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**IDAPA 11
TITLE 02
CHAPTER 01**

IDAPA 11 - IDAHO STATE POLICE

IDAHO STATE BRAND BOARD

11.02.01 - RULES OF THE IDAHO STATE BRAND BOARD

000. LEGAL AUTHORITY.

The State Brand Board has authority to make rules to implement and enforce the state brand laws pursuant to Title 25, Chapter 11, Idaho Code. (7-1-93)

001. TITLE AND SCOPE.

01. Title. These rules shall be cited as IDAPA 11.02.01, "Rules of the Idaho State Brand Board." (3-30-01)

02. Scope. The rules relate to the governance and operation of the Idaho State Brand Board. (3-30-01)

002. WRITTEN INTERPRETATIONS.

There are no written interpretations of these rules. (3-30-01)

003. ADMINISTRATIVE APPEALS.

Administrative appeals under this chapter shall be governed by the rules of administrative procedure of the attorney general, IDAPA 04.11.01, "Idaho Rules of Administrative Procedure of the Attorney General." (3-30-01)

004. OFFICES, MAILING ADDRESS, OFFICE HOURS, WEB ADDRESS, AND FORMS.

01. Office Hours. Office hours are Monday through Friday, 8 a.m. to 5 p.m. (10-2-17)T

02. Mailing Address. The mailing address of the Idaho State Brand Board is P.O. Box 1177, Meridian, Idaho 83680-1177. (10-2-17)T

03. Main Office and District Offices - Street Addresses and Phone Numbers. (10-2-17)T

a. Main Office. 700 S. Stratford, Meridian, Idaho 83642. Phone Number - 208-884-7070. (10-2-17)T

b. Lewiston Office. 1118 F St, Lewiston, Idaho 83501. Phone Number - 208-799-5019. (10-2-17)T

c. Caldwell Office. 1900 E. Chicago, Caldwell, Idaho 83605. Phone Number - 208-459-4231. (10-2-17)T

d. Twin Falls Office. 630 Railroad Avenue, Twin Falls, Idaho 83301. Phone Number - 208-733-8270. (10-2-17)T

e. Idaho Falls Office. 701 Northgate Mile, Idaho Falls, Idaho 83401. Phone Number - 208-522-6676. (10-2-17)T

04. Internet Address. <https://www.isp.idaho.gov/brands/index.html>. (10-2-17)T

05. Forms. Forms used by the Idaho State Brand Board are available during office hours at the main Board office and at the district offices. (10-2-17)T

005. DEFINITIONS.

The definitions found in Section 25-1101, Idaho Code, shall also apply to these rules. Additionally, as used in rules

000 through 052, the following terms shall have the following definitions: (7-1-93)

01. Auction Brand Inspection Certificate. A brand inspection certificate issued to the new owner only from organized auction market sales. In addition to the information required of a brand inspection certificate by Section 25-1101, Idaho Code, the auction brand certificate shall contain: (7-1-93)

- a.** The names and addresses of the buyer and/or new owner; (7-1-93)
- b.** The destination of the livestock for the new owner; (7-1-93)
- c.** The auction market name and location and the date of the sale; (7-1-93)
- d.** The number of livestock inspected in each category of animals as designated on the auction brand inspection certificate. (7-1-93)
- e.** The signature of either an Idaho brand inspector or a clerk. (7-1-93)

02. Auction Brand Inspection. A brand inspection made at an Idaho Auction market with a record made of such inspection on a tally sheet. (7-1-93)

03. Bar Brand. A horizontal elongation of a line placed either above, between or below the main part of a brand, causing the name of the brand to be read to include the bar. (7-1-93)

04. Bill of Sale. The formal instrument for transfer of title to livestock. A bill of sale must include the date of the sale, a description of the livestock sold, the name of the purchaser, and the signature of the seller. (7-1-93)

05. Board. The Idaho State Brand Board. (7-1-93)

06. Brand Card. A wallet size card issued by the State Brand Inspector in a specific color for each brand renewal period, showing a drawing of the brand, the location of the brand, the name and address of each owner of the recorded brand. (7-1-93)

07. Brand Inspection. The physical examination of livestock by a brand inspector to determine ownership of the livestock. A brand inspection includes examination of proofs of ownership, including the visual examination of brands and marks. (7-1-93)

08. Consignee. Any person who has possession of livestock for feed, care or sale, but who is not deemed to be the owner of the livestock unless a later proper transfer of title to the livestock is completed. (7-1-93)

09. Courtesy Brand Inspection. An inventory of livestock requested by a financial institution or owner or a regulatory agency, shown on a tally sheet. (7-1-93)

10. Dash Brand. A horizontal elongation of a line placed either ahead of, between or behind the main part of a brand causing the name of the brand to be read to include the dash. (7-1-93)

11. Destination. The place where the livestock are to be transported. (7-1-93)

12. DOT Brands. A brand that is a spot or blotch brand that is unreadable. (3-30-01)

13. Field Brand Inspection Certificate. A brand inspection certificate issued following a field brand inspection. In addition to the information required of a brand inspection certificate by Section 25-1101, Idaho Code, the field brand certificate shall contain: (7-1-93)

- a.** Names and address of the owner, seller, buyer and new owner; (7-1-93)
- b.** The location where the brand inspection was made; (7-1-93)

- c. The date of the inspection; (7-1-93)
- d. The destination of the livestock designated by the new owner; (7-1-93)
- e. The number of livestock inspected in each of the categories of animals listed on the field brand inspection certificate which is incorporated hereto by reference (see Appendix B); (7-1-93)
- f. The brand inspection fees paid by the owner/seller; and (7-1-93)
- g. The signature of the owner/seller or his agent and an Idaho brand inspector. (7-1-93)
- 14. Field Brand Inspection.** A brand inspection made for livestock other than those sold at an auction market. (7-1-93)
- 15. Hold Order.** A written order issued by an Idaho Brand Inspector, requiring an auction market, slaughter plant or feed lot to retain either livestock or the proceeds from the sale of livestock until a release order is filed by a brand inspector. (7-1-93)
- 16. Idaho Livestock Owner.** A livestock owner who owns real property in the state of Idaho, and uses such property to feed, pasture or otherwise hold livestock for at least four (4) consecutive months each year. (7-1-93)
- 17. Lifetime Certificate.** An ownership and transportation certificate. (7-1-93)
- 18. Livestock Dealer.** Any person who buys, receives or assembles livestock for his own account for resale within twenty (20) calendar days from the date of purchase, or for the account of another person. This term also includes both a person who pays and a person who does not pay the producer or auction market the full purchase price at the time of taking possession of the livestock. (7-1-93)
- 19. Order Buyer.** A livestock dealer. (7-1-93)
- 20. Ownership and Transportation Certificate.** A certificate issued pursuant to Section 25-1122, Idaho Code, that permits a horse owner to transport horses in Idaho or nationwide, for any purpose except for sale or trade. (7-1-93)
- 21. Release Order.** A written order issued by an Idaho Brand inspector that clears a release on a hold order of livestock or the proceeds from a sale of livestock. (7-1-93)
- 22. Tally Sheet.** A document containing a list of all livestock inspected at an auction market or courtesy brand inspection which shall include a listing of all livestock inspected. The tally sheet shall indicate the name of the owner, the brands or brand inspection certificates on the animals, and the number of livestock inspected. The name of the owner shall be either the name under which the brand is recorded or the name of the new owner as shown on the brand inspection certificate. (7-1-93)

006. -- 010. (RESERVED)

011. RECORDING, USE AND PLACEMENT OF BRANDS.

- 01. Recording and Use of Brands.** (7-1-93)
- a. All brands shall be recorded with the State Brand Inspector, as required by Section 25-1144, Idaho Code. (7-1-93)
- b. No person shall brand livestock with an unrecorded brand. (7-1-93)
- c. No person shall use any brand registered to any other person. (7-1-93)
- d. No person shall lease a brand to any other person. (7-1-93)

02. Recording Procedures. (7-1-93)

a. Any person desiring to record a brand in the state of Idaho shall submit an application and fee with the State Brand Inspector, at the main office as provided by Section 25-1144, Idaho Code. If the State Brand Inspector finds that the proposed brand does not conflict with any presently recorded brand, the State Brand inspector shall record the proposed brand. (7-1-93)

b. Upon recording of the brand, the State Brand Inspector shall issue a certificate of recorded brand and a brand card to each owner of the brand. The brand card shall be recognized by all brand inspectors as proof that the brand indicated thereon has been properly registered. (7-1-93)

c. A brand may be recorded in more than one name, subject to space limitations on the brand card. (7-1-93)

d. Section 25-1144, Idaho Code, authorizes the Idaho State Brand Board to prorate the brand renewal fee to facilitate entry into the staggered brand renewal schedule. The staggered brand renewal system records a new brand on a five (5) year cycle determined by first initial of the applicant's last name. This is a continually staggered five (5) year renewal cycle and can be reviewed at any time at the Idaho State Brand Board Main Office in Meridian, Idaho. The alphabetical categories are A-C, D-H, I-M, N-S and T-Z and are renewed as follows: (3-30-01)

i. Categories A - C renew in the year 2000 and must renew at the end of each consecutive five (5) year period. (3-30-01)

ii. Categories D - H renew in the year 2004 and must renew at the end of each consecutive five (5) year period. (3-30-01)

iii. Categories I - M renew in the year 2003 and must renew at the end of each consecutive five (5) year period. (3-30-01)

iv. Categories N - S renew in the year 2002 and must renew at the end of each consecutive five (5) year period. (3-30-01)

vi. Categories T - Z renew in the year 2001 and must renew at the end of each consecutive five (5) year period. (3-30-01)

03. Brands Acceptable for Recording. (7-1-93)

a. Dash brands and bar brands must be at least two (2) inches long and slashes at least four (4) inches long. Slashes must be placed diagonally between numerals or letters. (10-1-93)

b. Recorded brands appearing on the neck, horns, hooves or jaw of livestock, or on any other location not expressly included within the definition of "brand" found in Section 25-1101, Idaho Code, shall not be recorded and shall not be relevant for identification. (7-1-93)

c. Markings made on the necks of equine animals made pursuant to the "International Horse Identification System," otherwise know as the "Angle Numerical System," U.S. Patent Number 3633584 shall not be recorded as brands, but may be recognized for identification purposes. (7-1-93)

d. A vertical arrangement of numbers in groups of two (2) or more made by freeze or hot iron branding for the purpose of individual identification of cattle shall be preceded with the oval cipher "o" and shall be placed on the shoulder, rib or hip. Such numbers shall not be recorded as brands, but may be recognized for identification purposes. Said animals are also to be branded with an Idaho recorded ownership brand. (3-30-01)

e. Lip Tattoos shall not be recorded as brands, but may be recognized for identification purposes. (7-1-93)

f. Wattles, earmarks, dewlaps or ear tags shall not be recorded as brands, but may be recognized for identification purposes. (7-1-93)

g. No new DOT brands will be recorded. Existing DOT brands will be grandfathered in to the official brand records. (3-30-01)

04. Renewal of Brands. (7-1-93)

a. A brand may be renewed by making application and submitting the renewal fee to the Main Office of the Idaho State Brand Board. (7-1-93)

b. Recorded brands shall be renewed as provided in Idaho Code Sections 25-1145 and 1145A. (3-20-97)

c. A minimum of two (2) new brand cards shall be issued to the recorded owner(s) upon renewal. The State Brand Inspector shall maintain a record of each renewal of a recorded brand. (7-1-93)

05. Transfer of Recorded Brands. (7-1-93)

a. Brands shall be transferred whenever brand is sold or otherwise transferred to a new owner; or whenever persons are added to or deleted from the list of owners of a particular recorded brand. (7-1-93)

b. A transfer fee shall be charged for all transfers; provided, however, if the change is made on or before July 1 of the renewal year, no fee shall be charged whenever one (1) or more new owners are added to or deleted from the recorded brand; or whenever the brand is transferred to a corporation, the stockholders of which are the same persons who were the owners of the brand. (7-1-93)

c. If any owner of a recorded brand is deceased, the personal representative for the estate of the deceased person must file with the State Brand Inspector a certified copy of the court order showing his appointment. The personal representative may thereafter transfer the ownership interests of the deceased person in the brand. (7-1-93)

d. A brand inspection of the livestock shall occur prior to the transfer of the recorded brand under the circumstances enumerated in Subsection 019.01.d. (7-1-93)

06. Conflicts Between Brands. The State Brand Inspector may, at any time after recording, cancel any brand that infringes upon any previously recorded brand. Notice of cancellation of the brand shall be mailed to the owners of the brand. The owners shall have thirty-five (35) days from the date indicated on the postmark of the notice to appeal the Brand Inspector's decision to the Brand Board. (7-1-93)

012. -- 014. (RESERVED)

015. BRAND ALTERNATIVES.

01. Identification. Identification marks, devices or documents issued by the state brand inspector as an alternative to permanent marks may be used for each animal. Documents acceptable as an alternative to a permanent brand are: (7-1-93)

a. Ownership and Transportation certificate (lifetime certificates) for horses, mules and asses. Such certificate must show pictures of two (2) side views, including registration numbers where appropriate. The form to be approved by the State Brand Board. (3-30-01)

b. Purebred registration papers for cattle used for breeding or show purposes. Such registration papers can be shown to the brand inspector at time of inspection of each animal. (3-30-01)

c. Any other form of positive identification requested to be used by a livestock owner, will be subject to review and approval by the brand board. (7-1-93)

016. BRANDING OF SHEEP.

01. Recording and Placement. Recording and placement of Sheep Brands. Brands for sheep may be recorded in the same manner and for the same fee as other recorded brands. Sheep brands must comply with Section 25-1142, Idaho Code. (7-1-93)

017. -- 018. (RESERVED)

019. BRAND INSPECTIONS.

01. Owners. Owners of livestock shall obtain a brand inspection in any of the following situations: (7-1-93)

a. When ownership of livestock changes in any manner; (7-1-93)

b. When livestock are to be moved out of the state within ninety-six (96) hours, unless the transportation of the livestock is covered by an ownership and transportation certificate or an annual inspection certificate; (7-1-93)

c. When livestock are to be slaughtered within ninety-six (96) hours; (7-1-93)

d. When a recorded brand is sold or transferred to a new owner, except that no brand inspection shall be required if no livestock carry the brand that is to be transferred; or the transfer involves the addition or deletion of owners to the recorded brand as provided in Subsection 011.05.b.; or when brand owners incorporate as provided in Subsection 011.05.b. (7-1-93)

02. General Procedures. (7-1-93)

a. Brand inspectors shall be available upon request to inspect livestock during the normal daylight working hours. At least twenty-four (24) hours notice should be given to the brand inspector when a brand inspection is required. Brand inspections should be performed at the point of origin of the livestock, unless otherwise approved by the State Brand Inspector or District Brand Supervisor. Requested brand inspections may be made in the nighttime by artificial light only with the expressed consent of the State Brand Inspector or the district brand supervisor. (3-30-01)

b. The livestock to be inspected should be gathered and ready for inspection prior to the arrival of the Brand Inspector. Brand inspectors are not responsible for gathering livestock to be inspected. (7-1-93)

c. The brand inspector shall notify any owner of stray livestock found during the brand inspection process. If the owner of the stray animals cannot be found, the strays shall be sold pursuant to the estray statutes, Title 25, Chapter 23, Idaho Code. (7-1-93)

d. Upon change of ownership of livestock, the brand inspection certificate shall be surrendered to the brand inspector. (3-30-01)

03. Proof of Ownership. (7-1-93)

a. The livestock owner shall maintain proof of ownership of this livestock by branding them and/or by keeping brand inspection certificates. (7-1-93)

b. Proof of ownership of livestock may be established either by the animal's being branded with its owner's recorded brand or by a brand inspection certificate. (7-1-93)

c. Proof of ownership of livestock may be established by an ownership and transportation certificate, or by an ownership and transportation certificate issued by another state (applies only to horses, mules or asses). (7-1-93)

d. Proof of ownership of livestock may be established by a brand inspection certificate issued by another state. (7-1-93)

e. Proof of ownership of livestock may be established by a bill of sale, providing that the brand inspection takes place within ten (10) days of the purchase and the brand inspector can be reasonably assured that the bill of sale is valid. Bills of sale may be issued in livestock transactions but do not replace a brand inspection certificate. (7-1-93)

f. Fresh brands on livestock bearing older brands, may or may not be accepted at the discretion of the State Brand Inspector or District Brand Supervisor as proof of ownership unless accompanied by a brand inspection certificate or a bill of sale covering the older brands as provided for in Subsection 019.03.e. above. The State Brand Inspector may inquire into the ownership of all livestock bearing two (2) or more brands. (3-30-01)

g. If the inspector finds that the livestock brands are not owned by the person claiming the same, the such person shall be required to produce a bill of sale or other satisfactory evidence of ownership. (3-30-01)

04. Fees. (7-1-93)

a. Except as provided in Subsection 019.04.b. of this rule, the fees for any brand inspection shall be as provided in Subsection 034.01. (7-1-93)

b. Livestock owned by an Idaho livestock owner, bearing an Idaho recorded brand, leaving the state of Idaho for grazing purposes only and which will return to the state at a later date, shall be inspected at a rate of one-half (1/2) of the regular per head inspection fee. (7-1-93)

020. BABY CALVES - OWNER INSPECTION.

01. General Requirements for Baby Calf Inspection. Baby calves which are ten (10) days or less old, may be sold within the state of Idaho, by their owner or the owner's agent, without a state brand inspection established in the provisions of Section 019, under the following conditions: (10-1-93)

a. The baby calf must have been given birth to by a cow which the owner of the baby calf owned at the time of the baby calf's birth; (10-1-93)

b. The owner of the baby calf, or the owner's agent, must inspect the baby calf; (10-1-93)

c. The owner of the baby calf, or the owner's agent, must fill out a Baby Calf Owner Inspection Certificate; the completed certificate must fully and accurately set forth all requested information; (10-1-93)

d. The completed Baby Calf Owner Inspection Certificate must fully and accurately set forth the names and addresses of the owner and the buyer and must be signed by both the owner or the owner's agent and the buyer; and (10-1-93)

e. At the time of the owner inspection, the baby calf must either have no brand or must have the owner's brand. (10-1-93)

02. Owner Inspection Certificates. Baby Calf Owner Inspection Certificates must be fully and accurately filled out. Baby Calf Owner Inspection Certificates which are fully and accurately filled out shall establish proof of ownership and transfer of baby calves and shall satisfy identification and ownership documentation requirements for movement of cattle out of the state. (10-1-93)

03. Fees for Owner Inspections. Per head fees for any baby calf owner inspection shall be the same as those set forth in Subsection 034.01 for brand inspections conducted by the State Brand Board and shall include the other fees required to be collected by the Brand Inspector for other state agencies. The owner of the baby calf or the owner's agent shall collect the fees and shall remit the same, along with required copies of the Baby Calf Owner Inspection Certificate to the appropriate Idaho district brand office within thirty (30) days of the sale. (10-1-93)

04. Alteration of Inspection Certificates. Baby Calf Owner Inspection Certificates shall be void if altered in any way. (10-1-93)

05. Penalties. For the purposes of any and all penalties set forth in Section 25-1101 et seq., Idaho Code, Baby Calf Owner Inspection Certificates are state brand inspection certificates. (10-1-93)

06. Inspection of Calves Eleven Days or More Old. Any calf eleven (11) days or more old must be inspected pursuant to Section 019 whenever an inspection is required. (10-1-93)

021. ANNUAL BRAND INSPECTION CERTIFICATE.

01. Certificates. Annual brand inspection certificates for livestock may be used to transport livestock or for any purpose other than for the purpose of slaughter, sale or trade. (7-1-93)

02. Annual Brand Inspection Form Also Known as "Seasonal." Annual brand inspection certificates shall be issued on either a transportation "T" form or a field brand inspection certificate form and shall expire zero (0) to twelve (12) months from the date of issue and shall contain, the breed, color, sex, markings, brands and location thereof, breed registry number if appropriate, and any other information that distinguishes the animal or animals for which the certificate is issued. If a field brand inspection form is used, it shall include written on its face: "For transportation only," "Not for sale or trade," and the expiration date. (3-30-01)

03. Annual Inspection. Subsection 030.01 which requires that livestock be transported out of the state within ninety-six (96) hours of the brand inspection of the livestock, does not apply to annual inspections. (7-1-93)

04. Agreements. The State Brand Inspector shall have the authority to enter into reciprocal agreements with brand authorities in adjacent states to allow livestock to move between the two states using the annual brand inspection issued in the home state. An annual inspection for livestock allows transportation of livestock within Idaho and into the states of Nevada, Oregon, Utah, Washington and Wyoming. (7-1-93)

05. Fee. The fee for an annual brand inspection certificate is provided in Subsection 034.01. (7-1-93)

022. CERTIFICATES OF OWNERSHIP AND TRANSPORTATION.

01. Owner. Any owner of a horse, mule or ass may request an ownership and transportation certificate (also known as a "lifetime certificate") by contacting a brand inspector and advising him of the owner's name and address. (7-1-93)

02. Detain. In the event that a brand inspector or other law enforcement officer finds a person who is not the owner of an animal in possession of both the animal and the ownership and transportation certificate, the brand inspector or other law enforcement officer may detain the animal for a sufficient period of time to determine the validity of the non-owner's possession of such animal. Any expenses caused by the detention shall be paid by the person in possession of the animal and certificate, or by the actual owner of the animal. (7-1-93)

03. Nationwide. Ownership and transportation certificates issued under Section 25-1122, Idaho Code, may be used nationwide for transportation of horses, mules and assess. (7-1-93)

04. Validity. Ownership and transportation certificates for any horse, mule or ass shall be valid so long as the animal remains within the ownership of the person to whom the certificate was issued. The ownership and transportation certificate is not transferable. (7-1-93)

023. -- 029. (RESERVED)

030. TRANSPORTATION OF LIVESTOCK.

01. Out-of-State. Any person transporting livestock out of the state of Idaho must obtain a brand inspection before the animals leave the state, as provided by Section 25-1121, Idaho Code. The brand inspection must

be obtained no more than ninety-six (96) hours prior to the transport of the livestock out of the state. Provided, however, that a brand inspection is not required if the livestock are accompanied by either of the following documents: (7-1-93)

a. The Idaho ownership and transportation certificate described in Section 022, which may be used by the owner to transport horses, mules or asses nationwide; and (7-1-93)

b. The annual inspection certificate described in Section 021, which may be used to transport livestock out of the state of Idaho. (3-30-01)

02. In-State. Livestock may be transported intrastate as follows: (7-1-93)

a. Persons in possession of their brand cards may transport their livestock marked with the brand shown on the card any place within the state of Idaho without obtaining a brand inspection. (7-1-93)

b. The blue copy of a field brand inspection certificate or an auction brand inspection certificate may be used to prove ownership of livestock in transit. In those instances where the livestock have been purchased, and such livestock does not carry a brand or if the livestock carry the brand of the previous owner, the blue copy of the brand inspection certificate issued to the present owner may be used to transport the livestock within Idaho. (7-1-93)

031. IDAHO LIVESTOCK MOVING TO PASTURE OUT OF STATE.

Livestock owned by an Idaho livestock owner, bearing an Idaho recorded brand, leaving the state of Idaho for grazing or pasture purposes only, and to be returned to the state of Idaho at a later date, shall be inspected by an Idaho brand inspector at the rate of one-half (1/2) of the regular per head inspection fee only. Provided, however, that if the State Brand Inspector determines that an inspection fee is not necessary, he may issue a brand inspection without charge. Livestock leaving the state of Idaho for pasture purposes, which are not to be returned to the state of Idaho by their owner, shall be charged the regular inspection fee together with the additional fees provided in Subsection 034.01. (7-1-93)

032. LIVESTOCK AUCTION SALES.

01. General. Livestock auction sales include all public livestock markets chartered by law; dispersal sales of livestock by a farmer, dairyman, breeder or feeder of livestock subject to brand inspection; and sales of livestock by an association of breeders subject to brand inspection where livestock are physically sold to the highest bidder. (7-1-93)

02. Other Groups. Sales of livestock at county fairs within the state involving Future Farmers of America (FFA) and 4-H groups are not auction sales for the purpose of charging and collecting the minimum brand inspection fee in Subsection 034.01. (7-1-93)

03. Fee. The minimum brand inspection fee shall be charged and collected at all auction sales described in this rule. The fee shall be paid by the livestock auction sale, whether or not the inspection fees received from the owners of livestock inspected equals the minimum fee. If the fees paid by the owners of livestock inspected at the sale, as shown as to number of head on the brand inspector's auction tally sheet, exceed the minimum fee, the actual amount of fees collected by the auction operator shall be paid, rather than the minimum amount. (7-1-93)

033. BRAND INSPECTIONS AT SLAUGHTER PLANTS AND MOBILE SLAUGHTER UNITS.

01. Notification. All livestock slaughtering plants and mobile slaughtering units shall notify the local brand inspector in advance of any livestock slaughtering operation. Brand inspection of the animals to be slaughtered shall be accomplished not more than ninety-six (96) hours prior to slaughtering, whether for commercial purposes or for the owner's immediate family needs. (7-1-93)

02. Records. Such slaughtering operations shall keep accurate records indicating the number of animals slaughtered, the source of the animals, ownership and the brands on such animals. Such records shall be available for inspection by the brand inspector during regular business hours. (7-1-93)

03. Certificate. In the event no brand inspector is available for inspection prior to slaughter of livestock, the owner of such livestock and the persons slaughtering the livestock shall complete a certificate of ownership. Such certificate shall be retained by the person who slaughtered the animal(s) until it may be submitted to the brand inspector. (7-1-93)

04. Collection. In situations when a brand inspector cannot be present before the time of slaughter, slaughter plants and mobile slaughter units shall collect the brand inspection fees for each animal slaughtered and remit the same to the brand inspector. (7-1-93)

05. Inspection. All slaughter plants and mobile slaughter units shall permit a brand inspector to inspect the hides removed from slaughtered livestock. The hides shall be kept for ten (10) days. (7-1-93)

034. SCHEDULE OF FEES FOR THE IDAHO STATE BRAND BOARD.

01. Fees. Fees authorized by the State Brand Board and to be collected by the State Brand Inspector are as follows:

SCHEDULE OF FEES		
Recording of a Brand	\$50 initial recording fee plus a \$20 per year prorated staggered renewal fee every year thereafter	
Transfer of a recorded brand	\$50.00	
Renewal of a recorded brand (every five years)	\$100.00	
Duplicate brand registration certificate	\$1.50	
Ownership and transportation certificate	\$35.00	
Duplicate ownership and transportation certificate	\$5.00	
Annual inspection equine or bovine	\$5.00	
	CATTLE	HORSES
Brand inspection (per head)	\$1.19	\$1.50
Idaho livestock to pasture (per head)	\$.60	\$.75
Minimum auction fee (per day)	\$50.00	\$50.00
Minimum field brand inspection fee	\$20.00	\$20.00
Courtesy brand inspection	\$1.19	\$1.50

Fees To Be Collected By The State Brand Inspector For Other State Agencies:	
Idaho Beef Council (per head)	\$1.50
Idaho Horse Board (per head)	\$3.00
Idaho Department of Agriculture:	
Animal health (per head)	\$.22
Predator control (per head)	\$.05

(10-2-17)T

02. Due and Payable. Pursuant to Section 25-1160(5), Idaho Code, all brand inspection fees, and all other fees required to be collected by the Brand Inspector are due and payable at the time of inspection, except that livestock owners may make arrangements with a deputy brand inspector to pay for all accumulated brand inspection fees within each seven (7) day period. Failure to comply with this rule will cancel the previously approved schedule and shall make all fees immediately due and payable. Feedlots, currently approved by the Idaho Department of Agriculture, and slaughter plants are exempt from the minimum brand inspection fee. Other minimum brand inspection fees may be waived at the discretion of the State Brand Inspector or District Brand Supervisor. (3-30-01)

035. -- 039. (RESERVED)

040. CLAIMS FOR FUNDS OR LIVESTOCK SUBJECT TO A HOLD ORDER.

01. Claim. Any person claiming to be the owner of any animal sold under Section 25-1174, Idaho Code, may claim the proceeds of the sale by filing a written and verified claim for such proceeds together with any supporting documents with the State Brand Inspector, 700 S. Stratford, Meridian, Idaho 83642. The claim shall contain the following information: (3-30-01)

a. The name and address of the claimant; (7-1-93)

b. A short, plain statement of the matters asserted in the claim, including but not limited to: facts as to ownership, a description of the animal including brands and marks, the location of the animals when they were last in the possession of the claimant, and any other pertinent facts tending to establish the claim; (7-1-93)

c. A claim for the proceeds, or portion of the proceeds, of the sale; (7-1-93)

d. Names and addresses, if known, of any other potential claimants to the funds; and (7-1-93)

e. A request for a hearing, if desired. (7-1-93)

02. More Than One Claimant. Where there is more than one (1) claimant, each claimant shall serve a complete copy of his claims upon the other claimants to the funds. (7-1-93)

03. Investigation. The State Brand Inspector will then investigate the matter and will determine whether the claimants can stipulate to the disposition of the funds. If a stipulation is reached, the State Brand Inspector or Deputy Brand Inspector shall issue a release order on the livestock or the funds in accordance with the stipulation. (3-30-01)

04. Hearing. In the event that a stipulation is not possible, or where a claimant has requested in writing that a hearing be held, a hearing will be held by the State Brand Inspector, after giving thirty (30) days notice to all claimants. (7-1-93)

041. -- 050. (RESERVED)

051. BRAND INSPECTION DISTRICTS.

01. Districts. The state of Idaho is divided into four (4) districts for the purposes of administering the State Brand Laws and these Rules. (7-1-93)

02. Lewiston. The Lewiston District consists of Benewah, Bonner, Boundary, Clearwater, Idaho, Kootenai, Latah, Lewis, Nez Perce, and Shoshone counties. (7-1-93)

03. Caldwell. The Caldwell District consists of Ada, Adams, Boise, Canyon, Gem, Payette, Valley and Washington counties and the western one-half (1/2) of Owyhee and Elmore counties. (7-1-93)

04. Twin Falls. The Twin Falls District consists of Blaine, Camas, Cassia, Gooding, Jerome, Lincoln, Minidoka and Twin Falls counties and the eastern one-half (1/2) of Owyhee and Elmore counties. (7-1-93)

05. **Idaho Falls.** The Idaho Falls District consists of Bannock, Bear Lake, Bingham, Bonneville, Butte, Caribou, Clark, Custer, Franklin, Fremont, Jefferson, Lemhi, Madison, Oneida, Power, and Teton counties. (7-1-93)

052. PREFIX ON PRE-NUMBERED BRAND INSPECTION CERTIFICATES.

BRAND INSPECTION DISTRICT	PREFIX FIELD CERTIFICATE	PREFIX AUCTION CERTIFICATE
Caldwell	C	CA
Idaho Falls	IF	IFA
Lewiston	L	LA
Twin Falls	TF	TFA

(7-1-93)

053. -- 999. (RESERVED)

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