

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

FINAL MINUTES

February 26-28, 2007

**(KEY: MSC = MOTION: MADE, SECOND: CARRIED
MSF = MOTION: MADE, SECOND: FAILED)**

THE REGULAR MEETING OF THE IDAHO OUTFITTERS AND GUIDES LICENSING BOARD WAS CALLED TO ORDER AT 8:45 A.M., FEBRUARY 26, 2007, IN THE BOARD ROOM, 1365 NORTH ORCHARD, ROOM 172, BOISE, IDAHO. MEMBERS WILL JUDGE (CHAIRMAN), SCOTT FARR (VICE CHAIRMAN), WAYNE HUNSUCKER, BILL BERNT AND MARCUS GIBBS WERE IN ATTENDANCE. ALSO PRESENT WERE EXECUTIVE DIRECTOR JAKE HOWARD AND BOARD SECRETARY LORI THOMASON.

Jared Hopkinson – Participating were Executive Director Howard, Jared Hopkinson. Eric McQuay and Joe Hudson with the Sawtooth National Recreation Area, USFS participated via a conference call.

Director Howard explained that Mr. Hopkinson had contacted him regarding questions over outfitters in general and himself in particular paying license fees when they hold two or more licenses for the same activity on the same river section, lake or reservoir. The Director called the Board's attention to a series of letters between him, Mr. Hopkinson and Mr. Hopkinson's attorney. He then introduced Mr. Hopkinson. Mr. Hopkinson presented a summary of his concerns to the Board. The summary read as follows:

1. The IOGLB requires his outfitter business Sawtooth Adventure Company to pay a designated agent fee and outfitters license fee on its 2nd SA1 Special Use Permit. This second permit provides no commercial benefit not afforded to a single permit holder. These duplicate license fees result in an unfair charge to provide the exact same services provided by competitors. Sawtooth Adventure Company's situation is different from other duplicate permit holder (example – 2 permit holders on SA6 allows outfitters to have twice as many launches.)
2. Sawtooth Adventure Company paid designated agent fees and outfitter fees on the Second Permit for 4 years before the Board changed its policy to charge for duplicate permits. He stated that he felt this appears to be a billing error.
3. Under Sawtooth Adventure Company's current structure as a single Idaho LLC and under the IDAPA Rules it appears that Sawtooth Adventure Company should only be required to pay one Designate Agent Fee. Jared Hopkinson is the designated agent

and outfitter for all permits operated by Sawtooth Adventure Company. See Paragraph 019 on page 32 of the IDAPA Rules (attached)

This matter was discussed with Mr. Hopkinson, Mr. McQuay and Mr. Hudson. Chairman Judge stated that the matter would be taken under advisement and that a decision would be made during the meeting.

Grant Simonds and Jared Hopkinson left meeting.

MSC (MOTION, GIBBS; SECOND, FARR – AYES JUDGE, FARR, BERNT, GIBBS; NAYES -- NONE) AT 9:30 A.M. THAT THE BOARD ADJOURN TO EXECUTIVE SESSION IN ACCORDANCE WITH THE PROVISIONS OF SEC. 67-2345, IDAHO CODE. LITIGATION AND POTENTIAL PERSONNEL MATTERS WERE DISCUSSED. MSC (MOTION, GIBBS; SECOND, FARR, AYES JUDGE, FARR, BERNT, GIBBS; NAYES - NONE) THAT THE BOARD END EXECUTIVE SESSION. EXECUTIVE SESSION ENDED APPROXIMATELY 10:30 A.M. WITH NO DECISION MADE.

The Board wanted it stated for the record that IDAPA 059 identifies licensable waters available to boating outfitters in this state and that the Board has always recognized each as an activity as well as an individual business opportunity. For an example, throughout Idaho, outfitters typically hold one license with several rivers sections where they've established either a power boat business as an activity or a float boat business as an activity or both. However, on a river section where one outfitter holds one or more of the same activity the outfitter must pay license fees for each and submit use reports in order to demonstrate use between the two businesses opportunities. For an example, two float opportunities on SA1. The Board stated there are a number of reasons why a river section where one outfitter holds one or more of the same activity is allowed: outfitters desire to have more federally allocated user days, desire to have more boats on a river when boat are restricted or they may want to eliminate competition. This has been common for a number of years. The Board said this matter was properly addressed with several outfitters going into the 2005 license year and rules were clarified to avoid further confusion.

MSC (MOTION, GIBBS; SECOND, HUNSUCKER – UNANIMOUS) A MOTION THAT THE BOARD UP HOLD IT'S DECISION THAT OUTFITTERS PAY FEES AND PROVIDE USE REPORTS WHEN MORE THAN ONE OUTFITTER LICENSE IS HELD ON THE SAME LAKE, RESEVOR OR RIVER SECTION FOR THE SAME ACTIVITY. THAT MR HOPKINS PAY FEES ON BOTH LICENSES AND MEET OTHER REQUIREMENTS OR ELSE SURRENDER ONE LICENSE.

Vice Chairman Farr stated that he would like the record to show that the Board believes that to be "viable" a business does not require that the business be a unique or full time business. He said a non-outfitter related business could also provide a second part-time

outfitter business opportunity as means to supplement another primary business income. He noted that this is done frequently throughout Idaho.

The Board discussed that some confusion may have been created by the USFS who appears to take a different approach for administrative purposes. The Board doesn't feel that the USFS was inappropriate in their approach however they felt that the confusion came about as the result of the involvement of (NOAA – National Oceanic and Atmospheric Administration) National Marine Fisheries Service (NMFS) administrative staff over time. The Board discussed requesting that the USFS make an effort to link permitted use, accompanying outfitter permits to the 6 individual state licenses so this confusion does not happen again.

The Board stated that they were concerned with Mr. Hopkinson's mention of a rule change a few years ago and his concerns that he was not contacted. Director Howard explained that Mr. Hopkinson was not contacted because eight outfitters were brought in compliance through Board action and a letter. He stated that Mr. Hopkinson did not receive a letter because he was not out of compliance. He said that the rule change was brought about when the Board discovered those outfitters to be out of compliance and the rule change was done to clarify the process not change it. He also explained that all outfitters are sent a postcard notifying them of proposed rule changes and the agency follows Idaho's Administrative Rule process which includes public notification and allows for public comments and proper publication notification was followed. He said there was no reason to single out Mr. Hopkinson during this process.

Addendum: Director Howard made the Board aware at the conclusion of the meeting that in responding to Mr. Hopkinson's questions about license fees for Designated Agents he had later learned that he was incorrect in his explanation. He said that he realized this after discussing the matter with staff. He said he was not aware of Hopkinson's issue with the DA license until Mr. Hopkinson presented it at the meeting that morning. He explained to the Board that a change had been discussed with the Board at the time of the aforementioned rule adjustment but it was never implemented and he thought that it had been. He said that to change the DA requirement would require several changes to statutes and rules relative to the outfitter license, the DA license and outfitter bonding. He was further confused by the fact that guides who can hold one license and yet be employed for several different outfitters. He said he will contact Mr. Hopkinson and explain this and that he would apologize for his confusion. He also apologized to the Board for his confusion.

Strategic Plan – Director Howard reviewed the status of the Strategic plan, he explained the overall strategic planning process for the Board and Board member Gibbs who was not on the Board when this matter was last discussed and said that completing it was a requirement of the State. He said that the recent changes in staff had delayed this project. He said that he was the only person on staff who could do it and he had to step away from other things he normally would be doing to focus on licensing, allocation and enforcement activities until new staff could get up to speed. He also explained a related survey that he was preparing to disseminate later this spring. The Board discussed some

minor changes that they asked the Director to make. Board Member Hunsucker said that he and Director Howard had concern that the survey may be too long. The Board suggested that each member be provided the revised survey which they would take while timing themselves to see how much time it takes to complete the survey. The Director said that he would send each Board Member a survey by e-mail later this spring with instruction on how to complete it. They will then take the survey and respond with suggestions. It was suggested that if the survey took more than fifteen minutes to complete it may need to be altered. The Director said they would do this.

Chairman Judge recessed the meeting at 11:10 p.m. for lunch and to attend Board Member Judge's confirmation hearing, and reconvened the meeting at 2:15 p.m. with Board Members Judge, Farr, Hunsucker, Bernt and Gibbs were present as well as Director Howard and Board Secretary Lori Thomason.

Chairman Judge recessed the Board Meeting for the day at 5:00 to reconvene tomorrow, Tuesday February 27, 2007 at 8:30 a.m.

Chairman Judge reconvened the meeting at 8:30 a.m. on Tuesday February 27, 2007, with the following present: Board Members Will Judge, Scott Farr, Wayne Hunsucker, Bill Bernt and Marc Gibbs, Enforcement Attorney Steve Tobiason, Director Howard, Enforcement Chief Bob Lund, Executive Director IOGA Grant Simmons and Board Secretary Lori Thomason.

Bond Requirements and Letters of Credit – Enforcement Attorney Steve Tobiason discussed Idaho Code section 36-2108(b) that states, “applications shall be made to and filed with the board and, unless arrangements have been made otherwise with the board, accompanied by proof of eligibility for a bond payable to the person or persons employing the licensee and in a form approved by the board in the sum of ten thousand dollars (\$10,000) for outfitters, to be executed by a qualified surety, duly authorized to do business in this state”. An explanation was given by Mr. Tobiason on the statutory requirements. He explained that in order to accept any thing other than a surety bond the Board must promulgate rules to enable the Board's administration of any other than a surety bond. He explained that Board current rule ie, IDAPA Rule 056, pursuant to section 36-2108 (b), Idaho Code that discusses certificates of deposit, registered checks, certified funds and money order is improper and can not circumvent the aforementioned Idaho Code. Doing so potentially creates a liability situation for the Board. In addition, it was discussed that when cleaning up this rule the Board should also consider discussing bond requirements due to recent issues where outfitters went out business leaving clients without a means to be reimbursed for fees they had paid for services. Their bonds were too small to cover these losses.

Board Attorney Steve Scanlin entered meeting and Board Member Wayne Hunsucker left meeting at 9:30 a.m.

MSC (MOTION, GIBBS; SECOND, BERNT – AYES JUDGE, FARR, BERNT, GIBBS; NAYES – NONE. THAT THE BOARD MODIFY THE RULE TO STIPULATE THAT SURETY BONDS ARE THE ONLY ACCEPTABLE WAY TO MEET THIS OBLIGATION.

Del Allmon entered meeting 9:35 a.m.

Hearing, Del Allmon – Participating were: Del Allmon - Hearing Officer Scanlin gave a brief introduction and Mr. Allmon and Director Howard were sworn in by Hearing Officer Scanlin. Director Howard explained stated that non use in SN10 in the last three years was the issue at hand because it was being questioned by another individual interested in operating on SN 10. He presented to the Board Mr. Allmon's outfitter use reports including Use Report for SN10 with one user day in last three years and no use in his licensed hunting areas in units 39, 43 and 44. He said while the hearing was only relative to SN 10, it appeared Mr. Allmon's was in non-use in his hunting area as well. Mr. Allmon indicated that he owned a towing business and that he did not want to keep the SN10 river section. He stated SN10 should be given to an outfitter that would utilize it and stated that he intended to relinquish SN10. He said that his intention was to retire from his towing business and put more time into his hunting business in units 39, 43, and 44.

MSC (MOTION, GIBBS; SECOND, FARR – AYES JUDGE, FARR, BERNT, GIBBS; NAYES -- NONE) AT 10:0 A.M. THAT THE BOARD ADJOURN TO EXECUTIVE SESSION IN ACCORDANCE WITH THE PROVISIONS OF SEC. 67-2345, IDAHO CODE. MSC (MOTION, FARR; SECOND, BERNT, AYES JUDGE, FARR, BERNT, GIBBS; NAYES -- NONE) THAT THE BOARD END EXECUTIVE SESSION. EXECUTIVE SESSION ENDED AT APPROXIMATELY 10:15 A.M.

MSC (MOTION, GIBBS; SECOND, FARR – AYES JUDGE, FARR, BERNT, GIBBS; NAYES -- NONE) TO ACCEPT MR. ALLMON'S RELINQUISHMENT FORM AND TO VACATE SN10 FROM MR ALLMON'S LICENSE.

Board advised Mr. Allmon that he needed to establish his business by providing outfitted opportunities to the public and in doing so, he needed to properly use the hunting area licensed to him. Director Howard explained that to maintain a license, an outfitter must establish and maintain a business and that without a reasonable amount of use it is difficult for the Board to conclude that there is a business. He said use is administered by the Board according to IDAPA 25.01.01.024. He said that in the future this matter could be reviewed by the Board, reconsidered separately and the license could be revoked for non use. The Board said that they prefer not to have to take this action but clearly outfitters have a responsibility to provide to the public the opportunities that the (the outfitters) are licensed to provide and explained that the Board is obligated to address non-use issues. Mr. Allmon said that his intention was to retire from his towing business and put more time into his hunting business.

Director's Report – Director Howard asked the Board to review and approve November 28, 2006 and January 3, 2007 Board Meetings with changes and corrections made. Director Howard presented the **2007 Clearwater Bear and Cougar Management recommendations** made by the Tri-agency group in Jan. The Director reported that the Tri-agency group discussed that the overall success of this effort must be evaluated along with the overall effort to address elk calf recruitment and other matters related to improving elk hunting in Fish and Game units 10, 12, 16a, 17, 19 and 20 and the northern part of unit 16. It is expected that a recommendation will be made to the Board sometime this summer on what the future will bring. The Tri-agency group felt that outfitter overlaps for bear and cougar in the Management plan area may need to be restructured and that there is a possibility the program may be discontinued. The Director said that at a minimum each overlap will require a complete submittal by outfitters to the Tri-agency prior to next year's approval. He said also the Tri-agency partners hope to streamline the process if the program is continued. The Director provided a spreadsheet summarizing the 2007 overlaps recommendations which the Board approved. The Director called the Board's attention to draft letters to Tom Loder and Joe Cabral denying their proposal due to it being partly outside of the management plan area and due to concerns with the reciprocity of their proposal. The Board suggested these outfitters focus on expanding their own bear and cougar activities in their own operating areas and they were also encouraged to review rule addressing third party agreements. Also, presented were **draft letters to Flying B Ranch, Meadow Creek Outfitters, Mike Richie and Lochsa River Outfitters** suggesting that they consider redistributing operating areas to make the operational boundaries more functional to the outfitters and which could eliminate the temporary overlaps. Board directed that the letters be sent. The Director called the Board's attention to **letters sent to Tammy Overacker with Flying Resort Ranches and Ron Ens, with Middlefork Outfitters** suggesting they meet to find a solution to an overlap of Mr. Ens concern. The Director said these letters were sent as the result of Direction they gave Bonnie Fogdall discussing the November Board meeting.

MSC (MOTION, FARR; SECOND, GIBBS - UNANIMOUS) TO APPROVE BOARD MINUTES.

MSC (MOTION, BERNT; SECOND, FARR – UNANIMOUS) TO APPROVE CONSENT AGENDA

Financial Report – Director Howard explained that we are on track right where we need to be. Board Treasurer Bernt said he had reviewed Board expenditures for the period since their last meeting and found them appropriate. **MSC (MOTION, FARR; SECOND, BERNT – UNANIMOUS) TO APPROVE FINANCIAL REPORT**

Review of Lake Pend Oreille – **Director Howard provided a** use review on Lake Pend Oreille and a letter from Mr. Phillips adequately explaining his errors in reporting use. Director Howard said this non-use review was done as the result of an individual who wanted to apply for licensure on Lake Pend Oreille. He said that all outfitters appeared to be using their licensed opportunities on Lake Pend Oreille in compliance with Board

rules and that there were no license opportunities available. **MSC (MOTION, FARR; SECOND, BERNT – UNANIMOUS) TO APPROVE USE REVIEW OF LAKE PEND OREILLE.**

Chairman Judge recessed the meeting for lunch break at 12:15 p.m. and reconvened at 1:35 p.m. with all Board members present with the exception of Board member Wayne Hunsucker. Also present were Enforcement Chief Bob Lund, Executive Director Howard, and Board Secretary Lori Thomason

Big Game Tag Allocation Report – Board member Farr said at the next IOGA meeting Elk Tag Allocation needs to be discussed to assure that Allocated Tags are used first. He said that a letter needs to be sent to all allocated zone tag outfitter reminding them of how the zone tag allocation pool is administered and particularly related to outfitters properly validating non-resident tags. The Board said that they were frustrated with continued problems made visible as the result of several incidents which the Idaho Department of Fish and Game has made them aware of. Director Howard was instructed to prepare this letter and to begin more aggressively enforcing this requirement. Bob Lund was called into the meeting and he and Director Howard discussed with the Board what they felt would be required. Generally discussed were auditing outfitters tags against validations at the end of season and doing camp checks during the season to ensure outfitted clients had been provided the proper tags by the outfitter. The Board indicated that those outfitters not in compliance should be brought before the Board in a show cause hearing.

Enforcement Report- Enforcement Chief Lund gave explanation of the Probationary Report he explained that one fine had been issued for \$50.00. Chief Lund made a presentation regarding a criminal history check to be obtained by the Idaho State Police on new Outfitter and Designated Agent license applications, Idaho State Police charges \$10.00 and a full criminal record check needs to have a waiver signed by the applicant. He suggested that the applicant receive the waiver with the new application. The applicant would then enclose a check or money order made payable to the Idaho State Police for the criminal history report. Direction was given to Enforcement Chief Lund to check on several violation issues that the Board has concerns on. Chief Lund was asked by Board Member Gibbs to explain the Post Certification and what he has found out. Chief Lund explained to apply for a Management Certification it requires 100 hours of Post Certified Management Training to be done in three years, 50 hours to be performed in the first year to obtain a Limited Patrol Capability. A back ground check along with a letter from Director Howard explaining his job description would need to be sent in. There would be no charge to the State.

Chairman Judge calls a short recess for 15 minutes from 3:15 p.m. to resume at 3:30 p.m. Meeting resumed with all previously listed present.

Idaho Fish and Game Memorandum of Understanding Status Report - Director Howard and Board member Gibbs discussed status of Idaho Fish and Game Memorandum of Understanding (MOU) and provided a draft copy that came as the result of their most recent meeting with the IDFG representatives. Board Chairman Judge said

that he may not be comfortable with the concept of an MOU, and may not be willing to agree to it. There was some discussion of the importance and the need for this MOU. Also, there was discussion about the history in the development of the MOU and why concerns were now surfacing. Director Howard explained that statutorily the Board is directed to cooperate with other state and federal agencies and that because the IDFG manages Idaho Fish and Game resources on which the outfitting and guiding industry are dependent, it seems important that the Board and IDFG work collaboratively. He cited several examples where confusion and conflict may have been averted had there been better direction available on how the Board and IDFG addressed matters. He said that he thought that is was in this spirit that the Board had directed him to work with IDFG in developing this MOU. He said that MOU had been in the works for better than a year and kept getting postponed and side stepped due to work load until recently. He said Board member Gibbs who had prior involvement on the FG Commission had helped keep it on track. Generally, the Board agreed that the MOU would provide for better direction and for consistency in how the Board and the IDFG Commission would work in the future. Board member Gibbs suggested there maybe a creditability issue to step away from it. The Board reviewed the documents and suggested some changes in the wording. Director Howard explained that the MOU does not require that the Board or the IDFG surrender any statutory authority but rather it provide guidance. He said the MOU would be reviewed every year and if problems surfaced they could be addressed. The Board agreed to make final comments to a revised draft provided to them via email, that the draft be edited to include those comments and made available to IDFG representatives. At the same time a request be made that IDFG provide the Board a summary of comments and suggested changes that came of the IDFG Executive Staff's review so that comments may be considered by the Board at their April meeting. Mr. Gibbs said that he felt the MOU was near a point where it should be presented to the FG Commission and that they and Board should begin to consider signing it.

Chairman Judge recessed the meeting at 5:15 p.m. to be reconvened at 8:30 a.m. on Wednesday, February 28, 2007

Chairman Judge reconvened the meeting at 8:30 on Wednesday February 28, 2007 with the following Boar Members present: Will Judge, Scott Farr, Bill Bernt, Marcus Gibbs. Also present were Director Howard and Board Secretary Lori Thomason.

South Fork, Teton and Henry's Fork Rivers – Participating in the meeting were Chief Lund, Bill Davis the Ashton Ranger District, USFS, Permit Administrator who oversees the Upper Henry's Fork. Director Howard placed a conference call to Monica Zimmerman the Recreation Manager for the Upper Snake River Area, BLM Idaho Falls Resource Management Area. The Director explained the meeting was brought as the result of a conversation that Board Member Gibbs and he had with Representatives Wood and Shively during his presentation of IOGLB's rule changes several weeks earlier. Representative Wood had expressed interest in the Board regulating Outfitters on the South Fork River, Teton River and the Henry's Fork Rivers. She had indicated that she heard complaints regarding Outfitter's use of these rivers. Director Howard explained he had told her he would bring her concerns to the Board's attention. Director Howard

stated there had been other discussion he was aware of about the South Fork and the Henry's Fork particularly regarding what appears to be a perception that there is illegal outfitting coming from Jackson Hole and West Yellowstone. He also provided the Board a letter he had received several years earlier from the Fremont Parks Director. He said this letter was discussed with the Board once before but matters still appeared relevant. Director Howard said the purpose of the meeting was to allow the Board to become aware of these issues.

Ms. Zimmerman provided an overview of the South Fork that she oversees. She explained the information came from outfitter use reports required by the BLM that was quite specific but the general public use was less specific because it came from traffic counters located at entrances into boat launch sites used by both the outfitters and the general public. She explained there was no reasonable way to precisely measure general public use.

She said the Byington Boat Ramp located in the Heise area right below the canyon reach which is the busiest, shows that in 2005 for mid May to mid September that 6% of the boats were Outfitter and that in 2006, 8% were Outfitter and Guides. She said that the trend shows that for the last five years it has stayed consistent. She said the peak season is mid May to mid September. She said that in 2006 there were an estimated 7980 clients on the river using Byington, Palisades Dam, and Lorenzo boat ramps which was approximately 12% outfitter use. She said that this number is slightly higher on an annual basis because outfitters tend to use the river more during the off season than the general public.

She said that the Outfitters are not maxing out their allocation allowed by the BLM. She said that for example if all 8 outfitters licensed for the South Fork were to max out their allocation, it would be 39424 clients and they are at 7980.

She said that they may be a perception on part of the public that there is more guides using the South Fork than there really are due to the make of individual boats. She said there is an outfitter business called Hyde Outfitters and there is a boat manufacturer named Hyde Boats. She said that this could be giving the public the idea that the river is being dominated by guides when it is actually the public fishing from a Hyde Boat. She said Hyde Boats are very popular. She said that all guide boats must display an 8" guide sticker that is provided annually by the BLM for outfitters to display on guide boats. She said the public may not be aware of these stickers which must appear on the bow of the boat. Also, she said that the Outfitter's name is required to be displayed on a guide boat for identification.

She also stated that the BLM Resource Management Plan currently being developed could require a cap on launches in high peak times on some of the more popular sections of the river. There are no limits on the public at this time. She said that if this were done it would be implemented involving both the non-outfitted and the outfitted public and would only be done after public meetings and taking public input. She said that she didn't think this would be done.

Mr. Davis said he administers the outfitting permits on the Upper Henry's Fork which is from Big Springs down stream down to the Forest boundary which is near the Henry's Fork's confluence with the Warm River. He said this excludes Harriman State Park which is permitted by the Idaho Department of Parks and Recreation. He said that he is familiar with use below the Forest boundary. He believes is the most popular section of the river is the Box Canyon to Blue Creek section, which is on the forest. He said that the USFS does not keep the same level of use reports, on use by the general public, as does the BLM on the South Fork but he was certain that the Henrys Fork has nowhere near the use that Ms. Zimmerman reported on the South Fork.

Mr. Davis explained if you look at the trends for the Outfitters for the Henry's Fork in the portion from Island Park Reservoir down to Forest Boundary. The trend shows the use is down from a peak in 2001 due to water flows and fishing quality that has created the downward trend for the outfitter use on this stretch of the river. He said that he believes this has created an upward trend for outfitters use on the lower stretch of the river from the confluence of Warm River and Henrys Fork downstream to the Chester Dam.. He said the he suspects that overall outfitter use may be as much as 20% of the total use. Mr. Davis said that he has been aware of the problems in the lower section. He said that they have been brought about by crowding at access points leading to people parking on private lands, blocking gates and etc. He said that he is aware of added concern on the Stone Bridge and Chester Dam stretch of the river due to encroachment on private land. He said the county in cooperation with the IDFG, some of the outfitters and some user Groups have worked together to improve access and to address this problem.

Both Mr. Davis and Ms. Zimmerman said there are continuing questions and confusion brought about by booking agents operating out of Jackson Hole and Driggs and other places in Montana and Wyoming. They are booking clients supposedly for Idaho Outfitters but are using guides who are their employees who are also licensed and who are also employees of Idaho Outfitters. Typically, these guides use a boat with the Booking Agent's name prominently displayed and Idaho outfitters identification and the guide sticker obscure. The public perceives the guide boat to be illegal. They said it is possible that third party agreements are very much what is leading to this but that this is not something they investigate. Both Ms. Zimmerman and Mr. Davis said in spite of this that generally the overall perception of the Outfitters and Guides on the river is a positive one.

The Board has directed Director Howard to hand deliver a letter to Representatives Woods and Shively and that he walk them through the information provided by Mr. Davis and Ms. Zimmerman. To organize a show me trip down the South Fork later this summary where these matters could be openly discussed with Representative Woods and Shively.

**MSC (MOVED GIBBS, SECOND BERNT, AYES BERNT, FARR, GIBBS, :
NAYES – NONE) AT 11:15 A.M. THAT THE BOARD ADJOURN TO
EXECUTIVE SESSION IN ACCORDANCE WITH THE PROVISIONS OF SEC.**

67-2345, IDAHO CODE. LITIGATION AND PERSONNEL MATTERS WERE DISCUSSED. MSC (MOVED GIBBS, SECOND BERNT; AYES BERNT, FARR, GIBBS,; NAYES – NONE) THAT THE BOARD END EXECUTIVE SESSION. EXECUTIVE SESSION ENDED AT APPROXIMATELY 11:30 A.M. WITH NO DECISIONS MADE OR ACTIONS ASSIGNED.

MSC (MOTION, HUNSUCKER; SECOND, FARR - UNANIMOUS) THAT THE IOGLB NOVEMBER MEETING OF THE BOARD BE ADJOURNED.

With no further business to come before the Board, Vice Chairman Farr adjourned the meeting at 12:00 p.m., Wednesday, February 28, 2007.

WILL JUDGE, CHAIRMAN

ATTEST:

JAKE HOWARD, DIRECTOR