXPRESSED BY THE DEPARTMENT OF FISH & GAME RELATIVE TO ELK AND BLACK BEAR HUNTING AS WELL AS FISHING IN SOME OF THE AREA, CONCERNS FROM THE SANDPOINT RANGER DISTRICT, AND NUMEROUS COMMENTS RECEIVED FROM THE GENERAL PUBLIC.

**April Board Meeting:** Board reviewed information relative to consideration for holding the April Board meeting in Pocatello. Following review and discussion, MSC (Epley--Barker) THAT THE APRIL MEETING BE CONDUCTED IN POCATELLO, THE AGENDA BE HELD TO THREE DAYS, AND THE MEETING TO CONVENE ON TUESDAY, APRIL 27, 1993.

**Forrest Wimer:** Mr. Wimer appeared in a denial hearing regarding his 1992-93 guide license application. Denial of his application is based on information obtained by the Board indicating he was convicted for a violation of Fish & Game regulations in 1987. MSC (Barker--Kovalicky) THAT ACTION ON THIS MATTER BE POSTPONED UNTIL THE APRIL MEETING SO THE BOARD CAN ASCERTAIN THE RESULTS OF PENDING CHARGES IN MAGISTRATE COURT. Following further discussion, MSC

(Epley--Crane) THAT THE BOARD SUSTAIN ITS DENIAL OF THE 1992-93 GUIDE LICENSE APPLICATION SUBMITTED BY MR. WIMER.

**Wayne Fairchild:** Mr. Wayne Fairchild appeared in a show cause hearing. After review and discussion of testimony presented at hearing, the following Findings of Fact were established: 1) Mr. Fairchild did act as an organizer and lead a float trip on the Middle Fork of the Salmon River during the month of July, 1992; 2) Mr. Fairchild is licensed to conduct float trips in Idaho, but is not authorized to lead commercial outfitted trips on the Middle Fork of the Salmon River; 3) the participants on this trip did share expenses, with some individuals contributed more than others; and 4) the revenue collected on this trip did not exceed the expenses involved. Therefore, Conclusions of Law are that this trip falls outside the purview of the Idaho Outfitters and Guides Act, and Board Rules, relating to commercial activities. After further discussion, MSC (Barker--Epley) THAT THE CHARGES BROUGHT IN THIS ACTION BE DISMISSED.

Board recessed for lunch at 11:45 AM and reconvened at 1:00 PM.

**Wayne Mackie:** Mr. Mackie met with the Board to review his proposed purchase of the outfitting business currently operated by Mr. Bob Stewart, dba: Rock'N H Packers. Investigation indicates that Mr. Mackie has a conviction for violation of Arizona Fish and Game law, which occurred in 1990. Further investigation has also revealed an outstanding warrant in Arizona regarding additional Fish and Game violations. After review and discussion, MSC (Barker--Epley) THAT THIS PROPOSED SALE AND TRANSFER OF BUSINESS BETWEEN MR. STEWART AND MR. MACKIE BE DENIED, AND THAT MR. MACKIE NOT BE CONSIDERED FOR ANY OUTFITTER LICENSE IN THE FUTURE.

**Ronnie West:** Mr. West appeared before the Board to review his proposed purchase of the portion of the Duncan/Prentice, dba: Selkirk Guiding and Outfitting, big game hunting outfitter operation conducted in F&G Unit 4A. Following review and discussion, where it was noted that Mr. West had been convicted for violation of Fish & Game regulations in Alaska, MSC (Epley--Crane) THAT THIS SALE AND TRANSFER BE APPROVED. SAID OUTFITTER LICENSE WILL BE ISSUED PROBATIONARY FOR A PERIOD OF FIVE (5) YEARS, WITH TERMS OF PROBATION TO INCLUDE NO VIOLATION OF LOCAL, STATE, OR FEDERAL LAW, NO AMENDMENTS TO THE LICENSE, AND NO SALE OR TRANSFER OF THE BUSINESS DURING THE PROBATIONARY PERIOD. FURTHER, MR. WEST TO BE LICENSED QUALIFIED TO GUIDE. (see addendum #3)

**Gary Haight:** Mr. Haight appeared before the Board to discuss the renewal of his guide license for 1993-94. He was convicted of a

felony in 1992 and is currently on probation. Following this discussion with Mr. Haight and a review of the situation, the Board directs that a decision on this matter be delayed until a report can be obtained from Mr. Haight's probation officer, and at such time as we have received a completed 1993-94 guide license application. Hopefully, this information will be available for review at the April Board meeting.

Board meeting adjourned at 5:50 PM, and reconvened at 8:05 AM, Thursday, February 25, 1993. All Board members present, as well as Board Executive Director, Board Attorney, and Board Enforcement Coordinator.

**Richard Matthews, Brundage Mountain Co.:** Mr. Matthews met with the Board to review a licensing proposal submitted by Brundage Mountain Co. for the conduct of backcountry alpine snowcat skiing to be offered outside their current Forest Service permit boundary. Mr. Matthews presented a comprehensive evaluation of each component of their planned operation in the vicinity of Granite Mountain and Slab Butte. Following this presentation and discussion, MSC (Kovalicky--Epley) THAT FURTHER ACTION ON THIS LICENSE APPLICATION BE POSTPONED UNTIL THE APRIL BOARD MEETING, AND THAT THE EXECUTIVE DIRECTOR CONTACT THE MCCALL DISTRICT RANGER FOR FURTHER REVIEW AND EVALUATION PRIOR TO THAT MEETING.

**Ed Wood, District Ranger, Red River Ranger District:** Mr. Wood appeared before the Board to discuss proposed relicensing considerations for the former G&L York operating area in F&G Unit 20. He presented a composite of various alternatives that have been under consideration by the District and responded to various inquiries from the Board. After review and discussion, the Board determined they are in support of the procedures and dialogue being undertaken in this matter and will continue to monitor the progress. Further, the Executive Director is instructed to continue working with the agency toward final determination of a recommended alternative for disposition of the operating area in question.

**Marvin Thomas:** Mr. Thomas appeared before the Board in a show cause hearing regarding the alleged conduct of an illegal powerboat steelhead fishing trip on the Salmon River. Following presentation of all testimony in this matter, the Findings of Fact in this issue are: 1) Mr. Marvin Thomas did engage in and conduct a powerboat steelhead fishing trip on the Salmon River on or about November 17, 1992; and 2) Mr. Thomas was not licensed to conduct this activity. Therefore, the following Conclusions of Law are established: these actions constitute a violation of Idaho Code

§36-2113(a)(5)(8)(i, ii), and Licensing Board Rules 002(ss), 102(a)(b)(c)(d)(i, ii), and 105(d). Following review and discussion, MSC (Kovalicky--Crane) THAT IN LIEU OF SUSPENSION OR REVOCATION OF MR. THOMAS' GUIDE LICENSE, HE BE ASSESSED A FINE OF \$800.00, REPRESENTING \$300.00 FOR EXHIBITING UNETHICAL AND UNPROFESSIONAL CONDUCT, AND \$500.00 FOR OPERATING IN AN AREA FOR WHICH HE IS NOT LICENSED AND ENGAGING IN AN ACTIVITY FOR WHICH HE IS NOT LICENSED.

**Allison Ranch, Inc., Harold Thomas, DA:** Mr. Harold Thomas appeared before the Board in a show cause hearing regarding the conduct of an illegal steelhead fishing trip by Allison Ranch, Inc., on the Salmon River on or about November 17, 1992. Following the completion of testimony in this matter, the Findings of Fact are: 1) Allison Ranch did accept fees for a guided powerboat steelhead fishing trip on the Salmon River; 2) Said trip was conducted with the full knowledge of Allison Ranch and the ranch provided overnight accommodations for participants on the trip; and 3) Harold Thomas signed the training log submitted for Marvin Thomas, when, in fact, Harold Thomas is not qualified to verify that training. Therefore, the Conclusions of Law are: 1) these acts constitute a violation of Idaho Code §36-2113(a)(8)(i, ii), 36-2114, and Licensing Board Rule 102(b). Pursuant to these Findings and Conclusions, MSC (Crane--Barker) THAT IN LIEU OF SUSPENSION OR REVOCATION OF THE ALLISON RANCH, INC., OUTFITTER LICENSE, THAT THEY BE ASSESSED AN ADMINISTRATIVE FINE IN THE AMOUNT OF \$1,100.00, PURSUANT TO IDAHO CODE §36-2113(C).

Board recessed for lunch at 11:45 AM, and reconvened at 1:20 PM.

**Executive Session:** MSC (Barker--Epley) THAT PURSUANT TO IDAHO CODE §67-1234, THE BOARD GO INTO EXECUTIVE SESSION TO DISCUSS PERSONNEL MATTERS. Board went in to executive session at 1:50 PM and came out of executive session at 2:10 PM, with no decisions made.

**Eldon Cutlip:** Board reviewed a letter of concern that had been filed by Mr. Cutlip expressing concerns of meat processors in the Grangeville area regarding the condition and quality of game meat that is being presented to them for processing by outfitters. Following review and discussion of the matter, the Board directs that the Executive Director work on developing a procedure for monitoring this situation both locally and perhaps on a statewide basis. Also, an advisory letter should be prepared for distribution to all big game outfitters expressing general concerns about this potential problem. Contact should also be made with the Enforcement Bureau of the Idaho Department of Fish & Game enlisting their assistance in this matter.

**Milt Butler, dba: Chilly Ranch:** Board attorney Steve Scanlin reported on a discussion he has had with Mr. Phillip Gordon, counsel for Mr. Butler. This discussion addressed a suggested alternative to the sanctions imposed against Mr. Butler's outfitter license at the conclusion of a show cause hearing in December, 1992. Following review and discussion of this proposal, MSC (Epley--Barker) THAT MR. SCANLIN BE INSTRUCTED TO CONTINUE NEGOTIATIONS FOR A SETTLEMENT WITHIN THE FOLLOWING PARAMETERS: 1) THAT THE BOARD WILL CONSIDER A POSSIBLE SALE AND TRANSFER OF MR. BUTLER'S OUTFITTING BUSINESS; 2) AT THE TIME OF SAID SALE, THE BOARD WILL CONSIDER THE ADDITION OF BEAR HUNTING ON THE NEW LICENSE DEPENDING ON THE QUALIFICATIONS OF THAT BUYER; AND 3) THAT MR. SCANLIN CONTINUE TO PURSUE RESTITUTION OF BOARD'S EXPENSES IN REGARDS TO THE MILT BUTLER CASE.

**Review of Licensing Procedures/Hazardous Excursions:** Board reviewed a proposal by Steve Scanlin regarding a suggested amendment to the hazardous excursion language in the statute and Board rules. After review and discussion, MSF (Kovalicky--Crane) (Crane-nay, Kovalicky-aye, Epley-nay, Barker-nay, Baird nay) THAT THE BOARD NEITHER CONSIDER NOR REQUIRE LICENSING FOR ANY ACTIVITIES NOT NOW LISTED AS HAZARDOUS ACTIVITIES WITHIN THE DEFINITION OF HAZARDOUS EXCURSIONS AS CURRENTLY DEFINED IN BOARD RULES. PRESENT ACTIVITIES SO DEFINED INCLUDE TRAILRIDES, BACKPACKING, TECHNICAL MOUNTAINEERING, ROCK CLIMBING, CROSS-COUNTRY SKIING, BACK COUNTRY ALPINE SKIING, LLAMA PACKING, SNOWMOBILING, SURVIVAL COURSES, AND MOTORED AND NON-MOTORED CYCLING. After further review, the Board instructs the Executive Director to notify all licensees currently authorized to conduct wagonride, sleighride, dogsled ride, photography trip, and meat packing activities that the Board is reviewing current guidelines for licensure of those activities to determine which, if any, should continue to be considered under the purview of current state law and Board rules. Until such review is completed and a formal determination made, no new license applications will be considered for these five activities, nor will any regulation of these activities be enforced.

**Executive Director Special Actions Report:** Executive Director Dean Sangrey reviewed his actions relative to licensing and amendment considerations he has handled on behalf of the Board since the December meeting. These actions included:

**Darl Allred:** He had submitted an outfitter license application for conduct of wagonrides and sleighrides in the Idaho City area. After review and discussion, MSC (Kovalicky--Epley) THAT IN CONSIDERATION OF RECENT ADVICE FROM THE ATTORNEY GENERAL'S OFFICE THAT THESE ACTIVITIES NO LONGER FALL UNDER THE PURVIEW OF THE

LICENSING BOARD, THAT THIS LICENSE BE RESCINDED AND THE FEE REFUNDED.

**CAPPS/CRANNEY:** Sale of business; **BUTLER/JOHANNSSEN;** Sale of business; **MEHLER/MELTON:** Sale of business; **CONRAD FOURNEY:** Corporate business change; **DALE ROBSON:** Amendment request; **TUTTLE/THOMPSON:** Amendment request. (see addendums #4, 5, 6, 7, 8,&9)

MSC (Crane--Barker) THAT THESE ACTIONS BE APPROVED.

**Michael Metz:** The Board reviewed a petition submitted by Michael Metz to consider increasing the number of commercial outfitted opportunities on Cascade Reservoir. After review and discussion, MSC (Epley--Barker) THAT THE BOARD ACCEPT THE PETITION AND PROCEED WITH RULEMAKING PROCEDURES.

**Executive Session:** MSC (Barker--Epley) THAT PURSUANT TO IDAHO CODE §67-1234, THE BOARD GO INTO EXECUTIVE SESSION FOR THE PURPOSE OF DISCUSSING PERSONNEL MATTERS. The Board went into executive session at 4:40 PM and came out of session at 5:05 PM with no decisions made.

**Complaints:** Executive Director Dean Sangrey reviewed complaints that have been filed with the Board and the results of the investigations into same. After review and discussion, MSC (Epley--Barker) THAT THE BOARD ACCEPT THE DIRECTOR'S RESOLUTION OF THESE COMPLAINTS AS REPORTED.

**Relinquishment of Outfitter Licenses:** Outfitter licenses approved or issued to Elwyn Tupper, Jim Guerry, Tom Sorenson, Jim Snyder, Ken Price, and Ralph Bass, were reviewed by the Board. Based on individual circumstances, each of these licenses has not been activated for the 1992-93 license year. Consequently, MSC (Crane--Kovalicky) THAT THESE LICENSES BE RELINQUISHED.

**David Waymire:** Board reviewed the outfitter license file of Mr. Waymire, noting that he has not renewed his hunting outfitter license for 1992-93. He has submitted his renewal application, operating plan, use reports, and fees, as required under Rule 113, but must still meet with the Board for an interview. After review and discussion, MSC (Epley--Kovalicky) THAT MR. WAYMIRE BE REQUIRED TO APPEAR BEFORE THE BOARD AT THE APRIL MEETING TO CONSIDER HIS LICENSE RENEWAL.

**Rich Cook:** Board reviewed an amendment request submitted by Rich Cook, dba: Cook's Idaho Outfitters/Wind River Outfitters for the expansion of his operating area boundary. This proposed increase

in area would impact on the operating area currently licensed to Shepp Ranch. After review and discussion, MSC (Crane--Barker) THAT THIS AMENDMENT REQUEST BE DENIED.

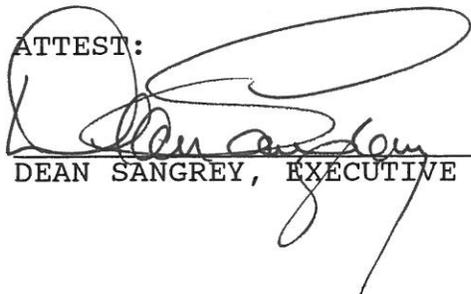
**Sawtooth National Recreation Area:** Executive Director Sangrey reviewed certain aspects of a proposed sale of business in the SNRA. The proposal deals with one of the four walk and wade steelhead fishing licenses currently authorized on SA1. The Stanley Ranger Station has completed research into concerns regarding potential damage to young salmon in the spawning beds, and have submitted recommendations for limited restrictions in operations for all four licensees. The problem has been discussed thoroughly with all affected outfitters and they are in complete agreement with recommended modifications to their licenses. After review and discussion, MSC (Barker--Epley) THAT THESE AFFECTED LICENSES, FOR BOB SEVY, BOB COLE, JON MCGREGOR, AND OLIVIA JAMES, BE AMENDED TO REFLECT THOSE SPECIAL USE PERMIT RESTRICTIONS AS IDENTIFIED BY THE SNRA.

**BLM/Lower Salmon River Boat Licensing:** Board reviewed a letter from LuVerne Grussing, BLM in Cottonwood, regarding the sale and transfer of existing outfitter licenses on the SA7A, SA7B, and SA8 sections of the Salmon River. After review and discussion, MSC (Kovalicky--Epley) THAT THE BOARD PLACE A MORATORIUM ON THE ISSUANCE OF ANY ADDITIONAL LICENSES FOR FLOAT BOATING ACTIVITIES ON SA7A, SA7B, AND SA8.

**Mike Lyons:** The Board reviewed a proposed sale and transfer of an existing floatboat business belonging to Mr. Mike Lyons. After review and discussion, MSC (Barker--Epley) THAT A DECISION ON THIS SALE AND TRANSFER BE DEFERRED UNTIL THE APRIL MEETING TO ALLOW TIME FOR THE EXECUTIVE DIRECTOR TO EVALUATE THE SITUATION WITH THE BLM, AND POSSIBLY MEET WITH THEM AT THAT TIME.

There being no further business to come before the Board, the meeting was adjourned at 6:20 PM.

  
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DALE BAIRD, CHAIRMAN OF THE BOARD

ATTEST:  
  
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DEAN SANGREY, EXECUTIVE DIRECTOR

BOARD MEETING - FEBRUARY 22 - 25, 1993

**T.G. & Z., INC.**  
**dba: Idaho Outdoor Experience**  
**Janice Gilbert, Designated Agent**

**OPERATING AREA FOR TRAILRIDES, BACKPACKING,  
AND PHOTOGRAPHY TRIPS**

Beginning in the NW1/4SW1/4SW1/4, W1/2NW1/4SE1/4SW1/4, SE1/4NW1/4SW1/4, and the south 660 feet of Government Lot 8 south of the old county road, Sec. 28, T55N, R3E, BM. (Idaho Panhandle National Forest Map dated 1981, Map #2) (IDF&G Unit 4A).

**CONDITION: Any private lands in the above area description are not covered by this outfitter license unless signed permission/lease is obtained and filed with the Board.**

License No. 6294 (3/93)

BOARD MEETING - FEBRUARY 22 - 25, 1993

**EDD S. WOSLUM**  
**dba: Yellow Wolf Ranch**

**OPERATING AREA FOR CONDUCT OF DEER, ELK, AND CHUKAR HUNTING**

Private deeded property of Edd S. and Leanne L. Woslum, as identified on attached exhibit B - approximately 3,000 acres.

Private deeded property known as the Robinson Ranch, leased from Ernest Robinson and Anita Smith (Robinson) - approximately 8,000 acres.

(Salmon River, Slate Creek, Clearwater, and Elk City Ranger Districts Forest Service Map #6) (F&G Units 14 and 18)

**CONDITION:** Any private lands in the above area description are not covered by this outfitter license unless signed permission/lease is obtained and filed with the Board.

License No. 6313 (3/93)

BOARD MEETING - FEBRUARY 22 - 25, 1993

**RONNIE WEST**  
**dba: West Outfitting**

**OPERATING AREA FOR DEER, ELK, MOOSE, GOAT, BEAR, COUGAR,  
PREDATOR AND FOREST GROUSE HUNTING, AND TRAILRIDES,  
BACKPACKING, AND SNOWMOBILING**

Beginning at the Bonner/Shoshone County line on the Idaho/Montana stateline; then north and west along said county line to the range line common to R1W and R2W; then north on said range line to Lake Pend Oreille; then east and north along said lakeshore to the Clark Fork River; then east on the Clark Fork River to the Idaho/Montana stateline; then south along said state boundary to the point of beginning. (Coeur d'Alene National Forest/Panhandle National Forest Map dated 1981, Map #2)(IDF&G Unit 4A).

**RESTRICTION:** Deer and elk hunts to EXCLUDE muzzleloader hunting.

**PROBATION:** This license is issued on probationary status for five years beginning with the 93-94 season. Terms of probation are no amendments will be considered for the license, that Mr. West not violate any local, state, or federal laws, and no sale or transfer of the business will be considered during the term of the probation, which will expire March 31, 1998.

**CONDITION:** Any private lands in the above area description are not covered by this outfitter license unless signed permission/lease is obtained and filed with the Board.

License No. 6302 (3/93)

BOARD MEETING - FEBRUARY 22 - 25, 1993

**JOHN CRANNEY AND MAURICE FOLAND**  
**dba Rawhide Outfitters**  
**John Cranney, Designated Agent**

OPERATING AREA FOR ANTELOPE, ELK, DEER, GOAT, SHEEP, BEAR, COUGAR,  
PREDATOR AND FOREST GROUSE HUNTING, FISHING AND TRAILRIDES

Beginning at the mouth of Cow Creek (Sec. 8, T16N, R21E, BM) on the Salmon River; thence east around the Cow Creek drainage and the head of Cow Creek; thence north around the head of Allison Creek, McKim Creek, and Poison Creek to Poison Peak; thence west to the mouth of Poison Creek on the Salmon River; thence south on the Salmon River to Cow Creek, the point of beginning. [F&G Units 29 & 37A] [Challis National Forest Map-East Half, 1965]

OPERATING AREA FOR FLOATBOATING AND FISHING

Floatboating and fishing may be conducted along the Iron Creek to North Fork (SA4A & SA4B) and North Fork to Corn Creek (SA5) segments of the Salmon River.

**CONDITION:** Any private lands in the above area description are not covered by this outfitter license unless signed permission/lease is obtained and filed with the Board.

License No. 4050 (4/93)

BOARD MEETING - FEBRUARY 22 - 25, 1993

**JOHANNSEN & JOHANNSEN (Partnership)  
Hugh R. Johannsen, Designated Agent**

**OPERATING AREA FOR BEAR, COUGAR, AND PREDATOR HUNTING**

Beginning on the Boise Baseline, common to T1N & T1S, R18E & R19E, BM; thence due north along said township line to the East Fork of the Big Wood River (Sec. 30, T4N, R19E, BM); thence westerly down the East Fork of the Wood River; thence southerly down the Wood River to Greenhorn Gulch; thence westerly up Greenhorn Gulch to Cow Creek (Sec. 15, T3N, R17E, BM) and Trail 180; thence northerly on Trail 180 via Cow Creek and Alturas Gulch to Warm Springs Creek (Sec. 30, T4N, R17E, BM); thence westerly along Warm Springs Creek to a point east of Castle Rock (Sec. 32, T4N, R16E, BM); thence west to Castle Rock; thence northwest on a straight line via Baker Lake to the Blaine-Camas County line (Sec. 9, T4N, R15E, BM); thence southerly along said county line and the South Fork Boise-Wood River watershed divide to Dollarhide Mountain (Sec. 9, T3N, R15E, BM); thence west on Trails 081 and 080 to a point (Lick Creek lookout) in the SW 1/4 Sec. 3, T3N, R14E, BM; thence westerly along the Big Smokey-Lick Creek watershed divide to Big Smokey Guard Station (Sec. 2, T3N, R13E, BM); thence northerly along the Paradise Creek-South Fork Boise River watershed divide to Elk Point; thence continuing north, west, and south around the head of Elk Creek to the South Fork Boise River at the mouth of Bear Creek (Sec. 34, T5N, R13E, BM); thence westerly upstream on Bear Creek to the Camas-Elmore County line and the Willow-Skeleton Creek watershed divide (SE 1/4 Sec. 3, T4N, R12E, BM); thence southerly on said county line and watershed divide to the South Fork Boise River (NW 1/4 Sec. 17, T3N, R12E, BM); thence upriver a short distance to Trail 052 (SE 1/4 Sec. 3, T4N, R12E, BM); thence southerly on Trails 052, via Deer Park, 050, 055, 056, and Forest Service Road 055 to its intersection with the Boise Baseline (Sec. 35, T1N, R11E, BM); thence due east on the Boise Baseline to the point of beginning. [Sawtooth National Forest-North Division, 1972] [F&G Units 43, 44, 48 & 49]

**RESTRICTIONS:**

- \* Cougar hunting limited to IDF&G Units 43 & 44.
- \* Maximum harvest of three (3) cougar per year, with no more than two (2) being harvested from any one unit.
- \* Total harvest of black bear not to exceed five (5) per year.

**CONDITION:** Any private lands in the above area description are not covered by this outfitter license unless signed permission/lease is obtained and filed with the Board.

License No. 6295 (3/93)

BOARD MEETING - FEBRUARY 22 - 25, 1993

**WILLIAM P. MELTON**  
**dba: Eagle Charters**  
**Levi Hubbard, Designated Agent**

**OPERATING AREA FOR POWERBOAT FISHING**

Powerboat fishing may be conducted on Lake Pend Oreille.

**CONDITION: Any private lands in the above area description are not covered by this outfitter license unless signed permission/lease is obtained and filed with the Board.**

License No. 6298 (3/93)

BOARD MEETING - FEBRUARY 22 - 25, 1993

**FOURNEY & FOURNEY (Partnership)  
dba: Headwaters**

**OPERATING AREA FOR FLOATBOATING AND KAYAKING**

Floatboating and kayaking to be conducted along the following segments of the Payette River - PA1, PN2, PS1 and PS2.

**CONDITION:** Any private lands in the above area description are not covered by this outfitter license unless signed permission/lease is obtained and filed with the Board.

License No. 1210 (3/93)

BOARD MEETING - FEBRUARY 22 - 25, 1993

## DALE R. ROBSON

OPERATING AREA FOR DEER, ELK, MOOSE, BEAR, COUGAR, PREDATORS AND FOREST GROUSE HUNTING, AND FISHING, TRAILRIDES AND SNOWMOBILING

OPERATING AREA #1: (JOINTLY WITH ALBERT TILT, III,, dba TETON RIDGE RANCH AREA #1, AND IN PART WITH RONALD JAMES CLARK, dba LOST CREEK OUTFITTERS AREA #2): Beginning at the point where Badger Creek runs through Felt (Sec. 7, T6N, R44E); thence in an easterly direction on Badger Creek and the South Fork of Badger Creek to the Wyoming line; thence north along the Wyoming line and the Yellowstone National Park boundary to the head of the South Fork of Partridge Creek (Sec. 11, T11N, R45E); thence west along Partridge Creek to Pineview; thence west along New Hatchery Butte Road and old U.S. Highway 191 to Osborne Bridge; thence south along U.S. Highway 191 through Ashton and St. Anthony to Highway 33; thence south and east on Highway 33 to the juncture with Highway 32; thence in a straight northerly direction on Highway 32 to Badger Creek at Felt, the point of beginning. [F&G Units 62 & 62A]

OPERATING AREA #2: (JOINT WITH ALBERT TILT, III, dba TETON RIDGE RANCH): Beginning at the Forest Service Trail 050 trailhead at the confluence of the North Fork of Pine Creek and Pine Creek (SE 1/4 Sec. 22, T3N, R44E); thence northwesterly on Trail 050 up the North Fork Pine Creek drainage to Piney Pass and the juncture with Forest Service Trail 066 (SE 1/4 Sec. 23, T4N, R43E); thence northerly on Trail 066 via Garns Mountain and Elk Flat to its juncture with Forest Service Trail 062 on Relay Ridge and the Canyon Creek/Teton River watershed divide (NE 1/4 Sec. 18, T4N, R44E); thence northerly on Relay Ridge and said watershed divide via Packsaddle Basin and Grandview Point to the Targhee National Forest boundary (Sec. 25, T6N, R43E); thence east and south on said boundary to Rammell Hollow and the county road (NE 1/4 Sec. 1, T5N, R43E); thence easterly on said county road to Packsaddle Creek and continuing due east on said road via Cache to State Highway 33 (Sec. 11, T5N, R45E); thence south and west on State Highways 33 and 31 via Driggs and Victor to the point of beginning. [Targhee National Forest, Blackline Print Map #2, 1980] [F&G Unit 65]

## OPERATING AREA FOR SNOWMOBILING

Beginning on the Idaho/Wyoming stateline at the point where Johns Creek crosses said line (Sec. 5, T6N, R46E); thence northerly on said stateline to the point where Fall River crosses said line (Sec. 19, T9N, R46E); thence southwesterly downstream on Fall River to the Targhee National Forest boundary (section line common to Sec. 1 & 6, T8N, R44/45E); thence south and east along said national forest boundary to the point of beginning. [F&G Unit 62] [Targhee National Forest Map, 1980]

DALE ROBSON  
(Page 2)

ADDITIONAL OPERATING AREA FOR SNOWMOBILE TOURS

In the Big Hole Mountain area east of Rexburg, Idaho. Tours to be conducted on groomed snowmobile trails only, while avoiding the big game winter range habitat. This trail system is located in the areas commonly referred to as Walker Siding, Sub Station, Woods Cross, White Owl, Long Hollow, Green Canyon, Rammell Dairy, and Horseshoe. (Targhee National Forest Map dated 1980, Map #2) (F&G Units 64 and 65)

**CONDITION:** Any private lands in the above area description are not covered by this outfitter license unless signed permission/lease is obtained and filed with the Board.

License No. 0319 (2/93)

BOARD MEETING - FEBRUARY 22 - 25, 1993

**TUTTLE & THOMPSON (PARTNERSHIP)**  
**dba: Snake River Adventure Outfitters**  
**Kathy Tuttle, Barbara Thompson, Designated Agents**

**OPERATING AREA FOR CONDUCT OF TRAILRIDE, DAY HIKE,  
AND PHOTOGRAPHY TRIP ACTIVITIES**

Trailrides may be conducted in the following areas: The existing trail system on both sides of the Snake River from Swan Falls Dam downstream to and including Guffey Bridge; On private property belonging to Mr. E.T. Evans situated on the north side of the Snake River in Sections 32, 33, and 34, T1S, R1W, BM; Also including Celebration Park, Halverson Lake area, Wees Bar, Priest Grade, and associated trails; and, a loop trail system incorporating Bureau of Land Management property in the Sinker Creek Butte/Con Shea Basin/Guffey Butte, and Swan Falls Dam areas along the south side of the Snake River. (BLM Boise Area Quadrangle Map, Map #24) (F&G Mgmt Units #38 and #39)

**ADDITIONAL OPERATING AREA FOR TRAILRIDE, DAY HIKE,  
AND PHOTOGRAPHY TRIP ACTIVITIES**

Additionally, these activities may be conducted on the Tuttle Ranch property, approximately 165 acres, situate in Sec. 10, T1S, R2W, BM.

**CONDITION: Any private lands in the above area description are not covered by this outfitter license unless signed permission/lease is obtained and filed with the Board.**

License No. 5694 (3/92)