

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

Board Meeting - April 27 - 29, 1993
Federal Building - Pocatello, Idaho

A regularly scheduled meeting of the Idaho Outfitters and Guides Licensing Board was convened in Pocatello, Idaho, on Tuesday, April 27, 1993, at 8:35 AM. All members present except John A.K. Barker, who is scheduled to arrive at noon. Also present are Board's Executive Director, Dean Sangrey; Enforcement Coordinator, Al Lewis; and Board's attorney, Steve Scanlin. Idaho Department of Fish and Game Regional Conservation Officer Bob Saban, Region 5, was welcomed to the meeting.

Financial Status: After review and discussion, MSC (Kovalicky--Epley) THAT THE FINANCIAL REPORT THROUGH THE END OF MARCH, 1993, BE ACCEPTED.

Minutes of February, 1993, Meeting: After review and discussion, MSC (Epley--Crane) THAT THESE MINUTES BE APPROVED.

Minutes of April 4, 1993, meeting in Moscow, Idaho: After review and discussion, MSC (Epley--Crane) THAT THESE MINUTES BE APPROVED.

Frankie Valvo: Mr. Scanlin presented a petition submitted by counsel on behalf of Mr. Valvo for possible settlement of this matter. After review and discussion, MSC (Epley--Kovalicky) THAT THE BOARD DIRECT ITS COUNSEL TO ADVISE OPPOSING COUNSEL THE RECOMMENDATION FOR PROBATIONARY STATUS ON THE LICENSE IS NOT AN ACCEPTABLE RESOLUTION, AND THAT THE BOARD SHOULD NEGOTIATE AN APPROPRIATE FINE.

Enforcement Report: Enforcement Coordinator, Al Lewis, reported to the Board regarding the status of ongoing investigations and other enforcement related matters.

Waldemar Hirner: Board reviewed a guide license application for Mr. Hirner, noting that the first aid card appears to have been altered. After review and discussion, MSC (Epley--Crane) THAT THIS GUIDE APPLICATION BE DENIED.

Ralph Hlebak: Board reviewed a guide license application for Mr. Hlebak, noting the first aid card appears to have been altered. Following review and discussion, MSC (Epley--Crane) THAT THIS GUIDE APPLICATION BE DENIED.

Board adjourned for lunch at 11:40 AM and reconvened at 1:15 PM, with Board member John A.K. Barker in attendance.

Board adjourned for lunch at 11:40 AM and reconvened at 1:15 PM, with Board member John A.K. Barker in attendance.

Phil Revel/Sid Davis: Sid Davis met with the Board to review his proposed purchase of the outfitter business presently licensed to Lois Revell, widow of Phil Revell. Sid Davis' brother, Layne Davis, also attended the meeting, as he is applying to be licensed as the designated agent for the new business. After review and discussion, MSC (Epley--Kovalicky) THAT THIS SALE AND TRANSFER BE APPROVED, LIMITED TO THE AREA IN F&G MANAGEMENT UNIT 76 FOR WHICH MR. REVELL IS CURRENTLY LICENSED. THIS APPROVAL WILL, 1) RECOGNIZE THE DELETION OF TWO OVERLAPS WHICH HAVE EXISTED BETWEEN MR. REVELL AND MARRINER JENSEN FOR BEAR AND COUGAR HUNTING. UNDER MR. REVELL'S PREVIOUS LICENSE, MR. JENSEN WAS PERMITTED TO HUNT BEAR AND COUGAR ON CARIBOU NATIONAL FOREST LANDS WITHIN MR. REVELL'S OPERATION AREA. IN TURN, MR. REVELL WAS PERMITTED TO CONDUCT HUNTING ACTIVITIES WITHIN MR. JENSEN'S ASSIGNED AREA IN THE SOUTHEASTERN CORNER OF THE STATE, EAST OF BEAR LAKE. THE PARTIES HAVE AGREED THAT MR. DAVIS WILL GIVE UP ANY INTEREST IN CONDUCTING ACTIVITIES IN THE SOUTHERN PORTION OF UNIT 76 IN EXCHANGE FOR MR. JENSEN RELINQUISHING ALL INTEREST IN HUNTING BEAR AND COUGAR IN THE GRAYS RANCH/WOOLEY RANGE PORTION OF MR. REVELL'S AREA; 2) LICENSE WILL BE RESTRICTED TO A MAXIMUM OF NOT MORE THAN 25 DEER AND 10 ELK PER SEASON; 3) COUGAR AND BEAR HUNTING NOT BE AUTHORIZED; 4) THAT PORTION OF MR. DAVIS' APPLICATION DEALING WITH EXPANSION OF THE AREA OUTSIDE OF UNIT 76, AS WELL AS THE HUNTING OF CHUKARS, DUCKS, AND GEESE, BE DENIED; AND 5) THE APPROVED ACTIVITIES IN UNIT 76 AREA LIMITED TO PUBLIC LANDS AND THOSE PRIVATE LANDS FOR WHICH LAND OWNER PERMISSION HAS BEEN SECURED. DENIAL OF CERTAIN ACTIVITIES AND OPERATING AREAS IS ESTABLISHED WITH THE CONDITION THAT THE OUTFITTER CAN COME BEFORE THE BOARD AT A LATER DATE WITH AN AMENDMENT REQUEST. FURTHER, MR. SID DAVIS IS TO BE ADVISED BY LETTER THAT THE BOARD CONSIDERS HIS ATTEMPTS TO ADVERTISE AND BOOK CLIENTS UNDER HIS PROPOSED BUSINESS NAME OF TRAIL CREEK OUTFITTERS, INC., AND TO SECURE TAGS FROM THE OUTFITTER'S SET ASIDE POOL UNDER THIS SAME NAME WITHOUT, IN FACT, HAVING A VALID OUTFITTER LICENSE, A VIOLATION OF BOARD RULES, AND THAT THIS LETTER OF REPRIMAND WILL BECOME A PERMANENT PART OF HIS FILE AND RECORD WITH THE BOARD. **ADMINISTRATIVE NOTE:** This license should be issued upon completion of necessary paperwork with Mr. Layne Davis licensed as designated agent, qualified to guide. (see addendum #1)

Juniper Mountain Outfitters, Inc., Stan Meholchick, D.A.: Mr. Meholchick appeared before the Board in a show cause hearing relating to his conviction for violation of U.S. Forest Service special use permit regulations in December, 1991. At the

conclusion of the hearing, the following Findings of Fact were established, 1) Mr. Meholchick did stipulate to a violation of Forest Service regulation, and 2) This violation occurred at a time when his Idaho outfitter license was on probationary status from the Idaho Licensing Board. One stipulation of this probation was that he not violate any local, state, or Federal laws. Therefore, the Conclusions of Law are that this action does constitute a violation of §36-2113(a)(5), and (14), Idaho Code, and of an Outfitters and Guides Licensing Board order dated July 2, 1991. Pursuant to these findings, MSC (Crane--Barker), THAT: 1) JUNIPER MOUNTAIN OUTFITTERS, INC., LICENSE BE MODIFIED TO SUSPEND AUTHORITY AUTHORITY FOR COUGAR HUNTING ACTIVITIES FOR A PERIOD OF TWO (2) YEARS IN F&G MANAGEMENT UNITS 40 AND 42 (OWYHEE COUNTY); 2) THE JUNIPER MOUNTAIN OUTFITTERS, INC. LICENSE, AS WELL AS THE DESIGNATED AGENT AND GUIDE LICENSES ISSUED TO STAN MEHOLCHICK, BE PLACED ON PROBATION FOR A PERIOD OF TWO (2) YEARS. PROVISIONS OF PROBATION ARE THAT MR. MEHOLCHICK NOT VIOLATE ANY LOCAL, STATE, OR FEDERAL LAWS, AND THAT NO AMENDMENTS WILL BE APPROVED FOR THESE LICENSES DURING THE TERM OF PROBATION, WHICH WILL EXPIRE ON MARCH 31, 1995. FURTHER, NO OUTFITTED ACTIVITIES WILL BE CONDUCTED ON ANY PUBLIC LANDS UNTIL COPIES OF APPROVED SPECIAL USE PERMITS FROM THE U.S. FOREST SERVICE AND BUREAU OF LAND MANAGEMENT ARE FILED WITH THE BOARD.

Pocatello Resource Area, BLM: Area Manager Jeff Steele, Outdoor Recreation Planner Jaime Arnold, and Bill Boggs, Recreational Planner from the Idaho Falls District Office, met with the Board. They are experiencing a substantial increase in recreational activity on their districts, and throughout southeastern Idaho, and they want to have more contact with the Board to promote a better understanding of licensing requirements and common goals the two agencies have when dealing with outfitters and guides issues. Board Executive Director will coordinate with the Bureau to arrange a regional training seminar to address coordinated efforts under the MOU, etc.

Uniform Administrative Procedures Act Rules and Regulations: Following a presentation by Steve Scanlin of the new Uniform Administrative Procedures Act, MSC (Kovalicky--Epley) THAT THE BOARD ADOPT THE IDAHO RULES OF ADMINISTRATIVE PROCEDURES AS DEVELOPED BY THE IDAHO ATTORNEY GENERAL AS THE ACCEPTED PROCEDURAL GUIDELINES FOR THE LICENSING BOARD.

Larry Heathington, dba: Sand Tank Outfitters: Mr. Heathington met with the Board to discuss his outfitter license renewal application that has been filed with the Board office.

STATE OF IDAHO
OUTFITTERS AND GUIDES LICENSING BOARD
APPROVED MINUTES
APRIL 27 - 29, 1993

Page 4

Board adjourned at 6:00 PM, and reconvened at 8:50 AM, Wednesday, April 28, 1993. All Board members present.

Caribou National Forest: Forest Supervisor Paul Nordwall, Recreation Planner Dave Bull, and District Ranger Jerald Tower, met with the Board to discuss items of mutual concern relative to outfitter/guide activities on the Forest. Outfitter license renewal procedures, and the procedural guidelines under the MOU relating to sales of businesses, were reviewed and discussed.

Region 5, Idaho Department of Fish and Game: Tracey Trent and Bob Saban met with the Board to share information regarding Department concerns and observations relating to outfitter operations in the region. Wildlife resources and management direction were discussed.

Grant Simonds, IOGA Executive Director: Mr. Simonds met with the Board to review the results of the IOGA spring convention in Moscow. He reported on the preliminary results of the brainstorming sessions dealing with the task force review of Licensing Board rules, and also discussed the upcoming partners afloat trip scheduled in eastern Idaho the latter part of May.

David Waymire, dba Lost River Outfitters: Mr. Waymire appeared to discuss the delinquent renewal of his 1992-93 outfitter license. After review and discussion, MSC (Epley--Kovalicky) THAT THIS LICENSE BE RENEWED UPON SATISFACTORY COMPLETION OF ALL REQUIREMENTS UNDER RULE 113.

Board adjourned for lunch at 11:45 AM, and reconvened at 1:10 PM.

Steve Guinn: Board reviewed a written request from Mr. Guinn to remove certain licensed activities from his outfitter license. He advised that he is no longer offering cross country skiing, dog sled rides, trailrides, backpacking, or snowmobiling services to the public, and asked they be removed from his license and operating area description. After review and discussion, MSC (Kovalicky--Crane) THAT RELINQUISHMENT OF THESE ACTIVITIES BE ACKNOWLEDGED, AND THAT MR. GUINN'S OUTFITTER LICENSE BE AMENDED ACCORDINGLY. (see addendum #2)

Jim McManus: Executive Director reviewed Mr. McManus' file with the Board, noting the outfitter had not responded to several

efforts to resolve questions about the status and renewal of his license. In accordance with the provisions of Rule 125, the Director recommended that the license be relinquished. After review and discussion, MSC (Crane--Barker) THAT THIS ACTION BE APPROVED.

Jim Criner, dba: Bud Lilly's Trout Shop: Board reviewed a letter received from Mr. Criner regarding Board action following his hearing in December, 1992. He expressed concern that the penalties assessed against his license and that of his guide were too severe, and that the Board should accept some responsibility in the matter. After review and discussion, MSC (Epley--Barker) THAT MR. CRINER BE ADVISED BY BOARD COUNSEL THAT THE BOARD APPRECIATES HIS COMMENTS AND SUGGESTIONS RELATING TO THE TIMELY ISSUANCE OF LICENSES, AND THAT THE FACTS HE PRESENTED IN HIS LETTER ARE ESSENTIALLY THE SAME AS THOSE REVIEWED BY THE BOARD AT THE TIME OF THE SHOW CAUSE HEARING. FURTHER, IN AS MUCH AS NO NEW EVIDENCE HAS BEEN PRESENTED AT THIS TIME, THE DECEMBER 4, 1992 DECISION OF THE BOARD WILL STAND AS RECORDED IN THE MINUTES.

Edwin Dickson: Board reviewed a designated agent license application and letter of explanation submitted by Mr. Dickson regarding his conviction of a felony violation in 1986. After review and discussion, MSC (Kovalicky--Crane) THAT THIS APPLICATION BE DENIED, AND MR. DICKSON BE REQUESTED TO COME BEFORE THE BOARD TO EXPLAIN THE CIRCUMSTANCES REGARDING HIS CONVICTION.

Randy Hess: Mr. Hess appeared in a show cause hearing regarding the penalty phase of his conviction in 1992 for violation of Licensing Board rules. He stipulated to a charge of employing an unlicensed guide, and it was also noted that at the time of this violation, Mr. Hess was operating under a withheld judgement from a previous conviction. At the conclusion of the hearing, the Findings of Fact were established by Mr. Hess' stipulation to the charge of employing an unlicensed guide. Therefore, the Conclusions of law are that this constitutes a violation of the Idaho Outfitters and Guides Act as well as the terms of the withheld judgement imposed on Mr. Hess in 1991. After review and consideration, MSC (Kovalicky--Epley) THAT IN THE MATTER OF THE WITHHELD JUDGEMENT RELATING TO THE CHARGE OF IMPROPERLY MARKED BOATS, THE WITHHELD JUDGEMENT STANDS, AND HE BE REQUIRED TO PAY \$100.00 OF THE \$600.00 WITHHELD FIND RELATING TO THE MULTIPLE CHARGES OF LICENSES NOT IN POSSESSION OF HIS GUIDES. FURTHER, IN REGARDS TO THE STIPULATED CHARGE OF EMPLOYING AN UNLICENSED GUIDE, AS OUTLINED IN THE HEARING NOTICE, MR. HESS BE FINED IN THE AMOUNT OF \$500.00. **Administrative Note:** Mr. Hess' 1993-94 outfitter

license should be issued immediately, and payment of the \$600.00 fine is to be submitted on or before September 1, 1993. If said fine is not paid in full, no future outfitter license will be issued.

Lonnie Allen: Ms. Allen met with the Board to present a petition for restructuring the lower section of the South Fork of the Snake River, from Poplar (Kelly Canyon) to the confluence with the Henry's Fork, to add three floatboating sections to that segment. This proposal would utilize specific put-ins and take-outs for each of the new sections. After review and discussion, MSC (Crane--Epley) THAT THIS PETITION BE ACCEPTED, AND THAT WE PROCEED TO RULES MAKING UNDER THE NEW APA GUIDELINES. THE EXECUTIVE DIRECTOR IS INSTRUCTED TO EXPEDITE COMMENT FROM THE AFFECTED MANAGEMENT AGENCIES SO THE BOARD CAN MOVE FORWARD WITH DEVELOPMENT OF A TEMPORARY RULE.

Dave Stelzer: Board reviewed a letter submitted by Mr. Stelzer notifying them he has no intention of continuing the operation of his outfitter business. The license was last renewed in 1991, and he did not operate at all during the 1992 season. After review and discussion, MSC (Crane--Kovalicky) THAT THIS LICENSE BE DECLARED RELINQUISHED AND THAT THE BOARD CONTINUE TO WORK WITH THE DUBOIS RANGER DISTRICT TO DETERMINE ANY RELICENSING OPPORTUNITIES IN THIS AREA.

Cascade Raft Co., Inc.: Board reviewed a letter from Steve Jones and Tom Long regarding a request for variance from the guide to client ratios for kayaking. They plan to operate a kayak and canoe instructional course on the Payette River and propose a modification to the ratios based on their teaching technique. After review and discussion, MSC (Barker--Crane) THAT THE EXECUTIVE DIRECTOR CONTACT CASCADE RAFT COMPANY AND DETERMINE WHETHER THIS PROPOSED ACTIVITY IS, IN FACT, AN ADDITION TO THE CASCADE RAFT COMPANY OUTFITTER LICENSE. IF THIS IS THEIR INTENT, THE MODIFICATION TO THE GUIDE/CLIENT RATIOS IS APPROVED AS OUTLINED IN THEIR LETTER RECEIVED APRIL 22, 1993.

Milt Butler, dba: Chilly Ranch Outfitters: Mr. Butler met with the Board with Mr. Doug Sayer to discuss the proposed sale and transfer of his business to Mr. Sayer. After review and discussion, MSC (Epley--Kovalicky) THAT THIS SALE BE APPROVED WITH THE FOLLOWING CONDITIONS: 1) THE ISSUANCE OF THE OUTFITTER'S LICENSE WILL BE CONSIDERED UPON FINAL EXECUTION OF THE SALES AGREEMENT; 2) THE NEW LICENSE ISSUED TO MR. SAYER WILL CONTAIN ALL OF THE ACTIVITIES CURRENTLY LICENSED TO MR. BUTLER AD WILL INCLUDE

THE REINSTATEMENT OF BEAR HUNTING; 3) THE PROVISIONS CONTAINED IN THE STIPULATED PENALTY AGREEMENT WITH MR. BUTLER BE FINALIZED AT THE TIME OF SALE; AND 4) THAT THE CHILLY RANCH OUTFITTERS LICENSE BE BROUGHT CURRENT AS SOON AS POSSIBLE. **Administrative Note:** If Mr. Butler completes license renewal process by May 15, 1993, late fees will be waived.

Board adjourned at 5:05 PM, and reconvened at 8:30 AM, Thursday, April 29, 1993.

Larry Heathington, dba: Sand Tank Outfitters: Board reviewed the 1993-94 outfitter license renewal application submitted by Mr. Heathington. After review and discussion, and noting that the application is complete in every respect, MSC (Barker--Crane) THAT IN AS MUCH AS THE RECORD IS CLEAR THAT THE BOARD: 1) DID FOLLOW, TO THE BEST OF ITS ABILITY, THE RULES ESTABLISHED FOR CONSIDERATION OF AN OUTFITTER LICENSE APPLICATION; 2) DID MAKE PUBLIC ADVERTISEMENT IN COMPLIANCE WITH THE ADMINISTRATIVE PROCEDURES ACT; 3) FULLY EVALUATED THE INFORMATION IT WAS PROVIDED WITH REGARD TO THE APPLICANTS AND THEIR PROPOSALS, AS WELL AS THE INPUT RECEIVED FROM THE RESOURCE MANAGEMENT AGENCIES, i.e., THE U.S. FOREST SERVICE AND IDAHO DEPARTMENT OF FISH AND GAME; AND 4) RECOGNIZED THAT THE RESULTS OF THE SCOPING PROCESS BY THE CARIBOU NATIONAL FOREST ESTABLISHED A DETERMINATION OF PUBLIC NEED IN REGARDS TO THIS OUTFITTERED HUNTING OPPORTUNITY, THE BOARD HEREBY CONCLUDES, AFTER THOROUGH CONSIDERATION OF TESTIMONY PRESENTED BOTH AT PUBLIC HEARING AND BY WRITTEN DOCUMENTATION, THAT THIS OUTFITTER LICENSE RENEWAL APPLICATION IS APPROVED.

Ed Link: Board reviewed a designated agent license application for Ms. Penny Pennington, for employment with Ed Link, dba: Northwest River Expeditions, Inc. After review and discussion, MSC (Epley--Barker) THAT THIS APPLICATION BE APPROVED.

Gary Haight: Board reviewed the 1993-94 guide license application and related information pertaining to Mr. Haight. Following review and discussion, MSC (Crane--Barker) THAT IN LIGHT OF THE RECORD OF CONVICTION BROUGHT TO THE BOARD'S ATTENTION AT THE FEBRUARY, 1993, BOARD MEETING, MR. HAIGHT'S GUIDE LICENSE BE ISSUED PROBATIONARY. TERMS OF PROBATION SHALL INCLUDE: 1) THAT HE NOT VIOLATE ANY LOCAL, STATE, OR FEDERAL LAWS; 2) NO AMENDMENTS WILL BE APPROVED FOR HIS GUIDE LICENSE DURING THE TERM OF PROBATION, AND; 3) EACH OF THE PROBATIONARY RESTRICTIONS AS PROVIDED BY THE STATE OF IDAHO PROBATION AND PAROLE BOARD. IF MR. HAIGHT VIOLATES ANY OF THE ABOVE, HIS GUIDE LICENSE WILL BE AUTOMATICALLY REVOKED. **Administrative Note:** Executive Director is instructed to keep

close contact with Mr. Haight's probation and parole officer to monitor his progress.

Bob Allen, Greylock Mountain Company: Board reviewed a request from Mr. Allen that he be approved to serve on the Technical Action Committee for the Licensing Board. After reviewing his qualifications, MSC (Barker--Crane) THAT THIS REQUEST BE APPROVED.

Ned Horner, Region 1, Idaho Department of Fish and Game: Board reviewed a report submitted by Ned Horner, Fishery Manager for Region 1, regarding his study of fishing activities and related harvest statistics on Lake Pend Oreille. After review and discussion, the Board directs that the Executive Director continue to work with the Department in evaluating these impacts on the lake to reach a consensus regarding need and what level would be acceptable for commercial outfitted activity. Ultimately, the goal will be to adjust the authorized level of activity on the lake, if necessary. Board Chairman will assist the Director in this project.

Bob Sevy: Board reviewed letters submitted by Mr. Sevy and Mr. Tom Pomeroy requesting reconsideration of the Board's decision in 1992 denying the request of Selway Lodge for a variance on the boat limits on the Selway River to allow for inflatable kayaking outside the control season. After review and discussion, MSC (Kovalicky--Epley) THAT A VARIANCE FOR THIS ACTIVITY WOULD NOT BE AN APPROPRIATE WAY TO ADDRESS THIS PROBLEM. THEREFORE, THE BOARD MAINTAINS ITS ORIGINAL POSITION OF DENYING SPECIAL VARIANCE, WITH A FURTHER PROVISION IF THE APPLICANTS ARE SERIOUS THEY SHOULD APPLY THROUGH THE PROPER PROCEDURES FOR A RULE CHANGE.

John Rose: Board reviewed the file of John Rose, Bar 44 Outfitters, noting that he had recently submitted his renewal application for 1993-94, and the license has been issued. Based on information provided by District Ranger Dennis Daily indicating they intend to issue Mr. Rose a temporary use permit, MSC (Crane--Epley) THAT THE RENEWAL OF THIS LICENSE BE APPROVED.

Clearwater National Forest: The Board reviewed a letter and support documentation from Duane Annis, North Fork Ranger District, regarding the results of their public scoping efforts pertaining to outfitted floating and fishing activities on the North Fork of the Clearwater River. Following a discussion, the Board requested that the Executive Director contact the North Fork Ranger District and make an appointment for them to meet with the Board during the June meeting to discuss this matter.

Big Creek Lodge and Outfitters, Britt Manly, DA: Board reviewed a letter from the Krassel Ranger District regarding their decision to revise the 1992 outfitter performance rating for Big Creek Lodge from unacceptable to acceptable. After review and discussion, the Board directed that this outfitter license be issued as soon as possible.

Clearwater National Forest: The Board reviewed a letter from Acting Clearwater National Forest Supervisor Orville Daniels with regards to the NEPA analysis planned for the Elk Summit outfitter area previously licensed to Don Pearsons, dba: Muleshoe Outfitters. Supervisor Daniels explained that the Powell Ranger District was presently dealing with several significant projects that cannot be deferred. After review and discussion, the Director was advised to respond to Mr. Daniels acknowledging the Board can readily appreciate the constraints under which the District must operate, but that we would encourage any possible reconsideration for adjusting the priorities so that this particular evaluation might be considered at an early date. The Board also shares the concerns expressed about unlicensed activities taking place within this former operating area.

James S. Fowler, Jr.: The Board reviewed a letter from Mr. Fowler's attorney, Mr. John Melanson, in which he indicated Mr. Fowler has moved from Idaho and intends to relinquish his outfitter license. Pursuant to this letter, MSC (Crane--Kovalicky) THAT THE BOARD ACCEPT THIS NOTIFICATION AND DECLARE THE LICENSE RELINQUISHED. **Administrative Note:** No consideration will be given to relicensing this operation.

Tom Jarvis: Mr. Jarvis submitted a letter restating his continued objection to the recreational wagonrides that were approved for Milt Butler in 1992, and which occur within Mr. Jarvis' assigned operating boundary. The Director was requested to advise Mr. Doug Sayer of these concerns expressed by Mr. Jarvis, and also inform Mr. Jarvis the non-hunting activities are not exclusive. But, if conflicts occur, the Board should be notified and operating area boundary will be adjusted accordingly.

Michael Shane Gilbert: Board reviewed the 1993-94 guide license application submitted by Mr. Gilbert. It was noted that he was convicted for a violation of Idaho Fish and Game law in 1991 for illegally killing an elk. After review and discussion, MSC (Kovalicky--Epley) THAT THIS GUIDE LICENSE APPLICATION BE DENIED.

After review and discussion of the current list of guide licenses

approved by the Executive Director since the beginning of the new license year, MSC (Epley--Kovalicky) THAT THE ISSUANCE OF THESE GUIDE LICENSES BE APPROVED.

Lawrence Voss: Board reviewed a letter submitted by Mr. Voss in which he admitted to having falsified a CPR card that was filed with his outfitter license renewal application. After review and discussion, MSC (Kovalicky--Epley) THAT MR. VOSS BE CITED TO APPEAR FOR A SHOW CAUSE HEARING, AND THAT THE BOARD'S ATTORNEY BE AUTHORIZED TO NEGOTIATE A SETTLEMENT IN THE MATTER.

Brundage Mountain Company: The Board reviewed a letter submitted by Larry Shake, Manager for Brundage Mountain Company, urging the Board to proceed with evaluation of the BMC outfitter license application. Following a discussion, the Executive Director was instructed to respond to Mr. Shake, advising that under the terms of the Memorandum of Understanding the Board has with the Forest Service, their proposed operation is considered a new opportunity, and as such, the Board will not act until proper evaluation of the proposal is completed. This would include a detailed assessment of public need for the activity, which will be covered through the EA process being conducted by the Payette National Forest.

Rusty Gore: The Board reviewed a letter and sales contract from Mr. Gore in which he has proposed a sale and transfer of his floatboating outfitter business on SA4A and SA4B, and that he also intends to relinquish any and all interest he has in floatboating activities on SA5. Following discussion, MSC (Epley--Crane) THAT THE BOARD APPROVE THE SALE AND TRANSFER OF THE SA4A AND SA4B PORTION OF MR. GORE'S BUSINESS TO THE EXODUS CORPORATION, AND THAT THE PORTION OF MR GORE'S LICENSE RELATING TO OPERATIONS ON THE SA5 SECTION OF THE SALMON RIVER BE RELINQUISHED.

Idaho Boating Safety Foundation: The Executive Director reviewed a request from the Idaho Boating Safety Foundation that the Board consider supporting this worthwhile boating safety program. The Director was instructed to advise the Foundation of our support.

Patrick Johnson & Ken Miller Logging, Inc.: Board reviewed the outfitter files of Mr. Johnson and Ken Miller Logging. Mr. Johnson has advised the Board he does not intend to continue operation of his fishing business on the Walters Ferry to Brownlee Reservoir (SN11) section of the Snake River and wants to relinquish this license. No response has been received from the Ken Miller family regarding the non-renewal of this outfitter license, and the Executive Director requests that the license be terminated. After

reviewing this information, MSC (Kovalicky--Epley) THAT BOTH LICENSES BE DECLARED RELINQUISHED.

Executive Director Special Actions: The Director reviewed actions taken on behalf of the Board regarding several sales and transfers of business involving **Olivia James, Richard Reinwald, and Gary Armacost**, and an amendment to an existing outfitter license for **Mary Humeston**. After review and discussion, MSC (Crane--Kovalicky) THAT THESE ACTIONS BE APPROVED.

Rogers Thomas, North Fork District Ranger: The Board reviewed a letter received from Mr. Thomas, dated April 23, 1993, requesting the Board proceed under terms of the MOU with advertising for applications interested in Garry Merritt's outfitter area. After review and discussion, MSC (Epley--Crane) (Crane-aye, Epley-aye, Baird-aye, Barker-aye, Kovalicky-nay) THAT THE BOARD RESPOND TO MR. THOMAS ADVISING HIM IT IS THE BOARD'S FEELING THAT UNDER THE TERMS OF THE MOU THIS IS AN EXISTING BUSINESS. THE BOARD HAS TAKEN THE POSITION THAT THEY WILL RECOGNIZE THE SALE AND TRANSFER OF THIS BUSINESS TO MR. JIM THOMAS AND WILL ISSUE HIM AN OUTFITTER LICENSE, PROVIDING THE FOREST SERVICE WILL ALSO ISSUE A SPECIAL USE PERMIT.

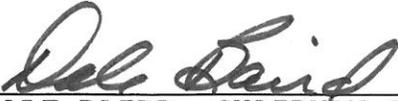
With no further business to come before the Board, the meeting adjourned at 2:00 PM.

PUBLIC MEETING
Wednesday, April 28, 1993, 7:00 PM
Pond SUB, ISU Campus

In conjunction with the Board's analysis of the outfitter license renewal application for Larry Heathington, a public meeting was held at the above stated time and place. The purpose of this meeting was to provide another opportunity for the general public to share their comments and questions regarding this outfitted activity being conducted on the Caribou National Forest.

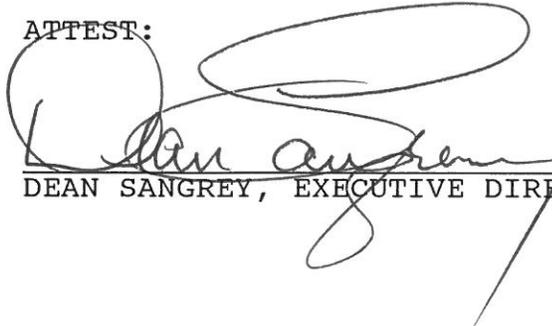
The meeting was attended by approximately 65 people, including State Senator Evan Frasure, and State Representatives Millie Flandro, John Alexander, and Pete Black.

STATE OF IDAHO
OUTFITTERS AND GUIDES LICENSING BOARD
APPROVED MINUTES
APRIL 27 - 29, 1993



DALE BAIRD, CHAIRMAN OF THE BOARD

ATTEST:



DEAN SANGREY, EXECUTIVE DIRECTOR

ADDENDUM #1

BOARD MEETING - APRIL 27-29, 1993

TRAIL CREEK OUTFITTERS, INC.
Layne Davis, Designated Agent

OPERATING AREA FOR ELK, DEER, AND MOOSE HUNTING, AND FISHING

Beginning on the Idaho Department of Fish and Game Management (F&G Mgmt) Unit 72/76 boundary and State Highway 34 at the junction with Trail Creek Rd (Sec. 29, T8S, R42E, BM); then northeasterly on Trail Creek Rd and Blackfoot River Rd to and across the Blackfoot River via Dry Valley Creek and Angus Creek to the junction with Road 095 on Lanes Creek (Sec. 8, T7S, R44E, BM); then northerly on Forest Service Rd 095 downstream along Lanes Creek via Lower Dairy and Lanes Grade to its junction with State Highway 34 (Sec. 23, T5S, R45E, BM) and F&G Mgmt Unit 66A/76 boundary; then westerly on State Highway 34 and said F&G Mgmt Unit boundary to the junction of F&G Mgmt Units 66A, 69, and 76 (Sec. 2, T5S, R42E, BM); then southerly on State Highway 34 and F&G Mgmt Unit 69/76 boundary to junction with F&G Mgmt Unit 72 and continuing southerly on State Highway 34 and F&G Mgmt Unit 72/76 boundary to the point of beginning. (Caribou National Forest Map dated 1973, Map #20) (F&G Unit 76)

RESTRICTIONS:

1. No more than 25 deer hunting clients per year.
2. No more than 10 elk hunting clients per year.
3. Authorized activities are limited to public lands within the above described boundary, and those private lands for which proper landowner permission has been secured.

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. 6421 (5/93)

ADDENDUM #2

BOARD MEETING - APRIL 27-29, 1993

STEPHEN J. GUINN
dba: Whitewater Shop River Tours

OPERATING AREA FOR FLOATBOATING AND FISHING

Floatboating, powerboating, and fishing may take place on the C.J. Strike Dam to Walter's Ferry section of the Snake River (SN10).

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. 0148 (3/93)