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**IDAPA 13  
TITLE 01  
CHAPTER 13**

**13.01.13 - RULES GOVERNING THE TAKING OF MIGRATORY BIRDS IN THE STATE OF IDAHO**

**000. LEGAL AUTHORITY.**

The Idaho Fish and Game Commission is authorized under Sections 36-104(b) and 36-1102(b), Idaho Code, to adopt rules concerning the taking of migratory birds in the state of Idaho. (5-3-03)

**001. TITLE AND SCOPE.**

**01. Title.** These rules shall be cited in full as IDAPA 13.01.13.000, et seq., Idaho Fish and Game Commission Rules IDAPA 13.01.13, "Rules Governing the Taking of Migratory Birds in the State of Idaho". (5-3-03)

**02. Scope.** These rules establish the methods of take, seasons, and possession limits for migratory birds in the state of Idaho. (5-3-03)

**002. WRITTEN INTERPRETATIONS.**

In accordance with Section 67-5201(19)(b)(vi), Idaho Code, any written statements which pertain to the interpretation of the rules of this chapter or to the documentation of compliance with the rules of this chapter are available for public inspection and copying at cost at the headquarters office at 600 South Walnut, Boise, Idaho. (5-3-03)

**003. ADMINISTRATIVE APPEALS.**

All contested cases shall be governed by the provisions of IDAPA 13.01.01, "Rules of Practice and Procedure of the Idaho Fish and Game Commission". (5-3-03)

**004. INCORPORATION BY REFERENCE.**

There are no documents that have been incorporated by reference into this rule. (5-3-03)

**005. OFFICE -- OFFICE HOURS -- MAILING ADDRESS AND STREET ADDRESS.**

The principal place of business of the Department of Fish and Game is in Boise, Idaho. The office is located at 600 South Walnut, Boise, Idaho and is open from 8 a.m. to 5 p.m., except Saturday, Sunday and legal holidays. The mailing address is: P.O. Box 25, Boise, Idaho 83707. (5-3-03)

**006. -- 009. (RESERVED).**

**010. DEFINITIONS.**

Migratory birds are defined as the following species: The American (common) crow: *Corvus brachyrhynchos*. (7-1-93)

**011. -- 099. (RESERVED).**

**100. MIGRATORY BIRDS METHODS OF TAKE.**

No person shall take migratory birds: (7-1-93)

**01. Time.** From one-half (1/2) hour after sunset to one-half (1/2) hour before sunrise. (7-1-93)

**02. Type Of Take.** With trap, snare, net, rifle, pistol or a shotgun using shells exceeding three and one-half (3-1/2) inches maximum length. (7-1-93)

**03. Position.** From boats or other craft having a motor attached UNLESS the motor is completely shut off and forward progress has ceased, or the boat is drifting naturally or it is propelled only by paddle, oars, or pole, or it is beached, moored, or resting at anchor. (7-1-93)

**101. -- 199. (RESERVED).**

**200. AREAS CLOSED TO HUNTING OF MIGRATORY BIRDS.**

Hunting, killing, or molesting of any migratory bird is prohibited in the following areas: (7-1-93)

**01. Craters Of The Moon National Monument.** Craters of the Moon National Monument in Blaine and Butte Counties; (7-1-93)

**02. Hagerman Fossil Beds National Monument.** Hagerman Fossil Beds National Monument in Twin Falls County, EXCEPT that portion within an area fifty (50) feet in elevation above the high water level of the Snake River (the upslope area is marked by yellow fiberglass markers, and hunting is permitted downslope to the river). (7-1-98)

**03. Harriman State Park Wildlife Refuge.** Harriman State Park Wildlife Refuge in Fremont County; (7-1-93)

**04. Nez Perce National Historical Park.** Nez Perce National Historical Park in Clearwater, Idaho, and Nez Perce Counties; (7-1-93)

**05. Ada County.** That portion of Ada County within Veterans Memorial Park and the area between State Highway 21, Warm Springs Avenue and the Boise City limits; (5-3-03)

**06. Yellowstone National Park.** Yellowstone National Park in Fremont County; and (7-1-93)

**07. Other Locations.** On any of those portions of federal refuges, State game preserves, State wildlife management areas, bird preserves, bird refuges, and bird sanctuaries for which bird hunting closures have been declared by legislative or Commission action. (7-1-93)

**201. -- 299. (RESERVED).**

**300. MIGRATORY BIRD SEASONS, BAG AND POSSESSION LIMITS.**

The following seasons, bag and possession limits apply STATEWIDE: (7-1-93)

**01. Seasons.** Seasons for taking migratory birds are: (7-1-93)

**a.** October 1 through January 31 annually. (9-7-94)

**02. Limits.** There are no daily bag or possession limits on migratory birds. (9-7-94)

**301. -- 999. (RESERVED).**

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