

Dear Senators VICK, Johnson, Stennett, and
Representatives GIBBS, Lickley, Rubel:

The Legislative Services Office, Research and Legislation, has received the enclosed rules of the Department of Fish and Game:
IDAPA 13.00.00 - Notice of Omnibus Rulemaking - Proposed Rule (Docket No. 13-0000-2100).

Pursuant to Section 67-454, Idaho Code, a meeting on the enclosed rules may be called by the cochairmen or by two (2) or more members of the subcommittee giving oral or written notice to Research and Legislation no later than fourteen (14) days after receipt of the rules' analysis from Legislative Services. The final date to call a meeting on the enclosed rules is no later than 11/18/2021. If a meeting is called, the subcommittee must hold the meeting within forty-two (42) days of receipt of the rules' analysis from Legislative Services. The final date to hold a meeting on the enclosed rules is 12/16/2021.

The germane joint subcommittee may request a statement of economic impact with respect to a proposed rule by notifying Research and Legislation. There is no time limit on requesting this statement, and it may be requested whether or not a meeting on the proposed rule is called or after a meeting has been held.

To notify Research and Legislation, call 334-4854, or send a written request to the address on the memorandum attached below.



Terri Kondoff
Director

Legislative Services Office

Idaho State Legislature

Serving Idaho's Citizen Legislature

MEMORANDUM

TO: Rules Review Subcommittee of the Senate Resources & Environment Committee and the House Resources & Conservation Committee

FROM: Deputy Division Manager - Katharine Gerrity

DATE: November 01, 2021

SUBJECT: Department of Fish and Game

IDAPA 13.00.00 - Notice of Omnibus Rulemaking - Proposed Rule (Docket No. 13-0000-2100)

Summary and Stated Reasons for the Rule

The Department of Fish and Game submits notice of proposed rule at IDAPA 13.00.00 - Notice of Omnibus Rulemaking. According to the department, the rulemaking publishes these rule chapters previously submitted to and reviewed by the Legislature with a number of changes as described by the department:

- 13.01.01, Rules of Practice and Procedure of the Idaho Fish and Game Commission;
- 13.01.02, Rules Governing Mandatory Education and Mentored Hunting – (Exempting IDAPA 13.01.02.200 and 201);
- 13.01.03, Public Use of Lands Owned or Controlled by the Department of Fish and Game;
- 13.01.04, Rules Governing Licensing – (Exempting IDAPA 13.01.04.601);
- 13.01.06, Rules Governing Classification and Protection of Wildlife;
- 13.01.07, Rules Governing Taking of Wildlife;
- 13.01.08, Rules Governing the Taking of Big Game Animals – (Exempting IDAPA 13.01.08.263);
- 13.01.09, Rules Governing the Taking of Game Birds and Upland Game Animals;
- 13.01.10, Rules Governing the Importation, Possession, Release, Sale, or Salvage of Wildlife – (Exempting 13.01.10.410);
- 13.01.11, Rules Governing Fish;
- 13.01.12, Rules Governing Commercial Fishing;

Paul Headlee, Deputy Director Kristin Ford, Manager Keith Bybee, Manager April Renfro, Manager Glenn Harris, Manager
Legislative Services Office Research & Legislation Budget & Policy Analysis Legislative Audits Information Technology

- 13.01.14, Rules Governing Falconry;
 - 13.01.15, Rules Governing Use of Dogs;
 - 13.01.16, Rules Governing Trapping of Wildlife and Taking of Furbearing Animals;
 - 13.01.17, Rules Governing Use of Bait for Hunting Big Game Animals;
 - 13.01.18, Rules Governing Feeding of Pronghorn, Elk, and Deer; and
 - 13.01.19, Rules for Selecting, Operating, Discontinuing, and Suspending Vendors – (Exempting IDAPA 13.01.19.102).
- Changes to IDAPA 13.01.01 (the subject of negotiated rulemaking in 2021 under Executive Order 2020-01) integrate delegation of authority provisions related to current agency practice for issuing permits, orders, etc. to address property damage from wildlife and feeding emergencies (transferring language from IDAPA 13.01.18.101).
 - Changes to IDAPA 13.01.04 include the addition of licensed optometrists to those medical professionals authorized to certify qualifying disabilities for applicants for Reasonable [weapon] Modification Permits. Changes also include an increase to outfitter set-aside elk tags to 2,900 (from current temporary rule of 2,800 elk tags). Revision to IDAPA 13.01.04 clarifies resident use of unsold nonresident tags as second tags in light of the agency’s adoption of nonresident tag limits for some elk zones and deer units in which residents are not subject to tag limits.
 - Revisions to IDAPA 13.01.07 (the subject of negotiated rulemaking in 2021 under Executive Order 2020-01) include the transfer of requirements for taking of upland game animals and integrating them into the recodified IDAPA 13.01.09. The re-codified IDAPA 13.01.07 consolidates duplicative references in multiple chapters to generally applicable requirements such as seasons and limits; wounded animals; management/hunt area descriptions; closure areas; and shooting hours. IDAPA 13.01.07 also include Game Management Unit (GMU) boundary descriptions previously contained in IDAPA 13.01.08, with minor adjustments to better align with management and enforcement objectives and clarify points of confusion.
 - Changes to IDAPA 13.01.08 include clarification to 13.01.08.257.08 (Eligibility for Controlled Hunt Application) to allow either a senior or a disabled license holder to apply for a youth-only hunt in the second application period, or purchase a leftover youth only controlled hunt tag. This correction addresses wording inadvertently omitted in a previous rule revision. Duplicative tag designation provisions for turkey and big game animals were consolidated in the re-codified IDAPA 13.01.04.
 - Changes to IDAPA 13.01.09 (also the subject of negotiated rulemaking in 2021 under Executive Order 2020-01) include provisions for consistency of controlled hunt applications across game bird species; identification of caliber limits for airguns, allowance of the use of crossbows for upland game birds, and deletion of references to a sage grouse permit to reflect 2021 legislation (House Bill 235) establishing a sage grouse tag. Duplicative tag designation provisions for turkey and big game animals were consolidated in the re-codified IDAPA 13.01.04.
 - A change to IDAPA 13.01.15 clarifies that anyone that harvests black bear, mountain lion, bobcat or fox using dogs, except clients of licensed outfitters, must have a Hound Hunter Permit. This correction addresses wording inadvertently omitted in a previous rule revision.
 - The rulemaking also revises IDAPA 13.01.08 and 13.01.16 to reflect changes arising from legislation enacted in 2021 (House Bill 91 and Senate Bill 1211) regarding allowances for take, tag use, and shooting

hours for wolves, and use of bait in trapping furbearing animals; this rulemaking integrates rules for trapping of wolves (previously adopted in IDAPA 13.01.17) into IDAPA 13.01.16.

Negotiated Rulemaking/Fiscal Impact

The department states that negotiated rulemaking was not conducted "because engaging in negotiated rulemaking for all previously existing rules will inhibit the agency from carrying out its ability to serve the citizens of Idaho and to protect their health, safety, and welfare." The department states that the rules do not impose a fee or charge, or increase a fee or charge. The department states that there no fiscal impact is anticipated.

Statutory Authority

The rulemaking appears to be authorized pursuant to sections 36-103, 36-104, 36-105, 36- 111, 36-201, 36-301, 36-401, 36-405, 36-406A, 36-407, 36-408, 36-409, 36-412, 36-501, 36-504, 36-506, 36-601, 36-701, 36-703, 36-704, 36-706, 36-708, 36-804, 36-901, 36-1001, 36-1101, 36-1102, 36-1402, 36-1508, 36-2201, 36-2202, Idaho Code.

cc: Department of Fish and Game
Jim Fredericks

***** PLEASE NOTE *****

Per the Idaho Constitution, all administrative rules may be reviewed by the Legislature during the next legislative session. The Legislature has 3 options with this rulemaking docket: **1)** Approve the docket in its entirety; **2)** Reject the docket in its entirety; or **3)** Reject the docket in part.

IDAPA 13 – DEPARTMENT OF FISH AND GAME

DOCKET NO. 13-0000-2100

NOTICE OF OMNIBUS RULEMAKING – PROPOSED RULEMAKING

AUTHORITY: In compliance with Section 67-5221(1), Idaho Code, notice is hereby given that this agency has initiated proposed rulemaking procedures. The action is authorized pursuant to Sections 36-103, 36-104, 36-105, 36-111, 36-201, 36-301, 36-401, 36-405, 36-406A, 36-407, 36-408, 36-409, 36-412, 36-501, 36-504, 36-506, 36-601, 36-701, 36-703, 36-704, 36-706, 36-708, 36-804, 36-901, 36-1001, 36-1101, 36-1102, 36-1402, 36-1508, 36-2201, 36-2202, Idaho Code.

PUBLIC HEARING SCHEDULE: Oral comment concerning this rulemaking will be scheduled in accordance with Section 67-5222, Idaho Code.

DESCRIPTIVE SUMMARY: The following is a nontechnical explanation of the substance and purpose of the proposed rulemaking:

This proposed rulemaking publishes the following rule chapters previously submitted to and reviewed by the Idaho Legislature under IDAPA 13, rules of The Department of Fish and Game, with changes noted separately below:

IDAPA 13

- 13.01.01, *Rules of Practice and Procedure of the Idaho Fish and Game Commission;*
 - 13.01.02, *Rules Governing Mandatory Education and Mentored Hunting – (Exempting IDAPA 13.01.02.200 and 201);*
 - 13.01.03, *Public Use of Lands Owned or Controlled by the Department of Fish and Game;*
 - 13.01.04, *Rules Governing Licensing – (Exempting IDAPA 13.01.04.601);*
 - 13.01.06, *Rules Governing Classification and Protection of Wildlife;*
 - 13.01.07, *Rules Governing Taking of Wildlife;*
 - 13.01.08, *Rules Governing the Taking of Big Game Animals – (Exempting IDAPA 13.01.08.263);*
 - 13.01.09, *Rules Governing the Taking of Game Birds and Upland Game Animals;*
 - 13.01.10, *Rules Governing the Importation, Possession, Release, Sale, or Salvage of Wildlife – (Exempting 13.01.10.410);*
 - 13.01.11, *Rules Governing Fish;*
 - 13.01.12, *Rules Governing Commercial Fishing;*
 - 13.01.14, *Rules Governing Falconry;*
 - 13.01.15, *Rules Governing Use of Dogs;*
 - 13.01.16, *Rules Governing Trapping of Wildlife and Taking of Furbearing Animals;*
 - 13.01.17, *Rules Governing Use of Bait for Hunting Big Game Animals;*
 - 13.01.18, *Rules Governing Feeding of Pronghorn, Elk, and Deer; and*
 - 13.01.19, *Rules for Selecting, Operating, Discontinuing, and Suspending Vendors – (Exempting IDAPA 13.01.19.102).*
-
- Changes to IDAPA 13.01.01 (the subject of negotiated rulemaking in 2021 under Executive Order 2020-01) integrate delegation of authority provisions related to current agency practice for issuing permits, orders, etc. to address property damage from wildlife and feeding emergencies (transferring language from IDAPA 13.01.18.101).
 - Changes to IDAPA 13.01.04 include the addition of licensed optometrists to those medical professionals authorized to certify qualifying disabilities for applicants for Reasonable [weapon] Modification Permits. Changes also include an increase to outfitter set-aside elk tags to 2,900 (from current temporary rule of 2,800 elk tags). Revision to IDAPA 13.01.04 clarifies resident use of unsold nonresident tags as second tags in light of the agency's adoption of nonresident tag limits for some elk zones and deer units in which residents are not subject to tag limits.
 - Revisions to IDAPA 13.01.07 (the subject of negotiated rulemaking in 2021 under Executive Order 2020-01) include the transfer of requirements for taking of upland game animals and integrating them into the re-codified IDAPA 13.01.09. The re-codified IDAPA 13.01.07 consolidates duplicative references in multiple chapters to generally applicable requirements such as seasons and limits; wounded animals; management/hunt area descriptions; closure areas; and shooting hours. IDAPA 13.01.07 also include Game Management Unit (GMU) boundary descriptions previously contained in IDAPA 13.01.08, with minor adjustments to better align with management and enforcement objectives and clarify points of confusion.

- Changes to IDAPA 13.01.08 include clarification to 13.01.08.257.08 (Eligibility for Controlled Hunt Application) to allow either a senior or a disabled license holder to apply for a youth-only hunt in the second application period, or purchase a leftover youth only controlled hunt tag. This correction addresses wording inadvertently omitted in a previous rule revision. Duplicative tag designation provisions for turkey and big game animals were consolidated in the re-codified IDAPA 13.01.04.
- Changes to IDAPA 13.01.09 (also the subject of negotiated rulemaking in 2021 under Executive Order 2020-01) include provisions for consistency of controlled hunt applications across game bird species; identification of caliber limits for airguns, allowance of the use of crossbows for upland game birds, and deletion of references to a sage grouse permit to reflect 2021 legislation (House Bill 235) establishing a sage grouse tag. Duplicative tag designation provisions for turkey and big game animals were consolidated in the re-codified IDAPA 13.01.04.
- A change to IDAPA 13.01.15 clarifies that anyone that harvests black bear, mountain lion, bobcat or fox using dogs, except clients of licensed outfitters, must have a Hound Hunter Permit. This correction addresses wording inadvertently omitted in a previous rule revision.
- The rulemaking also revises IDAPA 13.01.08 and 13.01.16 to reflect changes arising from legislation enacted in 2021 (House Bill 91 and Senate Bill 1211) regarding allowances for take, tag use, and shooting hours for wolves, and use of bait in trapping furbearing animals; this rulemaking integrates rules for trapping of wolves (previously adopted in IDAPA 13.01.17) into IDAPA 13.01.16.

Any additional changes are non-substantive and are proposed only to correct typographical errors, clarify points of confusion and/or make language across chapters consistent.

FEE SUMMARY: The following is a specific description of the fee or charge imposed or increased: None.

FISCAL IMPACT: The following is a specific description, if applicable, of any negative fiscal impact on the state general fund greater than ten thousand dollars (\$10,000) during the fiscal year: This rulemaking is not anticipated to have any fiscal impact on the state general fund because the FY2022 budget has already been set by the Legislature, and approved by the Governor, anticipating the existence of the rules being reauthorized by this rulemaking.

NEGOTIATED RULEMAKING: Pursuant to Section 67-5220(1), Idaho Code, negotiated rulemaking was not feasible because engaging in negotiated rulemaking for all previously existing rules will inhibit the agency from carrying out its ability to serve the citizens of Idaho and to protect their health, safety, and welfare.

Negotiated rulemaking was conducted under dockets 13-0101-2101, 13-0104-2102, 13-0107-2101, and 13-0109-2101 published in the March 3, 2021 Idaho Administrative Bulletin, [Vol. 21-3, pages 17-24](#), and affects the following rule chapters included in this proposed rulemaking: IDAPA 13.01.01, 13.01.04, 13.01.07, and 13.01.09.

INCORPORATION BY REFERENCE: Pursuant to Section 67-5229(2)(a), Idaho Code, incorporated material may be obtained or electronically accessed as provided in the text of the proposed rules attached hereto.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the proposed rules, contact Jim Fredericks, Deputy Director at (208) 334-3771.

Anyone may submit written comments regarding the proposed rulemaking. All written comments must be directed to the undersigned and must be delivered within twenty-one (21) days after publication of this Notice in the Idaho Administrative Bulletin. Oral presentation of comments may be requested pursuant to Section 67-5222(2), Idaho Code, and must be delivered to the undersigned within fourteen (14) days of the date of publication of this Notice in the Idaho Administrative Bulletin.

DATED this October 20, 2021.

Jim Fredericks
Deputy Director
Idaho Department of Fish and Game
600 S. Walnut, P.O. Box 25

Boise, ID 83707
Phone: (208) 334-3771
Fax: (208) 334-4885
rules@idfg.idaho.gov

IDAPA 13 – DEPARTMENT OF FISH AND GAME

13.01.01 – RULES OF PRACTICE AND PROCEDURE OF THE IDAHO FISH AND GAME COMMISSION

000. LEGAL AUTHORITY.

Sections 36-103 and 36-104, Idaho Code, authorize the Commission to adopt rules concerning administration of the state's wildlife policy. ()

001. TITLE AND SCOPE.

The title of this chapter for citation is IDAPA 13.01.01, "Rules of Practice and Procedure of the Idaho Fish and Game Commission." These rules govern rulemaking, contested cases, meeting procedure, and appearances before the Commission and Department. ()

002. ADMINISTRATIVE PROCEDURE.

IDAPA 04.11.01, "Idaho Rules of Administrative Procedure of the Attorney General," govern rulemaking and contested cases for the Commission and Department unless otherwise provided by these rules. ()

003. – 010. (RESERVED)

011. COMMISSION OFFICERS.

The Commission annually elects a Chair and Vice-chair for the ensuing year. Newly elected officers assume their respective duties at the end of the meeting at which they are elected. ()

012. DUTIES OF CHAIR AND VICE-CHAIR.

The Chair presides at meetings, sets meeting agendas, and performs other duties at Commission direction. The Vice-chair performs the Chair's duties in the Chair's absence. If both Chair and Vice-chair are absent, the Commission may appoint an Acting Chair to preside. ()

013. DIRECTOR – COMMISSION SECRETARY.

The Director is Commission Secretary (non-voting). The Secretary is custodian of Commission records and responsible for taking meeting minutes and issuing publications and notices. ()

014. DELEGATION OF POWERS.

The Commission may delegate powers to the Director as law allows. The Director may delegate powers to Department employees as law allows. Because timely addressing property damage from wildlife or feeding emergencies depends on local conditions, the Commission and Director delegate authority to issue kill permits, declare emergency depredation hunts, declare feeding emergencies, or expend funds on feeding to the Department's Regional Supervisors. ()

015. INVESTIGATIONS.

The Commission may authorize formal or informal investigations for fact-finding (e.g., IDAPA 04.11.01.420.01), with results reported to the Director, hearing officer or Commission. ()

016. OFFICIAL RECEIPT OF DOCUMENTS.

The Director, or a specified designee in a particular matter, is the officer with whom to file all documents in rulemakings or contested cases under IDAPA 04.11.01, at the principal office address listed on the cover sheet to these rules, unless provided otherwise by statute, rule, order, or notice. A document is not officially received by the Commission until received at the Commission's office, as evidenced by date stamp placed on paper documents, or timestamp of email receipt as of a business day. Communications received by individual Commissioners are not considered officially received by the Commission unless they are received at the Commission office. ()

017. ORDERS.

01. **Signature on Commission Orders.** The Chair or the Director (as Secretary) signs all orders authorized by the Commission. ()

02. **Signature on Director's Orders.** The Director (as Director) signs all orders issued under the Director's authority in carrying out Idaho Code, Title 36. ()

018. – 049. (RESERVED)

050. CONDUCT OF COMMISSION MEETINGS.

The Commission holds regular and special meetings under Section 36-104(a), Idaho Code. ()

01. Motions and Voting. A motion needs a second for Commission consideration. All members vote upon all motions placed before the Commission unless excused by the Chair for reasons stated for the record. ()

02. Parliamentary Rules. Robert's Revised Rules of Order, with Procedure in Small Boards, governs the conduct of Commission meetings when applicable, unless inconsistent with statute or these rules. ()

051. PUBLIC TESTIMONY AT COMMISSION MEETINGS.

The Commission provides an opportunity for oral public testimony at its annual and quarterly meetings and at other times at its discretion. ()

01. Record Information. For administrative record purposes, any persons wishing to speak at a meeting will provide their names and contact addresses. ()

02. Limiting Testimony. The Chair has sole discretion to set a uniform time limit for oral public testimony at a meeting, and to limit oral testimony that is: ()

a. Not relevant to Commission business; ()

b. Not directed to the Commission (e.g., where the person testifying seeks to converse with the audience or individuals other than the Commission); or ()

c. Is threatening, abusive, or profane. ()

03. Written Testimony. The Commission accepts written testimony instead of or in addition to oral testimony. ()

04. Public Conduct. No person may behave in a manner that disrupts the orderly conduct of a Commission meeting or hearing. Any person who refuses to conduct himself appropriately, and who fails to depart immediately from the meeting area when the Chair notifies him to do so, is subject to removal. ()

052. – 999. (RESERVED)

13.01.02 – RULES GOVERNING MANDATORY EDUCATION AND MENTORED HUNTING

000. LEGAL AUTHORITY.

Sections 36-103, 36-104, 36-401, 36-412, and 36-1508 authorize the Commission to adopt rules concerning administration of hunting, archery, and trapping education programs and mentored hunting. ()

001. TITLE AND SCOPE.

The title of this chapter for citation is IDAPA 13.01.02, “Rules Governing Mandatory Education and Mentored Hunting.” These rules establish criteria for hunting, archery, and trapping education programs and mentored hunting. ()

002. -- 009. (RESERVED)

010. DEFINITIONS.

01. Accompanied. Close enough during hunting to be within normal conversation or hearing range without shouting or the aid of electronic devices. ()

011. -- 100. (RESERVED)

101. MENTORED HUNTING PROGRAM.

Other than as specified herein, nothing in this section alters statutory or rule requirements for licensing or the take of wildlife. ()

01. Hunting Passport. A Hunting Passport is a special authorization for a person to take wildlife as a mentee, provided the Passport holder is accompanied by a mentor and participating in the Mentored Hunting Program. Hunting Passports may be obtained from the Department or license vendor. ()

a. A person may obtain a Hunting Passport without hunter education certification. ()

b. A Hunting Passport expires December 31 of the year for which it is valid. ()

c. A Hunting Passport is to be carried on one’s person and exhibited on request as provided in Section 36-1201, Idaho Code. ()

02. Eligibility of Mentee. ()

a. Only persons eight (8) years of age or older who have not previously possessed a Hunting Passport, a hunting license or equivalent license in any state or other country may possess a Hunting Passport to participate in the Mentored Hunting Program as a mentee. A youth may possess additional Hunting Passport(s) each year until reaching ten (10) years of age. ()

b. Any mentee possessing a Hunting Passport is eligible to possess game tags for general hunts if the mentee is qualified to participate in the hunt. ()

c. Any mentee possessing a Hunting Passport is not eligible to possess a controlled hunt game tag or permit, except as designated for a Landowner controlled hunt tag if the mentee is qualified to participate in the hunt. ()

d. Any mentee with a Hunting Passport is not eligible to hunt big game unless the Passport holder is ten (10) years of age or older. ()

e. Any mentee with a Hunting passport eight (8) to seventeen (17) years of age is eligible to participate in: general season hunts, youth-only general hunts, landowner permission controlled hunts and depredation hunts for turkey; and youth pheasant seasons. ()

03. Eligibility of Mentor. ()

a. Any person who possesses a valid Idaho hunting license and who is eighteen (18) years or older may participate in the Mentored Hunting Program as a mentor. ()

b. A mentor may accompany no more than two (2) mentees at one (1) time that are participating in the

Mentored Hunting Program. ()

c. A mentor may hunt while participating in the Mentored Hunting Program if the mentor is qualified to participate in the hunt. ()

102. NONRESIDENT JUNIOR MENTORED LICENSE.

A person hunting big game or turkey with a valid Nonresident Junior Mentored License and game tag, held in accordance with Sections 36-404 and 36-407, Idaho Code, must be accompanied by an adult with a valid game tag for the species hunted. ()

103. -- 249. (RESERVED)

250. WOLF TRAPPER EDUCATION.

No person may trap for wolves without successfully completing a wolf trapping education class held by the Department. No person may buy a wolf tag with a trapping license without a certificate of completion of such class. ()

251. -- 999. (RESERVED)

**13.01.03 – PUBLIC USE OF LANDS OWNED OR CONTROLLED BY
THE DEPARTMENT OF FISH AND GAME**

000. LEGAL AUTHORITY.

Section 36-104(b), Idaho Code, authorizes the Commission to adopt rules concerning the use of lands owned or controlled by the Department. ()

001. TITLE AND SCOPE.

The title of this chapter for citation is IDAPA 13.01.03 “Public Use of Lands Owned or Controlled by the Department of Fish and Game.” These rules govern use of lands owned or controlled by the Department. ()

002. – 009. (RESERVED)

010. DEFINITIONS.

01. Aircraft. Any vehicle capable of use for transportation on or in the air and any unmanned aircraft system. ()

02. Commercial Use. Any use or activity related to a business venture or for which a fee is charged, or in which the primary purpose is the sale or barter of goods or services, regardless of whether the use or activity is intended to produce a profit. ()

03. Lands Owned or Controlled by the Department. Real property, owned or controlled by the Commission or Department, managed for public recreation or for the protection, maintenance, and enhancement of fish and wildlife. ()

04. Designated Roads and Trails. All roads and trails posted as open or designated as open on Department public use maps. ()

05. Safety Zone. A posted area established for the safety and protection of persons, equipment, structures, or livestock and where shooting within, across, or into the area is not permitted. ()

06. Unattended. As it pertains to decoys, the absence of any person within one hundred (100) yards from any decoy for a period of more than one-half (1/2) hour. ()

07. Watercraft. Any vessel capable of use for transportation on or in the water. ()

011. – 099. (RESERVED)

100. PUBLIC USE RESTRICTIONS.

01. Activities Not Allowed Without Authorization. Unless specifically authorized by the Commission, Director, Regional Supervisor, or designee, no person may: ()

a. Enter, use, or occupy lands or water when said lands are posted against such entry, use, or occupancy. ()

b. Camp or park a vehicle or trailer in any area posted against such use, or to leave unattended a camp, vehicle, or trailer for more than forty-eight (48) hours, or to camp or park a vehicle or trailer for more than ten (10) days during any thirty (30) day period on any one (1) Wildlife Management Area (WMA) or one (1) access site separate from a WMA. ()

c. Operate any motorized vehicle, including over-snow use, except on designated roads and trails. ()

d. Use watercraft on any waters posted against such use. ()

e. Use any form of fireworks or explosives. ()

f. Permit any dog or other domestic animal to run at large when not present to control or care for it, or to permit any dog to be off leash when posted against such use. ()

g. Conduct a dog field trial of any type, except a dog field trial or dog training using artificially

propagated game birds between August 1 and September 30 with Department authorization under IDAPA 13.01.15.300, “Rules Governing the Use of Dogs.” ()

h. Construct any blind, pit, platform, or tree stand, where soil is disturbed or trees are cut or altered, and fasteners, such as wire, rope, or nails are used; or to leave any portable manufactured blind or tree stand overnight. ()

i. Adjust, open, close, tamper with, or manipulate in any manner, any diversion structure, headgate, flume, recorded or flow dock or any device for water control. This provision does not limit the powers of agencies or irrigation districts as provided by statute or rule. ()

j. Shoot within, across, or into posted safety zones. ()

k. Leave any decoy unattended, or to place any decoy any earlier than two (2) hours before official shooting hours for waterfowl, or to leave any decoy at a hunting site later than two (2) hours after official shooting hours for waterfowl. ()

l. Discharge any paintball guns. ()

m. Disturb or remove any soils, gravel, or minerals. ()

n. Turn domestic livestock into, or allow said animals to graze or trail on or across Department lands, except riding and pack animals may be used in association with recreational uses or as posted. ()

o. Cut, dig, or remove any crops, trees, shrubs, grasses, forbs, logs, or fuel wood. ()

p. Place, maintain, or store any beehives or bee boards. ()

q. Use lands for any commercial purpose. ()

r. Place a geocache. ()

s. Use for group events of over fifteen (15) people. ()

t. Land or launch aircraft except on public airstrips. ()

u. Use or transport any hay, straw, or mulch that is not weed-free certified. ()

101. – 999. (RESERVED)

13.01.04 – RULES GOVERNING LICENSING

000. LEGAL AUTHORITY.

Sections 36-104(b), 36-301, 36-401 through 413, and 36-1101, Idaho Code, authorize the Commission to adopt rules concerning issuance and sales of licenses. ()

001. TITLE AND SCOPE.

The title of this chapter for citation is IDAPA 13.01.04, "Rules Governing Licensing." These rules govern licensing. ()

002. – 009. (RESERVED)

010. DEFINITIONS.

01. Authorized Corporate Representative. Any shareholder in a corporation, designated in writing by the corporation as the eligible applicant, who is in actual physical control of the eligible property. ()

02. Blind Person. A blind person has a medically documented loss or impairment of vision and includes any person whose visual acuity with correcting lens does not exceed twenty/two hundred (20/200) in the better eye, or whose vision in the better eye is restricted to a field which subtends an angle of not greater than twenty (20) degrees. ()

03. Domicile. The place where an individual has his true, fixed, permanent home and to which place he has the intention of returning whenever he is absent. An individual can have several dwelling places, but only one (1) domicile. Factors to consider establishing domicile include, but are not limited to: ()

a. What address does the person use on tax returns and where does the person file a state resident income tax return? ()

b. Where is the person registered to vote? ()

c. Where do the person and his immediate family live? ()

d. Where does the person have his mail sent or forwarded to? ()

e. Where does he register his automobiles? ()

f. Where has the person claimed a homeowner exemption on a personal residence? ()

g. Where does he have a driver's license? ()

04. Disabled. A disabled person is defined as a person meeting criteria set forth in Sections 36-406(g), or 36-1101(b), Idaho Code. ()

05. Eligible Property. At least three hundred twenty (320) acres of land, excluding any government lands, in one (1) controlled hunt area determined by the Department to be valuable for habitat or propagation purposes for deer, elk, pronghorn, and/or black bear, whether owned by one (1) or more persons, a partnership, or corporation. ()

06. Landowner. Any person or corporation whose name appears on a deed as the owner of eligible property or whose name appears on a contract for sale of eligible property as the purchaser, and any affiliates, management companies, associated entities, wholly-owned subsidiaries, corporations, or limited liability corporations wherein fifty percent (50%) or more of the ownership or controlling interest is maintained by a single individual, partnership or corporation. ()

07. Permanent Disability. A medically determinable physical impairment, which a physician has certified that the condition has no expectation for a fundamental or marked change at any time in the future. ()

08. Physician. A person licensed to practice medicine pursuant to the Idaho Medical Practice Act (Sections 54-1801 through 54-1820, Idaho Code), or equivalent state licensing authority if the person is not licensed to practice in Idaho. ()

09. Resident. “Resident” is defined in Section 36-202(s), Idaho Code. ()

011. – 049. (RESERVED)

050. RESIDENT LICENSES AND LIFETIME CERTIFICATES.

A person, upon payment of the appropriate fee set forth in Sections 36-413 or 36-416, Idaho Code, and proof of Idaho residence or qualification for resident license privileges, may receive the corresponding resident license or lifetime license certificate under the conditions set forth in this section. ()

01. Proof of Residence. Resident license and lifetime license certificate applications must be supported by an original or unaltered copy of the following: ()

a. Idaho Driver’s License for all persons who drive. ()

b. Nondrivers may use other suitable proof of residency, such as: ()

i. Idaho Identification Card issued by the Idaho Transportation Department; or ()

ii. Two (2) documents bearing the applicant’s name and address, not issued by the applicant, such as: ()

(1) Rent receipts or mortgage statements for previous six (6) months; ()

(2) Home utility bills for previous six (6) months; ()

(3) A notarized statement from an employer on business letterhead; ()

(4) Proof of voter registration dated six months prior; ()

c. For persons under eighteen (18) years of age who do not have an Idaho Driver’s license or Idaho Identification Card: ()

i. For lifetime license certificates: a certified copy of the minor’s birth certificate, and proof of Idaho residency of one (1) parent or legal guardian in accordance with this subsection. ()

ii. For annual or shorter-term licenses: proof of Idaho residency of one (1) parent or legal guardian in accordance with this subsection and attestation by the parent or legal guardian of the minor’s identity. ()

02. Verification of Idaho Residency. The Department may investigate and verify that the information submitted by the applicant as to Idaho residency is true and correct. ()

03. Application by Telephone or Electronic Methods. Application for annual or shorter term licenses may be made by telephone or other electronic methods, provided the applicant supplies the number from a valid license or identification card issued by the Idaho Transportation Department. ()

04. Applications for Lifetime License Certificates. Applications for lifetime license certificates will be made on a form prescribed by the Department and may only be submitted either in person at a Department office or by mail to the Department at P.O. Box 25, Boise, ID 83707. ()

051. PURCHASING LICENSES FOR OTHERS.

01. Resident Licenses. A resident may purchase a license for the resident’s spouse or child under the age of eighteen (18) living in the same household, provided that the purchaser presents proof of residence for the person who will hold the license. ()

02. Nonresident Licenses. A person may purchase a nonresident license for another person because no residency certification is necessary. ()

03. Lifetime License Certificates. If the lifetime license certificate is being purchased for a person other than the one submitting the application, the purchaser must provide proof of residence for the intended recipient of the lifetime license certificate in accordance with Section 050 of these rules. ()

052. – 199. (RESERVED)

200. LICENSES, PERMITS, AND TAGS FOR LIFETIME LICENSE CERTIFICATE HOLDERS.

01. Licenses. Authorized lifetime license certificate holders will be issued the appropriate combination, hunting, or fishing license annually, provided they are eligible for said license. ()

02. Permits and Tags. The certificate holder has the responsibility to obtain any appropriate permit or game tag. ()

201. CERTIFICATE NON-TRANSFERABLE.

Neither the lifetime license certificate nor the annual licenses are transferable. The fee paid is not refundable under any circumstances. ()

202. CERTIFICATE HOLDERS RESIDING OUT-OF-STATE.

01. Validity. The lifetime license certificate does not become invalid if the certificate holder subsequently resides outside the state of Idaho. ()

02. Effect of Subsequent Change in Residency. Should the certificate holder subsequently become a nonresident, the following applies: ()

a. The holder may only purchase permits, and tags at the nonresident fee. ()

b. The holder will be treated as a resident for purposes of controlled hunt applications and limits or quotas on the number of tags or permits based on resident/non-resident status. ()

c. The holder will be entitled to resident bag and possession limits. ()

203. OBTAINING CERTIFICATES UNLAWFULLY.

It is unlawful for any person to obtain, use or possess, or attempt to obtain, use or possess a lifetime license certificate by fraud, deceit or misrepresentation. All licenses including lifetime license certificates unlawfully obtained shall be seized and shall become null and void. Any fees paid will not be refunded. ()

204. REVOCATION OF CERTIFICATE AND LICENSES.

A lifetime license and the rights of a lifetime license certificate holder to obtain a license may be revoked pursuant to Section 36-1402, and Chapter 15, Title 36, Idaho Code. ()

205. – 249. (RESERVED)

250. DEFACED OR ALTERED LICENSES INVALID.

Any license that is defaced, altered, or tampered with will be invalid from the date and time of issuance. It is unlawful to use or attempt to use any license that has been defaced, tampered with, or altered. Evidence of defacing, tampering, or altering includes but is not limited to tears or erasures or typeovers to the license stock. ()

251. – 254. (RESERVED)

255. AUTHORIZATION NUMBER PENDING RECEIPT OF LICENSE.

01. Authorization Number. A person applying by telephone or other electronic method will receive an authorization number assigned as directed by the Department. ()

02. Authorization Number Used in Lieu of License. The authorization number provided to telephone applicants may be used in lieu of the actual license only by the individual for whom the license was purchased. When used in lieu of a license, the person must carry government-issued identification and present such identification and provide the authorization number to comply with Section 36-1201, Idaho Code. The authorization number may be used for not more than fourteen (14) calendar days from the date of issue, except authorization numbers for short-term licenses are valid only for the stated term from the beginning effective date of the license. This allows the authorization-number holder to hunt or fish during the time period it takes to mail the license to the individual. Thereafter, the individual must have in possession the appropriate signed license to hunt or fish. ()

03. Violation. It is a violation to hunt and fish with an invalid authorization number or an authorization number issued to another person. ()

04. Authorization Number Only Eligible for Certain Activities. The authorization number may be used only for those hunting or fishing activities that do not require a license, tag, or permit to be notched or attached to a carcass. ()

256. – 261. (RESERVED)

262. RESIDENT LICENSES – JOB CORPS STUDENTS.

A Job Corps student may obtain a resident fishing license pursuant to Section 36-202(s)4, Idaho Code, provided the student presents certification of current enrollment at a Job Corps Center in Idaho signed by the Center director. ()

263. RESIDENT LICENSES – MILITARY PERSONNEL – U.S. AND FOREIGN

01. Nonresident Eligibility. ()

a. A nonresident member of the Armed Forces of the United States or a foreign country may obtain a resident license pursuant to Section 36-202(s)(3), provided the service member presents a copy of assignment orders (in official form appropriate for the branch of service, such as “Request and Authorization for Permanent Change of Station-Military”) that indicate the member is on active duty with a permanent duty station in Idaho at the time of license application. The nonresident active duty member’s spouse and dependent children less than eighteen (18) years of age may obtain a resident license, provided they present a copy of the assignment orders and documentation they are member of the active duty member’s household in Idaho. ()

b. Members of the Armed forces who are not residents of the state, and who are stationed or domiciled in Idaho for fewer than thirty (30) days immediately preceding application are not eligible for resident licenses or a military furlough license and must purchase nonresident licenses and tags. ()

c. Discharged servicemembers who were not residents of the state of Idaho at the time of their induction or enlistment, or who have not been stationed within the state of Idaho for a period of at least six (6) months prior to their discharge are not entitled to resident licenses until they have domiciled in this state for a period of six (6) months. The Department will rely on Discharge Form DD214 (or official successor form certifying release or discharge from active duty) for the home of record. ()

d. Civilian employees of the military who are not Idaho residents are not eligible for resident licenses. ()

02. Resident. Idaho residents who are in the military service of the United States and maintain Idaho as their official home of residence are eligible to purchase a resident license or obtain a military furlough license, pursuant to Section 36-202(s)(2), provided they provide a current leave and earnings statement or other proof identifying Idaho as their official state of residence. The service member’s spouse and dependent children less than eighteen (18) years of age living in the service member’s household may purchase resident licenses. ()

264. RESIDENT LICENSES – STUDENT.

01. Absent Full-time Student. Pursuant to Section 36-202(s)1, Idaho Code, an Idaho resident who is a

full-time student of an out-of-state institution of learning, paying nonresident tuition or otherwise not claiming residency in another state, is entitled to receive a resident license, for a period not to exceed five (5) years, even though the student is not physically present in Idaho continuously for a period of six (6) months preceding his application for such license. ()

02. Temporarily Present. Students who are temporarily present within the state of Idaho while exercising residency privileges in another state or country are not eligible to purchase resident licenses. ()

265. FOREIGN EXCHANGE HIGH SCHOOL STUDENTS.

Pursuant to Section 36-202(s), Idaho Code, any foreign exchange student enrolled in an Idaho high school may obtain a resident fishing license, provided the student presents proof of Idaho high school enrollment and a copy of the U.S. Immigration document or other government document showing "J-1" student classification. All other foreign students are nonresidents. ()

266. FOREIGNERS/ALIENS IN IDAHO.

Foreigners residing in the state on a temporary visa are not eligible for a resident license. Persons residing in the state who present a valid permanent visa or a currently pending application for U.S. citizenship are eligible for a resident license if they have been domiciled within Idaho for six (6) months with a bona fide intent to remain. ()

267. – 301. (RESERVED)

302. DISABILITY LICENSES.

Disability licenses include: Disabled Combination, Disabled Hunting, Disabled Fishing, Disabled American Veterans Combination, Disabled American Veterans Hunting, Disabled American Veterans Fishing, and Nonresident Disabled American Veterans Hunting. ()

01. Attestation to Disability. No person may misrepresent any information to obtain a disability license. ()

02. Documentation for Eligibility. The Department will not process an application for a disability license unless the applicant provides to the Department (by mail or in person) or vendor one (1) of the following: ()

a. A Social Security Administration benefit verification letter in the individual's name showing that the applicant is receiving SSI (Supplemental Security Income) or SSDI benefits for the current year; ()

b. A letter from the Railroad Retirement board verifying disability status dated within three (3) years preceding the application for a disabled license; ()

c. An official identification card issued by the U.S. Department of Defense, or a letter, of any date, from the U.S. Department of Veterans Affairs, verifying a service-connected disability rating of forty percent (40%) or greater. Such documentation will be required only for the initial application and will not be required for subsequent disability license application. The Department will not process applications for nonresident Disabled American Veteran licenses unless applicants provide this documentation. ()

d. A current year's letter from U.S. Veterans Affairs showing an individual is receiving a nonservice-connected pension. ()

e. Certification of permanent disability on a form prescribed by the Department, completed and signed by the applicant's physician, physician assistant, or nurse practitioner, also signed by the applicant, stating which of the criteria set forth in Subsection 010.04 of this rule, qualifies the applicant as permanently disabled and why. If the physician, physician assistant, or nurse practitioner is not licensed to practice in Idaho, a copy of the physician, physician assistant, or nurse practitioner's medical license must accompany the application. ()

f. A valid Idaho driver's license if the holder meets disability requirements of Section 49-117(7)(b), Idaho Code, and the license is marked as disabled. ()

303. DISABLED PERSONS MOTOR VEHICLE HUNTING PERMITS.

01. Applications for Disabled Motor Vehicle Hunting Permits. ()

a. Applications for disabled motor vehicle hunting permits will be on a form prescribed by the Department, completed and signed by the applicant, or an individual may present their valid Idaho driver's license in lieu of the prescribed Department form if the individual meets the disability requirements of Section 49-117(7)(b), Idaho Code, except for blindness, and the driver's license is appropriately marked as disabled. ()

b. Each application submitted on the Department form shall be accompanied by certification from the applicant's physician, physician assistant, or nurse practitioner stating which of the criteria set forth in Section 36-1101, Idaho Code, qualifies the applicant and why, along with the applicant's certification that the applicant is capable of holding and firing, without assistance from other persons, legal hunting equipment. If the physician, physician assistant, or nurse practitioner is not licensed to practice in Idaho, a copy of the physician, physician assistant, or nurse practitioner's medical license must accompany the application. Physicians, physician assistants, or nurse practitioners must check the appropriate box for short-term or long-term disability on the application. If the disability is short term and physical mobility is expected to improve, the physician, physician assistant, or nurse practitioner must include a date when the disability is expected to end. ()

02. Disabled Motor Vehicle Hunting Permits. ()

a. Disabled motor vehicle hunting permits will expire no later than December 31 of the fifth year following the date of issuance. ()

b. The permit shall be prominently displayed on any vehicle from which the person is hunting, on the driver's side of the dashboard of the parked vehicle, suspended from the rearview mirror, or otherwise displayed so as to be in plain view of any person looking at the vehicle or through any windshield. ()

304. REASONABLE MODIFICATION PERMIT (WEAPON RESTRICTIONS).

01. Application. Applications for reasonable modification permits (for medical reasons) to allow use of equipment otherwise unauthorized in a special weapon season (archery or muzzleloader only) will include: ()

a. All information requested on a form prescribed by the Department; ()

b. The applicant's signature; ()

c. Signed certification from the applicant's physician, physician assistant, optometrist, or nurse practitioner stating the criteria limiting the applicant's ability to participate without special accommodation, including checking of the appropriate box for short-term or long-term disability, and for short-term disability, including date when the disability is expected to end; ()

d. A copy of the license of the physician, physician assistant, optometrist, or nurse practitioner, if that person is not licensed to practice in Idaho; ()

e. Applicant's certification that applicant is able to hold and fire, without help from other persons, legal firearms or archery equipment; and ()

f. A description of the equipment accommodation requested, explaining how the requested accommodation will allow the applicant to participate in the special weapon hunt without enhancing their abilities beyond the limitations and purpose of the special weapon hunt. ()

02. Determination. The Department will make its determination based on the reasonableness of the accommodation and its consistency insofar as possible with all provisions guiding other participants in the special weapon hunting season. The Department has discretion to deny the application as unreasonable in light of restrictions for other participants in the hunt, or set a modification different from the modification requested. ()

a. Reasonable modification related to accommodation for use of scope or sight magnification (including battery-powered or tritium-lighted reticles) for archery or muzzleloader equipment may include magnification up to 4x power because of equipment availability. ()

b. Reasonable modification related to archery only hunts may include the use of a crossbow or a device that holds a bow at partial or full draw. ()

03. Authority. Reasonable Modification Permits authorize holders to use equipment, as specified in the permit, that is otherwise prohibited in a special weapon season. ()

04. Expiration and Carrying. ()

a. Reasonable modification permits expire no later than December 31 of the fifth year following the date of issuance, or the earlier ending of any shorter-term disability. ()

b. A permit holder must carry a copy of the permit while hunting in any special weapon hunt in which the permit applies. ()

305. DISABLED HUNTER AND COMPANION: GAME TAGS, PERMITS, AND LIMITS.

01. Assistance of Disabled Hunter by Designated Companion. Any disabled hunter possessing a valid disability license, disabled motor vehicle or disabled archery permit, as provided in Sections 302 through 304, or who is a disabled veteran participating in a hunt as provided in Section 36-408(7), Idaho Code, may be accompanied by a designated companion who may assist the disabled hunter with taking wildlife. ()

02. Excepted From Game Tag or Game Permit Possession Only. The companion assisting a disabled hunter is excepted from game tag or permit possession to take game wounded by a disabled hunter. All other applicable rules governing the taking of wildlife apply to the companion, including possession of a valid hunting license and any applicable weapons permit (archery or muzzleloader) for the hunt. ()

03. Validation and Attachment of Tag. The companion to a disabled hunter may validate and attach the disabled hunter's game tag or permit in accordance with applicable rules (IDAPA 13.01.08, Rules Governing Taking of Big Game Animals, or IDAPA 13.01.09, Rules Governing Taking of Game Birds and Upland Game Animals). ()

04. Accompanying the Disabled Hunter. The companion must accompany the disabled hunter while hunting. Once a disabled hunter has wounded game, the hunter's companion does not need to be accompanied by the disabled hunter while taking game wounded by the disabled hunter or while tagging or retrieving downed game on behalf of the disabled hunter. ()

05. Written Statement of Designation. While taking wounded or killed game to assist a disabled hunter, the companion to a disabled hunter must possess a written statement from the disabled hunter designating that person as the disabled hunter's companion, signed by the disabled hunter including the disabled hunter's name, address, hunting license number, any applicable tag or permit number, and the dates of designation as a companion. If a companion to a disabled hunter transports any wildlife on behalf of a disabled hunter, a proxy statement is required in accordance with Section 36-502, Idaho Code. ()

06. Companion's Possession Limit. Any wounded game killed, or game tagged or retrieved, by a designated companion on behalf of a disabled hunter counts against the disabled hunter's possession limit and does not count against the companion's possession limit. ()

07. Disabled Hunter Considered for Violation. The disabled hunter in possession of the valid game tag or permit is considered the hunter for violation of waste or destruction of wildlife under Section 36-1202, Idaho Code. ()

306. – 399. (RESERVED)

400. LANDOWNER APPRECIATION PROGRAM (LAP).

01. Property and Landowner Registration. ()

a. Only landowners who have registered their eligible property with the Department are eligible to apply for LAP controlled hunt tags for deer, elk, pronghorn, and/or black bear. Registered landowners must notify the Department of any changes in property ownership or eligibility. ()

b. Registration of an eligible property and landowner applicant will be on a form prescribed by the Department. The landowner must submit the registration form; a copy of the deed(s) and the most recent tax assessment(s) describing the eligible property and showing the name(s) of the owner(s); and a map of the eligible property to the Department regional office. Department personnel will certify the registration and land description and return a copy to the landowner. ()

c. If the person registering is an authorized corporate or partnership representative, the registration will include written verification from the board of directors, partnership, or an officer of the corporation, other than himself, verifying that he is authorized to register the property and eligible applicants. ()

02. Hunt Areas. LAP controlled hunt tags will be issued only for those controlled hunt areas designated by the Commission as eligible for such tags. ()

03. Tag Eligibility. Landowners may receive LAP controlled hunt tags only for the species and sex that use the eligible property and only for LAP hunt areas in which the registered property is located. ()

04. Controlled Hunt Applications. Applications for LAP controlled hunt tag(s) will be on a form prescribed by the Department. ()

a. Applications from landowners with six hundred forty (640) acres or more will be accepted on or after May 15 of each year. Applications submitted in person or mailed to the Department main office or any Regional Office, postmarked not later than June 15 of each year, will be entered in the random drawing for LAP controlled hunt tags. Each application will be entered in the random drawing one (1) time based upon each six hundred and forty (640) acres of eligible property registered by the landowner that are within the LAP controlled hunt area. ()

b. One (1) application may be submitted by a landowner with eligible property consisting of six hundred forty (640) acres to four thousand nine hundred ninety-nine (4,999) acres. A second application may be submitted for eligible property consisting of five thousand (5,000) acres or more. ()

05. Left Over Tags. Landowners with eligible property consisting of three hundred twenty (320) acres or more may apply for left-over tags following the random draw. Written applications will be accepted beginning on the first business day on or after July 15 of each year on a first-come, first-served basis, provided they are accompanied by the appropriate application fee as specified in Section 36-416, Idaho Code. ()

06. Issuance of Controlled Hunt Tag(s). ()

a. Once the Commission has determined the number of controlled hunt tags to be issued in any controlled hunt area, an additional ten percent (10%) of the number of controlled hunt tags may be issued as LAP tags. In subsequent years up to twenty-five percent (25%) of the number of controlled hunt tags may be issued only if the hunt is over subscribed by eligible LAP applicants. ()

b. Where the number of LAP applicants exceeds the number of LAP controlled hunt tags available in an area, successful applicants will be determined by drawing. All eligible landowners in the drawing will be considered for one (1) tag before any landowner is eligible for a second tag. ()

c. No more than two (2) LAP controlled hunt tags may be issued to any eligible landowner. ()

d. Only one (1) leftover LAP controlled hunt tag may be issued for eligible property consisting of

between three hundred twenty (320) and six hundred thirty-nine (639) acres within a LAP controlled hunt area. Only one (1) LAP controlled hunt tag may be issued for eligible property consisting of between six hundred forty (640) and four thousand nine hundred ninety-nine (4,999) acres within a LAP controlled hunt area. One (1) additional controlled hunt tag may be issued to a landowner or designated agent(s) for eligible property in excess of five thousand (5,000) acres within a LAP controlled hunt area. No landowner or designated agent(s) is eligible to receive more than one (1) LAP controlled hunt tag for one (1) species in a calendar year. ()

e. A successful landowner, corporate or partnership representative drawing a LAP controlled hunt tag may designate an eligible individual to whom the controlled hunt tag will be issued. ()

07. Sale or Marketing Unlawful. It is unlawful to sell or market LAP controlled hunt tags. In addition to any statutory penalties, a violator of this provision will not be eligible to participate in the LAP program for three (3) years. ()

08. Application of Controlled Hunt Restrictions. ()

a. The restriction that applying for a moose, bighorn sheep, or mountain goat controlled hunt makes the applicant ineligible to apply for any other controlled hunt does not apply to persons who are otherwise eligible to apply for a LAP controlled hunt tag. ()

b. LAP controlled hunts are exempt from limits or quotas on nonresident tags. ()

c. LAP controlled hunt tags are exempt from the one (1) year waiting periods for deer, elk and pronghorn controlled hunt applications under IDAPA 13.01.08, "Rules Governing Taking of Big Game Animals," Section 257. ()

09. Special Restrictions. Any person hunting with a LAP controlled hunt tag may hunt only within the boundaries described in the LAP controlled hunt area. Bag and possession limits set forth in IDAPA 13.01.08, "Rules Governing Taking of Big Game Animals," Section 200, apply to holders of LAP controlled hunt tags. ()

401. – 499. (RESERVED)

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

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

a. One thousand nine hundred eighty-five (1,985) deer tags (the combined total of regular and White-tailed); ()

b. Two thousand nine hundred (2,900) elk tags (the combined total of A and B tags for all zones). ()

02. Restrictions. Tags for use in general hunts will be sold on a first-come, first-serve basis through July 14 of each year. Application for purchase of these tags will 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 has a contract to hunt with the outfitter making application. ()

03. Unsold Tags. Any tags not sold by July 15 of each year will be sold by the Department to nonresidents on a first-come, first serve basis. ()

501. – 504. (RESERVED)

505. DEER AND ELK TAG ALLOCATION.

01. Allocation of Tags for Capped General Hunt Units or Zones. Pursuant to Section 36-408, Idaho

Code, the Commission may allocate a number of deer and/or elk tags for use by hunters with signed agreements with licensed outfitters in units or zones with limited numbers of tags. The Commission may use this subsection or the allocated tag provisions of Section 36-408, Idaho Code, to allocate outfitter tags in capped general hunt units or zones. ()

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 that exceed 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. ()

b. The allocation of tags will be calculated on a unit or 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%). ()

02. Allocation of Tags for Controlled Hunt Areas. The Commission may only allocate outfitter tags in controlled hunt areas with historic licensed deer and/or elk outfitted area(s). Hunt application and eligibility rules will apply to allocated tags in controlled hunts. ()

a. The number of outfitter 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. ()

b. A person is not eligible to apply for an outfitter allocated controlled hunt unless that person has 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. ()

c. Successful applicants who do not want to participate in the outfitted hunt may 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 any applicable waiting period under IDAPA 13.01.08, "Rules Governing Taking of Big Game Animals," Section 257. ()

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 office. ()

e. The Commission may use this subsection or the allocated tag provisions of Section 36-408, Idaho Code, to allocate outfitter tags in controlled hunt areas: ()

i. No less than one (1) tag and no more than three percent (3%) of the total tags; or ()

ii. A number based on the average historic use during the previous five (5) year period to be rounded up when a decimal equals or exceeds zero point six (0.6) and rounded down when a decimal is less than zero point six (0.6); or ()

iii. An unlimited number of allocated tags or a number of allocated tags based on historic use as alternatives only for controlled hunt areas with limited nonresident tags and unlimited resident tags; or ()

iv. No tags will be allocated. ()

506. DEER AND ELK OUTFITTER ALLOCATED TAG.

01. Distribution of Outfitter Allocated Tags. Allocated tags will be sold by the Department, as designated by Section 36-2107, Idaho Code, and IDAPA 24.35.01.057, "Rules of Idaho Outfitters and Guides Licensing Board," to hunters with signed agreements with licensed outfitters in those zones with a cap on the number of tags sold and in outfitter allocated controlled hunts. Application for the purchase of allocated tags will 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. ()

02. Designated Buyers. Purchasers of allocated 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. ()

03. Unsold Tags. Any allocation tags not sold by August 1 of each year will be sold by the Department on a first-come, first-served basis. ()

507. – 549. (RESERVED)

550. NONRESIDENT DEER AND ELK TAG QUOTAS.

01. General Hunt Tag Quotas. The following number of general hunt tags will be set aside annually and reserved for sale to nonresidents: ()

a. Fourteen thousand (14,000) total deer tags (regular and white-tailed deer tags); ()

b. Twelve thousand eight hundred fifteen (12,815) total elk tags (A and B tags); ()

c. One thousand five hundred (1,500) white-tailed deer tags, available only upon sell out of deer tags referenced in Subsection 550.01.a. ()

02. Disabled American Veteran Hunt Tag Quotas. The following number of disabled American veteran general hunt tags will be set aside annually and reserved for sale to eligible nonresidents. ()

a. Five hundred (500) total disabled American veteran deer tags (regular and white-tailed deer tags); ()

b. Three hundred (300) total disabled American veteran elk tags (A and B tags). ()

03. Exceptions. Tag sales to the following persons will not be counted in the quotas in Section 550 of these rules: ()

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. ()

b. Designated Buyers of unused nonresident tags to which the quota has already applied: an unused nonresident general hunt deer or elk tag, accompanied by a notarized affidavit stating that the tag buyer has not hunted, may be designated to another nonresident for purchase at the regular tag price, by the original buyer or an outfitter or guide retained by the original buyer, or absent such designation, may be sold by the Department on a first-come, first-serve basis. ()

c. Holders of resident lifetime license certificates who are no longer Idaho residents. ()

d. Holders of nonresident junior mentored tags. ()

551. – 559. (RESERVED)

560. SALE OF UNSOLD NONRESIDENT GENERAL DEER AND ELK TAGS AS SECOND TAGS.

Any nonresident general deer or elk tags unsold on or after August 1 may be sold to residents and to nonresidents as a second general hunt tag, at the nonresident tag price. Unless the Commission has limited the use of second tags in a unit or zone by proclamation, a resident may buy a second tag for an elk zone where a nonresident limit has been reached if the zone is unlimited to residents, and a resident may use a second regular or white-tailed deer tag in any unit in the same manner as a first resident general hunt tag. ()

561. – 601. (RESERVED)

602. SPECIAL MILITARY DEPLOYMENT REFUND AND RAIN CHECK.

01. Special Refund and Rain Check. This special refund and rain check rule applies to the appropriate calendar year hunting season. Because of military deployment, some persons will be unable to hunt big game animals for which they purchased tags. ()

02. Special Refund and Rain Check Eligibility. Holders of tags who can show in good faith they could not participate in hunting activities due to military deployment will be eligible for a refund or rain check for license and tags for the next calendar year hunting season as outlined in this rule. ()

03. Tag Options. Holders of a general season or controlled hunt tag for deer, elk, moose, bighorn sheep, or mountain goat may request: ()

a. A refund of the hunting license and tag fee; ()

b. A rain check for a hunting license and the same general or controlled hunt tag for the same species for the next calendar year hunting season; or ()

c. For deer and elk only, an exchange in the calendar year for a general season tag for the same species in another zone or area so long as tags are available in that area or zone. ()

04. Nonresident Bear or Mountain Lion Tags. Holders of nonresident bear or mountain lion tags may request: ()

a. A refund of the hunting license and tag fee; or ()

b. A rain check for a hunting license and tag for the next calendar year hunting season. ()

05. Ineligible to Request Tag Refund or Rain Check. If the person hunts a species of wildlife before requesting a refund or rain check, then the tag fee for that species will not be refunded or eligible for a rain check for the next calendar year season. ()

06. Ineligible to Request License Fee Refund or Rain Check. If the person hunts for any species during the applicable year before requesting a refund or rain check, then the hunting license fee will not be refunded or eligible for a rain check for the next calendar year season. ()

07. Refunds Will Be for the Amount Paid. All refunds will be for the amount the person paid for the hunting license or tag. ()

08. Use of Department-Approved Form for Rain Check or Refund Request. Requests for a refund or rain check under this section will be made on the Department-approved form (found on Idaho Fish and Game website at <http://fishandgame.idaho.gov/>) on or before December 31 of the calendar year in which the license and tags were valid, along with a copy of deployment papers, or a letter from their commanding officers stating the dates the individual was deployed for duty. Those requests received after this date will not be eligible for the special refund or rain check. ()

603. – 699. (RESERVED)

700. BIGHORN SHEEP AUCTION TAG.

01. Eligibility. Only persons eligible to purchase an Idaho hunting license are eligible to bid on the bighorn sheep auction tag. ()

02. Validity of Tag. The Bighorn Sheep Auction Tag will be valid in Controlled Hunt Area 11 only during odd-numbered years and during even-numbered years when the Bighorn Sheep Lottery Tag holder chooses not to hunt in Controlled Hunt Area 11. ()

03. License and Controlled Hunt Tag. ()

a. A hunting license and controlled hunt tag will be provided to the successful bidder from the net proceeds of the auction. ()

b. The successful bidder for the Bighorn Sheep Auction Tag must file a notarized affidavit within fifteen (15) days of the successful bid if the hunting license and tag are to be designated to another individual. ()

04. Application of Big Game Rules. All rules governing IDAPA 13.01.08, "Rules Governing Taking of Big Game Animals," apply to the eligible and successful bidders other than as specified herein. ()

a. No successful bidder is eligible to apply for a bighorn sheep controlled hunt tag the same year the bidder is issued a Bighorn Sheep Auction Tag. ()

b. Bighorn sheep auction tag recipients are exempt from the once-in-a-lifetime restrictions on killing bighorn sheep. ()

701. GOVERNOR'S WILDLIFE PARTNERSHIP TAGS.

01. Application of Big Game Rules. All rules in IDAPA 13.01.08, "Rules Governing Taking of Big Game Animals," apply to recipients of Governor's Wildlife Partnership Tags other than as specified in this section. ()

02. Eligibility. ()

a. Only persons eligible to purchase an Idaho hunting license are eligible to bid on a Governor's Wildlife Partnership Tag. ()

b. A person is eligible to receive only one (1) Governor's Wildlife Partnership Tag in a calendar year. ()

c. There is no waiting period for eligibility for Governor's Wildlife Partnership Tags for elk, deer, or pronghorn. ()

03. Validity of Tag. Each Governor's Wildlife Partnership Tag is valid for one (1) designated species annually and within the timeframe and area prescribed by the Commission. ()

04. License and Controlled Hunt Tag. ()

a. A hunting license and controlled hunt tag will be provided to the successful bidder from the net proceeds of the Governor's Wildlife Partnership Tag auction. ()

b. The successful bidder for a Governor's Wildlife Partnership Tag must file a notarized affidavit within fifteen (15) days of the successful bid if the hunting license and tag are to be designated to another individual. ()

c. If a recipient of a Governor’s Wildlife Partnership Tag draws a controlled hunt tag for that species for the same year, the controlled hunt tag is voided and the tag fee will be refunded upon the return of the tag to the Department, unless the tag is a controlled depredation hunt tag or a controlled hunt extra tag. The recipient of a Governor’s Wildlife Partnership Tag may purchase second, extra, or leftover tags if a holder of a controlled hunt tag for deer, elk, or pronghorn is allowed to do so under IDAPA 13.01.08, “Rules Governing Taking of Big Game Animals.” ()

d. Any person who receives a Governor’s Wildlife Partnership Tag for bighorn sheep, mountain goat or moose, and who is otherwise eligible to apply for a deer, elk or pronghorn controlled hunt tag, and who draws such a tag, will be allowed to hunt for those species during the same year the Governor’s Wildlife Partnership Tag is valid. ()

702. – 799. (RESERVED)

800. BIGHORN SHEEP LOTTERY TAG.

01. Eligibility. ()

a. Only persons eligible to purchase an Idaho hunting license are eligible to purchase tickets for the Bighorn Sheep Lottery Tag. “Tickets” for the Lottery Tag are hunt applications and are not transferable. A person may submit an application for another eligible individual. ()

b. If any person is drawn for the Bighorn Sheep Lottery Tag and has already been drawn for a bighorn sheep controlled hunt tag for the same year, the controlled hunt tag will be voided and the tag fees refunded after return of the earlier drawn tag to the Department. The Lottery Tag is valid to hunt bighorn sheep in the year drawn. ()

02. Validity of Tag. The Bighorn Sheep Lottery Tag will be valid in Controlled Hunt Area 11 only during even-numbered years and during odd-numbered years when the Bighorn Sheep Auction Tag holder chooses not to hunt in Controlled Hunt Area 11. ()

03. Tag. ()

a. A hunting license (if needed) and a controlled hunt tag will be provided to the eligible person drawn for the Lottery Tag from the net proceeds. ()

b. The Bighorn Sheep Lottery Tag will only be issued to the eligible person whose name appears on the application drawn for the tag, and will not be issued to another individual. ()

04. Application of Big Game Rules. All rules in IDAPA 13.01.08, “Rules Governing Taking of Big Game Animals,” apply to Lottery Tag applicants and the Tag recipient, other than as specified herein. ()

a. Bighorn Sheep Lottery Tag recipients are exempt from the once-in-a-lifetime restrictions on killing bighorn sheep. ()

b. Any person who wins a Bighorn Sheep Lottery Tag, and who is otherwise eligible to apply for a deer, elk, or pronghorn controlled hunt tag and who has drawn such a tag, will be allowed to hunt for those species during the same year the Bighorn Sheep Lottery Tag is valid. ()

801. – 899. (RESERVED)

900. CHILDREN WITH SPECIAL NEEDS BIG GAME TAG.

01. Availability. The Department will make up to five (5) big game tags available for children with life threatening medical conditions each year. ()

a. Any of the five (5) big game tags described in Section 901 that has not been issued by July 15 each

year may also be available for children with life threatening conditions. ()

02. Eligibility. A special needs big game tag will only be issued to a resident or nonresident minor (seventeen (17) years of age or younger) with a life threatening medical condition as certified by a qualified and licensed physician, and who is sponsored by a qualified organization defined in Section 36-408(6), Idaho Code. Minimum age, hunter education, and license requirements are waived for individuals applying for or receiving a special needs big game tag. ()

03. Validity of Tag. Each special needs tag will be valid for only one (1) of the following species: deer, elk, pronghorn, moose, black bear, or mountain lion. ()

a. The special needs tag is valid in any open hunt, controlled or general, as provided by Commission proclamation, EXCEPT the use of the special needs tag is restricted from use in any Controlled Hunt with less than five (5) controlled hunt tags. ()

b. Applicants may only receive one (1) special needs tag in a lifetime. ()

c. In exercising hunting privileges, the recipient of a special needs tag must be accompanied by an adult in possession of a valid Idaho big game hunting license. ()

04. Application. Applications will be on a form as prescribed by the Department. ()

a. Applications will only be considered from eligible nonprofit organizations. For drawing eligibility, the Department must receive an application between January 2 through January 31, inclusively, of the calendar year for the hunt. ()

b. Applications received by the Department after January 31 may be considered on a first-come basis if there are not sufficient eligible applications. ()

c. A copy of the nonprofit organization's IRS determination letter must accompany the application. ()

05. Fees. All fees associated with applying for and receiving a special needs tag, including fees for any associated Disabled Persons Motor Vehicle Hunting Permit or Disabled Archery Permit, are waived. ()

06. Random Draw. Eligible applications will be randomly drawn for tag issuance if the number of applications exceeds the number of tags available. ()

07. Nonresident Tag Limitation. Not more than one (1) special needs tag will be issued to a nonresident, unless there are insufficient applications for resident applicants. ()

901. DISABLED VETERANS SPECIAL BIG GAME TAG.

01. Availability. The Department will make five (5) big game tags available for disabled veterans, of which two (2) tags will be designated to the Idaho Division of Veterans Services. ()

a. Any of the five (5) big game tags described in Section 900 that has not been issued by July 15 each year may also be available for disabled veterans. ()

02. Eligibility. A disabled veterans special big game tag will only be issued to a disabled veteran, as certified by the Idaho Division of Veterans Services, who is sponsored by a qualified organization defined in Section 36-408(7), Idaho Code. ()

a. A disabled veteran does not need a hunting license or hunter education to apply for or receive a disabled veterans special big game tag. ()

b. An individual may only receive one (1) disabled veterans special big game tag in a lifetime.

()

03. Validity of Tag. Each disabled veterans special big game tag will be valid for only one (1) of the following species: deer, elk, pronghorn, moose, black bear, or mountain lion. The disabled veterans special big game tag will be valid for use in any general or controlled hunt open for that species, EXCEPT for those Controlled Hunts with fewer than five (5) controlled hunt tags, as authorized by Commission proclamation. ()

a. Applicants may only receive one (1) disabled veterans special big game tag in a lifetime. ()

04. Application. Applications will be on a form as prescribed by the Director. ()

a. Applications will only be considered from an eligible nonprofit organization or governmental agency. For drawing eligibility, the Department must receive the application between January 2 through January 31, inclusively, of the calendar year for the hunt. ()

b. Applications received by the Department after January 31 may be considered on a first come basis if there are not sufficient eligible applications. ()

c. A copy of the nonprofit organization's IRS determination letter must accompany the application. ()

05. Fees. All fees associated with applying for and receiving a disabled veterans special big game tag, including any associated Disabled Persons Motor Vehicle Hunting Permit or Disabled Archer Permit, are waived. ()

902. – 949. (RESERVED)

950. DESIGNATION OF CONTROLLED HUNT TAGS TO CHILDREN.

01. Designation by Residents. Any resident who possesses any big game controlled hunt tag except a moose, bighorn sheep, mountain goat, or grizzly bear tag, or who possesses a turkey controlled hunt tag, may designate that tag to that person's resident minor child or grandchild who is eligible to participate in the hunt. ()

02. Designation by Nonresidents. Any nonresident who possesses any big game controlled hunt tag except a moose, bighorn sheep, mountain goat, or grizzly bear tag, or who possesses a controlled hunt turkey tag, may designate that tag to that person's nonresident minor child or grandchild who is eligible to participate in the hunt. ()

03. Applicability of Controlled Hunt Rules. Rules for eligibility, tag claim deadline, and use for the hunt apply to the adult who possesses and designates a controlled hunt tag and to the designated minor child or grandchild. Rules for application for controlled hunt tags apply to the adult who possesses and designates a controlled hunt tag to his or her minor child or grandchild. Mandatory education requirements will apply to the designated minor child or grandchild. ()

04. Form. Designation of the controlled hunt tag shall be made on a form prescribed by the Department and may be submitted either in person to any Department Office or by mail to the License Supervisor at P.O. Box 25, Boise, ID 83707. ()

05. Children. Any resident child or grandchild cannot be designated more than one (1) controlled hunt tag per species per calendar year. ()

06. Date for Designation. A person may only designate a tag under this section before the opening date for the hunt for which the tag would be used. ()

951. – 999. (RESERVED)

13.01.06 – RULES GOVERNING CLASSIFICATION AND PROTECTION OF WILDLIFE

000. LEGAL AUTHORITY.

Sections 36-104(b) and 36-201, Idaho Code, authorize the Commission to adopt rules concerning the classification and protection of wildlife in the state of Idaho. ()

001. TITLE AND SCOPE.

The title of this chapter for citation is IDAPA 13.01.06, “Rules Governing Classification and Protection of Wildlife.” These rules establish the classification and protection of wildlife. ()

002. – 099. (RESERVED)

100. CLASSIFICATION OF WILDLIFE – BIG GAME ANIMALS.

01. Black bear – *Ursus americanus*. ()

02. Bighorn sheep – *Ovis canadensis*, identified as “California bighorn sheep” when occurring south of Interstate 84 and as “Rocky Mountain bighorn sheep” when occurring north of Interstate 84. ()

03. Elk – *Cervus canadensis*. ()

04. Gray wolf – *Canis lupus*. ()

05. Grizzly bear – *Ursus arctos*. ()

06. Moose – *Alces americanus*. ()

07. Mountain goat – *Oreamnos americanus*. ()

08. Mountain lion – *Puma concolor*. ()

09. Mule deer – *Odocoileus hemionus*. ()

10. Pronghorn – *Antilocapra americana*. ()

11. White-tailed deer – *Odocoileus virginianus*. ()

101. CLASSIFICATION OF WILDLIFE – UPLAND GAME ANIMALS.

01. Mountain cottontail – *Sylvilagus nuttallii*. ()

02. Pygmy rabbit – *Brachylagus idahoensis*. ()

03. Snowshoe hare – *Lepus americanus*. ()

04. Red squirrel – *Tamiasciurus hudsonicus*. ()

102. CLASSIFICATION OF WILDLIFE – GAME BIRDS.

Game birds include upland game birds, migratory game birds, and American crow. ()

01. Upland Game Birds. ()

a. Pheasants: *Phasianus sp.*, including ring-necked pheasant (*P. cochicus*). ()

b. Partridge: gray (Hungarian) partridge – *Perdix perdix*; chukar – *Alectoris sp.* ()

c. Quail: northern bobwhite – *Colinus virginianus*; California quail – *Callipepla californica*; mountain quail – *Oreortyx pictus*; and Gambel’s quail – *Callipepla gambelii*. ()

d. Grouse: Dusky (blue) grouse – *Dendragapus obscurus*; ruffed grouse – *Bonasa umbellus*; spruce grouse – *Falcapennis canadensis*; Greater sage grouse – *Centrocercus urophasianus*; and sharp-tailed grouse – *Tympanuchus phasianellus*. “Forest grouse” means dusky grouse, ruffed grouse, and spruce grouse. ()

- e. Wild turkey – *Meleagris gallopavo*. ()
02. Migratory Game Birds. ()
- a. American coot – *Fulica americana*. ()
- b. Doves: mourning dove – *Zenaida macroura* and white-winged dove – *Zenaida asiatica*. ()
- c. Ducks: members of the *Anatidae* family other than geese and swans, including bufflehead – *Bucephala albeola*; canvasback – *Aythya valisineria*; gadwall – *Mareca strepera*; Barrow’s goldeneye – *Bucephala islandica*; common goldeneye – *Bucephala clangula*; harlequin duck – *Histrionicus histrionicus*; mallard – *Anas platyrhynchos*; common merganser – *Mergus merganser*; hooded merganser – *Lophodytes cucullatus*; red-breasted merganser – *Mergus serrator*; long-tailed duck – *Clangula hyemalis*; northern pintail – *Anas acuta*; redhead – *Aythya americana*; ring-necked duck – *Aythya collaris*; ruddy duck – *Oxyura jamaicensis*; greater scaup – *Aythya marila*; lesser scaup – *Aythya affinis*; northern shoveler – *Spatula clypeata*; blue-winged teal – *Spatula discors*; cinnamon teal – *Spatula cyanoptera*; green-winged teal – *Anas crecca*; American wigeon – *Mareca americana*; Eurasian wigeon – *Mareca penelope*; and wood duck – *Aix sponsa*. ()
- d. Geese: members of the *Anatidae* family other than ducks and swans, including Canada goose – *Branta canadensis* (“Canada goose” to include cackling goose – *Branta hutchinsii*); Ross’s goose – *Anser rossii*; snow goose – *Anser caerulescens*; and greater white-fronted goose – *Anser albifrons*. ()
- e. Swans: members of the *Anatidae* other than ducks and geese, including Trumpeter swan – *Cygnus buccinator*; and Tundra swan – *Cygnus columbianus*. ()
- f. Wilson's snipe – *Gallinago delicata*. ()
- g. Sandhill Crane – *Antigone canadensis*. ()
03. American Crow – *Corvus brachyrhynchos*. ()
103. CLASSIFICATION OF WILDLIFE – GAME FISH. ()
Game fish includes the following fish and crayfish: ()
01. American shad – *Alosa sapidissima*. ()
02. Arctic grayling – *Thymallus arcticus*. ()
03. Atlantic salmon – *Salmo salar*. ()
04. Bear Lake whitefish – *Prosopium abyssicola*. ()
05. Black bullhead – *Ameirus melas*. ()
06. Black crappie – *Pomoxis nigromaculatus*. ()
07. Blue catfish – *Ictalurus furcatus*. ()
08. Blueback trout – *Salvelinus alpinus oquassa*. ()
09. Bluegill – *Lepomis macrochirus*, including hybrid with pumpkinseed. ()
10. Bonneville cisco – *Prosopium gemmifer*. ()
11. Bonneville whitefish – *Prosopium sylonotus*. ()
12. Brook trout – *Salvelinus fontinalis*. ()

13. **Brown bullhead** – *Ameiurus nebulosus*. ()
14. **Brown trout** – *Salmo trutta*. ()
15. **Bull trout** – *Salvelinus confluentus*. ()
16. **Burbot** – *Lota lota*. ()
17. **Channel catfish** – *Ictalurus punctatus*. ()
18. **Chinook salmon** – *Oncorhynchus tshawytscha*. ()
19. **Coho salmon** – *Oncorhynchus kisutch*. ()
20. **Crayfish** – *Pacifastacus sp.* ()
21. **Cutthroat trout** – *Oncorhynchus clarkii*, including subspecies Bonneville cutthroat trout – *O. clarkii utah*, Lahontan cutthroat trout – *O. clarkii henshawi*, Westslope cutthroat trout – *O. clarkii lewisi*, and Yellowstone (including “finespotted”) cutthroat trout – *O. clarkii bouvieri*. ()
22. **Flathead catfish** – *Pylodictis olivaris*. ()
23. **Golden trout** – *Oncorhynchus aguabonita*. ()
24. **Green sunfish** – *Lepomis cyanellus*. ()
25. **Kokanee** – *Oncorhynchus nerka kennerlyi* (not anadromous). ()
26. **Lake trout** – *Salvelinus namaycush*. ()
27. **Lake whitefish** – *Coregonus clupeaformis*. ()
28. **Largemouth bass** – *Micropterus salmoides*. ()
29. **Mountain whitefish** – *Prosopium williamsoni*. ()
30. **Northern pike** – *Esox lucius*. ()
31. **Pumpkinseed** – *Lepomis gibbosus*. ()
32. **Pygmy whitefish** – *Prosopium coulterii*. ()
33. **Rainbow trout** – *Oncorhynchus mykiss*, including redband trout – *O. mykiss gairdneri*. ()
34. **Rainbow/cutthroat trout (cutbow)** – *O. mykiss* x *O. clarkii* hybrid. ()
35. **Sauger** – *Sander canadensis*. ()
36. **Smallmouth bass** – *Micropterus dolomieu*. ()
37. **Splake** – *S. namaycush* x *S. fontinalis*. ()
38. **Sockeye salmon** – *Oncorhynchus nerka* (anadromous). ()
39. **Steelhead trout** – *Oncorhynchus mykiss* (anadromous). ()

40. **Tiger Trout** – *Salmo trutta* x *Salvelinus fontinalis*. ()
41. **Tiger muskie** – *Esox lucius* x *E. masquinongy*. ()
42. **Walleye** – *Sander viteus*. ()
43. **Warmouth** – *Lepomis gulosus*. ()
44. **White crappie** – *Pomoxis annularis*. ()
45. **White sturgeon** – *Acipenser transmontanus*. ()
46. **Yellow bullhead** – *Ameiurus natalis*. ()
47. **Yellow perch** – *Perca flavescens*. ()
- 104. CLASSIFICATION OF WILDLIFE – FURBEARING ANIMALS.**
01. **American badger** – *Taxidea taxus*. ()
02. **American marten** – *Martes americana*. ()
03. **American mink** – *Vison vison*. ()
04. **Beaver** – *Castor canadensis*. ()
05. **Bobcat** – *Lynx rufus*. ()
06. **Canada lynx** – *Lynx canadensis*. ()
07. **Common muskrat** – *Ondatra zibethicus*. ()
08. **Fisher** – *Pekania pennanti*. ()
09. **Northern river otter** – *Lontra canadensis*. ()
10. **Pacific marten** – *Martes caurina*. ()
11. **Red fox** – *Vulpes vulpes* (all color phases). ()
- 105. – 149. (RESERVED)**
- 150. THREATENED OR ENDANGERED SPECIES.**
- 151. – 199. (RESERVED)**
- 200. PROTECTED NONGAME SPECIES.**
01. **Mammals.** ()
- a. **American pika** – *Ochotona princeps*. ()
- b. **Bats** – all species. ()
- c. **Chipmunks** – *Tamias spp.* ()
- d. **Columbia Plateau ground squirrel** – *Urocitellus canus*. ()

- e. Golden-mantled ground squirrel – *Callospermophilus lateralis*. ()
- f. Great Basin ground squirrel – *Urocitellus mollis*. ()
- g. Kit fox – *Vulpes macrotis*. ()
- h. Wolverine – *Gulo gulo*. ()
- i. Northern Idaho ground squirrel – *Urocitellus brunneus*. ()
- j. Northern flying squirrel – *Glaucomys sabrinus*. ()
- k. Rock squirrel – *Otospermophilus variegatus*. ()
- l. Southern Idaho ground squirrel – *Urocitellus endemicus*. ()
- m. Woodland caribou – *Rangifer tarandus caribou*. ()
- n. Wyoming ground squirrel – *Urocitellus elegans nevadensis*. ()
- 02. **Birds.** All native species, except game birds. ()
- 03. **Amphibians.** All native species. ()
- 04. **Reptiles.** All native species. ()
- 05. **Fish.** ()
 - a. Bear Lake sculpin – *Cottus extensus*. ()
 - b. Northern leatherside chub – *Lepidomeda copei*. ()
 - c. Pacific Lamprey – *Entosphenus tridentatus*. ()
 - d. Sand roller – *Percopsis transmontana*. ()
 - e. Shoshone sculpin – *Cottus greenei*. ()
 - f. Wood River sculpin – *cottus leiopomus*. ()
 - g. Bluehead sucker – *Catostomus discobolus*. ()
- 201. **PREDATORY WILDLIFE.**
Predatory wildlife are defined in Section 36-201, Idaho Code. ()
- 202. – 249. **(RESERVED)**
- 250. **UNPROTECTED WILDLIFE.**
Unprotected Wildlife includes all wildlife not classified in the preceding categories. ()
- 251. – 299. **(RESERVED)**
- 300. **PROTECTION OF WILDLIFE.**
 - 01. **Game Species.** Those species of wildlife classified as Big Game Animals, Upland Game Animals, Game Birds, Migratory Birds, Game Fish/Crustacea, or Furbearing Animals may be taken only in accordance with

Idaho law and Commission rules.

()

02. Protected Nongame and Threatened or Endangered Species. No person may take or possess those species of wildlife classified as Protected Nongame, or Threatened or Endangered at any time or in any manner, except as provided in Idaho Code (including Sections 36-106(e), and 36-1107), and Commission rules. Protected Nongame status is not intended to prevent unintentional take of these species, protection of personal health or safety, limit property and building management, or prevent management of animals to address public health concerns or agricultural damage.

()

03. Unprotected and Predatory Wildlife. Those species of wildlife classified as Unprotected Wildlife and Predatory Wildlife may be taken in any amount, at any time, and in any manner, by holders of the appropriate valid Idaho hunting, trapping, fishing, or combination license, provided such taking is not otherwise in violation of federal, state, county, or city laws, rules, ordinances, or regulations.

()

301. – 999. (RESERVED)

13.01.07 – RULES GOVERNING TAKING OF WILDLIFE

000. LEGAL AUTHORITY.

Sections 36-103, 36-104, 36-105, 36-901, 36-1101, 36-1102, Idaho Code, authorize the Commission to adopt rules concerning taking of wild animals, including wild fish. ()

001. TITLE AND SCOPE.

The title of this chapter for citation is IDAPA 13.01.07, “Rules Governing Taking of Wildlife.” These rules govern adoption of seasons and limits by proclamation, game management unit descriptions for game animals and game birds, and requirements for reasonable efforts to retrieve wounded game and furbearing animals. ()

002. – 099. (RESERVED)

100. SEASONS AND LIMITS.

The Commission sets fishing, hunting, and trapping seasons, bag limits and possession limits by proclamation, including those for game fish, furbearing animals, upland game animals, game birds, big game animals, and falconry. Proclamations may include general, youth only, special/short-range weapon, and landowner appreciation seasons; exceptions by region, game management unit, or special rule fishing waters for limits or methods of take; designation of controlled hunts by specified areas; and limits or caps on tag numbers. The Commission adopts and publishes these proclamations in accordance with Section 36-105(3), Idaho Code. ()

101. – 199. (RESERVED)

200. GAME MANAGEMENT UNIT BOUNDARY DESCRIPTIONS – UNITS 1-5.

01. Unit 1. All of BOUNDARY COUNTY and that portion of BONNER COUNTY north of the Pend Oreille River, Pend Oreille Lake and Clark Fork River. ()

02. Unit 2. Those portions of BONNER and KOOTENAI COUNTIES within the following boundary: beginning at the intersection of the Idaho-Washington State line and the north bank of the Pend Oreille River, then east along the Pend Oreille River to Pend Oreille Lake at the railroad trestle in the southeast corner of the City of Sandpoint, then south across the railroad trestle, then east and south along the western shoreline of Pend Oreille Lake to the south boundary of Farragut State Park, then west along the boundary to State Highway 54 at Farragut State Park west entrance, then west on State Highway 54 to U.S. 95, then south on U.S. 95 to Lake Coeur d'Alene at the Spokane River source, then west along the southern bank of the Spokane River to the Idaho-Washington State line, then north along the state line to the point of beginning. ()

03. Unit 3. Those portions of KOOTENAI, SHOSHONE, and BENEWAH COUNTIES within the following boundary: beginning at Mission Point on the St. Joe River and State Highway 3, then northeast on State Highway 3 to Interstate 90, then east on Interstate 90 to Kingston, then north on Forest Highway 9 (North Fork of the Coeur d'Alene River Road) to Forest Service Road 209 (Little North Fork of the Coeur d'Alene River Road), then northwest along Forest Service Road 209 then north along Forest Road 385 to the watershed divide between the Coeur d'Alene River and Pend Oreille Lake, then northwest along the divide to Bernard Peak, then north to Steamboat Rock on Pend Oreille Lake, then west along the lake shore to the south boundary of Farragut State Park, then west along the boundary to State Highway 54 at the west entrance of Farragut State Park, then west on State Highway 54 to U.S. 95, then south on U.S. 95 to Coeur d'Alene Lake, then southeast along the eastern shoreline of Coeur d'Alene and Round Lakes to the point of beginning. ()

04. Unit 4. Those portions of BONNER, KOOTENAI, and SHOSHONE COUNTIES within the following boundary: beginning on the Idaho-Montana State line at the watershed divide between Pend Oreille Lake and the Coeur d'Alene River, then southeast along the state line to the watershed divide between the Coeur d'Alene and St. Joe Rivers, then west along the divide to State Highway 3, then northeast on State Highway 3 to Interstate 90, then east on Interstate 90 to Kingston, then north on Forest Highway 9 (North Fork of the Coeur d'Alene River Road) to Forest Service Road 209 (Little North Fork of the Coeur d'Alene River Road), then northwest along Forest Service Road 209 then north along Forest Road 385 to the watershed divide between the Coeur d'Alene River and Pend Oreille Lake, then northeast along the divide to the point of beginning. ()

05. Unit 4A. Those portions of BONNER and KOOTENAI COUNTIES within the following boundary: beginning on the Idaho-Montana State line at the watershed divide between Pend Oreille Lake and the Coeur d'Alene River, then southwest along the divide to Bernard Peak, then north to Steamboat Rock on Pend Oreille Lake, then northwest along the western shoreline of Pend Oreille Lake to the railroad trestle approximately one (1) mile south of Sandpoint, then north on the railroad trestle to Sandpoint, then east along the north banks of Pend Oreille Lake and the Clark Fork River to the Idaho-Montana State line, then south on the state line to the point of

beginning. ()

06. Unit 5. Those portions of BENEWAH and KOOTENAI COUNTIES within the following boundary: beginning at the intersection of the Idaho-Washington State line and the Spokane River, then east along the southern bank of the Spokane River to U.S. 95 at Coeur d'Alene Lake, then southeast along the eastern shoreline of Coeur d'Alene and Round Lakes to Mission Point, then upstream along the northern bank of the St. Joe River to the mouth of St. Maries River, then upstream along the St. Maries River to the intersection of the St. Maries River and State Highway 3 near Mashburn, then south on State Highway 3 to the intersection of State Highway 6, then southwest on State Highway 6 to the watershed divide between the St. Maries and Palouse Rivers, then northwest along the divide to West Dennis Peak, then west along the watershed divide between Hangman Creek and Palouse River to the Idaho-Washington State line, then north along the state line to the point of beginning. ()

201. GAME MANAGEMENT UNIT BOUNDARY DESCRIPTIONS – UNITS 6-10A.

01. Unit 6. Those portions of KOOTENAI, SHOSHONE, BENEWAH, CLEARWATER, and LATAH COUNTIES within the following boundary: beginning at St. Maries, then downstream along the northern bank of the St. Joe River to Mission Point on State Highway 3, then north on State Highway 3 to the watershed divide between the St. Joe and Coeur d'Alene Rivers, then east along the divide to Moon Pass Road, then south on Moon Pass Road to Milwaukee Road in Avery, then west on Milwaukee Road and Siberts Old River Road to Fishhook Creek Road (Forest Service Road 301), then south on Fishhook Creek Road to Breezy Saddle, then southwest on Forest Service Road 301 to White Rock Springs, then south along the watershed divide between the St. Maries River and Little North Fork of the Clearwater River over Stony Butte to Hemlock Butte, then northwest along the St. Maries River-Potlatch River watershed divide across Bald Mountain to State Highway 6, then northeast on State Highway 6 to the intersection of State Highway 3, then north on State Highway 3 to the St. Maries River, then downstream to the point of beginning. ()

02. Unit 7. That portion of SHOSHONE COUNTY within the following boundary: beginning on the Idaho-Montana State line at the watershed divide between the St. Joe and Coeur d'Alene Rivers, then west along the divide to Moon Pass Road, then south on Moon Pass Road to Milwaukee Road in Avery, then west on Milwaukee Road and Siberts Old River Road to Fishhook Creek Road (Forest Service Road 301), then south on Fishhook Creek Road to Forest Service Road 201, then east on Forest Service Road 201 to Bluff Creek Saddle (Dismal Saddle), then southeast past Dismal Lake and Bathtub Springs to the watershed divide between the St. Joe and North Fork of the Clearwater Rivers, then east along the divide to the Idaho-Montana State line, then north along the state line to the point of beginning. ()

03. Unit 8. Those portions of LATAH, NEZ PERCE, and CLEARWATER COUNTIES within the following boundary: Beginning on the Idaho-Washington state line at the watershed divide between Hangman Creek and Palouse River, south along the divide to U.S. 95, then south along U.S. 95 to State Highway 6, then east along State Highway 6 to State Highway 9, then southeast along State Highway 9 to Deary, then south on State Highway 3 to Kendrick, then southeast along County Road P-1 through Southwick and Cavendish to the North Fork of the Clearwater River at Ahsahka, then downstream along the North Fork of the Clearwater River to its junction with the main Clearwater River including islands, then down the main Clearwater River to the Idaho-Washington state line, then north along the state line to the point of beginning. ()

04. Unit 8A. Those portions of BENEWAH, LATAH, CLEARWATER, and NEZ PERCE COUNTIES within the following boundary: Beginning at Ahsahka on County Road P-1, then northwest along County Road P-1 through Southwick and Cavendish to State Highway 3, then northeast along State Highway 3 to Deary, then northwest along State Highway 9 to State Highway 6, then west along State Highway 6 to U.S. 95, then north along U.S. 95 to the watershed divide between Hangman Creek and Palouse River, then southeast along the divide to West Dennis Mountain, then southeast along the St. Maries watershed divide to Hemlock Butte, then south on Elk Creek Road (Forest Service Road 382) to Elk River, then south on the Dent Bridge-Elk River Road to the south shoreline of Dworshak Reservoir, then along the southern shoreline to Dworshak Dam, then downstream along the North Fork of the Clearwater River (excluding islands) to the point of beginning. ()

05. Unit 9. Those portions of SHOSHONE and CLEARWATER COUNTIES within the following boundary: beginning at Getaway Point, then due south to the Little North Fork of the Clearwater River, then upstream to the watershed divide between Bear and Devils Club Creeks, then east along the divide to Larkins Peak, then

northeast along the watershed divide between the Little North Fork of the Clearwater River and the North Fork of the Clearwater River to Surveyors Ridge-Bathtub Springs Road (Forest Service Road 201), then northwest on Surveyors Ridge-Bathtub Springs Road past Bathtub Springs and Bluff Creek Saddle (Dismal Saddle), to Fishhook Creek Road (Forest Service Road 301), then south on Fishhook Creek Road to Breezy Saddle, then southwest on Fishhook Creek Road to Goat Mountain-Getaway Point Road, then southeast on Goat Mountain-Getaway Point Road to the point of beginning. ()

06. Unit 10. Those portions of SHOSHONE, CLEARWATER, and IDAHO COUNTIES within the following boundary: beginning at the confluence of the Little North Fork and the North Fork of the Clearwater Rivers at the upstream end of Dworshak Reservoir, then up the east shoreline of the reservoir and the Little North Fork of the Clearwater River to the watershed divide between Bear and Devils Club Creeks, then east along the divide to the watershed divide between the Little North Fork and the North Fork of the Clearwater Rivers, then east along the divide to the watershed divide between the North Fork of the Clearwater and the St. Joe Rivers, then east along the divide to the Idaho-Montana State line, then south along the state line to the divide between the North Fork of the Clearwater and the Lochsa Rivers, then west along the divide over Williams Peak to its intersection with the Lolo Motorway (Forest Service Road 500), then west on Lolo Motorway to its intersection with Hemlock Butte Road (Forest Service Road 104), then northwest on Hemlock Butte Road to Hemlock Butte and the watershed divide between Weitas and Orogrande Creeks, then north along the divide to Cabin Point then northwest along Forest Service Trail 17 to the North Fork Clearwater River then downstream along the North Fork of the Clearwater River and the north shoreline of Dworshak Reservoir to the point of beginning. ()

07. Unit 10A. Those portions of SHOSHONE, IDAHO and CLEARWATER COUNTIES within the following boundary: beginning at the mouth of the North Fork of the Clearwater River along the southern shoreline, upstream to Dworshak Dam, then up Dworshak Reservoir along the southern shoreline to Dent Bridge, then north on Elk River Road to Elk River, then north on Elk Creek Road (Forest Service Road 382) to Hemlock Butte, then north along the watershed divide between the St. Maries and Little North Fork of the Clearwater Rivers over Stony Butte to White Rock Springs, then east on Gold Center-Roundtop Road (Forest Service Road 301) to Goat Mountain-Getaway Point Road (Forest Service Roads 457 and 220), then south along Goat Mountain-Getaway Point Road to Getaway Point, then due south to the Little North Fork of the Clearwater River, then downstream to Dworshak Reservoir, then along the east shoreline of the reservoir to the North Fork of the Clearwater River, then east along the north shoreline of the reservoir and the North Fork of the Clearwater River, to Forest Service Trail 17, then south along Forest Service Trail 17 to Cabin Point and the watershed divide between Orogrande and Weitas Creeks, then south along the divide to Hemlock Butte and its intersection with Forest Service Road 104, then southeast on Forest Service Road 104 to Lolo Motorway (Forest Service Road 500), then south along Lolo Motorway to Smith Creek Road (Forest Service Road 101), then southwest along Smith Creek Road to the Middle Fork of the Clearwater River, then northwest along the Middle Fork of the Clearwater River to the point of beginning. ()

202. GAME MANAGEMENT UNIT BOUNDARY DESCRIPTIONS – UNITS 11-15.

01. Unit 11. Those portions of NEZ PERCE, LEWIS, and IDAHO COUNTIES within the following boundary: beginning at the mouth of the Clearwater River, upstream to U.S. 95 bridge near Spalding, then southeast on U.S. 95 to Graves Creek Road at Cottonwood, then south on Graves Creek Road to the Salmon River, then downstream to the Snake River, then downstream to the point of beginning. ()

02. Unit 11A. Those portions of CLEARWATER, NEZ PERCE, LEWIS, and IDAHO COUNTIES within the following boundary: beginning on the Clearwater River at the U.S. 95 bridge near Spalding, upstream (excluding islands) to the South Fork of the Clearwater River, then up the South Fork to Harpster Grade Bridge, then southwest on State Highway 13 to U.S. 95 at Grangeville, then northwest on U.S. 95 to the point of beginning. ()

03. Unit 12. Those portions of IDAHO and CLEARWATER COUNTIES within the following boundary: beginning at the junction of Smith Creek Road (Forest Service Road 101) and the Middle Fork of the Clearwater River, then northeast on Smith Creek Road to Lolo Motorway (Forest Service Road 500), then north along Lolo Motorway to the point where it leaves the watershed divide between the North Fork of the Clearwater and Lochsa Rivers at the heads of Papoose Creek and Cayuse Creek, then north along the divide over Williams Peak to the Idaho-Montana State line, then southeast along the state line to the watershed divide between the Lochsa and Selway Rivers, then west along the divide over Diablo Mountain, McConnell Mountain and Fenn Mountain to the

confluence of the Lochsa and Selway Rivers, then down the Middle Fork of the Clearwater River to the point of beginning. ()

04. Unit 13. That portion of IDAHO COUNTY bounded by the Snake River on the west, the Salmon River on the east and north and the White Bird-Pittsburg Landing Road on the south. ()

05. Unit 14. That portion of IDAHO COUNTY within the following boundary: beginning at Riggins on the Salmon River, then upstream to Wind River, then up Wind River to Anchor Creek, then up Anchor Creek to Anchor Meadows, then northeast along Forest Service Trail 313 (old wagon road) to the divide between the Salmon River and South Fork Clearwater River, then west on the divide to Square Mountain, then west on Square Mountain-Gospel Hill Road (Forest Service Road 444) to Grangeville-Salmon River Road (Forest Service Road 221), then north on Grangeville-Salmon River Road to State Highway 13 at Grangeville, then west on Highway 13 to U.S. 95, then northwest on U.S. 95 to Cottonwood, then south on Graves Creek Road to the Salmon River, then upstream to the point of beginning. ()

06. Unit 15. That portion of IDAHO COUNTY within the following boundary: beginning at Grangeville on State Highway 13, then northeast on State Highway 13 to the South Fork of the Clearwater River, then downstream to the road along Sally Ann Creek, then along the road to the town of Clearwater, then southeast along Forest Service Road 284 to Forest Service Road 464, then east along Forest Service Road 464 to the watershed divide between the South Fork Clearwater and Selway Rivers, then southeast along the divide over Forest Service Trail 835 to Anderson Butte, then south over Forest Service Trail 505 to Black Hawk Mountain and Soda Creek Point to Montana Road (Forest Service Road 468), then west on Montana Road to the Red River Ranger Station-Mackay Bar Road (Forest Service Road 222) then southwest on Red River Ranger Station-Mackay Bar Road to Dixie Summit, then west along the watershed divide between the South Fork Clearwater and Salmon Rivers over the Crooked River-Big Creek Divide, Orogrande Summit and Square Mountain to Moores Guard Station-Adams Ranger Station Road (Forest Service Road 444), then west on Moores Guard Station-Adams Ranger Station Road to Grangeville-Salmon River Road (Forest Service Road 221), then north on Grangeville-Salmon River Road to the point of beginning. ()

203. GAME MANAGEMENT UNIT BOUNDARY DESCRIPTIONS – UNITS 16-20A.

01. Unit 16. That portion of IDAHO COUNTY within the following boundary: beginning at the mouth of the Middle Fork of the Clearwater River, then upstream to the confluence of the Lochsa and Selway Rivers, then east along the watershed divide between the Lochsa and Selway Rivers to the watershed divide between Gedney and Three Links Creeks, then south along the divide to Big Fog Mountain, then along Forest Service Trail 343 to Big Fog Saddle, then south along Fog Mountain Road (Forest Service Road 319) to the Selway River, then upstream to Meadow Creek, then up Meadow Creek-Falls Point Road (Forest Service Road 443) to Forest Service Road 464, then west along Forest Service Road 464 to Forest Service Road 284, then along Forest Service Road 284 to the town of Clearwater, then west along the road down Sally Ann Creek to State Highway 13, then downstream on the South Fork of the Clearwater River to the point of beginning. ()

02. Unit 16A. That portion of IDAHO COUNTY within the following boundary: beginning at the mouth of Meadow Creek on the Selway River, up the Selway River to Mink Creek, then up the divide between Mink Creek and the drainages of Coyote, Wolf, Jims, and Otter Creeks, over Wolf Point and Highline Ridge to the divide between Meadow Creek and the Selway River, then southeast along the divide over Bilk Mountain and Elk Mountain to Elk Mountain Road (Forest Service 285), then southwest on Elk Mountain-Green Mountain-Montana Road to the watershed divide between the South Fork of the Clearwater River and the Selway River (near Mountain Meadows), then northeast along the divide over Soda Creek Point and around the head of Red River, then northwest along the divide over Black Hawk Mountain to Anderson Butte, then from Anderson Butte northwest on Forest Service Trail 835 to Falls Point Road (Forest Service Road 443), then northeast on Falls Point Road to the point of beginning. ()

03. Unit 17. That portion of IDAHO COUNTY within the following boundary: beginning at Fog Mountain Road (Forest Service Road 319) on the Selway River, then north along Fog Mountain Road to Big Fog Saddle, then north along Forest Service Trail 343 to Big Fog Mountain, then north along the watershed divide between Gedney and Three Links Creeks to the watershed divide between the Lochsa and Selway Rivers, then northeast along the divide over McConnell Mountain and Diablo Mountain to the Idaho-Montana State line, then

south along the state line to the watershed divide between the Selway and Salmon Rivers, then west along the divide over Square Top, Waugh Mountain, Salmon Mountain, Burnt Knob and Three Prong Mountain to Green Mountain-Elk Mountain Road (Forest Service 285), then north along Green Mountain-Elk Mountain Road to Elk Mountain, then along the watershed divide between the Selway River and Meadow Creek over Elk Mountain and Bilk Mountain to the head of Mink Creek, then down the divide between Mink Creek and the drainages of Otter, Jims, Wolf and Coyote Creeks over Highline Ridge and Wolf Point to the confluence of Mink Creek with the Selway River, then down the Selway River to the point of beginning. ()

04. Unit 18. Those portions of IDAHO and ADAMS COUNTIES within the following boundary: beginning at Riggins, up the Little Salmon River to Rapid River, then up Rapid River to and including the Shingle Creek drainage to the Snake River divide, then south along the divide to Purgatory Saddle at the head of Granite Creek, then down Granite Creek to the Snake River, then downstream to Pittsburg Landing, then east on Pittsburg Landing-White Bird Road to the Salmon River, then upstream to the point of beginning. ()

05. Unit 19. That portion of IDAHO COUNTY within the following boundary: beginning on the Salmon River at the mouth of Wind River, then up Wind River to Anchor Creek, then up Anchor Creek to Anchor Meadows, then northeast along Forest Service Trail 313 (old wagon road) to the divide between the Salmon River and South Fork Clearwater River, then east on the divide over Orogrande Summit and the Crooked River-Big Creek divide to Dixie Summit on Red River Ranger Station-Dixie-Mackay Bar Road (Forest Service Road 222), then south on Red River Ranger Station-Dixie-Mackay Bar Road to Mackay Bar, then down the Salmon River to the point of beginning. ()

06. Unit 19A. Those portions of IDAHO and VALLEY COUNTIES within the drainage of the south side of the Salmon River from French Creek-Burgdorf-Summit Creek Road upstream to the South Fork of the Salmon River, the drainage of the west side of the South Fork of the Salmon River from its mouth upstream to and including the Bear Creek watershed, and the drainage of the Secesh River upstream from the mouth of Paradise Creek (including the Paradise Creek watershed), except those portions of the French Creek, Lake Creek and Summit Creek drainages west of French Creek-Burgdorf-Summit Creek Road. ()

07. Unit 20. That portion of IDAHO COUNTY within the following boundary: beginning at the mouth of the South Fork of the Salmon River, then north along Mackay Bar-Red River Ranger Station Road (Forest Service Road 222) to the Montana Road, then east along Montana Road to Green Mountain-Elk Mountain Road (Forest Service 285), then northeast along Green Mountain-Elk Mountain Road to the watershed divide between the Selway and Salmon Rivers around the head of Bargamin Creek, then southeast along the divide over Three Prong Mountain, Burnt Knob, Salmon Mountain and Waugh Mountain, then south down Waugh Ridge to the Salmon River, then downstream to the point of beginning. ()

08. Unit 20A. Those portions of IDAHO and VALLEY COUNTIES within the drainage of the south side of the Salmon River from the mouth of the South Fork of the Salmon River upstream to the mouth of the Middle Fork of the Salmon River; the drainage of the east side of the South Fork of the Salmon River from its mouth upstream to and including Hall Creek drainage, and the drainage of the west side of the Middle Fork of the Salmon River from its mouth upstream to but excluding the Big Creek drainage. ()

204. GAME MANAGEMENT UNIT BOUNDARY DESCRIPTIONS – UNITS 21-25.

01. Unit 21. That portion of LEMHI COUNTY within the following boundary: beginning at the Idaho-Montana State line on U.S. 93, then west along the state line to the Idaho-Lemhi County line, then southwest along the Idaho-Lemhi County line to the Salmon River, then upstream to the town of North Fork, then north on U.S. 93 to the point of beginning. ()

02. Unit 21A. That portion of LEMHI COUNTY within the drainage of the east side of the Salmon River downstream from and including the Carmen Creek drainage to the town of North Fork, and that portion of the North Fork of the Salmon River drainage east of U.S. 93 between the town of North Fork and the Idaho-Montana State line. ()

03. Unit 22. Those portions of IDAHO, ADAMS, and WASHINGTON COUNTIES within the following boundary: beginning at the mouth of Granite Creek on the Snake River, then up Granite Creek to Purgatory

Saddle located on the watershed divide between Rapid River and Snake River, then south along the divide to Lick Creek Lookout, then along the watershed divide between Boulder Creek and the Weiser River to the watershed divide between Mud Creek and the Weiser River, then south along the divide to U.S. 95, then southwest on U.S. 95 to Cambridge, then northwest on State Highway 71 to Brownlee Dam, then down the Snake River to the point of beginning. ()

04. Unit 23. Those portions of IDAHO, ADAMS, and VALLEY COUNTIES within the drainage of the south side of the Salmon River from its confluence with the Little Salmon River upstream to French Creek-Burgdorf-Summit Creek Road; those portions of the French Creek, Lake Creek and Summit Creek drainages west of French Creek-Burgdorf-Summit Creek Road; and within the Little Salmon River drainage, except that portion on the north side of Rapid River from the mouth upstream to and including Shingle Creek drainage. ()

05. Unit 24. That portion of VALLEY COUNTY within the drainage of the North Fork of the Payette River, except that portion south of Smiths Ferry Bridge-Packer John Road (Forest Service Road 689) up to Murray Saddle, and on the east side of the river and south of Smith Ferry-High Valley Road on the west side of the river. ()

06. Unit 25. That portion of VALLEY COUNTY within the drainage of the South Fork of the Salmon River south of the Hall Creek drainage on the east side of the river, and south of the Bear Creek drainage on the west side of the river, except that portion of the Secesh River drainage upstream from and including Paradise Creek drainage. ()

205. GAME MANAGEMENT UNIT BOUNDARY DESCRIPTIONS – UNITS 26-30A.

01. Unit 26. Those portions of IDAHO and VALLEY COUNTIES within the drainage of Big Creek (tributary to the Middle Fork of the Salmon River). ()

02. Unit 27. Those portions of LEMHI, VALLEY, and CUSTER COUNTIES within the drainage of the Middle Fork of the Salmon River as follows: the drainages on the east side of the Middle Fork Salmon River from its mouth upstream to Camas Creek; the drainages on the north side of Camas Creek from its mouth upstream to, but excluding, the Yellowjacket Creek drainage; the drainages on the south side of Camas Creek and south of the Camas Creek Trail (Forest Service Trail 134); the drainages on the east side of the Middle Fork Salmon River from Camas Creek upstream to, but excluding, the Marsh Creek drainage; and the drainages on the west side of the Middle Fork of the Salmon River upstream from, but excluding, the Big Creek drainage to, but excluding, the Sulphur Creek drainage. ()

03. Unit 28. That portion of LEMHI COUNTY within the drainage of the Salmon River south and west of the river from the mouth of the Middle Fork of the Salmon River upstream to, but excluding, the Ellis Creek and Morgan Creek drainages to the Custer County line, and that portion of the north side of Camas Creek and north of Camas Creek Trail (Forest Service Trail 134) upstream from and including the Yellowjacket Creek drainage. ()

04. Unit 29. That portion of LEMHI COUNTY within the Lemhi River drainage south and west of State Highway 28 and that portion of the Salmon River drainage east of the Salmon River from the Salmon River bridge in the City of Salmon upstream to and including the Poison Creek drainage. ()

05. Unit 30. That portion of LEMHI COUNTY within the Lemhi River drainage north and east of State Highway 28 and north and west of State Highway 29 and that portion of the Salmon River drainage east of the Salmon River from the U.S. 93 bridge in the City of Salmon downstream to, but excluding, the Carmen Creek drainage. ()

06. Unit 30A. That portion of LEMHI COUNTY within the Lemhi River Drainage north and east of State Highway 28 and east of State Highway 29. ()

206. GAME MANAGEMENT UNIT BOUNDARY DESCRIPTIONS – UNITS 31-35.

01. Unit 31. That portion of WASHINGTON COUNTY within the following boundary: beginning at

Brownlee Dam on the Snake River, then southeast on State Highway 71 to U.S. 95, then southwest on U.S. 95 to the Snake River at Weiser, then down the Snake River to the point of beginning. ()

02. Unit 32. Those portions of ADA, ADAMS, BOISE, GEM, PAYETTE, VALLEY, and WASHINGTON COUNTIES within the following boundary: beginning at Banks, then down State Highway 55 to Floating Feather Road, then west on Floating Feather Road to State Highway 16, then north on State Highway 16 to State Highway 52, then north on State Highway 52 to the Payette River, then downstream (excluding Payette River Islands) to the Snake River, then downstream to Weiser, then northeast on U.S. 95 to Emmett-Council Road in Indian Valley, then south on Emmett-Council Road to Sheep Creek Road, then east on Sheep Creek Road to Squaw Creek Road, then south on Squaw Creek Road to Ola, then northeast on Ola-Smiths Ferry Road to High Valley, then south on High Valley-Dry Buck Road to the point of beginning. ()

03. Unit 32A. Those portions of ADAMS, GEM, VALLEY, and WASHINGTON COUNTIES within the following boundary: beginning at U.S. 95 on the watershed divide between Weiser River and Mud Creek, then southeast along the watershed divide between Weiser River and Little Salmon River to No Business Lookout, then south along the watershed divide between Weiser River and North Fork Payette River to Lookout Peak, then south along the watershed divide between Squaw Creek and North Fork Payette River to Smiths Ferry-Ola Road, then northeast on Smiths Ferry-Ola Road to Smiths Ferry, then down the North Fork to Banks, then northwest on Banks-Dry Buck-High Valley Road to Ola-High Valley Road, then west on Ola-High Valley Road to Ola, then north on the Squaw Creek Road to Sheep Creek Road, then west on Sheep Creek Road to Emmett-Council Road, then north on Emmett-Council Road to U.S. 95 in Indian Valley, then north on U.S. 95 to the point of beginning. ()

04. Unit 33. Those portions of BOISE and VALLEY COUNTIES within the North Fork of the Payette River drainage east of the river and south of Smiths Ferry Bridge-Packer John Road (Forest Service Road 689) up to Murray Saddle, and the drainage of the Middle and South Forks of the Payette River, (except the drainage of the Deadwood River upstream from and including Nine Mile Creek on the west side, and No Man Creek on the east side), and that portion of the South Fork of the Payette River drainage downstream from and including the Lick Creek drainage on the north side of the South Fork of the Payette River and downstream from, but excluding, the Huckleberry Creek drainage on the south side of the South Fork of the Payette River. ()

05. Unit 34. Those portions of BOISE and VALLEY COUNTIES within the Middle Fork of the Salmon River drainage on the west side of the river upstream from and including the Sulphur Creek drainage, the drainage of Bear Valley Creek and the drainage of Deadwood River upstream from and including the Nine Mile Creek drainage on the west side and the No Man Creek drainage on the east side. ()

06. Unit 35. That portion of BOISE COUNTY within the South Fork of the Payette River drainage upstream from, but excluding, the Lick Creek drainage on the north side of the South Fork of the Payette River and upstream from, and including the Huckleberry Creek drainage on the south side of the South Fork of the Payette River. ()

207. GAME MANAGEMENT UNIT BOUNDARY DESCRIPTIONS – UNITS 36-40.

01. Unit 36. Those portions of BLAINE and CUSTER COUNTIES within the Salmon River drainage upstream from and including the Yankee Fork on the north side of the river, and upstream from, and including the Warm Springs, Treon, Cold, and Beaver Creek drainages on the south side of the Salmon River, and including the Marsh Creek drainage of the Middle Fork of the Salmon River. ()

02. Unit 36A. That portion of CUSTER COUNTY within the Salmon River drainage south and west of U.S. 93 between Willow Creek Summit and the U.S. 93 bridge across the Salmon River south of the town of Challis, and all drainages on the southeast side of the Salmon River upstream from the U.S. 93 bridge to, but excluding, the Warm Springs, Treon, Cold, and Beaver Creek drainages. ()

03. Unit 36B. That portion of CUSTER COUNTY within the Salmon River drainage on the north and west side of the Salmon River from and including the Ellis Creek drainage upstream to, but excluding, the Yankee Fork drainage. ()

04. Unit 37. Those portions of CUSTER and LEMHI COUNTIES within the Salmon and Pahsimeroi

River drainages east of the Salmon River, south and west of the Ellis-May-Howe Highway, and north and east of U.S. 93 between the U.S. 93 bridge across the Salmon River south of the town of Challis and Willow Creek Summit. ()

05. Unit 37A. Those portions of CUSTER and LEMHI COUNTIES within the Salmon and Pahsimeroi River drainages east of the Salmon River upstream from, but excluding, the Poison Creek drainage and north and east of the Ellis-May-Howe Highway. ()

06. Unit 38. Those portions of ADA, BOISE, CANYON, ELMORE, GEM, and PAYETTE COUNTIES within the following boundary: beginning at the confluence of the Payette and Snake Rivers, then up the Payette River (including islands) to State Highway 52 near Emmett, then south on State Highway 52 to State Highway 16, then south on State Highway 16 to Floating Feather Road, then east on Floating Feather Road to State Highway 55, then south on State Highway 55 to State Highway 44, then east on State Highway 44, and then east on, West State Street, to and then east on East Warm Springs Avenue (by way of Avenue B and E. Parkcenter Boulevard) to State Highway 21 then south on State Highway 21 to Interstate 84, then south on Interstate 84 to Mountain Home, then south on State Highway 51 to the Snake River, then downstream (including islands) to the Idaho-Oregon State line, then north on the state line to the point of beginning. ()

07. Unit 39. Those portions of ADA, BOISE, and ELMORE COUNTIES within the following boundary: beginning at the intersection of State Highway 21 and Interstate 84, then southeast on Interstate 84 to Mountain Home, then northeast on U.S. Highway 20 to, and then north on Anderson Ranch Dam Road to Anderson Ranch Dam, then up the South Fork of the Boise River (center of Anderson Ranch Reservoir) to Fall Creek, then up Fall Creek to the bridge at Lake Creek Road (Forest Service Road 113), then northwest on Lake Creek Road, and then north on Fall Creek-Trinity Mountain Road (Forest Service Road 123), to Ice Springs, and then northwest on fall Creek-Trinity Mountain Road (Forest Service Road 128), to and then north northeast on Trinity Mountain/Ridge Road (Forest Service Road 129), to and then south on Trinity Ridge-Rocky Bar Road (Forest Service Road 156), to and then north on James Creek Road (Forest Service Road 126) to James Creek Summit, then east along the watershed divide between the South and Middle Forks of the Boise River to the intersection of the Camas, Blaine and Elmore County lines, then north along the watershed divide between the Boise and Salmon Rivers to the watershed divide between the Boise and South Fork of the Payette Rivers, then west along the divide to Hawley Mountain, then northwest along the divide between the Payette River and the South Fork Payette River to Banks, then south on State Highway 55 to State Highway 44, then east on State Highway 44 and then east on, West State Street, to and then east on East Warm Springs Avenue (by way of Avenue B and E. Parkcenter Boulevard) to State Highway 21 then south on State Highway 21 to the point of beginning. ()

08. Unit 40. That portion of OWYHEE COUNTY within the following boundary: beginning on the Snake River at the Idaho-Oregon State line, upstream to Grand View, then southeast on State Highway 78 to Mud Flat Road, then southwest on Mud Flat-Juniper Mountain Road to the North Fork of the Owyhee River, then downstream to the Idaho-Oregon state line, then north along the state line to the point of beginning. ()

208. GAME MANAGEMENT UNIT BOUNDARY DESCRIPTIONS – UNITS 41-45.

01. Unit 41. That portion of OWYHEE COUNTY within the following boundary: beginning at Grand View on the Snake River, then southeast on State Highway 78, and then southwest on Mud Flat Road to Poison Creek Summit, then southeast along the watershed divide between the drainages of Poison, Shoofly and Jacks Creeks, and the drainage of Battle Creek to the El Paso Natural Gas Pipeline, then south along the pipeline to the Idaho-Nevada State line, then east along the state line to the Bruneau River, then downstream to State Highway 51, then north on State Highway 51 to the Snake River, then downstream (excluding islands) to the point of beginning. ()

02. Unit 42. That portion of OWYHEE COUNTY within the following boundary: beginning on the North Fork of the Owyhee River at the Idaho-Oregon State line, south along the state line to the Idaho-Nevada State line, then east along the state line to the El Paso Natural Gas Pipeline, then north along the pipeline to the watershed divide between Battle and Jacks Creeks, then northwest along the divide between Battle, Shoofly, and Poison Creeks to the Mud Flat-Juniper Mountain Road, then west on Poison Creek-Mud Flat Road to the North Fork of the Owyhee River crossing, then downstream to the point of beginning. ()

03. Unit 43. Those portions of CAMAS and ELMORE COUNTIES within the following boundary:

beginning at the confluence of the South Fork of the Boise River and Fall Creek (center of Anderson Ranch Reservoir), then up Fall Creek to the bridge at Lake Creek Road (Forest Service Road 113), then northwest on Lake Creek Road, and then north on Fall Creek-Trinity Mountain Road (Forest Service Road 123), to Ice Springs, and then northwest on Fall Creek-Trinity Mountain Road (Forest Service Road 128), to and then north northeast on Trinity Mountain/Ridge Road (Forest Service Road 129), to and then south on Trinity Ridge-Rocky Bar Road (Forest Service Road 156), to and then north on James Creek Road (Forest Service Road 126) to James Creek Summit, then east along the watershed divide between the Middle and South Forks of the Boise River to the intersection of the Camas, Blaine, and Elmore County lines, then southeast along the Camas-Blaine County line to, and then southwest on the Dollarhide Summit-Carrie Creek-Little Smoky Creek Road (Forest Service Road 227) to, and then south on the Five Points Creek-Couch Summit Road (Forest Service Road 094) to Couch Summit, then west along the South Fork of the Boise River-Camas Creek watershed divide to its intersection with Forest Service Trail 050 (Iron Mountain), then southwest on the Forest Service trail 050 to its intersection with Forest Service Trail 049, then southwest on Trail 049 to its intersection with the Middle Fork of Lime Creek, then downstream to Lime Creek, then downstream to the South Fork of the Boise River (middle of Anderson Ranch Reservoir) to the point of beginning. ()

04. Unit 44. Those portions of BLAINE, CAMAS, and ELMORE COUNTIES within the following boundary: beginning at the junction of U.S. 20 and Anderson Ranch Dam Road, then north on Anderson Ranch Dam Road to Anderson Ranch Dam, then up the South Fork of the Boise River (center of Anderson Ranch Reservoir) to Lime Creek, then upstream along Lime Creek to the Middle Fork of Lime Creek, then upstream along the Middle Fork Lime Creek to its intersection with Forest Service Trail 049, to and then northeast on Forest Trail 050 to the South Fork Boise River-Camas Creek watershed divide, then east along that divide to Couch Summit, then north on Five Points Creek Road (Forest Service Road 094), to Little Smoky Creek-Carrie Creek-Dollarhide Summit Road (Forest Service Road 227), then northeast on Little Smoky Creek-Carrie Creek-Dollarhide Summit Road to Dollarhide Summit, then southeast along the Little Smoky Creek-Big Wood River-Camas Creek watershed divide to Kelly Mountain, then south down Kelly Gulch Creek to, and then southwest on Croy Creek Road, then to, and then south on, Camp Creek Road, to and then south on County Line Road to U.S. 20, then west on U.S. 20 to the point of beginning. ()

05. Unit 45. Those portions of CAMAS, ELMORE, and GOODING COUNTIES within the following boundary: beginning at the junction of Interstate 84 and U.S. 20 (Mountain Home), then east on U.S. 20 to State Highway 46, then south on State Highway 46 to Gooding, then west on U.S. 26 to Interstate 84 (Bliss Exit 141), then west and north on Interstate 84 to the intersection with the Snake River at the King Hill Bridge (milepost 128.1), then downstream (excluding all islands) to State Highway 51, then north on State Highway 51 to the point of beginning. ()

209. GAME MANAGEMENT UNIT BOUNDARY DESCRIPTIONS – UNITS 46-50.

01. Unit 46. Those portions of ELMORE, OWYHEE, and TWIN FALLS COUNTIES within the following boundary: beginning at the State Highway 51 bridge on the Snake River, then upstream (including islands) to the Gridley Bridge across the Snake River near Hagerman, then southeast on U.S. 30 to U.S. 93, then south on U.S. 93 to Rogerson, then southwest on Rogerson-Three Creek-Jarbidge Road to the Idaho-Nevada state line, then west on the state line to the Bruneau River, then downstream to State Highway 51, then north on State Highway 51 to the Snake River, the point of beginning. ()

02. Unit 47. Those portions of OWYHEE and TWIN FALLS COUNTIES within the following boundary: beginning at Rogerson on U.S. 93, then southwest on Rogerson-Three Creek-Jarbidge Road to the Idaho-Nevada State line, then east along the state line to U.S. 93, then north on U.S. 93 to the point of beginning. ()

03. Unit 48. That portion of BLAINE COUNTY within the following boundary: beginning at Ketchum, then south on State Highway 75 to U.S. 20, then west on U.S. 20 to the County Line Road, then north on County Line Road, to and then northeast on Camp Creek Road, to and then northeast on Croy Creek Road to Kelly Gulch Creek, then up Kelly Gulch Creek to the Big Wood River-Camas Creek-South Fork of the Boise River watershed divide, then north, east, and south around the headwaters of the Big Wood River to Trail Creek Road, then southwest on Trail Creek Road to Ketchum, the point of beginning. ()

04. Unit 49. That portion of BLAINE COUNTY with the following boundary: beginning at Ketchum,

then south on State Highway 75 to U.S. 20, then east on U.S. 20 to milepost 221.2, which is the watershed divide between the Copper Creek and Cottonwood Creek watershed, and then north along the watershed divide to, and then north along the watershed divide between the Little Wood and Big Lost Rivers, to and then north along the divide to the watershed divide between the Big Wood and Big Lost Rivers, then along the divide to the Trail Creek Road, then southwest on Trail Creek Road to the point of beginning. ()

05. Unit 50. Those portions of BLAINE, BUTTE, and CUSTER COUNTIES within the Big Lost River drainage north of U.S. 20-26 and State Highway 33, and the area east of the watershed divide between Copper Creek and Cottonwood Creek (intersecting U.S. 20-26 at milepost 221.2) and north of U.S. 20-26. ()

210. GAME MANAGEMENT UNIT BOUNDARY DESCRIPTIONS – UNITS 51-55.

01. Unit 51. Those portions of BUTTE, CUSTER, and LEMHI COUNTIES within the Little Lost River drainage north and west of State Highway 33. ()

02. Unit 52. Those portions of BLAINE, CAMAS, GOODING, AND LINCOLN COUNTIES within the following boundary: beginning at Gooding, then north on State Highway 46 to U.S. 20, then east on U.S. 20 to Carey, then southwest on U.S. 93 to Shoshone, then west on U.S. 26 to the point of beginning. ()

03. Unit 52A. Those portions of BLAINE, BUTTE, LINCOLN, and MINIDOKA COUNTIES within the following boundary: beginning at Shoshone, then north and east on U.S. 93 to Arco-Minidoka Road (approximately two (2) miles SW of Arco), then south on Arco-Minidoka Road to the East Minidoka Road (approximately two (2) miles east of Minidoka), then northwest on East Minidoka Road to Minidoka, then northwest on State Highway 24 to the point of beginning. ()

04. Unit 53. Those portions of BLAINE, CASSIA, GOODING, JEROME, LINCOLN, MINIDOKA, POWER, and TWIN FALLS COUNTIES within the following boundary: beginning at Twin Falls, then west and north on U.S. 30 to the Snake River, then down the Snake River to where it intersects with Interstate-84 at the King Hill Bridge (milepost 128.1), then east and South on Interstate 84 to Bliss (exit 141), then east on U.S. 26 to Shoshone, then southeast on State Highway 24 to Minidoka, then east on the East Minidoka Road approximately one (1) mile to the Minidoka-Blaine County line, then south along the Minidoka-Blaine County line to the Minidoka National Wildlife Refuge, then southeast along the refuge boundary to the Cassia-Power County line, then south along the Cassia-Power County line to Interstate 86 near Raft River, then west on Interstate 86 to, and then southeast on Interstate 84 to Yale Road, then southwest on Yale Road to State Highway 81, then west on State Highway 81 to U.S. Highway 30 (Burley), then west on U.S. 30 to Twin Falls, the point of beginning. ()

05. Unit 54. Those portions of CASSIA and TWIN FALLS COUNTIES within the following boundary: beginning at Burley, then west on U.S. 30 to U.S. 93 west of Twin Falls, then south on U.S. 93 to the Idaho-Nevada State line, then east along the state line to Oakley-Goose Creek Road, then north on Oakley-Goose Creek Road to Oakley, then north on State Highway 27 to the point of beginning. ()

06. Unit 55. That portion of CASSIA COUNTY within the following boundary: beginning at Burley, then south on State Highway 27 to Oakley, then south on the Oakley-Goose Creek Road to the Idaho-Utah State line, then east on the state line to the Strevell-Malta Road, then north on Strevell-Malta Road to Malta and State Highway 81, then northwest on State Highway 81 to the point of beginning. ()

211. GAME MANAGEMENT UNIT BOUNDARY DESCRIPTIONS – UNITS 56-60A.

01. Unit 56. Those portions of CASSIA, ONEIDA, and POWER COUNTIES within the following boundary: beginning at the Yale Road-Interstate 84 junction, then northwest on Interstate 84 to Interstate 86, then east on Interstate 86 to State Highway 37, then south on State Highway 37 to Holbrook, then south on Holbrook-Stone Road to the Idaho-Utah State line, then west on the state line to Interstate 84, then northwest on Interstate 84 to the point of beginning. ()

02. Unit 57. Those portions of CASSIA and ONEIDA COUNTIES within the following boundary: beginning at the junction of State Highway 81 and the Yale Road, then south on State Highway 81 to Malta, then south on the Strevell-Malta Road to the Idaho-Utah State line, then east to Interstate 84, then northwest on Interstate

84 to the junction of the Yale road, then west on the Yale Road to State Highway 81, the point of beginning. ()

03. Unit 58. Those portions of BUTTE, CLARK, JEFFERSON, and LEMHI COUNTIES within the Birch Creek drainage northwest of State Highway 22. ()

04. Unit 59. That portion of CLARK COUNTY within the following boundary: beginning at Dubois, then north on Interstate 15 to the Idaho-Montana State line, then west along the state line to Bannock Pass (Clark County), then south on Medicine Lodge Road to State Highway 22, then east on State Highway 22 to the point of beginning. ()

05. Unit 59A. Those portions of CLARK, JEFFERSON, and LEMHI COUNTIES within the following boundary: beginning at Bannock Pass (Clark County) on the Idaho-Montana State line, then west along the state line to the watershed divide between Birch and Crooked Creeks, then south along the divide through Reno Point to State Highway 22, then east on State Highway 22 to Medicine Lodge Road, then north on Medicine Lodge Road to the point of beginning. ()

06. Unit 60. Those portions of CLARK and FREMONT COUNTIES within the following boundary: beginning at Ashton, then north on U.S. 191-20 to the old (south) Shotgun Valley Road, then west on Shotgun Valley Road to Idmon, then south on the Rexburg-Kilgore Road (Red Road) to and then east on Split Butte Road, to and then south on Sand Creek Road, to and then east on old Yellowstone Highway to U.S. 191-20, then north on U.S. 191-20 to the point of beginning. ()

07. Unit 60A. Those portions of CLARK, FREMONT, JEFFERSON, and MADISON COUNTIES within the following boundary: beginning at the junction of Old Highway 91 and Interstate 15 (at Spencer), then east to, and then east on Spencer-Kilgore Road to Idmon, then south on Rexburg-Kilgore Road (Red Road) to Split Butte Road, to and then north on, Crooked (Red Creek Sand Bed) Road to and then south Sand Creek Road, then east on Sand Creek Road and then southerly on Sand Creek Road to and then east on, on old Yellowstone Highway (Business Route U.S. 191-20), to and then south on U.S. 191-20 to, and then west on, State Highway 33 to Sage Junction, then north on Interstate 15 to the point of beginning. ()

212. GAME MANAGEMENT UNIT BOUNDARY DESCRIPTIONS – UNITS 61-65.

01. Unit 61. Those portions of CLARK and FREMONT COUNTIES within the following boundary: beginning at the junction of Old Highway 91 and Interstate 15 (at Spencer), then east to and then east on Spencer-Kilgore Road to Idmon, then east on old (south) Shotgun Valley Road to U.S. 191, then south on U.S. 191 to State Highway 47, then southeast on State Highway 47 to North Hatchery Butte Road, then east on North Hatchery Butte Road to Pineview, then north on Pineview-Island Park Road to Baker Draw-Black Mountain Springs Road, then east on Baker Draw-Black Mountain Springs Road to Fish Creek Road, then south on Fish Creek Road to the North Fork of Partridge Creek, then upstream to the Yellowstone Park boundary, then north along the Yellowstone Park boundary to the Idaho-Montana State line, then west to Monida Pass, then south on Interstate 15 to the point of beginning. ()

02. Unit 62. Those portions of FREMONT, MADISON, and TETON COUNTIES within the following boundary: beginning at Leigh Creek Road on the Idaho-Wyoming State line, north along the state line to the Yellowstone Park boundary, then northwest along the Yellowstone Park boundary to Robinson Creek, then downstream to State Highway 47, then southwest on State Highway 47 to Ashton, then south on U.S. 191 to State Highway 33, then east on State Highway 33 to Leigh Creek Road east of Tetonia, then east on Leigh Creek Road to the point of beginning. ()

03. Unit 62A. That portion of FREMONT COUNTY within the following boundary: beginning at Ashton, then north on U.S. 191 to State Highway 47, then south on State Highway 47 to North Hatchery Butte Road, then east on North Hatchery Butte Road to Pineview, then north on the Pineview-Island Park Road to the Baker Draw-Black Mountain Springs Road, then east on Baker Draw-Black Mountain Springs Road to Fish Creek Road, then south on Fish Creek Road to the North Fork of Partridge Creek, then upstream to the Yellowstone Park boundary, then south along the park boundary to Robinson Creek, then downstream to State Highway 47, then southwest on State Highway 47 to the point of beginning. ()

04. Unit 63. Those portions of BINGHAM, BONNEVILLE, BUTTE, CLARK, and JEFFERSON COUNTIES within the following boundary: beginning at Blackfoot then north on Interstate 15 to Dubois, then southwest on State Highway 22 to U.S. 20-26, then southeast on U.S. 26 to Interstate 15 at Blackfoot, the point of beginning. ()

05. Unit 63A. Those portions of BONNEVILLE, JEFFERSON, and MADISON COUNTIES within the following boundary: beginning at Idaho Falls, then east on U.S. 26 to the spot directly above the Heise measuring cable (about one point five (1.5) miles upstream from Heise Hot Springs), then north across the South Fork of the Snake River to Heise-Archer-Lyman Road (Snake River Road), then northwest on Heise-Archer-Lyman Road to U.S. 191, then north on U.S. 191 to Rexburg, then west on State Highway 33 to Interstate 15 (Sage Junction), then south on Interstate 15 to Idaho Falls, then east on Broadway Street to the point of beginning. ()

06. Unit 64. Those portions of BONNEVILLE, JEFFERSON, MADISON, and TETON COUNTIES within the following boundary: beginning at the junction of State Highway 33 and U.S. 191 at Sugar City, then south on U.S. 191 to Lyman-Archer-Heise Road (Snake River Road), then southeast on Lyman-Archer-Heise Road to Kelly Canyon-Tablerock Road, then east on Kelly Canyon-Tablerock Road to Hawley Gulch Road (Forest Service Road 218), then east on Hawley Gulch Road to Moody Swamp Road (Forest Service Road 226), then northeast on Moody Swamp Road to the head of Hilton Creek, then east along the watershed divide between Big Burns and Canyon Creeks to Garns Mountain, then north along the watershed divide between Canyon Creek and Teton River to Grandview Point, then north down Milk Creek Road to State Highway 33, then west on State Highway 33 to the point of beginning. ()

07. Unit 65. Those portions of BONNEVILLE, MADISON, and TETON COUNTIES within the following boundary: beginning on Leigh Creek Road at the Idaho-Wyoming State line east of Tetonia, west to State Highway 33, then west on State Highway 33 to Milk Creek Road, then south on Milk Creek Road to Grandview Point, then south along the watershed divide between Canyon Creek and Teton River to Garns Mountain, then southeast along the watershed divide between Pine Creek and Teton River over Red Mountain to Pine Creek Pass, then east on State Highway 31 to Victor, then southeast on State Highway 33 to the state line, then north to the point of beginning. ()

213. GAME MANAGEMENT UNIT BOUNDARY DESCRIPTIONS – UNITS 66-70.

01. Unit 66. Those portions of BINGHAM and BONNEVILLE COUNTIES within the following boundary: beginning at the Idaho-Wyoming State line on the South Fork of the Snake River, then downstream to the Swan Valley bridge on U.S. 26, then northwest on U.S. 26 to the watershed divide between Granite and Garden Creeks, then southwest along the divide and the divides between Garden-Antelope Creeks, Antelope-Pritchard Creeks and Fall-Tex Creeks to Fall Creek Road (Forest Service Road 077), then west on Fall Creek Road to Skyline Ridge Road (Forest Service Road 077), then south on Skyline Ridge Road to Brockman Guard Station, then down Brockman Creek to Grays Lake Outlet, then upstream along the outlet to Bone-Grays Lake Road, then east on Bone-Grays Lake Road through Herman to McCoy Creek Road (Forest Service Road 087), then east on McCoy Creek Road to the Idaho-Wyoming State line, then north to the point of beginning. ()

02. Unit 66A. Those portions of BONNEVILLE and CARIBOU COUNTIES within the following boundary: beginning on McCoy Creek Road (Forest Service Road 087) at the Idaho-Wyoming State line, west on McCoy Creek Road through Herman to Bone-Grays Lake Road, then west on Bone-Grays Lake Road to West Side Road west of Grays Lake, then south on West Side Road to State Highway 34, then east on State Highway 34 to the state line, then north along the state line to the point of beginning. ()

03. Unit 67. Those portions of BONNEVILLE, JEFFERSON, MADISON, and TETON COUNTIES within the following boundary: beginning on State Highway 33 at the Idaho-Wyoming State line, then northwest to Victor, then southwest on State Highway 31 to Pine Creek Pass, then northwest along the watershed divide between Pine Creek and Teton River over Red Mountain to Garns Mountain, then west along the watershed divide between Big Burns and Canyon Creeks to Moody Swamp Road (Forest Service Road 226) at Hilton Creek, then west on Moody Swamp Road to Hawley Gulch Road (Forest Service Road 218), then west on Hawley Gulch Road and Kelly Canyon Road to South Fork Snake River Road, then upstream to the Heise measuring cable (about 1.5 miles upstream from Heise Hot Springs), then due south across the river to the mean high water line on the south shore of the South Fork Snake River, then upstream along the mean high water line to the divide between Garden and Granite

Creeks in Conant Valley, then south up the divide to U.S. 26, then southeast on U.S. 26 to the Swan Valley bridge, then up the South Fork Snake River to the Idaho-Wyoming State line, then north on the state line to the point of beginning. ()

04. Unit 68. Those portions of BINGHAM, BLAINE, BUTTE, CASSIA, MINIDOKA, and POWER COUNTIES within the following boundary: beginning at Arco, then southeast on U.S. 26 to Blackfoot, then southwest on State Highway 39 to American Falls, then southwest on Interstate 86 to the Cassia-Power County line east of Raft River, then north along the Cassia-Power county line to the north bank of the Snake River, then northwest along the Minidoka National Wildlife Refuge northern boundary to the Minidoka-Blaine County line, then north along the Minidoka-Blaine County line to East Minidoka Road, then east on East Minidoka Road approximately one (1) mile to Arco-Minidoka Road, then north on Minidoka-Arco Road to U.S. 93 approximately two (2) miles southwest of Arco, then northeast approximately two (2) miles on U.S. 93 to the point of beginning. ()

05. Unit 68A. Those portions of BANNOCK, BINGHAM, BONNEVILLE, and POWER COUNTIES within the following boundary: beginning at American Falls, then northeast on State Highway 39 to U.S. 26 near Blackfoot, then east on U.S. 26 to Interstate 15, then north on Interstate 15 to Idaho Falls, then east on Broadway Street to U.S. 91 (Old Yellowstone Highway), then south on U.S. 91 to Interstate 15, then south on Interstate 15 to Interstate 86, then southwest on Interstate 86 to the point of beginning. ()

06. Unit 69. Those portions of BINGHAM, BONNEVILLE, and CARIBOU COUNTIES within the following boundary: beginning at Idaho Falls, then south on U.S. 91 to Blackfoot, then south on Interstate 15 to the Fort Hall interchange, then east on Fort Hall-Government Dam Road to the Blackfoot River below the Government Dam, then along the north and east shore of the Blackfoot River and Reservoir to State Highway 34, then north on State Highway 34 to West Side Road, then north on West Side Road west of Grays Lake to Bone-Grays Lake Road, then east on Bone-Grays Lake Road to Grays Lake Outlet, then downstream along the outlet to Brockman Creek, then up Brockman Creek to the Brockman Guard Station, then northwest on Skyline Ridge Road (Forest Service Road 077) to Fall Creek Road (Forest Service Road 077), then east on Fall Creek Road to the watershed divide between Fall and Tex Creeks, then north along the Fall Creek-Tex Creek, Antelope Creek-Pritchard Creek, Antelope Creek-Garden Creek and Garden Creek-Granite Creek watershed divides to the South Fork of the Snake River, then downstream along the mean high water line on the south shore of the South Fork to the Heise measuring cable (about 1.5 miles upstream from Heise Hot Springs), then southwest to U.S. 26, then west on U.S. 26 to the point of beginning. ()

07. Unit 70. Those portions of BANNOCK and POWER COUNTIES within the following boundary: beginning at the junction of Interstate 86 and Interstate 15 near Pocatello, then west on Interstate 86 to Bannock Creek-Arbon Valley Highway, then south along Bannock Creek-Arbon Valley Highway to Mink Creek-Arbon Valley junction near Pauline, then northeast along Mink Creek Road to Rattlesnake Creek Road, then east along Rattlesnake Creek-Garden Gap-Arimo Road, then southeast on Rattlesnake Creek-Garden Gap-Arimo Road to Arimo, then north on Interstate 15 to the point of beginning. ()

214. GAME MANAGEMENT UNIT BOUNDARY DESCRIPTIONS – UNITS 71-75.

01. Unit 71. Those portions of BANNOCK, BINGHAM, and CARIBOU COUNTIES within the following boundary: beginning at Bancroft, then north on Bancroft-Chesterfield Road to Chesterfield Dam, then upstream on the Portneuf River to Government Dam-Fort Hall Road, then west to Fort Hall interchange, then south on Interstate 15 to U.S. 30, then east to Pebble-Bancroft county road (old U.S. 30N), then northeast on that road to the point of beginning. ()

02. Unit 72. Those portions of BINGHAM and CARIBOU COUNTIES within the following boundary: beginning at State Highway 34 on the Blackfoot River, then west along the east and north shore of the Blackfoot River and Reservoir to Government Dam Road, then west on Government Dam-Fort Hall Road to the Portneuf River, then downstream to Chesterfield Dam, then south on Chesterfield-Bancroft Road to Bancroft, then east on Pebble-Bancroft county road (old U.S. 30N) to U.S. 30N-State Highway 34, then northeast on State Highway 34 to the point of beginning. ()

03. Unit 73. Those portions of BANNOCK, FRANKLIN, POWER, and ONEIDA COUNTIES within the following boundary: beginning on U.S. 91 at the Idaho-Utah State line, then north to Arimo, then northwest on

Arimo-Garden Gap-Rattlesnake Road to Mink Creek Highway, then south along Mink Creek Highway to Arbon Valley Highway near Pauline, then south on Arbon Valley Highway to State Highway 37, then west to Holbrook, then south on Holbrook-Stone Road to the Idaho-Utah State line, then east along the state line to the point of beginning. ()

04. Unit 73A. Those portions of BANNOCK, ONEIDA, and POWER COUNTIES within the following boundary: beginning at Holbrook, then north on State Highway 37 to Interstate 86, then northeast on Interstate 86 to Bannock Creek-Arbon Valley Highway, then south on Bannock Creek-Arbon Valley Highway to State Highway 37, then west on State Highway 37 to the point of beginning. ()

05. Unit 74. Those portions of BANNOCK, CARIBOU, and FRANKLIN COUNTIES within the following boundary: beginning at Preston, then north on U.S. 91 to Interstate 15, then north on Interstate 15 to U.S. 30N, then east on U.S. 30N to Pebble-Bancroft county road (old U.S. 30N), then northeast to State Highway 34, then south on State Highway 34 to the point of beginning. ()

06. Unit 75. Those portions of BEAR LAKE, CARIBOU, and FRANKLIN COUNTIES within the following boundary: beginning at Montpelier, then northwest on U.S. 30 to State Highway 34, then south to Cleveland Bridge, then south on the county road to Maple Grove Hot Springs, then east on Hot Springs-Strawberry Canyon Road to Strawberry Canyon-Emigration Canyon Road, then east on Strawberry Canyon-Emigration Canyon Road to Ovid, then east on U.S. 89 to the point of beginning. ()

215. GAME MANAGEMENT UNIT BOUNDARY DESCRIPTIONS – UNITS 76-78.

01. Unit 76. Those portions of BEAR LAKE and CARIBOU COUNTIES within the following boundary: beginning at U.S. 89 on the Idaho-Utah State line, then north to Montpelier, then north on U.S. 30 to Soda Springs, then northeast on State Highway 34 to the Idaho-Wyoming State line, then south on the Idaho-Wyoming State line to the Idaho-Utah State line, then west on the Idaho-Utah State line to the point of beginning. ()

02. Unit 77. That portion of FRANKLIN COUNTY within the following boundary: beginning at U.S. 91 on the Idaho-Utah State line, then north to Preston, then north on State Highway 34 to Cleveland Bridge, then south on the county road to Maple Grove Hot Springs, then east on Hot Springs-Strawberry Canyon Road to Strawberry Canyon-Emigration Canyon Road, then south on Highline Trail (Forest Service Trail 316) to Danish Pass (Forest Service Road 415), then west on (Forest Service Road 415), then south on Franklin Basin Road to the Idaho-Utah State line, then west on the state line to the point of beginning. ()

03. Unit 78. Those portions of BEAR LAKE and FRANKLIN COUNTIES within the following boundary: beginning at U.S. 89 on the Idaho-Utah State line, then north to Ovid, then west on Emigration Canyon-Strawberry Canyon Road, then south on Highline Trail (Forest Service Trail 316) to Danish Pass (Forest Service Road 415), then west on (Forest Service Road 415), then south on Franklin Basin Road to the Idaho-Utah State line, then east on the state line to the point of beginning. ()

216. – 249. (RESERVED)

250. GAME MANAGEMENT ZONE DESCRIPTIONS.

- 01. Panhandle Zone.** All of Units 1, 2, 3, 4, 4A, 5, 6, 7, and 9. ()
- 02. Palouse Zone.** All of Units 8, 8A, and 11A. ()
- 03. Dworshak Zone.** All of Unit 10A. ()
- 04. Hells Canyon Zone.** All of Units 11, 13, and 18. ()
- 05. Lolo Zone.** All of Units 10 and 12. ()
- 06. Elk City Zone.** All of Units 14, 15, and 16. ()

- 07. **Selway Zone.** All of Units 16A, 17, 19, and 20. ()
- 08. **Middle Fork Zone.** All of Units 20A, 26, and 27. ()
- 09. **Salmon Zone.** All of Units 21, 21A, 28, and 36B. ()
- 10. **Weiser River Zone.** All of Units 22, 32, and 32A. ()
- 11. **McCall Zone.** All of Units 19A, 23, 24, and 25. ()
- 12. **Lemhi Zone.** All of Units 29, 37, 37A, and 51. ()
- 13. **Beaverhead Zone.** All of Units 30, 30A, 58, 59, and 59A. ()
- 14. **Brownlee Zone.** All of Unit 31. ()
- 15. **Sawtooth Zone.** All of Units 33, 34, 35, and 36. ()
- 16. **Pioneer Zone.** All of Units 36A, 49, and 50. ()
- 17. **Owyhee Zone.** All of Units 38, 40, 41, and 42. ()
- 18. **South Hills Zone.** All of Units 46, 47, 54, 55, 56, and 57. ()
- 19. **Boise River Zone.** All of Unit 39. ()
- 20. **Smoky - Bennett Zone.** All of Units 43, 44, 45, 48, and 52. ()
- 21. **Big Desert Zone.** All of Units 52A and 68. ()
- 22. **Island Park Zone.** All of Units 60, 60A, 61, 62, and 62A. ()
- 23. **Palisades Zone.** All of Units 64, 65, and 67. ()
- 24. **Tex Creek Zone.** All of Units 66 and 69. ()
- 25. **Bannock Zone.** All of Units 70, 71, 72, 73, 73A, and 74. ()
- 26. **Bear River Zone.** All of Units 75, 77, and 78. ()
- 27. **Diamond Creek Zone.** All of Units 66A and 76. ()
- 28. **Snake River Zone.** All of Units 53, 63, 63A, and 68A. ()
- 251. – 299. **(RESERVED)**
- 300. **GENERAL CLOSURES TO HUNTING AND TRAPPING.**
This section does not apply to taking of fish. No person may hunt, kill, trap or molest any game animal, game bird, furbearing animal, or unprotected and predatory wildlife in the following areas: ()
 - 01. **National Parks and Monuments.** All National Parks and National Monuments, including National Historic Parks. ()
 - a. Exceptions to closure. ()
 - i. The portion of Craters of the Moon National Monument within the National Preserve that was added to the Monument in November 2000 is open to hunting. ()

ii. The portion of Hagerman Fossil Beds National Monument within an area of fifty (50) feet in elevation above the high-water level of the Snake River, as marked by yellow fiberglass markers, is open to hunting downslope to the river. ()

02. State Parks. All state parks. ()

a. Exceptions to closure. Billingsley Creek Unit of Thousand Springs State Park, Castle Rock State Park, and state park lands within the City of Rocks National Reserve are open to hunting. Farragut State Park is open to hunting by archery only. ()

b. Exceptions to closure for certain species. Consistent with the applicable Commission proclamation, Hells Gate State Park and Heyburn State park are open to waterfowl hunting. ()

03. Portions of Ada County. Within the area bounded by State Highway 21, Warm Springs Avenue, and the New York Canal from the New York Canal Diversion Dam downstream to the Boise City limits. ()

04. Mann's Lake. Mann's Lake in Nez Perce County and extending three hundred (300) yards beyond the Bureau of Reclamation property that encompasses the lake. ()

05. Other. Any other location for which a closure is established by Idaho Code, or Commission proclamation or order, or federal national wildlife refuge regulation or order. ()

301. – 399. (RESERVED)

400. OFFICIAL SHOOTING HOURS.

No person may shoot at game birds, American crow, or game animals outside of official shooting hours. ()

01. Migratory Game Birds and Wild Turkey. Official shooting hours for migratory game birds and wild turkey are from one-half (1/2) hour before sunrise until sunset. ()

02. Big Game Animals, Upland Game Animals, Upland Game Birds, and American Crow. Official shooting hours for big game animals, upland game animals, upland game birds except for wild turkey, and American crow are from one-half (1/2) hour before sunrise to one-half (1/2) hour after sunset. In locations requiring possession of an Upland Game Bird permit, the Commission may designate alternate official shooting hours by proclamation. ()

401. – 499. (RESERVED)

500. WOUNDING, RETRIEVING, AND POSSESSION.

No person hunting may wound or kill any big game animal, upland game animal, game bird, or furbearing animal without making a reasonable effort to retrieve it and reduce it to possession. Every such animal wounded by hunting and reduced to possession must be killed immediately, such that it becomes part of that person's daily bag and possession limit. ()

501. – 999. (RESERVED)

13.01.08 – RULES GOVERNING TAKING OF BIG GAME ANIMALS

000. LEGAL AUTHORITY.

Sections 36-104(b), 36-201, 36-405, 36-408, 36-409, and 36-1101, Idaho Code, authorize the Commission to adopt rules concerning taking of big game animals. ()

001. TITLE AND SCOPE.

The title of this chapter for citation is IDAPA 13.01.08, "Rules Governing Taking of Big Game Animals." These rules govern the taking of big game animals. ()

002. -- 009. (RESERVED)

010. DEFINITIONS.

01. Established Roadway. Any road established, built, maintained, approved or designated by any governmental entity or private landowner for travel by full-sized automobiles. An established roadway shows evidence of repeated use by full-sized automobiles, and may include a traveled way of natural earth with depressed wheel tracks and little or no vegetation in the wheel tracks. ()

02. Front Quarters, Hind Quarter, Loins, and Tenderloins. As applied in Section 36-1202, Idaho Code, for edible portions of big game animals, front quarters of big game animals include the meat surrounding the ball joint as far down as the knees, hindquarters include the meat surrounding the ball joint as far down as the hock, and the loins and tenderloins are the meat along the backbone. ()

03. Full-sized Automobile. Any motorized vehicle with a gross weight in excess of one thousand five hundred (1,500) pounds. ()

04. Hunter. A person engaged in the activity of hunting, as defined in Section 36-202, Idaho Code. ()

05. Motorized Vehicle. As defined in Section 36-202, Idaho Code. ()

011. -- 199. (RESERVED)

200. BAG AND POSSESSION LIMITS.

No person may take more than one (1) deer, elk, pronghorn, moose, bighorn sheep, mountain goat, black bear, or gray wolf during a calendar year except: ()

01. Depredation Hunts. One (1) additional deer, elk, pronghorn, black bear, or gray wolf may be taken by persons holding a depredation hunt tag for that hunt, except where the depredation hunt precedes or follows a controlled hunt in the area, persons who drew that controlled hunt may be selected to participate in the depredation hunt in accordance with Section 800. Such persons must follow the weapon restrictions that apply to the controlled hunt they drew, and participation in the depredation hunt does not allow them to take a second animal. ()

02. Extra Tag Hunts. In extra tag hunts, one (1) additional deer, elk or pronghorn may be taken by persons holding tags for those hunts. ()

03. Limits on Take -- Deer, Elk, Pronghorn, Mountain Lion, Black Bear, Gray Wolf. In no event may any person take more deer, elk, pronghorn, mountain lion, black bear, or gray wolf in a calendar year than the number of tags the person legally possesses for each species. ()

201. -- 249. (RESERVED)

250. TAGS AND PERMITS.

No person may take big game animals without having in possession the appropriate license, tags, and permits. ()

01. Use of Controlled Hunt Tags. ()

a. Controlled hunt tags, including controlled depredation hunt tags and controlled hunt extra tags, issued for big game animals may be used only for take of the animal in the hunt area specified by Commission proclamation or Department order for the controlled hunt for which the tag is issued. ()

02. Use of General Season Tags. General season tags, including extra general season tags, issued for big game animals may be used during any open general season, including any general special weapon season, ONLY as follows: ()

a. Only for take of the animal specified on the tag, with a Regular Deer tag being valid for mule deer or white-tailed deer; and ()

b. Only in the hunt area for which the tags are issued, as designated by Commission proclamation. ()

c. And for elk, Elk A Tags may be used only during a general season, including any general special weapon season, designated by Commission proclamation as an Elk A season, and Elk B Tags may be used only during any general season, including any general special weapon season designated by Commission proclamation as an Elk B season. ()

03. Statewide Hunt Area. If a general season tag, including any extra general season tag, for a big game animal does not specify a hunt area, the tag may be used statewide, unless Commission proclamation or Department order specifies an area where such tag use is prohibited or otherwise limited in its use. ()

04. Additional Use of Nonresident Deer and Elk Tags. A hunter may use an unfilled nonresident elk or deer tag, to take instead a black bear, mountain lion, or gray wolf, during the open season corresponding to the elk or deer tag hunt area or unit when the season for the animal taken is also open. ()

251. ARCHERY AND MUZZLELOADER PERMITS.

No person may hunt in a season designated by Commission proclamation as Archery Only or Muzzleloader Only without the appropriate archery or muzzleloader permit for the relevant season validated on their license. ()

252. DELAY IN ELIGIBILITY FOR BUYING LIMITED GENERAL HUNT TAG.

When the Commission limits the number of tags available for a general big game hunt, the Commission may establish a period of no more than five (5) days at the beginning of a tag sale period, during which any applicant for a controlled hunt in the same calendar year for the same species is not eligible to buy a tag for that limited hunt. ()

253. -- 254. (RESERVED)

255. NONRESIDENT TAG RESTRICTIONS.

01. Nonresident Tag Limitations. ()

a. In controlled hunts with ten (10) or fewer tags, not more than one (1) nonresident tag will be issued. In controlled hunts, EXCEPT unlimited controlled hunts, with more than ten (10) tags, not more than ten percent (10%) of the tags will be issued to nonresidents. This rule will apply to each uniquely numbered controlled hunt and to the controlled hunts for each species. Outfitter allocated hunts are exempt from the limitation of this Subsection. ()

b. In unlimited controlled hunts, the Commission may limit the number of tags available for nonresident hunters to no less than ten percent (10%) of the average number of tags drawn annually during the previous five (5) year period. ()

c. For each species, the total number of outfitter allocated controlled hunt tags will be subtracted from the result of ten percent (10%) of the sum of all controlled hunt tags; including outfitter allocated controlled hunts, but excluding all unlimited controlled hunts. In addition to the limitations of Subsection 255.01.a., the resulting net number will be the maximum number of controlled hunt tags that may be issued to nonresidents for all controlled hunts except outfitter allocated and unlimited controlled hunts. ()

d. In general hunts, the Commission may limit by proclamation the number of tags available for nonresident hunters in a zone or big game hunting unit to no less than ten percent (10%) of the average hunter

participation estimated for that zone or unit during the previous five (5) year period. If the Commission adopts tag limits in a zone or big game hunt unit for non-residents under this Subsection 01.d., without limiting residents, the provisions of IDAPA 13.01.04.505.02, “Rules Governing Licensing,” applicable to controlled hunts with limited nonresident tags and unlimited resident tags will apply to deer and elk tag allocation instead of the provisions of IDAPA 13.01.04.505.01. ()

e. Governor’s Wildlife Partnership Tags for deer, elk, pronghorn, bighorn sheep, mountain goat, and moose will be taken from the nonresident tag quota and availability is subject to Nonresident Tag Limitations. ()

256. (RESERVED)

257. ELIGIBILITY FOR CONTROLLED HUNT APPLICATION.

A person must possess an Idaho hunting license valid for taking game animals to apply for any controlled hunt for big game species. ()

01. Bighorn Sheep. ()

a. Any person whose name was drawn on a controlled hunt for any bighorn sheep is not eligible to apply for any bighorn tag for two (2) years. Except that a person may apply for a bighorn tag in the second application period or a leftover bighorn tag the following year. ()

b. Any person who has killed a California bighorn ram is not eligible to apply for a California bighorn ram controlled hunt tag; and any person who has killed a Rocky Mountain bighorn ram is not eligible to apply for a Rocky Mountain bighorn ram controlled hunt tag, except any person who has killed a California bighorn ram south of Interstate Highway 84 since 1974 and is otherwise eligible, may apply for a Rocky Mountain bighorn ram tag for any hunt north of Interstate Highway 84; and any person who has killed a Rocky Mountain bighorn ram north of Interstate Highway 84 since 1974 and is otherwise eligible, may apply for a California bighorn ram tag for any hunt south of Interstate Highway 84. ()

c. Any person who kills a bighorn ewe is not eligible to apply for another bighorn ewe controlled hunt tag for five (5) years. The harvest of a bighorn ewe does not make the person ineligible to apply for a tag to take a California bighorn ram or a Rocky Mountain bighorn ram. Any person who applies for a bighorn ewe is not eligible to apply for any bighorn ram the same year. ()

02. Mountain Goat. ()

a. Any person whose name was drawn on a controlled hunt for mountain goat is not eligible to apply for a mountain goat tag for two (2) years. Except that a person may apply for a mountain goat tag in the second application period or a leftover mountain goat tag the following year. ()

b. Any person who has killed a mountain goat since 1977 is not eligible to apply for a mountain goat tag. ()

03. Moose. ()

a. Any person whose name was drawn on a controlled hunt for moose is not eligible to apply for a moose permit for two (2) years. Except that a person may apply for a moose tag in the second application period or a leftover moose tag the following year. ()

b. Any person who has killed an antlered moose in Idaho is not eligible to apply for a moose tag for antlered moose, and any person who has killed an antlerless moose in Idaho is not eligible to apply for a tag for antlerless moose except that any person may apply for tags remaining unsold after the controlled hunt draw. ()

04. Antlered-Only Deer, Antlered-Only Elk, and Pronghorn. Any person whose name was drawn on a controlled hunt for antlered-only deer, antlered-only elk, or any pronghorn (including either sex, and doe and fawn) is not eligible in the following one (1) year to apply for any controlled hunt for the respective species drawn

(antlered-only deer, antlered-only elk, or any pronghorn). ()

i. Exceptions. A person drawn in the previous year remains eligible to apply for controlled hunts in the second application period, controlled hunts with an unlimited number of tags, or Landowner Appreciation Program hunts. Such person is also eligible to purchase a leftover tag or Governor’s Wildlife Partnership Tag. ()

05. Grizzly Bear. No person who has killed a grizzly bear in Idaho may apply for a grizzly bear tag. ()

06. Black Bear. Any nonresident applying for a controlled black bear hunt who wishes to use hounds must separately apply for a Hound Hunter Permit, subject to applicable limitations of IDAPA 13.01.15.200.04, “Rules Governing the Use of Dogs.” ()

07. Landowner Permission Hunts. Any person applying for a landowner permission hunt must have a permission slip including the name, address, and signature of a landowner who owns more than one hundred fifty-nine (159) acres in the hunt area. ()

08. Youth Only Hunts. Youth-only controlled hunt application eligibility is limited to persons nine (9) to seventeen (17) years of age, provided they will be ten (10) to seventeen (17) years of age during the hunt for which they apply. A nine (9) year old cannot participate in the hunt until turning age ten (10). A person who turns eighteen (18) years of age during the hunt may continue to participate through the end of the youth-only controlled hunt. A person sixty-five (65) years of age or older, or a person with a disabled license, may apply during a second application period for youth-only controlled hunts or purchase leftover youth-only controlled hunt tags on a first come, first served basis. ()

09. Outfitter Allocated Hunts. Any person must have a written agreement with an outfitter to submit an application for an outfitter allocated controlled hunt. ()

10. Multiple Applications. ()

a. Any person applying for a bighorn sheep, mountain goat, grizzly bear, or moose controlled hunt is not eligible to apply for any other controlled hunt in the same year, except Unlimited Controlled Hunts, a controlled black bear hunt, a controlled gray wolf hunt, or a designated depredation or extra tag hunt for deer, elk or pronghorn. In addition, unsuccessful applicants for bighorn sheep, mountain goat or moose controlled hunts are eligible to participate in the second application period for deer, elk, and pronghorn and the first-come, first-served deer, elk, and pronghorn controlled hunt permit sales. ()

b. Any person may apply for both a controlled hunt tag and a controlled hunt extra tag for the same big game species. ()

258. CONTROLLED HUNT APPLICATIONS

01. Applications. Individual applications or group applications for controlled hunts may be submitted electronically through the automated licensing system at any vendor location, including Department offices, via the Internet or telephone, not later than the annual dates shown below. Any individual application or group application which is unreadable, has incomplete or incorrect hunt or license numbers, or lacks information or fees will be declared void and will not be entered in the drawing. All applications will be considered final; except, applicants who would like to change their submitted controlled hunt application may request the original application be canceled to resubmit a new controlled hunt application during the applicable application period. The new application is subject to the appropriate application fees. ()

a. Spring black bear, spring grizzly bear -- Application period - January 15 - February 15. ()

b. Moose, bighorn sheep, and mountain goat -- Application period for first drawing - April 1 - 30. ()

c. Deer, elk, pronghorn, fall black bear, fall grizzly bear -- Application period for first drawing -- May

- 1-June 5. ()
- d.** Moose, bighorn sheep, and mountain goat -- Application period for second drawing, if applicable - June 15-25. ()
- e.** Deer, elk, pronghorn, fall black bear, fall grizzly bear -- Application period for second drawing -- August 5-15. ()
- 02. Applicant Requirements.** Applicants must comply with the following requirements: ()
- a.** Only one (1) application, per person or group, will be accepted for the same species, except a person or group may submit one additional application for a controlled hunt extra tag for the same species. Additional applications for the same person or group for the same species will result in all applicants being declared ineligible. ()
- b.** Only one (1) controlled hunt extra tag will be issued for each person on any application submitted. ()
- c.** Several applications may be submitted so long as each application is for a single species, a single applicant or group, and both hunts on an application must be controlled hunt tag hunts or controlled hunt extra tag hunts. ()
- d.** Fees must be submitted with each application. A single payment may be submitted to cover fees for all applications. If a check or money order is insufficient to cover the fees, all applications will be voided and returned. The application fee is set by Section 36-416, Idaho Code, per person per controlled hunt applied for. The tag fees are not to be submitted for deer, elk, pronghorn, black bear, or gray wolf. Persons applying for moose, bighorn sheep, grizzly bear, or mountain goat controlled hunts must submit the tag fee and application fee with their application. Applicants successful in drawing for a moose, bighorn sheep, or mountain goat will receive a tag in the mail. ()
- 03. Group Application.** ()
- a.** A “group application” for deer, elk, and pronghorn is defined as two, three, or four (2, 3, or 4) persons applying for the same controlled hunt on the same application. All applicants must comply with all rules and complete applications properly. All applicants must abide by the same first and second hunt choices. ()
- b.** A “group application” for moose, bighorn sheep, mountain goat, black bear, and gray wolf, is defined as two (2) persons applying for the same controlled hunt on the same application. Both applicants must comply with all rules and complete applications properly. Both applicants must abide by the same first and second hunt choices. ()
- c.** If a group application exceeds the number of tags available in a hunt, that group application will not be selected for that hunt. ()
- 04. Unlimited Controlled Hunts.** Unlimited controlled hunts identified by proclamation as “first-choice only” may be applied for only as the applicant’s first choice controlled hunt. ()
- 05. Landowner Permission Controlled Hunts.** Landowner permission hunt tags will be sold first-come, first-served basis at the Department’s Headquarters or regional offices beginning the first business day on or after July 15. ()
- 06. Sale of Remaining Tags.** Any controlled hunt tags, except unlimited controlled hunts that remain unsold after the controlled hunt drawings may be sold by any license vendor, through the Internet, or over the telephone on a first-come, first-served basis on the dates below unless such day is a Sunday or legal holiday, in which case the tags will go on sale the next legal business day. A controlled hunt application and tag will be issued to successful controlled hunt purchasers. The ten percent (10%) nonresident limitation will not apply. Controlled hunt applicants with a tag already in possession must return their tag to a Department office to be exchanged for the

appropriate controlled hunt tag, except where the Commission has authorized by proclamation possession of the additional tag. ()

- a. Spring Bear - April 1. ()
- b. Moose, Bighorn Sheep, and Mountain Goat - July 10. ()
- c. Deer, Elk, Pronghorn, and Fall Bear - August 25. ()

07. Controlled Hunt Drawing. Single or group applications which are not drawn for the first choice hunt will automatically be entered into a second choice drawing, provided the second choice hunt applied for has not been filled. ()

08. Second Drawing Exclusion. The Director may designate certain leftover controlled hunt tags to become immediately available on a first-come, first-served over-the-counter basis due to the dates of the hunt. ()

259. DEADLINE FOR CLAIMING TAGS AND UNCLAIMED TAGS.

Successful applicants for the first deer, elk, black bear, gray wolf, or pronghorn controlled hunt drawing must purchase and pick up their controlled hunt tag no later than August 1. All controlled hunt tags not purchased and picked up will be entered into a second controlled hunt drawing. Any controlled hunt tags, except unlimited controlled hunt tags, left over or unclaimed after the second controlled hunt drawing will be sold on a first-come, first-served basis. ()

260. USE OF CONTROLLED HUNT TAGS.

01. Use of Controlled Hunt Tags. No person may hunt in any controlled hunt without having a valid controlled hunt tag in possession. ()

- a. A controlled hunt area with an “X” suffix is an extra tag hunt. ()
- b. In the event a tag is issued based on erroneous information, the tag will be invalidated by the Department and may NOT be used. The Department will notify the person of the invalidation of the tag. The person will remain on the drawn list, and if there is a waiting period in a succeeding year, the person will be required to wait the specified time period. ()

02. Deer. Any person who draws a controlled hunt tag for deer is not eligible to hunt in any other deer hunt--archery, muzzleloader, or general; except: ()

a. The person may choose not to purchase the controlled hunt tag by the date set by Section 259 of these rules for the first deer drawing, allowing the person to participate in a general season hunt or the second application period or the leftover controlled hunt tag sale. ()

b. If the person draws an unlimited controlled hunt, the person may relinquish the controlled hunt prior to purchasing, allowing the person to participate in a general season hunt or the second application period or the leftover controlled hunt tag sale. ()

c. The holder of a deer controlled hunt tag may purchase a nonresident general season tag as a second tag. ()

d. Any person who draws a controlled hunt extra tag for deer may hunt in any other deer hunt--archery, muzzleloader, general or controlled hunt. ()

03. Elk. Any person who draws a controlled hunt tag for elk is not eligible to hunt in any other elk hunt--archery, muzzleloader, or general; except: ()

- a. The person may choose not to purchase the controlled hunt tag by the date set by Commission rule

for the first elk drawing, allowing the person to participate in a general season hunt or the second application period or the leftover controlled hunt tag sale. ()

b. If the person draws an unlimited controlled hunt, the hunter may relinquish the controlled hunt prior to purchasing, allowing the person to participate in a general season hunt or the second application period or the leftover controlled hunt tag sale. ()

c. The holder of an elk controlled hunt tag may purchase a nonresident general season tag as a second tag. ()

d. Any person who draws a controlled hunt extra tag for elk may hunt in any other elk hunt-archery, muzzleloader, general or controlled hunt. ()

04. Pronghorn. Any person who draws a pronghorn controlled hunt tag is not eligible to hunt in any other pronghorn hunt; except: ()

a. The person may choose not to purchase the controlled hunt tag by the date set by Commission rule for the first pronghorn drawing allowing the person to participate in a general season hunt or the second application period or the leftover controlled hunt tag sale. ()

b. If the person draws an unlimited controlled hunt, the person may relinquish the controlled hunt prior to purchasing, allowing the person to participate in a general season hunt or the second application period or the leftover controlled hunt tag sale. ()

c. The holder of a pronghorn controlled hunt tag may purchase a controlled hunt extra tag for pronghorn. ()

d. Any person who draws a pronghorn controlled hunt extra tag may apply for a controlled hunt tag for pronghorn. ()

05. Black Bear. ()

a. Any person who draws a spring controlled hunt tag for black bear may choose to purchase the controlled hunt bear tag or return an unused general season bear tag in exchange for the controlled hunt bear tag. ()

b. Any person who draws a fall controlled hunt tag for black bear may choose to purchase the controlled hunt bear tag or return an unused general season bear tag in exchange for the controlled hunt bear tag. ()

261. SPECIAL CONTROLLED HUNTS.

01. Special Controlled Hunt Program. The Special Controlled Hunt Program is a program to partially fund a sportsman access program adopted by the Commission. This program will offer forty (40) tags valid for the current year hunting seasons; including, twelve (12) tags each for elk, deer, and pronghorn, and four (4) tags for moose. ()

a. The rules for controlled hunts set forth in Section 260, of these rules, do not apply to the Special Controlled Hunt Program. ()

b. The Special Controlled Hunt application will be marketed by the Department. The Department will issue these tags to eligible persons selected by an impartial random draw process. The successful applicants will receive the tag necessary to hunt the appropriate species. ()

02. Moneys. The Department will deposit all moneys received from the sale of Special Controlled Hunt Applications in accordance with state law. The Department will specifically use funds for the sportsman access program. ()

- 03. General Rules.** ()
- a.** Any individual, resident or nonresident, may purchase and submit applications without limit. ()
- b.** Special controlled hunt applications may be entered in the name of individuals other than the purchaser. ()
- c.** Each successful applicant must have or be eligible to obtain a valid Idaho hunting license. ()
- d.** Each tag will be issued to the individual named on the drawn application that meets license eligibility requirements and cannot be transferred. ()
- e.** An individual may be drawn for only one (1) special controlled hunt tag for each species. ()
- f.** Each special controlled hunt tag is valid for the designated species and allows the person to hunt in any open hunt, general or controlled, for the designated species in the applicable year's season. ()
- g.** The special controlled hunt tag will be in addition to any other tag the person is eligible to obtain. ()
- h.** Any applicant, including those who harvest an animal on a special controlled hunt tag, will be eligible to apply for any controlled hunt for the same species in the same year or subsequent years. ()
- i.** In the event a license, tag, or permit is issued based on erroneous information, all documents issued based on the erroneous information will be invalidated by the Department and may not be used. The Department will notify the individual at his last known place of residence of the invalidation of the license, tag or permit. ()
- 04. Application Fees.** Applications may be sold for individual species (Super Hunt) or grouped for combined species (Super Hunt Combo). The application fees will be set by Commission Order under Section 36-415, Idaho Code, or will be the same as the controlled hunt fee set in Section 36-416, Idaho Code. ()
- 05. Drawing Dates.** There will be two (2) drawings. All drawings will be held at the Department's offices in Boise, Idaho. The first drawing winners will be notified by June 10, and the second drawing winners will be notified by August 15 each year. The Commission may order a different drawing day in case of business emergency, holiday, or non-business days. ()
- 06. Department Marketed Applications.** ()
- a.** Individual applications for special controlled hunts shall be made on a form prescribed by the Department or submitted electronically at any Department Office or license vendor, via Internet or telephone. ()
- b.** Applications received at the Licenses Section, Headquarters Office, Idaho Department of Fish and Game, PO Box 25, Boise, Idaho 83707-0025, or submitted electronically, by no later than 11:59 pm Mountain time May 31 of the current calendar year will be eligible for the first drawing held in June; and those received after May 31 and by no later than 11:59 pm Mountain time, August 10, of the current calendar year for the second drawing. Applications received after August 10 will be eligible for the drawing held in June of the following year. ()
- c.** All applications entered into the first drawing are not eligible for and will not be entered into the second drawing. ()
- d.** Any individual application that is unreadable, has multiple or no species box checked, is incomplete, or lacks the information or fee will be declared void and will not be entered in the drawing. All applications will be considered final; they may not be resubmitted after correction. ()

e. Should the winner be ineligible, deceased, or incapacitated to hunt, the first alternate drawn will be declared the winner. Should the first alternate be ineligible, deceased or incapacitated to hunt, the second alternate drawn will be declared the winner. Should the second alternate be ineligible, deceased or incapacitated to hunt, that special controlled hunt tag will be null and void and will not be issued to any person. ()

262. -- 269. (RESERVED)

270. MANDATORY HUNTER ORIENTATION.

Anyone drawing a controlled archery-only hunt tag with mandatory hunter orientation as denoted in the season proclamation will receive orientation information that includes hunt boundaries, legal restrictions, and hunter ethics. Tag holders must sign and return an affidavit that they have reviewed and understand the orientation to receive a Certificate of Completion, which must be carried by the hunter during the hunt. Holders of "Certificates of Completion" from previous hunts do not have to repeat this orientation and will be provided with updated Certificates of Completion to participate in the hunt. ()

271. -- 299. (RESERVED)

300. IDENTIFICATION OF ANIMALS THAT LEGALLY MAY BE TAKEN.

01. Big Game Animals of Either Sex. Big game animals of either sex may be taken, except the following may not be taken: ()

- a. Mountain Goat. Females accompanied by young. ()
- b. Black Bear. Females accompanied by young. ()
- c. Mountain Lion. Spotted young or females accompanied by young. ()
- d. Grizzly Bear. Adult grizzly bears accompanied by young, or young accompanied by adult grizzly bear(s). ()

02. Seasons Restricted to Antlered or Male Animals Only. ()

a. Deer. Only deer with at least one (1) antler longer than three (3) inches may be taken in any season open for antlered deer only. ()

b. Two-point deer. Only deer with not more than two (2) points on one (1) antler, not including brow point, and at least one (1) antler longer than three (3) inches may be taken in any season open for two-point deer only. ()

c. Three-point deer. Only deer having at least one (1) antler with three (3) or more points not counting the brow point or tine may be taken in any season open for three-point or larger deer only. ()

d. Four-point deer. Only deer having at least one (1) antler with four (4) or more points, not including the brow point or tine, may be taken in any season open for four-point or larger deer only. ()

e. Elk. Only elk with at least one (1) antler longer than six (6) inches may be taken in any season which is open for antlered elk only. ()

f. Spike elk. Only elk with no branching on either antler and at least one (1) antler longer than six (6) inches may be taken in any season which is open for spike elk only. A branch is an antler projection that is at least one (1) inch long and longer than the width of the projection. ()

g. Brow-tined elk. Any elk having an antler or antlers with a visible point on the lower half of either main beam that is greater than or equal to four (4) inches long. ()

h. Moose. Only moose with at least one (1) antler longer than six (6) inches may be taken in any

season open for antlered moose only. ()

03. Seasons Restricted to Antlerless or Female Animals Only. ()

a. Deer. Only deer without antlers or with antlers shorter than three (3) inches may be taken in any season open for antlerless deer only. ()

b. Elk. Only elk without antlers or with antlers shorter than six (6) inches may be taken in any season open for antlerless elk only. ()

c. Pronghorn. Only pronghorn without a black “cheek patch” or horns less than three (3) inches long may be taken during doe and fawn only pronghorn seasons. ()

d. Bighorn sheep. Only bighorn sheep with horns between six (6) inches and twelve (12) inches in length may be taken in any season which is open for bighorn ewes only. ()

e. Moose. Only moose without antlers or with antlers less than six (6) inches long may be taken in any season which is open for antlerless moose only. ()

301. -- 319. (RESERVED)

320. TAG VALIDATION AND ATTACHMENT.

01. Tag. Immediately after any deer, elk, pronghorn, moose, bighorn sheep, mountain goat, mountain lion, black bear, grizzly bear, or gray wolf is killed, the appropriate big game animal tag must be validated and securely attached to the animal. ()

a. Validation. Cut out and completely remove only the two (2) triangles indicating the date and month of kill. ()

b. Attachment of Tag. ()

i. Deer, elk, pronghorn, moose, mountain goat, black bear, and bighorn sheep: to the largest portion of the edible meat to be retained by the hunter or any person transporting for the hunter. The tag must remain attached during transit to a place of processing and remain attached until the meat is processed. The validated tag must accompany the processed meat to the place of final storage or final consumption. ()

ii. Mountain lion, black bear, grizzly bear, and gray wolf: To the hide until the mandatory check is complied with. ()

321. -- 349. (RESERVED)

350. IDENTIFICATION OF SEX, SIZE, AND/OR SPECIES IN POSSESSION AND DURING TRANSPORTATION OR SHIPMENT.

01. Evidence of Sex. Evidence of sex must be left naturally attached to the carcass of any big game animal until the carcass reaches the final place of storage or consumption or a commercial meat processing facility as follows: ()

a. In antlered or male only seasons, the evidence of sex requirement is met when the head, horns, or antlers are left naturally attached to the whole carcass or to a front quarter. If the head, horns, or antlers are removed, some other external evidence of sex (either scrotum, penis or testicles) must be left naturally attached to the carcass or to a hind quarter; and the horns or antlers must accompany the carcass while in transit. ()

b. In spike elk or two-point (2) deer only seasons, the evidence of sex requirement is met when the head with both complete unaltered antlers are left naturally attached to the whole carcass or to a front quarter. If the head or antlers are removed, some other external evidence of sex (either scrotum, penis or testicles) must be left

naturally attached to the carcass or to a hind quarter; and both complete unaltered antlers naturally attached to each other must accompany the carcass while in transit. ()

c. In antlerless, doe/fawn or female only seasons, if the head is removed from female elk, moose, deer, pronghorn, or bighorn sheep, some other external evidence of sex (either udder or the vulva) must be left naturally attached to the carcass or to a hind quarter. ()

d. The entire head of antlerless male elk, moose, deer, or pronghorn, or a male lamb bighorn sheep killed during an antlerless, female, doe/fawn or ewe only season, may be left naturally attached to the carcass or to a front quarter. If the head is removed, some other external evidence of sex (either scrotum, penis, or testicles for males or udder or vulva for females) must be left naturally attached to the carcass or to a hind quarter; and the lower jaw must accompany the carcass while in transit. ()

e. For black bear, grizzly bear, mountain lion, and gray wolf, external evidence of sex (either scrotum, penis or testicles for males, or udder or vulva for females) must be left naturally attached to the hide until the mandatory check has been complied with. ()

02. Evidence of Species. In seasons restricted to mule deer only or white-tailed deer only, if the head is removed, the fully-haired tail must be left naturally attached to the carcass. ()

03. Other. The Commission may by proclamation designate seasons and areas in which the head or lower jaw must accompany the carcass in transit. ()

351. – 403. (RESERVED)

404. SPECIAL WEAPON SEASONS.

The Commission may designate by proclamation Special Weapon seasons, such as Archery Only, Muzzleloader Only, or Short-range Weapons Only, in which restrictions to method of take apply in addition to those set forth in Section 410. ()

405. SPECIAL WEAPON SEASONS – ARCHERY.

01. Archery Only Season. During a season designated by Commission proclamation as an Archery Only season, it is unlawful to take a big game animal: ()

- a.** With any firearm, crossbow, or implement other than a longbow, compound bow, or recurve bow. ()
- b.** With any device attached to the bow that holds a bow at partial or full draw. ()
- c.** With any bow or crossbow equipped with magnifying sights. ()

02. Traditional Archery Only Season. During a season identified by Commission proclamation as Traditional Archery Only, it is unlawful to take any big game animal: ()

- a.** With any firearm, crossbow, or implement other than a longbow or recurve bow. ()
- b.** With an arrow not constructed of wood or fletched with non-natural material. ()
- c.** With any bow equipped with sights. ()

406. SPECIAL WEAPON SEASONS – MUZZLELOADER.

01. Muzzleloader Only Season. During a season designated by Commission proclamation as a Muzzleloader Only season, it is unlawful to take a big game animal with any firearm, including muzzleloading pistols, or implement other than a muzzleloading rifle or musket that complies with each of the following: ()

- a. Is at least forty-five (.45) caliber for deer, pronghorn, mountain lion, or gray wolf, or at least fifty (.50) caliber for elk, moose, bighorn sheep, mountain goat or black bear. ()
 - b. Is capable of being loaded only from the muzzle. ()
 - c. Is equipped only with open or peep sights. ()
 - d. Is loaded only with loose black powder including synthetic black powder. ()
 - e. Is equipped with no more than two (2) barrels. ()
 - f. Is loaded only with a projectile with a diameter within one hundredth (.01) of an inch of the bore diameter. ()
 - g. Is equipped only with flint, musket cap, or percussion cap. 209 primers are prohibited. ()
 - h. Is equipped with an exposed ignition system. ()
 - i. Is loaded only with a patched round ball or conical non-jacketed projectile comprised wholly of lead or lead alloy. ()
- 02. Pelletized Powder.** It is unlawful to use pelletized powder in a Muzzleloader Only season. ()
- 03. Sabot.** It is unlawful to use a sabot in a Muzzleloader Only season. ()

407. SPECIAL WEAPON SEASONS – SHORT-RANGE WEAPONS.

- 01. Short-range Weapon Only Season.** During a season designated by Commission proclamation as a Short-Range Weapon Only season, it is unlawful to use any weapon other than the following: ()
- a. Any shotgun using any slug or double-aught (#00) or larger buckshot. ()
 - b. Any muzzleloader that is at least forty-five (0.45) caliber for deer, pronghorn, mountain lion, or gray wolf, or at least fifty (0.50) caliber for elk, moose, bighorn sheep, mountain goat, or black bear. ()
 - c. Any bow having a peak draw weight of not less than forty (40) pounds up to or at a draw of twenty-eight (28) inches. ()
 - d. Any crossbow having a peak draw weight of not less than one hundred fifty (150) pounds. ()
 - e. Any handgun using straight wall centerfire cartridges not originally developed for rifles. ()
 - f. Any airgun using pre-charged pneumatic power to propel a projectile (excluding shot and arrows) with unignited compressed air or gas and projectiles at least thirty-five (0.35) caliber for deer and pronghorn antelope or at least forty-five (0.45) caliber for elk and moose. ()

408. -- 409. (RESERVED)

410. UNLAWFUL METHODS OF TAKE – GENERAL.

No person may take big game animals as set forth in this section. ()

01. Firearms. ()

- a. With any firearm that, in combination with a scope, sling, and/or any other attachments, weighs more than sixteen (16) pounds. ()

- b.** With any shotgun using any shot smaller than double-aught (#00) buck. ()
- c.** With any rimfire rifle, rimfire handgun or any muzzleloading handgun, except for mountain lion and trapped gray wolf. ()
- d.** With a fully automatic firearm. ()
- e.** With any electronic device attached to, or incorporated in, the firearm (including handguns and shotguns) or scope; except scopes containing battery powered or tritium lighted reticles are allowed. ()
- 02. Bows, Crossbows, Arrows, Bolts, Airguns, Chemicals or Explosives.** ()
- a.** With arrows or bolts having broadheads measuring less than seven-eighths (7/8) inch in width and having a primary cutting edge less than fifteenth-thousandths (0.015) inch thick. ()
- b.** With any bow having a peak draw weight of less than forty (40) pounds up to or at a draw of twenty-eight (28) inches, or any crossbow having a peak draw weight of less than one hundred-fifty (150) pounds. ()
- c.** With any chemicals or explosives attached to the arrow or bolt. ()
- d.** With arrows or bolts having expanding broadheads. ()
- e.** With arrows or bolts having barbed broadheads. A barbed broadhead is a broadhead which has any portion of the rear edge of the broadhead forming an angle less than ninety (90) degrees with the shaft or ferrule. ()
- f.** With any electronic or tritium-powered device attached to, or incorporated into, an arrow, bolt, crossbow, or bow. ()
- g.** With any bow capable of shooting more than one (1) arrow at a time. ()
- h.** With any compound bow with more than eighty-five percent (85%) let-off. ()
- i.** With an arrow and broadhead, or bolt and broadhead, with a combined total weight of less than three hundred (300) grains. ()
- j.** With an arrow less than twenty-four (24) inches or a crossbow bolt less than twelve (12) inches in length from the broadhead to the nock inclusive. ()
- k.** With an arrow wherein the broadhead does not precede the shaft and nock. ()
- l.** With any crossbow pistol. ()
- m.** With any airgun using pre-charged pneumatic power to propel a projectile (excluding shot and arrows) with unignited compressed air or gas and projectiles less than thirty-five (0.35) caliber for deer, pronghorn antelope, mountain lion, or gray wolf, or less than forty-five (0.45) caliber for elk, moose, bighorn sheep, mountain goat, or black or grizzly bear. ()
- 03. Muzzleloaders.** ()
- a.** With a muzzleloading rifle or musket which is less than forty-five (.45) caliber for deer, pronghorn, mountain lion, or gray wolf, or which is less than fifty (.50) caliber for elk, moose, bighorn sheep, mountain goat, or black bear. ()
- b.** With any electronic device attached to, or incorporated in, the muzzleloader. ()

- 04. Other.** ()
- a.** With electronic calls except for the hunting of mountain lions, black bears, and wolves in seasons set by proclamation. ()
 - b.** With any bait for hunting, including grain, salt in any form (liquid or solid), or any other substance (not to include synthetic liquid scent) to constitute an attraction or enticement, except in accordance with IDAPA 13.01.17, “Rules Governing the Use of Bait for Hunting Big Game Animals.” ()
 - c.** With dogs, except for mountain lion or black bear in accordance with IDAPA 13.01.15, “Rules Governing the Use of Dogs.” ()
 - d.** With any net, snare, trap, chemical, deadfall or device other than legal firearm, archery or muzzleloader equipment or airgun; except in accordance with IDAPA 13.01.16, “Rules Governing Trapping of Wildlife and Taking of Furbearing Animals.” ()
 - e.** Within an enclosure designed to prevent ingress or egress of big game animals, including fenced facilities defined as Domestic Cervidae Farms under Section 25-3501, Idaho Code, unless authorized by the director. This rule does not apply to domestic cervids. ()
 - f.** With radio telemetry or other electronic tracking devices used as an aid to locate big game animals. This rule does not affect the use of telemetry equipment on hounds or other sporting dogs. ()

411. MOTORIZED HUNTING RULE.

The use of motorized vehicles by hunters as an aid to hunting big game is restricted in certain areas. This use restriction is in addition to all federal, state and local laws, rules, regulations, ordinances and orders; including, but not limited to, any motorized vehicle licensing, registration, and permitting requirements and traffic laws. Hunters must comply with all motorized vehicle limits or prohibitions instituted by the landowner or land manager. Also, this use restriction rule is not an exception from, and is in addition to, the statutory prohibition against hunting from or by the use of any motorized vehicle set forth in Section 36-1101(b)(1), Idaho Code. ()

01. Use Restriction. In designated units from August 30 through December 31, hunters may only use motorized vehicles on established roadways that are open to motorized traffic and capable of travel by full-sized automobiles. ()

02. Exceptions. This use restriction rule does not apply to the following permissible motorized vehicle uses by hunters off of an established roadway: ()

- a.** Holders of a valid Disabled Motor Vehicle Hunting Permit may use a motorized vehicle as allowed by the land owner or manager. ()
- b.** Hunters may use a motorized vehicle to retrieve downed game if such travel is allowed by the land owner or manager. ()
- c.** Hunters may use a motorized vehicle to pack camping equipment in or out if such travel is allowed by the land owner or manager; however, hunters may not hunt while packing camping equipment. ()
- d.** Private landowners on their private land, their authorized agents, and persons with written landowner permission are excepted from the Motorized Hunting Rule use restriction. ()

412. DESIGNATED MOTORIZED HUNTING RULE UNITS.

The motorized hunting use restriction applies to units 29, 30, 30A, 32, 32A, 36A, 37, 37A, 45, 47, 49, 50, 51, 52, 52A, 53, 56, 58, 59, 59A, 66, 66A, 69, 70, 72, 73, 75, 76, 77, and 78. ()

413. EXCEPTIONS FOR METHODS OF TAKE AND SHOOTING HOURS FOR GRAY WOLF.

- 01. Exceptions for Dispatch of Trapped Wolf.** A lawfully trapped gray wolf may be dispatched at

any hour with any rifle or handgun in exception to IDAPA 13.01.08.400 and 410, “Rules Governing Taking of Big Game Animals,” without additional permit from the Director. ()

02. Exceptions for Methods of Take. The Commission may set seasons by proclamation for units in which the hunting or trapping of gray wolf is exempt from method of take restrictions for game animals contained in Section 36-1101, Idaho Code, or Sections 410 or 412 of these rules, where such restrictions do not apply to other wild canines. ()

03. Permits Involving Waiver of Official Shooting Hours. Where the Commission sets seasons pursuant to Section 413.02 of these rules, no person may hunt gray wolf by use of artificial light or otherwise outside of official shooting hours set by IDAPA 13.01.07.400, Rules Governing Taking of Wildlife, unless: ()

a. On public land, that person has a valid permit from the Director and complies with any permit conditions. The Director may deny a person’s application for such permit, limit the time or area for hunting, or impose other conditions for good cause, such as public safety or protection of other wildlife or property; or ()

b. On private land, that person is the owner of that land or has written authorization from the landowner or landowner’s agent. ()

414. -- 418. (RESERVED)

419. RETURN OF TAGS BY UNSUCCESSFUL HUNTERS.

Hunters who are not successful in killing a bighorn sheep, mountain goat, grizzly bear, or moose shall present or mail their unused tags to a Department office within ten (10) days after the close of the season for which the tag was valid. Canceled tags will be returned to the hunter upon request. ()

420. MANDATORY CHECK AND REPORT REQUIREMENTS.

Any person killing black bear, moose, bighorn sheep, mountain goat, gray wolf, or mountain lion in a unit with no quota, must, within ten (10) days of the date of kill, or any person killing mountain lion in a unit with a quota, or a grizzly bear, must, within five (5) days of the date of kill, comply with the mandatory check and report requirements by: ()

01. Harvest Report. Completing the relevant harvest report (big game mortality report or other report form as required) for the species taken. ()

02. Presentation of Animal Parts. Presenting the following animal parts so that Department personnel may collect biological data and mark the animal parts: ()

a. Black Bear: Skull and portion of the hide with evidence of sex attached to be presented to a conservation officer, regional office or official check point for removal and retention of premolar tooth and to have the hide marked. ()

b. Grizzly Bear: Skull and portion of the hide with evidence of sex attached to be presented to a conservation officer or regional office for removal and retention of a premolar tooth, and to have the hide marked. ()

c. Mountain Lion: Skull and portion of the hide with evidence of sex attached to be presented to a conservation officer or regional office to have the hide marked. ()

d. Gray Wolf: Skull and portion of the hide with evidence of sex attached to be presented to a conservation officer or regional office for removal and retention of a premolar tooth, and to have the hide marked. ()

e. Moose: Antlers from antlered animals to be presented to a conservation officer or regional office. ()

f. Bighorn Sheep: Ram horns to be presented to a regional office for marking, ewe horns to be ()

presented to a regional office. ()

g. Mountain Goat: Horns to be presented to a conservation officer or regional office. ()

03. Possession of Raw Pelts of Black Bear, Grizzly Bear, Mountain lion, and Gray Wolf. No person may have in possession, except during the respective time period after lawful harvest allowed for mandatory check in Section 420 of these rules (five (5) or ten (10) days), depending on species), any raw black bear, mountain lion, grizzly bear, or gray wolf pelt without an official state export tag attached, unless that person possesses a fur buyer or taxidermist license or appropriate import documentation. ()

04. Authorized Representative. A person may authorize another person to comply with the above requirements if that person complies with reporting requirements and possesses enough information to accurately complete the necessary form. ()

421. MANDATORY PRONGHORN, DEER, AND ELK REPORT REQUIREMENTS.

01. Mandatory Report. Any hunter that obtains a pronghorn, deer, or elk tag must submit to the Department an accurately completed Mandatory Report for the respective species on a form prescribed by the Department, within ten (10) days of killing such animal, or if the hunter does not kill such animal, within ten (10) days of the closing date of the appropriate season. ()

02. Failure to Report. Failure to submit the pronghorn, deer, or elk Mandatory Report as required in this section will render the person ineligible to obtain any license until a late Mandatory Report permit is submitted with the Department. ()

422. MANDATORY TELEPHONE REPORT.

In addition to other check and reporting requirements, any hunter killing a grizzly bear must report the harvest within twenty-four (24) hours by calling the Grizzly Bear Reporting Number, a toll-free telephone number published in the grizzly bear season and rules brochure available at Department offices and on the Department website. ()

423. -- 499. (RESERVED)

500. AREAS CLOSED TO HUNTING OF BIG GAME ANIMALS.

In addition to the closures specified in IDAPA 13.01.07.300, "Rules Governing Taking of Wildlife." ()

01. Mountain Lions and Gray Wolves. No person may hunt or pursue mountain lion or gray wolf within one-half (1/2) mile of any active Department big game feeding site. ()

02. Black Bear, Grizzly Bear, and Gray Wolves. No person may hunt or pursue black bear, grizzly bear, or gray wolf within two hundred (200) yards of the perimeter of any designated dump ground or sanitary landfill. ()

501. -- 799. (RESERVED)

800. EMERGENCY DEPREDATION HUNTS.

01. Eligibility. ()

a. Only Idaho residents with a valid Idaho hunting or combination license are eligible to apply to participate in emergency depredation hunts. ()

b. Persons submitting applications for emergency depredation hunts are eligible to apply for controlled hunts or may hunt in the general season. ()

02. Applications. ()

a. A person may submit no more than (1) application per year for each species--deer, elk, pronghorn, ()

black bear, or gray wolf. ()

b. An individual or a group may apply. A group is defined as two (2) hunters applying for the same depredation hunt on the same application. If an individual submits application for more than one (1) species, he does not have to apply in the same group or area for each application ()

c. Any form not properly completed will be ineligible for selection. ()

d. Any holder of an antlerless or doe/fawn, or black bear controlled hunt tag will be considered an applicant for any depredation hunt for that species which is: ()

i. Held prior to the antlerless or doe/fawn, or black bear controlled hunt; and ()

ii. Is in the same area as the depredation. ()

e. Any holder of an antlerless or doe/fawn, or black bear controlled hunt tag may also apply for a depredation hunt in any region. ()

f. A list of depredation hunt applications received will be maintained for the time period July 1 to June 30. Applications are valid only for the time period for which they are submitted. ()

03. Selection of Participants. The Department will place all applications (individual or group) for each depredation hunt received by June 30 in random order. All applications received after June 30 will be placed at the end of the list in the order received, except that military personnel returning from active duty will be given priority. The Department will select participants for a hunt in the order in which applicants appear on the list, except for those hunts that precede, or at the discretion of the Regional Supervisor, follow a controlled hunt for doe/fawn or antlerless animals or black bear. If a depredation hunt is scheduled before or, at the discretion of the Regional Supervisor, after a doe/fawn or antlerless hunt or black bear hunt in the same unit, the holders of the doe/fawn or antlerless tags or black bear tag will be given the option to hunt in the depredation hunt. If no doe/fawn or antlerless or black bear hunts are scheduled in that unit, or if some depredation hunt tags are not taken by controlled hunt hunters, participants will be selected from applicants for that depredation hunt. If a group application is selected, both hunters will be offered depredation hunt tags. ()

801. -- 999. (RESERVED)

13.01.09 – RULES GOVERNING TAKING OF GAME BIRDS AND UPLAND GAME ANIMALS

000. LEGAL AUTHORITY.

Sections 36-103, 36-104, 36-1101, and 36-1102, Idaho Code, authorize the Commission to adopt rules concerning taking of game birds and upland game animals. ()

001. TITLE AND SCOPE.

The title of this chapter for citation is IDAPA 13.01.09, “Rules Governing Taking of Game Birds and Upland Game Animals.” These rules govern taking of game birds and upland game animals. ()

002. – 009. (RESERVED)

010. DEFINITIONS.

IDAPA 13.01.06, “Rules Governing Classification and Protection of Wildlife,” defines migratory game birds, American crow, upland game animals, and upland game birds. Definitions as used in these rules: ()

01. Accompanied. Close enough to be within normal conversation or hearing range without shouting or the aid of electronic devices. ()

02. Waterfowl. The combination of ducks, geese, and swans, under the migratory game bird classification in IDAPA 13.01.06, “Rules Governing Classification and Protection of Wildlife.” ()

011. – 099. (RESERVED)

100. GAME BIRD TAGS.

01. Game Tags. No person may hunt game birds anywhere within the state, except licensed shooting preserves, without having in possession the appropriate game tag as required by Section 36-409, Idaho Code. ()

02. General and Controlled Hunt Tags. The Commission may authorize general or controlled hunts by proclamation. ()

a. A general hunt game tag is valid in any general hunt for the calendar year. ()

b. A controlled hunt tag is valid only for the controlled hunt for which the tag was drawn. For turkey only, a controlled hunt tag is also valid in any general hunt for the calendar year. ()

03. Game Bird Tag Validation and Attachment. Any person who kills a game bird for which a game tag is required under Section 36-409(c), Idaho Code, must immediately validate the appropriate tag and securely attach the validated tag to the carcass. Tag validation means completely removing the two (2) triangles on the tag corresponding to the day and month of the kill date. The validated tag must remain attached to the carcass during transit to the place of final storage or final consumption. ()

101. – 109. (RESERVED)

110. CONTROLLED HUNTS.

01. Eligibility. Holders of hunting licenses valid for game birds are eligible to apply for spring and fall controlled hunts, subject to the following restrictions: ()

a. Landowner-permission controlled hunt application eligibility is limited to persons who have a signed permission slip, which includes the landowner’s name and address, from a landowner who owns more than seventy-nine (79) acres in the hunt area. ()

b. Youth-only controlled hunt application eligibility is limited to persons nine (9) to seventeen (17) years of age, provided they will be ten (10) to seventeen (17) years of age during the hunt for which they apply. A nine (9) year old cannot participate in the hunt until turning age ten (10). A person who turns eighteen (18) years of age during the controlled hunt may continue to participate through the end of the youth-only controlled hunt. ()

c. A person sixty-five (65) years of age or older with a senior or disabled combination or hunting license may apply on a first-come, first-served basis for leftover youth-only turkey controlled hunt tags. ()

02. Applications. Applications for spring and fall controlled hunts may be submitted electronically through the automated licensing system at any vendor location, including Department offices, through the Internet, or via telephone, not later than March 1 for spring hunts and June 5 for fall hunts, or an alternate date specified by Commission proclamation when these dates are impractical. ()

a. Duplicate license numbers will not be accepted. Applications from Holders of a Duplicate License (Type 501) will be processed only if they include original license numbers. ()

b. Only one (1) application per person or group will be accepted. Additional applications will result in all applicants being declared ineligible. ()

c. A single payment may be submitted to cover fees for all applications. If a check or money order is insufficient to cover the fees, all applications will be voided and returned. ()

d. A “group application” is defined as two (2) hunters applying for the same controlled hunt on the same application. ()

e. Hunting license and tag fees will NOT be refunded to unsuccessful applicants. ()

f. In the event a tag is issued based on erroneous information, the tag will be invalidated and the person will remain on the drawn list. ()

03. Drawing Information. Single or group applications not drawn for first choice hunts will automatically be entered into a second choice drawing if tags remain available in that hunt. ()

04. Successful Applicant. Any successful controlled hunt applicant may choose to buy the controlled hunt tag or return an unused general season tag for the species in exchange for the controlled hunt tag. ()

05. Nonresident Limit. In any controlled hunt, not more than ten percent (10%) of the tags will be issued to nonresidents. ()

111. – 149. (RESERVED)

150. MIGRATORY GAME BIRD PERMIT.

No person may hunt migratory game birds anywhere within the state, without having in possession the appropriate hunting license with validation for the Migratory Game Bird Harvest Information Program and tag. ()

151. SHARP-TAILED GROUSE PERMIT.

No person may hunt sharp-tailed grouse anywhere within the state, without having in possession the appropriate hunting license with validation for sharp-tailed grouse, except on a licensed shooting preserve. ()

152. UPLAND GAME BIRD PERMIT (DEPARTMENT-STOCKED BIRDS).

01. Upland Game Bird Permit. Any person eighteen (18) years of age or older hunting for or having a pheasant in his or her possession on Fort Boise, C.J. Strike, Montour, Payette River, Sterling, Market Lake, Mud Lake, Cartier, or Niagara Springs Wildlife Management Areas, or at other locations where the Department stocks pheasants, as identified by Commission proclamation, must have a valid Upland Game Bird Permit in possession. ()

02. Permit Limit. Each Upland Game Bird Permit has a limit of six (6) roosters (cocks). Multiple permits may be purchased. ()

03. Permit Validation. Any person harvesting a pheasant where a Upland Game Bird Permit is required must immediately validate their Permit upon reducing a pheasant to possession by entering the harvest date and location in Non-Erasable ink, and removing a notch from the permit for each pheasant taken. ()

153. – 179. (RESERVED)

180. YOUTH AND OTHER SPECIAL HUNTS.

01. Youth and Veteran/Active Duty Waterfowl Season. The youth waterfowl season is open only to licensed hunters with Migratory Bird validation who are eight (8) to seventeen (17) years of age, and who are accompanied in the field at all times by a licensed hunter eighteen (18) years of age or older. The Veteran/Active Duty waterfowl season is open only to licensed hunters with Migratory Bird validation who are veterans (as defined in Section 65-203, Idaho Code, but without restriction as to Idaho residency) or members of the Armed Forces on active duty (which does not include members of the National Guard and Reserves performing drills or training), and who carry proof of eligibility on their person, such as an official military or veteran identification card; DD214 form; or a state-issued driver's license or identification card with veteran's designation. ()

02. Youth General Hunts for Turkey. Youth-only general hunts for turkey are limited to participation by hunters who are ten (10) to seventeen (17) years of age with a valid license. ()

03. Youth Pheasant Season. The youth pheasant season is open only to licensed hunters ten (10) to seventeen (17) years of age. ()

181. – 189. (RESERVED)

190. NONRESIDENT PARTICIPATION IN PHEASANT SEASONS.

The Commission may set by proclamation a later season start date, of no more than five (5) days, for nonresident participation in pheasant seasons. ()

191. – 199. (RESERVED)

200. IDENTIFICATION OF SPECIES IN POSSESSION AND DURING TRANSPORTATION.

No person may possess, transport, or ship any game bird or Eurasian-collared dove between the place where taken and the personal abode of the possessor OR between the place where taken and a commercial processing or storage facility unless: ()

01. Wild Turkey. The beard or leg of wild turkey is left naturally attached to the carcass. ()

02. All Other Game Birds and Eurasian-Collared Doves. One (1) fully-feathered wing or the head is left naturally attached to the carcass. ()

201. –249. (RESERVED)

250. MANDATORY CHECK AND REPORT.

01. Swan. Any hunter killing a swan must, within three (3) days of the date of kill, present the swan carcass (for measurement and identification) to a conservation officer, regional office or check station, and complete a harvest report. A person may authorize another person to comply with the check and report if that person possesses sufficient information to complete the report. ()

251. –299. (RESERVED)

300. UPLAND GAME BIRD METHODS OF TAKE.

01. Upland Game Birds. No person may take upland game birds: ()

a. With a trap, snare, net, or firearm. ()

i. EXCEPT upland game birds may be taken with a shotgun using shells not exceeding three and one-half (3-1/2) inches maximum length, or muzzleloading shotgun; or ()

- ii. EXCEPT, forest grouse only may be taken with a firearm. ()
- b. From any watercraft. ()
- c. By the use or aid of any electronic call. ()
- d. By the aid of baiting. Bait is defined as any substance placed to attract upland game birds. ()
- e. When hunting on locations where an Upland Game Bird permit is required, without wearing at least thirty-six (36) square inches of visible hunter orange above the waist. ()
- 02. Wild Turkey.** In addition to the methods listed above, no person may take wild turkey: ()
 - a. With lead shot exceeding BB size. ()
 - b. With steel shot exceeding T size. ()
 - c. By the use of dogs, except during fall hunts. ()
 - d. With any airgun using pre-charged pneumatic power to propel a projectile (including shot and arrows) with unignited compressed air or gas and projectiles less than thirty (.30) caliber. ()

301. MIGRATORY BIRD METHODS OF TAKE.

As provided by Section 36-1102, Idaho Code, taking of migratory birds is subject to the provisions of the federal migratory bird treaty act and federal regulations (found at 50 CFR Part 20). ()

01. Waterfowl. No person may take waterfowl, or coot while in possession of shot other than nontoxic shot federally approved for waterfowl hunting. No person may take waterfowl with shot larger than two tenths (.20) inches in diameter (size T). ()

02. Mourning Doves. Common Snipe, and Sandhill Cranes. No person may take mourning doves, common snipe, or Sandhill Cranes while in possession of shot larger than two tenths (.20) inches in diameter (size T). ()

03. American Crow. No person may take American crow with a trap, snare, net, rifle, pistol or a shotgun using shells exceeding three and one-half (3-1/2) inches maximum length. American crow are exempt from waste provisions under Section 36-1202, Idaho Code. ()

302 – 349. (RESERVED)

350. UPLAND GAME ANIMAL METHODS OF TAKE.

No person may take upland game animals: ()

01. Devices. With a trap, snare, net or shotgun using shotgun shells exceeding three and one-half (3 ½) inches in length. ()

02. Electronic Call. By the use or aid of any electronic call. ()

351 – 399. (RESERVED)

400. AREAS CLOSED TO HUNTING OF GAME BIRDS.

01. General. In addition to those areas closed under IDAPA 13.01.07.300, “Rules Governing Taking of Wildlife,” the following area is closed to the hunting, killing, or molesting of any game bird: Roswell Marsh Wildlife Habitat Area in Canyon County on Sundays, Mondays, Tuesdays and Wednesdays from September 15 through the end of the waterfowl hunting season in the area south of Highway 18 and west of Pebble Lane (Roswell Marsh segment). ()

02. Migratory Game Birds. In addition to the areas listed above as closed to hunting of game birds, the following areas are closed to hunting, killing, or molesting migratory game birds other than mourning dove: ()

a. Fort Hall Indian Reservation in Bingham, Bannock, and Power Counties within three hundred (300) yards each way of the Fort Hall Bluffs from Bigbend Boat Launch to the west boundary of the Fort Hall Indian Reservation. ()

b. Hagerman Wildlife Management Area (WMA) in Gooding County in the area enclosed by the following boundary: Beginning at a point two hundred (200) yards west of the point at which U.S. Highway 30 crosses the south bank of Gridley Island, then northwest along a line two hundred (200) yards southwest of and parallel to U.S. Highway 30 to a point two hundred (200) yards west of the junction of U.S. Highway 30 and the WMA entrance, then west and north and east along a line two hundred (200) yards outside of the WMA boundary, which is marked by a fence, to the point at which the fence meets U.S. Highway 30, then east and south along a line five hundred (500) yards outside of the WMA boundary to the Snake River, then downstream along the north bank of the Snake River and then along the south bank of Gridley Island to the point where U.S. Highway 30 crosses the south bank of Gridley Island, then two hundred (200) yards west of U.S. Highway 30 to the point of beginning. Exception: Department sponsored waterfowl hunts. ()

c. Mormon Reservoir in Camas County including the shoreline area within two hundred (200) yards of the ordinary high water line. ()

d. Spokane River in Kootenai County from the Post Falls Dam to Lake Coeur d'Alene at the orange pilings, within two hundred (200) yards of the ordinary high water line two thousand one hundred twenty-eight (2,128) feet above sea level. ()

03. Geese. In addition to the areas listed above as closed to hunting of game birds and migratory game birds, the following areas are closed to the hunting, killing, or molesting of any species of geese: ()

a. Canyon County in the area enclosed by the following boundary and within one hundred fifty (150) feet of the exterior side of said boundary (except that the closure extends to one hundred (100) yards from the exterior side of said boundary along that section commencing at the junction of Lake Shore Drive and Rim Road, then south on Rim Road to west Lewis Lane, then east on west Lewis Lane to Lake Shore Drive, then along Lake Shore Drive to Emerald Road): Beginning approximately at the junction of State Highway 45 (12th Avenue Road) and Greenhurst Road (Nampa), then west following Greenhurst Road to its junction with Middleton Road, then north following Middleton Road to its junction with Lake Lowell Avenue, then west following Lake Lowell Avenue to its junction with Lake Avenue, then north following Lake Avenue to its junction with West Roosevelt Avenue, then west following West Roosevelt Avenue to its junction with Indiana Avenue, then north following Indiana Avenue to its junction with State Highway 55 (Karcher Road), then west following State Highway 55 to its junction with Riverside Road, then south following Riverside Road to the Deer Flat National Wildlife Refuge boundary, then west along boundary fence below lower embankment as posted to Lake Shore Drive, then in a southeast direction following Lake Shore Drive to its junction with Marsing Road, then east and south on Lake Shore Drive to Rim Drive, then south on Rim Drive to West Lewis Lane, then east on West Lewis Lane to Lake Shore Drive, then southeast on Lake Shore Drive to State Highway 45, then north on State Highway 45 to the point of beginning. ()

b. Hagerman Valley in Gooding and Twin Falls Counties in the area enclosed by the following boundary: Beginning at the Gridley Island Bridge on the Snake River, then south and east along the south bank to a point perpendicular to mile marker 187.5, then on a direct line east to the southern tip of Ritter Island (in the Snake River), then continuing east to the intersection of 3200 South Road and 1300 East Road, then north on the 1300 East Road to the 1200 East Road, then northwest and north on the 1200 East Road to the 3000 South Road, then west on the 3000 South Road to a point five hundred (500) yards east of the intersection of the 3000 South Road and the Hagerman National Fish Hatchery Road (east of the Hagerman WMA boundary), then north and west five hundred (500) yards outside the Hagerman WMA boundary to U.S. Highway 30, then west and south two hundred (200) yards outside the Hagerman WMA boundary to 2900 South Road, then west on 2900 South Road to 900 East Road, then due south to a point two hundred (200) yards north of the Snake River, then west and north two hundred (200) yards outside the high water line on the east bank of the Snake River to Lower Salmon Dam, then west across the Snake

River, then south, southwest and east two hundred (200) yards outside the high water line on the west bank of the Snake River (including the Idaho Power Upper Salmon Dam diversion canal) to the Gridley Bridge, the point of beginning. ()

c. Minidoka and Cassia Counties in the area enclosed by the following boundary: Within two hundred (200) yards of the high water line of the Snake River from Milner Dam upstream to Meridian Road (north side of the Snake River) and 650 East Road (south side of the Snake River), approximately six and one-half (6 1/2) miles east of the City of Burley. ()

401. GAME PRESERVES OPEN TO THE HUNTING OF MIGRATORY GAME BIRDS.
The David Thompson Preserve in Bonner County is open to the hunting of migratory game birds. ()

402. – 999. (RESERVED)

**13.01.10 – RULES GOVERNING THE IMPORTATION, POSSESSION,
RELEASE, SALE, OR SALVAGE OF WILDLIFE**

000. LEGAL AUTHORITY.

Sections 36-103, 36-104, 36-501, 36-504, 36-506, 36-701, 36-703, 36-704, 36-706, 36-708, and 36-2201-2205, Idaho Code, authorize the Commission to adopt rules concerning the importation, possession, release, sale, or salvage of wildlife in the state of Idaho. ()

001. TITLE AND SCOPE.

The title of this chapter for citation is IDAPA 13.01.10, "Rules Governing the Importation, Possession, Release, Sale, or Salvage of Wildlife." These rules govern the commercial and non-commercial importation, possession, release, sale, or salvage of wildlife. These rules do not apply to bullfrog, fish or crustacean, the importation, possession, release, sale or salvage of which are governed by IDAPA 13.01.11, "Rules Governing Fish," and IDAPA 13.01.12, "Rules Governing Commercial Fishing." ()

002. – 009. (RESERVED)

010. DEFINITIONS.

IDAPA 13.01.06, "Classification and Protection of Wildlife," defines game animals, big game animals, game birds, furbearing animals and unprotected wildlife. Section 36-201, Idaho Code, defines predatory wildlife. As used in this chapter, "wildlife" does not include any bullfrog, fish, or crustacean, for which requirements for import, possession, transport, release, and sale are addressed in IDAPA 13.01.11, "Rules Governing Fish" and 13.01.12 "Rules Governing Commercial Fishing." ()

01. Commercial Wildlife Farm. Any facility where the operator obtains, possesses, or propagates big game animals, for any commercial purpose. ()

02. Private Park. Any facility where the operator obtains, possesses, or propagates big game animals for personal pleasure and not for any commercial purpose. ()

03. Bona Fide Pet Store. A legitimate retail store with a set location and regular business hours. ()

04. Big Game Animal. As classified in IDAPA 13.01.06, "Classification and Protection of Wildlife," excluding domestic cervids as defined and regulated by Title 25, Chapter 37, Idaho Code. ()

05. Agricultural or Domestic Animals. Animals or their eggs normally considered to be of agricultural or domestic types currently common to Idaho, not including wildlife as defined by Section 36-202, Idaho Code (such as animals listed in IDAPA 13.01.06, "Rules Governing the Classification and Protection of Wildlife." ()

06. Commercial Wildlife Facility. Any facility where the operator obtains, possesses, or propagates wildlife for any commercial purpose, including exhibition, education, entertainment, or sale. A commercial wildlife farm is included in this definition. ()

07. Not Permanently Located Within the State of Idaho. A traveling circus, menagerie, or trained act of wild animals that is not located within the state of Idaho more than two (2) months out of any calendar year. ()

08. Traveling Circus, Menagerie, or Trained Act of Wild Animals. Any mobile display or exhibit of wildlife maintained for instructional, educational, entertainment, or other commercial purposes. ()

09. Publicly Owned Zoo or Wildlife Exhibit. Any facility exhibiting wildlife owned by any municipal, county, state, or federal agency. ()

011. – 099. (RESERVED)

100. PERMITS FOR IMPORT, EXPORT, TRANSPORT, POSSESSION, RELEASE, AND SALE OF LIVE WILDLIFE.

No person may import into, export from, sell, or transport, cause to be transported, possess (hold in captivity), propagate, or release within the state of Idaho any living wildlife, including eggs thereof, without having first obtained a permit from the Department. ()

01. Exemptions for Import, Export, Transport, Possession or Sale. No permit is needed from the Department to import, export, transport, possess or sell the following (although another state or federal agency may regulate such activity): ()

- a. Agricultural or domestic animals. ()
- b. Domestic furbearing animals, as defined and regulated under Chapter 30, Title 25, Idaho Code. ()
- c. Domestic cervids, as defined and regulated under Chapter 37, Title 25, Idaho Code. ()
- d. Animals commonly considered conventional household pets, including sugar glider (*Petaurus breviceps*) and African hedgehog (*Atelerix albiventris*). ()
- e. Domestic Game birds produced in captivity and lawfully obtained, as shown by proof maintained and presented in accordance with Section 36-709, Idaho Code. ()
- f. Birds of prey, provided actions comply with IDAPA 13.01.14, “Rules Governing Falconry.” ()

02. Exemptions for Unprotected and Predatory Wildlife. ()

a. Wildlife classified as Unprotected Wildlife and Predatory Wildlife that are lawfully taken by a person licensed or authorized to hunt or trap in accordance with Chapter 4, Title 36, Idaho Code, may be sold, exported, transported, or possessed, without additional permit from the Department, provided such action is not otherwise in violation of federal, state, county, or city laws, rules, ordinances, or regulations. The Idaho Department of Agriculture may restrict the possession, sale, or import of fox, skunk, raccoon or other animals, such as restrictions under Section 25-236, Idaho Code. ()

b. Lawfully taken native unprotected or predatory wildlife may be released on private lands in the county of origin without a Department permit in accordance with Section 36-502, Idaho Code and with written landowner consent in possession while such wildlife is in transit to the release site. ()

03. Exemption for Native Reptiles and Amphibians. A person licensed or authorized to hunt or trap in accordance with Chapter 4, Title 36, Idaho Code, may capture alive, or hold in captivity and possess, up to four (4) individuals per species of Idaho native reptiles or amphibians at the same time, provided such action is not otherwise in violation of federal, state, county, or city laws, rules, ordinances, or regulations. ()

04. Restriction on Permit Issuance. The Department will not issue any permit for import, export, transport, release, possession, or sale of live wildlife or eggs thereof, if the wildlife or eggs thereof would pose a threat to the state of Idaho, including threat of disease, genetic contamination or displacement of or competition with existing species. Because of the threat of chronic wasting disease, the Department will not issue any permit for the import into Idaho of any live cervid not regulated as a domestic cervid by the Idaho State Department of Agriculture, including mule deer, white-tailed deer, moose, and wild-origin elk. ()

101. IMPORT OR TRANSPORT PERMIT ISSUANCE.

01. Application. Application for a permit to import or transport wildlife will be on a form prescribed by the Department. The applicant must possess a valid commercial or private wildlife facility license or individual captive wildlife permit or make concurrent application for such facility license or individual animal possession permit. ()

02. Inspection and Examination. Upon Department request, the applicant must provide a valid Certificate of Veterinary Inspection from the state of origin for each animal imported or transported. ()

03. Additional Requirements. The Department may impose test and certification requirements related to genetic issues or diseases of concern for any animal to be imported or transported. ()

102. POSSESSION OF UNLAWFUL IMPORT.

No person may possess any wildlife, progeny or eggs thereof, whose import into this state was unlawful. ()

103. – 149. (RESERVED)

150. WILDLIFE IN TRANSIT.

All required licenses, permits, and certificates must accompany live captive wildlife while in transit. ()

151. – 199. (RESERVED)

200. CAPTIVE WILDLIFE.

01. General. No person may possess, hold in captivity, or propagate any wildlife, except those animals exempted under Section 100 of these rules, without obtaining a captive wildlife permit for each individual animal from the Department. ()

02. Compliance with Other Agency Requirements. No person may possess, hold in captivity, or propagate any wildlife without complying with relevant city or county ordinances, including any zoning and planning commission approval, and any Idaho or U.S. Department of Agriculture requirements. ()

03. Marking Big Game. All big game animals shall be uniquely marked with a Department-approved marking system. ()

04. Applications. Application for license will be on a form prescribed by the Department. ()

05. Inspections and Records. As a condition to any facility license or individual captive animal permit, the Department will be able to access for inspection at any reasonable time all records, all wildlife, and the facilities where the wildlife are kept, with records maintained as specified in Section 36-709(c), Idaho Code. ()

201. DISEASE OF CAPTIVE WILDLIFE.

The Department Wildlife Veterinarian and the Idaho Department of Agriculture Administrator of the Division of Animal Industries will mutually determine the diseases and parasites of concern and the mechanisms and procedures for control of diseases and parasites in captive wildlife within the state of Idaho. Such mechanisms and procedures include but are not limited to examination, testing, quarantine, and slaughter or destruction, at the owner's expense, of individual animals or herds that are infected with or affected by diseases or parasites that may have significant detrimental effect on native wildlife, other captive wildlife, livestock or the public health of the citizens of the state of Idaho. Such disease and parasite control measures will be included in and enforced by regulations of the Division of Animal Industries of the Department of Agriculture. ()

202. – 299. (RESERVED)

300. RECOVERY, POSSESSION, AND SALE OF WILDLIFE PARTS.

01. Wildlife Legally Killed. ()

a. The possession, sale, and purchase of wildlife or parts of wildlife legally killed is lawful, provided it is in compliance with these rules and Title 36, Idaho Code. ()

i. No person may purchase, barter, or sell the edible flesh of wildlife classified as big game animals, upland game animals, game birds, migratory birds, or rattlesnakes taken from the wild. ()

ii. The annual sale by holders of a valid Idaho hunting, trapping or combination hunting and fishing license of no more than six (6) skins of legally taken rattlesnakes is lawful. ()

b. A written statement showing the taker's name, address, license and tag numbers, date and location

of kill, signed by the taker, must be provided to the buyer of any black bear or mountain lion head, hide or parts (except tanned hides finished into rugs or mounts). A copy of the sales statement must be forwarded by the buyer to the Department within ten (10) days after such sale. A Department Form CE-50, Statement of Sale/Purchase of Wildlife Parts, may be used in lieu of a sales statement. ()

c. Persons possessing a taxidermist or fur buyer license shall keep a record of any wildlife received for mounting or preservation, and of any purchase of furbearers, black bear part or raw skin, and mountain lion part or raw skin, with said record to be kept for two (2) years from the respective date of receipt or purchase. Records may be written or retained on media other than paper, provided that the media comply with standards set forth in Section 9-328, Idaho Code; copies of sales statements complying with Subsection 300.01.b. are adequate records. ()

02. Animals Found Dead. Protected species of wildlife that have died naturally or accidentally remain in public trust to be disposed of by the Department. However, a person may recover, possess, sell or purchase the wildlife parts as specified below, but only under the conditions specified and only if the wildlife has not been unlawfully killed. Natural causes do not include any man-caused mortality. Accidental death includes accidental vehicle-collision caused mortality. ()

a. Horns of Bighorn Sheep. ()

i. Bighorn sheep horns of animals that have died of natural causes may be recovered and possessed, provided such horns are presented to a Department office for marking by placement of a permanent metal pin in the horn within thirty (30) days of recovery. No person may sell, barter, purchase, or transfer to another person any horn recovered from a bighorn sheep that has died from natural causes without a permit issued by the Department. The insertion of a pin is not a certification that the animal was legally taken or possessed. ()

ii. No person may alter, deface, or remove a pin placed in a bighorn sheep horn by the Department. No person may possess the horn(s) of a bighorn sheep that bears an altered, defaced, or counterfeit Idaho pin or from which the Idaho pin has been removed. ()

b. Antlers, hides, bones, and horns of deer, elk, moose, pronghorn and mountain goat, parts of bear and mountain lion and elk teeth of animals that have died of natural causes may be recovered, possessed, purchased, bartered or sold, provided that reporting of bear and mountain lion parts is in accordance with reporting under Subsection 300.01 of this rule. ()

c. Parts, including meat, of big game animals, upland game animals, upland game birds, and furbearing animals, which may be lawfully hunted or trapped, that have been accidentally killed as a result of vehicle-collision mortality may be recovered and possessed, provided that such taking is not in violation of state, federal, county, or city law, ordinance, rule, or regulation, and provided that: ()

i. Notification to the Department is made within twenty-four (24) hours of salvage; and ()

ii. Written authorization is obtained from the Department within seventy-two (72) hours of recovery; and ()

iii. Mandatory check and report requirements are complied with for any bighorn sheep, black bear, mountain lion, mountain goat, moose, gray wolf, bobcat, and river otter, as described in IDAPA 13.01.08.420 and 13.01.16.500. ()

d. Parts, excluding meat, of big game animals (except bighorn sheep), upland game animals, upland game birds, and furbearing animals, which may be lawfully hunted or trapped, that have been accidentally killed as a result of vehicle-collision mortality may be purchased, bartered, or sold, where sale is not specifically prohibited by federal statute or regulation or state statute, when accompanied by written authorization from the Department as described in IDAPA 13.01.10.300.02.c. No person may purchase, barter, or sell bighorn sheep accidentally killed as a result of vehicle-collision. ()

03. Wildlife Taken in Other States. Wildlife or parts thereof that have been legally taken outside of Idaho, may be possessed or sold in Idaho if such possession or sale is lawful in Idaho, in the state, province, or

country where taken, and under federal law. ()

301. POSSESSION, IMPORTATION, AND TRANSPORTATION OF CERVID CARCASSES OR PARTS FROM AREAS WITH CHRONIC WASTING DISEASE (CWD) UNLAWFUL.

01. Prohibitions. It is unlawful to: ()

a. Import into Idaho the carcass or any part of a deer, elk, or moose from another state, province of Canada, or country (other than Canada) with any documented case of CWD; ()

b. Transport the carcass or any part of a deer, elk, or moose out of any CWD Management Zone designated by the Commission to any portion of the state that is not a designated CWD Management Zone; or ()

c. Possess the carcass or any part of a deer, elk, or moose that: has been imported from another state, province or country (other than Canada) with a documented case of CWD; or transported out of any CWD Management Zone designated by the Commission to any part of the state that is not a designated CWD Management Zone. ()

02. Exceptions. This section does not apply to the following animal parts: ()

a. Meat that is cut and wrapped; ()

b. Quarters or deboned meat that does not include brain or spinal tissue; ()

c. Edible organs that do not include brains; ()

d. Hides without heads; ()

e. Upper canine teeth (ivories, buglers, or whistlers); ()

f. Finished taxidermy; ()

g. Dried antlers; or ()

h. Cleaned and dried skulls or skull caps. ()

302. – 399. (RESERVED)

400. PRIVATE PARKS AND COMMERCIAL WILDLIFE FACILITIES.

01. General. No person may operate or maintain a private park or commercial wildlife facility without obtaining the appropriate license for each facility and the individual captive animals from the Department. ()

02. Compliance with Other Agency Requirements. No person may operate a private park or commercial wildlife facility without complying with relevant city or county ordinances, including any zoning and planning commission approval, and any Idaho or U.S. Department of Agriculture requirements. ()

03. License Display. A commercial wildlife license is to be displayed at the licensed facility in plain view at all times. ()

04. Applications. Application for permits or licenses to possess wildlife will be on a form prescribed by the Department, with separate application to be made for each facility and for any animal(s) imported after a facility is licensed. The Department will only consider an application that includes: ()

a. The name and address of the applicant. ()

- b. Proof of compliance with city/county zoning ordinance or zoning permit application. ()
 - c. The name and address of the owner(s) of the wildlife if not the applicant. ()
 - d. The location of the proposed facility, including a legal description of the land and the approximate space devoted to the facility. ()
 - e. The name and address of the owner of the property if not the applicant. ()
 - f. The number and kinds of wildlife being or to be kept. ()
 - g. The date upon which each animal is to be obtained. ()
 - h. The source, including address and telephone number, from which each animal was, or is to be, obtained, and health certificate for all animals addressing diseases of concern. If already in possession, the type of permit or license under which each animal is possessed. ()
 - i. Specifications of pens and shelters furnished for each kind of animal. ()
 - j. Specifications of the guard fence or other security measures to prevent escape or protect the public from injury by the animals. ()
- 05. Inspections.** As a condition to any facility license, the licensee will make available for inspection all records, all wildlife, and the facilities covered by the license at any reasonable time upon request of the Department. ()
- 06. Evidence of Legal Possession.** Records shall include evidence of legal possession of all wildlife kept at the facility or under the licenses, including licenses, permits, receipts, invoices, bills of lading, or other satisfactory evidence of ownership. The records shall also identify all animals born at the facility, exported from the facility, or transported within the state. ()
- 07. Dead Wildlife.** Record of inspection by a licensed veterinarian shall be kept for all wildlife which die on the premises, and a copy forwarded to the Department Wildlife Laboratory within ten (10) days of the death of the animal. ()
- 08. Cages or Enclosures.** All wildlife held in captivity in a wildlife facility shall be confined at all times in cages or enclosures of such structure or type of construction that it will be impossible for such animals to escape, and that meet the following minimum specifications: ()
- a. For big game animals, including bear and mountain lion, the enclosure will: ()
 - i. Have a floor made of cement or concrete at least three (3) inches thick into which metal fence stakes are permanently placed or a floor that consists of chain link or other material that will preclude the animal digging through the floor to escape; ()
 - ii. Have a chain link fence of at least eight (8) feet in height with barbed wire overhang; ()
 - iii. Have a chain link cage top; ()
 - iv. Have any other Department-approved configuration such as a pit that will preclude escape. ()
 - b. For all animals, cages or enclosures will be of sufficient size to give the animal or bird confined ample space for exercise and to avoid being overcrowded. ()
 - i. The length of the cage or enclosure will be a minimum of four (4) times the body length (tip of nose to base of tail) of the animal being kept, reptiles excepted. ()

- ii. The width will be at least three-fourths (3/4) of the cage length. ()
- iii. For the second animal housed in cage, floor space will be increased twenty-five percent (25%) and for each additional animal housed in the cage, floor space will be increased fifteen percent (15%). Cages with tops will be of reasonable height to accommodate the animals contained therein. No nails or other sharp protrusions that might injure or impair the animal will be allowed within the cages. ()
- c. For all animals, cages or enclosures will be constructed to prevent entrance by other animals and prevent harm to or by the general public. Cages, fencing, and guardrails will be kept in good repair at all times; and gates will be securely fastened and locked. ()
- d. Cages or enclosure for birds and smaller animals will be provided with a den, nest box or other suitable housing containing adequate bedding material for the comfort of the species held. A suitable shelter or shield will be provided for big game and other larger animals for protection from inclement weather and from the sun. At least one (1) wall of the enclosure will be constructed so as to provide a windbreak for the animal confined. ()
- e. For all venomous reptiles, enclosures will have safety glass and cages will have small enough mesh to prevent the animal's escape and double walls sufficient to prevent penetration of fangs to the outside; and all cages and enclosures will be kept locked. ()
- f. Cages or enclosures will be kept dry if containing terrestrial animals and with adequate water if containing aquatic animals. Where natural climate of the species being held differs from the climate of the area where the wildlife facility is located, provisions will be made to adjust holding conditions, as nearly as possible, to natural habitat. ()
- g. Cages or enclosures will be kept in a clean and sanitary condition consistent with good animal husbandry. ()

09. Sale of Animal Meat or Parts. ()

- a. A commercial wildlife facility licensee may sell or otherwise dispose of the carcass, parts, or by-products of a properly identified big game animal taken from a commercial wildlife facility only upon preparing an invoice or bill of sale as specified by the Department and attaching a copy of it to the lot shipment, carcass, or container and keeping a copy for his records. Upon the attaching of the invoice or bill of sale to the carcass, parts, or by-products of the animal, the same may be transported to the transferee named on the invoice or bill of sale. ()
- b. The licensee may sell commercial wildlife facility animals for meat upon compliance with all applicable health laws, USDA, and Idaho Department of Agriculture regulations. ()

401. – 410. (RESERVED)

411. HUMANE TREATMENT OF CAPTIVE WILDLIFE

- 01. Humane Treatment.** All captive wildlife must be handled in a humane manner and in a manner to prevent parasites, sickness, or disease, including but not limited to the following actions: ()
 - a. Any captive wildlife afflicted with parasites or disease is immediately given professional medical attention or destroyed in a humane manner. Any infected or injured animal infected is removed from public display. ()
 - b. Any captive wildlife is fed on a regular schedule. Food is adequate and varied and so far as possible, consistent with food ordinarily eaten by such animals. Food is of good quality and stores of same are kept in suitable containers with tight fitting covers so as to render it inaccessible to rats, flies, or other vermin. ()

i. The public is not allowed to feed any captive wildlife. Proper signs are conspicuously posted on cages or enclosures advising the public to refrain from feeding or annoying the birds or animals. ()

c. Fresh or running water for drinking purposes is available in cages or enclosures at all times, and is kept clean and in a sanitary condition. ()

d. Any animals with a propensity to fight or which are otherwise incompatible are kept segregated. ()

e. At no time is any wildlife held for public display or exhibition chained or otherwise tethered to any stake, post, tree, building, or other anchorage, except for raptors as provided by IDAPA 13.01.14, "Rules Governing Falconry." ()

02. Documentation. At least once a year and otherwise on demand, the owner or possessor of any captive wildlife held under Department permit must provide to the Department a certificate from a licensed veterinarian, on a form as prescribed by the Department, stating the physical condition or health of each animal in captivity. The permittee must maintain a complete record of illness, treatment and disposition for each permitted animal and make such record available to the Department upon request. ()

412. RESPONSIBILITY OF POSSESSOR OF CAPTIVE WILDLIFE.

Any person possessing live wildlife in captivity shall be responsible for the care of the wildlife in possession and the protection of the public, and liable for the expense of capture or destruction of any escaped wildlife, including any costs incurred by the Department. The Department makes no representation concerning public safety of any licensed captive wildlife or facility. ()

413. – 499. (RESERVED)

500. SHOOTING PRESERVE RULES.

01. Shooting Preserves. No person may operate a shooting preserve without a permit from the Department. ()

02. Applications. Application for a shooting preserve license will be on a form prescribed by the Department. ()

03. License Vendorship. No person may operate a shooting preserve unless the operator has a vendorship contract with the Department and maintains a supply of shooting preserve hunting licenses for issuance to clients of the preserve. ()

04. Species Permitted. Only those species of upland game birds specified on the permit may be held or released on the shooting preserve. ()

05. Disease Free Birds. No person may ship upland game birds into Idaho for release on a shooting preserve unless they are certified free from disease as evidenced by a written statement by a licensed veterinarian. ()

06. Holding Facilities. The provisions of Subsection 400.08 of these rules pertaining to bird enclosures apply to all rearing pens, holding pens, and other rearing or holding facilities. ()

07. Habitat Requirements. No shooting preserve permit will be issued except upon verification by the Department that the proposed area has suitable habitat to provide food and cover for birds released for hunting purposes. The Department will provide technical advice to the applicant in developing proper habitat needs for the various species permitted under the shooting preserve license. ()

08. Inspection. As a condition to any shooting preserve permit, the Department will have reasonable access to the premises of any authorized shooting preserve for the purpose of inspecting rearing, holding, and storage facilities, licenses, hunters' bag limits, and records pertaining to the operation of said shooting preserve. ()

501. – 599. (RESERVED)

600. CAPTIVE WOLVES.

- 01. Definitions – Primary Wolf Characteristics.** ()
- a.** Eyes shine greenish orange; ()
 - b.** Ears rounded and smaller in proportion to those of the coyote; ()
 - c.** Snout is broad with nose pad wider than one (1) inch; ()
 - d.** Legs are long, an adult would stand at approximately twenty-six (26) to thirty-two (32) inches at the shoulder; ()
 - e.** Length is four and one-half (4.5) to six (6) feet from the tip of the nose to the tip of the tail; ()
 - f.** An adult weighs at least eighty (80) pounds; ()
 - g.** Tail is carried high or straight out when running; ()
 - h.** Fur is long and coarse, varies from white to black but is generally grayish in coloration resembling the coyote. The underparts are not as white and the legs and feet are not as red as those of the coyote. ()
- 02. License and Tattoos.** No person may possess a live wolf or other canine exhibiting primary wolf characteristics without proper identification (tattoo) and a license from the Department, to be obtained within three (3) days of commencing possession of a live wolf or other canine exhibiting primary wolf characteristics. Application for license will be on a form prescribed by the Department. ()
- a.** Proper tattoo consists of placement of a three (3) digit number, as assigned by the Department, on the right flank or inside of the right ear by a qualified veterinarian. Animals do not require tattooing until the age of six (6) months. The applicant will provide written confirmation of tattooing from the veterinarian. ()
 - b.** Each wolf license is valid from January 1 through December 31, and renewal is needed each year to continue to possess the animal. ()

601. – 699. (RESERVED)

700. VIOLATION GROUNDS FOR LICENSING ACTION AND ANIMAL REMOVAL.

The Department may give written notice of violation(s) to any person, with a permit or license under this chapter, who is violation of Chapter 7 of Title 36, Idaho Code or these rules, and that person will then have ten (10) days to correct such violation(s). If at the end of that time the violation is not corrected, the Department may revoke any existing permit or license and may refuse to issue any future permit. Such revocation or refusal to issue a future permit may be in addition to any criminal charges or civil action that may be filed. All animals held under said license or permit so revoked or held without appropriate license or permit will be removed at owner's expense, with disposition as determined by the Department. ()

701. – 999. (RESERVED)

13.01.11 – RULES GOVERNING FISH

000. LEGAL AUTHORITY.

Sections 36-103, 36-104, 36-406A, 36-407, 36-410, 36-701, 36-706, 36-901, 36-902, 36-1001, Idaho Code, authorize the Commission to adopt rules concerning fishing, methods of take, seasons, limits, and fishing contests. ()

001. TITLE AND SCOPE.

The title of this chapter for citation is IDAPA 13.01.11, “Rules Governing Fish.” These rules establish the methods of take, seasons, and possession limits for all non-commercial fishing and govern fishing contests. ()

002. – 009. (RESERVED)

010. DEFINITIONS – FISH.

01. Chinook Salmon. Anadromous (ocean run) salmon of the species *Oncorhynchus tshawytscha* in the Snake River drainage below Hells Canyon Dam, the Salmon River drainage, and the Clearwater River drainage, (excluding lakes, reservoirs, and the North Fork of the Clearwater River above Dworshak Dam), and the Boise River drainage. ()

02. Coho Salmon. Anadromous (ocean run) salmon of the species *Oncorhynchus kisutch* in the Snake River drainage below Hells Canyon Dam, the Salmon River drainage, and Clearwater River drainage (excluding lakes, reservoirs, and the North Fork of the Clearwater River above Dworshak Dam). ()

03. Game Fish. As classified in IDAPA 13.01.06, “Rules Governing Classification and Protection of Wildlife.” ()

04. Hybrid Fish. The offspring of two different species or subspecies of fish. ()

05. Jack Salmon. Anadromous (ocean run) salmon of a size set by Commission proclamation. ()

06. Invasive Fish Species. Bullfrog, fish and crustacea species designated invasive species by state authority (IDAPA 02.06.09 “Rules Governing Invasive Species of the Idaho Department of Agriculture”). ()

07. Sockeye Salmon. Anadromous (ocean run) salmon of the species *Oncorhynchus nerka* in the Snake River drainage below Hells Canyon Dam and the Salmon River drainage. ()

08. Steelhead. Any rainbow trout longer than twenty (20) inches in the Snake River drainage below Hells Canyon Dam, the Salmon River drainage, and the Clearwater River drainage (excluding that portion above Dworshak Dam); and any rainbow trout longer than twenty (20) inches in length with the adipose fin clipped (as evidenced by a healed scar) in the Snake River drainage from Hells Canyon Dam upstream to Oxbow Dam, and in the Boise River drainage from its mouth upstream to Barber Dam. ()

09. Trout. Trout, including brown, cutthroat, golden, grayling, lake (Mackinaw), rainbow (other than steelhead), splake, sunapee, tiger; trout hybrids; and landlocked (not ocean runs) forms of chinook, coho, atlantic and kokanee (blueback) salmon. ()

10. Unprotected Fish. Bullfrog and all fish species not classified in a protected category (game fish, protected nongame, threatened or endangered species) in IDAPA 13.01.06, “Rules Governing Classification and Protection of Wildlife.” ()

011. DEFINITIONS – CONDUCT OF FISHING.

01. Artificial Fly. Any fly made entirely of rubber, wood, metal, glass, feather, fiber, or plastic by the method known as fly tying. ()

02. Artificial Lure. Any device made entirely of rubber, wood, metal, glass, feather, fiber, or plastic with hook or hooks attached. ()

03. Bag Limit. The maximum number of fish that may be lawfully taken by any one (1) person in one (1) day, construed in accordance with Sections 36-202 and 36-410, Idaho Code. ()

04. Bait. Organic substances, other than rubber, wood, feather, fiber, or plastic, attached to a hook to

attract fish. Bait includes insects, insect larvae, worms, dead fish, fish parts, any other animal or vegetable matter, or scented synthetic materials. ()

- 05. **Barbless Hook.** A fish hook without barbs or on which all barbs have been bent completely closed. ()
- 06. **Catch-and-Release.** Effort, by permitted methods, to catch fish, provided that any fish so caught is released immediately back to the water. ()
- 07. **Confluence of a Stream or River.** The point where two (2) rivers or streams come together. ()
- 08. **Diversion.** A man-made structure designed to change the direction of flowing water in a stream. ()
- 09. **Diversion Pond.** A man-made pond holding water taken from a stream or reservoir, which pond may be connected to the stream or reservoir by an open ditch or pipe. ()
- 10. **Drainage.** All water flowing into a common river or stream system, either above or below ground, due to area geography. ()
- 11. **Electric Motors Only.** For fishing waters listed in proclamation as “electric motors only,” no gas (internal combustion) motors may be used, although they may be attached to the boat. ()
- 12. **Fish Trap.** Any man-made structure designed to capture fish. ()
- 13. **Fish Weir.** Any man-made structure placed in a water body to delay or divert migrating fish. ()
- 14. **Flat Water.** Water where there is no observable direction of flow. ()
- 15. **Float Tube.** A floating device that suspends a single occupant, from the seat down, in the water, and is not propelled by oars, paddles, or motors. ()
- 16. **Fly Fishing.** Fishing with a fly rod, fly reel, fly line, and artificial fly. ()
- 17. **General Fishing Season.** The season and bag limits as determined by proclamation on a Regional basis. ()
- 18. **Harvest.** Reduce a fish to possession. ()
- 19. **Hook.** A bent wire device, for the catching of fish, to which one (1), two (2), or three (3) points may be attached to a single shank. Up to five (5) hooks per line may be used, except where specifically identified. ()
- 20. **Ice Fishing.** Fishing through an opening broken or cut through the ice. ()
- 21. **Length.** The length between the tip of the nose or jaw and the tip of the tail fin. ()
- 22. **Limit is 0 (Zero).** Fishing is allowed, provided the fish is released after landing and not reduced to possession. ()
- 23. **Motor.** Includes electric and internal combustion motors. ()
- 24. **Mouth of River or Stream.** The place where a river or stream enters a larger body of water. ()

25. **No Motors.** For fishing waters listed in proclamation as “no motors,” no person may fish from a boat with a motor attached. ()
26. **Possession Limit.** As defined in Section 36-202, Idaho Code. ()
27. **Reservoir.** The flat water level existing at any time within a reservoir basin. Unless noted otherwise, a stream flowing through the drawdown portion of a reservoir is not considered part of the reservoir. ()
28. **Season Limit.** The maximum number of fish that may be lawfully harvested in any declared season. ()
29. **Section.** An area of a river, stream, or reservoir between specific boundary locations. ()
30. **Single-Point Hook.** A bent wire device, for catching fish, with one (1) shank and one (1) point. ()
31. **Sliding Sinker.** A method of attaching a sinker to a device that slides freely on the main line. ()
32. **Snagging.** Taking or attempting to take a fish by use of a hook or lure in any manner or method other than enticing or attracting a fish to strike with, and become hooked in, its mouth or jaw. ()
33. **Special Rule Waters.** Any water with a gear, season, or bag limit rule that is listed in proclamation and different from the general fishing season. ()
34. **Tributary.** A stream flowing into a larger stream or lake. ()
35. **Unattended Line.** A line not under the immediate surveillance by the angler. ()
36. **Upstream.** Moving from a lower elevation towards a higher elevation point in the same stream. ()
37. **Watercraft.** Those devices designed as a means of transportation on water. ()
- 012. DEFINITIONS – FISHING CONTESTS.**
01. **Fishing Contest.** Any organized fishing event that: ()
- a. Has a live-fish weigh-in; or ()
- b. Awards cash or prizes of one thousand dollars (\$1,000) or more based on number, size, or species of fish captured; or ()
- c. Is expected to draw or have more than twenty (20) participants. ()
02. **Catch-and-Release Contest.** Any fishing contest with specific procedures to keep target fish species alive and healthy and to release all fish caught back into the contest water on the same day. ()
03. **Harvest Contest.** Any fishing contest that allows participants to harvest fish. ()
- 013. – 100. (RESERVED)**
- 101. RELEASE OF FISH WHILE FISHING.**
Any fish caught in Idaho waters that is unlawful to possess must be immediately released back to the water. ()

102. STURGEON.

No person may remove sturgeon from the water, and it is unlawful to possess sturgeon. ()

103. (RESERVED)

104. IDENTIFICATION OF SPECIES AND SIZE IN POSSESSION AND DURING TRANSPORTATION OR SHIPMENT.

01. Restrictions. No person may have in the field or in transit any trout, tiger muskie, or bass from which the head or tail has been removed unless: ()

a. The angler is ashore and done fishing for the day; ()

b. The fish is processed or packaged with the skin naturally attached to the flesh; and ()

c. The fish is processed or packaged in a manner that the number of fish harvested can be readily determined and the processed fish is not transported by boat. ()

02. Transport or Gift. No person may transport for another or accept as a gift any game fish, unless a statement signed by taker accompanies the fish, showing the number and kinds, the date taken, the taker's name, address, and fishing license number. However, no person may claim ownership of more fish than allowed by the possession limit. ()

105. PURCHASE, BARTER, OR SALE OF FISH.

No person may purchase, barter, or sell the edible flesh of fish, crayfish, or bullfrog harvested from the wild, except as provided in Section 36-501, Idaho Code, and Title 36, Chapter 8, Idaho Code, and rules promulgated pursuant thereto. ()

106. LIVE FISH – POSSESSION, TRANSPORT, IMPORT, AND RELEASE.

01. Permit. No person may possess, transport, cause to be transported, import, or release any live fish, crayfish, or bullfrog, or viable eggs thereof, without having first obtained a permit from the Director. ()

02. Marking Fish in Possession. No person may mark fish by any means, including with a tag, by removing fins or injuring with intent to leave a scar, without first obtaining a Scientific Collecting Permit from the Department. ()

03. Import Inspection and Examination Requirements. All live fish imported into or transported within Idaho must be certified free from disease, as evidenced by a Certificate of Veterinary Inspection by a licensed veterinarian, (b) CFR Title 50 certification, (c) American Fisheries Society certified fish health inspector's certification, or (d) other certification by an individual designated by the Director of the Department of Agriculture. ()

04. Unpermitted Fish Species Released. Any fish species unpermitted for import, possession, transport or release that is released by or escapes from an owner or operator shall be captured or destroyed by the owner, or by the Department at the owner's expense. ()

107. LIVE FISH AND EGGS – EXCEPTIONS.

No permit is required to: ()

01. Fish. Keep fish that can legally be reduced to possession (except for anadromous salmon and steelhead), alive and in possession in a live well, net, or on a stringer while at the body of water from which they were taken. ()

02. Same Location. Release fish at the same time and place where captured. ()

03. Aquarium Fish. Possess ornamental or tropical aquarium fish of varieties commonly accepted for

interstate shipment (not to include invasive species). ()

04. Private Ponds or Commercial Fish Facility. Possess fish from a private pond or commercial fish facility when accompanied by sales receipt and written permission from the director, as provided in Chapter 7, Title 36, Idaho Code or from the Department of Agriculture as provided in Chapter 46, Title 22, Idaho Code. ()

05. Transport Between Commercial Fish Facilities. Transport fish between commercial fish facilities licensed under Chapter 7, Title 36 and Chapter 46, Title 22, Idaho Code. ()

06. Fish Eggs. Possess, sell, purchase or transport nonviable fish eggs used for bait or personal consumption. ()

108. – 199. (RESERVED)

200. FISHING METHODS AND GEAR.

01. General Restrictions. Unless modified by rule (such as the exceptions in the following subsections), order, or proclamation, it is unlawful to: ()

- a. Fish in any waters of Idaho with more than one (1) handline or pole with a line attached. ()
- b. Leave a line unattended. ()
- c. Have more than five (5) hooks attached per line. ()
- d. Fish by archery, spearfishing, snagging, hands, trapping, seining, or netting. ()
- e. Use live fish, leeches, frogs, salamanders, waterdogs, or shrimp as bait. ()
- f. Land any fish with a gaff hook. ()

02. Molesting Fish. It is unlawful to molest any fish by shooting at it with a firearm or pellet gun, striking at it with a club, hands, rocks, or other objects, building obstructions for catching fish, or chasing fish up or downstream in any manner. ()

03. Hook and Line Exceptions. The holder of a valid two (2) pole permit may use two (2) poles during a general fishing season. A person may use no more than (5) lines while ice fishing. ()

04. Archery and Spear Fishing Exceptions. Fishing with the use of bow and arrow, crossbow, spear or mechanical device, excluding firearms, is permitted for the taking of unprotected fish, provided there is an open season for game fish. ()

05. Gaff Hook Exceptions. It is permitted to use a gaff hook through a hole cut or broken in the ice in waters which have no length restrictions or harvest closures for that species, or when landing unprotected fish species taken with archery equipment, provided the angler does not intend to release fish so caught. ()

06. Snagging Exceptions. Snagging of unprotected fish species is permitted. ()

07. Trapping and Seining Exceptions. It is lawful to take unprotected fish, crayfish, and yellow perch with a minnow net, seine, or up to five (5) traps, provided there is an open season for game fish, and provided the following conditions are met: ()

- a. The seine or net does not exceed ten (10) feet in length or width, and the seine has three-eighths (3/8) inch square or smaller mesh; and the minnow or crayfish trap does not exceed two (2) feet in length, width or height. If the trap is of irregular dimension, but its volume does not exceed the volume of an eight (8) cubic foot trap, it is lawful to use. ()

- b. Nets and seines are not left unattended. ()
- c. Traps are checked at least every forty-eight (48) hours. ()
- d. All game fish and protected nongame fish incidentally taken while trapping or seining are immediately released alive. ()
- e. All traps have a tag attached bearing the owner's name and address or license number. ()
- 08. Use of Bait Exceptions.** Live crayfish and bullfrog may be used for bait if caught on the body of water being fished. ()
- 09. Use of Hands Exceptions.** It is permitted to take bullfrog and crayfish with the hands. ()
- 10. Barbed Hook Restrictions.** It is unlawful to fish for sturgeon with barbed hooks. It is unlawful to fish for or take steelhead or salmon with barbed hooks in the Clearwater River drainage, Salmon River drainage, and Snake River drainage below Hells Canyon Dam. ()
- 11. Sinker for Sturgeon.** When fishing for sturgeon, a person must use a sliding sinker and a lighter test line to attach the weight to the main line (the line attached to the reel). ()
- 12. Fishing Shelters.** Any enclosure or shelter left unattended overnight on the ice of any waters of the state shall have the owner's name, telephone numbers, and current address legibly marked on two (2) opposing sides of the enclosure or shelter. ()

201. – 344. (RESERVED)

345. FISHING IN BOUNDARY WATERS.

- 01. Bear Lake.** The holder of a valid Idaho or Utah fishing license may fish all of Bear Lake, subject to the rules or regulations of the state in which they are fishing, including any closure. ()
- 02. Snake River Between Idaho and Oregon or Washington.** The holder of a valid Idaho fishing license may fish the Snake River where it forms the boundary between Idaho and the states of Oregon or Washington, subject to the fish and game laws of Idaho. An Idaho license does not authorize the holder to fish from the shoreline, sloughs, or tributaries on the Oregon or Washington side. An Oregon or Washington license holder has the same rights and restrictions with reference to the Idaho side. ()
- 03. Limit for One License Only.** Any angler who fishes on the Snake River or any other water forming an Idaho boundary is entitled to have in possession only the limit allowed by one (1) license regardless of the number of licenses he may possess. ()

346. FISH SALVAGE.

No person may salvage fish from public waters without specific authorization of the Commission, Director, or Regional Supervisor. Authorization for salvage may allow holders of valid fishing licenses to harvest fish without regard to usual possession limits and may allow snagging, spearing, archery, dipnet, seines, or with the hands. ()

347. – 399. (RESERVED)

400. STEELHEAD AND ANADROMOUS SALMON LICENSES, TAGS, AND PERMITS.

- 01. Licenses.** Any person fishing for steelhead or anadromous salmon, except those expressly exempt, must have in possession a valid fishing license. ()
- 02. Permits.** No person may fish for, or reduce to possession, steelhead or anadromous salmon without a valid steelhead or salmon permit in possession for the targeted species. ()

401. – 402. (RESERVED)

403. PERMIT VALIDATION.

For each steelhead or adult anadromous salmon hooked, landed, and reduced to possession, the angler hooking the fish must immediately validate her permit by notching the permit and entering in ink the appropriate month, day and river location (listed by Commission proclamation). ()

404. IDENTIFICATION OF SPECIES IN POSSESSION AND DURING TRANSPORTATION OR SHIPMENT.

01. Provisions for Processing and Transporting Steelhead and Anadromous Salmon. No person may have in the field or in transit a hatchery-produced steelhead or anadromous salmon processed by removing the head and tail unless the following conditions are met: ()

a. The fish is processed and packaged with the skin naturally attached to the flesh including a portion with a healed, clipped, adipose fin scar or adipose fin; and ()

b. The fish is packaged in a manner that the number of fish harvested can be readily determined. ()

02. Restrictions on Processing and Transporting Steelhead and Anadromous Salmon. No person may process steelhead or anadromous salmon until he is ashore and done fishing for the day. No person may transport processed steelhead or anadromous salmon via boat. No jack salmon may be processed while in the field or in transit. Each processed steelhead or anadromous salmon counts towards an angler's possession limit while in the field or in transit. ()

405. STEELHEAD AND ANADROMOUS SALMON METHODS OF TAKE.

01. Hooks. It is unlawful to use any hook larger than five-eighths (5/8) inch, measured from the point of the hook to the shank. Steelhead and anadromous salmon may be taken only with barbless hooks in the Salmon, Clearwater, and Snake River drainages. Bending the barb down to the shank of a single, double, or treble hook will meet this requirement. Steelhead and anadromous salmon may be taken with barbed hooks in the Boise River drainages, and the Snake River between Hells Canyon and Oxbow Dams. ()

02. Snagging. No person may kill or retain in possession any steelhead or anadromous salmon hooked other than in the mouth or jaw. ()

03. Legal Catch. Any steelhead or anadromous salmon caught must be released or, provided it is legal to possess, killed immediately after it is landed. ()

04. Cease Fishing. Once an angler has attained his bag, possession or season limit on those waters with steelhead or anadromous salmon limits, he must cease fishing for steelhead or anadromous salmon, including catch-and-release fishing. ()

05. Keeping Marked Fish. Only steelhead or anadromous salmon marked by clipping the adipose fin, as evidenced by a HEALED scar may be kept in the Salmon, Clearwater, and Snake River drainages. Anadromous salmon with an intact adipose fin may be retained as authorized by Commission proclamation. ()

06. Fish Counted in Limit. Each fish that is hooked, landed, and reduced to possession counts towards the limit of the person hooking the fish. ()

07. Special Limits. No person may fish in waters having special limits while possessing fish of that species in excess of the special limit. ()

406. – 407. (RESERVED)

408. STEELHEAD PURCHASE REPORT.

01. Filing Purchase Report. Any person holding a wholesale or retail steelhead trout buyer's license must report all sales and purchases of steelhead on an Idaho Steelhead Purchase Report to the Administration Bureau of the Idaho Department of Fish and Game, Boise, Idaho, on or before December 31 of each year. ()

02. Inaccurate Reporting. Failure to provide complete and accurate information on the report or failure to file the report on or before December 31 is grounds for revocation of the wholesale or retail license. ()

409. – 699. (RESERVED)

700. FISHING CONTESTS – PERMIT REQUIREMENT AND APPLICATION.

01. Permit Requirement. No person or other entity may conduct or participate in a fishing contest without having first obtained a fishing contest permit from the Department. Events organized wholly for youth under the age of fourteen (14) do not require a fishing contest permit. ()

02. Permit Application. Application for fishing contest permits must be made on a form prescribed by the Department. An application must be submitted at least thirty (30) days prior to a catch-and-release contest and ninety (90) days prior to a harvest contest. ()

701. FISHING CONTESTS PERMIT ISSUANCE.

01. General. The issuance of a fishing permit is at the Department's discretion. Among the factors the Department will consider are: ()

- a. Impacts of the contest on fish populations. ()
- b. Compatibility of the contest with fish population management and fishery goals. ()
- c. Potential conflict with other recreational users. ()
- d. Potential conflict with other permitted contests. ()

02. Limit on Contest. The Department will not issue a permit for a harvest contest for wild native trout or sturgeon in rivers or streams. The Director may issue a permit for a catch-and-release contest for these species if he determines there will be no harm to that fishery resource in the particular water where the contest is to take place: ()

03. Conditions. The Department has discretion to specify conditions in the permit to minimize adverse impacts on fish populations, management programs and goals, other recreational users, or other permitted contests, including: ()

- a. The time of start and check-in; ()
- b. Limitations on the area where participants may fish; ()
- c. For catch-and-release contests, the method and location of release of fish; ()
- d. For harvest contests, more restrictive bag or size limits than would otherwise apply. ()

702. FISHING CONTESTS – REQUIREMENTS.

01. Rules. Any fishing contest participant must comply with seasons, limits, and rules pertaining to the taking of fish and any additional conditions of the fishing contest permit. ()

02. Culling. No fishing contest participant may release back to the water (cull) any fish that is not capable of swimming free. A participant in a catch-and release contest may have one (1) daily bag limit of the target species in possession while continuing to fish for the contest target species; if the participant catches another target fish, the participant must immediately release the last fish caught or immediately exchange it for another target fish in possession. ()

703. FISHING CONTEST REPORTS.

Each fishing contest sponsor shall, within thirty (30) days after the last day of a fishing contest, submit a written report to the Fisheries Bureau at the Department's main office on the form prescribed by the Department. ()

704. – 999. (RESERVED)

13.01.12 – RULES GOVERNING COMMERCIAL FISHING

000. LEGAL AUTHORITY.

Sections 36-104 and 36-804, Idaho Code, authorize the Commission to adopt rules concerning commercial fishing.

()

001. TITLE AND SCOPE.

The title of this chapter for citation is IDAPA 13.01.12, “Rules Governing Commercial Fishing.” These rules establish the criteria for commercial fishing in Idaho.

()

002. – 009. (RESERVED)

010. DEFINITIONS.

01. Commercial Fishing. Fishing for, taking, or transporting fish or crustacea for the purpose of selling, bartering, exchanging, offering or exposing for sale.

()

02. Commercial Fish and Crustacea Species.

()

a. Lake trout – *Salvelinus namaycush*.

()

b. Lake whitefish – *Coregonus clupeaformis*.

()

c. Crayfish – species of the genus *Pacifastacus*.

()

d. Bullfrog – *Rana catesbeiana/Lithobates catesbeianus*.

()

e. Unprotected fish species from the families of *Cyprinidae* (Minnows) and *Catostomidae* (Suckers) (species not classified as game fish or protected nongame species under 13.01.06, IDAPA 13.01.06, “Rules Governing Classification and Protection of Wildlife).”

()

011. – 099. (RESERVED)

100. LICENSES, TAGS, AND PERMITS.

01. Licenses. No person may set, operate, lift or fish with commercial gear unless he has a valid commercial fishing license or is assisting in the presence of such licensee. Any person assisting the holder of a commercial fishing license engaged in commercial fishing with the use of conventional rod and reel must have either a commercial or recreational fishing license.

()

02. Tags. No person may set, operate, lift or fish commercial gear unless such gear has attached thereto a valid commercial gear tag from the Department, except that no tag needs to be attached to conventional rod and reel fishing tackle used for commercial fishing.

()

03. Permits. The Director may issue permits authorizing the holder to:

()

a. Commercially fish for crustacea not listed as commercial species.

()

b. Commercially fish in waters other than those listed in Section 700.

()

c. Such permits will be valid for a period not to exceed one (1) year.

()

04. Revocation of Licenses and Permits. The Director is authorized to suspend, for a period not to exceed one (1) year, or revoke entirely, any commercial license or permit for violation of Title 36, Idaho Code by the licensee or persons acting under the licensee’s direction and control.

()

101. – 199. (RESERVED)

200. RELEASE OF NON-TARGET FISH AND CRUSTACEA.

Any person capturing with commercial gear any species of fish or crustacea not a commercial species or listed on a special permit shall immediately release the fish or crustacea unharmed back to the water.

()

01. Female Crayfish. Any person capturing any female crayfish carrying eggs or young shall release

the crayfish unharmed back to the water at the time the crayfish are sorted. ()

02. Special Permit. No person may have in possession any species of fish or crustacea other than a commercial species or a species listed on a special permit issued by the Director pursuant to Subsection 100.03 at the time they are engaging in commercial fishing activities. ()

201. – 299. (RESERVED)

300. POSSESSION AND TRANSPORTATION OF LIVE FISH OR CRUSTACEA.

01. Live Fish. No person may transport live fish without a permit from the Department. ()

02. Live Crustacea. Commercial fishers may possess and transport live commercial species of crustacea between the water areas where harvested and the point of sale or holding. Live crustacea may be held only in the waters where harvested, in ponds for which a private pond permit listing crayfish has been issued or in licensed commercial facilities. ()

301. – 399. (RESERVED)

400. SIZE LIMITS.

01. Fish. Commercial fish species of any size may be taken commercially. ()

02. Crustacea. ()

a. Only crustacea three and five-eighths (3 5/8) inches (ninety-two (92) mm) or greater in length from the tip of the nose (acumen) to the tip of the tail (telson), measured in a straight line ventral side up, may be taken commercially. ()

b. Crustacea shall be sorted and any undersize crustacea returned to the water at the place of capture immediately following the emptying of any single trap or a trap line. However, an allowable sorting error percentage of undersized crustacea, not to exceed five percent (5%), is allowed in any load or lot. The percentage of undersized crustacea will be the mean of combined counts of samples measured and counted from various portions of the load or lot. Samples will be taken in containers of not less than one (1) gallon size approximately full of crayfish, with at least three (3) such samples taken from any load or lot. ()

401. – 499. (RESERVED)

500. COMMERCIAL GEAR AND METHODS OF TAKE FOR FISH OR CRUSTACEA.

No person may commercially harvest fish or crustacea except as follows: ()

01. Seine Nets. With a seine net that is either: ()

a. Under constant attendance by the licensee or someone working under the supervision of the licensee; or ()

b. If being used to hold fish, clearly marked with buoys that are at least twelve (12) inches in diameter. ()

02. Traps. For crayfish and minnow only, with a trap not exceeding three feet in any dimension, and provided all crayfish and minnow traps are lifted and emptied of catch at least once every ninety-six (96) hours, except during periods of weather that pose a threat to human life, health, or safety. ()

03. Experimental Gear. Experimental commercial gear specifically approved by the Director under such conditions as the Director may deem appropriate. ()

04. By Hand. For crayfish only. ()

- 05. Trawl Nets.** Only as specifically approved by the Director. ()
- 06. Conventional Rod and Reel Fishing Tackle.** Only rod and reel methods approved for sportfishing, as described in IDAPA 13.01.11, "Rules Governing Fish," except that the holder of a commercial license may use more than two (2) lines while commercially fishing. ()
- 07. Gill Nets.** Only as specially approved by the Director under such conditions as he may deem appropriate, with approval subject to modification or termination if catch of game fish species is excessive, and provided: ()
- a.** All gill nets and lines within ten (10) feet of the surface are clearly marked with a minimum of six (6) inch diameter buoys every fifty (50) feet; and ()
 - b.** All gill nets are lifted and emptied of catch at least once every eighteen (18) hours except during periods of weather that pose a threat to human life, health, or safety. ()
- 501. UNTAGGED GEAR.**
Untagged gear, as well as any seine net or trap left unattended more than ninety-six (96) hours is considered unlawful or abandoned and may be confiscated by Department personnel. ()
- 502. – 599. (RESERVED)**
- 600. SEASONS.**
- 01. Commercial Fish.** Year-round. ()
 - 02. Commercial Crustacea.** April 1 through October 31 of each year. ()
- 601. – 699. (RESERVED)**
- 700. COMMERCIAL FISHING AREAS.**
Commercial harvest is allowed only in the following areas: ()
- 01. For Seine Nets.** Seine nets with a mesh greater than one and one half (1 1/2") square may be used ONLY in the following waters, except as specifically approved by the Director for other waters: ()
 - a.** Snake River and main stem impoundments from Hells Canyon Dam upstream to the confluence of the North and South Forks. ()
 - b.** Ashton Reservoir. ()
 - c.** Palisades Reservoir. ()
 - d.** Lake Lowell. ()
 - e.** Black Canyon Reservoir. ()
 - f.** Blackfoot Reservoir. ()
 - g.** Mud Lake. ()
 - h.** Bear River and main stem impoundments from Utah state line upstream to and including Alexander Reservoir. ()
 - 02. Minnow Traps.** Minnow traps for commercial fish may be used only in the following areas, except as specifically approved by the Director for other waters. ()

- a. Snake River excluding main stem impoundments from Weiser upstream to the confluence of the North and South Forks. ()
- b. Ashton Reservoir. ()
- c. Palisades Reservoir. ()
- d. Black Canyon Reservoir. ()
- e. Blackfoot Reservoir. ()
- f. Mud Lake. ()
- g. Bear River and main stem impoundments from Utah state line upstream to and including Alexander Reservoir. ()

03. Crayfish Traps. Crayfish traps for commercial crustacea may be used only in the following areas, except as specifically approved by the Director: ()

- a. Snake River and main stem impoundments from Hells Canyon Dam upstream to the confluence of the North and South Forks. ()
- b. Black Canyon Reservoir. ()
- c. Blackfoot Reservoir. ()
- d. Mud Lake. ()
- e. Bear River and main stem impoundments from Utah state line upstream to and including Alexander Reservoir. ()

04. Rod and Reel for Lake Trout Only. ()

- a. Lake Pend Oreille. ()

05. Gill Nets. Gill nets for commercial fish may only be approved by the Director where commercial nongame species are likely to exceed eighty percent (80%) of the fish biomass. ()

701. COMMERCIAL FISHING RESTRICTIONS.

01. Operation Limitations. No commercial gear may be set, operated, or lifted within one hundred (100) yards of any public boat ramp or dock. ()

02. Storage Limitation. No commercial gear, boats, or other equipment or materials used in conjunction with a commercial fishing operation may be stored or left unattended at any public fishing access area in any manner that restricts angling or angler access. ()

702. – 799. (RESERVED)

800. INSPECTIONS AND REPORTING REQUIREMENTS.

- 01. Inspections.** Department personnel may inspect: ()
 - a. Commercial gear at any time the gear is being used. ()
 - b. Catches and catch records at any time. ()

02. Reporting Requirements. All licensees shall submit a monthly report on a form prescribed by the Department, with all requested information including daily landings and effort, such that it is received by the Department not later than the fifteenth day of the month following the fishing activities. ()

801. – 999. (RESERVED)

13.01.14 – RULES GOVERNING FALCONRY

000. LEGAL AUTHORITY.

Sections 36-104 (b), 36-409, and 36-1102, Idaho Code, authorize the Commission to adopt rules concerning falconry in the state of Idaho. ()

001. TITLE AND SCOPE.

The title of this chapter for citation is IDAPA 13.01.14, “Rules Governing Falconry.” These rules establish a falconry program in the state of Idaho. ()

002. -- 009. (RESERVED)

010. DEFINITIONS.

01. Calendar Year. January 1 through December 31, to apply to any reference to the use of the terms twelve-month (12) period, annual, or year within this rule and federal regulations. ()

02. Captive-Bred. Any raptor raised in captivity from eggs laid by captive raptors. ()

03. Falconry. Capturing, possessing, caring for, transporting, training, and using raptors to hunt wild or artificially propagated birds and animals as a recreational sport, not to include any propagation, breeding or commercial use. ()

04. Federal. United States Code of Federal Regulations -- CFR Title 50 Parts 21 & 22 -- administered by the United States Department of Interior and U.S. Fish and Wildlife Service. ()

05. Form 3-186A. A Migratory Bird Acquisition and Disposition Report required by the United States Fish and Wildlife Service and the Department to track and record possession and status of raptors. ()

06. New U.S. Resident. Any person who has legally moved into the United States or a recognized U.S. Territory to reside and who may or may not have obtained U.S. citizenship. ()

07. Non-Resident. Any person who has not met the criteria to become an Idaho resident as stated in 36-202(s), Idaho Code, and possesses resident status and privileges from another U.S. state, territory or tribe. ()

08. Raptor. Any bird of prey classified under the Families Falconidae, Strigidae, Accipitridae, and hybrids thereof. ()

09. Resident. Any person meeting the residency requirements set forth in 36-202 (s), Idaho Code. ()

10. Territory. Recognized territories of the United States. ()

11. Tribe. Any United States recognized Native American or territorial tribe, its members and federal lands designated as reservations administered under a sovereign tribal government. ()

12. Transfer. To convey, deliver, loan, gift, give, barter, sell or move a raptor, raptor parts or any permit from one person, place or situation to another. ()

13. Visitor. Any person not legally residing in the United States or a recognized territory, and who is temporarily in the U.S. as a visitor. ()

14. Wild-Caught. Any raptor captured, removed or originating from the wild. Wild-caught raptors maintain wild-caught status throughout their life span in regard to capture, possession and transfer restrictions. ()

011. -- 099. (RESERVED)

100. PERMITS, POSSESSION, IMPORTATION, AND SALE.

01. Migratory Bird Treaty Act and Regulations. As provided by Section 36-1102, Idaho Code, no person may hunt, take, or have in possession any migratory birds, including raptors, except as provided by federal

regulations made pursuant to the federal migratory bird treaty act (including 50 CFR, Parts 21 & 22) and in accordance with related rules and proclamations promulgated by the Commission. ()

02. Falconry Permit. Except as otherwise provided by this rule, an Idaho Falconry Permit (at a fee set forth under 36-416, Idaho Code) is required before any person may possess, capture, transport, import, export or purchase any raptor for the purpose of falconry. ()

03. Raptor Captive Breeding Permit. Except as otherwise provided by this rule, an Idaho Raptor Captive Breeding Permit (at a fee set forth under 36-416, Idaho Code) and a Federal Raptor Propagation Permit is required before any person may take, possess, transport, import, export, purchase, barter, sell or offer to sell, purchase, or barter any raptor, raptor egg, or raptor semen for propagation purposes. ()

04. Non-Residents, New U.S. Residents Permit Purchase. Non-Residents and New U.S. Residents may be issued Idaho Apprentice, General, Master Falconer, or Raptor Captive Breeding Permits without a waiting period upon permanently moving into the state of Idaho. ()

a. Non-Resident and New U.S. Resident applicants shall surrender to the Department any permit(s) issued by another state or country, and provide a written and signed statement verifying intent to become an Idaho resident. ()

b. Non-Resident applicants will be issued an equivalent Idaho class permit(s) to the permit(s) surrendered from the applicant's past resident state, territory or tribe. ()

c. New Residents to the U.S. will be required to pass the Department Apprentice Falconry Examination and provide documentation to support the class of permit applied for. The Department, based on applicant experience, will determine and assign the appropriate class of permit. ()

05. Non-Resident, New U.S. Resident Permit Purchase within Thirty Days. Non-Resident and New U.S. Resident falconers taking permanent residency in Idaho, shall, within thirty (30) consecutive days, purchase an Idaho Falconry Permit and a Raptor Captive Breeding Permit as required by Subsections 100.01 and 100.02 of this rule. ()

06. Expiration of Permits. Idaho Falconry Permits and Raptor Captive Breeding Permits are valid for three (3) years from date of issuance or renewal. ()

07. Permit Renewal. Permit issuance or renewal will be initiated with the completion and submission of a Department Falconry Application Form to the appropriate Department Regional Office accompanied by the appropriate fee(s) as set forth under 36-416, Idaho Code. ()

08. Transfer of Permits. Idaho Falconry and Raptor Captive Breeding Permits are not transferable to another person, but may be updated to a new in-state location. ()

09. Permit-Class Upgrades. ()

a. Falconry Permit-class upgrades (e.g., moving from Apprentice to General status) will be made at no cost to the applicant. Permit-class change requests shall be submitted to the appropriate Department Regional Office on a Department Falconry Permit Application Form with required documentation to verify that prerequisites for the permit-class upgrade have been satisfied. ()

b. Permit Exemption for Temporary Possession. Except as otherwise provided, Non-Residents, Visitors and New U.S. Residents possessing a valid federal, territory, tribe, another state or country's equivalent Falconry or Raptor Captive Breeding/Propagation Permit, and not utilizing or possessing any Idaho resident privilege, may temporarily import, possess and transport raptors listed under their Falconry or Captive Breeding/Propagation Permits for up to thirty (30) consecutive days without purchasing an Idaho Falconry or Raptor Captive Breeding Permit. ()

i. Visitors and New U.S. Residents shall comply with federal raptor importation and registration laws

and shall obtain a Department Wildlife Importation Permit before importing any raptor. ()

ii. Visitors and New U.S. Residents entering Idaho with a raptor(s) under an Idaho Wildlife Import Permit shall contact the nearest Department Regional Office to take the Idaho Falconry Examination. Only applicants correctly answering at least eighty percent (80%) of the test questions will be issued a Temporary Idaho Falconry Permit. Wildlife Import and Temporary Falconry Permits shall be carried at all times when possessing raptors. ()

iii. Exceptions to extend the thirty (30) day exemption period shall be at the Department's discretion and any temporary possession in excess of one hundred twenty (120) days shall require raptor housing in a falconry facility that has been approved by the Department under an existing Falconry or Captive Breeding Permit. ()

iv. Non-Residents, New U.S. Residents and Visitors in addition to possessing a valid Falconry or Captive Breeding/Propagation Permit from their home state, territory, tribe or country shall comply with all other Idaho and federal rules regulating hunting and the possession of wildlife to include possession of appropriate non-resident licenses, tags, permits, stamps and validations. ()

10. Unlawful Sale and Possession of Raptors. Except as otherwise provided by this rule, no person may sell, purchase, or barter any raptor or parts thereof, or possess raptors or parts that have been unlawfully obtained, sold, purchased or bartered. ()

a. Only live captive-bred raptors banded or micro-chipped in compliance with Subsection 400.01 of this rule may be sold, purchased or bartered between holders of valid state, federal, tribal, territory or another country's Falconry and Raptor Captive Breeding or Propagation Permit. ()

b. Holders of valid Idaho Raptor Captive Breeding Permits and federal Raptor Propagation Permits may only sell, purchase and barter raptor eggs and semen produced and originating from raptor propagation or captive breeding programs under valid permit. ()

101. -- 199. (RESERVED)

200. INSPECTION OF RAPTORS, FACILITIES, POSSESSION AND RECORDS.

01. Facilities Covered by Permits. All raptors, facilities, equipment and falconry records required in accordance with federal and Idaho rules are subject to reasonable business-hour inspection, any day of the week, in the presence of the applicant or permit holder. All raptors, equipment, and related records required by law shall be produced for inspection upon Department request. ()

02. Inspection Prior to Possession of Raptors. ()

a. Except as otherwise provided by Section 100 of this rule, no person may possess any raptor(s) under the issuance of an Idaho Falconry or Raptor Captive Breeding Permit, until holding facilities and equipment have been inspected and approved by the Department to verify that facilities and equipment meet federal and Idaho standards. ()

b. Facility inspections are required any time a permit holder moves his holding facilities to any physical address location that is not recorded on his current Falconry or Raptor Captive Breeding Permits. Facility location changes shall be reported to the Department within five (5) days. ()

03. Facilities Accepted. Either indoor, including a personal residence, or outdoor falconry facilities, or a combination of both meeting federal standards of care, are authorized. ()

201. -- 299. (RESERVED)

300. APPROVED SPECIES, WILD CAPTURE, LIMITS, PERMITS, HACKING, AND REHABILITATION.

01. Approved Raptor Species. Except as otherwise provided by this rule, any species of raptor defined under Section 010 of this rule is authorized for use in falconry or captive breeding. ()

02. Capture Permits. Raptors may only be captured from the wild by persons possessing a valid Idaho Falconry Permit, or a Non-resident federal, state, territory or tribal Falconry Permit. Non-residents must also possess an Idaho Bird of Prey Capture Permit. ()

03. Capture of Wild Raptors, Approved Species and Limitations. ()

a. Resident Falconers. Except as otherwise provided by this rule, residents possessing a valid Idaho Falconry Permit are authorized to capture no more than two (2) wild raptors, as their permit class authorizes, each calendar year. ()

i. Not more than one (1) Golden Eagle may be captured in any calendar year. ()

ii. Capture and possession of any raptor classified under federal or state law as threatened or endangered is unlawful without Department approval and a special permit. ()

iii. The issuance of an Idaho Eagle Falconry Permit is required to capture or possess Golden Eagles. ()

iv. Capture and possession of Bald Eagles is unlawful. ()

v. Capture and possession of wild Peregrines, as listing status allows, shall be restricted to a limited number of resident Peregrine Capture Permits. ()

vi. The Commission, pursuant to Section 36-105 (3), Idaho Code, may establish capture quotas, and a capture permit allocation system by proclamation. ()

b. Non-Resident Falconers. Non-resident falconers intending to capture any wild Idaho raptor shall comply with the following: ()

i. Apply to the Department Licensing Bureau in Boise for a Non-Resident Bird of Prey Capture Permit, issued on a calendar year basis, at a fee set forth under Section 36-416, Idaho Code. ()

ii. The Commission, pursuant to Section 36-105 (3), Idaho Code, will designate raptor species approved for capture, capture quotas, and a capture permit allocation system by proclamation. ()

iii. Non-residents will be limited to the purchase of only one (1) Bird of Prey Capture Permit per calendar year. ()

iv. Non-residents receiving a Bird of Prey Capture Permit shall be authorized to only capture and possess the species of raptor specified on their permit. ()

v. Non-resident Capture Permit holders, successful with the capture of a raptor shall, within seventy-two (72) hours of capture, have their Capture Permit validated by the Department at any Regional Office prior to transporting any captured raptor out of Idaho. ()

04. Approved Capture Dates - Resident and Non-Resident Falconers. ()

a. Immature raptors (birds less than one (1) year of age) are open to capture all year with no restrictions in regard to days of the week or times of capture. ()

b. Kestrels and Great-horned Owls may be captured as immature or adult birds (birds that are one (1) year of age or older). The take of adult birds is prohibited from March 1st through July 31st. ()

05. Capture Area Restrictions. ()

a. No person may capture or attempt to capture any raptor when such activity is unlawful under federal, state, tribal, county or city law or ordinance. ()

b. No person may possess any raptors taken in violation of any federal, state, tribal, county or city law. ()

06. Capture and Possession Limits. No person may exceed approved state and federal raptor possession and capture limits. ()

07. Raptor Hacking. Raptor hacking in compliance with federal rules, by holders of a valid Idaho Falconry or Rehabilitation Permits, is authorized. ()

08. Assisting with Raptor Rehabilitation. General or Master Class Falconers possessing a valid Idaho Falconry Permit may assist the Department and permitted raptor rehabilitators with the rehabilitation, conditioning and hacking of raptors, provided the taking of any raptor into possession for rehabilitative conditioning or training is coordinated and pre-approved by the appropriate Department Regional Office. ()

301. -- 399. (RESERVED)

400. RAPTOR BANDING, RADIO TRANSMITTERS, TRANSFERS, REPORTING, AND RELEASE.

01. Raptor Banding. Except as otherwise provided for temporary possession and housing under federal rule and Section 100 of this rule, falconers and captive breeders possessing raptors shall comply with all federal banding and micro-chipping regulations and comply with the following, with bands to be provided by the Department and micro-chips to be provided by the falconer: ()

a. Wild-caught Peregrines, Harris' Hawks, Gyrfalcons and Goshawks: banded with a black federal, non-reusable leg band or an approved micro-chip (ISO compliant at 134.2 kHz). ()

b. All Captive-bred raptors: banded with a seamless band within two (2) weeks of hatching. Federally approved micro-chips or yellow federal, non-reusable leg bands may be used to replace seamless bands that are broken or have become unreadable. ()

c. Raptors that suffer injury or develop health issues caused by leg bands, or routinely remove or damage bands: micro-chipped, or, based on unusual circumstances, a special written exemption to banding or micro-chipping. ()

d. Bands or micro-chips: attached or placed on all federally required wild-caught raptors within five (5) days of acquisition or capture. ()

02. Radio Transmitters. At least two (2) functioning radio transmitters shall be attached to any raptor hybrid, or any raptor not listed under CFR 50, Part 10.13, when being free flown. ()

03. Raptor Transfers. Resident falconers/captive breeders may not transfer any species of wild-caught raptor to a non-resident until the transfer is approved under an Idaho Wildlife Export Permit. ()

a. Idaho Wildlife Export Permits may be purchased at a fee set forth under Section 36-416, Idaho Code, by submitting an application to the Department Wildlife Health Lab. ()

b. With Department approval, wild-caught raptors, possessed less than two (2) years from date of capture, that have been injured and can no longer be flown for falconry purposes, as determined by a veterinarian or raptor rehabilitator, may be transferred to a Captive Breeding or Propagation Permit. ()

04. Release of Birds. No raptor may be permanently released into the wild without prior Department approval. ()

05. Reporting. A Form 3-186A shall be completed and electronically submitted into the United States Fish and Wildlife Service electronic records database, or a hard copy thereof, shall be completed and submitted to the appropriate Department Regional Office within five (5) days when any raptor is acquired, captured (including captures of already banded or telemetry equipped birds), re-captured, transferred, lost, escaped, stolen, released, banded, re-banded, micro-chipped, or deceased. ()

401. -- 599. (RESERVED)

600. TRAINING RAPTORS USING ARTIFICIALLY PROPAGATED GAME BIRDS.

01. Permit. A valid Idaho Falconry Training Permit is required before any person is authorized to possess, release, or use artificially propagated game birds for purposes of training raptors in the field. Training permits shall be issued at a fee set forth under Section 36-416, Idaho Code, currently a free permit, and are available to residents, non-residents and visitors, and all hunting license requirements apply. ()

02. Permits Valid. Permits are valid for two (2) years from date of issuance. ()

03. Establishing Limitations and Guidelines. In addition to the rules set forth, the Director is authorized to establish limitations and guidelines as to dates, locations, and conditions whereupon permits may be issued allowing the party or parties listed thereon to use, release and kill game birds obtained from a private domestic source for the purpose of field training raptors. ()

04. Raptor Field Training, Conditions of Use. Raptor field training with a valid Idaho Falconry Training Permit and the use of artificially propagated game birds is lawful when the following conditions are met: ()

a. The owner of the raptor(s) being trained possesses a valid Idaho Falconry Training Permit, or another state, country, territory or federal Falconry Permit. ()

b. An Idaho Falconry Training Permit and required falconry permit(s) are carried in the field and available for Department inspection at the training site. ()

c. Artificially propagated game birds used for training purposes are certified disease free under the standards set forth by the National Poultry Improvement Program (NPIP). ()

d. Proof of lawful game bird origin is available for inspection. ()

e. Permit holder complies with all additional stipulations outlined on the permit at time of issuance. ()

601. -- 699. (RESERVED)

700. FALCONRY MEETS, PERMITS, NON-RESIDENTS, NEW U.S. RESIDENTS, AND VISITORS.

Non-residents, new U.S. residents and visitors shall purchase and possess an Idaho Falconry Meet Permit, at a fee set forth under 36-416, Idaho Code, or an appropriate Non-Resident hunting license to fly or hunt any raptor as a participant in any sponsored falconry meet or contest. ()

701. -- 799. (RESERVED)

800. PENALTIES.

Conviction of a violation of these rules may be grounds for revocation of an Idaho falconry permit or denial of any pending applications for an Idaho falconry permit. The revocation of any permit may be appealed in writing to the Director within thirty (30) days of such revocation. ()

801. -- 999. (RESERVED)

13.01.15 – RULES GOVERNING THE USE OF DOGS

000. LEGAL AUTHORITY.

Sections 36-104, 36-409, and 36-1101, Idaho Code, authorize the Commission to adopt rules concerning the use of dogs in taking wildlife, use of game birds in field training, and related permitting. ()

001. TITLE AND SCOPE.

The title of this chapter for citation is IDAPA 13.01.15, “Rules Governing the Use of Dogs.” These rules govern the use of dogs in taking wildlife and use of game birds in field training dogs in Idaho. ()

002. -- 009. (RESERVED)

010. DEFINITIONS.

IDAPA 13.01.06, “Rules Governing Classification and Protection of Wildlife,” defines upland game animals, upland game birds, and migratory game birds. ()

01. **Licensed Outfitter.** An outfitter with a valid license issued under Title 36, Chapter 21, Idaho Code. ()

02. **Licensed Guide.** A guide with a valid license issued under Title 36, Chapter 21, Idaho Code. ()

03. **Unarmed Observers.** An unarmed person who is not the owner or controller of pursuit dogs and who accompanies a hunt without intent to take or harvest an animal. ()

04. **Unqualified Idaho Resident.** A person who has moved into Idaho, and by notarized affidavit proves intent to become a bona fide Idaho resident but who is not yet qualified to purchase a resident license. ()

011. -- 099. (RESERVED)

100. USE OF DOGS.

No person may use dogs for taking wildlife, except for the following wildlife under the following conditions: ()

01. **Upland Game Animals, Upland Game Birds, and Migratory Game Birds.** A dog may be used for training on or hunting upland game animals, game birds, and migratory game birds. ()

02. **Black Bear, Mountain Lion, Bobcat, and Fox—Taking.** Dogs may be used for taking black bear, mountain lion, bobcat, and fox in a take season open for the species, unless the Commission prohibits dog use in the area by proclamation. ()

03. **Black Bear, Mountain Lion, Bobcat, and Fox—Training/Pursuit Only.** Dogs may be used for training and pursuit only (no harvest) of black bear, mountain lion, bobcat, and fox in a dog training season open for the species, unless the Commission prohibits dog use in the area by proclamation. A big game tag valid for the calendar year that has been filled is still valid for training/pursuit only of the species. ()

04. **Blood Trailing of Big Game.** The use of one (1) blood-trailing dog controlled by leash during hunting hours and within seventy-two (72) hours of hitting a big game animal is allowed to track animals and aid in recovery. ()

05. **Unprotected and Predatory Wildlife.** A dog may be used for training on or taking unprotected and predatory wildlife. ()

101. -- 199. (RESERVED)

200. HOUND HUNTER PERMIT.

01. **Hound Hunter Permits.** ()

a. The following persons must have a valid hunting license and Hound Hunter Permit in possession when any dog is being used to hunt, including training or pursuit only, black bear, mountain lion, bobcat, and fox: ()

- i. Anyone who owns the dog. ()
- ii. Anyone having control of the dog if owned by another person. ()
- iii. Anyone that harvests an animal over dogs, except clients of licensed outfitters. ()
- b.** A permit is not transferable EXCEPT, a licensed outfitter may convey the authority of his Hound Hunter Permit to a nonresident licensed guide operating for him, provided the nonresident guide has a copy of the outfitter's Hound Hunter Permit in possession. ()
- c.** A permit is valid from January 1 through December 31 of each year. ()
- 02. Exceptions.** A person owning or using a dog only for blood trailing does not need a hound hunter permit. An unarmed observer does not need a hunting license or hound hunter permit. ()
- 03. Limit on Hound Hunter Permits for Nonresidents.** No more than seventy (70) nonresident hound hunter permits will be issued to nonresident hunters. Sales of nonresident Hound Hunter Permits to the following persons are exempt from this limit: ()
 - a.** A nonresident licensed outfitter or guide, provided the permit is not used for personal hunting. ()
 - b.** An unqualified Idaho resident. ()
 - c.** Persons who hound hunt solely in the Middle Fork Zone (Units 20A, 26, and 27). ()
 - d.** Persons who hound hunt solely in the Lolo Zone (Units 10 and 12). ()
 - e.** Persons who hound hunt solely within the Selway Zone (Units 16A, 17, 19, and 20), for which no more than forty (40) nonresident permits will be issued for Units 16A, 19, 20, and all of Unit 17, excluding Hunt Area 17-1, for which no more than six (6) nonresident permits will be issued. Hunt Area 17-1 is that portion of Unit 17 south of the following boundary: Beginning at the junction of the Unit 17 boundary and Forest Service Trail 24, then west along Forest Service Trail 24 to the Selway River, then north along the Selway River to Forest Service Trail 40, then southwest along Forest Service Trail 40 to Forest Service Trail 3, then along Forest Service Trail 3 to the Unit 17 boundary. ()
- 04. Nonresident Applications.** ()
 - a.** To be eligible for a controlled draw for limited nonresident permits, a nonresident must submit a legible, complete application for a hound hunter permit on the form prescribed by the Department such that it is received at the Department's main office by no later than December 1 of the year preceding the year in which the permit is to be valid. ()
 - b.** No person may submit more than one (1) application for a Hound Hunter Permit. ()
 - c.** Two nonresidents may apply for two (2) permits on the same application form. ()
 - d.** If nonresident tags are available after the application period, they will be available for purchase at any Department office on a first-come, first-served basis on or after December 10. ()
- 201. -- 299. (RESERVED)**
- 300. BIRD-DOG TRAINING AND FIELD TRIALS BY INDIVIDUALS USING ARTIFICIALLY PROPAGATED GAME BIRDS.**
 - 01. Bird-Dog Training.** No person may conduct bird-dog field training with the use of artificially

propagated game birds unless all of the following conditions are met: ()

a. The owner of any dog being field trained has a valid Bird-Dog Training Permit (obtainable at Department Offices), and has the permit available for inspection at the training site. ()

b. Artificially propagated game birds used for training purposes on Wildlife Management Areas are certified as disease free under the standards set forth by the National Poultry Improvement Program (NPIP). ()

c. The permittee is in compliance with permit terms. ()

02. Bird-Dog Field Trials. No person may conduct or own a dog participating in a bird-dog field trial using artificially propagated game birds unless all of the following conditions are met: ()

a. There is a valid Bird-Dog Field Trial Permit (obtainable at Department Offices) available for inspection at the field trial site. ()

b. Artificially propagated game birds used for training purposes are certified as disease free under the standards set forth by the National Poultry Improvement Program (NPIP). ()

c. Proof of lawful game-bird origin is available for inspection at the field trial site. ()

d. The permittee is in compliance with permit terms. ()

301. -- 999. (RESERVED)

13.01.16 – TRAPPING OF WILDLIFE AND TAKING OF FURBEARING ANIMALS

000. LEGAL AUTHORITY.

Sections 36-104(b) and 36-1101(a), Idaho Code, authorize the Commission to adopt rules concerning trapping of wildlife and taking of furbearing animals. ()

001. TITLE AND SCOPE.

The title for this chapter for citation is IDAPA 13.01.16, “Trapping of Wildlife and Taking of Furbearing Animals.” These rules govern the trapping of wildlife and taking of furbearing animals. ()

002. -- 009. (RESERVED)

010. DEFINITIONS.

IDAPA 13.01.06, “Rules Governing Classification and Protection of Wildlife” defines game animals, furbearing animals, and unprotected wildlife. Section 36-201, Idaho Code, defines predatory wildlife. ()

01. Bait. Any animal parts; except bleached bones or liquid scent. ()

02. Sets. ()

a. Ground Set. Any foothold trap, body-gripping trap, or snare originally set in or on the land (soil, rock, etc.), which includes any traps elevated up to a maximum of thirty-six (36) inches above the natural ground level. ()

b. Water Set. Any trap or snare originally set in or on any body of water, which includes traps on floats in the water and those that are set with a minimum of one-third (1/3) of the trap submerged. Water set includes traps set on beaver dams, in bank holes and in the water at bank slides. ()

c. Other Sets. Any set not defined as a ground or water set, including without limitation, elevated sets originally set thirty-six (36) inches or more above natural ground level. ()

03. Public Trail. Any trail designated by any city, county, state, or federal transportation or land management agency on the most current official map of the agency. ()

011. -- 099. (RESERVED)

100. IDENTIFICATION TAGS FOR TRAPS.

All traps or snares, except those used for pocket gophers, ground squirrels or other unprotected rodents, shall have attached to the snare or the chain of every trap, a metal tag bearing: ()

01. Name and Address. In legible English the name and current address of the trapper; or ()

02. Number. A six (6) digit number, to be obtained by the trapper from any Department office. ()

a. Any person assigned a six (6) digit number to mark his traps or snares must notify the Department in writing or in person at any Department Office within thirty (30) days of any change in address. ()

101. -- 149. (RESERVED)

150. CONTROLLED TRAPPING PERMITS.

01. General. No person may trap in a controlled trapping unit for the designated species without having a valid permit for that controlled trapping unit in possession. A permit issued based on erroneous information will be invalidated by the Department. The Department will notify the individual of the invalidation, and that person will not be eligible for a controlled trapping permit that year or in a succeeding year to which a waiting period applies. ()

02. Eligibility. Any person possessing a valid Idaho trapping license is eligible to apply for a controlled trapping unit permit. ()

03. Applications. Applications for controlled trapping permits will be made on a form prescribed by the Department. The Department will only consider applications received at the Headquarters Office of the

Department or postmarked not later than September 15 of each year. Any application that is unreadable, has incomplete or incorrect trapping license numbers, or lacks mandatory information or fee will be declared void and will not be entered in the drawing. All applications will be considered final and cannot be resubmitted after correction. ()

a. No person may submit more than one (1) application per species for a controlled trapping permit. ()

b. No group applications will be accepted. ()

04. Controlled Trapping Permit Drawing. ()

a. Applications not drawn for the first choice unit will automatically be entered into a second choice drawing, provided the second choice applied for has not been filled. ()

b. If an insufficient number of “first choice” applications are received for a unit, remaining permits will be filled from applications listing the unit as a second choice. ()

c. Any permits left unfilled after the second choice drawing may be issued on a first-come-first-served basis. ()

05. Successful Applicants. Successful applicants will be notified by mail and must contact the person listed on the notice by October 14 to obtain the permit. The permittee, upon agreeing to follow trapping instructions for the unit, will be issued a permit. ()

06. Revocation of Permits. Any permittee who does not comply with Title 36, Idaho Code, administrative rules, or trapping unit instructions may have his permit revoked. ()

07. Alternative Permittee. Any revoked permit may be issued to an alternate, selected at the time of the drawing. If there is no alternate, or the alternate fails to comply with Subsection 150.05 above, the permit may be issued to the first eligible trapper answering a notification of vacant trapping Unit as approved by the Regional Supervisor. ()

151. -- 199. (RESERVED)

200. TRAPS.

01. Checking Traps. ()

a. No person may place snares or traps for gray wolf, furbearing animals, predatory or unprotected wildlife, except pocket gophers, ground squirrels and other unprotected rodents, without visiting every trap or snare once every seventy-two (72) hours and removing any catch therein. ()

b. Trappers acting as government employees or contractors are exempt from this rule. ()

02. Removing Trapped Animals of Another. No person may remove wildlife from the trap or snare of another except licensed trappers with written permission from the owner. ()

03. Release of Non-Target Catches. ()

a. All non-target species caught alive shall be released immediately. Non-target species are defined as any species caught for which the season is closed or is in excess of the trapper’s limit. ()

b. Any trapper who catches a non-target species that is dead shall: ()

i. Promptly record the date and species of animal caught and include this information in the mandatory furtaker harvest report. ()

- ii. Remove the animal from the trap and take it into possession. ()
- iii. Notify the Department through the local Conservation Officer or Department office within seventy-two (72) hours to make arrangements to transfer the animal to the Department. ()
- c. The Department will reimburse trappers ten dollars (\$10) for each bobcat, lynx, wolverine, otter, or fisher caught accidentally and turned in. ()

201. -- 399. (RESERVED)

400. FURBEARING ANIMALS – METHODS OF TAKE.

No person may take beaver, muskrat, mink, marten, or otter by any method other than trapping. No person may use dogs for the taking of furbearing animals, except in accordance with IDAPA 13.01.15, "Rules Governing the Use of Dogs." ()

401. -- 449. (RESERVED)

450. LIMITS ON TRAPPING.

- 01. Game Animals.** No person may trap for game birds or game animals, except gray wolf. ()
- 02. Bait.** No person trapping for gray wolf, furbearing animals, or predatory or unprotected wildlife may use for bait or scent: ()
 - a. Any part of a game bird, big game animal, upland game animal, game fish, or protected nongame wildlife; EXCEPT: ()
 - i. Trappers may use portions of game birds, game animals, and game fish that are not edible portions, as defined by Section 36-1202, Idaho Code, and may use parts of accidentally killed wildlife salvaged in accordance with IDAPA 13.01.10, "Rules Governing the Importation, Possession, Release, Sale or Salvage of Wildlife," Subsections 300.02.c. and 300.02.d., unless such use is prohibited in areas identified by Commission Proclamation, adopted and published in accordance with Section 36-105(3), Idaho Code. ()
 - ii. Trappers may place sets near a big game animal that has died naturally and the carcass has not been repositioned for trapping purposes. Natural causes do not include any man-caused mortality. ()
 - b. Live animals. ()
- 03. Limits on Sets.** No person trapping for gray wolf, furbearing animals, or predatory or unprotected wildlife may: ()
 - a. Use any set within thirty (30) feet of any visible bait. ()
 - b. Use a dirt hole ground set with bait unless the person ensures that the bait remains covered at all times to protect raptors and other meat-eating birds from being caught accidentally. ()
 - c. Place any ground sets on, across, or within ten (10) feet of the edge of any maintained unpaved public trail. ()
 - d. Place any ground set on, across, or within any public highway as defined in Section 36-202, Idaho Code; except ground sets may be placed underneath bridges and within and at culverts that are part of a public highway right-of-way. ()
 - e. Place any ground set incorporating snare, trap, or attached materials within three hundred (300) feet of any designated public campground, trailhead, paved trail, or picnic area; except cage or box live traps may be placed within these areas as allowed by city, county, state, and federal law. ()

- f. Place or set any ground set snare without a break-away device or cable stop incorporated within the loop of the snare. ()
- g. Place any ground set incorporating a foothold trap with an inside jaw spread greater than nine (9) inches. ()
- h. Place or operate, except as a waterset, any body-gripping trap that has a maximum jaw opening, when set, of greater than seven and one-half (7 1/2) inches measured from the inside edges of the body-gripping portions of the jaws, within thirty (30) feet of any bait, lure, or other attractant. ()
- i. Place or operate, except as a waterset, any body-gripping trap that has a maximum jaw opening, when set, greater than six and one half (6 1/2) inches and less than seven and one-half (7 1/2) inches measured from the inside edges of the body-gripping portions of the jaws, unless: ()
 - i. The trap is in an enclosure and the trap trigger is recessed seven (7) inches or more from the top and front most portion of the open end of the enclosure; ()
 - ii. No bait, lure, or other attractant is placed within thirty (30) feet of the trap; or ()
 - iii. The trap is elevated at least three (3) feet above the surface of the ground or snowpack. ()

451. -- 454. (RESERVED)

455. GRAY WOLF TRAPPING.

- 01. Limits on Sets.** No person trapping for gray wolf may: ()
 - a. Use any set, EXCEPT a ground set. ()
 - b. Trap for any gray wolf within one-half (1/2) mile of any active Department big game feeding site. ()
 - c. Trap for gray wolf within two hundred (200) yards of the perimeter of any designated dump ground or sanitary landfill. ()
 - d. Place or set any ground set snare without two (2) diverters in an area identified by Commission Proclamation as requiring their use (based on levels of non-target catch of animals whose capture may be avoided by diverter use). ()

456. -- 499. (RESERVED)

500. MANDATORY CHECK AND REPORT – PELT TAGS.

- 01. Mandatory Check and Report.** Any person taking river otter, bobcat, or gray wolf must comply with the mandatory check, report and pelt tag requirements by: ()
 - a. Bobcat: Present the pelt to any Department office or official check point to obtain the appropriate pelt tag and complete a harvest report. ()
 - b. River otter: Present the pelt to the Department office in the region in which the animal was taken within seventy-two (72) hours of taking to obtain the appropriate pelt tag and complete a harvest report. Trappers unable to comply with the tagging requirements due to special or unique circumstances must report their harvest to the appropriate regional office or field personnel within seventy-two (72) hours and make arrangements for tagging at the proper regional office. ()
 - c. Gray wolf: Comply with mandatory check and report provisions in IDAPA 13.01.08.420, “Rules

Governing Taking of Big Game Animals.” ()

02. Pelt Tags. ()

a. No person may have in possession, except during the open season and for ten (10) days after the close of the season, any raw bobcat pelt without an official state export tag attached, unless that person has a fur buyer or taxidermist license or appropriate import documentation. ()

b. No person may have in possession, except during the open season and for seventy-two (72) hours after the close of the season, any raw otter pelt legally harvested in Idaho that does not have an official state export tag attached. ()

c. No person may sell, offer for sale, purchase, or offer to purchase any raw bobcat or otter pelt that does not have an official state export tag attached, unless that person has a fur buyer or taxidermist license or appropriate import documentation. ()

501. -- 599. (RESERVED)

600. TRAPPING ON GAME PRESERVES AND WILDLIFE MANAGEMENT AREAS.

01. Game Preserves and Wildlife Management Areas. All state game preserves and Department Wildlife Management Areas (WMAs) are open to the taking of furbearing animals during the open season declared for the areas in which they lie, provided that any person desiring to trap on a WMA must register in advance, either at WMA headquarters or at the Department regional office. ()

02. Restrictions. The Regional Supervisor where a wildlife management area (WMA) is located may establish limits on the number of trappers allowed on the WMA, a method of equitable allocation of trapping opportunity on a WMA, the number and types of sets allowed, and posting and reporting requirements. ()

601. – 699. (RESERVED)

700. COMMON SEASON BOUNDARIES FOR STREAMS AND RIVERS.

Whenever a stream or river forms a boundary between two (2) different trapping areas, the stream or river channel proper will open for trapping on the earlier opening date and close on the later closing date of the two (2) seasons involved. ()

701. – 799. (RESERVED)

800. TRAPPING REPORTS.

01. Trapping Report Completion. By July 31, all trappers shall fill out the mandatory furtaker (trapping) harvest report, including both target and non-target catch, for the trapping license year by submission via the Department website, in person at a Department office, or by mailing to Box 25, Boise, Idaho 83707. Any trapper failing to make such a report by July 31 will be refused a license to trap animals for the ensuing year until a late report is submitted. ()

02. Return of Reports and Permits. All permittees shall return their controlled trapping unit permits and controlled trapping reports to the person from whom they obtained their controlled trapping unit permits within ten (10) days of the close of the season for the controlled trapping unit. ()

801. -- 999. (RESERVED)

13.01.17 – RULES GOVERNING USE OF BAIT FOR HUNTING BIG GAME ANIMALS

000. LEGAL AUTHORITY.

Sections 36-104, 409, and 36-1101, Idaho Code, authorize the Commission to adopt rules concerning the use of bait for hunting big game animals. ()

001. TITLE AND SCOPE.

The title of this chapter for citation is IDAPA 13.01.17, “Rules Governing Use of Bait for Hunting Big Game Animals.” These rules govern use of bait for hunting big game animals. ()

002. – 009. (RESERVED)

010. DEFINITIONS.

01. Bait (Hunting). Bait for hunting purposes is any substance placed to attract big game animals, except synthetic liquid scent for deer, elk, or moose. ()

02. Established Roadway. A roadway open to the general public for motorized traffic and capable of being traveled by full-sized automobiles. ()

011. -- 099. (RESERVED)

100. USE OF BAIT FOR HUNTING BIG GAME.

Bait may be used to hunt only black bear and only under the following conditions, except gray wolf may be taken incidentally to bear baiting. ()

01. Time. ()

a. No bait or bait container may be placed for the purpose of attracting or taking black bear prior to the opening of black bear take season, except bait may be placed one (1) week prior to the opening of bear season in Units 10, 12, 16A, 17, 19, 20, 20A, 26 and 27. ()

b. All bait, bait containers and materials must be removed and all excavations refilled no later than seven (7) days after the close of each season (spring, fall, or black bear dog training); except bait, bait containers, and materials may remain in Units 10 and 12 between the dog training season and the fall season. ()

02. Location. ()

a. No bait site may be located within two hundred (200) feet of any water (lake, pond, reservoir, year round free flowing spring and year round free flowing stream). ()

b. No bait site may be located within two hundred (200) yards from any maintained trail or any established roadway; except in the Panhandle and Clearwater Regions, no bait site may be located within two hundred (200) feet from any maintained trail or any established roadway. ()

c. No bait site may be located within one-half (1/2) mile of any designated campground or picnic area, administrative site, or dwelling. ()

03. Types. ()

a. No person may use any part of a domestic or wild origin game bird, big game animal, upland game animal, game fish, or protected nongame wildlife for bait or scent. ()

b. The skin must be removed from any mammal parts or carcasses used as bait. ()

c. No person may use salt in any form (liquid or solid) for bait. ()

04. Containers. ()

a. No bait may be contained within paper, plastic, glass, metal, wood or other non-biodegradable materials, except that a single, metal container with a maximum size of fifty-five (55) gallons may be used if securely attached at the bait site. ()

- b.** No bait may be contained in any excavated hole greater than four (4) feet in diameter. ()
- 05. Establishment of Bait Sites.** ()

 - a.** Any structures constructed at bait sites using nails, spikes, ropes, screws, or other materials must be removed by the permit holder within seven (7) days after the close of each season (spring, fall, or black bear dog training). ()
 - b.** All bait sites must be visibly marked at the nearest tree or on the bait container using a tag supplied by the Department. ()
- 101. -- 199. (RESERVED)**
- 200. BAITING PERMIT.**

 - 01. Baiting Permit.** ()

 - a.** Baiting permits are issued by mail or in person from Department offices beginning March 1 of each year. ()
 - b.** Baiting permits are valid for the calendar year in which they are issued. ()
 - 02. Use of Baiting Permit.** ()

 - a.** All persons placing bait must possess a baiting permit issued by the Department. ()
 - b.** Each hunter may possess only one (1) baiting permit each year and may maintain up to three (3) bait sites, except the number of bait sites maintained by outfitters will be that specified by the land management agency in the outfitter's operating plan. ()
 - c.** No person may hunt over an unlawful bait site. ()
 - d.** Guides and clients of outfitters are exempt from possessing a baiting permit, provided they have a copy of the outfitter's permit in their possession while placing bait or hunting over the outfitter's permitted bait site. ()
- 201. -- 999. (RESERVED)**

13.01.18 – RULES GOVERNING FEEDING OF PRONGHORN, ELK, AND DEER

000. LEGAL AUTHORITY.

Sections 36-104, 36-105 and 36-111, Idaho Code, authorize the Commission to adopt rules concerning feeding of pronghorn, elk, and deer. ()

001. TITLE AND SCOPE.

The title of this chapter is “Rules Governing Feeding of Pronghorn, Elk, and Deer.” These rules establish criteria for determining a feeding emergency, govern feeding operations, and prohibit private feeding within a designated CWD Management Zone. ()

002. -- 099. (RESERVED)

100. INTENT.

The Commission recognizes the importance of maintaining big game populations under natural conditions. Winter forage is the major limiting factor determining big game population size. To maintain these winter ranges, big game numbers are controlled through harvest. The Commission does not sanction widespread supplemental feeding programs. Additionally, supplemental feeding concentrates big game animals, making deer and elk susceptible to spreading or contracting Chronic Wasting Disease (CWD), as well as other diseases transmissible to livestock. The risk of disease transmission may factor into making a supplemental feeding decision. Big game harvests and weather vary from year to year throughout the state. In most years and areas, snow depths, temperatures, and animal body condition do not create adverse conditions for wintering animals. Unusual weather conditions, limited winter forage, or other circumstances may create critical periods of stress for animals or force them into areas involving public safety. The Commission is unable to manage big game populations for extreme weather. Therefore, emergency feeding of big game is appropriate under certain criteria. ()

101. (RESERVED)

102. EMERGENCY FEEDING CRITERIA.

01. Declaration of Feeding Emergency. A feeding emergency may be declared if one (1) or more of the following criteria are met: ()

- a. Actual or imminent threat of depredation to private property. ()
- b. Threat to public safety, including traffic hazards. ()
- c. Excessive mortality that would affect herd recovery. ()
- d. Limited or unavailable winter forage caused by fire or unusual weather. ()

02. Additional Guidelines. Regional Supervisors may develop additional guidelines on emergency feeding within the listed criteria based on risk of disease transmission, local conditions, and local public input. ()

103. FEED STOCKPILES.

The Department has identified certain locations for stockpiling emergency feed. It is impractical and cost prohibitive to purchase feed and transport it to these locations after snowfall. The Commission and Director declare that stockpile maintenance constitutes a feeding emergency and authorize the expenditure of funds for stockpile maintenance. ()

104. -- 199. (RESERVED)

200. PRIVATE FEEDING OF DEER AND ELK WITHIN DESIGNATED CWD MANAGEMENT ZONE.

01. Prohibition. It is unlawful to purposely or knowingly provide supplemental feed to deer and elk within any CWD Management Zone designated by the Commission, except supplemental or emergency feeding activities conducted or authorized by the Department. ()

02. Incidental Grazing. Incidental grazing by big game animals on private rangeland forage, standing agricultural crops, or agricultural crop residue left on the ground following typical harvest practices is not a violation of this section. ()

03. Incidental Feeding. Incidental feeding of big game animals during the normal practice of providing feed to livestock in the winter is not a violation of this section. ()

201. – 999. (RESERVED)

13.01.19 – RULES FOR SELECTING, OPERATING, DISCONTINUING, AND SUSPENDING VENDORS

000. LEGAL AUTHORITY.

Sections 36-301 and 36-307, Idaho Code authorize the Commission to adopt rules governing issuance and sale of licenses and authorization and accountability of license vendors. ()

001. TITLE AND SCOPE.

The title of this chapter for citation is IDAPA 13.01.19, "Rules for Selecting, Operating, Discontinuing, and Suspending Vendors." These rules establish standards for license vendors and related administration. ()

002. -- 099. (RESERVED)

100. VENDOR CLASSIFICATION.

The Department classifies vendor applications into the following designations for record keeping, approval, and statistical purposes. ()

01. Class One. A sporting goods store carrying a complete line of hunting and fishing supplies and other sporting equipment, and open at least five (5) days a week year-round except for major holidays. ()

02. Class Two. A store with a section carrying a complete line of hunting and fishing supplies and other sporting equipment, and open at least five (5) days a week year-round except for major holidays. ()

03. Class Three. A store that specializes in a single aspect of hunting or fishing such as gun, archery or fly fishing shops. ()

04. Class Four. ()

a. Strategic. A business or government agency located in an area where the Department has determined there is a need for the public to have licenses available. This may be in areas where there is no or very limited license availability within a twenty-five (25) mile radius from established license vendors. ()

b. Exceptional Service. A business that can provide exceptional license availability in comparison to existing license vendors in the vicinity, such as a business open twenty-four (24) hours a day, seven (7) days a week that would not be classified as a class one, two, or three vendor. ()

05. Class Five. A business not open on a twelve (12) month basis such as a summer fishing resort that would otherwise qualify for any class one through four, which may include an outfitter or guide business with a permanent business location open to the public. ()

06. Class Six. All other businesses that provide no special or exceptional service to the Department or public. ()

101. APPLICATION.

01. Form. Applications will be on a form prescribed by the Department. ()

02. Department Review. ()

a. Application Review. The Department will evaluate and determine approval or denial of vendor applications quarterly, on or before March 1, June 1, September 1, and December 1. The Department will have thirty (30) calendar days after receipt of all necessary forms to review and investigate the application. The date received plus thirty (30) days will determine into which quarterly evaluation each vendor application will be considered. Applications from the same area will be compared to determine which will best meet vendorship needs in that area. Exceptions may be made by the Department when there are overriding needs for an immediate replacement of a license vendor in an area. This will primarily occur where there would be no vendor services available to the public within a twenty-five (25) mile radius. ()

b. Field Review. After the License Section has received the application form and all other required information from an applicant, they will contact the Regional Conservation Officer for a recommendation on the application. The Regional Conservation Officer will have ten (10) days to provide the License Section with a recommendation on the application. ()

03. Applicant. ()

a. Application. The Department will only consider license vendorship applications completed in their entirety and accompanied by an original copy of a current credit rating from a recognized credit bureau. The Department will only consider completed applications received by the License section no later than sixty (60) days after the date of the application transmittal letter. The Department may grant an applicant's request to extend this period for up to thirty (30) additional days. Any false or misleading response will void the application. ()

b. Approved Application. If the Department approves an application, the applicant will have sixty (60) days from the date of the applicant's approval letter to provide the Department with a signed vendorship contract, and any bond, deposit, or documentation the Department may require. Failure to meet this deadline will void the approval except for extenuating circumstances approved by the Department. ()

102. (RESERVED)

103. ACTIVE VENDOR CEILING.

The number of active vendors, including approved vendor applicants, is limited to four hundred seventy-five (475). ()

104. LICENSING SYSTEM.

01. License Issuance. A vendorship must issue licenses according to statutes, administrative rules, the vendorship contract, the License Vendor Manual, and Department instructions. ()

02. Deposit Schedule. Amounts collected from the sale and issuance of licenses, along with the Department's share of the license issuance fee for each license will be deposited not less frequently than once every seven (7) calendar days in a bank account prescribed by the License Vendor. ()

03. Reporting Time Period. The accounting and reporting time period is a calendar week (Sunday through Saturday). ()

105. -- 109. (RESERVED)

110. OUT-OF-STATE VENDORS.

In general, an out-of-state location will not be approved to sell licenses unless it is located in close proximity (within fifty (50) miles) to the Idaho border or deemed to have a compelling benefit for the Department. ()

111. VENDOR LOCATION NOT MOVABLE.

No vendorship may be relocated to another area (address) without advanced written consent from the Department. ()

112. TYPES OF LICENSES SOLD BY VENDOR.

The Department will determine what licenses each vendor may issue. ()

113. -- 119. (RESERVED)

120. CONTRACT AGREEMENT VIOLATIONS.

01. Notices of Contract Violations. The Department will issue notices of contract violations whenever a vendor fails to make deposits, submit reports, or send in voided or canceled licenses on time, or issue licenses as instructed. ()

02. Intent to Suspend. Prior to suspending a vendor, a written notice of intent to suspend will be sent to the vendor, except where the Department determines that an emergency or a risk to the public is created by the vendor's conduct or where the vendor has failed to pay for any fund deficiency within the prescribed time, in which cases the Department may terminate the vendor's agreement immediately. The vendor will have fifteen (15) days in which to submit a written dispute to the Department. ()

121. TERMINATION OR SUSPENSION OF VENDOR.

- 01. Grounds.** The Department may terminate or suspend a license vendor on the following grounds: ()
- a.** Failure to have sufficient funds for the electronic funds transfer (EFT) to the Department more than once during any twelve (12) month period. ()
 - b.** Failure to make good any fund deficiency to the Department within three (3) days of notification. ()
 - c.** Failure to follow any procedures specified by the Department for selling or reporting sales. ()
 - d.** Failure to comply with any terms of the contract agreement or failure to maintain the original criteria used in determining vendor eligibility. ()
 - e.** Fraud or deception in the vendor application. ()
 - f.** Negligence in obtaining proof of residence or completion of the application portion of the license could constitute grounds for suspension of a vendorship. ()
- 02. Immediate Termination/Suspension.** ()
- a.** A vendorship will be terminated immediately upon the following grounds: ()
 - i.** Notice from the bonding company that the vendor’s bond has been canceled. ()
 - ii.** Inactivity for a year. ()
 - iii.** Receipt of two (2) suspensions in any three (3) year period. ()
 - iv.** Sale of the business that is the vendorship. ()
 - b.** A vendorship will be suspended immediately and may be terminated immediately upon the following grounds: ()
 - i.** Violation of Fish and Game laws or rules. ()
 - ii.** Violation in the issuance of a license or in performance as a vendor. ()
 - iii.** Alteration of any license. ()
 - iv.** Three contract violations within any twelve- (12) month period. The vendorship will be suspended for up to one (1) year following such a third violation. ()
- 03. Terminations – Minimum Sales.** ()
- a.** Incorporated City. When a vendor located within an incorporated city fails to sell at least three hundred (300) licenses during the first year of operation, or sell at least six hundred twenty-five (625) licenses during the second and subsequent years, termination will be at the end of the calendar year. ()
 - b.** All Other Areas. All other vendors who fail to sell at least one hundred twenty-five (125) licenses during the first year of operation, or at least two hundred twenty-five (225) licenses during the second and subsequent year, will be terminated at the end of the calendar year. ()
 - c.** A vendorship not selling the minimum number of licenses will not be terminated if the Department

determines the service is necessary. ()

04. Application After Termination. An application after termination for reason of inactivity, sale of the business, or nonpayment of license fees will be processed as a new application. The Department will not consider an application for a vendorship terminated for nonpayment of license fees until the applicant makes payment in full of all outstanding fees, including interest charged at the legal rate for judgments. ()

122. -- 129. (RESERVED)

130. ISSUING LICENSES AND TAGS.

01. Identification. A vendor will confirm proper identification and proof of residence as defined in IDAPA 13.01.04, “Rules Governing Licensing,” for every individual before issuing a resident license. Nonresident licenses and daily fishing licenses do not require identification. ()

02. Social Security Numbers. A vendor will enter into the licensing system the digits of social security number for any person who purchases a license, as specified for compliance with Section 73-122, Idaho Code, while protecting that number as confidential information and preventing its use for other purposes or release to any third party. ()

131. -- 149. (RESERVED)

150. PUBLIC MONIES.

All monies collected by a vendor are public monies of the state of Idaho and the state has a prior claim upon these monies over all creditors, assignees, or other claimants. ()

151. VOIDED AND CANCELLED LICENSES.

No correction, alteration, or erasure may be made to an issued license. In case of error to an issued license, the vendor will cancel the license via the license terminal through the cancel function and return the original voided license and cancellation receipt to the Department at the week’s end, to be postmarked on or before the following Wednesday. If the original license is not received when due, the vendor may be charged for the value of the license. ()

152. LOSS OF DOCUMENTS AND FEES.

A vendor is responsible for all lost documents and blank license stock, regardless of the reason for loss, and will keep all documents and blank license stock in a safe and secure place, preferably in a fireproof box or vault. The vendor will immediately notify the Department of any loss and submit a detailed report of the loss. ()

153. INSPECTION AND AUDIT.

License records are subject to inspection and audit at all times by an authorized employee or agent of the Department or the State Controller’s Office. ()

154. TRANSFER AND SALE OF DOCUMENTS ISSUED TO VENDORS.

A vendor may only transfer blank license stock to a location not listed on the original application or to another license vendor with advance written permission from the Department. ()

155. RETURN OF EQUIPMENT, LICENSE STOCK, FORMS, AND SUPPLIES.

A vendor will return any equipment and unused blank license stock, forms, and supplies to the Department immediately upon termination or request by the Department. ()

156. INTERNET SERVICE PROVIDER (ISP).

Each License Vendor will provide their own Internet Service Provider (ISP), at Vendor’s cost, for the computerized license system. The ISP can be dial-up or any type of high-speed. ()

157. -- 199. (RESERVED)

200. CONTRACT TO TAKE LICENSE APPLICATIONS BY TELEPHONE OR OTHER ELECTRONIC METHODS.

The Department may contract with one (1) or more suppliers to take applications for licenses by telephone or other electronic methods, provided license issuance complies with this chapter and any contract provisions. Any such contract will provide for the deposit of any license fees collected by the supplier to be deposited with the State Treasurer within twenty-four (24) hours of effective receipt of the monies. The supplier may collect a fee in addition to the license fee, which may be retained by the supplier. This contract between the Department and supplier will establish the fee. ()

201. – 999. (RESERVED)