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**IDAPA 13
TITLE 01
CHAPTER 15**

13.01.15 - RULES GOVERNING THE USE OF DOGS

000. LEGAL AUTHORITY.

The Idaho Fish and Game Commission is authorized under Sections 36-104(b) and 36-1101(b)(6), Idaho Code, to adopt rules concerning the use of dogs. (3-30-01)

001. TITLE AND SCOPE.

01. Title. These rules shall be cited in full as IDAPA 13.01.09.000, et seq., Idaho Fish and Game Commission Rules IDAPA 13.01.15, "Rules Governing the Use of Dogs." (3-30-01)

02. Scope. These rules establish the methods for the use of dogs in taking wildlife in Idaho. (3-30-01)

002. WRITTEN INTERPRETATIONS.

In accordance with Section 67-5201(19)(b)(iv), Idaho Code, this agency has 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. These documents are available for public inspection and copying at cost at the headquarters office at 600 South Walnut, Boise, Idaho. (3-30-01)

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." (3-30-01)

004. INCORPORATION BY REFERENCE.

There are no documents that have been incorporated by reference into this rule. (3-30-01)

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. (3-30-01)

006. -- 009. (RESERVED).

010. DEFINITIONS.

01. Licensed Outfitter. Licensed outfitter means the holder of an appropriate outfitter's license issued by the Idaho Outfitters and Guides Licensing Board pursuant to Sections 36-2101, et seq., Idaho Code. (4-5-00)

02. Licensed Guide. As defined in Section 36-2102(c), Idaho Code, any natural person who is employed by a licensed outfitter to furnish personal services for the conduct of outdoor activities directly related to the conduct of activities for which the employing outfitter is licensed. (4-5-00)

03. Unarmed Observers. Unarmed observer means a person without a weapon in possession and having no intent to take or harvest an animal who accompanies a hunt or pursuit with dogs. An unarmed observer is not required to possess a hunting license or Hound Hunter Permit. (3-30-01)

011. -- 099. (RESERVED).

100. USE OF HUNTING DOGS.

Dogs may be used to hunt or pursue ONLY the following wildlife, ONLY under the conditions listed, and ONLY if not prohibited by current rules: (7-1-93)

01. Upland Game Animals, Upland Game Birds, and Migratory Game Birds. To train on or hunt

upland game animals, game birds, and migratory game birds. (4-5-00)

02. Taking with Conditions. To take black bear, mountain lion, bobcat, fox and raccoon, provided that the following conditions are met: (3-30-01)

- a. There is an open take season in the area to be hunted. (7-1-93)
- b. Use of dogs is allowed during the take season in the area to be hunted. (7-1-93)
- c. Raccoons may be taken or pursued during firearm seasons for deer or elk. (3-30-01)
- d. Once an individual has harvested an animal, he may continue to pursue. (3-30-01)
- e. The following persons must have a valid Hound Hunters Permit in possession when dogs are being used to hunt. (3-30-01)
 - i. Anyone who owns pursuit dogs. (3-30-01)
 - ii. Anyone having control of dogs owned by another person; or (3-30-01)
 - iii. Anyone that harvests an animal over dogs, except clients of licensed outfitters. (3-30-01)

03. To Pursue with Conditions. To pursue black bear, mountain lion, bobcat, and raccoon provided that the following conditions are met: (3-30-01)

- a. There is an open dog training season in the area to be hunted. (7-1-93)
- b. Anyone who owns or controls pursuit dogs must have purchased a black bear or a mountain lion tag to pursue the respective species. A tag which has been filled is valid for pursuit. (3-30-01)
- c. The following persons must have a valid Hound Hunter's Permit in possession when dogs are being used to hunt or pursue black bear, mountain lion, bobcat, fox, or raccoon: (3-30-01)
 - i. Anyone who owns pursuit dogs. (3-30-01)
 - ii. Anyone having control of dogs owned by another. (3-30-01)

04. Unprotected and Predatory Wildlife. A Hound Hunter Permit is not required to take and/or pursue unprotected and predatory wildlife. (3-30-01)

101. -- 199. (RESERVED).

200. HOUND HUNTER PERMIT.

01. Use of Hound Hunter Permits. (4-5-00)

- a. The following persons must have a valid Hound Hunter Permit in possession when dogs are being used to hunt or pursue black bear, mountain lion, bobcat, fox, and raccoon: (3-30-01)
 - i. Anyone who owns pursuit dogs. (3-30-01)
 - ii. Anyone having control of dogs owned by another person. (3-30-01)
- b. Permits are not transferable EXCEPT, an outfitter licensed pursuant to the authority vested in the Outfitters and Guides Board, Sections 36-2101, et seq., Idaho Code, may convey the authority of his Hound Hunter Permit to a nonresident licensed guide operating for him. A nonresident guide will be deemed to be in compliance with this requirement if the guide has a copy of the above-referenced Hound Hunter Permit in his possession.

(4-5-00)

- c. Hound Hunter Permits are valid from January 1 through December 31 of each year. (4-5-00)

02. Limitation on Hound Hunter Permits for Nonresidents. No more than seventy (70) nonresident hound hunter permits will be issued to nonresident hunters who are not licensed outfitters pursuant to the authority vested in the Outfitters and Guides Board, Sections 36-2101, et seq., Idaho Code. A licensed outfitter, who is a nonresident, is exempt from the limitation. Nonresident licensed outfitters and guides who have obtained a hound hunter permit under this exemption shall not use this for personal hunting. Sales of nonresident Hound Hunter Permits to the following persons shall not be counted in the quota for nonresidents: (3-30-01)

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. Middle Fork Zone. Persons who hound hunt solely in big game units within the Middle Fork elk zone (Units 20A, 26, and 27) shall not be counted in the quota for nonresidents. (3-30-01)

c. Selway Zone. Persons who hound hunt solely within the Selway Zone (Units 16A, 17, 19, and 20) shall not be counted in the quota for nonresidents. A total of forty (40) permits will be issued for Units 16A, 19, 20, and all of Unit 17, excluding Hunt Area 17-1 which will have six (6) permits. Hunt Area 17-1 is defined as that portion of Unit 17 south of the following boundary: Beginning at the junction of the Unit 17 boundary and Forest Service Trail 24, then west along Forest Service Trail 24 to the Selway River, then north along the Selway River to Forest Service Trail 40, then southwest along Forest Service Trail 40 to Forest Service Trail 3, then along Forest Service Trail 3 to the Unit 17 boundary. (3-30-01)

d. Lolo Zone. Persons who hound hunt solely in the Lolo Zone (Units 10 and 12) shall not be counted in the quota for nonresidents. Six (6) permits will be issued for each of the following four (4) hunt areas: (3-30-01)

i. Hunt Area 10-1 is that portion of Unit 10 on the north side of the North Fork of the Clearwater River drainage downstream from its junction with Kelly Creek. (3-30-01)

ii. Hunt Area 10-2 is that portion of Unit 10 within the North Fork of the Clearwater River drainage upstream from its junction with Kelly Creek, and the Kelly Creek drainage excluding the Cayuse Creek drainage upstream from its junction with Forest Service Road 581. (3-30-01)

iii. Hunt Area 12-1 is that portion of Unit 12 north of U.S. Highway 12, and west of Doe Creek Road (Forest Service Road 566). (3-30-01)

iv. Hunt Area 12-2 is that portion of Unit 12 south of U.S. Highway 12 and west of Elk Summit Road (Forest Service Road 360). (3-30-01)

03. Eligibility -- Residents. A resident Hound Hunter Permit may be obtained by a holder of a resident hunting license by paying the appropriate fee at a license vendor. (3-30-01)

04. Eligibility -- Nonresidents. (7-1-93)

a. Applications for Hound Hunter Permits shall be made on a form prescribed by the Department and must be received at the Headquarters Office of the Idaho Department of Fish and Game or postmarked not later than December 1 of the year preceding the year in which the permit is to be valid. (4-5-00)

b. Any application which is unreadable or which lacks the required information will be declared void and will not be entered in the drawing. All applications will be considered final. They may not be resubmitted after correction. (4-5-00)

c. Applicants must comply with the following requirements: (7-1-93)

i. No person may submit more than one (1) application for a Hound Hunter Permit. (4-5-00)

ii. Group applications will be accepted. A group application for a Hound Hunter Permit is defined as two (2) hunters applying for two (2) permits on the same application form. (3-30-01)

d. Hound Hunter Permits that remain unissued after the drawing may be issued by the Department on a first-come, first-served basis at the Regional offices during normal business hours on or after December 10. (4-5-00)

05. Invalidation of Permit. In the event a permit is issued based on erroneous or fraudulent information, the permit is invalid and CANNOT be used. Any permit issued on the basis of fraudulent information is subject to the provisions of Title 36, Idaho Code, and IDAPA 13.01.01, "Rules Governing Licensing." (4-5-00)

201. -- 299. (RESERVED).

300. BIRD-DOG TRAINING AND FIELD TRIALS BY INDIVIDUALS USING ARTIFICIALLY PROPAGATED GAME BIRDS.

In addition to the rules set forth, the Director is authorized to establish additional limitations and guidelines as to dates, locations, and conditions where under permits may be issued allowing the party or parties listed thereon to use and kill artificially propagated game birds obtained from a private source for the purpose of dog field trials or field training bird dogs. (5-3-03)

01. Bird-Dog Training. Bird-dog training with the use of artificially propagated game birds is lawful when the following conditions are met: (5-3-03)

a. The owner of the dog(s) being trained possesses a valid Bird-Dog Training Permit, and permit is available for inspection at the training site. Permits are valid two (2) years from the date of issue. (5-3-03)

b. Artificially propagated game birds used for training purposes on Wildlife Management Areas are certified as disease free under the standards set forth by the National Poultry Improvement Program (NPIP). (5-3-03)

c. Permittee complies with any additional stipulations outlined on the permit at time of issuance. (5-3-03)

02. Bird-Dog Field Trials. Bird-dog field trials conducted with the use of artificially propagated game birds is lawful when the following conditions are met: (5-3-03)

a. Organization or its designee possesses a valid Bird-Dog Field Trial Permit, and permit is available for inspection at the field trial site. Permits are valid for up to one (1) calendar year for the number of events/trials listed on permit by specific date(s). (5-3-03)

b. Artificially propagated game birds used for training purposes are certified as disease free under the standards set forth by the National Poultry Improvement Program (NPIP). (5-3-03)

c. Proof of lawful game-bird origin is available for inspection at the field trial site. (5-3-03)

d. Permittee complies with any additional stipulations outline on the permit at time of issuance. (5-3-03)

301. -- 999. (RESERVED).

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