

IDAHO ADMINISTRATIVE BULLETIN

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January 7, 1998

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THE OFFICE OF THE GOVERNOR

EXECUTIVE DEPARTMENT
STATE OF IDAHO
BOISE

EXECUTIVE ORDER NO. 97-17

ESTABLISHING STATEWIDE POLICIES ON COMPUTER, THE INTERNET AND ELECTRONIC MAIL USAGE BY STATE EMPLOYEES

WHEREAS, computers, the Internet and electronic mail are powerful research, communication and time-saving tools that are made available to state employees; and

WHEREAS, like any tools, computers, the Internet and electronic mail have the potential to be used for inappropriate purposes; and

WHEREAS, perceptions are important and state employees must constantly be aware of how their actions are perceived by the public;

NOW, THEREFORE, I, PHILIP E. BATT, Governor of the State of Idaho, by the authority vested in me under the Constitution and laws of this state do hereby order as follows:

The following statewide policies on computer, the Internet and electronic mail usage shall be observed by all state employees:

- 1. The following uses are acceptable and encouraged:*
 - a. Communications and information exchanges directly relating to the mission, charter and work tasks of the state agency;*
 - b. Announcements of state laws, procedures, hearings, policies, services or activities;*
 - c. Use for advisory, standards, research, analysis and professional society or development activities related to the user's state governmental duties; and*
 - d. Use in applying for or administering grants or contracts for state government research programs.*
- 2. It is unacceptable to knowingly or intentionally submit, publish, display, transmit, retrieve or store on the network or on any computer system any information or image which:*
 - a. Violates or infringes on the rights of any other person, including the right to privacy;*
 - b. Contains defamatory, false, inaccurate, abusive, obscene, pornographic, profane, sexually oriented, threatening, racially offensive or otherwise biased, discriminatory or illegal material;*
 - c. Violates state government regulations prohibiting sexual harassment;*
 - d. Restricts or inhibits other users from using the system or the efficiency of the computer systems;*
 - e. Encourages the use of controlled substances or uses the system for the purpose of criminal intent;*
 - f. Uses the system for any other illegal purpose;*
 - g. Contains incendiary statements which might incite violence or describe or promote the use of weapons or devices associated with terrorist activities.*
- 3. It is also unacceptable for a state employee to use the facilities and capabilities of the system to:*
 - a. Conduct any non-approved business;*
 - b. Solicit the performance of any activity that is prohibited by law;*
 - c. Transmit materials, information, images, or software in violation of any local, state or federal law;*
 - d. Conduct any political activity;*
 - e. Conduct any non-governmental-related fund raising or public relations activities;*
 - f. Engage in any activity for personal gain or personal business transactions;*
 - g. Make any unauthorized purchases.*

- h. Use any and all games on state government-provided computer equipment.*
 - i. Use unauthorized screen savers;*
 - j. Place advertisements for commercial enterprises including but not limited to goods, services or property;*
 - k. Abuse electronic mail privileges. An occasional note to another person, similar to a telephone call is acceptable; or*
 - l. Download, disseminate, store or print copyrighted materials, including articles and software, in violation of copyright laws.*
 - m. Promote or advertise any non-profit charitable organization or event.*
- 4. The following sanctions shall be imposed by state government agencies for violations of the above policies:*
- a. Upon the first abuse of this policy, the staff member will receive at a minimum: a verbal warning of the infraction.*
 - b. Upon the second occurrence of abuse, the staff member will receive at a minimum: a written reprimand placed in the employee's permanent file.*
 - c. Upon the third occurrence of abuse, the employee may receive additional sanctions deemed appropriate by the state agency head, up to, and including dismissal.*
- 5. The above policies are the minimum standards for usage of computers, the Internet and electronic mail. Individual state agencies may implement more restrictive policies as long as those policies are consistent with those developed by the Governor's Information Technology Resource Management Council (ITRMC).*

This Executive Order shall cease to be effective four years after its entry into force.



IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho at the Capitol in Boise on this thirtieth day of October in the year of our Lord nineteen hundred ninety-seven and of the Independence of the United States of America the two hundred twenty-second and of the Statehood of Idaho the one hundred eighth.

PHILIP E. BATT
GOVERNOR

PETE T. CENARRUSA
SECRETARY OF STATE

THE OFFICE OF THE GOVERNOR

EXECUTIVE DEPARTMENT
STATE OF IDAHO
BOISE

EXECUTIVE ORDER NO. 97-18

CREATING THE BOARD OF JUVENILE CORRECTIONS AND DESIGNATING
IT AS THE PRIMARY ADVISORY BODY FOR THE GOVERNOR AND
THE DEPARTMENT DIRECTOR ON MATTERS PERTAINING
TO JUVENILE CORRECTIONS

WHEREAS, an independent body would provide valuable recommendations on fiscal, policy and administrative matters concerning juvenile corrections to the Governor and the Director of the Department; and

WHEREAS, an independent body would provide an unique perspective on the development of goals, standards and measures to evaluate the effectiveness and efficiency of the Department of Juvenile Corrections and its programs;

NOW, THEREFORE, I, PHILIP E. BATT, Governor of the State of Idaho, by the authority vested in me under the Constitution and laws of this state do hereby order as follows:

1. The Board of Juvenile Corrections is hereby designated the primary advisory body for the Governor and the Department Director on matters pertaining to juvenile corrections.
2. The Board shall be responsible for advising the Governor and the Department Director on fiscal, policy and administrative matters concerning Idaho's Juvenile Corrections system.
3. The Board shall be responsible for the development of goals, standards and measures to evaluate the effectiveness and the efficiency of the Department of Juvenile Corrections and its programs.
4. The Juvenile Justice Commission shall be responsible for advising the Board on local and district juvenile corrections issues.
5. The Board shall consist of the following members:
 - a) Three Idaho citizens
 1. Who shall be appointed by, and serve at the pleasure of the Governor.
 2. Who shall initially serve staggered terms of two, four and six years.
 3. Upon expiration of the initial terms, appointments shall be for six-year terms.
 - b) The Chair of the Senate Judiciary and Rules Committee who shall serve on a voluntary basis.
 - c) The Chair of the House Judiciary, Rules and Administration Committee who shall serve on a voluntary basis.
6. The Board shall serve without compensation, but shall be reimbursed for actual travel expenses not to exceed state guidelines.
7. The Board's travel expenses shall be paid by the Department of Juvenile Corrections.



IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho at the Capitol in Boise on this fifth day of November in the year of our Lord nineteen hundred ninety-seven and of the Independence of the United States of America the two hundred twenty-second and of the Statehood of Idaho the one hundred eighth.

PHILIP E. BATT
GOVERNOR

PETE T. CENARRUSA
SECRETARY OF STATE

IDAPA 01 - IDAHO BOARD OF ACCOUNTANCY

01.01.01 - IDAHO ACCOUNTANCY RULES

DOCKET NO. 01-0101-9701

NOTICE OF PENDING RULE

EFFECTIVE DATE: These rules have been adopted by the agency and are now pending review by the 1998 Idaho State Legislature for final adoption. The pending rule becomes final and effective July 1, 1998, unless the rule is rejected, amended or modified by concurrent resolution in accordance with Section 67-5224 and 67-5291, Idaho Code. If the pending rule is approved, amended or modified by concurrent resolution, the rule becomes final and effective upon adoption of the concurrent resolution or upon the date specified in the concurrent resolution.

AUTHORITY: In compliance with Section 67-5224, Idaho Code, notice is hereby given that this agency has adopted a pending rule. The action is authorized pursuant to Section 54-201, et seq., Idaho Code.

DESCRIPTIVE SUMMARY: The pending rules are being adopted as proposed. The original text of the proposed rules was published in the October 1, 1997 Idaho Administrative Bulletin, Volume 97-10, pages 1 and 2.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning the pending rule, contact Barbara R. Porter, (208) 334-2490

DATED this 30th day of October, 1997.

Barbara R. Porter, Executive Director
Idaho State Board of Accountancy
P.O. Box 83720
Boise, Idaho 83720-0002
(208) 334-2490
(208) 334-2615 FAX

**IDAPA 01
TITLE 01
Chapter 01**

IDAHO ACCOUNTANCY RULES

**There are no substantive changes
from the proposed rule text.**

**The original text was published in the Idaho
Administrative Bulletin, Volume 97-10, October 1, 1997,
pages 1 and 2.**

**This rule has been adopted as Final by the Agency
and is now pending review by the
1998 Idaho State Legislature for final adoption.**

IDAPA 02 - DEPARTMENT OF AGRICULTURE
02.03.03 - RULES GOVERNING PESTICIDE USE AND APPLICATION
DOCKET NO. 02-0303-9701

NOTICE OF PENDING RULE AND AMENDMENT TO TEMPORARY RULE

EFFECTIVE DATE: The temporary rule is effective September 1, 1997. These rules have been adopted by the agency and are now pending review by the 1998 Idaho State Legislature for final adoption. The pending rule becomes final and effective at the conclusion of the regular or special legislative session at which the rule is submitted for review, unless the rule is approved, rejected, amended or modified by concurrent resolution in accordance with Section 67-5224 and 67-5291, Idaho Code. If the pending rule is approved, amended or modified by concurrent resolution, the rule becomes final and effective upon adoption of the concurrent resolution or upon the date specified in the concurrent resolution.

AUTHORITY: In compliance with Sections 67-5224 and 67-5226, Idaho Code, notice is hereby given that this agency has adopted a pending rule and amended a temporary rule. The action is authorized pursuant to Section 22-3421, Idaho Code.

DESCRIPTIVE SUMMARY: The following is a concise explanatory statement of the reasons for adopting the pending rule and amending the existing temporary rule and a statement of any change between the text of the proposed rule and the text of the pending rule with an explanation of the reasons for change.

The recertification period for professional applicators shall be concurrent with the licensing period. The amendments provide for the composting of alfalfa and clover seed screenings, and modify wind restrictions, low-flying requirements, and associated aerial application regulations to address FAA concerns and National Drift Task Force recommendations. Pesticide recordkeeping requirements are updated. The required professional applicator insurance information shall be submitted on a form approved by the Director. Financial responsibility requirements are modified to increase coverage limits, address exceptions to coverage, and delete language regarding waiver of coverage. Mixer-Loader licensing requirements have been replaced with annual training requirements. Language addressing dealer licensure recertification and dealer allowed activities has been deleted in anticipation of legislation. Recertification credits have been redefined to accommodate cooperative training efforts between surrounding states and to address concerns related to technical presentations.

Based on public comment received and recommendations of the Department's Licensing Advisory Committee the following amendments to the temporary rule have been made in order to eliminate hardships that have been identified:

Section 005 was amended to correct a typographical error. Sections 050 and 100 were amended to provide a new method for determining recertification credits. Section 100 was amended to provide a training requirement instead of licensing requirement for mixer-loaders. Section 100 was also amended to remove the recertification reference to dealers and to remove the reference to dealers regarding pesticide recommendations. Section 250 was amended to delete the "ACORD" form as proof of financial responsibility due to inadequate information provided on that document. Section 250 was also amended to modify financial responsibility coverage requirements to address concerns from the agricultural community related to aerial application. Section 320 was amended to address comments received concerning granular formulations and to eliminate inconsistent language. Section 321 was amended to modify language concerning transferability of licenses to clarify and reflect responsibility of the license holder. Section 800 was amended to modify language to reflect proper terminology related to solid waste disposal.

Only those sections that amend the temporary rule are printed in this bulletin. The original text of the proposed rule was published in the Idaho Administrative Bulletin, Volume 97-10, pages 3 through 14.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this pending rule, contact Robert S. Hays or Beth Williams, at (208) 332-8605.

DATED this 19th day of November, 1997.

Mike Everett, Deputy Director
Idaho State Department of Agriculture
P.O. Box 790, Boise, Idaho 83700-0790
(208) 332-8500/(208) 334-4623 FAX

IDAPA 02
TITLE 03
Chapter 03

RULES GOVERNING PESTICIDE USE AND APPLICATION

There are substantive changes from the proposed rule text.

Only those sections that have changed from the original proposed text are printed in this Bulletin following this notice.

The complete original text was published in the Idaho Administrative Bulletin, Volume 97-10, October 1, 1997, pages 3 through 14.

This rule has been adopted as Final by the Agency and is now pending review by the 1998 Idaho State Legislature for final adoption.

TEXT OF DOCKET NO. 02-0303-9701

005. FINDINGS.

These rules are promulgated pursuant to Section ~~567~~-5226, Idaho Code. The rules confer a benefit and address public health, safety, and welfare by establishing and clarifying license periods and recertification requirements of professional and private pesticide applicators, ~~mixer loaders, and dealers; expanding the authority of licensed dealers to allow pesticide use recommendations; replacing mixer-loader licensing requirement with an annual training requirement;~~ allowing composting of alfalfa and clover seed screenings; modifying wind restrictions; clarifying aerial application over-flight requirements; combining pesticide application recordkeeping and notification requirements from the Idaho Pesticide Law, the 1990 U.S.D.A. Farm Bill, and the Federal Workers Protection Standard. Additionally, financial responsibility requirements have been modified to ~~reflect current industry standards and recommendations recommended by the Bureau of Risk Management, Department of Administration~~ address risk management concerns. (9-1-97)F(9-1-97)T

(BREAK IN CONTINUITY OF SECTIONS)

050. PRIVATE APPLICATOR LICENSING.

01. Private Applicator's License. Applicants who wish to obtain a private applicator's license shall (3-20-97)
 - a. Fill out an application prescribed by the Department. (3-20-97)
 - b. Take an examination based on the Environmental Protection Agency (EPA) core manual and score a minimum of seventy percent (70%). The examination procedure shall be the same as for professional applicators (Subsection 100.03), except private applicators shall not be assessed an examination fee. (3-20-97)
 - c. Private applicators shall be certified and licensed in one or both of the following categories: (3-20-97)

- i. Restricted Use Pesticide (RU). For persons who use or supervise the use of restricted use pesticides to produce agricultural commodities or forest crops on land they or their employer(s) own(s) or operate(s). (3-20-97)
- ii. Chemigation (CH). For persons who apply chemicals through irrigation systems on land they or their employer(s) own(s) or operate(s). (3-20-97)
- d. Non-reading applicators may be certified to purchase and apply a single restricted use pesticide when they have demonstrated their competence in the safe and proper use of such pesticide to the Director or other designated agent. (3-20-97)

02. Recertification. In order for a private applicator's license to be renewed, the license holder must complete the recertification provisions of this section. Beginning July 1, 1996, licenses belonging to private applicators with last names beginning with A through L, inclusive, shall expire on the last day of the month listed on the chart in Subsection 050.02.a. in every odd-numbered year, and licenses belonging to private applicators with last names beginning with M through Z, inclusive, shall expire on the last day of the month listed on the chart in Subsection 050.02.a., in every even-numbered year. The recertification period shall be concurrent with the licensing period. Those persons who are currently licensed as a private applicator or chemigator on June 30, 1996, shall be reissued a private applicator license with the appropriate categories. Those persons who are currently licensed as a private applicator or chemigator on June 30, 1996, shall be grandfathered into the licensing schedule at Subsection 050.02.a. Any person with less than thirteen (13) months in the initial licensing period shall not be required to obtain recertification credits for the initial period. Upon issuance of the replacement license, the previous license shall be null and void. Any private applicator license without an expiration date shall be null and void on December 31, 1996. Recertification and relicensing may be accomplished by complying with either Subsection 050.02.b. or 050.02.c. (9-1-97)T

a. Licensing Schedule.

Last Name		Month to License
Odd Year	Even Year	
A-D	M-P	MARCH
E-H	Q-T	JULY
I-L	U-Z	OCTOBER

(3-20-97)

b. A person shall accumulate recertification credits by attending Department-accredited pesticide instruction seminars. (3-20-97)

i. A minimum of ~~two (2)~~ six (6) credits shall be earned during each recertification period. ~~(3-20-97)~~(9-1-97)T

ii. Guidelines for obtaining recertification credits shall be the same as for professional applicators, as described in Subsections 100.04.a.ii. through 100.04.a.v. Any credits accumulated beyond the required ~~two (2)~~ six (6) in a recertification period may not be carried over to the next recertification period. ~~(3-20-97)~~(9-1-97)T

iii. Upon earning the recertification credits as described above, a person shall be considered by the Department to be recertified and eligible for license renewal for the next licensing period. (3-20-97)

c. A person shall pass the Department's private applicator recertification examination(s) for all categories in which the person intends to license with a minimum score of seventy percent (70%). (3-20-97)

i. Recertification examinations may be taken by a person beginning the thirteenth (13th) month of the license period. (3-20-97)

ii. The examination procedures as outlined in Subsection 100.03 shall be followed, except that an examination fee shall not be assessed. (3-20-97)

iii. Upon passing the recertification examinations, a person shall be considered by the Department to be recertified and eligible for license renewal for the next licensing period. (3-20-97)

(BREAK IN CONTINUITY OF SECTIONS)

100. LICENSING PROFESSIONAL APPLICATORS; AND PESTICIDE DEALERS ~~AND MIXER-LOADERS.~~

01. Demonstration of Competence. (3-20-97)

a. Professional applicators shall not recommend the application or make an application of any pesticide for any purpose, unless they have demonstrated competence for that purpose, which competence must be demonstrated by passing Department examinations and becoming licensed in the appropriate categories listed in Subsection 100.02. (3-20-97)

b. An applicant shall demonstrate competency in the following areas: (3-20-97)

i. Labels and labeling, including terminology, instructions, format, warnings and symbols. (3-20-97)

ii. Safety factors and procedures, including protective clothing and equipment, first aid, toxicity, symptoms of poisoning, storage, handling, transportation and disposal. (3-20-97)

iii. Laws, rules, and regulations governing pesticides. (3-20-97)

iv. Environmental considerations, including the effect of climate and physical or geographical factors on pesticides, and the effects of pesticides on the environment, and the animals and plants living in it. (3-20-97)

v. Mixing and loading, including interpretation of labels, safety precautions, compatibility of mixtures, and protection of the environment. (3-20-97)

vi. Methods of use or application, including types of equipment, calibration, application techniques, and prevention of drift and other types of pesticide migration. (3-20-97)

vii. Pests to be controlled, including identification, damage characteristics, biology and habitat. (3-20-97)

viii. Types of pesticides, including formulations, mode of action, toxicity, persistence, and hazards of use. (3-20-97)

ix. Chemigation practices involving the application of chemicals through irrigation systems. (3-20-97)

02. Certification. A person shall be certified by passing Department examinations with a minimum of seventy percent (70%) in the categories of pesticides they apply. (3-20-97)

a. Professional applicators shall be certified and licensed in one or more of the following categories: (3-20-97)

i. Law and Safety (LS). This shall include general knowledge of pesticides including proper use and disposal, product characteristics, first aid, labeling, and laws. Certification in this category is required when certifying in Subsections 100.02.a.ii. through 100.02.a.ix. (3-20-97)

- ii. Agriculture. For persons doing field crop applications. Agriculture Herbicide (AH). Certification in this category shall also certify a person to make herbicide applications in rights-of-way, forests, and rangelands. Agriculture Insecticide/Fungicide (AI). Certification in this category shall also certify a person to make insecticide/fungicide applications in rights-of-way, forests, and rangelands. Soil Fumigation (SF). (3-20-97)
- iii. Forest Environment (FE). For U.S. Forest Service and Bureau of Land Management personnel, contractors, and private industry personnel who control pests in forests and on rangelands. (3-20-97)
- iv. Right-of-Way Herbicide (RW). For railroads, highway departments and others, for roadside weed control, soil sterilant herbicides, and weed control on public lands (non-crop). Certification in the Agricultural Herbicide category shall exempt the applicant from the need to certify in this category. (3-20-97)
- v. Public Health Pest (PH). For abatement districts and others controlling mosquitoes and other public health pests. (3-20-97)
- vi. Livestock Pest Control (LP). For persons treating livestock pests. (3-20-97)
- vii. Ornamental Herbicide (OH). For persons doing outside urban or residential herbicide applications, with the exception of soil sterilant applications (see Subsection 100.02.a.iv.). Ornamental Insecticide/Fungicide (OI). For persons doing outside urban or residential insecticide and fungicide applications, including exterior applications to residential, urban or commercial buildings, excluding structural destroying pests (see Subsection 100.02.a.ix). (3-20-97)
- viii. General Pest Control Operations (GP). For persons controlling pests in and around residential, commercial, or other buildings, excluding structural destroying pests. (3-20-97)
- ix. Structural Destroying Pest (SP). For persons involved in the control of pests which destroy wooden structures, such as bridges, houses, offices, and warehouses. (3-20-97)
- x. General Vertebrate Control (GV). For Animal Damage Control personnel of the United States Department of Agriculture-Animal and Plant Health Inspection Service, for controlling vertebrates such as rodents, predators, and birds. (3-20-97)
- xi. Rodent Control (RC). For rodent districts and others, for the control of field rodents. Certification in the General Pest Control category shall exempt the applicant from the need to certify in this category. (3-20-97)
- xii. Aquatic Weed Control (AW). For irrigation districts, canal companies and others, for weed control on aquatic sites. (3-20-97)
- xiii. Seed Treatment (ST). For persons doing treatments to protect seeds used for plant reproduction. (3-20-97)
- xiv. Commodity Pest Control (CP). For persons controlling pests in stored commodities. (3-20-97)
- xv. Potato Cellar Pest Control (PC). For persons who apply sprout inhibitors in potato cellars. (3-20-97)
- xvi. Wood Preservative (WP). For persons who apply wood preservatives. (3-20-97)
- xvii. Pest Control Consultant-Statewide (SW). For persons who make recommendations or supply technical advice concerning the use of any pesticide for agricultural purposes. (3-20-97)
- xviii. Demonstration and Research (DR). For persons who apply or supervise the use of restricted use pesticides at no charge to demonstrate the action of the pesticide or conduct research with restricted use pesticides. A person shall be eligible to license in this category by passing the Pest Control Consultant examination. (3-20-97)

xix. Chemigation (CH). For persons who apply chemicals through an irrigation system, excluding Aquatic Weed Control applicators (see Subsection 100.02.xii.). (3-20-97)

b. Pesticide Dealers shall be certified and licensed in any category listed in Subsection 100.02 that pertains to the types of restricted use pesticides sold or distributed. ~~A dealer may make recommendations in the certified pesticide category(ies).~~ (9-1-97)T(9-1-97)T

c. Persons with an active license category on June 30, 1996, shall retain said category under the rules which became effective on July 1, 1996, until the expiration of the certification period or suspension of the license by the Department. (9-1-97)T

d. Mixer-Loaders. ~~Effective December 31, 1998, mixer-loader licenses issued by the Department shall expire. No person shall act as a mixer-loader for a professional applicator without first obtaining a mixer-loader license issued by the Department annual training. Professional and private applicators are exempt from this requirement.~~ (3-20-97)(9-1-97)T

i. ~~An applicant must be at least eighteen (18) years of age. Training shall be conducted and certified by the professional applicator who employs the mixer-loader. Certification of training shall be on a form prescribed by the Department and must include the signatures of both the mixer-loader and the professional applicator providing the training.~~ (3-20-97)(9-1-97)T

ii. ~~An applicant must be employed by a licensed professional applicator.~~ (3-20-97)

iii. ~~Before obtaining a license, an applicant shall receive Department approved training shall include in areas relevant to the pesticide mixing and loading operation. Such training shall include and instruction on the interpretation of pesticide labels, safety precautions, first aid, compatibility of mixtures, and protection of the environment.~~ (3-20-97)(9-1-97)T

iv. ~~iii. In lieu of training, an applicant may become certified by passing the Department's mixer-loader examination with a minimum score of seventy percent (70%). Employers of mixer-loaders shall comply with federal and state laws related to hazardous occupations and shall provide and ensure the use of personal protective equipment required in the label directions.~~ (3-20-97)(9-1-97)T

v. ~~Application for a mixer-loader license shall be on a form prescribed by the Department. If the training option (Subsection 100.02.d.iii.) is selected, the application form must include the signatures of both the applicant and the professional applicator verifying that the applicant received the required mixer loader training. If the examination option is selected, the application form must include the name and professional applicator license number of the employer.~~ (9-1-97)T

03. Department Examination Procedures. (3-20-97)

a. Examinations shall be administered by a designated agent. (3-20-97)

b. To pass a Department examination, professional applicators, ~~mixer-loaders~~, and pesticide dealers shall obtain a score of seventy percent (70%) or higher. (9-1-97)T(9-1-97)T

c. Payment of examination fees shall be received by the Idaho Department of Agriculture before examination results may be released. (3-20-97)

d. A minimum waiting period shall be required before an applicant may retake an examination: (3-20-97)

i. One (1) week shall be required for the first failure. (3-20-97)

ii. Two (2) weeks shall be required for the second failure. (3-20-97)

iii. Thirty (30) days shall be required for the third or subsequent failures. (3-20-97)

04. Licensing Periods and Recertification. Professional applicator, ~~mixer-loader, and dealer~~ licenses shall be renewed by satisfying the recertification provisions of this section. Licenses belonging to professional applicators with last names beginning with A through L, inclusive, shall expire on the last day of the year in every odd-numbered year, and licenses belonging to professional applicators with last names beginning with M through Z, inclusive, shall expire on the last day of the year in every even-numbered year. ~~Effective January 1, 1998, licenses belonging to mixer-loaders with last names beginning with A through L, inclusive, shall expire on the last day of the year in every odd-numbered year, and licenses belonging to mixer-loaders with last names beginning M through Z, inclusive, shall expire on the last day of the year in every even-numbered year.~~ Any professional applicator ~~or mixer-loader~~ with less than thirteen (13) months in the licensing period shall not be required to obtain recertification credits during the initial licensing period. The recertification period for professional applicators ~~and mixer-loaders~~ shall be concurrent with their two (2) year licensing period. ~~The recertification period for dealers shall be concurrent with their one (1) year licensing period.~~ Recertification requirements may be accomplished by complying with either Subsection 100.04.a. or 100.04.b. ~~(9-1-97)~~(9-1-97)T

a. A person shall accumulate recertification credits by attending Department-accredited pesticide instruction seminars. (3-20-97)

i. A minimum of ~~five (5)~~ fifteen (15) credits shall be earned by a professional applicator during each recertification period. ~~A minimum of two (2) credits shall be earned by a mixer-loader or dealer during each recertification period.~~ ~~(9-1-97)~~(9-1-97)T

ii. A completed request for accreditation of a seminar shall be received by the Department not less than thirty (30) days prior to the scheduled seminar. Such a request shall be submitted on a form prescribed by the Department. Under exceptional circumstances, as described in writing by the person requesting accreditation, the thirty (30) day requirement may be waived. (3-20-97)

iii. Credit will be given only for those parts of seminars that deal with pesticide subjects as listed in Subsection 100.01.b. No credit will be given for training given to persons to prepare them for initial certification. (3-20-97)

iv. The number of credits assigned in advance for a seminar, or a part of a seminar, shall be tentative, and may be revised by the Department if it is later found that the training does not comply with Subsection 100.04.a.iii. (3-20-97)

v. ~~A~~ Effective July 1, 1998, a recertification credit shall be based upon one (1) credit for each ~~one hundred fifty (150) minute period~~ one (1) hour of instruction, as described in Subsection 100.04.a.iii. Should an applicator's recertification period include credits earned prior to July 1, 1998, those credits based on one hundred fifty (150) minutes of instruction shall be converted to three (3) credits for recertification purposes. ~~(3-20-97)~~(9-1-97)T

vi. Verification of attendance at a seminar shall be accomplished by validating the attendee's pesticide license, using a stamp, sticker, or other method approved by the Department. A designated agent shall ensure that such attendance records are properly completed. Verification of attendance must be submitted with the license renewal application. (3-20-97)

vii. If a person has accumulated more than ~~five~~ fifteen (15) credits during the recertification period, the excess credits may not be carried over to the next recertification period. ~~(3-20-97)~~(9-1-97)T

viii. Upon earning the recertification credits as described above, a person shall be considered by the Department to be recertified for the next recertification period corresponding with the next issuance of a license. (3-20-97)

b. A person shall pass the Department's recertification examinations for all categories in which a person intends to license. (3-20-97)

i. Recertification examinations may be taken by a professional applicator ~~or mixer-loader~~ beginning the thirteenth (13th) month of the recertification period. ~~Recertification examinations may be taken by a dealer~~

~~beginning the ninth (9th) month of the recertification period.~~ (9-1-97)T(9-1-97)T

- ii. The examination procedures as outlined in Subsection 100.03 shall be followed. (9-1-97)T
 - iii. In addition to examinations for categories listed under Subsection 100.02.a.ii. through ~~100.02.a.viii.~~ 100.02.a.ix., a person must also pass a Law and Safety recertification examination. (3-20-97)(9-1-97)T
 - iv. Recertification shall not be achieved by passing an entry-level examination. (3-20-97)
 - v. Upon passing the recertification examination(s), a person shall be considered by the Department to be recertified for the next recertification period. (3-20-97)
- c. Any person who fails to accumulate the required recertification credits prior to the expiration date of their license shall be required to pass the appropriate recertification examination(s) before being licensed. (3-20-97)
05. Licensed Professional Applicator. Only a licensed professional applicator shall operate or supervise the operation of commercial application equipment by being present during the time of operation. (3-20-97)

(BREAK IN CONTINUITY OF SECTIONS)

250. FINANCIAL RESPONSIBILITY.

01. Proof of Financial Ability. A professional applicator's license will not be issued by the Department until an applicant submits written proof of financial responsibility by any of the following methods: (3-20-97)
- a. Liability insurance with an insurance company licensed to do business in Idaho and documented on ~~either a standard insurance "ACORD" form or on~~ a form approved by the Director; or (9-1-97)T(9-1-97)T
 - b. A bond that is approved by the Director; or (3-20-97)
 - c. A cash certificate of deposit in escrow with a bank or trust company; or (3-20-97)
 - d. An annuity; or (3-20-97)
 - e. An irrevocable letter of credit. (3-20-97)
 - f. Any certificate of deposit, annuity, or irrevocable letter of credit must be payable to the Director as trustee and shall remain on file with the Department until it is released, canceled or discharged by the Director. Any certificate of deposit, annuity, or irrevocable letter of credit must maintain a cash value equal to the requirements of Subsection 250.02, less any penalty for early withdrawal. Accrued interest upon a certificate of deposit or annuity shall be payable to the purchaser of the certificate or annuity. (3-20-97)
 - g. Under the provisions of this chapter, an irrevocable letter of credit shall not be acceptable unless it is issued by a national bank in Idaho or by an Idaho state-chartered bank insured by the federal deposit insurance corporation. Under the provisions of this chapter, an annuity shall not be accepted by the Department unless it is issued by an insurance company, bank or other financial institution found acceptable by the Director. (3-20-97)
02. Minimum Coverage Required. (3-20-97)
- a. Professional applicators. (3-20-97)
 - i. ~~Bodily injury/property damage - A combined single limit (CSL) of three hundred thousand dollars (\$300,000)-fiftythousanddollars(\$50,000)perperson/onehundredthousanddollars(\$100,000)isrequiredperoccurrence.~~

~~(9-1-97)F~~(9-1-97)T

ii. Property damage - fifty thousand dollars (\$50,000) per occurrence. (9-1-97)T

iii. Maximum deductible - five thousand dollars (\$5,000). (9-1-97)T

~~ii-iv.~~ All new professional applicator licenses issued on or after September 1, 1997, shall require financial responsibility at or exceeding the updated coverage limits as specified in Subsections 250.02.a.i. and Subsection 250.02.a.ii. ~~(9-1-97)F~~(9-1-97)T

~~iii-v.~~ In order to maintain an existing professional applicator license the updated coverage limits specified in Subsections 250.02.a.i. and 250.02.a.ii. shall be met or exceeded effective on or before September 1 December 31, 1998. ~~(9-1-97)F~~(9-1-97)T

03. Exclusions. Any exclusions to coverage by such insurance policy, bond, or cash deposit shall be listed. (9-1-97)T

04. Cancellation or Reduction. The Department shall be notified by the surety applicator in writing within fifteen (15) days immediately after cancellation or reduction of the financial coverage. ~~(9-1-97)F~~(9-1-97)T

05. Coverage Waived. Coverage waivers which have been issued prior to September 1, 1997, shall remain in effect until the first license expiration date subsequent to September 1, 1997. (9-1-97)T

(BREAK IN CONTINUITY OF SECTIONS)

320. WIND VELOCITY RESTRICTIONS.

01. Restrictions. No person shall apply any pesticide in sustained wind conditions exceeding ten (10) miles per hour or in wind conditions exceeding product label directions. (9-1-97)T

02. Exceptions. Application of pesticides by injection into application site or by impregnated dry fertilizer granules may shall be made to target areas in winds exceeding ten (10) miles per hour according to label directions. ~~(9-1-97)F~~(9-1-97)T

03. Approval for Use of Other Application Techniques. Other pesticide application techniques or methods may be approved by the Director or his agent on a case-by-case basis. (9-1-97)T

321. CHANGE OF LICENSE STATUS.

01. Change Notification. Any person who is licensed by this act shall immediately notify the Director, in writing, of any change of status of any person or agent so named, or of any change in the business name, organization, or any other information shown in the licensing application. (3-20-97)

02. Transferable. Licenses are not transferable, and in case of a change of business ownership, a new application and fee are required. No fee is required for a change of business name. ~~(3-20-97)~~(9-1-97)T

(BREAK IN CONTINUITY OF SECTIONS)

800. PESTICIDE USE ON ALFALFA SEED AND CLOVER SEED.

01. Nonfood and Nonfeed Site Conditions. For purposes of pesticide registration, all alfalfa seed and clover seed crop fields are considered nonfood and nonfeed sites for pesticide use and the following conditions shall

be met: (3-20-97)

a. No portion of the seed alfalfa or seed clover plant, including but not limited to seed screenings, green chop, hay, chaff, combine tailings, pellets, meal, whole seed and cracked seed, may be grazed, used, or distributed for food or feed purposes. (3-20-97)

b. The seed conditioner shall keep records of individual growers' alfalfa and clover seed dirt weight and clean weight for three (3) years and shall furnish the records to the Director forthwith upon request. (3-20-97)

c. All seed screenings shall be disposed of at a ~~controlled dump site~~ sanitary landfill, incinerator, or other equivalent disposal site or by a procedure approved by the Director. ~~(9-1-97)T~~ (9-1-97)T

d. The seed conditioner shall keep seed screening disposal records for three (3) years from the date of disposal and shall furnish the records to the Director forthwith, upon request. Disposal records shall consist of documentation from the disposal site and shall show the total weight of disposed screenings and the date of disposal. (3-20-97)

e. All alfalfa or clover seed grown or conditioned in this state shall bear a tag or container label which forbids the use of the seed for human consumption or animal feed. (3-20-97)

f. No alfalfa or clover seed grown or conditioned in this state shall be distributed for human consumption or animal feed. (3-20-97)

g. All portions of the seed alfalfa or seed clover plant, including but not limited to seed screenings, pellets, meal, whole seed and cracked seed may be composted. All composted material may be applied to agricultural crop land as approved by the Director. (9-1-97)T

02. Exemption. Alfalfa seed grown for human consumption shall be exempt from the requirements of Subsection 800.01 provided: (3-20-97)

a. All pesticides used are labeled for use on alfalfa, and have established residue tolerances which allow food or feed use; and (3-20-97)

b. All producers maintain for three (3) years complete records of all pesticides applied as specified in Pesticide Use and Application Rules Subsection 150.02. These records shall be ready to be inspected, duplicated, or submitted when requested by the Director. (3-20-97)

IDAPA 02 - DEPARTMENT OF AGRICULTURE
02.06.29 - RULES CREATING THE ELBA SEED POTATO MANAGEMENT AREA

DOCKET NO. 02-0629-9701

NOTICE OF PENDING RULE

EFFECTIVE DATE: This rule has been adopted by the agency and is now pending review by the 1998 Idaho State Legislature for final adoption. The pending rule becomes final and effective at the conclusion of the regular or special legislative session at which the rule is submitted for review, unless the rule is approved, rejected, amended or modified by concurrent resolution in accordance with sections 67-5224 and 67-5291, Idaho Code. If the pending rule is approved, amended or modified by concurrent resolution, the rule becomes final and effective upon adoption of the concurrent resolution or upon the date specified in the concurrent resolution.

AUTHORITY: In compliance with section 67-5224, Idaho Code, notice is hereby given that this agency has adopted a pending rule. The action is authorized pursuant to Title 22, Chapter 10, Idaho Code.

DESCRIPTIVE SUMMARY: The following is a concise explanatory statement of the reasons for adopting the pending rule and a statement of any change between the text of the proposed rule and the text of the pending rule with an explanation of the reasons for the change. To repeal the rules in their entirety.

The pending rule is being adopted as proposed. The original text of the proposed rule was published in the September 3, 1997, Idaho Administrative Bulletin, Volume No. 97-9, page 1.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this pending rule, contact Dr. Roger Vega or Michael E. Cooper at (208) 332-8620.

DATED this 19th day of November, 1997.

Mike Everett
Deputy Director
Idaho State Department of Agriculture
P.O. 790
Boise, Idaho 83701-0790
(208) 332-8500
(208) 334-4623 FAX

IDAPA 02
TITLE 06
Chapter 29

RULES CREATING THE ELBA SEED POTATO MANAGEMENT AREA

**There are no substantive changes
from the proposed rule text.**

**The original text was published in the Idaho
Administrative Bulletin, Volume 97-9, September 3, 1997, page 1.**

**This rule has been adopted as Final by the Agency
and is now pending review by the
1998 Idaho State Legislature for final adoption.**

IDAPA 02 - IDAHO STATE DEPARTMENT OF AGRICULTURE
02.06.37 - RULES CREATING THE CARIBOU COUNTY AND THAT PORTION OF
FRANKLIN COUNTY INCLUDED IN SCHOOL DISTRICT
NO. 148 SEED POTATO CROP MANAGEMENT AREA

DOCKET NO. 02-0637-9701

NOTICE OF PENDING RULE

EFFECTIVE DATE: This rule has been adopted by the agency and is now pending review by the 1998 Idaho State Legislature for final adoption. The pending rule becomes final and effective at the conclusion of the regular or special legislative session at which the rule is submitted for review, unless the rule is approved, rejected, amended or modified by concurrent resolution in accordance with sections 67-5224 and 67-5291, Idaho Code. If the pending rule is approved, amended or modified by concurrent resolution, the rule becomes final and effective upon adoption of the concurrent resolution or upon the date specified in the concurrent resolution.

AUTHORITY: In compliance with section 67-5224, Idaho Code, notice is hereby given that this agency has adopted a pending rule. The action is authorized pursuant to Title 22, Chapter 10, and Title 22, Chapter 5, Idaho Code.

DESCRIPTIVE SUMMARY: The following is a concise explanatory statement of the reasons for adopting the pending rule and a statement of any change between the text of the proposed rule and the text of the pending rule with an explanation of the reasons for the change. This rule establishes the procedures for planting, transporting and storing of potatoes, identification, inspection of bedding plants and treatment of cull and volunteer potatoes in the Caribou and that Portion of Franklin County included in School District No. 148 Seed Potato Crop Management Area.

The pending rule is being adopted as proposed. The original text of the proposed rule was published in the August, 6, 1997, Idaho Administrative Bulletin, Volume No. 97-8, pages 14 through 18.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this pending rule, contact Dr. Roger Vega or Michael E. Cooper at (208) 332-8620.

DATED this 19th day of November, 1997.

Mike Everett, Deputy Director
Idaho State Department of Agriculture
P.O. 790, Boise, Idaho 83701-0790
(208) 332-8500/(208) 334-4623 FAX

IDAPA 02
TITLE 06
Chapter 37

RULES CREATING THE CARIBOU COUNTY AND THAT PORTION OF FRANKLIN COUNTY
INCLUDED IN SCHOOL DISTRICT NO. 148 SEED POTATO CROP MANAGEMENT AREA

There are no substantive changes
from the proposed rule text.

The original text was published in the Idaho
Administrative Bulletin, Volume 97-8, August 6, 1997,
pages 14 through 18.

This rule has been adopted as Final by the Agency
and is now pending review by the
1998 Idaho State Legislature for final adoption.

IDAPA 02 - DEPARTMENT OF AGRICULTURE
02.08.01 - SHEEP AND GOAT RULES OF THE IDAHO BOARD OF SHEEP COMMISSIONERS
DOCKET NO. 02-0801-9801

NOTICE OF TEMPORARY AND PROPOSED RULES

EFFECTIVE DATE: These temporary rules are effective January 1, 1998.

AUTHORITY: In compliance with Sections 67-5221(1) and 67-5226, Idaho Code, notice is hereby given that this agency has adopted temporary rules and has proposed regular rule-making procedures have been initiated. The action is authorized pursuant to Title 25, Chapter 1, Idaho Code.

PUBLIC HEARING SCHEDULE: Public hearings concerning this rule-making will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than January 21, 1998.

The hearing site will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the hearing, to the agency at the address below.

DESCRIPTIVE SUMMARY: The following is a statement in nontechnical language of the substance and purpose of the proposed rulemaking:

These amendments will provide authority to control scrapie, a fatal neurological disease of sheep and goats and other serious diseases of sheep and goats; require unique identification of certain sheep; provide an ability to require destruction of infected, source, and high-risk animals and flocks; and provide a mechanism for indemnification of owners whose animals are destroyed.

TEMPORARY RULE JUSTIFICATION: Pursuant to Sections 67-5226(1)(a) and 67-5226(1)(c), Idaho Code, the Governor has found that temporary adoption of the rule is appropriate for the following reasons:

The proposed amendments will safeguard the public health by controlling scrapie, a disease that is perceived to be possible source of Bovine Spongiform Encephalopathy (BSE) which is alleged to cause variant Creutzfeldt-Jakob Disease (CJD) in humans; and will confer a benefit to the sheep and goat industries of the state by providing a program that can control and possibly eradicate scrapie from the sheep and goats of the state.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning this proposed rule, contact Stan Boyd, Idaho Board of Sheep Commissioners, at (208) 334-3115 or Dr. Bob Hillman, Idaho State Department of Agriculture, at (208) 332-8540.

Anyone may submit written comments regarding this rule. All written comments and data concerning the rule must be directed to the undersigned and must be postmarked or delivered on or before January 28, 1998.

DATED this 29th day of October, 1997.

Stanley T. Boyd, Executive Secretary
Idaho Board Of Sheep Commissioners
P.O. Box 2596, Boise, Idaho 83701
(208) 334-3115 / (208) 336-9447 FAX

TEXT OF DOCKET NO. 02-0801-9801

IDAPA 02
TITLE 08
Chapter 01

02.08.01 - SHEEP AND GOAT RULES OF THE IDAHO BOARD OF SHEEP COMMISSIONERS

000. LEGAL AUTHORITY.

This chapter is adopted under the legal authority of Title 25, Chapter 1, Idaho Code.

(5-20-94)

001. TITLE AND SCOPE.

The title of this chapter is the Sheep and Goat Rules of the Idaho Board of Sheep Commissioners, hereafter referred to as "Board". This chapter has the following scope: These rules shall govern procedures for the prevention, control and eradication of diseases among sheep and goats, the interstate and intrastate movement of sheep and goats and the assessment of fees on sheep and goats to provide resources to carry out these functions. The official citation of this chapter is IDAPA 02.08.01, Section 000 et. seq. For example, this section's citation is IDAPA 02.08.01, Section 001.

~~(5-20-94)~~(1-1-98)T

(BREAK IN CONTINUITY OF SECTIONS)

003. ADMINISTRATIVE APPEAL.

There is no provision for administrative appeals before the ~~Idaho Sheep Commission~~ Board under this chapter. Hearing and appeal rights are set forth in Title 67, Chapter 52, Idaho Code.

~~(5-20-94)~~(1-1-98)T

004. DEFINITIONS.

01. Blackface Breeding Stock. Intact male or female sheep of blackface breeds and intact male or female sheep that are crosses of blackface and other breeds of sheep.

(1-1-98)T

02. Flock. For the purpose of these rules, the terms flock or flocks shall be interchangeable with the terms herd or herds.

(1-1-98)T

03. Idaho Flock Identification Number. A unique flock identification number assigned to the owner of each flock of blackface breeding sheep in the state of Idaho.

(1-1-98)T

04. Official Individual Identification. The unique identification of individual animals with an alpha numeric number applied as a tamper proof tag, tattoo, electronic device, or other tag approved by USDA or the Board. The Idaho Flock Identification number can serve as the official individual identification number if it contains a unique individual animal number in addition to the flock number.

(1-1-98)T

05. Scrapie. A transmissible spongiform encephalopathy that is a nonfebrile, transmissible, insidious, degenerative disease affecting the central nervous system of sheep and goats.

(1-1-98)T

06. Scrapie Exposed Animal. Any animal which has been in the same flock at the same time within the previous sixty (60) months as a scrapie positive animal excluding limited contacts. Limited contacts are contacts between animals that occur off the premises of the flock and do not occur during or immediately after parturition for any of the animals involved.

(1-1-98)T

07. Scrapie High Risk Animal. An animal determined by epidemiologic investigation to face a high risk of developing clinical scrapie because the animal was: Progeny of a scrapie-positive dam; born in the same contemporary lambing group as a scrapie-positive animal; or was born in the same contemporary lambing group as progeny of a scrapie-positive dam. Animals that fit the criteria for high risk animals which are determined by genetic testing to be QR or RR at the 171 codon, or are determined by other recognized testing procedures to pose no risk, may be exempted as high risk animals by the Board, upon the recommendation of the State Scrapie Certification Board, based upon evidence from the latest research information available.

(1-1-98)T

08. Scrapie Infected Flock. Any flock in which a scrapie-positive animal has been identified by a state or federal animal health official.

(1-1-98)T

09. Scrapie-positive Animal. An animal for which a diagnosis of scrapie has been made by the National Veterinary Services Laboratories, USDA, or another laboratory authorized by state or federal officials to conduct scrapie tests through histological examinations of central nervous system samples from the animal for microscopic lesions in the form of neuronal vacuoles or spongy degeneration; by the use of protease-resistant protein analysis or other confirmatory techniques used in conjunction with histological examinations; or by other diagnostic procedures approved for scrapie diagnosis by USDA. (1-1-98)T

10. Scrapie Source Flock. A flock in which an animal was born and subsequently diagnosed as scrapie-positive at less than fifty-four (54) months of age. A single trace to a flock must meet the following criteria to designate the flock as a source flock: The scrapie-positive animal must: (1-1-98)T

a. Be identified with an Idaho Flock Identification Number on a tamper proof tag; or an official eartag, electronic device, ear tattoo, or flank tattoo which is correlated to the Idaho Flock Identification number on flock records; or, (1-1-98)T

b. Be identified with a DNA hereditary test or nose print; or, (1-1-98)T

c. Possess the original registry eartag or individual identification ear tag along with the movement, production, and registry records indicating birth in the source flock; or, (1-1-98)T

d. Be traced to the flock by a veterinary epidemiologist through a thorough epidemiological investigation of records and all other available evidence. (1-1-98)T

11. Voluntary Scrapie Flock Certification Program. A national voluntary program for classification of flocks relative to scrapie. (1-1-98)T

0045. -- 009. (RESERVED).

010. SHEEP AND GOATS.

01. State Entrance Requirements. All sheep breeding stock and goats entering the state of Idaho except as provided in Subsections 010.03 and 010.05 and Subsections 200.01 and 200.02 of these rules, shall be accompanied by a permit issued by the ~~Idaho Sheep Commission Board~~ together with a certificate of veterinary inspection certifying that such sheep or goats are free from scrapie, scabies, foot rot, or symptoms of any communicable disease and are not known to have been exposed to scabies for a period of at least six (6) months immediately prior to date of inspection and are not known to have been exposed to any communicable disease for at least thirty (30) days immediately prior to date of inspection. All blackface breeding stock imported into the state of Idaho shall be individually identified with an official USDA identification tag, electronic device, or tattoo or other form of individual identification approved by the Board. The individual identification number shall be listed on the certificate of veterinary inspection. The original or true copy of the permit and certificate of veterinary inspection required by this rule shall be attached to the waybill covering such shipments. No sheep shall be shipped, trailed, or in any manner moved into the state of Idaho for any purpose if they originate in a state or area where sheep scabies is known to exist until the ~~Idaho Sheep Commission Board~~ has been notified by the APHIS-USDA that such state or area where sheep scabies is known to exist has been classified by the APHIS-USDA as a sheep scabies eradication area. (5-20-94)(1-1-98)T

02. Scabies. All sheep and goats, including rams and bucks, entering Idaho and which have originated in an area or areas in which scabies is known to exist within the past six (6) months shall be treated with a product approved by the APHIS-USDA under the supervision of an authorized state or federal inspector or accredited veterinarian. At the time of shipment, such sheep or goats shall be accompanied by a permit from the ~~Idaho Sheep Commission Board~~ and a certificate of veterinary inspection from the state of origin and also a treatment certificate showing that such sheep or goats have been treated at point of origin as herein required. Any and all shipments of sheep and goats entering Idaho, and which have originated in states where scabies is known to exist, shall be subject to a thirty (30) to sixty (60) day quarantine and inspection at the time of arrival at destination, and a second inspection at the time of quarantine release, or as often as it may be deemed necessary by the ~~Idaho Sheep Commission Board~~. (5-20-94)(1-1-98)T

03. Animals in Transit. Sheep and goats in course of transit through the state of Idaho, in trucks, or other vehicles from a point without the state of Idaho to another state or country, are not to be unloaded in Idaho except in pens designated by APHIS-USDA for purpose of feed, water and rest for a period of time not to exceed ten (10) days, need not comply with Subsection 010.01, provided waybills or other documents accompanying the sheep or goats show origin and destination of such sheep and goats. Failure to have such waybills or other documents with the sheep or goats shall constitute a violation of these rules. The ~~Idaho Sheep Commission Board~~, however, may prohibit the transportation of any sheep or goats through the state it feels represents a threat to the general health and welfare of the Idaho sheep industry. ~~(5-20-94)(1-1-98)T~~

04. Milk Goats. All milk type goats, including bucks, entering Idaho shall be accompanied by a permit issued by the ~~Idaho Sheep Commission Board~~, together with a certificate of veterinary inspection issued at point of origin by an authorized veterinarian, to which certificate of veterinary inspection there shall be attached a negative test for brucellosis, conducted within thirty (30) days of the date of entry into the state of Idaho. The negative test chart shall be signed by the person in charge of the laboratory where the test was made and approved by the state livestock sanitary official of the state of origin. Goats entering Idaho on a short term temporary basis for show or other temporary purposes may be exempted from having a negative test for brucellosis completed, with permission from the ~~Idaho Sheep Commission Board~~. ~~(5-20-94)(1-1-98)T~~

05. Scrapie. (5-20-94)

a. Program Standards. The USDA Voluntary Scrapie Flock Certification Uniform Methods and Rules, October 1, 1992, as amended in 1997; and Scrapie in Sheep and Goats, Title 9, Parts 54 and 79, Code of Federal Regulations, January 1, 1993 1997, as amended, are hereby incorporated by reference as the minimum standards for the scrapie control and eradication program in Idaho. Copies of these documents are on file at the Idaho Department of Agriculture, Division of Animal Industries, 2270 Old Penitentiary Road, Boise, Idaho 83712 and through the Department of Administration, Office of the Rules Coordinator, located at 650 West State Street, Boise, Idaho 83720 and are available upon request. ~~(5-20-94)(1-1-98)T~~

b. Importation of Exposed, Suspect and High Risk Animals. Sheep and goats that are scrapie suspect, exposed or high risk animals or from scrapie infected, source, trace or exposed flocks, as defined in the Voluntary Scrapie Flock Certification Uniform Methods and Rules, and Scrapie in Sheep and Goats, Title 9, Parts 54 and 79, Code of Federal Regulations, shall not be allowed entry into Idaho except as follows: Scrapie suspect, exposed or high risk animals and animals from infected, source, trace or exposed flocks may be imported directly to approved scrapie research facilities, approved slaughter facilities for immediate slaughter or to approved feedlots for finish feeding for slaughter only, if accompanied by a permit issued by the ~~Idaho Sheep Commission Board~~ or its representative; and the animals are individually identified by official identification tattoos, tags, or devices on a VS 1-27 or other approved movement document. Each such animal shall also be identified with an indelible "S" mark at least one inch high on the left jaw. ~~(5-5-80)(1-1-98)T~~

(BREAK IN CONTINUITY OF SECTIONS)

100. PERMITS.

01. Request for Permits. Request for the permits required under Section 010 shall be in writing, by telephone or ~~telegraph~~ facsimile and shall set forth the name and address of the owner of the animals offered for movement into the state of Idaho, the number and class of sheep and goats to be brought in, the destination, the name and address of the consignee, and the approximate date and place of entry. A copy of the permit, or permit number written on the face of the waybill or certificate of veterinary inspection accompanying movement, shall be shown to a representative of the ~~Idaho Sheep Commission Board~~ or any law enforcement officer of the state, county, or municipality of the state of Idaho upon request. ~~(5-20-94)(1-1-98)T~~

02. Certificates of Veterinary Inspection to Be Furnished. Copies of the certificates of veterinary inspection from the point of origin shall accompany the shipment and shall include a copy of the permit or the permit

number written on the face of the certificate of veterinary inspection and shall be shown to a representative of the ~~Idaho Sheep Commission Board~~ or any law enforcement officer of the state, county, or municipality of the state of Idaho upon request, and a copy forwarded to the Idaho Department of Agriculture, Division of Animal Industries, c/o Idaho Board of Sheep Commissioners, P.O. Box 7249, Boise, Idaho 83707 immediately after issuance for sheep and goats entering the state of Idaho. (5-20-94)(1-1-98)T

~~03. Quarantines. When written notice of quarantine, as outlined in Section 25-142 of the Idaho Code, is delivered by the Idaho Sheep Commission or its representatives to the owner or caretaker of sheep or goats, publishing of such notice as provided for in Section 25-142, Idaho Code, shall not be required. (5-20-94)~~

043. Inspection Fees. An inspection fee of one hundred dollars (\$100) per incidence, plus mileage, shall be paid on all sheep and goats entering or leaving the state that have failed to comply with the import or export regulations and require an inspection. (5-20-94)

054. Examination and Treatment Fees. The ~~Idaho Sheep Commission Board~~ may assess a fee on sheep and goat producers who receive services from the Commission Board or its representatives, such as examination and treatment of animals for diseases or parasites. The fees assessed shall not exceed the actual costs for the services rendered. (5-20-94)(1-1-98)T

(BREAK IN CONTINUITY OF SECTIONS)

200. INTERSTATE SHIPMENTS.

01. Waybill Requirement. All feeding and breeding sheep and goats leaving the state of Idaho by any common carrier, by railroad, truck, private conveyance, or any kind of transportation shall be accompanied by a waybill, stating the owner's name and indicating destination of sheep or goats, or shall be accompanied by a certificate of veterinary inspection issued by an inspector appointed by the ~~Idaho Sheep Commission Board~~ or a representative of the APHIS-USDA, or accredited veterinarian; said certificates of veterinary inspection to be dated not more than ten (10) days prior to date of movement, and shall comply with the rules for the state of destination. (5-20-94)(1-1-98)T

02. Waybill Violation. Failure to have such waybills or other documents with the sheep or goats shall constitute a violation of these rules and shall be punishable as provided in Section 300. (5-5-80)

03. Carriers. No common or contract carrier or owner or caretaker shall unload any sheep or goats within the state of Idaho from other states or country, other than as provided in Subsections 010.03 and 010.05, and Section 200, of these rules, unless such shipments be accompanied by a permit issued by the ~~Idaho Sheep Commission Board~~ and the official certificate as provided herein. The original or true copy of each certificate with permit shall be attached to the waybill covering such shipments or be in possession of the owner or caretaker of shipment. (5-20-94)(1-1-98)T

04. Who May Inspect. Regularly authorized state or federal inspectors and duly licensed and accredited veterinarians. (5-5-80)

05. Official in Charge of Sheep and Goats. Idaho Department of Agriculture, Division of Animal Industry, Idaho Board of Sheep Commissioners, PO Box 7249, Boise, Idaho 83707. (5-20-94)(1-1-98)T

201. SCRAPIE CERTIFICATION, ~~AND~~ CONTROL ~~AND~~ ERADICATION.

01. Scrapie Certification Program. The ~~Idaho Sheep Commission Board~~ adopts the provisions of the Voluntary Scrapie Flock Certification Uniform Methods and Rules, which were effective October 1, 1992, and ~~amendments thereto amended in 1997~~, as the minimum standards for the scrapie program in Idaho. (5-20-94)(1-1-98)T

02. Identification of Blackface Breeding Sheep. (1-1-98)T
- a. The Board or its designee shall designate the form and content of the Idaho flock identification number, approve identification devices for utilization of the flock identification number, assure availability of flock identification devices, and assign Idaho flock identification numbers to owners or possessors of blackface breeding stock. (1-1-98)T
- b. Owners and possessors of blackface breeding stock shall bear the cost of obtaining the identification devices and placing the device in or on the animal. (1-1-98)T
- c. All owners or possessors of blackface breeding stock in Idaho shall identify all blackface breeding stock in the flock which are one (1) year of age or older with an Idaho flock identification number. Blackface breeding stock of any age shall be identified with a flock identification number before transfer of ownership or possession. (1-1-98)T
- d. Blackface breeding stock imported into the state shall be identified with a flock identification number within ninety (90) days of entry into the state. (1-1-98)T
- e. Blackface breeding stock of any age shall be identified with a flock identification number prior to movement of such sheep from the premise of origin for show, sale, purchase or other movement. (1-1-98)T
- f. Blackface breeding stock sold within the state shall retain the original flock identification number. In the event an animal loses a flock identification device, the owner of the animal shall re-identify the animal with his or her flock identification number and shall maintain records to document the original and new flock identification numbers. (1-1-98)T
- g. Acceptable devices for application of the flock identification number to blackface breeding stock shall include: tamper proof ear tags bearing the flock identification number, legible tattoos bearing the flock identification number, electronic devices with owner records correlated to the flock identification number, approved voluntary scrapie flock certification program identification devices, and other identification devices approved by the Board. (1-1-98)T
- h. Blackface animals exempt from the requirement for identification with a flock identification number shall include: (1-1-98)T
- i. Neutered animals. (1-1-98)T
- ii. Sexually intact market lambs consigned directly to an approved slaughter facility or consigned directly to an approved lamb feedlot for finish feeding for slaughter only. Animals in approved feedlots may be removed only to approved slaughter facilities or other approved feedlots. (1-1-98)T
- iii. Lambs under (1) one year of age that have not been sold or transferred to the possession of another person or entity. (1-1-98)T
- iv. Lambs under ninety (90) days of age accompanied by their dams, which are identified with a flock identification number, may be sold or transferred to the possession of another without being identified with a flock identification number. (1-1-98)T
023. Quarantine. Infected, and source and trace flocks or flocks that have received high risk animals shall be placed and held under quarantine until the infected or high risk animals have been slaughtered or depopulated and the flock has qualified for and has been enrolled in the Voluntary Scrapie Flock Certification program. Flocks not participating in the certification program shall remain under quarantine until the entire flock has been depopulated. (5-20-94)(1-1-98)T
034. Restriction of Exposed Animals. Scrapie exposed flocks and animals from exposed flocks shall be placed under a hold order when the flock or animals are determined to be exposed. An epidemiological investigation will be conducted on the flock or animals to determine the risk of infection with scrapie. The flock or animals will be

maintained under hold order until the flock has fulfilled Section III of the Scrapie Uniform Methods and Rules or until the scrapie epidemiologist has determined that the flock or animals do not pose a substantial risk to other flocks. (5-20-94)

045. Movement of Restricted Animals. Animals from infected; and source and trace flocks and high risk animals may be moved from quarantined premises only under the following conditions: (5-20-94)(1-1-98)T

a. The animals are individually identified on a VS 1-27 form or other approved document, by official eartags, tattoos or devices. (5-20-94)

b. The animals are indelibly marked with an "S" at least one (1) inch high on the left jaw. (5-20-94)

c. The animals are consigned directly to an approved slaughter facility for immediate slaughter or to an approved feedlot for finish feeding for slaughter only. Animals in approved feedlots may be removed only to approved slaughter facilities or other approved feedlots; or (5-20-94)

d. The animals are consigned directly to an approved livestock market for sale directly to an approved slaughter facility for immediate slaughter or to an approved feedlot for finish feeding for slaughter only. The animals must be individually identified on a VS 1-27 form or other approved document for movement from the approved livestock market to final destination. (5-20-94)

e. The ~~Idaho Sheep Commission Board~~ or its representative may, by written permission, allow the animals to be moved, under quarantine, to other pre-approved locations. The animals may be moved in sealed vehicles or be accompanied in transit by representatives of the ~~Commission Board~~ in lieu of individual identification. Animals so moved shall be retained under quarantine at the new location. (5-20-94)(1-1-98)T

202. CONDEMNATION AND DESTRUCTION OF DISEASED ANIMALS OR FLOCKS.

01. Animals or Flocks Infected. Animals or flocks determined by representatives of the Board or USDA to be infected with scrapie or other contagious, infectious, or communicable diseases which have been identified by the Board to be diseases of concern to the sheep or goat industry of the state may be condemned by order of the Board. (1-1-98)T

02. Animals or Flocks Condemned. Animals or flocks condemned by order of the Board shall be destroyed or otherwise disposed of as directed by order of the Board and under the conditions set by the Board. (1-1-98)T

203. INDEMNIFICATION.

01. Owners, Individuals, Partnerships, Corporations or Other Legal Entities. Owners, individuals, partnerships, corporations or other legal entities whose animals or flocks have been destroyed or otherwise disposed of by order of the Board may be eligible for indemnification in the form of cash payment from the Sheep and Goat Disease Indemnity Fund for all or part of the value of the animals destroyed or otherwise disposed of and for the actual cost for burial or disposal of animal carcasses. (1-1-98)T

02. Indemnity Payments Paid. Indemnity payments shall be paid only to an owner of sheep or goats that were born in the state of Idaho or were imported into the state in compliance with existing Idaho statutes and rules promulgated thereunder. (1-1-98)T

03. Amount of Indemnity to Be Paid for Each Animal. The amount of indemnity to be paid for each animal shall be determined by the Board and shall not exceed the difference between the appraised price, less federal indemnity, and the salvage value of the animal. In the event federal indemnity is not available the amount of indemnity shall not exceed the difference between the appraised price and salvage value. (1-1-98)T

04. Maximum Amount of Indemnity. The maximum amount of indemnity for each animal shall not exceed: (1-1-98)T

- a. Ewes or does one (1) year of age or older - two hundred dollars (\$200) per head. (1-1-98)T
- b. Rams or billies one (1) year of age or older - four hundred dollars (\$400) per head. (1-1-98)T
- c. Lambs or kids under one (1) year of age - current market price per pound with a maximum of one hundred dollars (\$100) per head. (1-1-98)T

05. Indemnity Payment Upon Approval of Appraisal. Upon approval of the appraisal, one-half (1/2) of the indemnity payment will be paid at that time. The other one-half (1/2) of the indemnity payment, or the prorated portion thereof, will be paid at the end of the fiscal year. (1-1-98)T

2024. -- 249. (RESERVED).

250. CLEANING AND DISINFECTION.

Barns, sheds, stockyards, trucks, aircraft, ferryboats and other vehicles, feed yards, stables, pens, corrals, lanes and premises which have been used in confining, trailing, or transporting any sheep or goats affected or infected with any contagious, infectious or communicable diseases, shall be cleaned and disinfected under state or federal supervision as directed by the ~~Idaho Sheep Commission Board~~ or an authorized representative of the ~~Commission Board~~, and the owner of such premises, ~~or conveyances, or final or carriers~~ shall be responsible for such cleaning and disinfecting. (5-20-94)(1-1-98)T

(BREAK IN CONTINUITY OF SECTIONS)

300. VIOLATIONS.

~~Any person, company, corporation or association or any agent, servant or employee of such, who shall violate or disregard any of these sheep and goat rules or any other sanitary or quarantine rule, order of the Board or inspector thereof shall be deemed guilty of a misdemeanor and upon conviction thereof, be punished by imprisonment in a county jail for a term not to exceed one year or by a fine fined not less than one hundred dollars (\$100) of not nor more than one five thousand dollars (\$15,000) or by both such fine and imprisonment for each offense.~~ (5-20-94)(1-1-98)T

(BREAK IN CONTINUITY OF SECTIONS)

350. SHEEP RULES.

The following rules shall apply to all sheep. (5-5-80)

01. Payment of Assessment. The owner of sheep on July 1st of the assessment year shall be responsible for the payment of the assessment levied by the ~~Sheep Commission Board~~ as provided for in Sections 25-130; and 25-131, Idaho Code. The rate of assessment shall be five cents (\$.05) per pound on all wool, in the grease basis, except tags, crutchings, and dead wool. (5-20-94)(1-1-98)T

02. Assessment as Resident Sheep. The assessment shall be levied and assessed to the producer at the time of the first sale of wool and shall be deducted by the first purchaser from the price paid to the producer at the time of such sale. (5-5-80)

03. Migratory Sheep. In the event that a sheep, which produces wool subject to this assessment, shall be located outside the state of Idaho during a part of the assessment year, the amount of the assessment shall be reduced on a pro rata basis. A grower will be required to request a pro rata adjustment in writing to the Board of ~~Commissioners~~. (5-20-94)(1-1-98)T

04. Costs of Collection. All costs of collection of delinquent assessments shall be borne as an additional charge against the delinquent assessee first purchaser. (7-1-93)

IDAPA 02 - DEPARTMENT OF AGRICULTURE
02.08.01 - SHEEP AND GOAT RULES OF THE IDAHO BOARD OF SHEEP COMMISSIONERS
DOCKET NO. 02-0801-9802
NOTICE OF TEMPORARY AND PROPOSED RULES

EFFECTIVE DATE: These temporary rules are effective January 1, 1998.

AUTHORITY: In compliance with Sections 67-5221(1) and 67-5226, Idaho Code, notice is hereby given that this agency has adopted temporary rules and has proposed regular rule-making procedures have been initiated. The action is authorized pursuant to Title 25, Chapter 1, Idaho Code.

PUBLIC HEARING SCHEDULE: Public hearings concerning this rule-making will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than January 21, 1998.

The hearing site will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the hearing, to the agency at the address below.

DESCRIPTIVE SUMMARY: The following is a statement in nontechnical language of the substance and purpose of the proposed rulemaking:

The amendment will raise the assessment on wool from five cents (\$.05) to six cents (\$.06) per pound as provided by the Idaho Code Sections 25-130 and 25-131.

TEMPORARY RULE JUSTIFICATION: Pursuant to Sections 67-5226(1)(a) and 67-5226(1)(c), Idaho Code, the Governor has found that temporary adoption of the rule is appropriate for the following reasons:

The increased fee will provide monies for the scrapie indemnity fund and will provide increased funds for the state's Animal Damage Control (ADC) program which is currently financially distressed. The Idaho Wool Growers Association supports this increase in the wool assessment.

FEE SUMMARY: The following is a specific description of the fee or charge imposed or increased:

IDAPA 02.08.01.350.01 will be amended to raise the assessment on wool from five cents (\$.05) to six cents (\$.06) per pound of wool, in the grease basis, except tags, crutchings, and dead wool.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning this proposed rule, contact Stan Boyd, Idaho Board of Sheep Commissioners, at (208) 334-3115 or Dr. Bob Hillman, Idaho State Department of Agriculture, at (208) 332-8540.

Anyone may submit written comments regarding this rule. All written comments and data concerning the rule must be directed to the undersigned and must be postmarked or delivered on or before January 28, 1998.

DATED this 19th day of November, 1997.

Stanley T. Boyd
Executive Secretary
Idaho Board Of Sheep Commissioners
P.O. Box 2596
Boise, Idaho 83701
(208) 334-3115
(208) 336-9447 FAX

TEXT OF DOCKET NO. 02-0801-9802

350. SHEEP RULES.

The following rules shall apply to all sheep.

(5-5-80)

01. Payment of Assessment. The owner of sheep on July 1st of the assessment year shall be responsible for the payment of the assessment levied by the Sheep Commission as provided for in Section 25-130, Idaho Code. The rate of assessment shall be ~~five~~ six cents (\$.056) per pound on all wool, in the grease basis, except tags, crutchings, and dead wool. (~~5-20-94~~)(1-1-98)T

02. Assessment as Resident Sheep. The assessment shall be levied and assessed to the producer at the time of the first sale of wool and shall be deducted by the first purchaser from the price paid to the producer at the time of such sale. (5-5-80)

03. Migratory Sheep. In the event that a sheep, which produces wool subject to this assessment, shall be located outside the state of Idaho during a part of the assessment year, the amount of the assessment shall be reduced on a pro rata basis. A grower will be required to request a pro rata adjustment in writing to the Board of Commissioners. (5-20-94)

04. Costs of Collection. All costs of collection of delinquent assessments shall be borne as an additional charge against the delinquent assessee first purchaser. (7-1-93)

IDAPA 05 - IDAHO DEPARTMENT OF JUVENILE CORRECTIONS
05.01.01 - RULES OF THE DEPARTMENT OF JUVENILE CORRECTIONS

DOCKET NO. 05-0101-9701

NOTICE OF PENDING RULE

EFFECTIVE DATE: These rules have been adopted by the agency and are now pending review by the 1998 Idaho State Legislature for final adoption. The pending rule becomes final and effective July 1, 1998, unless the rule is approved, rejected, amended or modified by concurrent resolution in accordance with Section 67-5224 and 67-5291, Idaho Code. If the pending rule is approved, amended or modified by concurrent resolution, the rule becomes final and effective upon adoption of the concurrent resolution or upon the date specified in the concurrent resolution.

AUTHORITY: In compliance with Section 67-5224, Idaho Code, notice is hereby given that this agency has adopted a pending rule. The action is authorized pursuant to Section(s) 20-504, 20-531(4), 20-545(1) and Section 16-1901, et. seq., Idaho Code.

DESCRIPTIVE SUMMARY: The following is a concise explanation statement of the reasons for adopting the pending rule: It is necessary to amend the recently promulgated rules of the Department of Juvenile Corrections in order to provide a more flexible standard for the staffing ratio needed by the counties to provide security for juvenile detention facilities; to make that standard a "recommendation only" and NOT mandatory; and to correct two (2) scrivener errors previously undetected by the Department (one error was found in Rule 455 and the other was found in Rule 475).

The pending rules are being adopted as proposed. The original text of the proposed rules was published in the Idaho Administrative Bulletin, Volume 97-5, pages 20 through 24.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this pending rule, contact Margaret P. White, Deputy Attorney General, 334-5100, ex. 384.

DATED this 26th day of November, 1997.

Margaret P. White
Deputy Attorney General
Idaho Department of Juvenile Corrections
400 North 10th Street
PO Box 83720
Boise ID 83720-0285
(208) 334-5100, ex. 384 / (208) 334-5120

IDAPA 05
TITLE 01
Chapter 01

RULES OF THE DEPARTMENT OF JUVENILE CORRECTIONS

There are no substantive changes
from the proposed rule text.

The original text was published in the Idaho
Administrative Bulletin, Volume 97-5, May 7, 1997,
pages 20 through 24.

This rule has been adopted as Final by the Agency
and is now pending review by the
1998 Idaho State Legislature for final adoption.

IDAPA 07 - DIVISION OF BUILDING SAFETY
07.02.06 - RULES CONCERNING UNIFORM PLUMBING CODE
DOCKET NO. 07-0206-9702
NOTICE OF VACATION OF RULE-MAKING

AUTHORITY: In compliance with Section 67-5221, Idaho Code, notice is hereby given that this agency has vacated the rule-making previously initiated under this docket. The action is authorized pursuant to Section 54-2605(1), Idaho Code.

DESCRIPTIVE SUMMARY: The following is a summary of the reasons for the vacation:

After review of the comments received from the public, the Idaho Plumbing Board decided to revisit the proposed rule 07.02.06.012 concerning an alternate method of venting, and after discussion voted to vacate the proposed rule.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this vacation, contact Joe Meyer, Bureau Chief, Division of Building Safety, 277 N. 6th Street, Suite 101, P.O. Box 83720, Boise, Idaho 83720-0068, (208) 334-3442.

DATED this 25th day of November, 1997.

Connie J Mumm
Division of Building Safety
277 N. 6th, Suite 101
P.O. Box 83720
Boise, ID 83720-4801
Phone: (208) 334-3442
Fax: (208) 334-2683

**IDAPA 10 - BOARD OF PROFESSIONAL ENGINEERS
AND PROFESSIONAL LAND SURVEYORS**
10.01.02 - RULES OF PROFESSIONAL RESPONSIBILITY
DOCKET NO. 10-0102-9801
**NOTICE OF INTENT TO PROMULGATE RULES
(NEGOTIATED RULE-MAKING)**

AUTHORITY: In compliance with Section 67-5220(1), Idaho Code, notice is hereby given that this agency intends to propose rules and desires public comment prior to initiating formal rule-making procedures. The action is negotiated rule-making authorized pursuant to Section 54-1208, Idaho Code.

DESCRIPTIVE SUMMARY: The following is a statement in nontechnical language of the substance and purpose of the intended negotiated rule-making and the principle issues involved:

The Rules of Professional Responsibility will be amended to require that all registrants comply with continuing professional competency requirements to be presented in detail in a new chapter. Hearing dates, times and locations will be determined at a later date.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning this negotiated rule, contact David L. Curtis at (208) 334-3860.

Anyone may submit written comments regarding this proposed negotiated rule-making. All written comments must be directed to the undersigned and must be delivered on or before September 1, 1998.

DATED this 18th day of November, 1997.

David L. Curtis
Executive Secretary
Board of Professional Engineers
and Professional Land Surveyors
600 S. Orchard, Suite A
Boise, Idaho 83705-1242
Telephone (208) 334-3860
Fax (208) 334-2008

**IDAPA 10 - BOARD OF PROFESSIONAL ENGINEERS
AND PROFESSIONAL LAND SURVEYORS**

10.01.04 - RULES OF CONTINUING PROFESSIONAL COMPETENCY

DOCKET NO. 10-0104-9801

**NOTICE OF INTENT TO PROMULGATE RULES
(NEGOTIATED RULE-MAKING)**

AUTHORITY: In compliance with Section 67-5220(1), Idaho Code, notice is hereby given that this agency intends to propose rules and desires public comment prior to initiating formal rule-making procedures. The action is negotiated rule-making authorized pursuant to Section 54-1208, Idaho Code.

DESCRIPTIVE SUMMARY: The following is a statement in nontechnical language of the substance and purpose of the intended negotiated rule-making and the principle issues involved:

A new chapter of rules will be developed which will specify requirements for continuing professional competency for license holders. Hearing dates, times and locations will be determined at a later date.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning this negotiated rule, contact David L. Curtis at (208) 334-3860.

Anyone may submit written comments regarding this proposed negotiated rule-making. All written comments must be directed to the undersigned and must be delivered on or before September 1, 1998.

DATED this 18th day of November, 1997.

David L. Curtis
Executive Secretary
Board of Professional Engineers
and Professional Land Surveyors
600 S. Orchard, Suite A
Boise, Idaho 83705-1242
Telephone (208) 334-3860
Fax (208) 334-2008

IDAPA 11 - DEPARTMENT OF LAW ENFORCEMENT

**11.04.01 - RULES GOVERNING HORSE RACING
THE IDAHO STATE RACING COMMISSION**

DOCKET NO. 11-0401-9801

NOTICE OF TEMPORARY AND PROPOSED RULES

EFFECTIVE DATE: The temporary rule is effective January 1, 1998, and remains effective until rescinded or superseded by replacement rule or the approval of the final rule by the legislature or such other date specified in the concurrent resolution, or upon the conclusion of the 1999 legislative session, whichever is sooner.

AUTHORITY: In compliance with Sections 67-5221(1) and 67-5226, Idaho Code, notice is hereby given that this agency has adopted temporary rules and has proposed rule-making. The action is authorized pursuant to Title 19, Chapter 51, Idaho Code.

PUBLIC HEARING SCHEDULE: Public hearing(s) concerning this rule-making will be held as follows:

Public hearings concerning this rule-making will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than January 21, 1998.

The hearing site will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the hearing, to the agency at the address below.

DESCRIPTIVE SUMMARY: The following is a statement in nontechnical language of the substance of the proposed rule:

Idaho State Racing Commission is no longer a member of the Association of Racing Commissioners International. Change made to include all jurisdictions.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning this proposed rule, contact Jack Baker, at (208) 884-7080. Anyone may submit written comments regarding this rule. All written comments and data concerning the rule must be directed to the undersigned and must be postmarked or delivered on or before January 28, 1998.

DATED this 1st day of November, 1997.

Eugene "Jack" Baker
Executive Director
Idaho State Racing Commission
P.O. Box 700
Meridian, ID 83680-0700
(208) 884-7080
(208) 884-7098 (FAX)

TEXT OF DOCKET NO. 11-0401-9801

040. LICENSES.

01. Names of Proposed Officials. Thirty (30) days prior to the first day of a race meeting the licensee shall submit in writing to the Commission all names and personal data of proposed officials for processing for licensing. No official shall act until approved by the Commission. A Commission representative at the track will process substitutions. The required form will be provided by the Commission. (7-1-93)

02. Officials. Officials of a race meeting may include, but are not limited to, the following: Secretary,

Stewards, Placing Judges, Patrol Judges, Paddock Judge, Starters, Mutuel Managers and Track Veterinarian. To avoid undue hardship the Commission may authorize Associations to allow officials other than Stewards to act in dual capacities. Stewards may act as Placing Judges and Timer. The Commission may require that additional officials be present at meets. (7-1-93)

03. Restrictions of Officials. A racing official appointed, or whose appointment is approved by the Commission, shall not, directly or indirectly, for a commission or gratuity or otherwise, sell or buy at private sale for himself or another any thoroughbred, purebred and/or registered horse or own any interest in a horse at a race meet where such person is an official; nor shall the official, directly or indirectly, buy or sell any contract upon any Jockey or apprentice for himself or another; nor shall the official write or solicit horse insurance. (7-1-93)

04. Age. No person under sixteen (16) years of age shall be employed or licensed in or about the track of an Association. (7-1-93)

05. Personnel Registered. The personnel of every stable and changes thereof shall be registered by the owner and/or Trainer with the Racing Commission. (7-1-93)

06. Age, Other. No person under eighteen (18) years of age will be licensed in any capacity unless properly endorsed by their parent or guardian, who assumes complete responsibility and liability for the acts of such minor and verifies the information contained in said minor's application. (7-1-93)

07. Registration with Racing Commission. Any person acting in an official capacity or any person employed on a race track shall register with and be licensed by the Idaho State Racing Commission. (7-1-93)

08. Duplicate Licenses. In the event of the loss of a license, the Commission may issue a duplicate, the fee for which shall be five dollars (\$5). (7-1-93)

09. Duration of License. Every license shall be for not more than one (1) year and shall expire on December 31 of each year. (7-1-93)

10. Temporary. All licenses are temporary when issued and subject to final approval by the Commission. (7-1-93)

11. Deny ~~of~~ or Revoke. The Commission may deny or revoke a license to any person who shall have been refused a license by any other member of the National Association of State Racing Commissioners jurisdiction. ~~(7-1-93)~~(11-1-97)T

12. License Mandatory. It shall be unlawful for any person to take part in or officiate in any way or to serve in any capacity at any licensed race meet without first having secured a license. (7-1-93)

13. Finger Prints - Photograph. Every person holding a license to conduct pari-mutuel wagering in this State, and every person who is a member of an Association or Corporation holding such a license, and every person who is an officer or director of an Association or Corporation which holds such a license in any capacity connected to any extent with the pari-mutuel wagering business in this State, and all owners, Trainers, Jockeys, apprentices, grooms, exercise persons, managers, agents, platers, Veterinarians and like persons who actively participate in the racing activities of any such license holders, shall furnish the Commission on demand for its files his fingerprints and photograph, which fingerprints and photograph shall be taken at such time and places and in such manner as the Commission may from time to time direct and prescribe. (7-1-93)

14. No Dual Licenses. No dual licenses will be issued if, in the opinion of the Stewards or the Commission, there is a conflict of interest in holding more than one (1) license. (7-1-93)

15. License Application Forms. All applications for license to participate in racing shall be made to the Commission on forms supplied by the Commission. (7-1-93)

16. Submission of Applications. Applications for license filed by owners, Trainers, Jockeys, Jockey apprentices and agents must be submitted to the Board of Stewards. (7-1-93)

17. Approval. All applications for such licenses must be approved by the Board of Stewards before action will be taken by the Commission. (7-1-93)

18. Board of Stewards - Qualifications. Before approving an application for a license, it shall be the duty of the Board of Stewards individually and/or collectively to ascertain if the applicant is qualified as to ability, integrity and right to the license applied for. (7-1-93)

19. Appearance Before the Board of Stewards. In considering each application for a license the Board of Stewards may require the applicant, as well as his endorsers, to appear before them and show that said applicant is qualified to receive the license requested. Ability as well as integrity must be clearly shown by the applicant in order to receive recommendation for the granting of the license. (7-1-93)

20. Credentials. Any licensee who harbors anyone not so provided with credentials shall be immediately reported to the Stewards of the meeting so that they may make investigation thereof and report the fact to the Commission. (7-1-93)

21. Suspension. Any Racing Association, owner, Trainer or other licensee licensed by the Commission who shall employ an exercise person, groom or other employee who is not licensed by the Commission shall be subject to suspension, fine or both. The extent of said suspension, fine or both, to be determined by the Board of Stewards. (7-1-93)

22. Additions Reported. All additions made to or changes in the list of employees of any Association must be reported promptly to the Commission in writing. (7-1-93)

23. Fee. Every Association conducting a race meet shall pay a fee of twenty-five dollars (\$25) for each day of racing, except as otherwise provided in 54, Chapter 25, Idaho Code. All other licensees shall pay annual fees set by the Commission. (7-1-93)

24. Registration. Each stable name must be duly registered with the Commission: (7-1-93)

a. The annual fee shall be specified by the Commission. (7-1-93)

b. In applying to race under a stable name, the applicant must disclose the identity or identities of the ownership interests involved. If a partnership or corporation is involved, the Rules governing partnerships or corporations must be complied with. (7-1-93)

c. Changes in identities must be reported immediately to and approval obtained from the Commission. (7-1-93)

d. A Trainer who is licensed owner or part owner may use a stable name as owner or part owner. However, no Trainer may be licensed as a Trainer other than in his legal name. (7-1-93)

e. Any person who has been registered under a stable name may at anytime cancel the registration after written notice to and approval of the Idaho State Racing Commission has been obtained. (7-1-93)

f. A stable name may be changed at anytime by registering a new stable name and by paying a fee as required above. (7-1-93)

g. A person cannot register a stable name which has been registered by any other person with an Association conducting a recognized meeting, or the Jockey Club (N.Y.) or with another racing authority. (7-1-93)

h. A person may not register as a stable name one which is the real name of any owner of race horses nor one which is the real or assumed name of any prominent person not owning race horses. (7-1-93)

i. A stable name shall be plainly distinguishable from that of other duly registered stable names. (7-1-93)

j. No more than one (1) stable name may be registered under the same name. The Commission may reject any name which is misleading to the public or unbecoming to the sport. (7-1-93)

k. All persons interested in a stable or operating thereunder, whether incorporated or not, shall be liable for all entry fees and penalties against the stable. If one of such persons is suspended or refused a license, all the horses in such stable may be excluded from racing. (7-1-93)

25. Interest. All partnerships and the name and address of every individual having any interest in a horse, the relative proportions of such interest and the terms of any sale with contingencies of any lease or of any arrangement, must be signed by all the parties or by their authorized agents and be lodged at the office of the Board of Stewards before any horse which is a joint property or which is sold with contingencies or is leased can start in any race and all the partners, and each of them, shall be jointly and severally liable for all stakes and obligations. All statements of partnerships, of sales with contingencies, of leases or of arrangements, shall declare to whom winnings are payable (which must be the name of the nominator), in whose name the horse will run and with whom rests the power of entry or of declaration of forfeit. (7-1-93)

26. Emergencies. In case of emergency, authority to sign declarations of partnership may be given to the Board of Stewards by telegram promptly confirmed in writing. (7-1-93)

27. Part Owners. A part owner of any horse cannot assign his share or any part of it without the written consent of the other partners. This consent to be lodged with the Board of Stewards. (7-1-93)

28. Refusal. The Commission or its designate may refuse to issue a license and may revoke any license already issued to any person; (7-1-93)

a. Who has been convicted of any felony and whose civil rights have not yet been restored pursuant to Section 18-310(2), Idaho Code. (7-1-93)

b. Who is on probation, or parole for a conviction or withheld judgement for any felony. (7-1-93)

c. Who has made any material misrepresentation or false statement to the Commission or its agents in his application for license or otherwise, or who fails to answer any material question on any application for a license. (7-1-93)

d. Who is unqualified by age, skill, knowledge or ability to engage in the activities for which a license is required. (7-1-93)

e. Who fails to disclose the true ownership or interest in any or all horses as required by any application. (7-1-93)

f. Who is subject to exclusion or ejection from the racing enclosure or is within the classes of persons prohibited from participating in pari-mutuel wagering. (7-1-93)

g. Who has committed an act or acts demonstrating financial instability, intemperate habits or has a bad reputation for truth, honesty and integrity, or other similar conduct contrary to the best interest of racing. (7-1-93)

h. Who has been convicted of possession, use or sale of any narcotic, dangerous drug or marijuana if such conviction was a misdemeanor, within two (2) years prior to the date of making application for any license. (7-1-93)

i. Who is on probation or parole for a conviction or withheld judgement for misdemeanor possession, use or sale of any narcotic, dangerous drug or marijuana. (7-1-93)

j. Who is not permitted by law or statute to engage in the occupation for which the license is sought. (7-1-93)

k. Who has violated or who aids or abets or conspires with any person to violate any provision of the Rules or of Sections 54-2501 through 54-2516, Idaho Code. (7-1-93)

29. License Granted Upon Conditions. Every license to hold a meeting is granted upon the condition that the licensee shall accept, observe and enforce the Rules Governing Horse Racing. Furthermore, it shall be the duty of each and every officer to observe and enforce the Rules. The Commission may require background investigations, fingerprints and photographs of Association officers, stockholders or employees and of any license official. (7-1-93)

30. Applications for Succeeding Season. Applications for a license to conduct a race meeting during the next succeeding season must be filed with the Commission over the signature of an executive officer of the Association. The Commission shall set the application date. (7-1-93)

31. Racing Dates. Application for racing dates shall not commit the Commission to the granting of a license to conduct race meetings upon the dates requested. (7-1-93)

32. Refusal to Issue. The Commission may refuse to issue a license to conduct a race meeting when such refusal appears to be for the best interest of racing and of the public. The Commission will, in deciding upon applications for licenses, consider the following matters: (7-1-93)

- a. The opportunity for the sport to properly develop. (7-1-93)
- b. The avoidance of competition with established tracks in Idaho. (7-1-93)
- c. The extent of community support for the promotion and continuance of the tracks. (7-1-93)
- d. The character and reputation of the persons identified with the undertaking. (7-1-93)
- e. The general conditions and safety of the facilities. (7-1-93)

33. Not Transferable. No license or any part thereof shall be transferable or assignable without the consent of the Commission and said license shall not be valid for any racing days other than those set out therein. (7-1-93)

34. Laws and Rules. The Laws of Idaho and the rules promulgated the by Commission supersede the conditions of race or the regulations of a race meeting. (7-1-93)

IDAPA 11 - DEPARTMENT OF LAW ENFORCEMENT

**11.04.01 - RULES GOVERNING HORSE RACING
THE IDAHO STATE RACING COMMISSION**

DOCKET NO. 11-0401-9802

NOTICE OF TEMPORARY AND PROPOSED RULES

EFFECTIVE DATE: The temporary rule is effective January 1, 1998, and remains effective until rescinded or superseded by replacement rule or the approval of the final rule by the legislature or such other date specified in the concurrent resolution, or upon the conclusion of the 1999 legislative session, whichever is sooner.

AUTHORITY: In compliance with Sections 67-5221(1) and 67-5226, Idaho Code, notice is hereby given that this agency has adopted temporary rules and has proposed rule-making. The action is authorized pursuant to Title 19, Chapter 51, Idaho Code.

PUBLIC HEARING SCHEDULE: Public hearing(s) concerning this rule-making will be held as follows:

Public hearings concerning this rule-making will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than January 21, 1998.

The hearing site will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the hearing, to the agency at the address below.

DESCRIPTIVE SUMMARY: The following is a statement in nontechnical language of the substance of the proposed rule:

Changes made to eliminate hardships for horsemen but not change the regulatory aspect of the rules. Cosmetic changes have been made also.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning this proposed rule, contact Jack Baker, at (208) 884-7080. Anyone may submit written comments regarding this rule. All written comments and data concerning the rule must be directed to the undersigned and must be postmarked or delivered on or before January 28, 1998.

DATED this 1st day of November, 1997.

Eugene "Jack" Baker
Executive Director
Idaho State Racing Commission
P.O. Box 700
Meridian, ID 83680-0700
(208) 884-7080
(208) 884-7098 (FAX)

TEXT OF DOCKET NO. 11-0401-9802

070. ILLEGAL PRACTICES AND PERMITTED MEDICATION.

01. Offer of Bribes. No person shall give, offer or promise, directly or indirectly, to anyone any bribe, gift or gratuity in any form for the purpose of improperly influencing the result of a race. (7-1-93)

02. Acceptance of Bribes. No person licensed by the Commission, nor any other person, shall accept or offer to accept, on his own behalf or on behalf of another, any bribe, gift or gratuity in any form to influence the result of a race. (7-1-93)

03. Ineligible. No person shall enter or start a horse which is known or believed to be ineligible or disqualified. (7-1-93)
04. Ringer. No person shall enter or start a horse which is a ringer. (7-1-93)
05. Declaring an Entry. No person shall offer or receive money or any other benefit for declaring an entry from a race. (7-1-93)
06. Conspire. No person shall conspire with any other person for the commission of any corrupt or fraudulent practice in relation to racing, nor shall he commit such an act on his own account. (7-1-93)
07. Bets. No person except the owner or Trainer of the horse the Jockey is riding shall make a bet for the account of any Jockey and then only on the horse being ridden by said Jockey. (7-1-93)
08. Shodding. A horse starting in a race shall not be shod with ordinary shoes, training shoes or bar plates except by permission of the Stewards. (7-1-93)
09. Devices. No electrical or mechanical device or other appliance designed to increase or decrease the speed of a horse, other than ordinary whip, shall be possessed by anyone or applied by anyone to a horse at any time on the grounds of an Association during a meeting whether in a race or otherwise. (7-1-93)
10. Tampering. No person shall improperly tamper or attempt to tamper with any horse in such a way as to affect his speed in a race, nor shall he counsel or in any way aid or abet any such tampering. (7-1-93)
11. Illness. The owner and/or Trainer or their representative shall report any illness or an unusual condition of his horse to the Board of Stewards or Commission Veterinarian. (7-1-93)
12. Wagers. No employee of the Commission and no person acting in the capacity of a Racing Official or an Assistant Racing Official or Mutuel employee shall wager money or anything of value on races at the track at which they are employed or acting. (7-1-93)
13. Medication Facilities. The Commission may require the Association to provide such facilities for medication, drug or other tests of a horse as may be required by the Commission. (7-1-93)
14. Winner. The winner of every race and such other horses as the Stewards or Commission Veterinarian may designate shall be escorted by the Veterinarian assistant after the race to the testing enclosure for examination by the authorized representative of the Commission and the taking of specimens shall be by the Commission Veterinarian or his assistant. (7-1-93)
15. Trainer Present. The Trainer, or his authorized representative, must be present in the Testing Enclosure when a urine or other specimen is taken from a horse, the sample tag ~~attached to the specimen~~ shall be signed by the Trainer or his representative, as witness to the taking of the specimen. Willful failure to be present at or a refusal to allow the taking of such specimen, or any act or threat to impede or prevent or otherwise interfere therewith, shall subject the person or persons doing so to immediate suspension by the Stewards and the matter shall referred to the Commission for such further penalty as may be determined. ~~(7-1-93)~~(11-1-97)T
16. Specimens. All specimens taken by or under direction of the Commission Veterinarian, or other authorized representative of the Commission, shall be delivered to the laboratory approved by the Commission for official analysis. Each specimen shall be marked by number and date and may also bear such information as may be essential to its proper analysis; but the identity of the horse from which the specimen was taken or the identity of its owner, Trainer, Jockey or stable shall not be revealed to the laboratory. The container of each specimen shall be sealed as soon as the specimen is placed therein and shall bear the name of the Commission. (7-1-93)
17. Medication. The Commission Veterinarian, the Commission or any member of the Board of Stewards may take samples of any medicines or other materials suspected of containing improper medication, drugs or chemicals which would affect the racing conditions of a horse in a race and which may be found in stables or

elsewhere on race track grounds or in the possession of such tracks or any person connected with racing and the same shall be delivered to the laboratory designated by the Commission. (7-1-93)

a. Non-Steroidal Anti-Inflammatory Drugs, when authorized, are permitted only with written approval of the Commission Veterinarian. (7-1-93)

b. No horses may be entered into a race utilizing a Non-Steroidal Anti-Inflammatory Drug, except DMSO, unless the Trainer and Veterinarian of the horse submit to the Commission Veterinarian the Non-Steroidal Anti-Inflammatory Drug Request Form and have obtained written approval from the Commission Veterinarian. The Commission Veterinarian shall establish and publish reasonable procedures pertaining to use of the Non-Steroidal Anti-Inflammatory Drug Request Form. A copy of the established procedures shall be posted in the office of the Racing Secretary. The Non-Steroidal Anti-Inflammatory Drug Request Form submitted to the Commission Veterinarian shall state: (7-1-93)

i. The name, age, sex and breed of the horse; (7-1-93)

ii. The name of the licensed Trainer and Veterinarian; (7-1-93)

iii. The nature of the horse's injury or disease as determined by an examination by a qualified and duly licensed Veterinarian; (7-1-93)

iv. The name of the Non-Steroidal Anti-Inflammatory drug requested and the proposed time and method of administration; (7-1-93)

v. A request by the Trainer to discontinue medication; and (7-1-93)

vi. Signature of Trainer and Veterinarian attending the horse and the Commission Veterinarian. (7-1-93)

c. The Commission Veterinarian shall approve the Non-Steroidal Anti-Inflammatory Drug request only if, in the exercise of his/her professional judgment, a need for the use of the Non-Steroidal Anti-Inflammatory Drug for the particular horse's injury or disease has been satisfactorily demonstrated. In arriving at the decision, the Commission Veterinarian may take into account or rely upon the written professional diagnosis made by a qualified and duly licensed Veterinarian. (7-1-93)

d. Approved medication may be discontinued with permission of the Commission Veterinarian on the Drug Request Form after a minimum of thirty (30) days. Otherwise, approval will expire on December 31st of the year in which it is approved. (7-1-93)

e. A Non-Steroidal Anti-Inflammatory Drug shall be administered to the horse no later than twenty-four (24) hours prior to the time the horse is scheduled to race. (7-1-93)

f. Violations: (7-1-93)

i. Only one (1) Non-Steroidal Anti-Inflammatory Drug may be in a horse's system on race day. (7-1-93)

ii. No urine sample taken from a horse authorized to use phenylbutazone shall exceed one hundred sixty-five (165) micrograms total of phenylbutazone or its metabolites per milliliter of urine. (7-1-93)

iii. No blood sample taken from a horse authorized to use: Phenylbutazone shall not exceed five (5) micrograms per milliliter of phenylbutazone or oxyphenbutazone; or Naproxen (Equiproxen) shall not exceed 5 (five) micrograms per ~~milliliter~~ milliliter; or Flunixin (Banamine) or Mechlosenamic Acid (Arquel) shall not exceed one (1) microgram per milliliter. ~~(12-1-94)~~(11-1-97)T

iv. The first violation of the foregoing standard shall result in a fine to the horse's Trainer and such other penalty deemed appropriate. (12-1-94)

v. The second violation of the foregoing standard by the same Trainer during the same race meet or a continuous race meet shall result in a suspension, a fine and such other penalty deemed appropriate. (12-1-94)

vi. If a Non-Steroidal Anti-inflammatory Drug other than DMSO is not detected in the urine or in any other specimen taken from a horse authorized to use the Non-Steroidal Anti-Inflammatory Drug, a fine up to five hundred dollars (\$500) may be imposed upon the horse's Trainer without loss of purse. (12-1-94)

vii. If a Non-Steroidal Anti-Inflammatory Drug is detected in the urine or in any other specimen taken from a horse not authorized to use the Non-Steroidal Anti-Inflammatory Drug, the violation shall result in loss of purse and the horse's Trainer is subject to such penalties deemed appropriate. (12-1-94)

g. Horses which are on a Non-Steroidal Anti-Inflammatory Drug shall be indicated on the daily racing programs or any other publications and a list of horses on a Non-Steroidal Anti-Inflammatory Drug will be posted at a location designated by the Commission. (3-20-97)

h. The only Non-Steroidal Anti-Inflammatory Drugs permitted by this rule are Phenylbutazone (Butazoladin), Mechlosenamic Acid (Arquel), Flunixin (Banamine), Naproxen (Equiproxen), and Furosemide (Lasix). (7-1-93)

i. Epistaxis treatment for bleeders is permitted as a race day medication provided that written approval of the Commission Veterinarian is obtained prior to race day treatment on the Medication Request Form. Bleeders that have been running under Epistaxis treatment must obtain written approval of the Commission Veterinarian prior to entry in any race before running without similar treatment. Premarin is a permissible Epistaxis treatment and may be used up to two (2) hours before post time. (7-1-93)

18. Lasix Treatment. (7-1-93)

a. Any horse which exhibits symptoms of Epistaxis and/or respiratory tract hemorrhage is eligible for placement on the Bleeder List and for treatment on race days with the approved medication to prevent or limit bleeding during racing. (7-1-93)

b. Lasix treatment will be permitted at race meets whose average gross daily mutuel wagering exceeds one hundred thousand dollars (\$100,000) during the preceding year. If a race meet with the average daily gross mutuel handle during the preceding year of less than one hundred thousand dollars (\$100,000) desires that Lasix treatments be permitted at their race meet they may petition the Commission to approve the use of Lasix treatments. The commission may grant the use of Lasix treatments at such race meet, if in the opinion of the commission the race meet can provide the necessary qualified staffing, security and any other controls necessary to administer the program. (7-1-93)

c. To be placed on the Bleeders List, a horse must be found to have, during or immediately following a race or workout, shed free blood from one or both nostrils or bled internally in the respiratory tract. The State Veterinarian, following his/or her personal examination of a horse, or after, consulting with the horses' private veterinarian, shall be allowed to certify a horse as a bleeder. (7-1-93)

d. In any and all cases, private veterinarians must be licensed with the Idaho State Racing Commission as a veterinarian in order to administer Lasix. (7-1-93)

e. A bleeder horse shipped into Idaho from another racing jurisdiction must comply with Idaho rules. Any horse on a bleeder list in another racing jurisdiction may be placed on the Idaho Bleeder List provided a current certificate from the jurisdiction where it was confirmed on the bleeder list, or a letter from the horses private veterinarian, who is currently licensed by the racing jurisdiction, is presented to the State Veterinarian or the Commission Office, and it is approved by the State Veterinarian. (7-1-93)

f. The State Veterinarian may remove a horse on the Bleeder List, provided the proper paperwork is complete and it is the recommendation of the veterinarian of the horse, or after an examination by the State Veterinarian, it is determined that the horse is not a bleeder and is no longer eligible for the Bleeder List. (7-1-93)

~~g.~~ A horse on the Bleeder List shall be assigned to a pre-race security stall, designated as a detention stall, no later than four (4) hours prior to the scheduled post time of the race in which the horse is entered. The detention stall shall be assigned by the State Veterinarian with assistance from the Racing Office and may be the stall regularly assigned for that horse for its regular stabling. Once placed in a detention stall, the horse must remain there until it is taken to the paddock. If a horse on the Bleeder List is assigned its regular stall as its detention stall, that stall must be posted as such, with a detention stall sign, furnished by the association and obtained from the Racing Office or State Veterinarian, and must remain under the direct observation of a licensed individual designated by the trainer or trainer's representative from the time the horse is administered the bleeder medication to such time that the horse leaves for the paddock in preparation for a race. Direct observation means that the licensed person must be in a position to observe and to prevent any unauthorized person from approaching the horse. If a horse is found to be unattended during the designated time, the trainer will be deemed negligent in the performing of required duties and will be subject to disciplinary action by the Stewards. Any approach to a stall posted detention by any unauthorized person shall be reported immediately to the State Veterinarian and/or the Stewards. (7-1-93)

hg. Horses on the Bleeder List must be treated at least four (4) hours prior to post time with the bleeder medication furosemide (ie. Lasix). No other medication is permitted for bleeder treatment unless or except as approved by the Commission. Bleeder medication must be administered in the manner and at a dose level approved by the State Veterinarian, such dosage not to exceed two hundred fifty (250) mg. The bleeder medication is administered by the trainer's private veterinarian, and may be witnessed by the State Veterinarian or his designee upon their request. Administration of the bleeder medication must be reported in writing, on the form designated by the Commission, to the State Veterinarian no later than three (3) hours prior to the scheduled post time of the last live race of the program. (7-1-93)

ih. Any horse whose post and/or pre race blood tests contains a level in excess of eighty (80) nanograms of furosemide per milliliter of plasma will be said to be positive for Lasix overage and in violation of Idaho Racing Rules. Any horse whose post-race urine creatinine is less than forty (40) milligrams creatinine per one hundred (100) milliliters urine, and the ratio of urine furosemide to urine creatinine does not exceed fifteen one-hundredths (0.15), with urine furosemide being measured in micrograms per milliliter of urine will be said to be positive for Lasix overage and in violation of Idaho Racing Rules. (7-1-93)

i. A finding by a chemist of furosemide (Lasix) exceeding the allowable test levels given above shall be considered prima facie evidence that the medication was administered to the horse and carried in the body of the horse while participating in a race. (7-1-93)

ii. In these cases, the following fines and/or suspensions will be levied to such horses trainer under the trainer responsibility rule: (7-1-93)

1) First Offense: Two hundred fifty dollar (\$250) fine; (7-1-93)

2) Second Offense: Five hundred dollars (\$500) fine and seven (7) days suspension; (7-1-93)

3) Third Offense: Suspension and referral to the Idaho State Racing Commission for further action. (7-1-93)

ji. Any horse on the Idaho Bleeder List which is not stabled on the actual grounds of the racing facility where it is to race must be brought on to the grounds of the racing facility where it is scheduled to race at least five (5) hours prior to the post time for the race for which it is entered. ~~Such a horse arriving at the racing facility will be placed in a detention stall assigned by the State Veterinarian with assistance of the Racing Office and will obtain a detention sign, furnished by the association, from the State Veterinarian or the racing Office upon arrival at the racing facility.~~ (7-1-93)(11-1-97)T

kj. The horses' trainer or designated agent is responsible to enter horses correctly indicating the prescribed medication for the horse. Horses approved for Lasix medication will be designated on the overnight and the daily racing program with a Lasix or "L". If the race is the first race the horse is to run in on Lasix, it shall be designated in the daily racing program with a "L-1". Errors in the listing of Lasix Treatments in the program, shall be announced to the public and shall not result in the horse being scratched. (7-1-93)

19. Protection. The Trainer, groom and any other person having charge, custody or care of a horse are obligated to properly protect the horse and guard it against actual or attempted administration of drugs. If the Stewards shall find that any person has failed to properly protect and guard a horse, they shall impose such penalty and take such other action as they deem proper. (7-1-93)

20. Illegal Practices. A horse owner or trainer found to have committed illegal practices under this chapter and/or found to have administered any non-approved medication substances in violation of the rules in this chapter, shall be deemed disqualified and denied, or shall promptly return, any portion of the purse or sweepstakes or trophy awarded in the affected race, and the same shall be distributed or redistributed as in the case of a disqualification. If the affected race is a qualifying race for a subsequent race and if a horse shall be so disqualified, the eligibility of other horses which ran in the affected race, and which have started in the subsequent race before announcement of such disqualification shall not in any way be affected. (7-1-93)

21. ~~Hypodermics.~~ Hypodermics. Except by specific written permission of the Presiding State Steward, no person within the grounds of a Racing Association where horses are lodged or kept shall have possession of, upon the premises which he occupies or has the right to occupy or in his personal property or effects, any hypodermic instrument, hypodermic syringes or hypodermic needle which may be used for injection into a horse of any medication prohibited by this rule. Every Racing Association is required to use all reasonable efforts to prevent the violation of this rule. ~~(7-1-93)~~(11-1-97)T

22. Enter, Search and Inspect. Every Racing Association, the Commission, the Stewards or trained and qualified agents of the Department of Law Enforcement, shall have the right to enter, search and inspect the buildings, stables, rooms and other places where horses which are eligible to race are kept, or where property and effects of the licensee are kept within the grounds of the Association. Any licensee accepting a license shall be deemed to have consented to such search and to the seizure of any non-approved or prohibited materials, chemicals, drugs or devices and anything apparently intended to be used in connection therewith. (7-1-93)

23. Form. All practicing Veterinarians must submit daily to the Commission Veterinarian a Medication Report Form furnished by the Commission. (7-1-93)

a. The report shall contain the following: (7-1-93)

i. The name, age, sex and breed of the horse; (7-1-93)

ii. The permitted drug used (Bute, Banamine, Equiproxen or Arquel); (7-1-93)

iii. The time administered; and (7-1-93)

iv. The route and dosage of the administration. ~~(7-1-93)~~(11-1-97)T

b. The report must be dated and signed by the Veterinarian so administering the medication. Any such report is confidential and its content shall not be disclosed except in a proceeding before the Stewards or the Commission or in the exercise of the Commission's jurisdiction. (7-1-93)

24. Needle and Syringe. Within thirty (30) days of opening until the close of the meeting, no Veterinarian, assistant Veterinarian or employee of same shall leave or dispense to another a needle or syringe anywhere within the enclosure, except upon written authorization from the Presiding Steward. (7-1-93)

25. Bleeder. Any horse that bleeds a second time in Idaho shall not be able to race for a period of thirty (30) days from the date of the second bleeding offense. Third, and each time thereafter, any horse which bleeds in Idaho shall be suspended from racing for a period of one (1) year from the date of each bleeding offense. Any horse that bleeds a third time in Idaho shall be suspended from racing for a period of one (1) year from the date of the third bleeding offense. Any horse that bleeds for the fourth time in Idaho will be given a lifetime suspension from racing. ~~(8-1-95)~~(11-1-97)T

26. Restrictions. An owner and/or Trainer shall not enter, start or request stalls for a horse that:

- (7-1-93)
- a. Is not in sound competitive racing condition. (7-1-93)
 - b. Has been nerved. (7-1-93)
 - i. Horses that have had posterior digital neurectomy (heel nerved) may be permitted to race subject to the pre-race Veterinary examination and subject to posting with the Racing Secretary and being recorded on its foal certificate. (7-1-93)
 - ii. Horses that have been nerved, blocked with alcohol or any other medical drug that desensitizes the nerves, other than posterior digital nerves, will not be permitted to race. (7-1-93)
 - c. Has impaired vision in both eyes. (7-1-93)
27. Non-Approved Medication. If the Stewards find that any non-approved medication which, for the purpose of definition shall include any drug, chemical, narcotic, anesthetic, or analgesic has been administered to a horse in such a manner that it is present in a pre-race test or post-race test sample, such presence shall constitute prima facie evidence that the horse has been illegally medicated. (7-1-93)
28. Penalty. The penalty for violation of any part of this Section, unless otherwise provided, shall be a fine of not to exceed five hundred dollars (\$500), suspension for a fixed or indeterminate time, or both. (7-1-93)

IDAPA 11 - DEPARTMENT OF LAW ENFORCEMENT

**11.04.01 - RULES GOVERNING HORSE RACING
THE IDAHO STATE RACING COMMISSION**

DOCKET NO. 11-0401-9803

NOTICE OF TEMPORARY AND PROPOSED RULES

EFFECTIVE DATE: The temporary rule is effective January 1, 1998, and remains effective until rescinded or superseded by replacement rule or the approval of the final rule by the legislature or such other date specified in the concurrent resolution, or upon the conclusion of the 1999 legislative session, whichever is sooner.

AUTHORITY: In compliance with Sections 67-5221(1) and 67-5226, Idaho Code, notice is hereby given that this agency has adopted temporary rules and has proposed rule-making. The action is authorized pursuant to Title 19, Chapter 51, Idaho Code.

PUBLIC HEARING SCHEDULE: Public hearing(s) concerning this rule-making will be held as follows:

Public hearings concerning this rule-making will be scheduled if requested in writing by twenty-five (25) persons, a political subdivision, or an agency, not later than January 21, 1998.

The hearing site will be accessible to persons with disabilities. Requests for accommodation must be made not later than five (5) days prior to the hearing, to the agency at the address below.

DESCRIPTIVE SUMMARY: The following is a statement in nontechnical language of the substance of the proposed rule:

The changes are needed to define and correct the rules for live racing. These rules will also give jurisdiction over the live racing within the state to the Idaho State Racing Commission and defines the administration of the jurisdiction.

ASSISTANCE ON TECHNICAL QUESTIONS, SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning this proposed rule, contact Jack Baker, at (208) 884-7080. Anyone may submit written comments regarding this rule. All written comments and data concerning the rule must be directed to the undersigned and must be postmarked or delivered on or before January 28, 1998.

DATED this 1st day of November, 1997.

Eugene "Jack" Baker
Executive Director
Idaho State Racing Commission
P.O. Box 700
Meridian, ID 83680-0700
(208) 884-7080
(208) 884-7098 (FAX)

TEXT OF DOCKET NO. 11-0401-9803

011. GENERAL RULES.

01. Participation by Members of Commission Prohibited. No member of the Commission may directly, or through another, participate in the racing of a horse within the jurisdiction of the Commission. (7-1-93)

02. Wagers. No racing official or assistant shall wager money or any chattel or value on the result of any race at the meeting. (7-1-93)

03. Violations. Each racing official and assistant shall report to the Stewards all observed violations of the Rules. (7-1-93)
04. Punishment. The Racing Commission may independently punish any misconduct of any Person connected with racing. (7-1-93)
05. Right to Entry. Members of the Commission and designated representatives shall have the right to entry to any part of the grounds and mutuel plants of the Association licensed to conduct horse racing. (7-1-93)
06. Visit and Inspection. The Commission or designated representatives shall visit and inspect the race meets. Each licensee conducting a race shall make available to the Commission a box of four (4) seats for each day of the race meeting. The private cars of Commissioners or designated representatives shall have access to the restricted parking area of all tracks. (7-1-93)
07. Association Office. Each Association shall furnish and provide an adequate office for the use of the Commission or its designated representatives. (7-1-93)
08. Owners and Trainers Subject to Laws and Rules. All owners and Trainers of horses and their stable employees are subject to the Laws of Idaho and the Rules promulgated by the Commission upon acceptance and occupancy of stabling accommodations from, or approved by, an Association or upon making entry to run on its track. (7-1-93)
09. Open Market. Owners and stables participating in meetings operating under license of the Commission may purchase feed and supplies on the open market. No Association shall grant exclusive concessions which will interfere with this right. (7-1-93)
10. Disturbing the Peace - Interference. No person shall in any manner or at any time disturb the peace or behave in a disorderly manner on the grounds of an Association; nor shall any person interfere with the performance of the duties of a racing official or any employee or representative of the Commission. (7-1-93)
11. Suspension. No person or horse ruled off, or under suspension by any recognized racing authority, shall be admitted to the grounds of any Association. (7-1-93)
12. Convictions. The conviction of a person within the preceding eighteen (18) months of a crime involving the possession, use or sale of any narcotic, dangerous drug or marijuana, whether such conviction was a felony or misdemeanor, may be grounds for denial or refusal of a license. (7-1-93)
13. Persons Ruled Off a Track Ineligible. When a person is ruled off a course or suspended, every horse owned in whole or part by him, or under his care, management, training or superintendence, shall be ineligible to be entered or to start in any race until the rescinding of said person's penalty, or by the placement of the horse or horses in the hands of a licensed Trainer approved by the Stewards. (7-1-93)
14. Identification. The Commission may issue gratuitous identification badges. (7-1-93)
15. Availability of Rules. Rules Governing Idaho Horse Racing are available from the Commission for a fee of five dollars (\$5) dollars each. (7-1-93)
16. Financial Report. On or before December 15 of each year, representatives of each breed which received money the preceding year, pursuant to Section 54-2513, Idaho Code, shall file a financial report showing disposition of any funds thus received. Failure to file such report shall be grounds for the Commission to deny approval of any future disbursement to that breed. "Lawfully constituted representatives of each breed" shall be: the designated representative of the one recognized breed organization for each breed racing in Idaho which has established itself as the traditional breed acknowledged by the Racing Commission. (7-1-93)
17. Financial Report of Funds Pursuant to Section ~~54-2413~~ 54-2513, Idaho Code. Prior to or at the time of making application for licensing, tracks which received money the preceding year, pursuant to Section ~~54-2413~~

54-2513, Idaho Code, shall file a financial report showing disposition of any funds thus received. ~~(8-1-95)~~(7-1-97)T

18. Bad Checks, Drafts or Money Orders. Any licensee who shall make, draw, order or deliver a check, draft or order for the payment of money to another Idaho licensee, Racing Association, Commission or employee of said Association, Racing Association or Commission, which check, draft or order for the payment of money is invalid on its face or non-negotiable, or there are not sufficient funds on deposit for full payment of such check, draft or order, may be subject to suspension and/or disciplinary action by the Commission. (7-1-93)

19. Time. Each Association shall conduct horse racing only between the hours of twelve noon (12:00 pm) and twelve midnight (12:00 am), unless otherwise specifically authorized by the Commission. (7-1-93)

20. Conditions of Races. Each Association shall file with the Commission the conditions of races it proposes to hold, together with the stakes purse or rewards. (7-1-93)

21. Selection of Horses. When the number of horses competing in a race exceeds the numbered capacity of the tote, the Field horses shall be selected by the handicapper or the Racing Secretary. (7-1-93)

22. Documents to Be Filed. Not less than thirty (30) days before opening a race meeting each licensee shall have filed with the Commission; (7-1-93)

a. A bond signed by a surety company licensed to do business in this State in such form and in the sum as may be required by the Commission, conditioned that the licensee will pay to the state of Idaho all money due under the provisions of this act. (7-1-93)

b. Proof of public liability insurance by a company licensed to do business in this State in such form and in the amount as may be required by the Commission for the protection of the public, the exhibitors and visitors. (7-1-93)

c. Proof of an accident insurance policy by a company licensed to do business in their state in such form and amount as may be required by the Commission for the protection of Jockeys and exercise persons for injuries incurred in connection with race meets. (7-1-93)

23. Corporations. Each application by a corporation to operate a race track in Idaho will be determined by the Commission. (7-1-93)

a. The scope of the corporation's operation and plant facilities will determine the Commission's requirements for: (7-1-93)

i. Proof of financial stability; (7-1-93)

ii. Name of stockholders; (7-1-93)

iii. Medical and veterinary facilities; (7-1-93)

iv. Lodging facilities; and (7-1-93)

v. Protective facilities. (7-1-93)

b. The Commission or Department of Law Enforcement may require additional background information of applicants or licensees. (7-1-93)

24. Workmen's Compensation Insurance. The Commission may require Associations to obtain workmen's compensation insurance. (7-1-93)

25. Toilets and Other Facilities. Each Racing Association shall on every racing day provide and maintain adequate toilet facilities and facilities for furnishing drinking water for its patrons and persons having business at the track. (7-1-93)

26. Tampering. Each Racing Association shall provide protection facilities to prevent tampering with horses or any other corrupt practices at licensed race meets. The Commission may at any time require licensees to expand their protective services. The extent of protective services to be furnished at tracks operated by Corporations shall be determined by the Commission. (7-1-93)

27. Fire Regulations Posted. Every Association shall cause to be posted in the stable area of its premises the fire regulations applicable on its grounds and such posted notice shall also state the location of the nearest fire alarm box and the telephone number of the fire department or other pertinent instructions as to the method for reporting a fire in the area. Such notices shall be posted no more than one hundred (100) feet apart or as approved by the local fire authority. No Association, management or persons shall violate the posted fire regulations specified by the Commission. (7-1-93)

28. Access. The Association shall limit access of licensees or their guests from certain areas of the grounds. Those limited access areas are the Paddock, Jockey Room, Veterinarian's Test Area, the Steward's Stand, the Mutuel Room, Racing Offices and any other area they feel should be limited access. Any Licensee may escort an unlicensed guest through the enclosure of an Association except limited access areas. The Licensee and the guest must sign in and out and identify all such persons. The Licensee by signing accepts full responsibility for the safety and actions of the guest while in the enclosure. (7-1-93)

29. Credentials. A full record of credentials issued by the Association shall be compiled and open to inspection at all times. Each Association shall submit a daily report to the Commission of the names and addresses of persons who were arrested or ejected for drunkenness, touting, disorderly conduct or other misconduct. This report shall include full details of the offense and the action taken by the Association. (7-1-93)

30. Idaho Bred Horses. At least one (1) race day at each race meet shall be limited to Idaho bred horses. If a sufficient class of horses is not available to fill the race, said race may be opened to Idaho bred preferred. The Racing Secretary shall alternate among breeds such that an equal number of Idaho bred races will be offered in the course of the meeting for all breeds. (7-1-93)

31. Certificate of Registration. The owners' certificate of registration is proof that horses entered in such races were bred in Idaho. (7-1-93)

32. Payment. ~~Of the first money put up by the Association, a~~ A sum equal to ten percent (10%) of every purse won by an Idaho bred horse shall be paid by the licensee to the breeder of the horse from the funds initially paid into the account by the Association. All purse enhancement monies from the Idaho State Racing Commission shall be included in these awards. (7-1-93)(7-1-97)T

33. Badges. The Commission may require identification badges to be prominently displayed by the licensees. These badges shall not be transferable. (7-1-93)

34. Concession Operators. To become a concession operator an applicant must furnish the Commission the names of principal owners, proof of financial stability and the type of business generally engaged in by the applicant. Concession operations must be approved by the Commission and must not employ anyone under sixteen (16) years of age. (7-1-93)

35. Horseman's Account. Unless otherwise authorized by the Commission, each Association shall keep an account, to be known as the "HORSEMAN'S ACCOUNT", with sufficient funds at all times in such account to cover all monies due horseman in regard to purses, stakes, rewards, claims and deposits. The account shall at all times be subject to audit by the Commission. The horsemen's bookkeeper is in charge of such an account and shall be bonded. (7-1-93)

36. Purse Money. Purse money shall be made available to the winners promptly following release by the Commission or its representative. Release will be given when test results of the horse's urine, blood or other specimens have been reported to the Commission. Breeder's awards will be payable when the purse is cleared. The one-half (1/2) of one percent (1%) to benefit owners and/or breeders is to be remitted weekly to the Commission for distribution monthly to the representatives of each breed. (7-1-93)

37. Prohibited Printed Material. No tip sheet, pamphlet or other printed matter, other than official programs, the Daily Racing Form and general newspapers, shall be sold in the betting area. A copy of all such materials offered for sale in the parking area or elsewhere on or off the grounds of the Association shall be furnished daily to the Presiding State Steward, not later than two (2) hours before first post. All tip sheet publishers and vendors must be licensed by the Commission. (7-1-93)

38. Handbooks. No person shall make a handbook or a foreign book on the grounds of an Association. (7-1-93)

39. Betting with Handbooks Prohibited. No person shall solicit a bet with a handbook or a foreign book on the grounds of an Association. (7-1-93)

40. Bookmakers. No person who is a bookmaker, or who is known or reputed to be a bookmaker, or is a vagrant within the meaning of the laws of Idaho, or who is a fugitive from justice, or whose conduct now or heretofore has been improper, obnoxious, unbecoming or detrimental to the best interest of racing, shall be allowed to enter or remain upon the premises of any racing meet or meeting under the jurisdiction of the Commission; and all such persons shall upon discovery or recognition be ejected by licensees and/or representatives and agents of the Commission. (7-1-93)

41. Association with Bookmakers. Association by licensees with a person or persons such as described in the foregoing rule may be grounds for the revocation of license. (7-1-93)

42. Violators. Violators of any rules shall be subject to ejection from the grounds and/or fine, suspension or being ruled off. (7-1-93)

43. Readmission. Any person ejected from the grounds of an Association shall be denied readmission to said grounds until permission has been approved by the Commission. (7-1-93)

44. Communication. No telephone, telegraph, teletype, semaphore, signal device, radio, television or other method of electrical, mechanical, manual or visual communication shall be installed within the betting enclosure of any licensee until approved by the Commission. (7-1-93)

45. Telephones. No Association shall allow any unauthorized person to use Association telephones during the period from thirty (30) minutes prior to the first race to fifteen (15) minutes after the last race of the day. (7-1-93)

46. Transmissions. No Association shall knowingly transmit or allow to be transmitted by any means of communication from the enclosure of its track the result of any race until at least fifteen (15) minutes after said race is declared official, with the exception of the final race of the program. Provided, however, the Association may allow radio or television broadcasts of racing programs upon approval of the Commission. (7-1-93)

47. Broadcast. Any Association desiring to broadcast, televise or transmit by press wire pertinent information relating to any feature horse race run at its track shall file with the Commission, for its approval, an application at least ten (10) days prior to said race or races, indicating therein the feature races and the dates thereof that such Association desires be broadcast, televised or transmitted by press wire, together with the name and address of the representative of the public press, radio or television authorized by said Association to broadcast, televise or transmit by press wire the required feature races. (7-1-93)

48. Post Time. Post time must be shown a reasonable time prior to the race on a clock device, provided for that purpose, prominently displayed and clearly readable from the grandstand. (7-1-93)

49. Paddocks. Horses must be in the paddock at least twenty (20) minutes before post time. (7-1-93)

50. Saddled. Each horse must be saddled in the paddock. (7-1-93)

51. Number. In a race, each horse shall carry a conspicuous saddlecloth number and a head number,

corresponding to the assigned number on the official program. In the case of an Entry, each horse making up the Entry shall carry the same number (head and saddlecloth) with a distinguishing letter. In the case of a Field, the horses comprising the Field shall carry an individual number. (7-1-93)

52. Jockey. After the horses enter the track, no Jockey shall dismount and no horse shall be entitled to the care of an attendant without consent of the Stewards ~~of~~ or the Starter, and the horse must be free of all hands other than those of the Jockey or assistant starter before the starter dispatches the Field. ~~(7-1-93)~~(7-1-97)T

53. Accidents. In case of accident to a Jockey, his mount or equipment, the Stewards or the starter may permit the Jockey to dismount and the horse to be cared for during the delay, and may permit all Jockeys to dismount and all horses to be attended during the delay. (7-1-93)

54. Injured Jockey. If a Jockey is injured on the way to the post so as to require replacement, the horse shall be taken to the paddock and another Jockey and equipment obtained. (7-1-93)

55. Parade. All horses shall parade and, under penalty of disqualification, shall carry their weight from the paddock to the starting post, such parade to pass the Stewards' stand. (7-1-93)

56. Delays. After entering the track, no more than twelve (12) minutes shall be consumed in the parade of the horses to the post except in cases of unavoidable delay. After passing the stand once, horses will be allowed to break formation and canter, warm up or go as they please to the post. When horses have reached the post, they shall be started without unnecessary delay. (7-1-93)

57. Willful Delay. No person shall willfully delay the arrival of a horse at the post. (7-1-93)

58. Trainers. If an owner changes Trainers, permission from the Stewards must be obtained and the Stewards may require a release from the previous Trainer and the new Trainer to register the names on the Trainer's stable list. (7-1-93)

59. Prevention from Riding. No owner and/or Trainer shall employ a Jockey for the purpose of preventing him from riding in any race. (7-1-93)

60. Bribes, Gifts, Gratuities. No owner and/or Trainer shall accept, directly or indirectly, any bribe, gift or gratuity in any form which might influence the result of any race or tend to do so. (7-1-93)

61. Authorized Agents. An authorized agent will be recognized by the Commission as having authority to handle any and all matters pertaining to the stable for which he is authorized to act, and the acts of such agent shall be deemed the acts of the owner and owners shall accept responsibility for agent's acts. (7-1-93)

62. Overnight Race. Overnight Race entries close seventy-two (72) hours, or less, before the time set for the first race of the day on which such race is to be run. (7-1-93)

63. Use of Safety Vest. A jockey must wear a safety vest when riding in any official race. The safety vest shall weigh no more than two (2) pounds and shall be designed to provide shock absorbing protection to the upper body of at least a rating of five (5), as defined by the British Equestrian Trade Association (BETA). (11-7-94)

IDAPA 13 - DEPARTMENT OF FISH AND GAME

13.01.04 - RULES GOVERNING LICENSING

DOCKET NO. 13-0104-9604

NOTICE OF PENDING RULE

EFFECTIVE DATE: These rules have been adopted by the agency and are now pending review by the 1998 Idaho State Legislature for final adoption. The pending rule becomes final and effective July 1, 1998, unless the rule is approved, rejected, amended or modified by concurrent resolution in accordance with Section 67-5224 and 67-5291, Idaho Code. If the pending rule is approved, amended or modified by concurrent resolution, the rule becomes final and effective upon adoption of the concurrent resolution or upon the date specified in the concurrent resolution.

AUTHORITY: In compliance with Section 67-5224, Idaho Code, notice is hereby given that this agency has adopted a pending rule. The action is authorized pursuant to Section(s) 67-5221(1) and 67-5226, Idaho Code, and Section 36-104(b), Idaho Code.

DESCRIPTIVE SUMMARY: The following is a concise explanatory statement of the reasons for adopting the pending rule and a statement of any change between the text of the proposed rule and the text of the pending rule with an explanation of the reasons for the change.

Establish a refund policy for nonresident licenses, tags, and permits.

The pending rules are being adopted as proposed. The original text of the proposed rules was published in the Idaho Administrative Bulletin, Volume 96-10, pages 26 through 28.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this pending rule, contact Steve Barton, 208-334-3781.

DATED this 5th day of November, 1997,

W. Dallas Burkhalter, Deputy Attorney General
PO Box 25
Boise, ID 83707
208-334-3715/FAX 208-334-2148

**IDAPA 13
TITLE 01
Chapter 04**

RULES GOVERNING LICENSING

**There are no substantive changes
from the proposed rule text.**

**The original text was published in the Idaho
Administrative Bulletin, Volume 96-10, October 2, 1996,
pages 26 through 28.**

**This rule has been adopted as Final by the Agency
and is now pending review by the
1998 Idaho State Legislature for final adoption.**

IDAPA 13 - DEPARTMENT OF FISH AND GAME

13.01.04 - RULES GOVERNING LICENSING

DOCKET NO. 13-0104-9701

NOTICE OF PENDING RULE

EFFECTIVE DATE: These rules have been adopted by the agency and are now pending review by the 1998 Idaho State Legislature for final adoption. The pending rule becomes final and effective July 1, 1998, unless the rule is approved, rejected, amended or modified by concurrent resolution in accordance with Section 67-5224 and 67-5291, Idaho Code. If the pending rule is approved, amended or modified by concurrent resolution, the rule becomes final and effective upon adoption of the concurrent resolution or upon the date specified in the concurrent resolution.

AUTHORITY: In compliance with Section 67-5224, Idaho Code, notice is hereby given that this agency has adopted a pending rule. The action is authorized pursuant to Section(s) 67-5221(1)(b) and 67-5226(1)7-6.

DESCRIPTIVE SUMMARY: The following is a concise explanatory statement of the reasons for adopting the pending rule and a statement of any change between the text of the proposed rule and the text of the pending rule with an explanation of the reasons for the change.

Simplifies application form due to Legislative request. Establish 1997 seasons for Landowner Preference Permits for deer, elk, and antelope.

The pending rules are being adopted as proposed. The original text of the proposed rules was published in the Idaho Administrative Bulletin, Volume 97-6, pages 24 through 35.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this pending rule, contact Lonk Kuck, 208-334-2920.

DATED this 5th day of November 1997.

W. Dallas Burkhalter, Deputy Attorney General
PO Box 25
Boise, ID 83707
208-334-3715/FAX 208-334-2148

**IDAPA 13
TITLE 01
Chapter 04**

RULES GOVERNING LICENSING

**There are no substantive changes
from the proposed rule text.**

**The original text was published in the Idaho
Administrative Bulletin, Volume 97-6, June 4, 1997,
pages 24 through 35.**

**This rule has been adopted as Final by the Agency
and is now pending review by the
1998 Idaho State Legislature for final adoption.**

IDAPA 13 - DEPARTMENT OF FISH AND GAME

13.01.04 - RULES GOVERNING LICENSING

DOCKET NO. 13-0104-9801

NOTICE OF TEMPORARY AND PROPOSED RULES

EFFECTIVE DATE: These temporary and proposed rules are effective October 20, 1997

AUTHORITY: In compliance with Sections 67-5226, Idaho Code, notice is hereby given this agency has adopted temporary rules. The action is authorized pursuant to Section(s) 36-104(b).

DESCRIPTIVE SUMMARY: The following is the required finding and concise statement of the supporting reasons for temporary rule-making:

Implement elk zones and Clearwater deer tags. Improve customer service by simplifying issuance of outfitter set-aside tags returned to the department.

TEMPORARY RULE JUSTIFICATION: Pursuant to Sections 67-5226(1)(b) and 67-5226(1)(c), Idaho Code, the Governor has found that temporary adoption of the rule is appropriate for the following reasons:

Confers a benefit.

FEE SUMMARY: The following is a specific description of the fee or charge imposed or increased:

None.

ASSISTANCE ON TECHNICAL QUESTIONS AND SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the temporary rule, contact Stephen Barton, 208-334-3781.

Anyone may submit written comments regarding this rule. All written comments and data concerning the rule must be directed to the undersigned and must be postmarked or delivered on or before January 28, 1998.

DATED this 30th day of October 1997.

W. Dallas Burkhalter
Deputy Attorney General
Idaho Department of Fish and Game
600 South Walnut
PO Box 25
Boise, ID 83707
208-334-3715/FAX: 208-334-2148

TEXT OF DOCKET NO. 13-0104-9801

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

01. ~~Permits Tags.~~ The following number of ~~regular~~ nonresident deer tags and ~~regular~~ nonresident elk tags shall annually be set aside and reserved for sale to persons who have entered into an agreement to utilize the services of an outfitter who is licensed under Chapter 21, Title 36, Idaho Code. For the 1996~~7~~ Hunting Season:

~~(3-20-97)~~(10-20-97)T

a. One thousand nine hundred (1,900) nonresident deer tags (regular or Clearwater):

~~(3-20-97)~~(10-20-97)T

- b. One hundred thirty (130) S.E. Idaho Area deer tags; (3-21-97)T
- c. Two thousand two hundred (2,200) ~~nonresident elk tags (regular or mountain)~~ (A or B tags for all zones except the Panhandle zone); ~~(3-21-97)T~~(10-20-97)T
- d. Two hundred (200) Panhandle zone elk tags (A or B tags). ~~(3-21-97)T~~(10-20-97)T

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

03. Unsold Tags. Any tags not sold by July 1 of each year shall be sold by the Department to nonresidents on a first-come, first serve basis, ~~by mail or overnight express only. If there is a waiting list of individuals desiring a tag for the species available, those individuals will be first served.~~ Application shall be made only to the Headquarters office of the Department of Fish and Game in Boise, Idaho. ~~Applications shall not be accepted earlier than July 1 of each year. Applications received prior to July 1 or after the remaining tags are sold will be returned.~~ (7-1-93)(10-20-97)T

(BREAK IN CONTINUITY OF SECTIONS)

600. NONRESIDENT DEER AND ELK TAG QUOTAS.

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

- a. Twelve thousand eight hundred (12,800) regular or Clearwater deer tags; ~~(3-21-97)T~~(10-20-97)T
- b. Eleven thousand (11,000) ~~regular or mountain~~ A or B elk tags for all zones except the Panhandle zone; ~~(3-20-97)~~(10-20-97)T
- c. One thousand eight hundred fifteen (1,815) Panhandle zone elk tags ~~(3-21-97)T~~(10-20-97)T
- d. One thousand two hundred (1,200) S.E. Idaho area Deer tags. (3-21-97)T

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

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

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

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

03. Refunds. The fee for any nonresident license (as defined in I.C. 36-202(z)) shall not be refunded for any reason except as follows. (8-19-96)T

a. Hunting license and general season deer and elk tag refunds due to death, illness/injury or military deployment of licensee. Non-resident general season deer or elk tag fees and prerequisite hunting license fee may be refunded for death of licensee; illness or injury of licensee which totally disabled the licensee for the entire length of any applicable hunting season; or military deployment of licensee due to an armed conflict. Refund must be substantiated by death certificate, published obituary, written justification by a licensed medical doctor, copy of military orders, or other similar substantiating documents. The hunting license fee will not be refunded if it was used to apply for any controlled hunt or to purchase a turkey, mountain lion, or bear tag. The amount refunded will be the amount of the applicable deer or elk tag and hunting license less all issuance fees and a fifty dollar (\$50) processing fee. The refund request must be postmarked on or before December 31 of the calendar year in which the license and tags were valid. (8-19-96)T

b. General season deer and elk tag refunds for other than death, illness/injury, or military deployment of licensee. Non-resident general season deer or elk tag fees may be refunded for any reason other than death of the licensee; illness or injury of licensee which totally disables the licensee for the entire length of all applicable seasons; or military deployment of licensee due to an armed conflict. The request for the refund must be postmarked in the year in which the tag is valid. The hunting license fee will not be refunded. The refund will be based on the following sliding scale as a percent of the deer or elk tag fee. (8-19-96)T

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

(8-19-96)T

c. Department error. The department determines that a department employee made an error in the issuance of the license. (8-19-96)T

d. Submission requirements. All refund requests must be in writing and be accompanied with the original copy of the license or tag. (8-19-96)T

e. Effective. These changes will be effective with the 1997 licenses and tags. (8-19-96)T

IDAPA 13 - DEPARTMENT OF FISH AND GAME
13.01.06 - CLASSIFICATION AND PROTECTION OF WILDLIFE
DOCKET NO. 13-0106-9601
NOTICE OF PENDING RULE

EFFECTIVE DATE: These rules have been adopted by the agency and are now pending review by the 1998 Idaho State Legislature for final adoption. The pending rule becomes final and effective July 1, 1998, unless the rule is approved, rejected, amended or modified by concurrent resolution in accordance with Section 67-5224 and 67-5291, Idaho Code. If the pending rule is approved, amended or modified by concurrent resolution, the rule becomes final and effective upon adoption of the concurrent resolution or upon the date specified in the concurrent resolution.

AUTHORITY: In compliance with Section 67-5224, Idaho Code, notice is hereby given that this agency has adopted a pending rule. The action is authorized pursuant to Section(s) 67-5221(1) and 67-5226, Idaho Code, and Section 36-104(b), Idaho Code.

DESCRIPTIVE SUMMARY: The following is a concise explanatory statement of the reasons for adopting the pending rule and a statement of any change between the text of the proposed rule and the text of the pending rule with an explanation of the reasons for the change.

Classify Sandhill Crane as a migratory bird.

The pending rules are being adopted as proposed. The original text of the proposed rules was published in the Idaho Administrative Bulletin, Volume 96-10, pages 29 through 33.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this pending rule, contact Gary Will, 208-334-2920.

DATED this 5th day of November 1997.

W. Dallas Burkhalter, Deputy Attorney General
PO Box 25
Boise, ID 83707
208-334-3715/FAX 208-334-2148

IDAPA 13
TITLE 01
Chapter 06

CLASSIFICATION AND PROTECTION OF WILDLIFE

**There are no substantive changes
from the proposed rule text.**

**The original text was published in the Idaho
Administrative Bulletin, Volume 96-10, October 2, 1996,
pages 29 through 33.**

**This rule has been adopted as Final by the Agency
and is now pending review by the
1998 Idaho State Legislature for final adoption.**

IDAPA 13 - DEPARTMENT OF FISH AND GAME
13.01.08 - RULES GOVERNING THE TAKING OF BIG GAME ANIMALS

DOCKET NO. 13-0108-9701

NOTICE OF PENDING RULE

EFFECTIVE DATE: These rules have been adopted by the agency and are now pending review by the 1998 Idaho State Legislature for final adoption. The pending rule becomes final and effective July 1, 1998, unless the rule is approved, rejected, amended or modified by concurrent resolution in accordance with Section 67-5224 and 67-5291, Idaho Code. If the pending rule is approved, amended or modified by concurrent resolution, the rule becomes final and effective upon adoption of the concurrent resolution or upon the date specified in the concurrent resolution.

AUTHORITY: In compliance with Section 67-5224, Idaho Code, notice is hereby given that this agency has adopted a pending rule. The action is authorized pursuant to Section(s) 67-5221(1)(b) and 67-5226(1)(c), Idaho Code, and Section 36-104(b), Idaho Code.

DESCRIPTIVE SUMMARY: The following is a concise explanatory statement of the reasons for adopting the pending rule and a statement of any change between the text of the proposed rule and the text of the pending rule with an explanation of the reasons for the change.

Establishes 1997 seasons for moose, sheep, goat, elk, deer, antelope, black bear, and mountain lion.

The pending rules are being adopted as proposed. The original text of the proposed rules was published in the Idaho Administrative Bulletin, Volume 97-6, pages 36 through 109.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this pending rule, contact Lonk Kuck (elk, deer, and antelope) or John Beecham (moose, sheep, and goat) at 208-334-2920.

DATED this 5th day of November 1997.

W. Dallas Burkhalter, Deputy Attorney General
PO Box 25
Boise, ID 83707
208-334-3715/FAX 208-334-2148

IDAPA 13
TITLE 01
Chapter 08

RULES GOVERNING THE TAKING OF BIG GAME ANIMALS

**There are no substantive changes
from the proposed rule text.**

**The original text was published in the Idaho
Administrative Bulletin, Volume 97-6, June 4, 1997,
pages 36 through 109.**

**This rule has been adopted as Final by the Agency
and is now pending review by the
1998 Idaho State Legislature for final adoption.**

IDAPA 13 - DEPARTMENT OF FISH AND GAME
13.01.08 - RULES GOVERNING THE TAKING OF BIG ANIMALS
DOCKET NO. 13-0108-9801

NOTICE OF TEMPORARY AND PROPOSED RULES

EFFECTIVE DATE: These temporary and proposed rules are effective October 20, 1997.

AUTHORITY: In compliance with Sections 67-5226, Idaho Code, notice is hereby given this agency has adopted temporary rules. The action is authorized pursuant to Section(s) 36-104(b).

DESCRIPTIVE SUMMARY: The following is the required finding and concise statement of the supporting reasons for temporary rule-making:

The Legislature provided authority for an allocation of tags for outfitter clients as the proposed Elk Zones are implemented - See Idaho Code Section 36-408(d)

TEMPORARY RULE JUSTIFICATION: Pursuant to Sections 67-5226(1)(b) and 67-5226(1)(c), Idaho Code, the Governor has found that temporary adoption of the rule is appropriate for the following reasons:

Confers a benefit.

FEE SUMMARY: The following is a specific description of the fee or charge imposed or increased:

None.

ASSISTANCE ON TECHNICAL QUESTIONS AND SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the temporary rule, contact Lonk Kuck, 208-334-2920.

Anyone may submit written comments regarding this rule. All written comments and data concerning the rule must be directed to the undersigned and must be postmarked or delivered on or before January 28, 1998.

DATED this 30th day of October 1997.

W. Dallas Burkhalter
Deputy Attorney General
Idaho Department of Fish and Game
600 South Walnut
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Boise, ID 83707
208-334-3715/FAX: 208-334-2148

TEXT OF DOCKET NO. 13-0108-9801

250. TAGS AND PERMITS.

No person shall hunt big game animals without having in possession the appropriate hunting license, tags, stamps and permits. (7-1-93)

01. Use of Tags. (7-1-93)

a. Permit/Tags issued for moose, bighorn sheep, mountain goat and antelope may be used only in the controlled hunt for which the permittee was drawn. (7-1-93)

b. A tag issued for mountain lion after the mountain lion season opens may NOT be used until the

second day following its purchase. (3-20-97)

c. A tag issued for black bear after the black bear season opens may NOT be used until the second day following its purchase. (3-20-97)

d. Tags issued for antelope archery hunts may be used only in general archery hunts. (7-1-93)

e. Extra tags issued for deer, elk or antelope may be used only in the hunt area for which the tags are issued. (7-1-93)

f. Any person who purchases a tag to hunt black bear, or archery antelope, who is unsuccessful in killing an animal, and who is subsequently drawn for a controlled hunt permit, including an antelope landowner preference permit, must return the unused tag to a Department office not later than August 10 to exchange the tag for the appropriate controlled hunt tag. The fee for the exchanged tag is the fee for a duplicate tag. (3-20-97)

g. Tags issued for black bear and mountain lion may be used statewide. (7-1-93)

h. Regular tags issued for deer and elk may be used ONLY as follows: (7-1-93)

i. Regular Deer:

TYPE OF TAG	SEASONS
Resident (Type 311)	Any archery, muzzleloader or general deer season.
Resident (Type 330)	Extra Any antlerless deer tag season.
Senior Resident (Type 323)	Any archery, muzzleloader or general deer season.
S.E. Idaho Area Units 75, 76, 77, and 78 Nonresident	To Hunt Deer in Units 75, 76, 77, and 78 you must have your deer tag validated for use in these units. These tags are limited to one thousand two-hundred (1200) nonresident tags and will be issued first come - first served.
Nonresident (Type 411)	Any archery, muzzleloader or general deer season or controlled hunt for which the permittee was drawn.
Combination Controlled Hunt Permit and Tag	Only the designated controlled hunt for which the permittee was drawn.
Combination Controlled Depredation Hunt Permit and Tag	Only the designated controlled depredation hunt for which the permittee was drawn.
Combination Controlled Hunt Permit and Extra Tag	Only the designated controlled extra tag hunt for which the permittee was drawn.

~~(3-21-97)~~(10-20-97)T

ii. Clearwater Deer.

TYPE OF TAG	SEASONS
<u>Resident Clearwater</u>	<u>To hunt deer in any archery, muzzleloader or general deer season in Units 8, 8A, 10, 10A, 11, 11A, 12, 13, 14, 15, 16, 16A, 17, 18, 19, and 20. These tags are valid only in the Clearwater Region units, and Regular Deer tags are not valid in these units.</u>

TYPE OF TAG	SEASONS
<u>Resident Extra Clearwater</u>	<u>To hunt an extra any-antlerless deer tag season in Units 8, 8A, 10, 10A, 11, 11A, 12, 13, 14, 15, 16, 16A, 17, 18, 19, and 20. These tags are valid only in the Clearwater Region units, and Regular Deer tags are not valid in these units.</u>
<u>Senior Resident Clearwater</u>	<u>To hunt deer in any archery, muzzleloader or general deer season in Units 8, 8A, 10, 10A, 11, 11A, 12, 13, 14, 15, 16, 16A, 17, 18, 19, and 20. These tags are valid only in the Clearwater Region units, and Regular Deer tags are not valid in these units.</u>
<u>Nonresident Clearwater</u>	<u>To hunt deer in any archery, muzzleloader or general deer season or controlled hunt for which the permittee was drawn in Units 8, 8A, 10, 10A, 11, 11A, 12, 13, 14, 15, 16, 16A, 17, 18, 19, and 20. These tags are valid only in the Clearwater Region, and Regular Deer tags are not valid in these units.</u>

(10-20-97)T

iii. Regular Elk: (All Big Game Management Units EXCEPT 1, 2, 3, 4, 4A, 5, 6, 7, 9, 10, 12, 16A, 17, 19, 19A, 20, 20A, 25, 26, 27, 34, 35, and 36).

TYPE OF TAG	SEASONS
Resident (Type 312)	Any elk archery, muzzleloader or general season in Regular units.
Senior Resident (Type 324; NOT STAMPED FOR USE IN UNITS 1, 2, 3, 4, 4A, 5, 6, 7, 9, 10, 12, 16A, 17, 19, 19A, 20, 20A, 25, 26, 27, 34, 35, and 36)	Any elk archery, muzzleloader, or general season in Regular units
Nonresident (Type 412)	Any elk archery, muzzleloader, or general season in Regular units, or controlled hunt for which the permittee was drawn.
Combination Controlled Hunt Permit and Tag	Only the designated controlled hunt for which the and Tag permittee was drawn.
Combination Controlled Depredation Hunt Permit and Tag	Only the designated controlled depredation hunt for which the permittee was drawn.
Combination Controlled Hunt Permit and Extra Tag	Only the designated controlled extra tag hunt for which the permittee was drawn.

(7-1-93)

iiii. Panhandle Elk: (Game Management Units 1, 2, 3, 4, 4A, 5, 6, 7, and 9).

TYPE OF TAG	SEASONS
Resident (Type 313)	Any archery, muzzleloader, or general Panhandle elk season.
Senior Resident (Type 324; STAMPED FOR USE IN UNITS 1, 2, 3, 4, 4A, 5, 6, 7, and 9)	Any archery, muzzleloader, or general Panhandle elk season.
Nonresident (Type 413)	Any elk controlled hunt for which the permittee was drawn or any archery, muzzleloader, or general Panhandle elk season.

TYPE OF TAG	SEASONS
Combination Controlled Hunt Permit and Tag	Only the designated controlled hunt for which the permittee was drawn.
Combination Controlled Depredation Hunt Permit and Tag	Only the designated controlled depredation hunt for which the permittee was drawn.
Combination Controlled Permit and Extra Tag	Only the designated controlled and extra tag hunt for which the permittee was drawn.

(7-1-93)

iv. Mountain Elk: (Game Management Units 10, 12, 16A, 17, 19, 19A, 20, 20A, 25, 26, 27, 34, 35, and 36).

TYPE OF TAG	SEASONS
Resident (Type 315)	Any elk archery, muzzleloader, or general season in mountain units.
Senior Resident (Type 324; STAMPED FOR USE IN UNITS 10, 12, 16A, 17, 19, 19A 20, 20A, 25, 26, 27, 34, 35, and 36)	Any elk archery, muzzleloader, or general season in mountain units.
Nonresident (Type 415)	Any elk controlled hunt for which the permittee was drawn or any elk archery, muzzleloader, or general season in mountain units.
Combination Controlled Hunt Permit and Tag	Only the designated controlled hunt for which the permittee was drawn.
Combination Controlled Depredation Hunt Permit and Tag	Only the designated controlled depredation hunt for which the permittee was drawn.
Combination Controlled Hunt Permit and Extra Tag	Only the designated controlled extra tag hunt for which the permittee was drawn.

(7-1-93)

02. Return of Tags by Unsuccessful Permittees. Permittees who are not successful in killing a bighorn sheep, mountain goat 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. (5-15-95)

03. Archery and Muzzleloader Permits. Any person hunting in an archery only or muzzleloader only season must have the appropriate permit (archery or muzzleloader) for the relevant season validated on their license. (3-20-97)

a. Except as noted below, individual archery and muzzleloader permits may be sold only until midnight of October 31st of each year. Sportsman licenses (Type 104) are not subject to this cutoff date. After that time and date, permits may be obtained only from Department offices by persons who: (3-21-97)T

i. Hold a valid controlled hunt permit for archery or muzzleloader hunts, through the final day of the hunt for which they have a permit. (7-1-93)

ii. Become twelve (12) years of age after the cutoff date. (7-1-93)

- iii. Acquired their six (6) months' residency after the cutoff date. (7-1-93)
- iv. Are Idaho servicemen on leave arriving after the cutoff date. (7-1-93)
- v. Are purchasing limited edition prints of the original art work depicted on the particular permit. Sale of such archery or muzzleloader permits is limited to permits which are consecutively numbered from one (1) to fifteen hundred (1500). Such permits are not valid for use in any archery or muzzleloader hunt. (7-1-93)
- b. On and after January 1 of each year, any person may purchase any archery or muzzleloader permit for the prior year that is unsold at midnight on December 31 of the prior year. (7-1-93)

(BREAK IN CONTINUITY OF SECTIONS)

251. -- 2594. (RESERVED).

255. ELK ZONE A AND B TAGS.

01. Elk Zone A Tag. The Elk Zone A Tag is valid for specified A Tag elk seasons within a specified elk zone only. In most elk zones, the A Tag is intended for extended general archery seasons and, in some units, general any-weapon spike-only bull season. Some zones may include general antlerless-only elk seasons and/or muzzleloader seasons. In the Panhandle Zone, the A Tag is intended for a general either-sex archery season followed by a general any-weapon bull-only season, with a late general any-elk archery season and a spike-only muzzleloader season. (10-20-97)T

02. Elk Zone B Tag. The Elk Zone B Tag is valid for specified B Tag elk seasons within a specified elk zone only. In most elk zones, the B Tag is intended for general any-bull or brow tine or larger bull-only any-weapon season. In some units, a short, general spike-only bull and/or antlerless elk archery season will be offered. In the Panhandle Zone, the B Tag is intended for a general either-sex archery seasons followed by a general any-weapon bull-only season, with some general antlerless elk hunting with late general any-bull muzzleloader season in some units. (10-20-97)T

256. -- 259. (RESERVED).

(BREAK IN CONTINUITY OF SECTIONS)

600. -- ~~699~~04. (RESERVED).

605. ELK ZONE DESCRIPTIONS.

- 01. Panhandle Zone. All of Units 1, 2, 3, 4, 4A, 5, 6, 7, and 9. (10-20-97)T
- 02. Palouse Zone. All of Units 8, 8A, and 11A. (10-20-97)T
- 03. Dworshak Zone. All of Unit 10A. (10-20-97)T
- 04. Hells Canyon Zone. All of Units 11, 13, and 18. (10-20-97)T
- 05. Lolo Zone. All of Units 10 and 12. (10-20-97)T
- 06. Elk City Zone. All of Units 14, 15, and 16. (10-20-97)T
- 07. Selway Zone. All of Units 16A, 17, 19, and 20. (10-20-97)T

- 08. Middle Fork Zone. All of Units 20A, 26, and 36B. (10-20-97)T
- 09. Salmon Zone. All of Units 21, 21A, 28, and 36B. (10-20-97)T
- 10. Weiser Zone. All of Units 22, 32, and 32A. (10-20-97)T
- 11. McCall Zone. All of Units 19A, 23, 24, and 25. (10-20-97)T
- 12. Lemhi Zone. All of Units 29, 37, 37A, and 51. (10-20-97)T
- 13. Beaverhead Zone. All of Units 30, 30A, 58, 59, and 59A. (10-20-97)T
- 14. Brownlee Zone. All of Unit 31. (10-20-97)T
- 15. Sawtooth Zone. All of Units 33, 34, 35, and 36. (10-20-97)T
- 16. Pioneer Zone. All of Units 36A, 49, and 50. (10-20-97)T
- 17. Owyhee-South Hill Zone. All of Units 38, 40, 41, 42, and 46. (10-20-97)T
- 18. Boise River Zone. All of Unit 39. (10-20-97)T
- 19. Smokey Mountain Zone. All of Units 43, 44, and 48. (10-20-97)T
- 20. Bennett Hills Zone. All of Units 45 and 52. (10-20-97)T
- 21. Big Desert Zone. All of Units 52A, 53, 63, 63A, 68, and 68A. (10-20-97)T
- 22. Island Park Zone. All of Units 60, 60A, 61, and 62A. (10-20-97)T
- 23. Teton Zone. All of Units 62 and 65. (10-20-97)T
- 24. Palisades Zone. All of Units 64 and 67. (10-20-97)T
- 25. Tex Creek Zone. All of Units 66 and 69. (10-20-97)T
- 26. Bannock Zone. All of Units 56, 70, 71, 72, 73, 73A, and 74. (10-20-97)T
- 27. Bear River Zone. All of Units 75, 77, and 78. (10-20-97)T
- 28. Diamond Creek Zone. All of Units 66A and 76. (10-20-97)T
- 606. -- 699. (RESERVED).**

IDAPA 13 - DEPARTMENT OF FISH AND GAME
13.01.09 - RULES GOVERNING THE TAKING OF GAME BIRDS

DOCKET NO. 13-0109-9602

NOTICE OF PENDING RULE

EFFECTIVE DATE: These rules have been adopted by the agency and are now pending review by the 1998 Idaho State Legislature for final adoption. The pending rule becomes final and effective July 1, 1998, unless the rule is approved, rejected, amended or modified by concurrent resolution in accordance with Section 67-5224 and 67-5291, Idaho Code. If the pending rule is approved, amended or modified by concurrent resolution, the rule becomes final and effective upon adoption of the concurrent resolution or upon the date specified in the concurrent resolution.

AUTHORITY: In compliance with Section 67-5224, Idaho Code, notice is hereby given that this agency has adopted a pending rule. The action is authorized pursuant to Section(s) 67-5226(1)(b) and 67-5226(1)(c), Idaho Code, and Section 36-104(b), Idaho Code.

DESCRIPTIVE SUMMARY: The following is a concise explanatory statement of the reasons for adopting the pending rule and a statement of any change between the text of the proposed rule and the text of the pending rule with an explanation of the reasons for the change.

Establish early September Canada goose hunts, extend the pheasant season in Area 1, and set the seasons, bag and possession limits for sage grouse. The rule also closes the Hagerman Fossil Beds National Monument to hunting.

The pending rules are being adopted as proposed. The original text of the proposed rules was published in the Idaho Administrative Bulletin, Volume 96-10, pages 34 through 40.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this pending rule, contact Gary Will, 208-334-2920.

DATED this 5th day of November 1997.

W. Dallas Burkhalter, Deputy Attorney General
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Boise, ID 83707
208-334-3715/FAX 208-334-2148

IDAPA 13
TITLE 01
Chapter 09

RULES GOVERNING THE TAKING OF GAME BIRDS

**There are no substantive changes
from the proposed rule text.**

**The original text was published in the Idaho
Administrative Bulletin, Volume 96-10, October 2, 1996,
pages 34 through 40.**

**This rule has been adopted as Final by the Agency
and is now pending review by the
1998 Idaho State Legislature for final adoption.**

IDAPA 13 - DEPARTMENT OF FISH AND GAME
13.01.09 - RULES GOVERNING THE TAKING OF GAME BIRDS

DOCKET NO. 13-0109-9603

NOTICE OF PENDING RULE

EFFECTIVE DATE: These rules have been adopted by the agency and are now pending review by the 1998 Idaho State Legislature for final adoption. The pending rule becomes final and effective July 1, 1998, unless the rule is approved, rejected, amended or modified by concurrent resolution in accordance with Section 67-5224 and 67-5291, Idaho Code. If the pending rule is approved, amended or modified by concurrent resolution, the rule becomes final and effective upon adoption of the concurrent resolution or upon the date specified in the concurrent resolution.

AUTHORITY: In compliance with Section 67-5224, Idaho Code, notice is hereby given that this agency has adopted a pending rule. The action is authorized pursuant to Section(s) 67-5221(1) and 67-5226, Idaho Code, and Section 36-104(b), Idaho Code.

DESCRIPTIVE SUMMARY: The following is a concise explanatory statement of the reasons for adopting the pending rule and a statement of any change between the text of the proposed rule and the text of the pending rule with an explanation of the reasons for the change.

Establish the duck and goose seasons, bag and possession limits, and establish youth waterfowl hunting day.

The pending rules are being adopted as proposed. The original text of the proposed rules was published in the Idaho Administrative Bulletin, Volume 96-10, pages 41 through 47.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this pending rule, contact Gary Will, 208-334-2920.

DATED this 5th day of November 1997.

W. Dallas Burkhalter, Deputy Attorney General
PO Box 25
Boise, ID 83707
208-334-3715/FAX 208-334-2148

IDAPA 13
TITLE 01
Chapter 09

RULES GOVERNING THE TAKING OF GAME BIRDS

**There are no substantive changes
from the proposed rule text.**

**The original text was published in the Idaho
Administrative Bulletin, Volume 96-10, October 2, 1996,
pages 41 through 47.**

**This rule has been adopted as Final by the Agency
and is now pending review by the
1998 Idaho State Legislature for final adoption.**

IDAPA 13 - DEPARTMENT OF FISH AND GAME
13.01.09 - RULES GOVERNING THE TAKING OF GAME BIRDS

DOCKET NO. 13-0109-9604

NOTICE OF PENDING RULE

EFFECTIVE DATE: These rules have been adopted by the agency and are now pending review by the 1998 Idaho State Legislature for final adoption. The pending rule becomes final and effective July 1, 1998, unless the rule is approved, rejected, amended or modified by concurrent resolution in accordance with Section 67-5224 and 67-5291, Idaho Code. If the pending rule is approved, amended or modified by concurrent resolution, the rule becomes final and effective upon adoption of the concurrent resolution or upon the date specified in the concurrent resolution.

AUTHORITY: In compliance with Section 67-5224, Idaho Code, notice is hereby given that this agency has adopted a pending rule. The action is authorized pursuant to Section(s) 67-5221(1) and 67-5226, Idaho Code, and Section 36-104(b), Idaho Code.

DESCRIPTIVE SUMMARY: The following is a concise explanatory statement of the reasons for adopting the pending rule and a statement of any change between the text of the proposed rule and the text of the pending rule with an explanation of the reasons for the change.

Establish a sandhill crane controlled hunt season.

The pending rules are being adopted as proposed. The original text of the proposed rules was published in the Idaho Administrative Bulletin, Volume 96-10, pages 48 through 52.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this pending rule, contact Gary Will, 208-334-2920.

DATED this 5th day of November 1997.

W. Dallas Burkhalter, Deputy Attorney General
PO Box 25
Boise, ID 83707
208-334-3715/FAX 208-334-2148

IDAPA 13
TITLE 01
Chapter 09

RULES GOVERNING THE TAKING OF GAME BIRDS

**There are no substantive changes
from the proposed rule text.**

**The original text was published in the Idaho
Administrative Bulletin, Volume 96-10, October 2, 1996,
pages 48 through 52.**

**This rule has been adopted as Final by the Agency
and is now pending review by the
1998 Idaho State Legislature for final adoption.**

IDAPA 13 - DEPARTMENT OF FISH AND GAME
13.01.09 - RULES GOVERNING THE TAKING OF GAME BIRDS
DOCKET NO. 13-0109-9701
NOTICE OF PENDING RULE

EFFECTIVE DATE: These rules have been adopted by the agency and are now pending review by the 1998 Idaho State Legislature for final adoption. The pending rule becomes final and effective July 1, 1998, unless the rule is approved, rejected, amended or modified by concurrent resolution in accordance with Section 67-5224 and 67-5291, Idaho Code. If the pending rule is approved, amended or modified by concurrent resolution, the rule becomes final and effective upon adoption of the concurrent resolution or upon the date specified in the concurrent resolution.

AUTHORITY: In compliance with Section 67-5224, Idaho Code, notice is hereby given that this agency has adopted a pending rule. The action is authorized pursuant to Section(s) 67-5226(1)(b) and 67-5226(1)(c), Idaho Code, and Section 36-104(b), Idaho Code.

DESCRIPTIVE SUMMARY: The following is a concise explanatory statement of the reasons for adopting the pending rule and a statement of any change between the text of the proposed rule and the text of the pending rule with an explanation of the reasons for the change.

Changes Rule 100 (Tags, Stamps, and Permits) to reflect: the Federal Migratory Game Bird harvest Information Program Validation mandated by Federal Regulations; changes in state upland game permit (stamp) and waterfowl stamp procedures which require a validation and not the purchase of the actual permit/stamp; and other minor changes for consistency and clarity.

The pending rules are being adopted as proposed. The original text of the proposed rules was published in the Idaho Administrative Bulletin, Volume 97-6, pages 110 through 112.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this pending rule, contact Gary Will, 208-334-2920.

DATED this 5th day of November 1997.

W. Dallas Burkhalter, Deputy Attorney General
PO Box 25
Boise, ID 83707
208-334-3715/FAX 208-334-2148

IDAPA 13
TITLE 01
Chapter 09

RULES GOVERNING THE TAKING OF GAME BIRDS

**There are no substantive changes
from the proposed rule text.**

**The original text was published in the Idaho
Administrative Bulletin, Volume 97-6, June 4, 1997,
pages 110 through 112.**

**This rule has been adopted as Final by the Agency
and is now pending review by the
1998 Idaho State Legislature for final adoption.**

IDAPA 13 - DEPARTMENT OF FISH AND GAME
13.01.09 - RULES GOVERNING THE TAKING OF GAME BIRDS

DOCKET NO. 13-0109-9702

NOTICE OF PENDING RULE

EFFECTIVE DATE: These rules have been adopted by the agency and are now pending review by the 1998 Idaho State Legislature for final adoption. The pending rule becomes final and effective July 1, 1998, unless the rule is approved, rejected, amended or modified by concurrent resolution in accordance with Section 67-5224 and 67-5291, Idaho Code. If the pending rule is approved, amended or modified by concurrent resolution, the rule becomes final and effective upon adoption of the concurrent resolution or upon the date specified in the concurrent resolution.

AUTHORITY: In compliance with Section 67-5224, Idaho Code, notice is hereby given that this agency has adopted a pending rule. The action is authorized pursuant to Section(s) 67-5226(1)(b) and 67-5226(1)(c), Idaho Code, and Section 36-104(b), Idaho Code.

DESCRIPTIVE SUMMARY: The following is a concise explanatory statement of the reasons for adopting the pending rule and a statement of any change between the text of the proposed rule and the text of the pending rule with an explanation of the reasons for the change.

Establishes seasons, bag, and possession limits for youth hunt for turkey.

The pending rules are being adopted as proposed. The original text of the proposed rules was published in the Idaho Administrative Bulletin, Volume 97-6, pages 113 through 116.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this pending rule, contact Tom Hemker, 208-334-2920.

DATED this 5th day of November 1997.

W. Dallas Burkhalter, Deputy Attorney General
PO Box 25
Boise, ID 83707
208-334-3715/FAX 208-334-2148

IDAPA 13
TITLE 01
Chapter 09

RULES GOVERNING THE TAKING OF GAME BIRDS

**There are no substantive changes
from the proposed rule text.**

**The original text was published in the Idaho
Administrative Bulletin, Volume 97-6, June 4, 1997,
pages 113 through 116.**

**This rule has been adopted as Final by the Agency
and is now pending review by the
1998 Idaho State Legislature for final adoption.**

IDAPA 13 - DEPARTMENT OF FISH AND GAME
13.01.09 - RULES GOVERNING THE TAKING OF GAME BIRDS

DOCKET NO. 13-0109-9703

NOTICE OF PENDING RULE

EFFECTIVE DATE: These rules have been adopted by the agency and are now pending review by the 1998 Idaho State Legislature for final adoption. The pending rule becomes final and effective July 1, 1998, unless the rule is approved, rejected, amended or modified by concurrent resolution in accordance with Section 67-5224 and 67-5291, Idaho Code. If the pending rule is approved, amended or modified by concurrent resolution, the rule becomes final and effective upon adoption of the concurrent resolution or upon the date specified in the concurrent resolution.

AUTHORITY: In compliance with Section 67-5224, Idaho Code, notice is hereby given that this agency has adopted a pending rule. The action is authorized pursuant to Sections 67-5226(1)(b) and 67-5226(1)(c), Idaho Code, and Section 36-104(b), Idaho Code.

DESCRIPTIVE SUMMARY: The following is a concise explanatory statement of the reasons for adopting the pending rule and a statement of any change between the text of the proposed rule and the text of the pending rule with an explanation of the reasons for the change.

Rule 100 (tags, stamps, permits, validations, and clarification for 1997 hunts); Rule 615 (controlled hunt procedures for 1997 sandhill crane hunts); Rule 616 (seasons and limits for 1997 sandhill crane hunts); Rule 620 (general and controlled hunt procedures and seasons and limits for 1997 early September Canada goose hunts).

The pending rules are being adopted as proposed. The original text of the proposed rules was published in the Idaho Administrative Bulletin, Volume 97-9, pages 14 through 20.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this pending rule, contact Gary Will, 208-334-2920.

DATED this 5th day of November 1997.

W. Dallas Burkhalter, Deputy Attorney General
PO Box 25
Boise, ID 83707
208-334-3715/FAX 208-334-2148

IDAPA 13
TITLE 01
Chapter 09

RULES GOVERNING THE TAKING OF GAME BIRDS

**There are no substantive changes
from the proposed rule text.**

**The original text was published in the Idaho
Administrative Bulletin, Volume 97-9, September 3, 1997,
pages 14 through 20.**

**This rule has been adopted as Final by the Agency
and is now pending review by the
1998 Idaho State Legislature for final adoption.**

IDAPA 13 - DEPARTMENT OF FISH AND GAME
13.01.09 - RULES GOVERNING THE TAKING OF GAME BIRDS
DOCKET NO. 13-0109-9801

NOTICE OF TEMPORARY AND PROPOSED RULES

EFFECTIVE DATE: These temporary and proposed rules are effective October 20, 1997.

AUTHORITY: In compliance with Sections 67-5226, Idaho Code, notice is hereby given this agency has adopted temporary rules. The action is authorized pursuant to Section(s) 36-104(b).

DESCRIPTIVE SUMMARY: The following is the required finding and concise statement of the supporting reasons for temporary rule-making:

To lengthen the sharp-tailed grouse season in Area 3 (Southeast Idaho) from 16 to 30 days, to set the waterfowl seasons within the federal guidelines.

TEMPORARY RULE JUSTIFICATION: Pursuant to Sections 67-5226(1)(b) and 67-5226(1)(c), Idaho Code, the Governor has found that temporary adoption of the rule is appropriate for the following reasons:

Confers a benefit.

FEE SUMMARY: The following is a specific description of the fee or charge imposed or increased:

None.

ASSISTANCE ON TECHNICAL QUESTIONS AND SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the temporary rule, contact Gary Will, 208-334-2920.

Anyone may submit written comments regarding this rule. All written comments and data concerning the rule must be directed to the undersigned and must be postmarked or delivered on or before January 28, 1998.

DATED this 30th day of October 1997.

W. Dallas Burkhalter
Deputy Attorney General
Idaho Department of Fish and Game
600 South Walnut
PO Box 25, Boise, ID 83707
208-334-3715/FAX: 208-334-2148

TEXT OF DOCKET NO. 13-0109-9801

301. MIGRATORY GAME BIRD METHODS OF TAKE.

01. Waterfowl. No person shall take ducks (including mergansers), geese, or coots—~~a. While in possession of shot other than nontoxic shot approved by the U. S. Fish and Wildlife Service, Federal Register, 50 CFR Part 20, and that is two tenths (.20) inches in diameter (size T) or smaller (for the 1995-96 season, the Service has approved only steel shot, and bismuth-tin shot in a mixture of approximately ninety-seven percent (97%) bismuth and three percent (3%) tin).~~ ~~(8-21-95)T(10-20-97)T~~

02. Mourning Doves, Common Snipe, and Sandhill Cranes. No person shall take mourning doves, common snipe, or Sandhill Cranes while in possession of shot larger than two tenths (.20) inches in diameter (size T).
(10-20-97)T

- b. ~~While in possession of steel shot larger than T size (0.20 inches in diameter).~~ (8-21-95)T
- e. ~~While in possession of bismuth tin shot (in a mixture of approximately ninety seven percent (97%) bismuth and three percent (3%) tin) larger than BB size (0.18 inches in diameter).~~ (8-21-95)T
02. ~~Doves and Common Snipe. No person shall take mourning dove or common snipe while in possession of shot other than steel shot T size (0.20 inches in diameter) or smaller, or lead or bismuth tin (in a mixture of approximately ninety seven percent (97%) bismuth and three percent (3%) tin) shot BB size (0.18 inches in diameter) or smaller.~~ (8-21-95)T

(BREAK IN CONTINUITY OF SECTIONS)

900. MIGRATORY GAME BIRD SEASONS, BAG AND POSSESSION LIMITS.

The following season, bag, and possession limits shall apply to each species as follows: (7-1-93)

01. Mourning Dove. (7-1-93)
- a. The following season dates apply STATEWIDE: September 1 through September 30, annually. (10-26-94)
- b. Daily bag limit is ten (10). (7-1-93)
- c. Possession limit after the first day of the season is twenty (20). (7-1-93)
02. Ducks Including Mergansers and American Coot. (7-1-93)
- a. Area 1 is that area designated by the U.S. Fish and Wildlife Service as Waterfowl Zone 1 and includes the following counties: Bannock; Bingham EXCEPT that portion within the Blackfoot Reservoir drainage; Power east of State Highway 37 and State Highway 39; and, all lands, including private holdings, within the Fort Hall Indian Reservation. Area 1 19957 season for ducks (including mergansers) and American coot: October 54, 19967 through January 517, 19978. (8-19-96)T(10-20-97)T
- b. Area 2 is that area designated by the U.S. Fish and Wildlife Service as Waterfowl Zone 2 and includes the following counties or portions of counties: Adams; Bear Lake; Benewah; Bingham within the Blackfoot Reservoir drainage; those portions of Blaine west of State Highway 75, south and east of U.S. Highway 93, and between State Highway 75 and U.S. Highway 93 north of U.S. Highway 20 outside the Silver Creek drainage; Bonner; Bonneville; Boundary; Butte; Camas; Caribou EXCEPT the Fort Hall Indian Reservation; Cassia within the Minidoka National Wildlife Refuge; Clark; Clearwater; Custer; Elmore within the Camas Creek drainage; Franklin; Fremont; Idaho; Jefferson; Kootenai; Latah; Lemhi; Lewis; Madison; Nez Perce; Oneida; Power within the Minidoka National Wildlife Refuge; Shoshone; Teton; and Valley Counties. Area 2 19957 season for ducks (including Mergansers) and American coot: October 54, 19967 through January 517, 19978. (8-19-96)T(10-20-97)T
- c. Area 3 is that area designated by the U.S. Fish and Wildlife Service as Waterfowl Zone 3 and includes the following counties or portions of counties: Ada; those portions of Blaine between State Highway 75 and U.S. Highway 93 south of U.S. Highway 20, and between State Highway 75 and U.S. Highway 93 north of U.S. Highway 20 within the Silver Creek drainage; Boise; Canyon; Cassia EXCEPT the Minidoka National Wildlife Refuge; Elmore EXCEPT the Camas Creek drainage; Gem; Gooding; Jerome; Lincoln; Minidoka; Owyhee; Payette; Power west of State Highway 37 and State Highway 39 EXCEPT the Minidoka National Wildlife Refuge; Twin Falls; and Washington Counties. Area 3 19967 season for ducks (including mergansers) and American coot: October 54, 19967 through October 13, 1996, and October 26, 1996 through January 17, 19978. (8-19-96)T(10-20-97)T
- d. Statewide daily bag limits in Area 1, 2 and 3 for ducks (including mergansers) is seven (7) of any kind and shall not include more than the following: (8-19-96)T

- i. ~~One (1)~~ Two (2) female mallards; ~~(8-21-95)F(10-20-97)T~~
- ii. ~~Two (2)~~ Three (3) pintails; ~~(8-21-95)F(10-20-97)T~~
- iii. One (1) canvasback; (8-22-94)
- iv. Two (2) redheads. (8-22-94)
- e. Statewide bag limit in Area 1, 2 and 3 for American coot: Twenty-five (25). (8-22-94)
- f. Statewide possession limits after the first day of the season: (7-1-93)
 - i. Ducks (including mergansers): Twice the daily bag limit. (7-1-93)
 - ii. American coot: Twenty-five (25). (7-1-93)
- 03. Common Snipe. (7-1-93)
 - a. Area 1 is that area designated by the U.S. Fish and Wildlife Service as Waterfowl Zone 1 and includes the following counties or portions of counties: Bannock; Bingham EXCEPT that portion within the Blackfoot Reservoir drainage; Power east of State Highway 37 and State Highway 39; and all lands, including private holdings, within the Fort Hall Indian Reservation. Area 1 1996~~7~~ season for common snipe: October ~~54~~, 1996~~7~~, through January ~~517~~, 1997~~8~~. ~~(8-19-96)F(10-20-97)T~~
 - b. Area 2 is that area designated by the U.S. Fish and Wildlife Service as Waterfowl Zone 2 and includes the following counties or portions of counties: Adams; Bear Lake; Benewah; Bingham within the Blackfoot Reservoir drainage; those portions of Blaine west of State Highway 75, south and east of U.S. Highway 93, and between State Highway 75 and U.S. Highway 93 north of U.S. Highway 20 outside the Silver Creek drainage; Bonner; Bonneville; Boundary; Butte; Camas; Caribou EXCEPT the Fort Hall Indian Reservation; Cassia within the Minidoka National Wildlife Refuge; Clark; Clearwater; Custer; Elmore within the Camas Creek drainage; Franklin; Fremont; Idaho; Jefferson; Kootenai; Latah; Lemhi; Lewis; Madison; Nez Perce; Oneida; Power within the Minidoka National Wildlife Refuge; Shoshone; Teton; and Valley Counties. Area 2 1996~~7~~ season for common snipe: October ~~54~~, 1996~~7~~, through January 17, 1997~~8~~. ~~(8-19-96)F(10-20-97)T~~
 - c. Area 3 is that area designated by the U.S. Fish and Wildlife Service as Waterfowl Zone 3 and includes the following counties or portions of counties: Ada; those portions of Blaine between State Highway 75 and U.S. Highway 93 south of U.S. Highway 20, and between State Highway 75 and U.S. Highway 93 north of U.S. Highway 20 within the Silver Creek drainage; Boise; Canyon; Cassia EXCEPT the Minidoka National Wildlife Refuge; Elmore EXCEPT the Camas Creek drainage; Gem; Gooding; Jerome; Lincoln; Minidoka; Owyhee; Payette; Power west of State Highway 37 and State Highway 39 EXCEPT the Minidoka National Wildlife Refuge; Twin Falls; and Washington Counties. Area 3 1996~~7~~ season for common snipe: October ~~54~~, 1996~~7~~ through January 17, 1997~~8~~. ~~(8-19-96)F(10-20-97)T~~
- d. Statewide daily bag limit for Area 1, 2 and 3 for common snipe: Eight (8). (8-22-94)
- e. Statewide possession limit after the first day of the season for Area 1, 2 and 3 for common snipe: Sixteen (16). (8-22-94)
- 04. Geese Including Dark Geese - Black Brant, Canada, Emperor, and White-Fronted; and Light Geese - Ross' and Snow: (9-1-93)
 - a. Area 1 includes the following counties: Benewah; Bonner; Boundary; Clearwater; Idaho; Kootenai; Latah; Lewis; Nez Perce; and Shoshone Counties. (9-1-93)
 - b. Area 2 includes the following counties or portions of counties: Ada; Adams; Boise; Canyon; those portions of Elmore north and east of Interstate 84, and south and west of Interstate 84 west of State Highway 51,

EXCEPT that portion within the Camas Creek drainage; Gem; Owyhee west of State Highway 51; Payette; Valley; and Washington Counties. (9-1-93)

c. Area 3 includes the following counties or portions of counties: Blaine; Camas; Cassia; those portions of Elmore south of Interstate 84 east of State Highway 51, and within the Camas Creek drainage; Gooding; Jerome; Lincoln; Minidoka; Owyhee east of State Highway 51; Power within the Minidoka National Wildlife Refuge; and Twin Falls Counties. (8-22-94)(10-20-97)T

d. Area 4 includes the following counties or portions of counties: Bear Lake; Bingham within the Blackfoot Reservoir drainage; Bonneville; Butte; Caribou EXCEPT the Fort Hall Indian Reservation; Clark; Custer; Franklin; Fremont; Jefferson; Lemhi; Madison; Oneida; Power west of State Highway 37 and State Highway 39; EXCEPT the Minidoka National Wildlife Refuge; and Teton Counties. EXCEPT, Fremont and Teton Counties are CLOSED to the taking of light geese. (9-1-93)(10-20-97)T

e. Area 5 is that area designated by the U.S. Fish and Wildlife Service as Waterfowl Zone 1 and includes the following counties or portions of counties: Bannock; Bingham EXCEPT that portion within the Blackfoot Reservoir drainage; Power east of State Highway 37 and State Highway 39; and, all lands, including private holdings, within the Fort Hall Indian Reservation. (7-1-93)

f. 1996~~7~~ seasons: (8-19-96)F(10-20-97)T

i. Area 1: ~~September 28, 1996~~ October 4, 1997 through January 7~~11~~, 1997~~8~~. (8-19-96)F(10-20-97)T

ii. Area 2: ~~September 28, 1996~~ October 4, 1997 through January 7~~11~~, 1997~~8~~. (8-19-96)F(10-20-97)T

iii. Area 3: ~~September 28, 1996~~ October 4, 1997 through January 7~~11~~, 1997~~8~~. (8-19-96)F(10-20-97)T

iv. Area 4: ~~September 28, 1996~~ October 4, 1997 through January 7~~11~~, 1997~~8~~. (8-19-96)F(10-20-97)T

v. Area 5: October 5~~10~~, 1996~~7~~ through January 4~~21~~, 1996~~7~~~~98~~. (8-19-96)F(10-20-97)T

g. Daily bag limit: (7-1-93)

i. Areas 1, 4, and 5: Four (4) of any kind and shall not include more than three (3) light geese or two (2) white-fronted geese. (8-19-96)T

ii. Area 2: three (3) of any kind and shall not include more than two (2) white-fronted geese. (8-19-96)T

iii. Area 3: Three (3) of any kind and shall not include more than two (2) dark geese. (8-19-96)T

h. Possession limit after the first day of the season: (7-1-93)

i. Areas 1, 4 and 5: Eight (8) of any kind and shall not include more than six (6) light geese or four (4) white-fronted geese. (8-19-96)T

ii. Area 2: Six (6) of any kind and shall not include more than four (4) white-fronted geese. (8-19-96)T

iii. Area 3: Six (6) of any kind and shall not include more than four (4) dark geese. (8-19-96)T

05. Youth Waterfowl Hunting Day. (8-19-96)T

a. The youth waterfowl hunting day is open only to youth from twelve (12) through fifteen (15) years of age. Any youth participating must: (8-19-96)T

i. Have in his or her possession the appropriate, valid hunting license. (The Idaho Migratory

Waterfowl Stamp and the Federal Migratory Bird stamp are not required (Idaho Code 36-414; Title 50 Code of Federal Regulations, Part 20)). (8-19-96)T

ii. Be accompanied in the field at all times by at least one adult eighteen (18) years of age or older, having in his or her possession a valid hunting license. (8-19-96)T

iii. Season: Last Saturday of September, annually. (8-19-96)T

iv. Daily Bag Limit. (8-19-96)T

(1) Ducks including mergansers: The statewide daily bag limit is the same as the limit described in Subsection 900.02.d. (8-19-96)T

(2) American Coot. The statewide daily bag limit is the same as the limit described in Subsection 900.02.e. (8-19-96)T

IDAPA 13 - DEPARTMENT OF FISH AND GAME
13.01.10 - IMPORTATION, POSSESSION, RELEASE,
SALE, OR SALVAGE OF WILDLIFE

DOCKET NO. 13-0110-9701

NOTICE OF PENDING RULE

EFFECTIVE DATE: These rules have been adopted by the agency and are now pending review by the 1998 Idaho State Legislature for final adoption. The pending rule becomes final and effective July 1, 1998, unless the rule is approved, rejected, amended or modified by concurrent resolution in accordance with Section 67-5224 and 67-5291, Idaho Code. If the pending rule is approved, amended or modified by concurrent resolution, the rule becomes final and effective upon adoption of the concurrent resolution or upon the date specified in the concurrent resolution.

AUTHORITY: In compliance with Section 67-5224, Idaho Code, notice is hereby given that this agency has adopted a pending rule. The action is authorized pursuant to Section(s) 67-5226(1)(b) and 67-5226(1)(c), Idaho Code, and Section 36-104(b), Idaho Code.

DESCRIPTIVE SUMMARY: The following is a concise explanatory statement of the reasons for adopting the pending rule and a statement of any change between the text of the proposed rule and the text of the pending rule with an explanation of the reasons for the change.

Extends seasons for antler pick up.

The pending rules are being adopted as proposed. The original text of the proposed rules was published in the Idaho Administrative Bulletin, Volume 97-6, pages 117 and 118.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this pending rule, contact Lonk Kuck (elk, deer, and antelope) or John Beecham (moose, sheep, and goat) at 208-334-2920.

DATED this 5th day of November 1997.

W. Dallas Burkhalter, Deputy Attorney General
PO Box 25
Boise, ID 83707
208-334-3715/FAX 208-334-2148

IDAPA 13
TITLE 01
Chapter 10

IMPORTATION, POSSESSION, RELEASE,
SALE, OR SALVAGE OF WILDLIFE

There are no substantive changes
from the proposed rule text.

The original text was published in the Idaho
Administrative Bulletin, Volume 97-6, June 4, 1997,
pages 117 and 118.

This rule has been adopted as Final by the Agency
and is now pending review by the
1998 Idaho State Legislature for final adoption.

IDAPA 13 - DEPARTMENT OF FISH AND GAME

13.01.11 - RULES GOVERNING FISH

DOCKET NO. 13-0111-9603

NOTICE OF PENDING RULE

EFFECTIVE DATE: These rules have been adopted by the agency and are now pending review by the 1998 Idaho State Legislature for final adoption. The pending rule becomes final and effective July 1, 1998, unless the rule is approved, rejected, amended or modified by concurrent resolution in accordance with Section 67-5224 and 67-5291, Idaho Code. If the pending rule is approved, amended or modified by concurrent resolution, the rule becomes final and effective upon adoption of the concurrent resolution or upon the date specified in the concurrent resolution.

AUTHORITY: In compliance with Section 67-5224, Idaho Code, notice is hereby given that this agency has adopted a pending rule. The action is authorized pursuant to Section(s), 67-5221(1) and 67-5226, Idaho Code, and 36-104(b) and 36-901.

DESCRIPTIVE SUMMARY: The following is a concise explanatory statement of the reasons for adopting the pending rule and a statement of any change between the text of the proposed rule and the text of the pending rule with an explanation of the reasons for the change.

Repeals the spring steelhead season possession limit on the Clearwater River set by Section 407.06.b. to allow amendment because of low dam counts.

The pending rules are being adopted as proposed. The original text of the proposed rules was published in the Idaho Administrative Bulletin, Volume 96-2, page 12.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this pending rule, contact Sharon Kiefer, 208-334-3791.

DATED this 5th day of November 1997.

W. Dallas Burkhalter, Deputy Attorney General
PO Box 25
Boise, ID 83707
208-334-3715/FAX 208-334-2148

**IDAPA 13
TITLE 01
Chapter 11**

RULES GOVERNING FISH

**There are no substantive changes
from the proposed rule text.**

**The original text was published in the Idaho
Administrative Bulletin, Volume 96-2,
February 7, 1996, page 12.**

**This rule has been adopted as Final by the Agency
and is now pending review by the
1998 Idaho State Legislature for final adoption.**

IDAPA 13 - DEPARTMENT OF FISH AND GAME

13.01.11 - RULES GOVERNING FISH

DOCKET NO. 13-0111-9604

NOTICE OF PENDING RULE

EFFECTIVE DATE: These rules have been adopted by the agency and are now pending review by the 1998 Idaho State Legislature for final adoption. The pending rule becomes final and effective July 1, 1998, unless the rule is approved, rejected, amended or modified by concurrent resolution in accordance with Section 67-5224 and 67-5291, Idaho Code. If the pending rule is approved, amended or modified by concurrent resolution, the rule becomes final and effective upon adoption of the concurrent resolution or upon the date specified in the concurrent resolution.

AUTHORITY: In compliance with Section 67-5224, Idaho Code, notice is hereby given that this agency has adopted a pending rule. The action is authorized pursuant to Section(s) 67-5221(1) and 67-5225, Idaho Code, and Sections 36-104(b) and 36-901, Idaho Code.

DESCRIPTIVE SUMMARY: The following is a concise explanatory statement of the reasons for adopting the pending rule and a statement of any change between the text of the proposed rule and the text of the pending rule with an explanation of the reasons for the change.

These rules amend the Spring Steelhead possession limit on the Clearwater River to 4 per season due to low dam counts.

The pending rules are being adopted as proposed. The original text of the proposed rules was published in the Idaho Administrative Bulletin, Volume 96-2, pages 13 through 15.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this pending rule, contact Sharon Kiefer, 208-334-3791.

DATED this 5th day of November 1997.

W. Dallas Burkhalter, Deputy Attorney General
PO Box 25
Boise, ID 83707
208-334-3715/FAX 208-334-2148

**IDAPA 13
TITLE 01
Chapter 11**

RULES GOVERNING FISH

**There are no substantive changes
from the proposed rule text.**

**The original text was published in the Idaho
Administrative Bulletin, Volume 96-2, February 7, 1996,
pages 13 through 15.**

**This rule has been adopted as Final by the Agency
and is now pending review by the
1998 Idaho State Legislature for final adoption.**

IDAPA 13 - DEPARTMENT OF FISH AND GAME

13.01.11 - RULES GOVERNING FISH

DOCKET NO. 13-0111-9606

NOTICE OF PENDING RULE

EFFECTIVE DATE: These rules have been adopted by the agency and are now pending review by the 1998 Idaho State Legislature for final adoption. The pending rule becomes final and effective July 1, 1998, unless the rule is approved, rejected, amended or modified by concurrent resolution in accordance with Section 67-5224 and 67-5291, Idaho Code. If the pending rule is approved, amended or modified by concurrent resolution, the rule becomes final and effective upon adoption of the concurrent resolution or upon the date specified in the concurrent resolution.

AUTHORITY: In compliance with Section 67-5224, Idaho Code, notice is hereby given that this agency has adopted a pending rule. The action is authorized pursuant to Section(s) 67-5221(1) and 67-5226, Idaho Code, and Section 36-104(b), Idaho Code.

DESCRIPTIVE SUMMARY: The following is a concise explanatory statement of the reasons for adopting the pending rule and a statement of any change between the text of the proposed rule and the text of the pending rule with an explanation of the reasons for the change.

Liberalize steelhead fishing on the Clearwater river.

The pending rules are being adopted as proposed. The original text of the proposed rules was published in the Idaho Administrative Bulletin, Volume 96-10, pages 53 through 55.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this pending rule, contact Sharon Kiefer, 208-334-3791.

DATED this 5th day of November 1997.

W. Dallas Burkhalter, Deputy Attorney General
PO Box 25
Boise, ID 83707
208-334-3715/FAX 208-334-2148

**IDAPA 13
TITLE 01
Chapter 11**

RULES GOVERNING FISH

**There are no substantive changes
from the proposed rule text.**

**The original text was published in the Idaho
Administrative Bulletin, Volume 96-10, October 2, 1996,
pages 53 through 55.**

**This rule has been adopted as Final by the Agency
and is now pending review by the
1998 Idaho State Legislature for final adoption.**

IDAPA 13 - DEPARTMENT OF FISH AND GAME

13.01.11 - RULES GOVERNING FISH

DOCKET NO. 13-0111-9801

NOTICE OF TEMPORARY AND PROPOSED RULES

EFFECTIVE DATE: These temporary and proposed rules are effective October 20, 1997

AUTHORITY: In compliance with Sections 67-5226, Idaho Code, notice is hereby given this agency has adopted temporary rules. The action is authorized pursuant to Section(s) 36-104(b).

DESCRIPTIVE SUMMARY: The following is the required finding and concise statement of the supporting reasons for temporary rule-making:

Update rules based on regional biological and public input.

TEMPORARY RULE JUSTIFICATION: Pursuant to Sections 67-5226(1)(b) and 67-5226(1)(c), Idaho Code, the Governor has found that temporary adoption of the rule is appropriate for the following reasons:

Confers a benefit.

FEE SUMMARY: The following is a specific description of the fee or charge imposed or increased:

None.

ASSISTANCE ON TECHNICAL QUESTIONS AND SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the temporary rule, contact Bill Horton, 208-334-3791.

Anyone may submit written comments regarding this rule. All written comments and data concerning the rule must be directed to the undersigned and must be postmarked or delivered on or before January 28, 1998.

DATED this 30th day of October 1997.

W. Dallas Burkhalter
Deputy Attorney General
Idaho Department of Fish and Game
600 South Walnut
PO Box 25
Boise, ID 83707
208-334-3715/FAX: 208-334-2148

TEST OF DOCKET NO. 13-0111-9801

201. FISHING METHODS AND GEAR.

Unless modified by a regional exception, the following fishing methods and restrictions are applicable in all Idaho waters. (1-1-96)T

01. Archery and Spear Fishing. Fishing with the use of bow and arrow, crossbow, spear or mechanical device, excluding firearms, is permitted for the taking of bullfrogs and unprotected nongame fish, and only in all those waters during the season set for the taking of game fish in those waters. (3-20-97)(10-20-97)T

02. Bait Restricted. It is unlawful to fish with bait in waters designated as artificial flies and lures only, fly fishing only, no bait, or catch-and-release. (3-20-97)

03. Barbed Hooks. It is unlawful to fish for sturgeon with barbed hooks. It is unlawful to fish for or take steelhead with barbed hooks in the Clearwater River drainage, Salmon River drainage, and Snake River drainage below Hells Canyon Dam. It is unlawful to fish in artificial flies and lures only waters, or catch-and-release waters with barbed hooks. (3-20-97)

04. Fishing Gear. It is unlawful to fish in any waters of Idaho with more than one (1) handline or pole with a line attached; or with more than five (5) lines while ice fishing; or by archery, spearfishing, snagging, hands, and netting except as permitted. Not more than five (5) hooks may be attached per line. The line or lines must be attended by the person fishing. (3-20-97)

05. Fishing Shelters. Any enclosure or shelter which is 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. (~~3-20-97~~)(10-20-97)T

06. Gaff Hook. It is unlawful to land fish of any species with a gaff hook except through a hole cut or broken in the ice in waters which have no length restrictions or harvest closures for that species. (3-20-97)

07. 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. (3-20-97)

08. Snagging. It is unlawful to snag game fish, unless otherwise stated by Commission rules/exceptions. Snagging of unprotected nongame fish species is permitted. (3-20-97)

09. Trapping and Seining Minnows or Crayfish. It is lawful to take the young of unprotected nongame fish, crayfish, and yellow perch with a minnow net, seine, or up to five (5) traps, provided the seine or net does not exceed four (4) feet in length or width, and the minnow or crayfish trap does not exceed eighteen (18) inches in length or twelve (12) inches in diameter or width. If the trap is of irregular dimension, but its volume does not exceed the volume of an eighteen by twelve by twelve inches (18"x12"x12") trap, it is also lawful to use. All fish so taken must immediately be killed except where stated otherwise. All traps must have a tag attached bearing the owner's name and address. Minnows and crayfish may only be taken during the season set for the taking of game fish in those waters. (3-20-97)

10. Use of Bait. It is unlawful to use live fish as bait, except that live crayfish and bull frogs may be used if caught on the body of water being fished. (3-20-97)

11. Use of Hands. It is lawful to take bull frogs and crayfish with the hands. (3-20-97)

202. BAG AND POSSESSION LIMITS.

01. Bag Limit. Maximum number of fish that may be lawfully taken by one person in one day. The bag and possession limits are equal, except where listed in region exceptions and for salmon and steelhead. (3-20-97)

02. Possession Limit. Maximum number of fish that may be lawfully in possession of any one person. Possession limit shall apply to fish while in the field or being transported. All fish that are hooked, landed and not immediately released shall be counted in the possession limit of the person hooking the fish. (3-20-97)

03. Transport or Gift. No person shall 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. (~~3-20-97~~)(10-20-97)T

04. Table on Bag and Possession Limits for Specified Fish.

SPECIES	BAG AND POSSESSION LIMITS	
BASS - Largemouth and Smallmouth	5	In the aggregate of both species, NONE under 12 inches.
BROOK TROUT	10	In addition to the trout limit on any water, unless specifically excepted in region exceptions.
BULLFROG	12	
BULL TROUT (Dolly Varden)	NONE	There is no harvest season for bull trout. Any bull trout caught may not be removed from the water and must be released immediately.
BURBOT (Ling)	NONE	There is no harvest season for burbot. Any burbot caught may not be removed from the water and must be released immediately.
NORTHERN PIKE	5	
SALMON (Anadromous)		See Rules 500 to 599
STEELHEAD		See Rules 400 to 499
STURGEON	NONE	There is no harvest season for sturgeon. Any sturgeon caught may not be removed from the water and must be released immediately. Free permit AND mandatory catch report required. Barbless hooks required.
TIGER MUSKIE	2	NONE under 30 inches.
TROUT - includes the following trout family fishes: brook, brown, cutthroat, golden, grayling, lake, (Mackinaw), rainbow, splake, sunapee; trout hybrids; and the landlocked forms of chinook, coho, Atlantic and kokanee (blueback) salmon.	6	In the aggregate of all species (see Magic Valley Southeast, Upper Snake regions for special cutthroat trout restrictions).
WALLEYE and SAUGER	5	In the aggregate of both species.
WHITEFISH	50	50
NONGAME SPECIES OF SPECIAL CONCERN - Shoshone, Wood River and Bear Lake sculpin, sand-roller, leatherside chub, Pacific lamprey.	NONE	May not be taken or possessed.
All Species other than those listed above.	NO LIMIT	

~~(3-20-97)(10-20-97)T~~

05. Special Limits. No person shall fish in any waters ~~having special limits while having fish in possession in excess of the special limits while having fish in possession in excess of the limits for those waters.~~

~~(3-20-97)(10-20-97)T~~

(BREAK IN CONTINUITY OF SECTIONS)

300. GENERAL FISHING SEASONS.

The following general seasons apply to all waters of the state, except as listed in "Regional Exceptions." (3-20-97)

01. Lakes, Ponds and Reservoirs (including Alpine Lakes): Extends ONLY to the edge of flat waters, excluding small, unnamed irrigation diversion ponds, beaver ponds and mill ponds.
 OPEN ALL YEAR (3-20-97)

02. Ditches and Canals. Man-made structures used to transport water for irrigation or hydropower purposes.
 OPEN ALL YEAR (3-20-97)

03. Rivers and Streams. Small, unnamed irrigation diversion ponds, beaver ponds and mill ponds have the same season as the river or stream on which they are located.

Saturday of Memorial Day Weekend through November 30
 1996~~8~~: May 25~~3~~-November 30
 1997~~9~~: May 24~~9~~-November 30 (3-20-97)(10-20-97)T

04. General Whitefish Season. Fishing gear or bait restrictions which apply to a river or stream section during the season open for other species apply during the whitefish season.

1996~~8~~: January 1-March 31 and: May 25~~3~~-December 31
 1997~~9~~: January 1-March 31 and: May 24~~9~~-December 31

NOTE: Whitefish ~~and~~ or brook trout may also be taken in any waters during seasons open for other species, including reduced bag limit or size restricted waters, closed to harvest, and catch-and-release waters. (3-20-97)(10-20-97)T

05. General Steelhead Season: See Rules 400-499. (3-20-97)

06. Bullfrogs, Crayfish, and Nongame Fish. Bullfrogs, crayfish, and nongame fish may be taken ONLY during the season set for the taking of game fish in those waters. (3-20-97)

(BREAK IN CONTINUITY OF SECTIONS)

310. PANHANDLE REGION EXCEPTIONS.

01. Special Seasons. Whitefish: Statewide whitefish season applies ONLY in the St. Joe, North Fork Coeur d'Alene, Little North Fork Coeur d'Alene, St. Maries, and Moyie rivers. Whitefish may be taken in other waters only during seasons open for other species in those waters. (3-20-97)

02. Panhandle Region Exceptions Table. (3-20-97)

Water	Species	Open Season Dates	Possession Limits	Special Rule
ANDERSON LAKE (Includes the channel to, but does not extend into the Coeur d'Alene River)	BASS	Jan 1-Jun 30 Jul 1-Dec 31	0 2	CLOSED TO HARVEST. NONE between 12"-16".

Water	Species	Open Season Dates	Possession Limits	Special Rule
ANTELOPE LAKE				Electric motors ONLY
AVONDALE LAKE	BASS			Any size bass may be kept.
BALL CREEK (Kootenai River)	KOKANEE			CLOSED TO HARVEST.
BEAUTY CREEK		Jul 1-Nov 30		
BEAVER CREEK and its tributaries (Priest Lake)	TROUT	Jul 1-Aug 31	2	Artificial flies and lures with one barbless hook ONLY per fly or lure.
BENEWAH CREEK and its tributaries		CLOSED TO FISHING		
BLANCHARD CREEK DRAINAGE		OPEN ALL YEAR		
BLOOM LAKE	BROOK TROUT			Must be counted in trout limit. Bonus brook trout does not apply.
BLUE LAKE - (Priest River)				Electric motors ONLY.
BLUE LAKE (Includes the channel to, but does not extend into the Coeur d'Alene River)	BASS		2	NONE under 20".
BONNER LAKE	<u>TROUT</u>	<u>Last Saturday in Apr-Nov 30</u>	<u>2</u>	<u>NONE under 14"; Artificial flies and lures with one hook ONLY per fly or lure (No bait).</u> Electric motors ONLY.
BRUSH LAKE				Electric motors ONLY.
CARIBOU CREEK and its tributaries (Thorofare River)		CLOSED TO FISHING		
CARLIN CREEK		Jul 1-Nov 30		
CHASE LAKE	BASS	Jan 1-Jun 30	0	CLOSED TO HARVEST. NONE between 12"-16".
		Jul 1-Dec 31	2	
CLARK FORK RIVER				
-- Posted area adjacent to Cabinet Gorge Hatchery		CLOSED TO FISHING		
-- From the river's mouth (mouth is defined as an imaginary line from navigational marker 7 on the south, through the marked piling, to Bearpaw Point on the north) upstream to the railroad bridge at Clark Fork		Saturday of Memorial Day Weekend-Sep 30		
	BULL TROUT		0	CLOSED TO HARVEST.

Water	Species	Open Season Dates	Possession Limits	Special Rule
	TROUT includes brown, cutthroat, lake (Macknaw), rainbow and trout hybrids		4	May not include more than 2 rainbow. No rainbow trout under 20".
-- From railroad bridge at Clark Fork upstream	BULL TROUT		0	CLOSED TO HARVEST.
	ALL OTHER SPECIES	OPEN ALL YEAR		
	TROUT			All rainbow over 20" must be released immediately.
COCOLALLA SLOUGH (to the edge of slack water)		OPEN ALL YEAR		
COEUR D'ALENE LAKE (The lake extends to State Highway 97 on the east; to the dike road on Mica Creek, to Highway 95 on Cougar Creek, and to markers on streams and the orange pilings at the Spokane River on the north and west; and includes Hidden, Round, Chatcolet and Benewah lakes, as well as the St. Joe River to State Highway 3 bridge at St. Maries on the south.) NOTE: Mouths of streams for a radius of 100 yards into the lake have the same season as the particular stream. Beauty, Benewah, Carlin, Lake, Plummer, and Wolf Lodge creeks have special trout rules.				
	TROUT EXCEPT Chinook And Kokanee		1	NOT under 14".
	KOKANEE		25	Per day, 50 in possession.
	CHINOOK		2	
COEUR D'ALENE RIVER DRAINAGE including all tributaries, EXCEPT in catch-and-release waters.				
	KOKANEE		25	Per day, 50 in possession.
	CHINOOK		2	
NOTE: Tributaries do not include connecting channels to lateral lakes associated with the river.				
COEUR D'ALENE RIVER				
-- Mainstem from the State Highway 97 bridge near Harrison upstream to the railroad bridge on the North Fork and the Forest Highway 9 bridge on the South Fork near the confluence of the North and South Forks at Enaville				
	CUTTHROAT	Jul 1-Sep 10	1	NOT under 14", must be counted in trout limit.
	ALL OTHER SPECIES	Jul 1-Nov 30		
-- Tributaries from the Highway 97 bridge near Harrison upstream to the railroad bridge on the North Fork and the Forest Highway 9 bridge on the South Fork near the confluence of the South and North Forks at Enaville				
		Jul 1-Nov 30		
COEUR D'ALENE RIVER, LITTLE NORTH FORK				

Water	Species	Open Season Dates	Possession Limits	Special Rule
-- Mainstem from its confluence with the North Fork upstream to Laverne Creek	CUTTHROAT	Saturday of Memorial Day Weekend-Sep 10	1	NOT under 14", must be counted in trout limit.
-- Tributaries from the confluence with the North Fork upstream to Laverne Creek		Jul 1-Nov 30		
-- Entire drainage upstream from and including Laverne Creek				CATCH-AND-RELEASE.
COEUR D'ALENE RIVER, NORTH FORK				
-- Mainstem from the railroad bridge at Enaville upstream to Yellow Dog Creek	CUTTHROAT	Saturday of Memorial Day Weekend-Sep 10	1	NOT under 14", must be counted in trout limit.
-- Tributaries from the railroad bridge at Enaville upstream to Yellow Dog Creek, excluding the Little North Fork		Jul 1-Nov 30		
-- Entire drainage upstream from and including Yellow Dog Creek				CATCH-AND-RELEASE.
COEUR D'ALENE RIVER, SOUTH FORK				
-- Mainstem upstream from the Forest Highway 9 bridge at Enaville	CUTTHROAT	Saturday of Memorial Day Weekend-Sep 10	1	NOT under 14", must be counted in trout limit.
-- Tributaries		Jul 1-Nov 30		
DAWSON LAKE				Electric motors ONLY.
DAY ROCK POND		OPEN ALL YEAR		
DEEP CREEK - From McArthur Reservoir Dam downstream to U.S. Highway 95		CLOSED TO FISHING		
DENTON SLOUGH		OPEN ALL YEAR		
ELSIE LAKE				Electric motors ONLY.
FERNAN LAKE	BASS			Any size bass may be kept.
FERNAN LAKE OUTLET - (downstream from the lake end of the culvert at the I-90 crossing)		Saturday of Memorial Day Weekend-Nov 30		
FREEMAN LAKE				Electric motors ONLY.
GAMBLE LAKE				Electric motors ONLY.
GENE DAY POND		OPEN ALL YEAR		
GILLON CREEK DIVERSION - From Gillon Creek to Robinson Lake		CLOSED TO FISHING		
GLIDDEN LAKES - (Upper and Lower)				Electric motors ONLY.
GOLD CREEK (Pend Oreille Lake) including North and West Gold creeks and all tributaries		CLOSED TO FISHING		

Water	Species	Open Season Dates	Possession Limits	Special Rule
GOLD POND - (Shoshone County)		OPEN ALL YEAR		
GRANITE CREEK and its tributaries (Pend Oreille Lake)	TROUT	Saturday of Memorial Day Weekend-Aug 31	2	
GRANITE CREEK and its tributaries (Priest Lake)	TROUT	Jul 1-Aug 31	2	Artificial flies and lures with one barbless hook ONLY per fly or lure.
GRANITE LAKE	BASS	Jan 1-Jun 30 Jul 1-Dec 31	0 2	Electric motors ONLY. CLOSED TO HARVEST. NONE between 12"-16".
GROUSE CREEK and its tributaries	TROUT	Saturday of Memorial Day Weekend-Aug 31	2	
-- 100 yards upstream and downstream from Grouse Creek Falls		CLOSED TO FISHING		
HAUSER LAKE OUTLET <u>downstream from East Hauser Lake Road</u>	BASS	OPEN ALL YEAR		Any size bass fish may be kept.
HAYDEN CREEK and its tributaries		CLOSED TO FISHING		
HAYDEN LAKE	BASS	Jan 1-Jun 30 Jul 1-Dec 31	0 2	CLOSED TO HARVEST. NONE between 12"-16".
	CRAPPIE		15	NONE under 10".
	NORTHERN PIKE		No limit.	
	TROUT	Last Saturday in Apr-Nov 30	2	NONE under 14".
HAYDEN LAKE INLETS - (Includes tributaries and all waters extending into the lake to markers at mouths of Hayden, Mokins, and Yellowbanks creeks)		CLOSED TO FISHING		
HAYDEN LAKE OUTLET		OPEN ALL YEAR		Any size fish may be kept.
INDIAN CREEK and its tributaries (Priest Lake)	TROUT	Jul 1-Aug 31	2	Artificial flies and lures with one barbless hook ONLY per fly or lure.
JEWEL LAKE	ALL SPECIES	Last Saturday in Apr-Nov 30		Electric motors ONLY. Artificial flies and lures with one barbless hook ONLY per fly or lure.
	TROUT		2	NONE under 14".
KALISPELL CREEK and its tributaries	TROUT	Jul 1-Aug 31	2	Artificial flies and lures with one barbless hook ONLY per fly or lure.
KELSO LAKE	BASS	Jan 1-Jun 30 Jul 1-Dec 31	0 2	Electric motors ONLY. CLOSED TO HARVEST. NONE between 12"-16".

Water	Species	Open Season Dates	Possession Limits	Special Rule
KOOTENAI RIVER		OPEN ALL YEAR		
	BURBOT		0	CLOSED TO HARVEST.
	STUGEON	CLOSED TO FISHING		
LAKE CREEK and its tributaries		CLOSED TO FISHING		
LIGHTNING CREEK and its tributaries, excluding Spring Creek above the State fish hatchery	TROUT	Saturday of Memorial Day Weekend-Aug 31	2	
LION CREEK and its tributaries	TROUT	Jul 1-Aug 31	2	Artificial flies and lures with one barbless hook ONLY per fly or lure.
LITTLE ROUND LAKE (Bonner County)	BASS	Jan 1-Jun 30 Jul 1-Dec 31	0 2	CLOSED TO HARVEST. NONE between 12-16".
LONG CANYON CREEK	KOKANEE		0	CLOSED TO HARVEST.
MARBLE CREEK -- Mainstem	CUTTHROAT	Saturday of Memorial Day Weekend-Sep 10	1	NOT under 14" and must be counted in trout limit.
-- Tributaries		Jul 1-Nov 30		
McARTHUR RESERVOIR - Outlet (See Deep Creek)		CLOSED TO FISHING		
-- Posted area at dam and boat dock		OPEN ALL YEAR		Fishing from shoreline ONLY.
-- Remaining water		Jan 1-Mar 15 Jul 1-Dec 31		
MIRROR LAKE	BROOK TROUT			Electric motors ONLY. Must be counted in trout limit. Bonusbrook trout does not apply.
MISSION CREEK (Kootenai River)	KOKANEE		0	CLOSED TO HARVEST.
MISSION SLOUGH (Coeur d'Alene River)	BASS			Any size bass may be kept.
MOKINS CREEK and its tributaries		CLOSED TO FISHING		
MOYIE RIVER -- From mouth of Meadow Creek downstream to the posted boundary at the upper end of the Moyie Dam Reservoir	TROUT		2	
-- Downstream from Moyie Dam		OPEN ALL YEAR		
MYRTLE CREEK	KOKANEE		0	CLOSED TO HARVEST.

Water	Species	Open Season Dates	Possession Limits	Special Rule
NORTH GOLD CREEK and its tributaries (Pend Oreille Lake)		CLOSED TO FISHING		
PACK RIVER -- The mainstem, from the Burlington Northern Railroad bridge at its mouth, upstream	TROUT	Saturday of Memorial Day Weekend-Aug 31	2	
PARKER CREEK (Kootenai River)	KOKANEE		0	CLOSED TO HARVEST.
PEND OREILLE LAKE - Mouths of streams for a radius of 100 yards into the lake, or to the orange markers, have the same seasons as the streams. Clark Fork and Pack rivers, Gold, Granite, Grouse, Lightning, North and West Gold, Rapid Lightning, and Trestle creeks have special seasons and limits.		OPEN ALL YEAR, EXCEPT as below		
-- Harvest of rainbow from a boat, raft or float tube allowed only:		Last Saturday in Apr-Nov 30		
	BULL TROUT		0	CLOSED TO HARVEST.
	TROUT includes brown, cutthroat, lake (Macknaw), rainbow, and trout hybrids		4	May not include more than 2 rainbow. NO rainbow under 20". Recommend release of fin-clipped rainbow trout.
	KOKANEE		25	Per day, 50 in possession
PEND OREILLE RIVER - Downstream from the railroad bridge at Sandpoint		OPEN ALL YEAR		
PERKINS LAKE	BROOK TROUT			Electric motors ONLY. Must be counted in trout limit. Bonus brook trout does not apply.
PINE POND - (Shoshone County)		OPEN ALL YEAR		
PLUMMER CREEK		Jul 1-Nov 30		
PORCUPINE LAKE				Electric motors ONLY.
PRIEST LAKE - (See also: Upper Priest Lake and Thorofare River)		<u>Last Saturday in Apr-Nov 30 and while ice fishing</u>		
	CUTTHROAT		0	CLOSED TO HARVEST.
	LAKE TROUT		<u>32</u>	NONE between 26" and 32", and only 1 over 32".
PRIEST RIVER - downstream from the Priest Lake outlet dam		OPEN ALL YEAR		

Water	Species	Open Season Dates	Possession Limits	Special Rule
RAPID LIGHTNING CREEK and its tributaries	TROUT	Saturday of Memorial Day Weekend-Aug 31	2	
ROBINSON LAKE	<u>BASS</u>	<u>Jan 1-Jun 30</u> <u>Jul 1-Dec 31</u>	<u>0</u> <u>2</u>	Electric motors ONLY. <u>CLOSED TO HARVEST.</u> <u>NONE under 16".</u>
-- Diversion from Gillon Creek to Robinson Lake		CLOSED TO FISHING		
ROMAN NOSE LAKE #3				Electric motors ONLY.
ROUND LAKE - (Round Lake State Park)				Electric motors ONLY.
ST. JOE RIVER				
--From Coeur d'Alene Lake upstream to State Highway 3 bridge at St. Maries (also see Benewah Creek)		OPEN ALL YEAR		
	TROUT EXCEPT Chinook and Kokanee		1	NOT under 14".
	KOKANEE		25	Per day, 50 in Possession.
	CHINOOK		2	
-- From State Highway 3 bridge at St. Maries upstream to and including Prospector Creek				
-- Mainstem	CUTTHROAT	Saturday of Memorial Day Weekend-Sep 10	1	NOT under 14", must be counted in trout limit.
	CHINOOK		2	
-- Tributaries EXCEPT the North Fork of the St. Joe River, Marble Creek, and St. Maries River		Jul 1-Nov 30		
Entire drainage upstream from Prospector Creek, including tributaries (excluding mountain lakes)				CATCH-AND-RELEASE.
ST. JOE RIVER, NORTH FORK				
-- Mainstem	CUTTHROAT	Saturday of Memorial Day Weekend-Sep 10	1	NOT under 14", must be counted in trout limit.
-- Tributaries		Jul 1-Nov 30		
ST. MARIES RIVER and its tributaries				
-- Mainstem from its mouth upstream to the railroad bridge crossing at Lotus (about 1.5 miles above slack water)	ALL SPECIES EXCEPT Cutthroat	OPEN ALL YEAR		
	CUTTHROAT	Saturday of Memorial Day Weekend-Sep 10	1	Not under 14", must be counted in trout limit.
	CHINOOK		2	

Water	Species	Open Season Dates	Possession Limits	Special Rule
-- Mainstem upstream from the railroad bridge crossing at Lotus	CUTTHROAT	Saturday of Memorial Day Weekend-Sep 10	1	NOT under 14", must be counted in trout limit.
-- Tributaries		Jul 1-Nov 30		
SHEPHERD LAKE				Electric motors ONLY.
SINCLAIR LAKE				Electric motors ONLY.
SMITH CREEK (Kootenai River)	KOKANEE		0	CLOSED TO HARVEST.
SMITH LAKE	BASS			Electric motors ONLY. Any size bass may be kept.
SPIRIT LAKE	KOKANEE		25	Per day, 50 in possession.
SPIRIT LAKE OUTLET		OPEN ALL YEAR		
SPOKANE RIVER -- From state line upstream to Post Falls Dam	TROUT	Saturday of Memorial Day Weekend-Feb 28	2	
-- From Post Falls Dam upstream to the orange piling near the east end of Harbor Island	TROUT	Jul 1-Nov 30	1	NOT under 14".
	ALL OTHER SPECIES	OPEN ALL YEAR		
-- From the orange piling near the east end of Harbor Island upstream to the orange pilings at Coeur d'Alene Lake, including Blackwell Channel	ALL SPECIES	Jul 1-Nov 30		
	TROUT		1	NOT under 14".
THOROFARE RIVER (Priest Lake and Upper Priest Lakes)		CLOSED TO FISHING		
TRAPPER CREEK and its tributaries (Priest Lake)		CLOSED TO FISHING		
TRESTLE CREEK and its tributaries		CLOSED TO FISHING		
TROUT CREEK (Kootenai River)	KOKANEE		0	CLOSED TO HARVEST.
TWIN LAKES OUTLET - Downstream from the dam above Gunning Road		OPEN ALL YEAR		
TWO MOUTH CREEK and its tributaries	TROUT	Jul 1-Aug 31	2	Artificial flies and lures with one barbless hook ONLY per fly or lure.

Water	Species	Open Season Dates	Possession Limits	Special Rule
UPPER PRIEST LAKE - NOTE: Caribou and Trapper Creeks and Thorofare and Upper Priest Rivers including tributaries, CLOSED to fishing entire year.				CATCH-AND-RELEASE.
UPPER PRIEST RIVER and its tributaries		CLOSED TO FISHING		
WEST GOLD CREEK and its tributaries (Pend Oreille Lake)		CLOSED TO FISHING		
WOLF LODGE CREEK and its tributaries, including sloughs and connecting waters downstream to State Highway 97 bridge		CLOSED TO FISHING		
YELLOWBANKS CREEK and its tributaries		CLOSED TO FISHING		

(3-20-97)(10-20-97)T

(BREAK IN CONTINUITY OF SECTIONS)

315. CLEARWATER REGION EXCEPTIONS

- 01. Special Seasons - None. (3-20-97)
- 02. Clearwater Region Exceptions Table. (3-20-97)

Water	Species	Open Season Dates	Possession Limits	Special Rules
BREAKFAST CREEK and its tributaries	KOKANEE		0	CLOSED TO HARVEST.
	TROUT		2	
CLEAR CREEK - From its mouth to 100 yards upstream from the weir at the fish hatchery		CLOSED TO FISHING		
CLEARWATER RIVER. NOTE: Rainbow trout over 20" are considered steelhead and may be kept ONLY during open steelhead harvest season.	BASS			Any size bass may be kept.
-- From its mouth upstream to the Clearwater River bridge at Orofino		OPEN ALL YEAR		Only barbless hooks may be used from Sep 1-Apr 30.
-- Shoreline along the perimeter of Dworshak Fish Hatchery		CLOSED TO FISHING		

Water	Species	Open Season Dates	Possession Limits	Special Rules
-- From the Clearwater River bridge at Orofino upstream to the mouth of Clear Creek		OPEN ALL YEAR		No motors. Only barbless hooks may be used from Sep 1-Apr 30.
CLEARWATER RIVER, LITTLE NORTH FORK and its tributaries	KOKANEE		0	CLOSED TO HARVEST.
	TROUT		2	
CLEARWATER RIVER, NORTH FORK				
-- Shoreline along the perimeter of Dworshak Fish Hatchery		CLOSED TO FISHING		
-- Mainstem from the posted boundary, approximately 150 yards upstream from the mouth, upstream to the Ahsahka Highway bridge.		Jan 1-May 31 Aug 1-Dec 31		Fishing from west shoreline ONLY. Barbless hooks only may be used from Sep 1-Apr 30.
-- Mainstem from the Ahsahka Highway bridge upstream to Dworshak Dam		OPEN ALL YEAR		Only barbless hooks may be used from Sep 1-Apr 30.
-- Mainstem from the upper end of flat water in Dworshak Reservoir upstream		Saturday of Memorial Day Weekend-Nov 30		Artificial flies and <u>lures with one barbless hook ONLY</u> per fly or lure.
	TROUT		2	NONE under 14".
	KOKANEE		0	CLOSED TO HARVEST.
	WHITEFISH ONLY	Dec 1-Mar 31		<u>Artificial flies and lures with one hook ONLY</u> per fly or lure. Insects and insect larvae may be used with one barbless hook ONLY. No other bait allowed.
-- All tributaries			0	CLOSED TO HARVEST.
-- All tributaries EXCEPT Kelly, Lake, and Steep creeks (see listings)			2	
CROOKED CREEK (tributary to Salmon River)				
-- From mouth upstream to and including Big Creek			2	
-- From Big Creek upstream			6	
CROOKED FORK CREEK				
-- Mainstem from its mouth to Brushy Fork Creek		Saturday of Memorial Day Weekend-Nov 30		CATCH-AND-RELEASE.
	WHITEFISH			May be taken ONLY during season open for other species.

Water	Species	Open Season Dates	Possession Limits	Special Rules
-- Mainstem from Brushy Fork Creek upstream and all tributaries including Brushy Fork Creek	TROUT	Jul 1-Nov 30	2	
CROOKED RIVER (tributary to South Fork Clearwater River, Also see Five Mile Pond listing)				
-- From mouth to fish weir (approx. 400 yards)		CLOSED TO FISHING		
-- Mainstem and tributaries upstream from fish weir	TROUT		2	
DWORSHAK RESERVOIR -- From Dworshak Dam to Grandad bridge	KOKANEE		25	Per day, 50 in possession.
	BASS			Any size bass may be kept.
-- From Grandad bridge upstream to end of flat water	ALL SPECIES	Saturday of Memorial Day Weekend-Nov 30		
	KOKANEE		25	Per day, 50 in possession.
	BASS			Any size bass may be kept.
	TROUT		6	Only 2 may be cutthroat trout.
ELK CREEK (tributary to Dworshak Reservoir) and its tributaries (above and below Elk Creek Reservoir)	BROOK TROUT		6	Must be counted in trout limit. Bonus brook trout does not apply.
	KOKANEE		0	CLOSED TO HARVEST.
ELK CREEK RESERVOIR	BASS	Jan 1-Jun 30 Jul 1-Dec 31	0 2	Electric motors ONLY. CLOSED TO HARVEST. NONE between 12"-16".
FISH LAKE (Cedars area)		Aug 1-Nov 30		No motors.
FIVE MILE POND (Crooked River drainage)	TROUT	Saturday of Memorial Day Weekend-Nov 30	6	
GRANITE CREEK (tributary to Snake River) and its tributaries	TROUT		2	
JOHNS CREEK (tributary to South Fork Clearwater River) and its tributaries	TROUT		2	
KELLY CREEK and its tributaries		Saturday of Memorial Day Weekend-Nov 30		CATCH-AND-RELEASE.

Water	Species	Open Season Dates	Possession Limits	Special Rules
	WHITEFISH			May be taken ONLY during seasons open for other species.
LAKE CREEK -- From Goose Creek to Fish Lake including all tributaries (Cedars area)	TROUT	Aug 1-Nov 30	2	
LOCHSA RIVER -- Mainstem from mouth upstream to Wilderness Gateway Campground Motor bridge (near Highway 12 mile post 122)		Saturday of Memorial Day Weekend-Nov 30		Artificial flies and lures with one barbless hook ONLY per fly or lure.
	TROUT		2	NONE under 14".
	WHITEFISH ONLY	Dec 1-Mar 31		Insects and insect larvae may be used with one barbless hook ONLY. No other bait allowed.
-- Mainstem upstream from Wilderness Gateway Campground Motor bridge (including Crooked Fork Creek from mouth to Brushy Fork Creek)		Saturday of Memorial Day Weekend-Nov 30		CATCH-AND-RELEASE.
	WHITEFISH			May be taken ONLY during seasons open for other species.
-- From 100 yards downstream of fish weir upstream to the Twin Bridges crossing Crooked Fork and White Sands creeks		CLOSED ALL YEAR		
-- All tributaries including White Sand Creek EXCEPT Crooked Fork Creek (see Crooked Fork Creek)	TROUT	Jul 1-Nov 30	2	
MANN LAKE				Electric motors ONLY. NO BOATS from Oct 1- Dec 31.
MOOSE CREEK RESERVOIR	BASS		2	Electric motors ONLY. NONE under 20".
PALOUSE RIVER and its tributaries		OPEN ALL YEAR		
POTLATCH RIVER -- Mainstem from the mouth to and including Moose Creek		OPEN ALL YEAR		
POTLATCH RIVER, EAST FORK and its tributaries	TROUT		2	
RED RIVER and its tributaries -- From fish weir downstream for a distance of 100 yards		CLOSED TO FISHING		
SALMON RIVER (See: Southwest Region and Salmon Region for additional information) NOTE: Rainbow trout longer than 20" are considered steelhead and may be kept ONLY during open steelhead harvest season.				

Water	Species	Open Season Dates	Possession Limits	Special Rules
-- Mainstem from its mouth to Horse Creek (approximately 15 miles downstream from the Middle Fork) EXCEPT from Riggins City Park boat ramp upstream to a posted boundary at Shorts Bar		OPEN ALL YEAR		Only barbless hooks may be used from Sep 1-Apr 30.
	BASS			Any size bass may be kept.
	CUTTHROAT		0	CLOSED TO HARVEST.
-- From Riggins City Park boat ramp upstream to a posted boundary at Shorts Bar		Jan 1-Apr 30 Jul 16-Dec 31		Only barbless hooks may be used from Sep 1-Apr 30.
	BASS			Any size bass may be kept.
	CUTTHROAT		0	CLOSED TO HARVEST.
-- Tributaries from the mouth of the Little Salmon River upstream to and including the Horse Creek drainage EXCEPT Crooked Creek, Little Salmon and South Fork Salmon rivers	TROUT		2	
SELWAY RIVER Mainstem from mouth upstream to Selway Falls cable car		Saturday of Memorial Day Weekend-Nov 30		Artificial flies and lures with one barbless hook ONLY per fly or lure.
	TROUT		2	NONE under 14".
	WHITEFISH ONLY	Dec 1-Mar 31		Insects and insect larvae may be used with one barbless hook ONLY. No other bait allowed.
-- Mainstem from Selway Falls cable car upstream to Selway Falls bridge at Meadow Creek		CLOSED TO FISHING		
-- Mainstem from Selway Falls bridge upstream		Saturday of Memorial Day Weekend-Nov 30		CATCH-AND-RELEASE.
	WHITEFISH			May be taken ONLY during seasons open for other species.
-- All tributaries	TROUT	Jul 1-Nov 30	2	
SHEEP CREEK (tributary to Snake River) and its tributaries	TROUT		2	
SNAKE RIVER (Lewiston to Hells Canyon Dam) NOTE: Rainbow trout longer than 20" are considered steelhead and may be kept ONLY during open steelhead harvest season.	BASS	OPEN ALL YEAR		Any size bass may be kept.

Water	Species	Open Season Dates	Possession Limits	Special Rules
SPRING VALLEY RESERVOIR				Electric motors ONLY.
STEEP CREEK (Goose Creek drainage)	TROUT	Aug 1-Nov 30	2	
STEEP LAKE , Upper and Lower (Goose Creek drainage)	TROUT	Aug 1-Nov 30	2	
TENMILE CREEK (tributary to South Fork Clearwater River) and its tributaries	TROUT		2	
TOLO LAKE				<u>Electric motors only.</u>
WHITE BIRD CREEK (tributary to Salmon River) and its tributaries	TROUT		2	
WINCHESTER LAKE				Electric motors ONLY.

(3-20-97)(10-20-97)T

(BREAK IN CONTINUITY OF SECTIONS)

320. SOUTHWEST REGION EXCEPTIONS.

- 01. Special Seasons - None. (3-20-97)
- 02. Southwest Region Exceptions Table. (3-20-97)

Water	Species	Open Season Dates	Possession Limits	Special Rules
ADA COUNTY -- Morrison Knudsen Nature Center		CLOSED TO FISHING		
-- All Other Waters		OPEN ALL YEAR		
BEAR VALLEY CREEK and its tributaries (Valley County)				CATCH-AND-RELEASE.
BIG CREEK and its tributaries				CATCH-AND-RELEASE.
BLACKWELL LAKE (an alpine lake in the Payette Lake drainage)	TROUT		2	NONE under 20". Artificial flies and lures with one barbless hook ONLY per fly or lure.
BOISE RIVER -- From its mouth to Arrowrock Dam		OPEN ALL YEAR		

Water	Species	Open Season Dates	Possession Limits	Special Rules
-- From a posted boundary approximately one-quarter mile downstream from the Warm Springs Golf Course, at the United Water Corporation water treatment plant, upstream to a posted boundary, approximately one mile downstream from Eckert Road (Barber Park) bridge where Loggers Creek is diverted from the Boise River				
	TROUT		2	NONE under 14".
BOISE RIVER, MIDDLE FORK -- From North Fork upstream to Atlanta Dam	TROUT		2	NONE under 14". Artificial flies and lures and one barbless hook ONLY per fly or lure.
BOISE RIVER, SOUTH FORK -- (See Magic Valley Region for information upstream from Anderson Ranch Dam)				
-- From Arrowrock Reservoir upstream to Neil Bridge		OPEN ALL YEAR		
-- From Neil Bridge upstream to Anderson Ranch Dam	TROUT	Saturday of Memorial Day Weekend-Nov 30	2	Artificial flies and lures and one barbless hook ONLY per fly or lure. NONE between 12"-20". Barbless hooks required.
	TROUT	Dec 1-Mar 31	0	CLOSED TO HARVEST. For whitefish only, insects and insect larvae may be used. No other bait allowed.
BRUNDAGE RESERVOIR and its tributaries	ALL SPECIES	Saturday of Memorial Day Weekend-Nov 30	2	NONE between 12"-20".
BRUNEAU RIVER -- Mainstem and tributaries from its mouth to Hot Springs Bridge (approximately 8 miles)		OPEN ALL YEAR		
BRUSH LAKE (an alpine lake in North Fork Payette drainage)	TROUT		2	Artificial flies and lures with one barbless hook ONLY per fly or lure. NONE under 20".
CALDWELL PONDS				No motors.
CANYON COUNTY -- All waters		OPEN ALL YEAR		
C. BEN ROSS RESERVOIR	BASS	Jan 1-Jun 30	0	CLOSED TO HARVEST. None between 12"-16".
		Jul 1-Dec 31	2	
CHAMBERLAIN CREEK and its tributaries	TROUT		2	
CORRAL CREEK RESERVOIR				No motors.
CRANE FALLS LAKE	BASS		2	Electric motors ONLY. NONE under 20".
CRYSTAL LAKE (an alpine lake in the North Fork Payette drainage)	TROUT		2	None under 20". Artificial flies and lures with one barbless hook ONLY per fly or lure.

Water	Species	Open Season Dates	Possession Limits	Special Rules
DEADWOOD RESERVOIR and its tributaries	KOKANEE		25	Per day, 50 in possession.
DUCK VALLEY INDIAN RESERVATION				Check Tribal Regulations.
DUFF LANE POND				No motors.
ELK CREEK (Bear Valley Creek Tributary) and its tributaries				CATCH-AND-RELEASE.
FISHER CREEK	KOKANEE		0	CLOSED TO HARVEST.
FISH (MUD) LAKE and its tributaries (Adams County)		CLOSED TO FISHING		
GEM COUNTY - All waters EXCEPT the Squaw Creek drainage		OPEN ALL YEAR		
GOLD FORK RIVER -- From Cascade Reservoir upstream to Highway 55 bridge		OPEN ALL YEAR		
GRIMES CREEK and its tributaries From its mouth upstream to the bridge at New Centerville		OPEN ALL YEAR		
HALVERSEN LAKE				No motors.
HAZARD LAKE (Middle)				No motors.
HERRICK RESERVOIR				No motors.
INDIAN CREEK RESERVOIR	BASS	<u>Jan 1-Jun 30</u> <u>Jul 1-Dec 31</u>	<u>0</u> <u>2</u>	<u>CLOSED TO HARVEST.</u> <u>None between 12"-16".</u>
JOHNSON CREEK and tributaries	CUTTHROAT		0	<u>CLOSED TO HARVEST.</u> <u>CATCH-AND-RELEASE.</u>
	WHITEFISH			May be taken ONLY during seasons open for other species.
LAKE CREEK and tributaries (Secesh River Tributary)	CUTTHROAT		0	<u>CLOSED TO HARVEST.</u> <u>CATCH-AND-RELEASE.</u>
	WHITEFISH			May be taken ONLY during season open for other species.
LAKE FORK CREEK -- From Little Payette Lake upstream to Brown's Pond	ALL GAME FISH EXCEPT Kokanee	Jul 1-Nov 30	2	NONE under 20". Artificial flies and lures with one barbless hook ONLY per fly or lure.
	KOKANEE		6	
LAKE LOWELL	BASS	<u>Jan 1-June 30</u> <u>Jul 1-Dec 31</u>	<u>0</u> <u>2</u>	<u>CLOSED TO HARVEST.</u> <u>NONE between 12"-16".</u>

Water	Species	Open Season Dates	Possession Limits	Special Rules
LAKE ROCK LAKE (an alpine lake in Secesh drainage)	TROUT		2	Artificial flies and lures with one barbless hook ONLY per fly or lure. NONE under 20".
LITTLE PAYETTE LAKE	ALL GAME FISH EXCEPT KOKANEE	Saturday of Memorial Day Weekend-Nov 30	2	NONE under 20". Artificial flies and lures with one barbless hook ONLY per fly or lure.
	KOKANEE		25	
LITTLE SALMON RIVER -- From its mouth to 100 yards above the mouth of Rapid River	ALL SPECIES EXCEPT steelhead	Jul 16-Nov 30		See steelhead rules.
LONG LAKE (an alpine lake south of Warm Lake)	TROUT		2	NONE under 20". Artificial flies and lures with one barbless hook ONLY per fly or lure.
LOUIE LAKE (an alpine lake in Boulder Creek drainage)	TROUT		2	NONE under 20". Artificial flies and lures with one barbless hook ONLY per fly or lure.
MARTIN LAKE (Little Bull Trout)				No motors.
MORES CREEK and its tributaries				
-- From the slack water in Lucky Peak Reservoir upstream to Forest Service Road 260 bridge <u>the Granite Creek bridge above Idaho City</u>		Jan 1-Sep 30 <u>OPEN ALL YEAR</u>		
From Forest Service Road 260 bridge upstream to the Granite Creek bridge above Idaho City		<u>OPEN ALL YEAR</u>		
OXBOW RESERVOIR between Brownlee Dam and Oxbow Dam	BASS	Jan 1-Jun 30	0	CLOSED TO HARVEST. NONE between 12"-16".
		Jul 1-Dec 31	2	
PAYETTE COUNTY - All waters		OPEN ALL YEAR		
PAYETTE LAKE	LAKE TROUT (MACKINAW)		1	Not less than 36".
PAYETTE RIVER -- Mainstem from mouth to the confluence of the North and South Forks including connecting sloughs and impoundments		OPEN ALL YEAR		
PAYETTE RIVER, NORTH FORK				
-- Mainstem from its confluence with the Payette River at Banks upstream to Hartsell (Smiley or Moore) bridge above Cascade Reservoir		OPEN ALL YEAR		

Water	Species	Open Season Dates	Possession Limits	Special Rules
-- From Cascade Reservoir upstream, including tributaries but excluding Payette Lake	KOKANEE		0	CLOSED TO HARVEST.
PAYETTE RIVER, SOUTH FORK				
-- From the North Fork Payette River upstream to Deadwood River	TROUT		2	
-- From the Highway 21 bridge across the South Fork Payette River just east of the mouth of Eight-Mile Creek upstream	TROUT		2	
RAPID RIVER and its tributaries (tributary to Little Salmon River)				
-- From its mouth to the fish hatchery trap area	TROUT	Sep 1-Nov 30	2	
Trap Area: 50 yards upstream and downstream from the barrier dam at the fish trap and all waters within the posted boundaries of the Idaho Power Company hatchery		CLOSED TO FISHING		
ROARING LAKES				No motors.
SALMON RIVER (See Clearwater Region and Salmon Region for information)				
SALMON RIVER, EAST FORK OF SOUTH FORK and its tributaries	CUTTHROAT WHITEFISH		0	CLOSED TO HARVEST. CATCH-AND-RELEASE. May be taken ONLY during seasons open for other species.
Mainstem from its mouth upstream to the Secesh River				CATCH AND RELEASE.
SALMON RIVER, SOUTH FORK and its tributaries	CUTTHROAT WHITEFISH		0	CLOSED TO HARVEST. CATCH-AND-RELEASE. May be taken ONLY during seasons open for other species.
SECESH RIVER and its tributaries	CUTTHROAT WHITEFISH		0	CLOSED TO HARVEST. CATCH-AND-RELEASE. May be taken ONLY during seasons open for other species.
SERENE LAKE (An alpine lake in Hazard Creek drainage)	TROUT		2	None under 20". Artificial flies and lures with one barbless hook only per fly or lure.
SHEEP CREEK (tributary to Snake River) and its tributaries (See Clearwater Region)				

Water	Species	Open Season Dates	Possession Limits	Special Rules
SNAKE RIVER and its impoundments (See Clearwater Region and Magic Valley Region for additional information)		OPEN ALL YEAR		
SQUAW CREEK and its tributaries	TROUT		2	
Tributaries to Sagehen Reservoir		Jun 15-Nov 30		Artificial flies and lures with one barbless hook ONLY per fly or lure.
SULPHUR CREEK (tributary to Middle Fork Salmon River) and tributaries				CATCH-AND-RELEASE.
TRINITY LAKES				No motors.
TRIPOD RESERVOIR				No motors.
TULE LAKE				<u>Artificial flies and lures with one barbless hook ONLY per fly or lure.</u>
	TROUT		2	NONE under 20".
WASHINGTON COUNTY - All waters		OPEN ALL YEAR		
WEISER RIVER and tributaries within Adams County	ALL SPECIES	Jan 1-Mar 31 and Saturday of Memorial Day Weekend-Dec 31		
WEISER RIVER and tributaries within Washington County		OPEN ALL YEAR		
WILSON SPRINGS PONDS and DRAIN		OPEN ALL YEAR		
Wilson Drain (within Idaho Department of Fish and Game property), North and South Ponds	TROUT		2	
<u>Anderson Wetland, Trophy And Beach's Pond</u>				CATCH-AND-RELEASE.

~~(3-20-97)~~(10-20-97)T

(BREAK IN CONTINUITY OF SECTIONS)

325. MAGIC VALLEY REGION.

01. Special Seasons and Restrictions. (3-20-97)

a. Statewide whitefish season applies in the Magic Valley Region only in the South Fork Boise River. Whitefish may be taken in other waters only during seasons open for other species in those waters. (3-20-97)

b. Cutthroat: In all rivers and streams in the Snake River drainage upstream from Shoshone Falls EXCEPT as noted below, the general trout limit may include only two (2) cutthroat. ~~(3-20-97)~~(10-20-97)T

02. Magic Valley Region Exceptions Table. (3-20-97)

Water	Species	Open Season Dates	Possession Limits	Special Rules
ANDERSON RANCH RESERVOIR	KOKANEE		25	Per day, 50 in possession.
BAKER LAKE (Blaine County)	TROUT		2	NONE under 20". Artificial flies and lures with one barbless hook only per fly or lure.
BIG WOOD RIVER, MAINSTEM and diverted waters				
-- Upstream from its confluence with the Little Wood River to the Richfield Canal Diversion Dam		OPEN ALL YEAR		
-- From the Richfield Canal Diversion Dam upstream to Magic Dam		Saturday of Memorial Day Weekend-Mar 31		
-- From Magic Reservoir upstream to Glendale Diversion		Saturday of Memorial Day Weekend-Mar 31		Dec 1-Mar 31, CLOSED to harvest of cutthroat <u>trout</u> .
-- From the Glendale Diversion, approximately 3 miles below Bellevue, upstream to Highway 75 bridge at milepost 122.2		Saturday of Memorial Day Weekend-Mar 31 General Stream Season	2	Dec 1-Mar 31, CLOSED to harvest of cutthroat <u>trout</u> . NONE between 12"-16".
-- From Highway 75 bridge at milepost 122.2 upstream to the mouth of the North Fork		Saturday of Memorial Day Weekend-Mar 31		CATCH-AND-RELEASE.
BILLINGSLEY CREEK -- From Tupper Grade upstream to Vader Grade				Fly fishing ONLY.
BOISE RIVER, SOUTH FORK -- (See Southwest Region for information downstream from Anderson Ranch Dam)				
-- From Anderson Ranch Reservoir upstream to Pine Bridge		General Stream Season, EXCEPT closed to fishing Aug 1-Oct 31		
-- From the mouth of Beaver Creek upstream to the mouth of Big Smoky Creek			2	NONE under 14". Artificial flies and lures with one barbless hook ONLY per fly or lure.
			6	
BOX CANYON CREEK	TROUT		2	
BRUNEAU DUNES STATE PARK	BASS		2	Electric motors ONLY. NONE under 20".
CAREY LAKE				Electric motors ONLY.

Water	Species	Open Season Dates	Possession Limits	Special Rules
CLOVER CREEK DRAINAGE		OPEN ALL YEAR		
DEVILS CORRAL CREEK (Jerome County)	TROUT		2	
DIERKES LAKE	BASS		2	None under 20".
FREEDOM PARK CREEK (Burley)		OPEN ALL YEAR		
GOODING COUNTY All waters EXCEPT Billingsley Creek drainage, Box Canyon Creek, Malad River drainage downstream from Interstate 84, Hagerman Wildlife Management Area, and Thorn Creek Reservoir		OPEN ALL YEAR		
GOOSE CREEK and Canals (Cassia County) Downstream from Oakley Dam		OPEN ALL YEAR		
GUNNEL (SIX MILE) RESERVOIR	TROUT	Saturday of Memorial Day Weekend-Nov 30	2	Barbless hooks recommended.
HAGERMAN WILDLIFE MANAGEMENT AREA				
-- The four Anderson ponds, the bass ponds, Big Bend Ditch, Goose Pond and the pond west of Highway 30		Jul 1-Oct 31		
-- Riley Creek upstream from state fish hatchery diversion		OPEN ALL YEAR		
-- All other waters		Mar 1-Oct 31		
HAYSPUR FISH HATCHERY PROPERTY				
-- Gaver's Lagoon		Saturday of Memorial Day Weekend-Nov 30		
-- Loving and Butte creeks (within posted boundary on Hayspur Fish Hatchery)	TROUT		2	NONE under 20".
JARBIDGE RIVER and its tributaries	TROUT		2	
LAKE CLEVELAND				No motors.
LIME CREEK and its tributaries	TROUT		2	
LITTLE WOOD RIVER				
-- From its mouth upstream to Silver Creek		OPEN ALL YEAR		
-- From the posted boundary at the downstream end of the Taylor "Bear Tracks" Williams State Recreation Area near Highway 93 milepost 190, to the posted boundary at the upstream end of the "Bear Tracks" Williams State Recreation Area near Highway 93 milepost 192.5		OPEN ALL YEAR		Fly fishing ONLY, CATCH-AND-RELEASE.

Water	Species	Open Season Dates	Possession Limits	Special Rules
-- From Baugh Creek upstream (including all tributaries)	TROUT		2	
MALAD RIVER				
-- From its mouth to the Interstate 84 bridge at Malad Gorge	TROUT	<u>Saturday Of Memorial Day Weekend-Mar 31</u>	2	
-- From the Interstate 84 bridge at Malad Gorge upstream to the confluence of the Big and Little Wood rivers		OPEN ALL YEAR		
MORMON RESERVOIR	TROUT		2	
NIAGARA SPRINGS				
-- Stream section from the Niagara Springs Steelhead Hatchery intake pool (above the lowest fall) upstream to the spring sources as posted		CLOSED TO FISHING		
--From the intake pool downstream		OPEN ALL YEAR		
NIAGARA SPRINGS WILDLIFE MANAGEMENT AREA except Snake River	TROUT		2	
RILEY CREEK (see Hagerman Wildlife Management Area listing)				No motors.
-- From Riley Creek Falls to State Fish Hatchery diversion		Mar 1-Oct 31		
-- Remainder of Riley Creek		OPEN ALL YEAR		
ROCK CREEK - From its mouth upstream to Highline Canal in Twin Falls County		OPEN ALL YEAR		
SALMON FALLS CREEK - From its mouth upstream to the Idaho-Nevada state line		OPEN ALL YEAR		
SILVER CREEK and its tributaries	WHITEFISH			No motors. All diversion ponds have the same rules as stream segments. May be taken during seasons open for other species.
-- Downstream from Highway 93		OPEN ALL YEAR		
-- From Highway 93 upstream to the county road bridge north of Picabo		General Stream Season		General Rules.
-- From the county road bridge north of Picabo upstream to the bridge at milepost 187.2 on Highway 20 west of Picabo	TROUT	General Stream Season	2	NONE between 12"-16".

Water	Species	Open Season Dates	Possession Limits	Special Rules
-- From the bridge at milepost 187.2 on U.S. Highway 20 west of Picabo upstream to the road right-of-way fence on the west side of Kilpatrick Bridge				CATCH-AND-RELEASE. No fishing from rafts or boats. Float tubes permissible.
-- From the road right-of-way fence on the west side of Kilpatrick Bridge upstream and all waters within The Nature Conservancy Silver Creek Preserve property				Fly Fishing ONLY, CATCH-AND-RELEASE. No fishing from rafts or boats. Float tubes permissible.
SNAKE RIVER (See Southwest Region and Southeast Region for additional information)		OPEN ALL YEAR		
-- From Lower Salmon Falls Dam upstream (Bell Rapids area) to Upper Salmon Falls Dam (0.3 miles below Owsley Bridge)	TROUT		2	
	BASS	Jan 1-Jun 30 Jul 1-Dec 31	02	CLOSED TO HARVEST. NONE between 12-16".
-- From Shoshone Falls upstream	CUTTHROAT		2	NONE under 16".
STALKER CREEK -- From its confluence with Grove Creek upstream to west end of The Nature Conservancy Silver Creek Preserve property.				Fly fishing ONLY CATCH-AND-RELEASE. No fishing from rafts or boats. Float tubes permissible.
SUBLETT RESERVOIR -- Tributaries	TROUT	Saturday of Memorial Day Weekend-Nov 30	2	
THORN CREEK RESERVOIR		Saturday of Memorial Day Weekend-Nov 30		
THOUSAND SPRINGS		OPEN ALL YEAR		
TRINITY LAKES				No motors.
TWIN FALLS COUNTY - All waters west of Murtaugh Lake, north of and including Main and Highline canals west to and including Salmon Falls Creek		OPEN ALL YEAR		
VINYARD CREEK	TROUT	Saturday of Memorial Day Weekend-Oct 31	2	
WILLOW CREEK (tributary of Camas Creek)	TROUT		2	

(3-20-97)(10-20-97)T

(BREAK IN CONTINUITY OF SECTIONS)

330. SOUTHEAST REGION EXCEPTIONS.

- 01. Special Seasons and Restrictions. ~~(3-20-97)~~(10-20-97)T

 - a. Cutthroat: In all rivers and streams, except as noted below, the general trout limit may include only two (2) cutthroat. ~~(3-20-97)~~(10-20-97)T
 - b. Brook trout: Brook trout bonus limit does not apply on Southeast regional reservoirs. (10-20-97)T

- 02. Southeast Region Exceptions Table. (3-20-97)

Water	Species	Open Season Dates	Possession Limits	Special Rules
BEAR LAKE (Idaho side) -- From the mouth of St. Charles Creek for a radius of 300 yards into the lake		Jan 1-Apr 15 Jul 1-Dec 31		NOT more than 2 hooks per line. One line only when ice fishing.
-- Remainder of lake	<u>ALL SPECIES CUTTHROAT</u>	OPEN ALL YEAR		<u>ONLY cutthroat with the adipose fin missing (as evidenced by a healed scar) may be kept.</u>
	CISCO	Jan 1-Feb 15		May be taken with dip net so long as opening does NOT exceed 18" in any dimension. When dipnetting Cisco, any size hole may be cut through the ice.
			30	Adult License holders.
			15	Juveniles, age 6-13. Cisco taken by juveniles 5 years of age and under, must be included in limit of accompanying adult.
	TROUT		2	
	WHITEFISH		10	
BEAR RIVER	CUTTHROAT	OPEN ALL YEAR	2	NONE less than 16".
-- From Highway 91 bridge upstream to Oneida Dam	TROUT		6 2	<u>ONLY 1 trout may be greater than 14".</u>
-- From Oneida Reservoir upstream to the Highway 34 bridge at Cleveland	WALLEYE	Jan 1-Feb 28 Mar 1-Apr 30 May 1-Dec 31	5 2 5	

Water	Species	Open Season Dates	Possession Limits	Special Rules
BLACKFOOT RESERVOIR	CUTTHROAT			ONLY cutthroat missing an adipose fin, as evidenced by a healed scar, may be kept.
	TROUT (except wild cutthroat)		6	May not include more than 2 trout over 16".
BLACKFOOT RIVER				
-- Mainstem from its mouth upstream to Cedar Creek		OPEN ALL YEAR		
-- Mainstem from its mouth upstream to Government Dam	CUTTHROAT		2	NONE under 16".
-- Mainstem and its tributaries upstream from boundary on Blackfoot Reservoir (boundary is defined as a line of buoys and shoreline markers approximately 4 miles below the Highway 34 bridge) upstream, EXCEPT Trail Creek upstream from the Caribou National Forest boundary	TROUT (<u>except cutthroat</u>)	Jul 1-Nov 30	2	Artificial flies and lures with one barbless hook ONLY per fly or lure. Fishing may NOT continue after trout limit has been reduced to possession. NO cutthroat under 18".
	<u>CUTTHROAT</u>		<u>0</u>	<u>CLOSED TO HARVEST</u>
BOONE CREEK (Bingham County)		OPEN ALL YEAR		
<u>CHESTERFIELD RESERVOIR</u>	<u>TROUT</u>		<u>3</u>	
CONDIE RESERVOIR	BASS		2	NONE under 20".
CUB RIVER	CUTTHROAT		2	NONE under 16".
DANIELS RESERVOIR	TROUT		2	NONE under 20". Artificial flies and lures with one barbless hook ONLY per fly or lure. One line ONLY when ice fishing.
DEEP CREEK RESERVOIR	TROUT			ONLY 2 may be cutthroat.
	<u>BASS</u>			<u>Any size bass may be kept.</u>
-- From the mouth of First Creek for a radius of 50 yards into the reservoir		Jan 1-Apr 30 Jun 15-Dec 31		
DEVILS CREEK RESERVOIR	TROUT			ONLY 2 may be cutthroat.
-- From the mouth of Devils Creek for a radius of 50 yards into the reservoir		Jan 1-Apr 30 Jun 15-Dec 31		
DIKE LAKE				No motors.

Water	Species	Open Season Dates	Possession Limits	Special Rules
DRY CREEK and its tributaries (Bear Lake County)		CLOSED TO FISHING		
FIRST CREEK - (Oneida County)		Jun 15-Nov 30		
FORT HALL INDIAN RESERVATION				Check Tribal Regulations.
FOSTER RESERVOIR				No motors.
GIRAFFE CREEK and its tributaries		CLOSED TO FISHING		
GLENDALE RESERVOIR	BASS		2	NONE under 16".
HATCHERY CREEK - (Bingham County)		OPEN ALL YEAR		
HATCHERY CREEK (Caribou County at Soda Springs)		OPEN ALL YEAR		
HIGHWAY POND (Gravel pit near Pocatello)	TROUT		2	No motors.
LEDGE CREEK - (Caribou County)		OPEN ALL YEAR		
LITTLE BLACKFOOT RIVER and its tributaries. -- From the end of the boat docks at Cedar Bay Marina (Whitelocks) upstream		Jun 15-Nov 30		
MALAD RIVER - Downstream of Highway 38		OPEN ALL YEAR		
MARSH CREEK		OPEN ALL YEAR		
McCOY CREEK	CUTTHROAT	<u>Jul 1-Nov 30</u>	2	NONE under 16".
McTUCKER SPRING CREEK		OPEN ALL YEAR		
MONTPELIER RESERVOIR				Electric motors ONLY.
MONTPELIER REARING POND	TROUT		2	
ONEIDA RESERVOIR	WALLEYE	Jan 1-Feb 28 Mar 1-Apr 30 May 1-Dec 31	5 2 5	
OUTLET and RAINBOW CANALS (Bear Lake County)		OPEN ALL YEAR		
OVID CREEK - (Bear Lake County) - Downstream of U.S. Highway 89		OPEN ALL YEAR		
PORTNEUF RIVER	CUTTHROAT		2	NONE under 16".
-- From American Falls Reservoir upstream to the Center Street Bridge in the city of Lava Hot Springs		OPEN ALL YEAR		
-- From the Center Street Bridge upstream to the East Main Street Bridge		CLOSED TO FISHING		
PRUESS CREEK and its tributaries		CLOSED TO FISHING		
ROSE POND				No motors.

Water	Species	Open Season Dates	Possession Limits	Special Rules
ST. CHARLES CREEK - (both forks)				CATCH-AND-RELEASE.
-- From its mouth upstream to the Caribou National Forest boundary		Jul 1-Nov 30		
ST. JOHNS RESERVOIR	BASS	Jan 1-Jun 30 Jul 1-Dec 31	0 2	CLOSED TO HARVEST. NONE between 12"-16".
SNAKE RIVER (See Magic Valley and Upper Snake Region for additional information)				
-- From the Blaine-Power County line to the Bingham-Bonneville County line			2	NONE under 16".
-- From the upper (East) boundary of Minidoka National Wildlife Refuge upstream to Eagle Rock		OPEN ALL YEAR		
-- From Eagle Rock upstream to American Falls Dam		Saturday of Memorial Day Weekend-Oct 31	<u>6</u>	<u>ONLY 2 over 16"</u> .
-- From American Falls Reservoir upstream to the confluence of the North (Henrys) and South Forks		OPEN ALL YEAR		
SODA CREEK		OPEN ALL YEAR		
SPRINGFIELD RESERVOIR	<u>TROUT</u>		<u>2</u>	<u>NONE under 20"</u> , <u>artificial flies and lures with one hook ONLY per fly or lure</u> . <u>(NO bait)</u> .
THOMAS FORK BEAR RIVER and its tributaries		CLOSED TO FISHING		
TREASURETON RESERVOIR	TROUT		2	NONE between 12"-16". Artificial flies and lures with one barbless hook ONLY per fly or lure. One line ONLY when ice fishing.
TWENTY-FOUR MILE RESERVOIR	TROUT		2	NONE under 20". No motors. Artificial flies and lures with one barbless hook ONLY per fly or lure. One line ONLY when ice fishing.
	BROOK TROUT			Must be counted in trout limit. Bonus brook trout does not apply.
WESTON RESERVOIR				NO fishing from boats or rafts. Float tubes permissible.

Water	Species	Open Season Dates	Possession Limits	Special Rules
	<u>BASS</u>	<u>Jan 1-Jun 30</u> <u>Jul 1-Dec 31</u>	<u>0</u> <u>2</u>	<u>CLOSED TO HARVEST.</u> <u>NONE between 12"-16".</u>
WINDER RESERVOIR				No fishing from boats or rafts. Float tubes permissible.
WIREGRASS RESERVOIR				No motors.

(3-20-97)(10-20-97)T

(BREAK IN CONTINUITY OF SECTIONS)

335. UPPER SNAKE REGION EXCEPTIONS.

01. Special Seasons and Restrictions. (3-20-97)

a. WHITEFISH: Statewide whitefish season applies ONLY in the Big Lost River and its tributaries, Falls and Teton rivers. Whitefish may be taken in other waters ONLY during seasons open for other species in those waters. (3-20-97)

b. No person shall take, have in possession, trap, seine, or use any live or dead fish or fish parts for bait while fishing in any waters of the North (Henry) Fork Snake River drainage upstream from Lower Mesa Falls, and the Big Lost River drainage. (3-20-97)

c. CUTTHROAT: In all rivers and streams, EXCEPT as noted below, the general trout limit may include ONLY 2 cutthroat and NONE between eight and sixteen inches (8" and 16"); barbless hooks recommended. (3-20-97)

02. Upper Snake River Exceptions Table. (3-20-97)

Water	Species	Open Season Dates	Possession Limits	Special Rules
BEAVER CREEK (Clark County)				
-- Downstream from the county bridge at Spencer		OPEN ALL YEAR		
BIG LOST RIVER				
-- Mainstem Big Lost River and James Creek from INEL boundary upstream to Moore Diversion		OPEN ALL YEAR		
-- Mainstem from Bartlett Point Road upstream to the North Fork, and East Fork from its confluence with the North Fork upstream to the mouth of the West Fork (Star Hope Creek)	TROUT		2	NONE under 14".

Water	Species	Open Season Dates	Possession Limits	Special Rules
BROCKMAN CREEK and its tributaries (Willow Creek drainage)		Jul 1-Nov 30		
BURNS CREEK and its tributaries		Sep 1-Nov 30		
<u>CAMAS CREEK</u> and its tributaries	<u>CUTTHROAT AND OTHER TROUT</u>		6	<u>No size restriction.</u>
CELLARS CREEK and its tributaries (Willow Creek drainage)		Jul 1-Nov 30		
DRY BEDS - Beginning at Big Feeder Irrigation Diversion		OPEN ALL YEAR		
-- From the Highway 48 bridge upstream to the Union Pacific Railroad bridge 1-1/2 miles northeast of Ririe, including canals				May take fish with dip nets, or by snagging or hand Apr 1-Apr 30.
FALL RIVER and its tributaries	TROUT		2	
FISH CREEK (Harriman State Park)				Fly fishing ONLY.
GOLDEN LAKE - (Harriman State Park)		CLOSED TO FISHING		
HATCHERY CREEK (Fremont County at Henrys Lake)		CLOSED TO FISHING		
HELL CREEK and its tributaries (Willow Creek drainage)		Jul 1-Nov 30		
HENRY'S LAKE - That portion of the lake within the posted boundaries of Staley Spring		CLOSED TO FISHING		
-- That portion of the lake within 100 yards of Hatchery Creek as posted		CLOSED TO FISHING		
-- Remainder of lake		Saturday of Memorial Day Weekend-Oct 31		Fishing hours: 5 a.m.-9 p.m. Fishing may NOT continue after trout limit has been reduced to possession.
	TROUT		2	Brook trout MUST be counted in trout limit. Bonus brook trout does not apply.
HENRY'S LAKE OUTLET				
-- From Henrys Lake downstream to the foot bridge near USGS Gauge Station (approximately 400 yards)		CLOSED TO FISHING		
HENRY'S LAKE TRIBUTARIES				
-- Hatchery Creek		CLOSED TO FISHING		
-- All others	TROUT	Aug 1-Aug 31	2	Brook trout MUST be counted in trout limit.

Water	Species	Open Season Dates	Possession Limits	Special Rules
HORSESHOE LAKE - (Fremont County)				No motors.
JEFFERSON COUNTY - All waters		OPEN ALL YEAR		
LAVA CREEK and its tributaries (Willow Creek drainage)		Jul 1-Nov 30		
LITTLE LOST RIVER -- Mainstem and tributaries upstream from the confluence of Big Springs Creek	TROUT		2	
MARKET LAKE WILDLIFE MANAGEMENT AREA				NO boats, rafts, or float tubes Mar 1-Jul 15.
MEDICINE LODGE CREEK and all tributaries	TROUT		2	
MOOSE CREEK and its tributaries (Fremont County)		Saturday of Memorial Day Weekend-Aug 15		
MUD LAKE - West of the posted boundary which runs north and south from McKenzie Point				NO boats, rafts, or float tubes Mar 1- Jul 15.
PALISADES LAKES, UPPER AND LOWER (Palisades Creek drainage)		Saturday of Memorial Day Weekend-Nov 30		
PINE CREEK and its tributaries		Jul 1-Nov 30		
RIRIE RESERVOIR		May 1-Nov 30		EXCEPT while ice fishing.
-- From the dam to posted boundary (approximately 1 mile upstream)		Dec 1-Mar 31		Ice Fishing ONLY.
ROBERTS GRAVEL POND				Motorized watercraft prohibited.
SAND CREEK WILDLIFE MANAGEMENT AREA		Saturday of Memorial Day Weekend-Nov 30		Motorized watercraft pro- hibited. No boats, rafts, or float tubes before Jul 1.
SILVER LAKE - (Harriman State Park)		CLOSED TO FISHING		
SNAKE RIVER (See Southeast Region for additional information)				
-- From American Falls Reservoir upstream to the confluence of the North (Henry's) and South Forks		OPEN ALL YEAR		
SNAKE RIVER, NORTH (HENRY'S) FORK (tributaries listed separately)				
-- From its mouth upstream to Vernon (Fritz) Bridge (second bridge downstream from Ashton Dam)		OPEN ALL YEAR		

Water	Species	Open Season Dates	Possession Limits	Special Rules
-- From the steel bridge on Old Highway 20 (Del Rio Bridge approximately one mile north of St. Anthony) upstream to a posted boundary upstream from Riverside Campground, EXCEPT Ashton Reservoir	TROUT		2	No motors. NONE between 8"-16."
-- Ashton Reservoir from the dam upstream to the U.S. Highway 20 (Wendell) bridge		OPEN ALL YEAR		
-- From the posted boundary upstream from Riverside Campground upstream to Island Park Dam EXCEPT Harriman State Park				No motors. CATCH-AND-RELEASE.
-- Harriman State Park (including East Harriman) EXCEPT the bird sanctuary		Jun 15-Nov 30		No motors. CATCH-AND-RELEASE. Fly fishing only.
-- Harriman bird sanctuary (Osborn Bridge upstream to the ranch bridge)		Jun 15-Sep 30		No motors. CATCH-AND-RELEASE. Fly Fishing ONLY.
-- From McCrea Bridge upstream to Macks Inn Bridge				No motors.
-- From Henrys Lake outlet upstream to and including the head of Big Springs		CLOSED TO FISHING		
SNAKE RIVER, SOUTH FORK (See dry beds exception)				
-- From its mouth upstream to the water measuring cable near Heise	TROUT	OPEN ALL YEAR	2	NONE between 8"-16".
-- -- From the water measuring cable near Heise upstream to Palisades Dam	TROUT	GENERAL STREAM SEASON	2	NONE between 8"-16".
TETON CREEK and its tributaries		Jul 1-Nov 30		
THURMON CREEK and its tributaries		CLOSED TO FISHING		
WARM RIVER				
-- From its mouth to railroad tunnel EXCEPT within the posted boundaries		Saturday of Memorial Day Weekend-Sep 30		
-- Within the posted boundaries from Parker (Scheuller) cabin near the mouth of Robinson Creek upstream to State Highway 47 bridge		CLOSED TO FISHING		
WILLOW CREEK (See also Brockman, Cellars, Hell, and Lava creeks)				
-- From its mouth upstream to Ririe Dam		OPEN ALL YEAR		

(3-20-97)(10-20-97)T

(BREAK IN CONTINUITY OF SECTIONS)

340. SALMON REGION EXCEPTIONS.

- 01. Special Seasons. (3-20-97)
 - a. All ponds, lakes, and reservoirs have no length restrictions, and are open to fishing all year except as listed below for the Salmon Region. (3-20-97)
 - b. Hatchery rainbow trout (missing an adipose fin) less than 20 inches in length may be harvested under statewide possession limits and rules. Wild rainbow trout (with an adipose fin) greater than 14 inches may be harvested in the Salmon River upstream from North Fork and in the Lemhi and Pahsimeroi rivers. (3-20-97)
 - e. Cutthroat may not be harvested in Salmon Region mainstem rivers (East Fork, Lemhi, Middle Fork, North Fork, Pahsimeroi, Salmon, Yankee Fork, and West Fork of Yankee Fork). All cutthroat caught from a river must be released. Cutthroat may be harvested in Salmon Region creeks and lakes (see exceptions). (3-20-97)
- 02. Salmon Region Exceptions Table. (3-20-97)

Water	Species	Open Season Dates	Possession Limits	Special Rules
ALTURAS LAKE CREEK and tributaries, upstream from Alturas Lake		Saturday of Memorial Day Weekend-Aug 7		
CAMAS CREEK (Middle Fork Salmon River tributary-Lemhi County)				
-- Mainstem				CATCH-AND-RELEASE.
-- All tributaries	TROUT		2	
ELK LAKE (an alpine lake in the Knapp Creek Drainage)				CATCH-AND-RELEASE.
FISHHOOK CREEK (tributary to Redfish Lake)		Saturday of Memorial Day Weekend-Aug 7		
LAKE CREEK and its tributaries (Lemhi County)				
-- Upstream from the posted boundary at Williams Lake		Jul 1-Nov 30		
LEMHI RIVER	RAINBOW (with adipose fin)			NONE under 14".
	<u>CUTTHROAT</u>	<u>0</u>		<u>CLOSED TO HARVEST.</u>
LOON CREEK (tributary to Middle Fork Salmon River)				
-- Mainstem				CATCH-AND-RELEASE.
-- All tributaries	TROUT		2	
MARSH CREEK and all tributaries				CATCH-AND-RELEASE.
PAHSIMEROI RIVER	RAINBOW (with adipose fin)			NONE under 14".

Water	Species	Open Season Dates	Possession Limits	Special Rules
	<u>CUTTHROAT</u>	<u>0</u>		<u>CLOSED TO HARVEST.</u>
REDFISH LAKE	KOKANEE	Jan 1-Aug 7		
SALMON RIVER NOTE: Rainbow trout longer than 20" are considered steelhead and may be kept ONLY during open steelhead harvest season.				
-- Tributaries from the mouth of the Little Salmon River upstream to and including the Horse Creek drainage EXCEPT Crooked Creek, Little Salmon and South Fork Salmon rivers	TROUT		2	
-- Mainstem from Horse Creek upstream to North Fork Salmon River	ALL SPECIES	Saturday of Memorial Day Weekend-Aug 31		See Steelhead Rules.
	CUTTHROAT		0	CLOSED TO HARVEST.
-- Mainstem from North Fork upstream to headwaters, except 100 yards upstream and downstream from the Sawtooth Fish Hatchery salmon weir and trap.		OPEN ALL YEAR		See Steelhead Rules.
	RAINBOW (with adipose fin)			<u>NONE under 14". ONLY rainbow with the adipose fin missing (as evidenced by a healed scar) may be kept.</u>
	CUTTHROAT		0	CLOSED TO HARVEST.
-- 100 yards upstream and downstream from the Sawtooth Hatchery salmon weir and trap		CLOSED TO FISHING		
SALMON RIVER, EAST FORK	<u>CUTTHROAT</u>		<u>0</u>	<u>CLOSED TO HARVEST.</u>
-- 100 yards upstream and downstream from salmon weir and trap		CLOSED TO FISHING		
SALMON RIVER, MIDDLE FORK MAINSTEM	WHITEFISH			May be taken ONLY during seasons open for other species.
-- From its mouth to Roaring Creek (approximately 4 miles)		Saturday of Memorial Day Weekend-Aug 31		CATCH-AND-RELEASE.
-- From Roaring Creek upstream to Boundary Creek <u>the posted boundary near the observation deck below Dagger Falls</u>				CATCH-AND-RELEASE.
-- From Boundary Creek upstream to Dagger Creek <u>From the observation deck below Dagger Falls to the Pack Bridge above the falls</u>		CLOSED TO FISHING		

Water	Species	Open Season Dates	Possession Limits	Special Rules
-- From the Pack Bridge above Dagger Creek Falls upstream to the confluence of Bear Valley and Marsh creeks	TROUT		2	
SALMON RIVER, MIDDLE FORK TRIBUTARIES, EXCEPT tributaries to Camas and Loon creeks (See each listed separately)				CATCH-AND-RELEASE.
<u>SALMON RIVER,</u> <u>NORTH FORK</u>	<u>CUTTHROAT</u>		0	<u>CLOSED TO HARVEST.</u>
<u>SALMON RIVER,</u> <u>YANKEE FORK AND WEST</u> <u>FORK YANKEE FORK</u>	<u>CUTTHROAT</u>		0	<u>CLOSED TO HARVEST.</u>
VALLEY CREEK -- From Valley Creek Road Bridge in Stanley upstream		<u>CUTTHROAT</u>	0	<u>CATCH-AND-RELEASE</u> <u>CLOSED TO HARVEST.</u>
		<u>RAINBOW</u>		ONLY rainbow with the adipose fin missing (as evidenced by a healed scar) may be kept.
VALLEY CREEK LAKES 1 & 2 (alpine lakes in the Valley Creek drainage)				CATCH-AND-RELEASE.
YELLOWBELLY LAKE and inlet upstream to McDonald Lake				CATCH-AND-RELEASE.

(3-20-97)(10-20-97)T

(BREAK IN CONTINUITY OF SECTIONS)

506. SEASONS AND LIMITS.

The following waters are open to fishing for chinook salmon during the periods listed. Waters not specifically designated below shall remain CLOSED to fishing for chinook. (3-20-97)

01. Little Salmon River from the Riggins water main pipeline crossing the Little Salmon River approximately 200 yards above its mouth, upstream to the U.S. Highway 95 bridge near Smokey Boulder Road. (3-20-97)

a. Season: ~~May 12 until further notice or July 8 which ever comes first.~~ (3-20-97)(10-20-97)T

b. Limits: two (2) per day, four (4) in possession, and six (6) per season. Jack salmon must be counted in the daily, possession, and season limit, and recorded on the salmon permit. (3-20-97)

c. Fishing hours: Fishing for salmon on the Little Salmon River is permitted only during the hours of 4:00 a.m. through 9:30 p.m. (MDT) during the open chinook salmon season. (3-20-97)

02. Snake River From Lower Pittsburg Landing Upstream to Hells Canyon Dam. (3-20-97)

- a. Season: ~~May 12 until further notice or August 31 which ever comes first.~~ (3-20-97)(10-20-97)T
- b. Limits: two (2) per day, four (4) in possession, and six (6) per season. Jack salmon must be counted in the daily, possession, and season limit, and recorded on the salmon permit. (3-20-97)
- c. Fishing hours: Fishing for salmon on the Little Salmon River is permitted only during the hours of 4:00 a.m. through 9:30 p.m. (PDT) during the open chinook salmon season. (3-20-97)
03. Mainstem Clearwater River From the Mouth of Big Canyon Creek (at Peck) upstream to the downstream-most boat ramp at the Ahsahka boat launch on the mainstem Clearwater River; and NORTH FORK CLEARWATER RIVER from its mouth upstream to Dworshak. (3-20-97)
- a. Season: (3-20-97)
- i. ~~North Fork Clearwater River~~
~~Jun 1 Jun 3~~
~~Jun 8 Jun 10~~
~~Jun 15 Jun 17~~ (3-20-97)
- ii. ~~Mainstem Clearwater River~~
~~Jun 8 Jun 10~~
~~Jun 15 Jun 17~~ (3-20-97)
- b. Limits: one (1) per day, two (2) in possession, and three (3) per season. Jack salmon must be counted in the daily, possession, and season limit, and recorded on the salmon permit. (3-20-97)
- c. Fishing hours: Fishing for salmon on the Clearwater and North Fork Clearwater is permitted only during the hours of 4:00 a.m. through 9:30 p.m. (PDT) during the open chinook salmon season. (3-20-97)
- d. Special restrictions: (3-20-97)
- i. Fishing from the shoreline along the perimeter of Dworshak National Fish Hatchery is PROHIBITED. (3-20-97)
- ii. Fishing from any watercraft is PROHIBITED between a posted line approximately 150 yards upstream from the mouth of the North Fork Clearwater River to the Ahsahka Highway bridge. (3-20-97)
- iii. All salmon harvested from the Clearwater River or North Fork Clearwater River MUST be checked by Idaho Department of Fish and Game daily, not later than 10:30 p.m. at the IDFG check stations at either the Ahsahka boat ramp, east of Dworshak National Fish Hatchery, or at Peck. (3-20-97)

~~507. — 599. (RESERVED).~~

600. STURGEON.

01. ~~Licenses, Tags, and Permits. Any person fishing for or catching and releasing sturgeon must have a valid sturgeon permit in his or her possession.~~ (3-20-97)
02. ~~Reporting. Any person issued a sturgeon permit must file a fishing report with IDFG on a form prescribed by IDFG no later than January 15 of the year following the fishing activity.~~ (3-20-97)

~~601 507. -- 999. (RESERVED).~~

IDAPA 13 - DEPARTMENT OF FISH AND GAME
13.01.13 - RULES GOVERNING THE TAKING OF MIGRATORY GAME BIRDS

DOCKET NO. 13-0113-9601

NOTICE OF PENDING RULE

EFFECTIVE DATE: These rules have been adopted by the agency and are now pending review by the 1998 Idaho State Legislature for final adoption. The pending rule becomes final and effective July 1, 1998, unless the rule is approved, rejected, amended or modified by concurrent resolution in accordance with Section 67-5224 and 67-5291, Idaho Code. If the pending rule is approved, amended or modified by concurrent resolution, the rule becomes final and effective upon adoption of the concurrent resolution or upon the date specified in the concurrent resolution.

AUTHORITY: In compliance with Section 67-5224, Idaho Code, notice is hereby given that this agency has adopted a pending rule. The action is authorized pursuant to Section(s) 67-5221(1) and 67-5226, Idaho Code, and Section 36-104(b), Idaho Code.

DESCRIPTIVE SUMMARY: The following is a concise explanatory statement of the reasons for adopting the pending rule and a statement of any change between the text of the proposed rule and the text of the pending rule with an explanation of the reasons for the change.

Close the Hagerman Fossil Beds National Monument to hunting.

The pending rules are being adopted as proposed. The original text of the proposed rules was published in the Idaho Administrative Bulletin, Volume 96-10, pages 56 and 57.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this pending rule, contact Gary Will, 208-334-2920.

DATED this 5th day of November 1997.

W. Dallas Burkhalter, Deputy Attorney General
PO Box 25
Boise, ID 83707
208-334-3715/FAX 208-334-2148

IDAPA 13
TITLE 01
Chapter 13

RULES GOVERNING THE TAKING OF MIGRATORY GAME BIRDS

**There are no substantive changes
from the proposed rule text.**

**The original text was published in the Idaho
Administrative Bulletin, Volume 96-10, October 2, 1996,
pages 56 and 57.**

**This rule has been adopted as Final by the Agency
and is now pending review by the
1998 Idaho State Legislature for final adoption.**

IDAPA 13 - DEPARTMENT OF FISH AND GAME

13.01.14 - RULES GOVERNING FALCONRY

DOCKET NO. 13-0114-9601

NOTICE OF PENDING RULE

EFFECTIVE DATE: These rules have been adopted by the agency and are now pending review by the 1998 Idaho State Legislature for final adoption. The pending rule becomes final and effective July 1, 1998, unless the rule is approved, rejected, amended or modified by concurrent resolution in accordance with Section 67-5224 and 67-5291, Idaho Code. If the pending rule is approved, amended or modified by concurrent resolution, the rule becomes final and effective upon adoption of the concurrent resolution or upon the date specified in the concurrent resolution.

AUTHORITY: In compliance with Section 67-5224, Idaho Code, notice is hereby given that this agency has adopted a pending rule. The action is authorized pursuant to Section(s) 67-5221(1) and 67-5226, Idaho Code, and Section 36-104(b), Idaho Code.

DESCRIPTIVE SUMMARY: The following is a concise explanatory statement of the reasons for adopting the pending rule and a statement of any change between the text of the proposed rule and the text of the pending rule with an explanation of the reasons for the change.

Set the falconry season, bag and possession limits for sage grouse.

The pending rules are being adopted as proposed. The original text of the proposed rules was published in the Idaho Administrative Bulletin, Volume 96-10, pages 58 through 60.

ASSISTANCE ON TECHNICAL QUESTIONS: For Assistance on technical questions concerning this pending rule, contact Tom Hemker, 208-334-2920.

DATED this 5th day of November 1997.

W. Dallas Burkhalter, Deputy Attorney General
PO Box 25
Boise, ID 83707
208-334-3715/FAX 208-334-2148

**IDAPA 13
TITLE 01
Chapter 14**

RULES GOVERNING FALCONRY

**There are no substantive changes
from the proposed rule text.**

**The original text was published in the Idaho
Administrative Bulletin, Volume 96-10, October 2, 1996,
pages 58 through 60.**

**This rule has been adopted as Final by the Agency
and is now pending review by the
1998 Idaho State Legislature for final adoption.**

IDAPA 13 - DEPARTMENT OF FISH AND GAME

13.01.14 - RULES GOVERNING FALCONRY

DOCKET NO. 13-0114-9602

NOTICE OF PENDING RULE

EFFECTIVE DATE: These rules have been adopted by the agency and are now pending review by the 1998 Idaho State Legislature for final adoption. The pending rule becomes final and effective July 1, 1998, unless the rule is approved, rejected, amended or modified by concurrent resolution in accordance with Section 67-5224 and 67-5291, Idaho Code. If the pending rule is approved, amended or modified by concurrent resolution, the rule becomes final and effective upon adoption of the concurrent resolution or upon the date specified in the concurrent resolution.

AUTHORITY: In compliance with Section 67-5224, Idaho Code, notice is hereby given that this agency has adopted a pending rule. The action is authorized pursuant to Section(s) 67-5221(1) and 67-5226, Idaho Code, and Section 36-104(b), Idaho Code.

DESCRIPTIVE SUMMARY: The following is a concise explanatory statement of the reasons for adopting the pending rule and a statement of any change between the text of the proposed rule and the text of the pending rule with an explanation of the reasons for the change.

Establish a falconry season for ducks and geese.

The pending rules are being adopted as proposed. The original text of the proposed rules was published in the Idaho Administrative Bulletin, Volume 96-10, pages 61 and 62.

ASSISTANCE ON TECHNICAL QUESTIONS: For Assistance on technical questions concerning this pending rule, contact Tom Hemker, 208-334-2920.

DATED this 5th day of November 1997.

W. Dallas Burkhalter, Deputy Attorney General
PO Box 25
Boise, ID 83707
208-334-3715/FAX 208-334-2148

**IDAPA 13
TITLE 01
Chapter 14**

RULES GOVERNING FALCONRY

**There are no substantive changes
from the proposed rule text.**

**The original text was published in the Idaho
Administrative Bulletin, Volume 96-10, October 2, 1996,
pages 61 and 62.**

**This rule has been adopted as Final by the Agency
and is now pending review by the
1998 Idaho State Legislature for final adoption.**

IDAPA 13 - DEPARTMENT OF FISH AND GAME

13.01.14 - RULES GOVERNING FALCONRY

DOCKET NO. 13-0114-9701

NOTICE OF PENDING RULE

EFFECTIVE DATE: These rules have been adopted by the agency and are now pending review by the 1998 Idaho State Legislature for final adoption. The pending rule becomes final and effective July 1, 1998, unless the rule is approved, rejected, amended or modified by concurrent resolution in accordance with Section 67-5224 and 67-5291, Idaho Code. If the pending rule is approved, amended or modified by concurrent resolution, the rule becomes final and effective upon adoption of the concurrent resolution or upon the date specified in the concurrent resolution.

AUTHORITY: In compliance with Section 67-5224, Idaho Code, notice is hereby given that this agency has adopted a pending rule. The action is authorized pursuant to Sections 67-5226(1)(b) and 67-5226(1)(c), Idaho Code, and Section 36-104(b), Idaho Code.

DESCRIPTIVE SUMMARY: The following is a concise explanatory statement of the reasons for adopting the pending rule and a statement of any change between the text of the proposed rule and the text of the pending rule with an explanation of the reasons for the change.

Rule 250 (clarification of permits, licenses, validations required by nonresidents); Rule 350 (permit nonresidents to capture goshawks and residents to capture ferruginous hawks); and rule 550 (clarification of permits, licenses, and validations required by residents).

The pending rules are being adopted as proposed. The original text of the proposed rules was published in the Idaho Administrative Bulletin, Volume 97-9, pages 21 through 23.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this pending rule, contact Gary Will, 208-334-2920.

DATED this 5th day of November 1997.

W. Dallas Burkhalter, Deputy Attorney General
PO Box 25
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208-334-3715/FAX 208-334-2148

**IDAPA 13
TITLE 01
Chapter 14**

RULES GOVERNING FALCONRY

**There are no substantive changes
from the proposed rule text.**

**The original text was published in the Idaho
Administrative Bulletin, Volume 97-9, September 2, 1997,
pages 21 through 23.**

**This rule has been adopted as Final by the Agency
and is now pending review by the
1998 Idaho State Legislature for final adoption.**

IDAPA 13 - DEPARTMENT OF FISH AND GAME

13.01.14 - RULES GOVERNING FALCONRY

DOCKET NO. 13-0114-9801

NOTICE OF TEMPORARY AND PROPOSED RULES

EFFECTIVE DATE: These temporary and proposed rules are effective August 30, 1997.

AUTHORITY: In compliance with Sections 67-5226, Idaho Code, notice is hereby given this agency has adopted temporary rules. The action is authorized pursuant to Section(s) 36-104(b).

DESCRIPTIVE SUMMARY: The following is the required finding and concise statement of the supporting reasons for temporary rule-making:

To set duck seasons within the recently established federal framework.

TEMPORARY RULE JUSTIFICATION: Pursuant to Sections 67-5226(1)(b) and 67-5226(1)(c), Idaho Code, the Governor has found that temporary adoption of the rule is appropriate for the following reasons:

Confers a benefit.

FEE SUMMARY: The following is a specific description of the fee or charge imposed or increased:

None.

ASSISTANCE ON TECHNICAL QUESTIONS AND SUBMISSION OF WRITTEN COMMENTS: For assistance on technical questions concerning the temporary rule, contact Gary Will, 208-334-2920.

Anyone may submit written comments regarding this rule. All written comments and data concerning the rule must be directed to the undersigned and must be postmarked or delivered on or before January 28, 1998.

DATED this 30th day of 1997.

W. Dallas Burkhalter
Deputy Attorney General
Idaho Department of Fish and Game
600 South Walnut
PO Box 25
Boise, ID 83707
208-334-3715/FAX: 208-334-2148

TEXT OF DOCKET NO. 13-0114-9801

620. FALCONRY SEASONS, BAG AND POSSESSION LIMITS FOR MIGRATORY GAME BIRDS.

01. Ducks Including Mergansers and American Coot. (8-22-94)

a. Area 1 is that area designated by the U.S. Fish and Wildlife Service as Waterfowl Zone 1 and includes the following counties or portions of counties: (8-22-94)

i. Bannock; Bingham EXCEPT that portion within the Blackfoot Reservoir drainage; Power east of State Highway 37 and State Highway 39; and, all lands, including private holdings, within the Fort Hall Indian Reservation. (8-22-94)

ii. Area 1 ~~1996~~ season for ducks (including mergansers) and American coot: ~~September 13, 1996 through September 18, 1996, September 28, 1996 and March 4 through March 10, 1997. CLOSED.~~ (8-19-96)T(8-30-97)T

b. Area 2 is that area designated by the U.S. Fish and Wildlife Service as Waterfowl Zone 2 and includes the following counties or portions of counties: (8-22-94)

i. Adams; Bear Lake; Benewah; Bingham within the Blackfoot Reservoir drainage; those portions of Blaine west of State Highway 75, south and east of U.S. Highway 93, and between State Highway 75 and U.S. Highway 93 north of U.S. Highway 20 outside the Silver Creek drainage; Bonner; Bonneville; Boundary; Butte; Camas; Caribou EXCEPT the Fort Hall Indian Reservation; Cassia within the Minidoka National Wildlife Refuge; Clark; Clearwater; Custer; Elmore within the Camas Creek drainage; Franklin; Fremont; Idaho; Jefferson; Kootenai; Latah; Lemhi; Lewis; Madison; Nez Perce; Oneida; Power within the Minidoka National Wildlife Refuge; Shoshone; Teton; and Valley Counties. (8-22-94)

ii. Area 2 ~~1996~~ season for ducks (including mergansers) and American coot: ~~September 13, 1996 through September 18, 1996, September 28, 1996 and March 4 through March 10, 1997. CLOSED.~~ (8-19-96)T(8-30-97)T

c. Area 3 is that area designated by the U.S. Fish and Wildlife Service as Waterfowl Zone 3 and includes the following counties or portions of counties: (8-22-94)

i. Ada; those portions of Blaine between State Highway 75 and U.S. Highway 93 south of U.S. Highway 20, and between State Highway 75 and U.S. Highway 93 north of U.S. Highway 20 within the Silver Creek drainage; Boise; Canyon; Cassia EXCEPT the Minidoka National Wildlife Refuge; Elmore EXCEPT the Camas Creek drainage; Gem; Gooding; Jerome; Lincoln; Minidoka; Owyhee; Payette; Power west of State Highway 37 and State Highway 39 EXCEPT the Minidoka National Wildlife Refuge; Twin Falls; and Washington Counties. (8-22-94)

ii. Area 3 ~~1996~~ season for ducks (including mergansers) and American coot: ~~September 21, 1996 through October 4, 1996. CLOSED.~~ (8-19-96)T(8-30-97)T

02. Mourning Dove. (8-22-94)

a. All counties or portions of counties which have a mourning dove season are open to hunting by falconry. (8-22-94)

b. Season for doves: November 1 through January 16, annually. (8-19-96)T

03. Bag and Possession Limits. (8-22-94)

a. Daily bag limit is three (3) of any kind. (7-31-96)T

b. Possession limit after the first day of the season is six (6) of any kind. (7-31-96)T

IDAPA 13 - DEPARTMENT OF FISH AND GAME
13.01.16 - THE TRAPPING OF PREDATORY AND UNPROTECTED
WILDLIFE AND THE TAKING OF FURBEARING ANIMALS

DOCKET NO. 13-0116-9601

NOTICE OF PENDING RULE

EFFECTIVE DATE: These rules have been adopted by the agency and are now pending review by the 1998 Idaho State Legislature for final adoption. The pending rule becomes final and effective July 1, 1998, unless the rule is approved, rejected, amended or modified by concurrent resolution in accordance with Section 67-5224 and 67-5291, Idaho Code. If the pending rule is approved, amended or modified by concurrent resolution, the rule becomes final and effective upon adoption of the concurrent resolution or upon the date specified in the concurrent resolution.

AUTHORITY: In compliance with Section 67-5224, Idaho Code, notice is hereby given that this agency has adopted a pending rule. The action is authorized pursuant to Sections 67-5226(1)(b) and 67-5226(1)(c), Idaho Code, and Section 36-104(b), Idaho Code.

DESCRIPTIVE SUMMARY: The following is a concise explanatory statement of the reasons for adopting the pending rule and a statement of any change between the text of the proposed rule and the text of the pending rule with an explanation of the reasons for the change.

Close the lynx seasons, close the Hagerman Fossil Beds National Monument to hunting and trapping, and set the seasons for beaver, bobcat, fox, and certain controlled mink and muskrat units.

The pending rules are being adopted as proposed. The original text of the proposed rules was published in the Idaho Administrative Bulletin, Volume 96-10, pages 63 through 76.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this pending rule, contact Gary Will, 208-334-2920.

DATED this 5th day of November 1997.

W. Dallas Burkhalter, Deputy Attorney General
PO Box 25
Boise, ID 83707
208-334-3715/FAX 208-334-2148

IDAPA 13
TITLE 01
Chapter 16

THE TRAPPING OF PREDATORY AND UNPROTECTED
WILDLIFE AND THE TAKING OF FURBEARING ANIMALS

There are no substantive changes from the proposed rule text.

The original text was published in the Idaho
Administrative Bulletin, Volume 96-10, October 2, 1996,
pages 63 through 76.

This rule has been adopted as Final by the Agency
and is now pending review by the
1998 Idaho State Legislature for final adoption.

IDAPA 13 - DEPARTMENT OF FISH AND GAME
13.01.19 - RULES GOVERNING OPERATING, DISCONTINUING,
AND SUSPENDING VENDORS

DOCKET NO. 13-0119-9701

NOTICE OF PENDING RULE

EFFECTIVE DATE: These rules have been adopted by the agency and are now pending review by the 1998 Idaho State Legislature for final adoption. The pending rule becomes final and effective July 1, 1998, unless the rule is approved, rejected, amended or modified by concurrent resolution in accordance with Section 67-5224 and 67-5291, Idaho Code. If the pending rule is approved, amended or modified by concurrent resolution, the rule becomes final and effective upon adoption of the concurrent resolution or upon the date specified in the concurrent resolution.

AUTHORITY: In compliance with Section 67-5224, Idaho Code, notice is hereby given that this agency has adopted a pending rule. The action is authorized pursuant to Section(s) 67-5226(1)(b) and 67-5226(1)(c), Idaho Code, and Section 36-104(b), Idaho Code.

DESCRIPTIVE SUMMARY: The following is a concise explanatory statement of the reasons for adopting the pending rule and a statement of any change between the text of the proposed rule and the text of the pending rule with an explanation of the reasons for the change.

Amends rules for vendors failing to remit money or account for license stock, and establishes rules for telecommunication reimbursements to vendors. Both pursuant to Legislative request.

The pending rules are being adopted as proposed. The original text of the proposed rules was published in the Idaho Administrative Bulletin, Volume 97-6, pages 119 through 121.

ASSISTANCE ON TECHNICAL QUESTIONS: For assistance on technical questions concerning this pending rule, contact Steve Barton, 208-334-3781.

DATED this 5th day of November 1997.

W. Dallas Burkhalter, Deputy Attorney General
PO Box 25
Boise, ID 83707
208-334-3715/FAX 208-334-2148

IDAPA 13
TITLE 01
Chapter 19

RULES GOVERNING OPERATING, DISCONTINUING,
AND SUSPENDING VENDORS

There are no substantive changes
from the proposed rule text.

The original text was published in the Idaho
Administrative Bulletin, Volume 97-6, June 4, 1997,
pages 119 through 121.

This rule has been adopted as Final by the Agency
and is now pending review by the
1998 Idaho State Legislature for final adoption.

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