

## IDAPA 13 – IDAHO DEPARTMENT OF FISH AND GAME

### Wildlife Bureau

#### 13.01.09 – Rules Governing the Taking of Game Birds

##### **Who does these rules apply to?**

*These rules apply to people who hunt migratory game birds, upland game birds and waterfowl. Hunting activities in Idaho generally require a license/permit from the Department.*

##### **What is the purpose of these rules?**

*These rules govern the take of game birds, tags, permits and validations, methods of take, areas closed to hunting game birds and official shooting hours. These rules regulate the take of game birds so that Idaho continues to have bird populations to support public use and enjoyment in the future. These rules also promote public safety and manage social aspects to provide a range of opportunities and balance different public interests and preferences.*

##### **What is the legal authority for the agency to promulgate this rule?**

*This rule implements the following statutes passed by the Idaho Legislature:*

Fish and Game -

Fish and Game Commission:

- [Section 36-103, Idaho Code](#) – Wildlife Property of the State, Preservation
- [Section 36-104, Idaho Code](#) – General Powers and Duties of Commission

Protection of Animals and Birds:

- [Section 36-1101, Idaho Code](#) – Taking of Wildlife Unlawful Except by Statute or Commission Rule or Proclamation – Methods Prohibited – Exceptions
- [Section 36-1102, Idaho Code](#) – Protection of Birds

##### **Who do I contact for more information on this rule?**

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## 13.01.09 – RULES GOVERNING THE TAKING OF GAME BIRDS

### 000. LEGAL AUTHORITY.

Sections 36-103, 36-104, 36-1101, and 36-1102, Idaho Code, authorize the Commission to adopt rules concerning the taking of game birds. (3-20-20)

### 001. TITLE AND SCOPE.

The title of this chapter for citation is IDAPA 13.01.09, “Rules Governing the Taking of Game Birds.” These rules govern the taking of game birds. (3-20-20)

### 002. – 009. (RESERVED)

### 010. DEFINITIONS.

**01. Accompanied.** Close enough to be within normal conversation or hearing range without shouting or the aid of electronic devices. (3-20-20)

**02. Migratory Game Birds.** Birds classified as migratory game birds in IDAPA 13.01.06, “Rules Governing Classification and Protection of Wildlife.” (3-20-20)

**03. Upland Game Birds.** Birds classified as upland game birds in IDAPA 13.01.06, “Rules Governing Classification and Protection of Wildlife.” (3-20-20)

**04. Waterfowl.** The combination of ducks, geese, and swans, under the migratory game bird classification in IDAPA 13.01.06, “Rules Governing Classification and Protection of Wildlife.” (3-20-20)

### 011. – 089. (RESERVED)

### 090. GAME BIRD TAG VALIDATION AND ATTACHMENT.

Any hunter who kills a game bird for which a game tag is required under Section 36-409(c), Idaho Code, must immediately validate the appropriate tag and securely attach the validated tag to the carcass. Tag validation means completely removing the two (2) triangles on the tag corresponding to the day and month of the kill date. The tag must remain attached to the carcass in transit or storage. (8-1-20)T

### 091. – 099. (RESERVED)

### 100. SAGE AND SHARP-TAILED GROUSE TAGS, PERMITS, AND VALIDATIONS.

No person may hunt sage or sharp-tailed grouse anywhere within the state, except licensed shooting preserves, without having in possession the appropriate hunting license with validation for sage grouse and sharp-tailed grouse. (3-20-20)

### 101. MIGRATORY GAME BIRD TAGS, PERMITS, AND VALIDATIONS.

**01. License Validation.** No person may hunt migratory game birds anywhere within the state, without having in possession the appropriate hunting license with validation for the Migratory Game Bird Harvest Information Program and tag. (3-20-20)

**02. Youth and Veteran/Active Duty Waterfowl Season.** The youth waterfowl season is open only to licensed hunters with Migratory Bird validation who are eight (8) to seventeen (17) years of age, and who are accompanied in the field at all times by a licensed hunter eighteen (18) years of age or older. The Veteran/Active Duty waterfowl season is open only to licensed hunters with Migratory Bird validation who are veterans (as defined in Section 65-203, Idaho Code) or members of the Armed Forces on active duty (which does not include members of the National Guard and Reserves performing drills or training), and who carry proof of eligibility on their person, such as an official military or veteran identification card; DD214 form; or a state-issued driver’s license or identification card with veteran’s designation. (8-1-20)T

### 102. WILD TURKEY TAGS.

No person may hunt wild turkey without having in possession the appropriate hunting license and tag. (3-11-21)T

**01. Tags.** Turkey tags may be general or controlled hunt tags. (3-11-21)T

**02. Youth General Hunts and Youth Passport Holder Hunt Eligibility.** Youth-only general hunts are limited to participation by hunters who are ten (10) to seventeen (17) years of age with a valid license. (3-20-20)

**a.** Youth-only general hunts are limited to participation by hunters who are ten (10) to seventeen (17) years of age with a valid license. (3-20-20)

**b.** Hunting passport holders eight (8) to seventeen (17) years of age are eligible to participate in general season hunts, youth-only general hunts, landowner permission controlled hunts and depredation hunts. (3-11-21)T

**03. Controlled Hunts.** A controlled hunt tag for wild turkey is valid for the take of turkey in the controlled hunt area for which the tag was issued, and in general hunts. (3-11-21)T

**a.** Eligibility: The holders of hunting licenses valid for game birds are eligible to apply for spring and fall controlled hunts subject to the following restrictions: (3-20-20)

**i.** In the event a tag is issued based on erroneous information, the tag will be invalidated and the person will remain on the drawn list. (3-11-21)T

**ii.** Landowner permission controlled hunt application eligibility is limited to persons who have a signed permission slip, which includes the landowner's name and address, from a landowner who owns more than seventy-nine (79) acres in the hunt area. (3-11-21)T

**iii.** Youth-only controlled hunt application eligibility is limited to persons nine (9) to seventeen (17) years of age, provided they will be ten (10) to seventeen (17) years of age during the hunt for which they apply. A nine (9) year old cannot participate in the hunt until turning age ten (10). A person who turns eighteen (18) years of age during the hunt may continue to participate through the end of the youth-only controlled hunt. A person sixty-five (65) years of age or older with a senior or disabled combination or hunting license may apply on a first-come, first-served basis for leftover youth-only controlled hunt tags. (3-11-21)T

**b.** Applications: Applications for spring and fall controlled hunts may be submitted electronically through the automated licensing system at any vendor location, including Department offices, through the Internet, or via telephone, not later than March 1 for spring hunts and June 5 for fall hunts, annually. (3-20-20)

**i.** Duplicate license numbers will not be accepted. Applications from Holders of a Duplicate License (Type 501) will be processed only if they include original license numbers. (3-20-20)

**ii.** Only one (1) application per person or group will be accepted. Additional applications will result in all applicants being declared ineligible. (3-20-20)

**iii.** A single payment may be submitted to cover fees for all applications. If a check or money order is insufficient to cover the fees, all applications will be voided and returned. (3-11-21)T

**iv.** A "group application" is defined as two (2) hunters applying for the same controlled hunt on the same application. (3-20-20)

**v.** Hunting license and tag fees will NOT be refunded to unsuccessful applicants. (3-20-20)

**c.** Drawing information: Single or group applications which are not drawn for the first choice hunt will automatically be entered into a second choice drawing provided the second choice hunt applied for has not been filled. (3-20-20)

**04. Tag Validation.** (3-20-20)

**a.** Immediately after any wild turkey is killed, the turkey tag must be validated and securely attached to the wild turkey. Tag validation means cutting out and completely removing two (2) triangles on the border of each tag, one (1) for the month and one (1) for the day of the kill. (3-11-21)T

**b.** The tag must remain attached so long as the turkey is in transit or storage. (3-11-21)T

**05. Tag Designation.** (3-20-20)

**a.** Any resident adult person who possesses a controlled hunt tag may designate the controlled hunt tag to his or her resident minor child or grandchild who is qualified to participate in the hunt. (3-11-21)T

**b.** Any nonresident adult person who possesses a controlled hunt tag may designate the controlled hunt tag to his or her nonresident minor child or grandchild who is qualified to participate in the hunt. (3-11-21)T

**c.** The designation of the controlled hunt tag is not effective unless it is: (3-11-21)T

**i.** Made on a form prescribed by the Department and submitted either in person to any Department Office or by mail to the License Supervisor at P.O. Box 25, Boise, ID 83707. (3-20-20)

**ii.** Completed before the first opening hunt date for the tag. (3-11-21)T

**d.** Any child cannot be designated more than one (1) controlled hunt tag per calendar year. (3-11-21)T

**103. PHEASANT TAGS, PERMITS, AND VALIDATIONS.**

No person may hunt pheasant anywhere within the state, except licensed shooting preserves, without having in possession the appropriate hunting license and permit. (3-20-20)

**01. Upland Game Bird Permit.** (3-20-20)

**a.** Any person eighteen (18) years of age or older hunting for or having a pheasant in his or her possession on Fort Boise, C.J. Strike, Montour, Payette River, Sterling, Market Lake, Mud Lake, Cartier, or Niagara Springs Wildlife Management Areas, or at other locations where the Department stocks pheasants, as identified by Commission proclamation, must have a valid Upland Game Bird Permit in possession. (3-20-20)

**b.** Permit Limit. Each Upland Game Bird Permit has a limit of six (6) cocks. Multiple permits may be purchased. (3-20-20)

**c.** Permit Validation. Any person harvesting a pheasant where a Upland Game Bird Permit is required must immediately validate their Permit upon reducing a pheasant to possession by entering the harvest date and location in Non-Erasable ink, and removing a notch from the permit for each pheasant taken. (3-20-20)

**02. Youth Pheasant Season.** The youth pheasant season is open only to licensed hunters ten (10) to seventeen (17) years of age and hunting passport holders eight (8) to seventeen (17) years of age, provided such youth hunters/passport holders are accompanied in the field at all times by a licensed hunter eighteen (18) years of age or older. (3-20-20)

**104. – 199. (RESERVED)**

**200. IDENTIFICATION OF SPECIES IN POSSESSION AND DURING TRANSPORTATION.**

No person may possess, transport, or ship any game bird or Eurasian-collared dove between the place where taken and the personal abode of the possessor OR between the place where taken and a commercial processing or storage facility unless: (3-20-20)

**01. Wild Turkey.** The beard or leg of wild turkey is left naturally attached to the carcass. (3-20-20)

**02. All Other Game Birds and Eurasian-Collared Doves.** One (1) fully-feathered wing or the head is left naturally attached to the carcass. (3-20-20)

**201. – 249. (RESERVED)**

**250. MANDATORY CHECK AND REPORT – SWANS.**

Any hunter killing a swan must, within three (3) days of the date of kill, present the swan carcass (for measurement

and identification) to a conservation officer, regional office or check station, and complete a harvest report. A person may authorize another person to comply with the check and report if that person possesses sufficient information to complete the report. (8-1-20)T

**251. – 299. (RESERVED)**

**300. UPLAND GAME BIRD METHODS OF TAKE.**

- 01. Upland Game Birds.** No person may take upland game birds: (3-20-20)
  - a.** With a trap, snare, net, crossbow, or firearm. (3-20-20)
  - i.** EXCEPT upland game birds may be taken with a shotgun using shells not exceeding three and one-half (3-1/2) inches maximum length, or muzzleloading shotgun; or (3-20-20)
  - ii.** EXCEPT, forest grouse only may be taken with a crossbow or firearm. (3-20-20)
  - b.** From any watercraft. (3-20-20)
  - c.** By the use or aid of any electronic call. (3-20-20)
  - d.** By the aid of baiting. Bait is defined as any substance placed to attract upland game birds. (3-20-20)
  - e.** When hunting on locations where an Upland Game Bird permit is required, without wearing at least thirty-six (36) square inches of visible hunter orange above the waist. (3-20-20)
- 02. Wild Turkey.** In addition to the methods listed above, no person may take wild turkey: (3-20-20)
  - a.** With lead shot exceeding BB size. (3-20-20)
  - b.** With steel shot exceeding T size. (3-20-20)
  - c.** By the use of dogs, except during fall hunts. (3-20-20)

**301. MIGRATORY GAME BIRD AND AMERICAN CROW METHODS OF TAKE.**

As provided by Section 36-1102, Idaho Code, taking of migratory birds is subject to the provisions of the federal migratory bird treaty act and federal regulations (found at 50 CFR Part 20). (3-20-20)

- 01. Waterfowl.** No person may take waterfowl, or coot while in possession of shot other than nontoxic shot federally approved for waterfowl hunting. No person may take waterfowl with shot larger than two tenths (.20) inches in diameter (size T). (3-20-20)
- 02. Mourning Doves, Common Snipe, and Sandhill Cranes.** No person may take mourning doves, common snipe, or Sandhill Cranes while in possession of shot larger than two tenths (.20) inches in diameter (size T). (3-20-20)
- 03. American Crow.** No person may take American crow: with trap, snare, net, rifle, pistol or a shotgun using shells exceeding three and one-half (3-1/2) inches maximum length. (3-20-20)

**302. – 399. (RESERVED)**

**400. AREAS CLOSED TO HUNTING OF GAME BIRDS.**

- 01. General.** The following areas are closed to the hunting, killing, or molesting of any game bird: (3-20-20)

- a.** That area of Craters of the Moon National Monument in Blaine and Butte Counties prior to the 2000 expansion of the Monument (which excludes the Craters of the Moon National Preserve). (3-20-20)
- b.** 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). (3-20-20)
- c.** Harriman State Park Wildlife Refuge in Fremont County. (3-20-20)
- d.** Nez Perce National Historical Park in Clearwater, Idaho, and Nez Perce Counties. (3-20-20)
- e.** That portion of Ada County within Veterans Memorial Park and the area between State Highway 21, Warm Springs Avenue and the Boise City limits. (3-20-20)
- f.** Yellowstone National Park in Fremont County. (3-20-20)
- g.** Fort Boise Wildlife Management Area (WMA) in Canyon County from September 15 through the end of the waterfowl hunting season in the area enclosed by the following boundary: Beginning at the bridge across Sand Hollow Creek on Old Fort Boise Road approximately one hundred (100) yards west of the WMA headquarters, then north along the east bank of Sand Hollow Creek to its confluence with the Snake River, then north and northeast downstream along the east bank of the Snake River to the WMA boundary fence, then south and southeast along the WMA boundary fence to Old Fort Boise Road, then west on Old Fort Boise Road to the point of beginning. (3-20-20)
- h.** Roswell Marsh Wildlife Habitat Area in Canyon County on Sundays, Mondays, Tuesdays and Wednesdays from September 15 through the end of the waterfowl hunting season in the area south of Highway 18 and west of Pebble Lane (Roswell Marsh segment). (3-20-20)
- i.** Mann's Lake in Nez Perce County and extending three hundred (300) yards beyond the Bureau of Reclamation property that encompasses the lake. (3-20-20)
- j.** 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 except as otherwise expressly stated below in Section 401 under Game Preserves Open to Hunting of Game Birds. (3-20-20)
- 02. Migratory Game Birds.** In addition to the areas listed above as closed to hunting of game birds, the following areas are closed to hunting, killing, or molesting migratory game birds other than mourning dove: (3-20-20)
- a.** Fort Hall Indian Reservation in Bingham, Bannock, and Power Counties within three hundred (300) yards each way of the Fort Hall Bluffs from Bigbend Boat Launch to the west boundary of the Fort Hall Indian Reservation, and within one hundred (100) yards of any improved roadway or inhabited dwelling any place within the reservation boundary. (3-20-20)
- b.** Hagerman Wildlife Management Area (WMA) in Gooding County in the area enclosed by the following boundary: Beginning at a point two hundred (200) yards west of the point at which U.S. Highway 30 crosses the south bank of Gridley Island, then northwest along a line two hundred (200) yards southwest of and parallel to U.S. Highway 30 to a point two hundred (200) yards west of the junction of U.S. Highway 30 and the WMA entrance, then west and north and east along a line two hundred (200) yards outside of the WMA boundary which is marked by a fence, to the point at which the fence meets U.S. Highway 30, then east and south along a line five hundred (500) yards outside of the WMA boundary to the Snake River, then downstream along the north bank of the Snake River and then along the south bank of Gridley Island to the point where U.S. Highway 30 crosses the south bank of Gridley Island, then two hundred (200) yards west of U.S. Highway 30 to the point of beginning. Exception: Department sponsored waterfowl hunts. (3-20-20)
- c.** Hubbard Reservoir in Ada County including the shoreline area within two hundred (200) yards of

the existing water line. (3-20-20)

**d.** Mormon Reservoir in Camas County including the shoreline area within two hundred (200) yards of the ordinary high water line. (3-20-20)

**e.** Spokane River in Kootenai County from the Post Falls Dam to Lake Coeur d'Alene at the orange pilings, within two hundred (200) yards of the ordinary high water line two thousand one hundred twenty-eight (2,128) feet above sea level. (3-20-20)

**f.** Thompson Lake in Kootenai County in the area enclosed by the following center-of-roadway boundary: Beginning at the junction of State Highway 97 and Thompson Lake Road 317 north of the town of Harrison, then along Thompson Lake Road 317 to the junction of Blue Lake Road 318 east of Thompson Lake, then along Blue Lake Road 318 to the junction of Anderson Lake Road 319 at Springston, then along Anderson Lake Road 319 to the Trail of the Coeur d'Alenes bicycle path, then west along the bicycle path to the junction of State Highway 97 west of Harrison, then along State Highway 97 to the point of beginning. (3-20-20)

**03. Geese.** In addition to the areas listed above as closed to hunting of game birds and migratory game birds, the following areas are closed to the hunting, killing, or molesting of any species of geese: (3-20-20)

**a.** Canyon County in the area enclosed by the following roadway boundary and within one hundred fifty (150) feet of the exterior side of said boundary (except that the closure extends to one hundred (100) yards from the exterior side of said boundary along that section commencing at the junction of Lake Shore Drive and Rim Road, then south on Rim Road to west Lewis Lane, then east on west Lewis Lane to Lake Shore Drive, then along Lake Shore Drive to Emerald Road): Beginning approximately three fourths (3/4) of a mile south of the City of Nampa at the junction of State Highway 45 (12th Avenue Road) and Greenhurst Road, then west following Greenhurst Road to its junction with Middleton Road, then north following Middleton Road to its junction with Lake Lowell Avenue, then west following Lake Lowell Avenue to its junction with Lake Avenue, then north following Lake Avenue to its junction with West Roosevelt Avenue, then west following West Roosevelt Avenue to its junction with Indiana Avenue, then north following Indiana Avenue to its junction with State Highway 55 (Karcher Road), then west following State Highway 55 to its junction with Riverside Road, then south following Riverside Road to the Deer Flat National Wildlife Refuge boundary, then west along boundary fence below lower embankment as posted to Lake Shore Drive, then in a southeast direction following Lake Shore Drive to its junction with Marsing Road, then east and south on Lake Shore Drive to Rim Drive, then south on Rim Drive to West Lewis Lane, then east on West Lewis Lane to Lake Shore Drive, then southeast on Lake Shore Drive to State Highway 45, then north on State Highway 45 to its junction with Greenhurst Road, the point of beginning. (3-20-20)

**b.** Hagerman Valley in Gooding and Twin Falls Counties in the area enclosed by the following boundary: Beginning at the Gridley Island Bridge on the Snake River, then south and east along the south bank to a point perpendicular to mile marker 187.5, then on a direct line east to the southern tip of Ritter Island (in the Snake River), then continuing east to the intersection of 3200 South Road and 1300 East Road, then north on the 1300 East Road to the 1200 East Road, then northwest and north on the 1200 East Road to the 3000 South Road, then west on the 3000 South Road to a point (which is five hundred (500) yards east of the intersection of the 3000 South Road and the Hagerman National Fish Hatchery Road) five hundred (500) yards east of the Hagerman Wildlife Management Area (WMA) boundary, then north and west five hundred (500) yards outside the Hagerman WMA boundary to U.S. Highway 30, then west and south two hundred (200) yards outside the Hagerman WMA boundary to the 2900 South Road, then west on the 2900 South Road to the 900 East Road, then due south to a point two hundred (200) yards north of the Snake River, then west and north two hundred (200) yards outside the high water line on the east bank of the Snake River to Lower Salmon Dam, then west across the Snake River, then south, southwest and east two hundred (200) yards outside the high water line on the west bank of the Snake River (including the Idaho Power Upper Salmon Dam diversion canal) to the Gridley Bridge on U.S. Highway 30, the point of beginning. (3-20-20)

**c.** Minidoka and Cassia Counties in the area enclosed by the following boundary: Within two hundred (200) yards of the high water line of the Snake River from Milner Dam upstream to Meridian Road (north side of the Snake River) and 650 East Road (south side of the Snake River), approximately six and one-half (6 1/2) miles east of the City of Burley. (3-20-20)

**401. GAME PRESERVES OPEN TO THE HUNTING OF MIGRATORY GAME BIRDS.**

The David Thompson Preserve in Bonner County is open to the hunting of migratory game birds. (3-20-20)

**402. – 449. (RESERVED)**

**450. WOUNDING – RETRIEVING.**

No person may wound or kill any game bird without making a reasonable effort to retrieve it and reduce it to possession. Every game bird wounded by hunting and reduced to possession shall be killed immediately and become a part of the daily bag limit. (3-20-20)

**451. – 499. (RESERVED)**

**500. OFFICIAL SHOOTING HOURS.**

No person may take game birds outside of official shooting hours. (3-20-20)

**01. Migratory Game Birds and Wild Turkey.** Official shooting hours for migratory game birds and wild turkey are from one-half (1/2) hour before sunrise until sunset. (3-20-20)

**02. Upland Game Birds and American Crow.** Official shooting hours for upland game birds and American crow are from one-half (1/2) hour before sunrise to one-half (1/2) hour after sunset. In locations requiring possession of a Upland Game Bird permit, the Commission may designate alternate official shooting hours by proclamation. (3-20-20)

**501. – 599. (RESERVED)**

**600. SEASONS, BAG, AND POSSESSION LIMITS, AND MANAGEMENT UNITS.**

The Commission sets seasons, bag limits, and possession limits for game birds by proclamation, as published in a brochure available at Department offices and license vendors. Management Unit Descriptions for wild turkey are contained in IDAPA 13.01.08.600, “Rules Governing the Taking of Big Game Animals.” (3-20-20)

**601. – 999. (RESERVED)**

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