

OUTFITTERS & GUIDES LICENSING BOARD POLICY MANUAL	POLICY NUMBER: 2007	PAGE NUMBER: 1 of 24
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Allocation Manual



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ATTACHMENTS

IDFG Rules

1.0 DEFINITIONS

Allocation – A tag distribution process that is utilized to fairly and equitably administer tags upon an increase or decrease in hunting opportunity within “Capped Zones” and “Controlled Hunt Units”. Allocation is *initially* activated when the IDFG determines a biological necessity to convert from a “General” hunt opportunity to the restricted *elk or deer* hunting opportunity in a given Zone or Hunt Unit. The restriction will result in a “Capped” or “Controlled Hunt” within a given Zone or Unit. The IDFG may restrict the area to the current level of hunting opportunity or reduce the hunting opportunity by a percentage for all three user groups, i.e. Nonresident Outfitted, Nonresident Non-outfitted and Resident. The restriction is applied equally to the three user groups through determining the average historical use over the previous five years. The IOGLB determines the “Outfitted” historic use through the previous five years of “Use Reports”. The IDFG Commission then establishes a quota of tags accredited to clients of outfitters based on the numbers provided by the IOGLB. The IOGLB is then authorized to distribute the use of “Nonresident Outfitted Tags” fairly among the individual outfitting businesses based on their percentage of contribution of use to the overall “Outfitted” quota. The distribution process is accomplished through use of the “Voucher” system in Capped Zones or “Certification Forms” in Controlled Hunts. Allocated tags are for use by the outfitted public (clients of outfitters), not personal use (immediate family and/or employees) by outfitters/guides.

Allocation Billing – Pursuant to Board rule 015. (07.d) effective as of January 2004, IOGLB has implemented a five dollar (\$5) fee assessed for each voucher allocated or used to purchase an allocated tag, whichever number is greater.
. (See “Allocation Invoice Information” in this handbook)

Average Historic Use - The use record of an outfitter that is calculated by averaging the number of clients (specific to elk or deer hunters) that outfitter has provided services for in a zone or hunt unit over the previous 5 years or designated time period.

Board – The governing body of the Idaho Outfitters and Guides Licensing Board (IOGLB).

Capped Zone – A zone that through IDFG Commission action was changed from a general hunt opportunity to a restricted hunt opportunity, by instituting a cap on the total number of tags available. Tags are available on a first come, first serve basis to the non-outfitted public, and through the allocation system for the outfitted hunter.

Controlled Hunt – A hunt where the total number of tags or permits has been limited to a certain number as specified in the IDFG big game rules and hunters are selected to fill those tags via the IDFG lottery system.

Eligible Outfitters – Those outfitter businesses approved by the Board as eligible to participate in the tag allocation process within a given zone. All outfitter businesses that contribute use data during the allocation calculation process involved in restricted zones or controlled hunt units have priority for the resulting allocated tags. The Board may, through its discretion on an annual basis, approve additional eligibility for outfitters who were previously ineligible within a capped zone when historical and current allocation use records indicate a surplus of allocated tags that will result in unused tags returned at the IDFG Cut-off Date. Use data relative to tags used by “annually approved eligibility” will be kept separately and may accrue toward the outfitter upon an increase in hunt opportunity due to Commission action.

Exchanged – The process whereby an outfitter provides a regular Elk or Deer tag purchased by a client to the IDFG Regional Office and exchanges it for a “Nonresident Outfitted” Elk or Deer Tag utilizing a Voucher.

Factor Formula – The mathematical process used to determine the percentage of allocation to be attributed to each outfitter within a Capped Zone or Controlled Hunt Unit. This figure is calculated by dividing the historic use figure of an outfitter by the total of the historic use figures of all outfitters in the specific zone or hunt area. (See “Tag Allocation Factor”)

General Hunt Zones - Zones that are determined by IDFG Commission action to be general hunt opportunities.

Hardship Request – A written request from an outfitter to the IOGLB requesting consideration during the next Allocation Recalculation due to a result of an act of nature or a state or federal agency’s temporary restrictions on hunting/access, or personal circumstances such as illness or injury that limited their ability to seek and accommodate clients, subsequently affecting voucher/tag use.

Historic Use – A record of hunting use in a zone or unit specific to a user group.

IDFG - Idaho Department of Fish and Game operating as an Idaho state agency

IDFG Commission – The governing body of the Idaho Department of Fish and Game.

IOGLB - Idaho Outfitters & Guides Licensing Board operating as an Idaho state agency.

IOGLB Cut-off Date – The third Wednesday of May: the date **individual** outfitter allocation is void and all unused vouchers become available through the surplus pool to all **eligible** outfitters in the zone.

IDFG Cut-off Date – July 31, the date that all unused Allocated Outfitted Tags are made available to the public on a first come first served basis through the IDFG.

Lottery – A drawing for permits or tags in a Controlled Hunt Area that has been limited to a specific number.

Non-resident – Any person who does not qualify as a resident.

Non-resident “Outfitted Tag” Pool – The pool of allocated “Non-resident Outfitted Tags” specific to a Capped Zone that are reserved by the IDFG for the use of the outfitter public and administered by IOGLB through the “Voucher System”.

Non-resident “Allocated Tag Pool” – The pool of “Non-resident Tags” specific to a Capped Zone that are reserved by the IDFG for the use of the Non-resident non-outfitted public.

Non-resident Tag Quota – A certain number of tags are reserved annually for sale to non-residents on a **statewide basis**. This number is established and administered by the IDFG and includes all categories of non-resident tags.

Non-resident “Outfitted” Elk Tag – A designated tag produced by the IDFG for the use of outfitted clients in Capped Zones. The tag title identifies “NONRES”, the Zone, “Outfitted” and class “A” or “B”.

Non-resident Allocated Elk Tag – A designated tag produced by the IDFG for the use of non-outfitted non-residents in Capped Zones. The tag identifies “NONRES”, the Zone, and class “A” or “B”.

Outfitter – An individual, corporation, firm, partnership, or other organization or combination thereof that meets the criteria as set forth in Idaho Code 36-2102(b), as has further met the required qualifications as prescribed in the Rules to conduct an outfitting business in Idaho.

Outfitter Allocated Tags – A specific number of tags are allocated for clients of outfitters in each capped zone based upon past outfitter use. The total number of tags for each zone is set by the IDFG and the distribution to individual outfitters is determined by the IOGLB.

Outfitter Allocated Controlled Hunt – A controlled hunt that is a sub-section of the “Parent” hunt eligible only to clients that have a written booking agreement with eligible outfitters licensed within the specific Controlled Hunt Unit.

Outfitter Allocated Controlled Hunt Certification Form – A form that is pre-numbered and specific to the identified Outfitter Controlled Hunt; issued by the IOGLB to eligible outfitters licensed to hunt elk and/or deer within the Outfitter Allocated Controlled Hunt units. The number of certificates will correspond with the outfitter’s allocated quota. Certification Forms are redeemed at IDFG Regional Offices allowing outfitters to purchase Outfitter Allocated Controlled Hunt Permits and Tags for clients successful in the “Outfitter Allocation” draw as identified in the current IDFG Big Game Rules.

Recalculation – The process of determining the redistribution of usage subsequent to the previous five years of allocated use or due to a change in overall quota instituted by IDFG.

Redeemed – The term used to identify a “Voucher” or a “Certification Form” that has been utilized and submitted to IDFG to purchase a “Non-resident Outfitted Tag” or a “Controlled Hunt Permit” at the Regional IDFG Office.

Released Voucher – A voucher that is released from one outfitter’s (releasing outfitter) individual allocation for the specific use of another outfitter (requesting outfitter) within the same zone. Requesting outfitter must have utilized their individual allocation and requested additional vouchers from the releasing outfitter prior to the IOGLB Cut-off Date. This process is accomplished through a consent (written, fax or email) from the Releasing Outfitter sent directly to the IOGLB releasing a specified number of vouchers to a designated outfitter.

Resident – A person who qualifies for a resident hunting license as provided for by IDFG rules and Section 36-202(r) Idaho Code.

Restricted – The term used to denote action by the IDFG to limit hunting opportunity within a specific zone or hunt unit reducing it to a Capped Zone or Controlled Hunt Unit.

Set-aside Tags – A portion (up to 25%) of the General Non-resident Deer and Elk Tag quota approved by the IDFG Commission to be “Set-aside” for the use of Outfitted Clients. These tags are intended for the exclusive use of clients of outfitters that have entered into an agreement with licensed outfitters who operate in General Hunt Units and are available for this purpose until July 1st at such time they are returned to be utilized by the public. Set aside tags are for use by the outfitted public (clients of outfitters), not personal use (immediate family and/or employees) by outfitters/guides. Set aside tags are not considered allocated tags and they are not managed by the IOGLB.

Surplus Pool – Those tags/vouchers remaining after a calculation of the **previous** five year average use of all outfitters within the zone is totaled and subtracted from the total outfitted tags available within the zone. This process occurs after the initial five years of a zone being restricted or recalculated due to IDFG Commission action that results in an increase or decrease in overall tag numbers. Any surplus vouchers identified are held in the surplus pool at the IOGLB for distribution to eligible outfitters after they have exhausted their individual allocation. Usage of vouchers from the Surplus Pool is attributed directly to the utilizing outfitter unless they are “surrendered vouchers” prior to the IOGLB Cut-off Date. (See “Surrendered Vouchers”)

Surrendered Vouchers – Vouchers that are surrendered to IOGLB prior to the IOGLB Cut-off Date by outfitting businesses who determine they will not utilize all of their individual allocation. The surrendered vouchers utilized **prior to the IOGLB Cut-off Date**, will be credited as use by the surrendering outfitter. Surrendered vouchers utilized **after the IOGLB Cut-off Date**, will be credited as use by the utilizing outfitter. Surrendered Vouchers will be included in the surplus pool and attributed to the surrendering outfitter in the order that they were surrendered after the original surplus vouchers within the surplus pool have been exhausted.

Tag – The tag or permit issued by the IDFG to entitle a hunter to hunt a specified game animal in a specified area.

Tag Allocation Factor – The percentage figure used to determine the number of tags an outfitter is eligible to receive in a given zone or hunt area. This figure is calculated by dividing the historic use figure of an outfitter by the total of the historic use figures of all outfitters in the specific zone or hunt area. The factor formula is used during the initial calculation process upon the transition of a zone from a General Hunt to a Capped Hunt and the initial phases of a Controlled Hunt. The process is also used and **revised relative to current usage** upon increase or decrease of overall tag numbers within Capped Zones and Controlled Hunts.

Validation Form – A form issued by the IOGLB denoting legitimate purchase of a “Non-resident Allocated Tag” (non-outfitted) by an outfitted client within a Capped Zone. The form will contain the clients name and tag number and must accompany the corresponding tag at all times in the field.

Validation Request – A written request from an outfitter within a Capped Zone requesting the IOGLB to “validate” that the Non-resident Capped Zone tag was purchased legitimately as there were no vouchers available to the outfitter at the time that the client booked. **The request must include the tag number and the date the client booked.**

Validated Tag – A tag purchased outside the allocated “Outfitted Pool” that has been certified by IOGLB to be a valid purchase due to the fact that no exchange was possible. Validation will be in the form of an IOGLB document that must accompany the corresponding tag. Validated Tags will be documented specific to each outfitter. Validation usage will **not accrue automatically** toward increased allocation, but will be utilized to the extent possible upon an increase in overall tag numbers within the corresponding zone.

Voided Vouchers – A voucher issued to an outfitter that was not “Redeemed” prior to the expiration date indicated on each voucher. The voucher expiration date is 14 days after issuance by IOGLB and no later than the IOGLB or IDFG Cut-off Date. The purpose for the expiration date is to encourage prompt usage of the voucher and to prevent “hoarding” of the vouchers.

Voucher – An IOGLB document that includes a sequence number, the name of the capped zone, and expiration date, issued to eligible outfitters upon their request. These vouchers are issued specific to

client name within a capped zone. A voucher entitles outfitters to purchase “Non-resident Allocated Outfitted Tags” at IDFG Regional Offices.

Voucher Waiting List – A chronological list maintained by the IOGLB of outfitter’s clients that were unable to be served by outfitter voucher requests due to unavailability of vouchers prior to the IOGLB Cut-off Date. Upon voucher availability due to “Surrendering” or the IOGLB Cut-off Date the clients on the waiting list will be served prior to additional requests. Voucher Waiting List will also be implemented after the IOGLB Cut-off Date when the IOGLB identifies the need to limit the number of vouchers per request. Additional clients beyond the per request limit per outfitter will be placed on a waiting list and served chronologically as the individual outfitter redeems previous vouchers submitted by IOGLB. (See “Capped Zone Procedures”) Outfitters who do not submit adequate client name identification will be required to submit a new request.

Zone – An area or zone including one or more hunting units as defined by IDFG.

Zone Tag – A tag as specified above that is restricted for use in a specific zone only.

2.0 OUTFITTER - ALLOCATION CALENDAR FOR CAPPED ZONE & CONTROLLED HUNTS

DECEMBER

IDFG begins selling non-resident deer and elk tags on Dec 1.

Zoned Allocation vouchers are available from IOGLB to eligible outfitters as soon as possible following the November IDFG Commission Meeting where tag quotas are addressed. Outfitters within a capped zone can begin purchasing Zoned Allocated Tags at IDFG Regional Offices using appropriate Allocation Vouchers on Dec. 1.

JANUARY

N/A

FEBRUARY

IOGLB prepares “New Hunt” allocations created by F&G Commission action by gathering and researching data after being informed by IDFG.

IOGLB finalizes proposed area changes identified the previous April by IDFG and proposed area caps announced the previous October by IDFG with individual outfitters.

MARCH

IDFG determines area changes and new hunts for upcoming year and communicates to IOGLB along with any proposed changes from previous year regulations and hunt boundaries.

APRIL

IOGLB receives Control Hunt changes, adjustments in Capped Zones and new qualifying hunts from IDFG for upcoming year and assigns Zoned and Outfitter Controlled Hunt allocation based on historical use.

MAY

IOGLB distributes Certification Forms to qualifying outfitters in Outfitter Controlled Elk and Deer Hunts. The IOGLB Cut-off Date is the 3rd Wednesday in May. Individual outfitter's capped zone allocation is protected until this date. The last week in May is utilized by the Board to substantiate the number of unused vouchers in the surplus pool to be redistributed by request as of June 1st.

IDFG controlled hunt applications for deer and elk close June 5th.

JUNE

Beginning June 1st, unused vouchers resulting from the IOGLB Cut-off Date will be available through the surplus pool upon request by qualified outfitters on a first come/first serve basis from IOGLB.

JULY

Outfitter Set-aside Tags for General Hunts turned back to public July 1st.

IDFG lottery results are available no later than July 10.

IDFG Cut-off Date - Unused Capped Zone allocated "Non-resident Outfitted" tags turned back to IDFG on July 31.

IDFG begins selling resident deer and elk tags on July 10.

Tags purchased prior to July 31, from the non-outfitted pool by all outfitted clients that book after total zone sell-out must be "Validated" by IOGLB.

Outfitters with clients who possess tags purchased prior to July 31, which are not identified "NR Outfitted" or "Validated," will be subject to disciplinary action by IOGLB.

AUGUST

IOGLB submits Allocation Billing to outfitters in Capped Zones and Controlled Hunt Areas by Aug. 15.

IOGLB will recalculate use in controlled hunts and in capped zones, which qualify, i.e. those having five-years of historic use since inception and in subsequent 5-year periods thereafter. The resulting identified individual outfitter allocation will be documented and outfitters will be notified prior to the Dec. 1st Non-resident Tag sales.

IDFG regulation states, "All successful" Outfitter Allocated Controlled Hunt applicants must hunt with a licensed outfitter and purchase the permit and tag by Aug. 20. Unsold permits and tags after August 20 will be available to the appropriate Outfitter to market.

SEPTEMBER

N/A

OCTOBER

IDFG commission determines caps for allocated units.

Outfitters provide IOGLB the Allocation Fees and any questions or concerns regarding the annual allocation on or before October 15. After this date the Board will consider the billing accurate and it will be used for future allocation calculations.

NOVEMBER

Process begins again for upcoming year

3.0 GENERAL POLICY FOR ADMINISTERING OUTFITTER ALLOCATION

Pursuant to sections 36-408(3), Idaho code, it shall be the responsibility of the IOGLB to determine the number of deer or elk tags allocated to each outfitter from the total zone or Controlled Hunt Unit. The allocation shall be based on the previous five (5) years of tag use unless an exemption is granted to an individual outfitting business for one or more years based on hardship or other extenuating circumstances as determined by the IOGLB.

- 1) Using the data from the previous 5 years, the IOGLB will establish the “annual average number of tags used”, specific to tag type in each zone or hunt unit, for each outfitter using the factor formula.
- 2) To determine the factor formula (see definition) the total of historical use tags for each outfitter shall be divided by the total number of historical use tags for all outfitters in that zone or CH Hunt Unit. This will determine a percentage of the total usage for each outfitter. That percentage is an outfitter’s “tag allocation factor”. The number of all tags available in the zone or hunt area shall then be multiplied by the tag allocation factor for each outfitter in the Capped Zone or CH Hunt Unit to determine the actual number of tags allocated to each outfitter.
- 3) The factor formula process will only be necessary initially and upon readjustments of overall numbers within Capped Zones and/or Controlled Hunt Units. New “Tag Allocation Factors” will be established, using the factor formula (based on the recent previous five years) upon an increase or decrease in overall tag numbers in a Capped Zone or Controlled Hunt Unit. Factor formulas (Tag Allocation Factors) will not be utilized in determining adjustments during five year recalculations where actual use is the determining factor and there has been no change in overall numbers within the “Non-resident Outfitted Allocated Tag Pool”.
- 4) Zones and hunt areas are currently scheduled to be recalculated every 5 years. During recalculation, allocation numbers for each outfitter shall be primarily based on previous 5 year tag use records.

3.1 HARDSHIP REQUESTS

1) Upon a showing of good cause. The board may allow proportional usage during the next 5 year recalculation of allocation when normal business was prevented and allocated vouchers could not be used as a result of an act of nature, as the result of state or federal agency seasonal restrictions on hunting/access or as the result of personal circumstances such as illness or injury that limit the ability of the outfitter to seek and accommodate clients. Outfitters must submit hardship request to the IOGLB in writing upon the advent of extenuating circumstances along with necessary documentation to justify the request. Vouchers redeemed and tags purchased for clients that ultimately do not hunt due to the above circumstances will be accrued toward usage relative to allocation calculations. Hardship circumstances occurring during the last year of a recalculation period must be submitted to the board no later than October 15th.

2) The circumstances must be articulated as precisely as possible and the facts substantiated by the documents provided. The board will consider the request on its merits and should the request ultimately be approved the board will adjust the use data to reflect the outfitters allocation usage consistent with their unimpaired use. The hardship requests will be administered consistently with procedures for non use provided in IDAPA 25.01.01. The outfitter will be formally notified of the board decision specific to the allocation allowance. Unless otherwise provided, the hardship allowance will be specific to one license year.

3) Example: A forest fire resulted in an outfitter being unable to utilize a large portion of their area consequently forcing the outfitter to reduce their client base by 50%. The board would review the documentation provided by the outfitter and may approve the hardship request if the board finds the request valid. Due to the fact that the usage was reduced by 50% for that year the board may approve their usage to be calculated on a factor of four and half years during a five year recalculation or omit that year altogether.

3.2 UNUSED VOUCHERS - Vouchers which are unused due to vacated or abandoned areas, loss of license or loss of landowner sign off, fire, death or illness, or are otherwise determined by an outfitter to be unneeded in a zone or hunt area, shall be reported to the IOGLB immediately. They may then be utilized by the eligible outfitters through the surplus pool at the IOGLB during that year. Sales of businesses shall include the right of the buyer to the tags of the selling outfitter unless they are unclaimed by the buyer, in which case the unused tags will be distributed as above. Sale of vouchers by one outfitter to another outfitter shall be considered unethical and unprofessional conduct.

3.3 BUSINESSES WHICH ARE SOLD - Tag allocations of outfitter businesses which are sold and which may cover more than one zone or hunt area shall be transferred to the purchasing outfitter in each zone or hunt area in which the operating area is located. The historic use and the established voucher allocation transfers to the buyer with the outfitting business in the event of a sale.

3.4 VACATED OR ABANDONED AREAS - Vacated or abandoned areas that are preserved and licensed to a new outfitter shall keep the original allocation of the original outfitter area after the area is licensed to a new outfitter. Tag allocations assigned to permanently vacated or abandoned areas may be divided among existing outfitters in the zone or hunt area. The reallocation may be based on hardship or other extenuating circumstances as determined by the IOGLB.

3.5 DIVIDED AREAS - On a temporary basis until the areas are reassigned, tag allocation may be divided using the established tag allocation formula for the zone or hunt area. Tag allocations of areas that are divided among existing outfitters shall go to the outfitters in the same zone or hunt area using factors to be determined by the IOGLB. Some factors may be, but are not limited to the following: proportion relative to original area assigned each outfitter, determined need of each outfitter involved, biological considerations specific to each portion. The Board at its discretion may assign any portion of the related allocation to the recipient outfitters as well as any portion of the related allocation to any or all outfitters within the zone.

3.6 PARTIAL TAG ALLOCATIONS (Number of Tags Not a Whole Number) - If the calculated number of tags is not a whole number, the number of tags allocated shall be rounded up to the nearest whole number if the decimal portion is .5000 or higher. If the calculated number of tags is not a whole number, the number of tags allocated shall be rounded down to the nearest whole number if the decimal portion is lower than .5000.

3.7 OPPORTUNITY FOR OUTFITTERS WITHIN THE ZONE PREVIOUSLY NOT QUALIFIED - The priority for allocated tags is applied to only those outfitter businesses qualified through the original allocation based on historical use. However, it is the responsibility of the Board to provide a system of allocation that result in the use of all allocated tags when possible. Therefore, the Board may on an annual basis provide opportunity for outfitters within the zone who have not previously qualified for allocated tags to obtain unused pool tags. This will be subject to Board's discretion based on the number of tags available coupled with a comfortable assurance that the demand from "qualified" outfitters would not exceed the surplus. This is only possible within zones that have a history of returning tags on July 31.

3.8 OPPORTUNITY FOR OUTFITTERS WITHIN THE ZONE WHO LOSE ALLOCATION - When an outfitter relinquishes his big game tag allocation, he would no longer be eligible to participate in the big game tag allocation program, because by relinquishing big game tag allocation, the outfitter would be relinquishing all historical use. Consequently, similar to an outfitter who loses allocation by a recalculation, an individual outfitter relinquishes his big game tag allocation would be considered the same as an outfitter who does not or never has had historical use. Those outfitters are only eligible to obtain allocated big game tags out of the pool provided tags are available and who typically do so in order to establish future historic use.

When determined by the Board as outlined above, the acquisition of tags will be open to all outfitters within the zone (with elk or deer activity on their license) for one week prior to the F&G Turn-back Date. These tags may be used to establish historical use following a regular five year calculation.

4.0 OUTFITTER ALLOCATED CAPPED ZONE PROCEDURE

1) The IOGLB will hold the predetermined number of vouchers for the specific use of each outfitter until the IOGLB Cut-off Date. Vouchers will be accessed through contact with IOGLB through either a written or an electronic message process. Vouchers will be issued upon written request by the qualifying outfitter. The outfitter must provide the name of the client, the zone and tag type, as the voucher will be activated specific to that client. Those vouchers not utilized for the corresponding

client must be returned to IOGLB (or an affidavit verifying the loss) before a replacement voucher can be issued.

- A) Vouchers will be in two parts, body and stub.
- B) The body will be "Redeemed" and retained by the IDFG regional office and later returned to IOGLB.
- C) The outfitter will keep the stub for their records.
- D) IOGLB staff will document voucher use specific to the categories of "redeemed", "released," and "surrendered" for accrediting to the appropriate outfitter.

2) Individual outfitter allocation will be protected until the IOGLB Cut-off Date of the 3rd Wednesday in May.

- A) The IOGLB will hold the corresponding number of vouchers for the specific use of each outfitter until the IOGLB Cut-off Date. The balance of tags available within the zone in excess of the "total average use" will be placed in the zone's "Surplus Pool" and be available to all outfitters within the zone after they have utilized their individual allocation.
- B) The IOGLB staff will maintain a "Voucher Waiting List" prior to the IOGLB Cut-off Date when there are no vouchers available to service requests within a zone not having a current surplus pool or those where the surplus has been exhausted.
- C) IOGLB will determine the remaining outfitter allocated tags available in each specific zone immediately after the IOGLB cut-off date, during the period of time between the 3rd Wednesday in May and June 1st.
- D) The remaining vouchers will be available on June 1st to all eligible outfitters within the zone. The previously established Waiting List will be served in chronological order prior to serving subsequent requests.

3) At the IOGLB's discretion, a cap may be placed on the number of vouchers available per request based on tag availability.

- A) When there are less than 50 vouchers available in a zone, a limit of vouchers per request from the surplus pool may be imposed by the IOGLB. This limit would be a maximum of 20% of available vouchers at any one time. Under minimal circumstances, this limit will include at least two vouchers.

Surplus Available	20%
49	9
40	8
32	6
26	5
21	4
17	3

14	2
12	2
10	2
8	2
6	1 (2)
4	1 (2)
2	1 (2)

4) The following process will be used when a limit is placed on the number of vouchers per request:

- A) If vouchers are available, requests will be issued up to the limit. The balance of the request specific to client name will be placed on a voucher waiting list.
- B) The issued vouchers must be used before additional requests are serviced.

5) An adjustment to individual outfitter allocation relative to actual voucher use (recalculation) will be conducted at five-year intervals or upon an overall change in allocated tags available within a zone, or controlled hunt unit. The factor formula will be used only during the initial allocation process when a zone converts from a general hunt to a capped hunt or when overall hunt opportunity is increased or decreased by IDFG Commission action. The subsequent five year recalculations will be based on the previous five years of actual use with the surplus that is created by the difference between the original allocation and the actual usage being placed in the “surplus pool” for fair distribution to requesting outfitters after they have utilized their allocation.

“IOGLB Cut-off Dates” may change based on industry input or IOGLB discretion.

6) Every outfitted client with a tag purchased **prior to July 31**, within a capped zone, must possess a non-resident “(NR) Outfitted Tag” or a “Validation” for the non-outfitted “Non-resident Tag” from IOGLB.

- A) It is the responsibility of an outfitter to "exchange" non-outfitted “Non-resident Tags” purchased by their clients to “Non-resident Outfitted Tags” when clients book **prior to total utilization of that outfitter's individual allocation or while surplus vouchers are available at IOGLB**. The use will then be documented to enhance the individual allocation during future recalculations.
 - i) To make this exchange, outfitters must present the non-resident tag accompanied by a voucher, to the regional IDFG office.
 - ii) Resident client use will be credited to an outfitter by presenting the client name and license number, accompanied by a voucher, to the Regional IDFG Office.
 - iii) An outfitter booking clients, after having exhausted their individual allocation of outfitted tags while tags are remaining in the outfitted and non-outfitted pool must attempt to obtain an outfitted voucher before accessing the non-outfitted pool. If a tag is purchased from the non-outfitted pool prior to July 31 and cannot be exchanged it must eventually be validated.
- B) If the client has already purchased a tag prior to booking (prior to July 31), the

tag must be exchanged". If it is not possible to exchange it due to voucher availability then it must be "Validated" prior to use.

- C) Vouchers may be obtained from IOGLB if available within the zone following the procedures outlined above.
- D) Tags purchased **prior to July 31**, from the non-outfitted pool by all outfitted clients that book after total zone sell-out of "NR Outfitted Tags" must be "Validated" by IOGLB. The reason for validation is to certify that the tag was purchased legitimately.
- E) Validation requests will include client name, license and tag number, **tag purchase date and date client booked**.
- F) Validation request will be sufficient to service the client when the client books within two weeks of hunt date having a tag purchased prior to Aug 1st. A standard form of "Validated Tag Purchase" containing the client's information will be immediately provided to an outfitter.
- G) ***Validated tags will not automatically accrue as usage during normal five year recalculations but will be documented and accredited when possible during recalculations due to increases in overall tags in capped zones.***

7) Validation criteria include:

- A) Tags must be purchased prior to July 31. Tags purchased after July 31 are exempt from Validation requirement.
- B) Tags purchased after an outfitter's individual allocation is exhausted and a voucher could not be obtained for the following reasons:
 - i) The IOGLB had no vouchers available in the Surplus Pool.
 - ii) Outfitter could not obtain a released voucher from another outfitter.
 - iii) An outfitter placed their clients name on the "Voucher Waiting List" without success.
 - iv) Client purchased tag prior to July 31, and then booked after "Outfitted Pool" was exhausted or "turned-back" to IDFG on July 31.

8) Outfitters with clients who possess tags purchased prior to July 31, which are not identified "NR Outfitted" or "Validated," will be subject to disciplinary action by IOGLB.

- A) Outfitters may petition the IOGLB for exemption from this policy on a case-by-case basis for specific activities. These are activities of a "drop in" nature, incidental to the business or activities deemed beyond the scope of outfitting.

9) Tags purchased after July 31

- A) Tag does not require Validation from IOGLB.

- B) Tags are available to all user groups on a first come, first serve basis from the IDFG.

5.0 OUTFITTER ALLOCATED CONTROLLED HUNT PROCEDURES

Outfitter Controlled Hunt allocation will be determined by the same methodology as the allocation for capped zones. Each outfitting business's individual allocation of Outfitter Controlled Hunt Permits will be determined relative to their previous historical use.

Prior to submitting an application for an Outfitter Allocated Controlled Hunt Permit, applicants must have a written agreement with an eligible outfitter licensed in the hunt area. Successful applicants of an outfitter allocated controlled hunt must hunt with an eligible outfitter licensed for the hunt area. The outfitter must purchase the successful applicant's permit and tag by August 20. Successful applicants authorize the IDFG to provide names and addresses to the outfitter(s) licensed for that controlled hunt.

The outfitters should explain to their clients who apply for controlled hunts that it is a lottery and they may not be successful.

All Outfitter Allocated Controlled Hunt applications must be submitted in accordance with the rules and deadlines established by the Idaho Department of Fish and Game.

All Outfitter Allocated Controlled Hunt tags not picked up by August 20 will become void. After that date, the unused tags will be available to the outfitter for which they are valid to market at their discretion.

IOGLB staff will issue Certification Forms to the outfitters that have established a past record of use in a controlled hunt area for which they are eligible. These certificates will be "redeemed" at the IDFG regional offices at the time the tag is purchased for the controlled hunt.

Certification Forms issued to outfitters for controlled hunt tags will be numbered and contain printed on them the hunt number for which they are valid. Allocated Controlled Hunt Certification Forms will be mailed to the qualified outfitters equivalent to their allocation by May 15. One copy of the certification form will be kept on file at IOGLB.

The names of the successful applicants will be available on the IDFG website no later than July 10. IOGLB may, on a case by case basis, reassign certification forms to address specific management issues.

Outfitter Allocated Controlled Hunt allocations will be reviewed on a five year basis and recalculated only when use data at IOGLB indicates that outfitters within the same Outfitter Allocated Controlled Hunt are not using all of their allocation, indicating a need for redistribution within that specific Hunt. Recalculation will be initiated when the IDFG Commission increases or decreases the number of overall permits available within the corresponding "parent" Controlled Hunt Unit as approved by the IDFG Commission. Recalculation triggered by a change in overall number of permits in a Controlled Hunt Unit will initiate a calculation resulting in a new factor percentage for each outfitting business within the outfitter segment of the CH Unit relative to usage during the previous five years. When a recalculation is initiated by F&G Commission action, documented use by outfitters within the zone

including clients that drew outside the Outfitter Allocation may be considered when approved by IOGLB and the F&G Commission.

6.0 OUTFITTER ALLOCATION INVOICE INFORMATION:

Pursuant to Board rule 015. (08.d) effective as of January 2004, IOGLB has implemented a five dollar (\$5) fee assessed for each Voucher and/or Controlled Hunt Certification Form.

Annually, all outfitters who have deer and elk tag allocation will receive a billing invoice. The fee is intended to partially recover costs for IOGLB's management of the outfitter allocated tags as a matter of fairness for those outfitters not reaping the benefit of Allocation.

Beginning in 2005 the invoice replaced the RECAP Form that was used in conjunction with the allocation policy prior to a revision in August of 2005.

The Allocation Billing will be mailed by IOGLB by August 15.

Outfitters must submit the Allocation Fee Payment and provide to the Board any questions or concerns regarding the annual Allocation **on or before October 15**. After this date the Board will consider the billing total accurate and it will be used for future allocation calculations.

Annual payment is due on or before October 15. Subsequent allocation vouchers will not be provided until payment is received and special processing fees will go into effect after the due date. (See Definition for "Allocation Billing")

7.0 OUTFITTER ALLOCATION Q&A'S

What led up to the need for allocation?

During the early to mid-1990's, the IDFG, with public and outfitting industry input, recognized that specific elk herds were significantly below biological management objective and that a system would be needed to deal with potential restrictions of hunting opportunity in specific management zones/units. This resulted in the passage of S.1172.

What is the legislative intent of the S. 1172 signed into law in 1997 that established allocation?

The legislative intent is the following: *"The legislature acknowledges the concerns of the hunting public and the outfitting and guiding businesses in Idaho. It is the intent of the legislature that any allocation of tags be shared and based upon historical use, and that any adjustment necessary for the health of the deer and elk herds be done fairly and proportionately equal among all hunters; residents, non-residents and outfitted hunters. It is further the intent of this legislature that any process for allocating deer and elk tags be developed with public input after full and open public hearings."*

What would have been the impact on the outfitting industry without a system of allocation? Or how does allocation benefit the industry?

Without allocation, outfitter industry viability would have been diminished severely. The allocation system allows time to market hunt services and recognizes historic use. The allocation of tags is a fair system for all user groups when restrictions are deemed necessary by the IDFG Commission. The resultant system of allocation of tags by the IDFG Commission combined with the IOGLB system of distribution recognizes a floor rather than a ceiling for the number of tags to each outfitter business affected by allocation.

Is it acceptable for clients of an outfitter eligible for allocation within a capped zone to possess a “Non-resident Allocated Tag” instead of a “Non-resident Outfitted Tag”?

Yes, the circumstances whereby this is acceptable are:

1. The client purchased their own tag and booked with an outfitter after all outfitter allocated tags were exhausted.
2. The client booked after the outfitter had used their individual outfitter allocation and the outfitter could not obtain additional vouchers due to unavailability.
3. The client booked after the July 31 IDFG Turn-back Date.

NOTE: Numbers 1 and 2 above require that the tags be Validated (see “Validated Tag ” in Definitions).

What is the difference between allocated tags and set-aside tags?

Set-aside tags refer to those tags in the non-resident deer and elk pool that all clients of outfitters hunting in General zones can access before July 1 on a first-come, first-serve basis. Allocated tags are those accessible to clients of outfitters operating in Capped Zones before July 31. As opposed to the set-aside pool, allocated tags are originally designated for use by a particular outfitting business.

Why is an IOGLB policy for administering allocated tags needed?

In accordance with Idaho statute and rule, the Idaho Fish and Game Commission determines the number of tags available for allocation by zone. It is the responsibility of the IOGLB to oversee their appropriate distribution to eligible outfitters within each zone.

How does the current policy differ from the guidelines that the IOGLB established initially on allocation?

The updated policy incorporates a more defined set of procedures for accurately documenting the acquisition of tags by outfitters and also adjusts the timelines for when tags must be purchased. In addition, it contains policy on how they can be shared among neighboring outfitters, and what other options are available for optimum utilization of all allocated tags in a given zone.

How do I know what my tag allocation is?

Call IOGLB if there are any questions about allocation. Outfitters will be notified by the IOGLB if their allocation has changed. Vouchers will be issued according to each outfitter’s individual allocation and/or the appropriate guidelines.

Can I book hunters who have acquired their tags from the non-outfitted pool in capped zones?

Yes, but if their tags were purchased prior to July 31, they will need to be exchanged to allocated tags through the use of vouchers. This can be accomplished by following these steps:

FIRST, utilize any remaining vouchers in your individual allocation for the exchange;

SECOND, obtain vouchers from the Surplus Pool at the IOGLB for the exchange;

THIRD, contact another outfitter in your zone for release of any unused vouchers. If there are no vouchers remaining in any of these categories, it is acceptable to book hunters who have acquired

their own tags from the non-outfitted pool. It will be necessary to have these tags validated by the IOGLB, if the tags are purchased prior to July 31.

What is the process for converting non-outfitted tags to allocated tags in capped zones before an outfitter has used all of his allocation?

It is simple. Present the non-resident tag and a voucher to the regional IDFG office.

How can I access unused allocated tag vouchers returned by outfitters in my zone?

Unused or released vouchers will be available at the IOGLB through the Surplus Pool. These are available upon documented request (email, letter or in person) from an eligible outfitter within the zone. The request will be made in the name of the corresponding client.

Is there a limit to the number of allocated tag vouchers I can request within the Surplus Pool at the IOGLB?

Depending on circumstances (high demand, limited number, etc.), the IOGLB may limit the number of vouchers an outfitter can obtain per request.

What access do I have to unused Non-resident Outfitted Tags returned to IDFG on July 31?

Resident and/or Non-Resident will have access through IDFG headquarters in Boise on a first-come, first-served basis. Contact IDFG Licensing at (208) 334-3717 for more information.

What do I do about residents who want to hunt with me?

You can also book resident hunters and assure them a tag using the allocation system. Present their name and license number, along with a voucher to the regional IDFG office, prior to July 31, and the tag will then be credited toward your use. If after July 31, or if the zone allocation is sold out, resident tags will not need to be validated. However, they will not be credited toward your use record.

What would cause an outfitter's allocation to change?

There are a number of factors that can change your allocation. They include, but may not be limited to the following:

A reduction or increase by the Idaho Fish and Game Commission/Department of overall tags in a zone.

Five year recalculation which would reflect an increase or decrease in an outfitters previous five years of use.

An action taken by the IOGLB due to abuse by an individual of the tag allocation system.

What does the IOGLB consider "abuse of the system?"

Any intentional act designed to obtain tags outside the guidelines established by the IOGLB. These incidents will be handled on a case-by-case basis.

Will “Validated Tags” accrue toward increasing my business’s Allocation?

Validation of tags purchased outside the Outfitters Pool will not directly accrue toward accredited usage during the incremental five year recalculations. The Board will take Validated Usage into account during calculations due to an increase in overall quotas within a Zone or Unit.

Disclaimer: Idaho Department of Fish and Game Rules are reviewed annually and are subject to change.

2007 IDAPA 13 TITLE 01 CHAPTER 04

13.01.04 - RULES GOVERNING LICENSING IDAHO FISH AND GAME COMMISSION

500. NONRESIDENT DEER AND ELK TAG OUTFITTER SET-ASIDE.

01. Tags. The following number of nonresident deer tags and nonresident elk tags shall annually be set aside and reserved for sale to persons who have entered into an agreement to utilize the services of an outfitter who is licensed under Chapter 21, Title 36, Idaho Code. For each Hunting Season: (3-29-10)

a. One thousand nine hundred eighty-five (1,985) deer tags (regular or White-tailed); (3-29-10)

b. Eighty-five (85) S.E. Idaho Area deer tags; (3-20-04) c. Two thousand four hundred (2,400) elk tags (A or B tags for all zones; (3-20-04)

02. Restrictions. These tags shall be sold on a first-come, first-serve basis through June 30 of each year. Application for purchase of these tags shall be made by the outfitter for the nonresident on a form prescribed by the Department. The application shall be accompanied by the appropriate license fees and a certification by the outfitter that the nonresident hunter has a contract to hunt with the outfitter making application. (7-1-93)

03. Unsold Tags. Any tags not sold by July 1 of each year shall be sold by the Department to nonresidents on a first-come, first serve basis. If there is a waiting list of individuals desiring a tag for the species available, those individuals will be first served. Application shall be made only to the Headquarters office of the Department of Fish and Game in Boise, Idaho. (7-1-99)

501. -- 504. (RESERVED).

505. DEER AND ELK TAG ALLOCATION.

01. Allocation of Tags. Pursuant to Idaho Code, Section 36-408, the Fish and Game Commission may allocate a number of deer and/or elk tags for use by hunters with signed agreements with licensed outfitters in zones with limited numbers of tags. (3-25-13)

a. When the number of hunters in a general hunt unit or zone becomes restricted, the Department will calculate the initial number of allocated tags for each zone using the Idaho Outfitters and Guides Licensing Board’s records of average historic use during the previous five (5) year period. Where it is biologically feasible, any reductions in the number of tags available within a zone which exceeds twenty percent (20%) will be spread over a three (3) year period with a maximum reduction of fifty percent (50%) taken in the first year and twenty-five percent (25%) in the second year. (3-25-13)

b. The allocation of tags will be calculated on a zone basis. Any reduction or increase in hunting opportunities will be proportionate among non-outfitted hunters and outfitted hunters and will be proportionate among resident and non-resident hunters; EXCEPT where such reduction would result in an allocation of greater than twenty-five percent (25%) for non-resident hunters, the Commission may reduce the allocation for non-resident hunters to a percentage of not less than twenty-five percent (25%). (3-25-13)

02. Controlled Hunt Areas. Only those controlled hunt areas with historic licensed deer and/or elk outfitted area(s) may be considered for a tag allocation. Hunt application and eligibility rules will apply to allocated tags in controlled hunts. The allocation will be calculated on a controlled hunt area basis with reductions or increases in hunting opportunities to be proportionate among resident hunters, non-outfitted nonresident hunters, and outfitted hunters. (3-25-13)

a. The number of allocated tags will be in addition to the number of tags authorized by the Commission within each controlled hunt area with historic licensed deer and/or elk outfitter areas. (4-7-11)

b. Prior to submitting an application for an outfitter allocated controlled hunt, the applicant must have a written agreement with an outfitter licensed in the hunt area. Successful applicants of an outfitter allocated controlled hunt must hunt with an outfitter licensed for the hunt area. The outfitter must purchase the successful applicant's controlled hunt tag by August 20. (4-7-11)

c. Successful applicants who do not want to participate in the outfitted hunt can decline the hunt upon written notification to the Department. Those declining the hunt will then be eligible to participate in a general season or leftover controlled hunt. Those drawing an outfitted controlled hunt and then declining the controlled hunt will be subject to the appropriate waiting period. (5-3-03)

d. Successful applicants that do not secure the services of an Idaho licensed outfitter and have not purchased the controlled hunt tag by August 20 will forfeit the opportunity to purchase a controlled hunt tag. The forfeited controlled hunt tag will then be listed as a leftover controlled hunt tag. The Department will inform the Idaho Outfitters and Guides Board that a leftover controlled hunt tag is available. After securing a client, the outfitter(s) may then purchase the leftover controlled hunt tag at a Department regional or headquarters office. (4-7-11)

e. The number of allocated tags will be determined by using one (1) of the following options: (4-7-11)

i. The number of allocated tags available within the controlled hunt area will be no less than one (1) tag and no more than three percent (3%); or (4-7-11)

ii. The number of tags available within the controlled hunt area will be based on the average historic use during the previous five (5) year period and calculated tag numbers will be rounded up when controlled hunt tags equal or exceed zero point six (0.6) and rounded down when controlled hunt tags are less than zero point six (0.6); or (4-7-11)

iii. No tags will be allocated. (7-1-99)

506. DEER AND ELK OUTFITTER ALLOCATED TAG.

01. Allocated Tags. Deer and elk tags shall annually be allocated for sale to persons who have entered into a signed agreement to utilize the services of an outfitter who is licensed in that zone under Title 36, Chapter 21, Idaho Code. (3-20-04)

02. Distribution of Allocated Tags. Allocated tags shall be sold by the Department, as designated by IDAPA 25.01.01, "Rules of Idaho Outfitters and Guides Licensing Board," Section 057, to hunters with signed agreements with licensed outfitters in those zones with a cap on the number of tags sold. In zones where resident and nonresident deer and/or elk tags are issued by lottery, allocated tags will be issued by lottery. Application for the purchase of allocated tags shall be made by the outfitter for the hunter on a form prescribed by the Department. The application shall be accompanied by the appropriate license fees and a certification by the outfitter that the hunter has a signed agreement to hunt with the outfitter making application. (7-1-99)

03. Designated Buyers. Purchasers of allocation tags who return their unused tag and a notarized affidavit stating that the tag buyer has not hunted may designate another person to purchase a replacement tag. If the original buyer does not make a designation, the outfitter may make the designation. The designated buyer must pay the regular fee for the replacement tag. (7-1-99)

04. Unsold Tags. Any allocation tags not sold by July 31 of each year shall be sold by the Department through a waiting list methodology. (3-20-04)

507. – 599. (RESERVED).

600. NONRESIDENT DEER AND ELK TAG QUOTAS.

01. Tag Quotas. The following number of deer tags and elk tags shall be set aside annually and reserved for sale to nonresidents: (3-20-97)

a. Fourteen thousand (14,000) regular or White-tailed deer tags; (3-29-10)

b. Twelve thousand eight hundred fifteen (12,815) A or B elk tags for all zones; (3-20-04)

c. One thousand five hundred (1,500) White-tailed deer tags available only upon sell out of deer tags referenced in Subsection 600.01.a. of these rules. (3-29-10)

02. Exceptions. Sales of nonresident deer and elk tags to the following persons shall not be counted in the quota: (7-1-93)

a. Unqualified Residents: Persons who have moved into Idaho and by notarized affidavit show proof of their intent to become bona fide Idaho residents but are not yet qualified to purchase a resident license. (7-1-93)

b. Designated Buyers: Nonresident tag buyers who return their unused nonresident deer or elk tag and a notarized affidavit stating that the tag buyer has not hunted may designate another nonresident to purchase an additional tag. If the original buyer does not make a designation and has retained an outfitter or guide, the outfitter or guide may make the designation. The designated buyer must pay the regular fee for the replacement tag. If no designation is made by either the original buyer or the outfitter or guide, the Department may sell the replacement tag on a first-come, first-serve basis. (7-1-93)

c. Successful nonresident controlled hunt applicants who have not purchased a tag as of the date of the controlled hunt drawing. (7-1-93)

d. Junior mentored tag holders. (3-20-04)

03. Refunds. The fee for any nonresident license (as defined in Section 36-202(z), Idaho Code) shall not be refunded for any reason except as follows. (7-1-98)

a. Hunting license and general season deer and elk tag refunds due to death, illness/injury or military deployment of licensee. Nonresident general season deer or elk tag fees and prerequisite hunting license fee and controlled hunt deer and elk tag fees may be refunded for death of licensee; illness or injury of licensee which totally disabled the licensee for the entire length of any applicable hunting season; or military deployment of licensee due to an armed conflict. Refund must be substantiated by death certificate, published obituary, written justification by a licensed medical doctor, copy of military orders, or other similar substantiating documents. The hunting license fee will not be refunded if it was used to apply for any controlled hunt or to purchase a turkey, mountain lion, or bear tag. The amount refunded will be the amount of the applicable deer or elk tag and hunting license less all issuance fees and a fifty dollar (\$50) processing fee. The refund request must be postmarked on or before December 31 of the calendar year in which the license and tags were valid. (4-6-05)

b. General season and controlled hunt deer and elk tag refunds for other than death, illness/injury, or military deployment of licensee. Nonresident general season and controlled hunt deer or elk tag fees may be refunded for any reason other than death of the licensee; illness or injury of licensee which totally disables the licensee for the entire length of all applicable seasons; or military deployment of licensee due to an armed conflict. The request for the refund must be postmarked in the year in which the tag is valid. The hunting license fee will not be refunded. The refund will be based on the following sliding scale as a percent of the deer or elk tag fee.

Postmarked	Percent of Fee Refunded
Before April 1	75%
in April through June	50%
in July and August	25%
September through December	0%

(4-6-05)

c. Department Error. The Department determines that a Department employee made an error in the issuance of the license. (7-1-98)

d. Submission Requirements. All refund requests must be in writing and be accompanied with the original copy of the license or tag. (7-1-98)

e. Effective. These changes will be effective with the 1997 licenses and tags. (7-1-98)

04. Sale of Unsold Nonresident Deer and Elk Tags to Residents. Any unsold nonresident deer or elk tags may be sold to residents and to nonresidents as a second tag, at the nonresident deer or elk tag price, beginning August 1. All privileges and restrictions associated with the use of the nonresident deer or elk tag will apply equally to residents who purchase a nonresident deer or elk tag. (3-25-13)

601. ELK ZONE TAG QUOTAS.

Pursuant to Section 36-105(3), Idaho Code, the Commission now sets elk zone tag quotas by proclamation following the procedures outlined in Subsection 505 of this rule. The proclamation is available at Department offices and license vendors. (4-7-11)