

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

**FINAL MINUTES**

**November 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 8:30 A.M. NOVEMBER 26, 2007, IN THE BOARD ROOM, 1365 NORTH ORCHARD, ROOM 172, BOISE, IDAHO. MEMBERS SCOTT FARR (CHAIRMAN), WAYNE HUNSUCKER, WILL JUDGE, TOM LONG AND MARCUS GIBBS WERE IN ATTENDANCE. ALSO PRESENT WERE EXECUTIVE DIRECTOR JAKE HOWARD, AND BOARD SECRETARY LORI THOMASON, BOB LUND, CHIEF ENFORCEMENT OFFICER, STEVE TOBIASON PROSECUTOR, AND ROGER HALES, BOARD ATTORNEY**

**Allocation Tag Review, John Law, York Outfitters – Also in attendance was Colleen Law** - The Board asked Mr. Law to explain York Outfitters handling of their big game tag allocation in the Selway zone. After listening to Mr. Law, the Board explained that they are aware that Mr. Law and other outfitters have been accessing non-outfitted tags before all of the outfitted tags are used in a zone. Board Chairman Farr said this is considered inappropriate use of the allocation system, if the Board allows it to continue, doing so may jeopardize outfitter big game tag allocation in the future. The Board explained that outfitters in capped zones including the Selway, where York Outfitters is licensed must first use their allocation, and then any surplus pool tags that are available at the Board before accessing the non-outfitted pool. When all allocated tags are committed, outfitters may access the non-outfitted tags, and when doing so these tags must be validated by the Board. The Board directed Mr. Law to read the allocation manual and to follow the proper procedures in the future. The Chairman explained to Mr. Law that if York Outfitters violates this policy again, disciplinary action would be taken.

**Allocation Tag Review, Neven Zugg, Elk Mountain Outfitters – Also in attendance was Debbie Zugg** - The Board asked Mr. Zugg to explain Elk Mountain Outfitters handling of their big game tag allocation in the Selway zone. After listening to Mr. Zugg, the Board explained that they are aware that Mr. Zugg and other outfitters have been accessing non-outfitted tags before all of the outfitted tags are used in a zone. Board Chairman Farr said this is considered inappropriate use of the allocation system, if the Board allows it to continue, doing so may jeopardize outfitter big game tag allocation in the future. The Board explained that outfitters in capped zones including the Selway, where Elk Mountain Outfitters is licensed must first use their allocation, and then any

surplus pool tags that are available at the Board before accessing the non-outfitted pool. When all allocated tags are committed, outfitters may access the non-outfitted tags, and when doing so these tags must be validated by the Board. The Board directed Mr. Zugg to read the allocation manual and to follow the proper procedures in the future. The Chairman explained to Mr. Zugg that if Elk Mountain Outfitters violates this policy again, disciplinary action would be taken.

*Chairman Farr recessed the meeting for lunch break at 11:30 a.m. and reconvened at 1:15 p.m. with all Board members present.*

**Allocation Tag Review, Roger Ball, Salmon River Lodge Outfitters** - Roger Ball was ordered to appear before the Board to discuss the appropriate use of his Designated Agent License, his understanding of the allocation process, and continuing issues with Salmon River Lodge's involvement with both IOGLB and the IDFG relative to an employee of that company. Mr. Ball explained that he had let this employee handle much of the company's business with both agencies; that he understood allocation and as the Designated Agent, he would take greater personal responsibility in the future. He assured the Board that they would not have another issue regarding tag allocation. He said the employee issues brought before him would be addressed.

**Outfitter License Application Deferral Warren Adams & Bo Stocks with A & L Outfitters** – Warren Adams and Bo Stock appeared before the board to explain their Outfitter Application to outfit on Carl Tyler's private ranch. Both Mr. Adams and Mr. Stocks are outfitters in Wyoming and have asked the Board to issue them an Outfitters License to hunt and fish on Carl Tyler's 11,000-acre ranch in the Lemhi Valley. Director Howard explained that he had received concerns from the IDFG during the analysis of this application, related to whether the Lemhi River basin could withstand another outfitter operating on private lands. He said there was another outfitter in the immediate area, and it appeared there may be some intermingled boundaries leading to some confusion. Mr. Adams and Mr. Stocks explained their experience and how they plan to operate. The Board requested that more information be gathered using maps and the land outlay with GIS. A decision will be made at the next board meeting to determine if a license will be issued.

**MSC (MOTION, HUNSUCKER; SECOND, LONG – AYES JUDGE, GIBBS, FARR; NAYES -- NONE) TO APPROVE CONSENT AGENDA**

**MSC (MOTION, HUNSUCKER; SECOND, LONG – AYES JUDGE, GIBBS, FARR; NAYES -- NONE) TO APPROVE FINANCIAL REPORT**

**Financial Projections** – Director Howard explained that the Board should begin thinking about a fee increase within the next two years. He said the staged fee increase approved in 2004 would be fully implemented by 2009, at that time, due to escalating operational costs, the free fund balance would be depleted within two years.

*Chairman Farr recessed the Board Meeting for the day at 5:00 p.m. to reconvene tomorrow, Tuesday November 27, 2007, at 8:30 a.m.*

*Chairman Farr reconvened the meeting at 8:30 a.m. on Tuesday November 27, 2007, with the following present: Board Members Wayne Hunsucker, Tom Long, Will Judge Director Howard, Enforcement Chief Bob Lund, and Board Secretary Lori Thomason. Marc Gibbs was not present.*

**MSC (MOTION, JUDGE; SECOND, HUNSUCKER – AYES LONG, FARR, NAYES -- NONE) AT 8:30 A.M. THAT THE BOARD ADJOURN TO EXECUTIVE SESSION IN ACCORDANCE WITH THE PROVISIONS OF SEC. 67-2345, IDAHO CODE. TO DISCUSS THE HIRING OF THE NEW BOARD ATTORNEY ROGER HALES. MSC (MOTION, JUDGE; SECOND, HUNSUCKER, AYES LONG, FARR; NAYES - NONE) THAT THE BOARD END EXECUTIVE SESSION. EXECUTIVE SESSION ENDED AT 10:30 A.M. WITH NO DECISION MADE.**

**BO 2 (Garden City to Caldwell) Prospectus** – Board Member Tom Long excused himself from the discussion. The board discussed the application submitted by The Idaho Angler LLC.

**MSC (MOTION, HUNSUCKER; SECOND, JUDGE – AYES FARR; NAYES -- NONE) TO APPROVE THE IDAHO ANGLERS APPLICATION FOR BO 2.**

**Directors Report – Elk City and Dworshak** recalculations were presented to the board. Chairman Farr and Vice Chairman Judge are going to rewrite the Allocation Manual. Director Howard said that as the result of recalculation of the Selway B, Elk City and Dworshak zones earlier this year, it was apparent that the capped zone allocation **database needed modifications** and that the modification were already under way. The Director explained that he had a number of comments concerning the **Boating Guidance Letter** that had been prepared earlier in 2007. He said that he had learned that outfitters on the South Fork of Snake River were using float boats almost exclusively, and the powerboat interpretation commonly used in the state could not apply there. He said that he would modify the letter accordingly, and that the Board needs to analyze use on the South Fork, and possibly make a rule change to address the current use. The Director explained that the Strategic Plan survey had been put on hold throughout the fall due to workload issues. He said that he hoped to have it ready for dissemination in the winter or early spring. Director Howard provided copies of letters and discussed matters relative to Shane McAfee, Tom Carter, Dave Tucker, and Ronda Price. The Director and Board Prosecuting Attorney, Tobiason discussed the addition of adding the **Federal Employee Identification Numbers and State Tax Identification Numbers** to the Outfitter License Renewal Application and an **MOU between the Department Of Labor and Board**

**MSC (MOTION, LONG; SECOND, JUDGE – AYES HUNSUCKER, FARR; NAYES -- NONE) TO ADD THE FEDERAL EMPLOYEE IDENTIFICATION**

**NUMBER AND STATE TAX IDENTIFICATION NUMBERS TO THE OUTFITTER RENEWAL APPLICATION.**

**MSC (MOTION, HUNSUCKER; SECOND, JUDGE – AYES, LONG, FARR; NAYES – NONE) TO APPROVE THE MOU BETWEEN THE DEPARTMENT OF LABOR AND THE IDAHO OUTFITTERS AND GUIDES LICENSING BOARD**

**New Policy Presentation & Discussion** - The Director and Board Prosecuting Attorney presented draft policies that would be updated in the Board's Policy manual. The Director asked the Board to review these policies before the next Board meeting when he would ask the Board to adopt them.

*Chairman Farr recessed the meeting for lunch break at 12:15 p.m. and reconvened at 1:15 p.m. with all Board members present except Marc Gibbs.*

**Shawn Martz Guide Application** – Director Howard discussed Shawn Martz applying to guide for Sandy Podsaid.

**MSC (MOTION, HUNSUCKER; SECOND, LONG – AYES JUDGE, FARR; NAYES -- NONE) THAT THE BOARD DEFER A DECISION ON THE GUIDE LICENSE APPLICATION FROM SHAWN MARTZ TO GUIDE FOR SANDY PODSAID UNTIL THERE IS AN APPEARANCE BY SHAWN MARTZ BEFORE THE BOARD. THE BOARD INDICATED ADDITIONAL INFORMATION FROM THE STAFF AND APPLICANT IS DESIRABLE REGARDING THIS ARRAIGNMENT.**

**Enforcement Report** – Education/Enforcement Chief spoke about the licenses on probation. The Board will also make a determination on how they will License Guide Schools. Chief Lund also gave an explanation on classes he is setting up for education purposes. His plan is to schedule classes once or twice a year. To travel to different parts of the State to give instruction on areas the outfitters are lacking knowledge in. This will encourage outfitters to be better informed and educated in areas that the Board sees as a problem or where there have been enforcement issues.

**Outfitter License Application Deferral Rulon Jones** – Rulon Jones appeared before the Board to explain his Outfitter Application to hunt on his private ranch in Bingham County. Director Howard explained that he had received concerns from the IDFG during the analysis of this application related to private lands being leased by outfitters and not available to the public to negotiate arrangements with landowners for use of those lands. He said there was also concern with Mr. Jones' high fence domestic elk hunting operation that adjoined the "open range" hunts he proposed for wild elk and deer. Mr. Jones is an outfitter in Utah and has a ranch and High Fence Operation that he operates there.

**MSC (MOTION, HUNSUCKER; SECOND, JUDGE – AYES LONG, FARR, NAYES -- NONE) AT 3:30 P.M. THAT THE BOARD ADJOURN TO EXECUTIVE SESSION IN ACCORDANCE WITH THE PROVISIONS OF SEC. 67-2345, IDAHO CODE. TO DISCUSS RULON JONES OUTFITTER APPLICATION. MSC (MOTION, HUNSUCKER; SECOND, JUDGE, AYES LONG, FARR; NAYES - NONE) THAT THE BOARD END EXECUTIVE SESSION. EXECUTIVE SESSION ENDED AT 4:50 P.M. WITH NO DECISION MADE**

**Private Lands and High Fenced Operations** – Board Attorney Roger Hales was asked by the Board to write an opinion giving an analysis on private lands to include High Fence Operations. The Board discussed meeting with the Fish and Game Commission to discuss matters pertaining to outfitting on private lands issues that are surfacing from the IDFG. Director Howard was asked to contact the IDFG Director and arrange for the Board to meet with the IDFG Commission to discuss the private land issue. Board member Gibbs said that he would make contact with Carl Tyler about A&L Outfitters operating on his private ranch in the Lemhi River Valley and with F&G Commissioners about the outfitting on private lands issues in general.

*Chairman Farr recessed the Board Meeting for the day at 4:55 p.m. to reconvene tomorrow, Wednesday November 28, 2007, at 8:30 a.m.*

*Chairman Farr reconvened the meeting at 8:30 a.m. on Wednesday November 28, 2007, with the following present: Board Members Wayne Hunsucker, Tom Long, Will Judge, Marc Gibbs, Director Howard, Enforcement Chief Bob Lund and Board Secretary Lori Thomason, Grant Simonds.*

**Review of Outfitter Big Game Allocation Manual** – The Board discussed the outfitter big game tag allocation process and reviewed the existing allocation handbook that is currently available to the industry. Several Board members said that they find the allocation process confusing, and can understand why the industry finds it confusing, too. Chairman Farr said that Director Howard, Will Judge, and he had a meeting prior to the Board meeting, and collectively they felt that the industry does not understand the Capped Zone Allocation process. He said that to help this understanding they had begun clarifying the allocation handbook, and that some additional work still needed to be done. The Chairman said that Board member Judge and he would undertake the additional clarification, and have it ready for the next Board meeting. He said that he had also arranged for an open meeting during the Winter IOGA meeting where industry could discuss outfitter big game tag allocation with the Board, and that they would take matters discussed during that meeting into consideration.

**IOGA Winter Meetings** – The Board discussed their past involvement in the IOGA's winter meeting and suggested that in the future, the Board should have a general session earlier and at a more productive time in the IOGA meeting where questions could be asked and discussed openly.

**Salmon River Closure** - Present at the meeting was Jane Traffalis, Lonnie Simpson owner of Debco Construction, Russell Henderson of Debco Construction, and Joe O'Neil from the BLM. Director Howard explained that he had contacted Jane Traffalis, Construction Project Manager from the Federal Highway Administration and others to meet with the Board regarding the road improvement project on the Salmon River road and concerns he had received from the industry on how this would affect them. He explained the project affects a four-mile section of the Salmon River Road up river from Riggins, and the construction is planned to start in January. He said he understands the project will last 3 years and road closure/delays are planned that are likely to affect the industry operating on the river and on lands up river from Riggins. He said that a similar group of project representatives explained this project to the Board in 2004, but apparently the plan had changed significantly since that meeting, and the Board had not been kept updated. He said that it appeared there had been poor communication with the outfitters and other people in the Riggins area about revised project and the imminent start up. The Director said he felt that by asking for these project representatives to meet with the Board, it would help them understand the impact this project is going to have not only on the outfitters, but the public in general. He said that he felt that Board involvement might help improve the understanding of the overall impact of this project, and open better lines of communications. Federal Highway Administration and Debco Construction explained that they are working to find a solution that will accommodate the river and hunting outfitters. They realize that there will be a financial impact on the outfitting industry, no matter what the final accommodations are. They will hold another meeting to understand the impact that the construction will have on the outfitters in the Riggins area, and to find some better solutions. Mr. Simpson said there has been an alternative construction plan that, if accepted by the Federal Highway Administration, should allow greater flexibility in the construction schedule and road management. The Board asked Grant Simonds with the IOGA to help facilitate another meeting in the Riggins area for the outfitters.

*Chairman Farr recessed the meeting for lunch break at 12:15 p.m. and reconvened at 1:15 p.m. with all Board members.*

**Outfitter License/Designated Agent License Deferral Mike Dawes, World Cast Anglers** – Jim Hickey, Geordie Gillett, and Mike Dawes from World Cast Anglers, Bill Davis of the Forest Service, Jeff Etnyre and Lamoyne Hyde, of Hyde Outfitters and Monica Zimmerman from the BLM were all present for the meeting. World Cast Anglers is purchasing Hyde Outfitters and Lauren Piquet. Director Howard stated that he had deferred the matter to the Board for two reasons: first, it appeared that the sale agreement would result in a third party arrangement involving Mr. Dawes. He said he was also concerned that this sale would result in World Cast Anglers holding more than one license on the South Fork of the Snake River, and the majority of the licenses on the TE – 3 section of the Teton River, and considering the limited number of licenses available, whether an outfitter holding multiple licenses was in the public's best interest, due to the possibility of monopolization. Director Howard said that he has discussed the purchase of these businesses with Mr. Gillett who will be the primary owner of World Cast Anglers, and was comfortable that proper accommodations were being taken to

properly advertise, book and handle clients by employees of that company. He provided a letter from Mr. Gillette to that fact. Mr. Gillett and Mr. Dawes explained how the three businesses would operate, how the advertising would be presented to the public, and how the booking would be handled. The World Cast Anglers stated they would operate under three licenses all doing business as World Cast Anglers. The Board discussed the TE -3. The Board discussed the multiple license matter, but took no action.

**MSC (MOTION, JUDGE; SECOND, HUNSUCKER – AYES, LONG, FARR; GIBBS NAYES – NONE) TO APPROVE THE APPLICATION FROM WORLD CAST ANGLERS TO PURCHASE HYDE OUTFITTERS AND LAUREN PIQUET.**

**MSC (MOTION, JUDGE; SECOND, HUNSUCKER – AYES, LONG, FARR; GIBBS NAYES – NONE) TO ACCEPT THE STIPULATION AND CONSENT AGREEMENT ON BEN HILLMAN.**

**Scheduled Board Meetings** – The Board has scheduled its January Board meeting for January 16 through January 18, so they can meet with Idaho Fish and Game Commission. The schedule for 2008 was set and is as follows January 16 - 18; April 23 – 25; June 25 – 27; August 20 - 22, December 4 – 6.

*With no further business to come before the Board, Chairman Farr adjourned the meeting at 5:00 p.m., Wednesday November 28, 2007.*

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SCOTT FARR, CHAIRMAN

ATTEST:

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JAKE HOWARD, DIRECTOR