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**IDAPA 13
TITLE 01
CHAPTER 07**

13.01.07 - RULES GOVERNING THE TAKING OF UPLAND GAME ANIMALS

000. LEGAL AUTHORITY.

The Idaho Fish and Game Commission is authorized under Sections 36-104(b) and 36-1101(b), Idaho Code, to adopt rules concerning the taking of upland game animals. (5-3-03)

001. TITLE AND SCOPE.

01. Title. These rules shall be cited in full as IDAPA 13.01.07.000, et seq., Idaho Fish and Game Commission Rules IDAPA 13.01.07, "Rules Governing the Taking of Upland Game Animals." (5-3-03)

02. Scope. These rules establish the methods of take, seasons, and possession limits for upland game animals. (5-3-03)

002. WRITTEN INTERPRETATIONS.

In accordance with Section 67-5201(19)(b)(iv), 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.

Upland game animals shall include the following species: (7-1-93)

01. Cottontail Rabbit. *Sylvilagus nuttallii*. (7-1-93)

02. Pygmy Rabbit. *Sylvilagus idahoensis*. (7-1-93)

03. Snowshoe Hare. *Lepus americanus*. (7-1-93)

011. -- 099. (RESERVED)

100. METHODS OF TAKE.

No person shall take upland game animals: (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. With a trap, snare, net, or shotgun using shotgun shells exceeding three and one-half (3 1/2) inches in length. (7-1-93)

03. Electronic Call. By the use or aid of any electronic call. (7-1-93)

101. -- 199. (RESERVED)

200. AREAS CLOSED TO HUNTING OF UPLAND GAME ANIMALS.

Hunting, killing, or molesting upland game animals is prohibited in the following areas: (7-1-93)

01. Craters of the Moon. That area of Craters of the Moon National Monument in Blaine and Butte Counties prior to the November 2000 expansion of the Monument by Presidential decree. It is the hunter's responsibility to check with the Park Service to be able to identify the closed area. (4-6-05)

02. Harriman State Park. Harriman State Park Wildlife Refuge In Fremont County. (7-1-93)

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

04. Ada County. That portion of Ada County within Veterans Memorial Park and the area between State Highway 21, Warm Springs Avenue, and the New York Canal from the New York Canal Diversion Dam downstream to the Boise City limits; (5-3-03)

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

06. Mann's Lake. Mann's Lake in Nez Perce County and extending three hundred (300) yards beyond the Bureau of Reclamation property that encompasses the lake. (4-6-05)

07. Other. 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. WOUNDING - RETRIEVING.

No person shall wound or kill any upland game animal without making a reasonable effort to retrieve it and reduce it to possession. Every upland game animal wounded by hunting and reduced to possession shall immediately be killed and become a part of the daily bag limit. (7-1-93)

301. -- 399. (RESERVED)

400. UPLAND GAME ANIMALS SEASONS, BAG AND POSSESSION LIMITS.

Pursuant to Section 36-105(3), Idaho Code, the Commission now sets seasons, bag limits, and possession limits by proclamation. The proclamation is published in a brochure available at Department offices and license vendors. (4-6-05)

401. -- 999. (RESERVED)

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