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**IDAPA 13
TITLE 01
CHAPTER 03**

**13.01.03 – PUBLIC USE OF LANDS OWNED OR CONTROLLED BY
THE DEPARTMENT OF FISH AND GAME**

000. LEGAL AUTHORITY.

Section 36-104(b), Idaho Code, authorizes the Commission to adopt rules concerning the use of lands owned or controlled by the Department. (6-30-19)T

001. TITLE AND SCOPE.

The title of this chapter for citation is IDAPA 13.01.03 “Public Use of Lands Owned or Controlled by the Department of Fish and Game.” These rules govern use of lands owned or controlled by the Department. (6-30-19)T

002. WRITTEN INTERPRETATIONS.

Written interpretation of these rules and compliance documentation are available at the Department’s main office. (6-30-19)T

003. ADMINISTRATIVE APPEALS.

“Idaho Rules of Administrative Procedure of the Attorney General,” IDAPA 04.11.01, govern administrative appeals under this chapter. (6-30-19)T

004. INCORPORATION BY REFERENCE.

This chapter incorporates no documents by reference. (6-30-19)T

005. OFFICE – OFFICE HOURS – MAILING ADDRESS AND STREET ADDRESS.

The main office of the Department and Commission is open from 8 a.m. to 5 p.m., except Saturdays, Sundays and legal holidays. The mailing address is P.O. Box 25, Boise, Idaho 83707. The street address is 600 S. Walnut Street, Boise, Idaho. (6-30-19)T

006. PUBLIC RECORDS ACT COMPLIANCE.

The agency promulgates rules in accordance with the Administrative Procedure Act (Title 67, Chapter 52, Idaho Code), as provided in Section 36-105, Idaho Code, and they are public records. (6-30-19)T

007. – 009. (RESERVED)

010. DEFINITIONS.

01. Aircraft. Any vehicle capable of use for transportation on or in the air and any unmanned aircraft system. (6-30-19)T

02. Commercial Use. Any use or activity related to a business venture or for which a fee is charged, or in which the primary purpose is the sale or barter of goods or services, regardless of whether the use or activity is intended to produce a profit. (6-30-19)T

03. Lands Owned or Controlled by the Department. Real property, owned or controlled by the Commission or Department, managed for public recreation or for the protection, maintenance, and enhancement of fish and wildlife. (6-30-19)T

04. Designated Roads and Trails. All roads and trails posted as open or designated as open on Department public use maps. (6-30-19)T

05. Safety Zone. A posted area established for the safety and protection of persons, equipment, structures, or livestock and where shooting within, across, or into the area is not permitted. (6-30-19)T

06. Unattended. As it pertains to decoys, the absence of any person within one hundred (100) yards from any decoy for a period of more than one-half (1/2) hour. (6-30-19)T

07. **Watercraft.** Any vessel capable of use for transportation on or in the water. (6-30-19)T
011. – 099. **(RESERVED)**
100. **PUBLIC USE RESTRICTIONS.**
01. **Activities Prohibited Without Director Authorization.** Unless specifically authorized by the Commission or under lease, permit, contract, or agreement issued by the Director, Regional Supervisor, or other authorized agent, the following activities are PROHIBITED: (6-30-19)T
- a. To enter, use, or occupy lands or water when said lands are posted against such entry, use, or occupancy. (6-30-19)T
 - b. To camp or park a vehicle or trailer in any area posted against such use, or to leave unattended a camp, vehicle, or trailer for more than forty-eight (48) hours, or to camp or park a vehicle or trailer for more than ten (10) consecutive days in any thirty (30) day period in any one designated area. (6-30-19)T
 - c. To operate any motorized vehicle, including over-snow use, except on designated roads and trails. (6-30-19)T
 - d. To use watercraft on any waters posted against such use. (6-30-19)T
 - e. To use any form of fireworks or explosives. (6-30-19)T
 - f. To permit any dog or other domestic animal to run at large when the owner or guardian is not present to control or care for it or to permit any dog to be off leash or conduct dog training when prohibited by posted notice. (6-30-19)T
 - g. To conduct a dog field trial of any type from October 1 through July 31. Any dog field trial or dog training using artificially propagated game birds between August 1 and September 30 must have Department authorization under IDAPA 13.01.15.300, “Rules Governing the Use of Dogs.” (6-30-19)T
 - h. To construct any blind, pit, platform, or tree stand, where soil is disturbed or trees are cut or altered, and fasteners, such as wire, rope, or nails are used; to leave any portable manufactured blind or tree stand overnight. (6-30-19)T
 - i. To adjust, open, close, tamper with, or manipulate in any manner, any diversion structure, headgate, flume, recorded or flow dock or any device for water control. This provision does not limit the powers of agencies or irrigation districts as provided by statute or rule. (6-30-19)T
 - j. To shoot within, across, or into posted safety zones. (6-30-19)T
 - k. To leave any decoy unattended, or to place any decoy any earlier than two (2) hours before official shooting hours for waterfowl, or to leave any decoy at a hunting site later than two (2) hours after official shooting hours for waterfowl. (6-30-19)T
 - l. To discharge any paintball guns. (6-30-19)T
 - m. To disturb or remove any soils, gravel, or minerals. (6-30-19)T
 - n. To turn domestic livestock into, or allow said animals to graze or trail on or across Department lands, except riding and pack animals may be used in association with hunting and for recreational uses or as posted. (6-30-19)T
 - o. To cut, dig, or remove any crops, trees, shrubs, grasses, forbs, logs, or fuel wood. (6-30-19)T

- p. To place, maintain, or store any beehives or bee boards. (6-30-19)T
 - q. To use lands for any commercial purpose. (6-30-19)T
 - r. To place a geocache. (6-30-19)T
 - s. To use for group events of over fifteen (15) people. (6-30-19)T
 - t. To land or launch aircraft except on public airstrips. (6-30-19)T
 - u. To use or transport any hay, straw or mulch that is not weed-free certified. (6-30-19)T
- 101. – 999. (RESERVED)**

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