IDAPA 13 – IDAHO DEPARTMENT OF FISH AND GAME

Administration Bureau

13.01.04 – Rules Governing Licensing

Who does these rules apply to?
These rules apply to individuals who desire to hunt, trap or fish in Idaho. A license, tag or permit may be needed to hunt certain species and locations.

What is the purpose of these rules?
These rules govern licensing, proof of residence, resident lifetime license certificates, disability licenses, allocation of outfitter tags, nonresident tag quotas, refunds and rain checks, and programs for Bighorn Sheep Auction and Lottery Tags, Governor's Partnership Tags, Children with Special Needs Big Game Tags, and Disabled Veterans Special Big Game Tags.

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 Commission:
- Section 36-104, Idaho Code – General powers and duties of Commission
- 36-301, Idaho Code – Forms and Licenses – Printing – Chargeable to Director

License to Hunt, Fish and Trap:
- Section 36-401, Idaho Code – Hunting, Trapping, Fishing - License Requirement - Exceptions
- Section 36-402, Idaho Code – Licenses – Authority – Limitations – Confidentiality
- Section 36-403, Idaho Code – Expiration Dates – Licenses, Tags and Permits
- Section 36-404, Idaho Code – Classes of Licenses
- Section 36-405, Idaho Code – Application for License – Duplicate License – Unlawful Purchase, Possession, and Use of License
- Section 36-406, Idaho Code – Resident Fishing, Hunting and Trapping Licenses – Fees
- Section 36-406a, Idaho Code – Two Pole Permit
- Section 36-407, Idaho Code – Nonresident Combination, Fishing, Hunting, and Trapping Licenses – Fees – Rights Under
- Section 36-408, Idaho Code – Commission's Authority – Tags – Permits – Nonresidents Limited – Outfitters Set-aside
- Section 36-409, Idaho Code – Game Tags – Permits – Fees – Penalty
- Section 36-409a, Idaho Code – Disabled Archery Provisions
- Section 36-410, Idaho Code – Steelhead Trout – Androgynous Salmon Permits
- Section 36-411, Idaho Code – Certificate of Completion
- Section 36-412, Idaho Code – Education Programs, Instructor Qualifications
- Section 36-413, Idaho Code – Lifetime License Certificate – Fee

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

Who do I contact for more information on this rule?

Idaho Department of Fish and Game
600 S. Walnut Street
Boise, ID 83712
Phone: (208) 334-3771
Fax: (208)334-4885

P.O. Box 25
Boise, ID 83707

Email: Rules@idfg.idaho.gov
Website: http:/idfg.idaho.gov

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000. LEGAL AUTHORITY.
Sections 36-104(b), 36-301, 36-401 through 413, and 36-1101, Idaho Code, authorize the Commission to adopt rules concerning issuance and sales of licenses. (3-20-20)

001. TITLE AND SCOPE.
The title of this chapter for citation is IDAPA 13.01.04, "Rules Governing Licensing." These rules govern licensing. (3-20-20)

002. – 009. (RESERVED)

010. DEFINITIONS.

01. Authorized Corporate Representative. Any shareholder in a corporation, designated in writing by the corporation as the eligible applicant, who is in actual physical control of the eligible property. (3-20-20)

02. Blind Person. A blind person has a medically documented loss or impairment of vision and includes any person whose visual acuity with correcting lens does not exceed twenty/two hundred (20/200) in the better eye, or whose vision in the better eye is restricted to a field which subtends an angle of not greater than twenty (20) degrees. (3-20-20)

03. Domicile. The place where an individual has his true, fixed, permanent home and to which place he has the intention of returning whenever he is absent. An individual can have several dwelling places, but only one (1) domicile. Factors to consider establishing domicile include, but are not limited to: (3-20-20)

a. What address does the person use on tax returns and where does the person file a state resident income tax return? (3-20-20)

b. Where is the person registered to vote? (3-20-20)

c. Where do the person and his immediate family live? (3-20-20)

d. Where does the person have his mail sent or forwarded to? (3-20-20)

e. Where does he register his automobiles? (3-20-20)

f. Where has the person claimed a homeowner exemption on a personal residence? (3-20-20)

g. Where does he have a driver's license? (3-20-20)

04. Disabled. A disabled person is defined as a person meeting criteria set forth in Sections 36-406(g), or 36-1101(b), Idaho Code. (3-20-20)

05. Eligible Property. At least three hundred twenty (320) acres of land, excluding any government lands, in one (1) controlled hunt area determined by the Department to be valuable for habitat or propagation purposes for deer, elk, pronghorn, and/or black bear, whether owned by one (1) or more persons, a partnership, or corporation. (3-20-20)

06. Landowner. Any person or corporation whose name appears on a deed as the owner of eligible property or whose name appears on a contract for sale of eligible property as the purchaser, and any affiliates, management companies, associated entities, wholly-owned subsidiaries, corporations, or limited liability corporations wherein fifty percent (50%) or more of the ownership or controlling interest is maintained by a single individual, partnership or corporation. (3-20-20)

07. Permanent Disability. A medically determinable physical impairment, which a physician has certified that the condition has no expectation for a fundamental or marked change at any time in the future. (3-20-20)

08. Physician. A person licensed to practice medicine pursuant to the Idaho Medical Practice Act (Sections 54-1801 through 54-1820, Idaho Code), or equivalent state licensing authority if the person is not licensed to practice in Idaho. (3-20-20)

09. **Resident**. "Resident" is defined in Section 36-202(s), Idaho Code. (3-20-20)

011. – 049. **(RESERVED)**

050. RESIDENT LICENSES AND LIFETIME CERTIFICATES.
A person, upon payment of the appropriate fee set forth in Sections 36-413 or 36-416, Idaho Code, and proof of Idaho residence or qualification for resident license privileges, may receive the corresponding resident license or lifetime license certificate under the conditions set forth in this section. (3-20-20)

01. **Proof of Residence**. Resident license and lifetime license certificate applications must be supported by an original or unaltered copy of the following: (3-20-20)

a. Idaho Driver's License for all persons who drive. (3-20-20)

b. Nondrivers may use other suitable proof of residency, such as: (3-20-20)

i. Idaho Identification Card issued by the Idaho Transportation Department; or (3-20-20)

ii. Two (2) documents bearing the applicant's name and address, not issued by the applicant, such as: (3-20-20)

(1) Rent receipts or mortgage statements for previous six (6) months; (3-20-20)

(2) Home utility bills for previous six (6) months; (3-20-20)

(3) A notarized statement from an employer on business letterhead; (3-20-20)

(4) Proof of voter registration dated six months prior; (3-20-20)

c. For persons under eighteen (18) years of age who do not have an Idaho Driver's license or Idaho Identification Card: (3-20-20)

i. For lifetime license certificates: a certified copy of the minor's birth certificate, and proof of Idaho residency of one (1) parent or legal guardian in accordance with this subsection. (3-20-20)

ii. For annual or shorter-term licenses: proof of Idaho residency of one (1) parent or legal guardian in accordance with this subsection and attestation by the parent or legal guardian of the minor's identity. (3-20-20)

02. **Verification of Idaho Residency**. The Department may investigate and verify that the information submitted by the applicant as to Idaho residency is true and correct. (3-20-20)

03. **Application by Telephone or Electronic Methods**. Application for annual or shorter term licenses may be made by telephone or other electronic methods, provided the applicant supplies the number from a valid license or identification card issued by the Idaho Transportation Department. (3-20-20)

04. **Applications for Lifetime License Certificates**. Applications for lifetime license certificates will be made on a form prescribed by the Department and may only be submitted either in person at a Department office or by mail to the Department at P.O. Box 25, Boise, ID 83707. (3-20-20)

051. PURCHASING LICENSES FOR OTHERS.

01. **Resident Licenses**. A resident may purchase a license for the resident's spouse or child under the age of eighteen (18) living in the same household, provided that the purchaser presents proof of residence for the person who will hold the license. (3-20-20)

02. **Nonresident Licenses**. A person may purchase a nonresident license for another person because no

residency certification is necessary. (3-20-20)

03. Lifetime License Certificates. If the lifetime license certificate is being purchased for a person other than the one submitting the application, the purchaser must provide proof of residence for the intended recipient of the lifetime license certificate in accordance with Section 050 of these rules. (3-20-20)

052. – 199. (RESERVED)

200. LICENSES, PERMITS, AND TAGS FOR LIFETIME LICENSE CERTIFICATE HOLDERS.

01. Licenses. Authorized lifetime license certificate holders will be issued the appropriate combination, hunting, or fishing license annually, provided they are eligible for said license. (3-20-20)

02. Permits and Tags. The certificate holder has the responsibility to obtain any appropriate permit or game tag. (3-20-20)

201. CERTIFICATE NON-TRANSFERABLE.
Neither the lifetime license certificate nor the annual licenses are transferable. The fee paid is not refundable under any circumstances. (3-20-20)

202. CERTIFICATE HOLDERS RESIDING OUT-OF-STATE.

01. Validity. The lifetime license certificate does not become invalid if the certificate holder subsequently resides outside the state of Idaho. (3-20-20)

02. Effect of Subsequent Change in Residency. Should the certificate holder subsequently become a nonresident, the following applies: (3-20-20)

a. The holder may only purchase permits, and tags at the nonresident fee. (3-20-20)

b. The holder will be treated as a resident for purposes of controlled hunt applications and limits or quotas on the number of tags or permits based on resident/non-resident status. (3-20-20)

c. The holder will be entitled to resident bag and possession limits. (3-20-20)

203. OBTAINING CERTIFICATES UNLAWFULLY.
It is unlawful for any person to obtain, use or possess, or attempt to obtain, use or possess a lifetime license certificate by fraud, deceit or misrepresentation. All licenses including lifetime license certificates unlawfully obtained shall be seized and shall become null and void. Any fees paid will not be refunded. (3-20-20)

204. REVOCATION OF CERTIFICATE AND LICENSES.
A lifetime license and the rights of a lifetime license certificate holder to obtain a license may be revoked pursuant to Section 36-1402, and Chapter 15, Title 36, Idaho Code. (3-20-20)

205. – 249. (RESERVED)

250. DEFACED OR ALTERED LICENSES INVALID.
Any license that is defaced, altered, or tampered with will be invalid from the date and time of issuance. It is unlawful to use or attempt to use any license that has been defaced, tampered with, or altered. Evidence of defacing, tampering, or altering includes but is not limited to tears or erasures or typeovers to the license stock. (3-20-20)

251. – 254. (RESERVED)

255. AUTHORIZATION NUMBER PENDING RECEIPT OF LICENSE.

01. Authorization Number. A person applying by telephone or other electronic method will receive an authorization number assigned as directed by the Department. (3-20-20)

02. Authorization Number Used in Lieu of License. The authorization number provided to telephone applicants may be used in lieu of the actual license only by the individual for whom the license was purchased. When used in lieu of a license, the person must carry government-issued identification and present such identification and provide the authorization number to comply with Section 36-1201, Idaho Code. The authorization number may be used for not more than fourteen (14) calendar days from the date of issue, except authorization numbers for short-term licenses are valid only for the stated term from the beginning effective date of the license. This allows the authorization-number holder to hunt or fish during the time period it takes to mail the license to the individual. Thereafter, the individual must have in possession the appropriate signed license to hunt or fish. (3-20-20)

03. Violation. It is a violation to hunt and fish with an invalid authorization number or an authorization number issued to another person. (3-20-20)

04. Authorization Number Only Eligible for Certain Activities. The authorization number may be used only for those hunting or fishing activities that do not require a license, tag, or permit to be notched or attached to a carcass. (3-20-20)

256. – 261. (RESERVED)

262. RESIDENT LICENSES – JOB CORPS STUDENTS.
A Job Corps student may obtain a resident fishing license pursuant to Section 36-202(s)4, Idaho Code, provided the student presents certification of current enrollment at a Job Corps Center in Idaho signed by the Center director. (3-20-20)

263. RESIDENT LICENSES – MILITARY PERSONNEL – U.S. AND FOREIGN

01. Nonresident Eligibility. (3-20-20)

a. A nonresident member of the Armed Forces of the United States or a foreign country may obtain a resident license pursuant to Section 36-202(s)(3), provided the service member presents a copy of assignment orders (in official form appropriate for the branch of service, such as "Request and Authorization for Permanent Change of Station-Military") that indicate the member is on active duty with a permanent duty station in Idaho at the time of license application. The nonresident active duty member's spouse and dependent children less than eighteen (18) years of age may obtain a resident license, provided they present a copy of the assignment orders and documentation they are member of the active duty member's household in Idaho. (3-20-20)

b. Members of the Armed forces who are not residents of the state, and who are stationed or domiciled in Idaho for fewer than thirty (30) days immediately preceding application are not eligible for resident licenses or a military furlough license and must purchase nonresident licenses and tags. (3-20-20)

c. Discharged servicemembers who were not residents of the state of Idaho at the time of their induction or enlistment, or who have not been stationed within the state of Idaho for a period of at least six (6) months prior to their discharge are not entitled to resident licenses until they have domiciled in this state for a period of six (6) months. The Department will rely on Discharge Form DD214 (or official successor form certifying release or discharge from active duty) for the home of record. (3-20-20)

d. Civilian employees of the military who are not Idaho residents are not eligible for resident licenses. (3-20-20)

02. Resident. Idaho residents who are in the military service of the United States and maintain Idaho as their official home of residence are eligible to purchase a resident license or obtain a military furlough license, pursuant to Section 36-202(s)(2), provided they provide a current leave and earnings statement or other proof identifying Idaho as their official state of residence. The service member's spouse and dependent children less than eighteen (18) years of age living in the service member's household may purchase resident licenses. (3-20-20)

264. RESIDENT LICENSES – STUDENT.

01. Absent Full-time Student. Pursuant to Section 36-202(s)1, Idaho Code, an Idaho resident who is a full-time student of an out-of-state institution of learning, paying nonresident tuition or otherwise not claiming residency in another state, is entitled to receive a resident license, for a period not to exceed five (5) years, even though the student is not physically present in Idaho continuously for a period of six (6) months preceding his application for such license. (3-20-20)

02. Temporarily Present. Students who are temporarily present within the state of Idaho while exercising residency privileges in another state or country are not eligible to purchase resident licenses. (3-20-20)

265. FOREIGN EXCHANGE HIGH SCHOOL STUDENTS.
Pursuant to Section 36-202(s), Idaho Code, any foreign exchange student enrolled in an Idaho high school may obtain a resident fishing license, provided the student presents proof of Idaho high school enrollment and a copy of the U.S. Immigration document or other government document showing "J-1" student classification. All other foreign students are nonresidents. (3-20-20)

266. FOREIGNERS/ALIENS IN IDAHO.
Foreigners residing in the state on a temporary visa are not eligible for a resident license. Persons residing in the state who present a valid permanent visa or a currently pending application for U.S. citizenship are eligible for a resident license if they have been domiciled within Idaho for six (6) months with a bona fide intent to remain. (3-20-20)

267. – 301. (RESERVED)

302. DISABILITY LICENSES.
Disability licenses include: Disabled Combination, Disabled Hunting, Disabled Fishing, Disabled American Veterans Combination, Disabled American Veterans Hunting, Disabled American Veterans Fishing, and Nonresident Disabled American Veterans Hunting. (3-20-20)

01. Attestation to Disability. No person may misrepresent any information to obtain a disability license. (3-20-20)

02. Documentation for Eligibility. To obtain a disability license, an applicant must present, to a Department office or vendor, or by mail to the Department, one (1) of the following: (3-20-20)

a. A benefit verification letter from the Social Security Administration in the individual's name showing that the applicant is receiving SSI (Supplemental Security Income) or SSDI benefits for the current year; (3-20-20)

b. A letter from the Railroad Retirement board verifying disability status dated within three (3) years preceding the application for a disabled license; (3-20-20)

c. A letter, of any date prior to license application, from the Veterans Affairs office verifying a service-connected disability rating of forty percent (40%) or greater. Such documentation will be required only for the initial application and will not be required for subsequent disability license application. Applicants for nonresident Disabled American Veteran licenses must support their applications with this form of documentation. (3-20-20)

d. A current year's letter from the Veterans Affairs office showing an individual is receiving a nonservice-connected pension. (3-20-20)

e. Certification of permanent disability on a form prescribed by the Department, completed and signed by the applicant's physician, physician assistant, or nurse practitioner, also signed by the applicant, stating which of the criteria set forth in Subsection 010.04 of this rule, qualifies the applicant as permanently disabled and why. If the physician, physician assistant, or nurse practitioner is not licensed to practice in Idaho, a copy of the physician, physician assistant, or nurse practitioner's medical license must accompany the application. (3-20-20)

f. A valid Idaho driver's license if the individual meets the disability requirements of Section 49-117(7)(b), Idaho Code, and the driver's license is appropriately marked as disabled. (3-20-20)

303. DISABLED PERSONS MOTOR VEHICLE HUNTING PERMITS.

01. Applications for Disabled Motor Vehicle Hunting Permits. (3-20-20)

a. Applications for disabled motor vehicle hunting permits will be on a form prescribed by the Department, completed and signed by the applicant, or an individual may present their valid Idaho driver's license in lieu of the prescribed Department form if the individual meets the disability requirements of Section 49-117(7)(b), Idaho Code, except for blindness, and the driver's license is appropriately marked as disabled. (3-20-20)

b. Each application submitted on the Department form shall be accompanied by certification from the applicant's physician, physician assistant, or nurse practitioner stating which of the criteria set forth in Section 36-1101, Idaho Code, qualifies the applicant and why, along with the applicant's certification that the applicant is capable of holding and firing, without assistance from other persons, legal hunting equipment. If the physician, physician assistant, or nurse practitioner is not licensed to practice in Idaho, a copy of the physician, physician assistant, or nurse practitioner's medical license must accompany the application. Physicians, physician assistants, or nurse practitioners must check the appropriate box for short-term or long-term disability on the application. If the disability is short term and physical mobility is expected to improve, the physician, physician assistant, or nurse practitioner must include a date when the disability is expected to end. (3-20-20)

02. Disabled Motor Vehicle Hunting Permits. (3-20-20)

a. Disabled motor vehicle hunting permits will expire no later than December 31 of the fifth year following the date of issuance. (3-20-20)

b. The permit shall be prominently displayed on any vehicle from which the person is hunting, on the driver's side of the dashboard of the parked vehicle, suspended from the rearview mirror, or otherwise displayed so as to be in plain view of any person looking at the vehicle or through any windshield. (3-20-20)

304. DISABLED ARCHERY PERMIT.

01. Applications for Disabled Archery Permits. (3-20-20)

a. Applications for disabled archery permits will be completed on a form prescribed by the Department signed by the applicant. (3-20-20)

b. Each application shall be accompanied by certification from the applicant's physician, physician assistant, or nurse practitioner stating that the applicant has a permanent disability whereby he does not have use of one (1) or both of his arms or hands, along with the applicant's certification that the applicant is capable of holding and firing, without assistance from other persons, a bow or crossbow. If the physician, physician assistant, or nurse practitioner is not licensed to practice in Idaho, a copy of the physician, physician assistant, or nurse practitioner's medical license must accompany the application. (3-20-20)

02. Disabled Archery Permits. (3-20-20)

a. Disabled archery permits expire on December 31 of the fifth year following the date of issuance. (3-20-20)

b. The disabled archery permit shall be carried on the person of anyone participating in an archery only season with the use of a crossbow and produced upon officer request. (3-20-20)

c. The disabled archery permit authorizes the holder thereof to participate in an archery only hunt with the use of a crossbow or a device attached that holds a bow at partial or full draw or a low magnification scope (magnification no greater than four (4) power) containing battery-powered or tritium-lighted reticles. (3-20-20)

305. REASONABLE MODIFICATION PERMIT FOR SPECIAL WEAPON HUNTING SEASONS.

01. Applications for Reasonable Modification Permits for Special Weapon Hunting Seasons. (3-20-20)

a. Applications for reasonable modification permits will be on a form prescribed by the Department. (3-20-20)

b. Each application submitted on the Department form shall be accompanied by certification from the applicant's physician, physician assistant, or nurse practitioner stating the criteria limiting the applicant's ability to participate without special accommodation, along with the applicant's certification that the applicant is capable of holding and firing, without assistance from other persons, legal firearms or archery equipment. If the physician, physician assistant, or nurse practitioner is not licensed to practice in Idaho, a copy of the physician, physician assistant, or nurse practitioner's medical license must accompany the application. Physicians, physician assistants, or nurse practitioners must check the appropriate box for short-term or long-term disability on the application, and for short-term disability, include a date when the disability is expected to end. (3-20-20)

c. Each application must identify the equipment accommodation requested, and explain how the requested accommodation will allow the applicant to participate in the special weapon hunt without enhancing their abilities beyond the limitations and purpose of the special weapon hunt. (3-20-20)

02. Reasonable Modification Permits for Special Weapon Hunting Seasons. (3-20-20)

a. Reasonable modification permits will expire no later than December 31 of the fifth year following the date of issuance. (3-20-20)

b. The Department will make its determination based on the reasonableness of the accommodation and its consistency insofar as possible with all provisions guiding other participants in the special weapon hunting season. The Department has discretion to deny the application as unreasonable in light of restrictions for other participants in the hunt, or set a modification different from the modification requested. (3-20-20)

c. A copy of the permit shall be carried by the person while hunting in any special weapon hunt. (3-20-20)

306. DISABLED HUNTER AND COMPANION: GAME TAGS, PERMITS, AND LIMITS.

01. Assistance of Disabled Hunter by Designated Companion. Any disabled hunter possessing a valid disability license, disabled motor vehicle or disabled archery permit, as provided in Sections 302 through 304, or who is a disabled veteran participating in a hunt as provided in Section 36-408(7), Idaho Code, may be accompanied by a designated companion who may assist the disabled hunter with taking wildlife. (3-20-20)

02. Excepted From Game Tag or Game Permit Possession Only. The companion assisting a disabled hunter is excepted from game tag or permit possession to take game wounded by a disabled hunter. All other applicable rules governing the taking of wildlife apply to the companion, including possession of a valid hunting license and any applicable weapons permit (archery or muzzleloader) for the hunt. (3-20-20)

03. Validation and Attachment of Tag. The companion to a disabled hunter may validate and attach the disabled hunter's game tag or permit in accordance with applicable rules (IDAPA 13.01.08, Rules Governing the Taking of Big Game Animals, or IDAPA 13.01.09, Rules Governing the Taking of Game Birds). (3-20-20)

04. Accompanying the Disabled Hunter. The companion must accompany the disabled hunter while hunting. Once a disabled hunter has wounded game, the hunter's companion does not need to be accompanied by the disabled hunter while taking game wounded by the disabled hunter or while tagging or retrieving downed game on behalf of the disabled hunter. (3-20-20)

05. Written Statement of Designation. While taking wounded or killed game to assist a disabled hunter, the companion to a disabled hunter must possess a written statement from the disabled hunter designating that person as the disabled hunter's companion, signed by the disabled hunter including the disabled hunter's name, address, hunting license number, any applicable tag or permit number, and the dates of designation as a companion. If

a companion to a disabled hunter transports any wildlife on behalf of a disabled hunter, a proxy statement is required in accordance with Section 36-502, Idaho Code. (3-20-20)

06. Companion's Possession Limit. Any wounded game killed, or game tagged or retrieved, by a designated companion on behalf of a disabled hunter counts against the disabled hunter's possession limit and does not count against the companion's possession limit. (3-20-20)

07. Disabled Hunter Considered for Violation. The disabled hunter in possession of the valid game tag or permit is considered the hunter for violation of waste or destruction of wildlife under Section 36-1202, Idaho Code. (3-20-20)

307. – 399. (RESERVED)

400. LANDOWNER APPRECIATION PROGRAM (LAP).

01. Property and Landowner Registration. (3-20-20)

a. Only landowners who have registered their eligible property with the Department are eligible to apply for LAP controlled hunt tags for deer, elk, pronghorn, and/or black bear. Registered landowners must notify the Department of any changes in property ownership or eligibility. (3-20-20)

b. Registration of an eligible property and landowner applicant will be on a form prescribed by the Department. The landowner must submit the registration form; a copy of the deed(s) and the most recent tax assessment(s) describing the eligible property and showing the name(s) of the owner(s); and a map of the eligible property to the Department regional office. Department personnel will certify the registration and land description and return a copy to the landowner. (3-20-20)

c. If the person registering is an authorized corporate or partnership representative, the registration will include written verification from the board of directors, partnership, or an officer of the corporation, other than himself, verifying that he is authorized to register the property and eligible applicants. (3-20-20)

02. Hunt Areas. LAP controlled hunt tags will be issued only for those controlled hunt areas designated by the Commission as eligible for such tags. (3-20-20)

03. Tag Eligibility. Landowners may receive LAP controlled hunt tags only for the species and sex that use the eligible property and only for LAP hunt areas in which the registered property is located. (3-20-20)

04. Controlled Hunt Applications. Applications for LAP controlled hunt tag(s) will be on a form prescribed by the Department. (3-20-20)

a. Applications from landowners with six hundred forty (640) acres or more will be accepted on or after June 15 of each year. Applications submitted in person or mailed to the Department main office or any Regional Office, postmarked not later than July 15 of each year, will be entered in the random drawing for LAP controlled hunt tags. Each application will be entered in the random drawing one (1) time based upon each six hundred and forty (640) acres of eligible property registered by the landowner that are within the LAP controlled hunt area. For example, if a landowner has six thousand four hundred (6,400) eligible acres, the application will be entered into the random drawing ten (10) times. (3-20-20)

b. One (1) application may be submitted by a landowner with eligible property consisting of six hundred forty (640) acres to four thousand nine hundred ninety-nine (4,999) acres. A second application may be submitted for eligible property consisting of five thousand (5,000) acres or more. (3-20-20)

05. Left Over Tags. Landowners with eligible property consisting of three hundred twenty (320) acres or more may apply for left-over tags following the random draw. Written applications will be accepted beginning on the first business day on or after August 15 of each year on a first-come, first-served basis, provided they are accompanied by the appropriate application fee as specified in Section 36-416, Idaho Code. (3-20-20)

06. Issuance of Controlled Hunt Tag(s). (3-20-20)

a. Once the Commission has determined the number of controlled hunt tags to be issued in any controlled hunt area, an additional ten percent (10%) of the number of controlled hunt tags may be issued as LAP tags. In subsequent years up to twenty-five percent (25%) of the number of controlled hunt tags may be issued only if the hunt is over subscribed by eligible LAP applicants. (3-20-20)

b. Where the number of LAP applicants exceeds the number of LAP controlled hunt tags available in an area, successful applicants will be determined by drawing. All eligible landowners in the drawing will be considered for one (1) tag before any landowner is eligible for a second tag. (3-20-20)

c. No more than two (2) LAP controlled hunt tags may be issued to any eligible landowner. (3-20-20)

d. Only one (1) leftover LAP controlled hunt tag may be issued for eligible property consisting of between three hundred twenty (320) and six hundred thirty-nine (639) acres within a LAP controlled hunt area. Only one (1) LAP controlled hunt tag may be issued for eligible property consisting of between six hundred forty (640) and four thousand nine hundred ninety-nine (4,999) acres within a LAP controlled hunt area. One (1) additional controlled hunt tag may be issued to a landowner or designated agent(s) for eligible property in excess of five thousand (5,000) acres within a LAP controlled hunt area. No landowner or designated agent(s) is eligible to receive more than one (1) LAP controlled hunt tag for one (1) species in a calendar year. (3-20-20)

e. A successful landowner, corporate or partnership representative drawing a LAP controlled hunt tag may designate an eligible individual to whom the controlled hunt tag will be issued. (3-20-20)

07. Sale or Marketing Unlawful. It is unlawful to sell or market LAP controlled hunt tags. In addition to any statutory penalties, a violator of this provision will not be eligible to participate in the LAP program for three (3) years. (3-20-20)

08. Application of Controlled Hunt Restrictions. (3-20-20)

a. The restriction that applying for a moose, bighorn sheep, or mountain goat controlled hunt makes the applicant ineligible to apply for any other controlled hunt does not apply to persons who are otherwise eligible to apply for a LAP controlled hunt tag. (3-20-20)

b. LAP controlled hunts are exempt from limits or quotas on nonresident tags. (3-20-20)

c. LAP controlled hunt tags are exempt from the one (1) year waiting periods for deer, elk and pronghorn controlled hunt applications under IDAPA 13.01.08, "Rules Governing the Taking of Big Game Animals," Section 257. (3-20-20)

09. Special Restrictions. Any person hunting with a LAP controlled hunt tag may hunt only within the boundaries described in the LAP controlled hunt area. Bag and possession limits set forth in IDAPA 13.01.08, "Rules Governing the Taking of Big Game Animals," Section 200, apply to holders of LAP controlled hunt tags. (3-20-20)

401. LANDOWNER APPRECIATION SEASONS.
The Commission sets landowner appreciation seasons, including designation of controlled hunt areas and tag numbers, by proclamation, adopted and published in accordance with Section 36-105(3), Idaho Code. (3-20-20)

402. – 499. (RESERVED)

500. NONRESIDENT DEER AND ELK TAG OUTFITTER SET-ASIDE.

01. Tags. The following numbers of nonresident general hunt deer tags and nonresident general hunt elk tags will annually be set aside and reserved for sale to persons who have entered into an agreement to utilize the services of an outfitter licensed under Chapter 21, Title 36, Idaho Code. For each Hunting Season: (3-20-20)

a. One thousand nine hundred eighty-five (1,985) deer tags (the combined total of regular and White-tailed); (3-20-20)

b. Two thousand four hundred (2,400) elk tags (the combined total of A and B tags for all zones). (3-20-20)

02. Restrictions. Tags for use in general hunts will be sold on a first-come, first-serve basis through July 14 of each year. Application for purchase of these tags will be made by the outfitter for the nonresident on a form prescribed by the Department. The application shall be accompanied by the appropriate license fees and a certification by the outfitter that the nonresident has a contract to hunt with the outfitter making application. (3-20-20)

03. Unsold Tags. Any tags not sold by July 15 of each year will be sold by the Department to nonresidents on a first-come, first serve basis. (3-20-20)

501. – 504. (RESERVED)

505. DEER AND ELK TAG ALLOCATION.

01. Allocation of Tags for Capped General Hunt Units or Zones. Pursuant to Section 36-408, Idaho Code, the Commission may allocate a number of deer and/or elk tags for use by hunters with signed agreements with licensed outfitters in units or zones with limited numbers of tags. The Commission may use this subsection or the allocated tag provisions of Section 36-408, Idaho Code, to allocate outfitter tags in capped general hunt units or zones. (3-20-20)

a. When the number of hunters in a general hunt unit or zone becomes restricted, the Department will calculate the initial number of allocated tags for each zone using the Idaho Outfitters and Guides Licensing Board's records of average historic use during the previous five (5) year period. Where it is biologically feasible, any reductions in the number of tags available within a zone that exceed twenty percent (20%) will be spread over a three (3) year period with a maximum reduction of fifty percent (50%) taken in the first year and twenty-five percent (25%) in the second year. (3-20-20)

b. The allocation of tags will be calculated on a unit or zone basis. Any reduction or increase in hunting opportunities will be proportionate among non-outfitted hunters and outfitted hunters, and will be proportionate among resident and non-resident hunters; EXCEPT where such reduction would result in an allocation of greater than twenty-five percent (25%) for non-resident hunters, the Commission may reduce the allocation for non-resident hunters to a percentage of not less than twenty-five percent (25%). (3-20-20)

02. Allocation of Tags for Controlled Hunt Areas. The Commission may only allocate outfitter tags in controlled hunt areas with historic licensed deer and/or elk outfitted area(s). Hunt application and eligibility rules will apply to allocated tags in controlled hunts. (3-20-20)

a. The number of outfitter allocated tags will be in addition to the number of tags authorized by the Commission within each controlled hunt area with historic licensed deer and/or elk outfitter areas. (3-20-20)

b. A person is not eligible to apply for an outfitter allocated controlled hunt unless that person has a written agreement with an outfitter licensed in the hunt area. Successful applicants of an outfitter allocated controlled hunt must hunt with an outfitter licensed for the hunt area. The outfitter must purchase the successful applicant's controlled hunt tag by August 20. (3-20-20)

c. Successful applicants who do not want to participate in the outfitted hunt may decline the hunt upon written notification to the Department. Those declining the hunt will then be eligible to participate in a general season or leftover controlled hunt. Those drawing an outfitted controlled hunt and then declining the controlled hunt will be subject to any applicable waiting period under IDAPA 13.01.08, "Rules Governing the Taking of Big Game Animals," Section 257. (3-20-20)

d. Successful applicants that do not secure the services of an Idaho licensed outfitter and have not

purchased the controlled hunt tag by August 20 will forfeit the opportunity to purchase a controlled hunt tag. The forfeited controlled hunt tag will then be listed as a leftover controlled hunt tag. The Department will inform the Idaho Outfitters and Guides Board that a leftover controlled hunt tag is available. After securing a client, the outfitter(s) may then purchase the leftover controlled hunt tag at a Department office. (3-20-20)

e. The Commission may use this subsection or the allocated tag provisions of Section 36-408, Idaho Code, to allocate outfitter tags in controlled hunt areas: (3-20-20)

i. No less than one (1) tag and no more than three percent (3%) of the total tags; or (3-20-20)

ii. A number based on the average historic use during the previous five (5) year period to be rounded up when a decimal equals or exceeds zero point six (0.6) and rounded down when a decimal is less than zero point six (0.6); or (3-20-20)

iii. An unlimited number of allocated tags or a number of allocated tags based on historic use as alternatives only for controlled hunt areas with limited nonresident tags and unlimited resident tags; or (3-20-20)

iv. No tags will be allocated. (3-20-20)

506. DEER AND ELK OUTFITTER ALLOCATED TAG.

01. Distribution of Outfitter Allocated Tags. Allocated tags will be sold by the Department, as designated by Section 36-2107, Idaho Code, and IDAPA 25.01.01, "Rules of Idaho Outfitters and Guides Licensing Board," to hunters with signed agreements with licensed outfitters in those zones with a cap on the number of tags sold and in outfitter allocated controlled hunts. Application for the purchase of allocated tags will be made by the outfitter for the hunter on a form prescribed by the Department. The application shall be accompanied by the appropriate license fees and a certification by the outfitter that the hunter has a signed agreement to hunt with the outfitter making application. (3-20-20)

02. Designated Buyers. Purchasers of allocated tags who return their unused tag and a notarized affidavit stating that the tag buyer has not hunted may designate another person to purchase a replacement tag. If the original buyer does not make a designation, the outfitter may make the designation. The designated buyer must pay the regular fee for the replacement tag. (3-20-20)

03. Unsold Tags. Any allocation tags not sold by August 1 of each year will be sold by the Department on a first-come, first-served basis. (3-20-20)

507. – 549. (RESERVED)

550. NONRESIDENT DEER AND ELK TAG QUOTAS.

01. General Hunt Tag Quotas. The following number of general hunt deer tags and elk tags will be set aside annually and reserved for sale to nonresidents: (3-20-20)

a. Fourteen thousand (14,000) total deer tags (regular and white-tailed deer tags); (3-20-20)

b. Twelve thousand eight hundred fifteen (12,815) total elk tags (A and B tags); (3-20-20)

c. One thousand five hundred (1,500) white-tailed deer tags, available only upon sell out of deer tags referenced in Subsection 550.01.a. (3-20-20)

02. Exceptions. Sales of nonresident general hunt deer and elk tags to the following persons will not be counted in the quota: (3-20-20)

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. (3-20-20)

b. Designated Buyers of unused nonresident tags to which the quota has already applied: an unused nonresident general hunt deer or elk tag, accompanied by a notarized affidavit stating that the tag buyer has not hunted, may be designated to another nonresident for purchase at the regular tag price, by the original buyer or an outfitter or guide retained by the original buyer, or absent such designation, may be sold by the Department on a first-come, first-serve basis. (3-20-20)

c. Holders of resident lifetime license certificates who are no longer Idaho residents. (3-20-20)

d. Holders of nonresident junior mentored and disabled American veteran tags. (3-20-20)

551. – 559. (RESERVED)

560. SALE OF UNSOLD NONRESIDENT DEER AND ELK TAGS AS SECOND TAGS.
Any nonresident deer or elk tags unsold on or after August 1 may be sold to residents and to nonresidents as a second tag, at the nonresident deer or elk tag price. All privileges and restrictions associated with the use of such nonresident tags will apply equally to tag buyers that are residents. (3-20-20)

561. – 601. (RESERVED)

602. SPECIAL MILITARY DEPLOYMENT REFUND AND RAIN CHECK.

01. Special Refund and Rain Check. This special refund and rain check rule applies to the appropriate calendar year hunting season. Because of military deployment, some persons will be unable to hunt big game animals for which they purchased tags. (3-20-20)

02. Special Refund and Rain Check Eligibility. Holders of tags who can show in good faith they could not participate in hunting activities due to military deployment will be eligible for a refund or rain check for license and tags for the next calendar year hunting season as outlined in this rule. (3-20-20)

03. Tag Options. Holders of a general season or controlled hunt tag for deer, elk, moose, bighorn sheep, or mountain goat may request: (3-20-20)

a. A refund of the hunting license and tag fee; (3-20-20)

b. A rain check for a hunting license and the same general or controlled hunt tag for the same species for the next calendar year hunting season; or (3-20-20)

c. For deer and elk only, an exchange in the calendar year for a general season tag for the same species in another zone or area so long as tags are available in that area or zone. (3-20-20)

04. Nonresident Bear or Mountain Lion Tags. Holders of nonresident bear or mountain lion tags may request: (3-20-20)

a. A refund of the hunting license and tag fee; or (3-20-20)

b. A rain check for a hunting license and tag for the next calendar year hunting season. (3-20-20)

05. Ineligible to Request Tag Refund or Rain Check. If the person hunts a species of wildlife before requesting a refund or rain check, then the tag fee for that species will not be refunded or eligible for a rain check for the next calendar year season. (3-20-20)

06. Ineligible to Request License Fee Refund or Rain Check. If the person hunts for any species during the applicable year before requesting a refund or rain check, then the hunting license fee will not be refunded or eligible for a rain check for the next calendar year season. (3-20-20)

07. Refunds Will Be for the Amount Paid. All refunds will be for the amount the person paid for the hunting license or tag. (3-20-20)

08. Use of Department-Approved Form for Rain Check or Refund Request. Requests for a refund or rain check under this section will be made on the Department-approved form (found on Idaho Fish and Game website at http://fishandgame.idaho.gov/) on or before December 31 of the calendar year in which the license and tags were valid, along with a copy of deployment papers, or a letter from their commanding officers stating the dates the individual was deployed for duty. Those requests received after this date will not be eligible for the special refund or rain check. (3-20-20)

603. – 699. (RESERVED)

700. BIGHORN SHEEP AUCTION TAG.

01. Eligibility. Only persons eligible to purchase an Idaho hunting license are eligible to bid on the bighorn sheep auction tag. (3-20-20)

02. Validity of Tag. The Bighorn Sheep Auction Tag will be valid in Controlled Hunt Area 11 only during odd-numbered years and during even-numbered years when the Bighorn Sheep Lottery Tag holder chooses not to hunt in Controlled Hunt Area 11. (3-20-20)

03. License and Controlled Hunt Tag. (3-20-20)

a. A hunting license and controlled hunt tag will be provided to the successful bidder from the net proceeds of the auction. (3-20-20)

b. The successful bidder for the Bighorn Sheep Auction Tag must file a notarized affidavit within fifteen (15) days of the successful bid if the hunting license and tag are to be designated to another individual. (3-20-20)

04. Application of Big Game Rules. All rules governing IDAPA 13.01.08, "Rules Governing the Taking of Big Game Animals," apply to the eligible and successful bidders other than as specified herein. (3-20-20)

a. No successful bidder is eligible to apply for a bighorn sheep controlled hunt tag the same year the bidder is issued a Bighorn Sheep Auction Tag. (3-20-20)

b. Bighorn sheep auction tag recipients are exempt from the once-in-a-lifetime restrictions on killing bighorn sheep. (3-20-20)

701. GOVERNOR'S WILDLIFE PARTNERSHIP TAGS.

01. Application of Big Game Rules. All rules in IDAPA 13.01.08, "Rules Governing the Taking of Big Game Animals," apply to recipients of Governor's Wildlife Partnership Tags other than as specified in this section. (3-20-20)

02. Eligibility. (3-20-20)

a. Only persons eligible to purchase an Idaho hunting license are eligible to bid on a Governor's Wildlife Partnership Tag. (3-20-20)

b. A person is eligible to receive only one (1) Governor's Wildlife Partnership Tag in a calendar year. (3-20-20)

c. There is no waiting period for eligibility for Governor's Wildlife Partnership Tags for elk, deer, or pronghorn. (3-20-20)

03. Validity of Tag. Each Governor's Wildlife Partnership Tag is valid for one (1) designated species annually and within the timeframe and area prescribed by the Commission. (3-20-20)

04. License and Controlled Hunt Tag. (3-20-20)

a. A hunting license and controlled hunt tag will be provided to the successful bidder from the net proceeds of the Governor's Wildlife Partnership Tag auction. (3-20-20)

b. The successful bidder for a Governor's Wildlife Partnership Tag must file a notarized affidavit within fifteen (15) days of the successful bid if the hunting license and tag are to be designated to another individual. (3-20-20)

c. If a recipient of a Governor's Wildlife Partnership Tag draws a controlled hunt tag for that species for the same year, the controlled hunt tag is voided and the tag fee will be refunded upon the return of the tag to the Department, unless the tag is a controlled depredation hunt tag or a controlled hunt extra tag. The recipient of a Governor's Wildlife Partnership Tag may purchase second, extra, or leftover tags if a holder of a controlled hunt tag for deer, elk, or pronghorn is allowed to do so under IDAPA 13.01.08, "Rules Governing the Taking of Big Game Animals." (3-20-20)

d. Any person who receives a Governor's Wildlife Partnership Tag for bighorn sheep, mountain goat or moose, and who is otherwise eligible to apply for a deer, elk or pronghorn controlled hunt tag, and who draws such a tag, will be allowed to hunt for those species during the same year the Governor's Wildlife Partnership Tag is valid. (3-20-20)

702. – 799. (RESERVED)

800. BIGHORN SHEEP LOTTERY TAG.

01. Eligibility. (3-20-20)

a. Only persons eligible to purchase an Idaho hunting license are eligible to purchase tickets for the Bighorn Sheep Lottery Tag. "Tickets" for the Lottery Tag are hunt applications and are not transferable. A person may submit an application for another eligible individual. (3-20-20)

b. If any person is drawn for the Bighorn Sheep Lottery Tag and has already been drawn for a bighorn sheep controlled hunt tag for the same year, the controlled hunt tag will be voided and the tag fees refunded after return of the earlier drawn tag to the Department. The Lottery Tag is valid to hunt bighorn sheep in the year drawn. (3-20-20)

02. Validity of Tag. The Bighorn Sheep Lottery Tag will be valid in Controlled Hunt Area 11 only during even-numbered years and during odd-numbered years when the Bighorn Sheep Auction Tag holder chooses not to hunt in Controlled Hunt Area 11. (3-20-20)

03. Tag. (3-20-20)

a. A hunting license (if needed) and a controlled hunt tag will be provided to the eligible person drawn for the Lottery Tag from the net proceeds. (3-20-20)

b. The Bighorn Sheep Lottery Tag will only be issued to the eligible person whose name appears on the application drawn for the tag, and will not be issued to another individual. (3-20-20)

04. Application of Big Game Rules. All rules in IDAPA 13.01.08, "Rules Governing the Taking of Big Game Animals," apply to Lottery Tag applicants and the Tag recipient, other than as specified herein. (3-20-20)

a. Bighorn Sheep Lottery Tag recipients are exempt from the once-in-a-lifetime restrictions on killing bighorn sheep. (3-20-20)

b. Any person who wins a Bighorn Sheep Lottery Tag, and who is otherwise eligible to apply for a deer, elk, or pronghorn controlled hunt tag and who has drawn such a tag, will be allowed to hunt for those species during the same year the Bighorn Sheep Lottery Tag is valid. (3-20-20)

801. – 899. (RESERVED)

900. CHILDREN WITH SPECIAL NEEDS BIG GAME TAG.

01. Availability. The Department will make up to five (5) big game tags available for children with life threatening medical conditions each year. (3-20-20)

a. Any of the five (5) big game tags described in Section 901 that has not been issued by July 15 each year may also be available for children with life threatening conditions. (3-20-20)

02. Eligibility. A special needs big game tag will only be issued to a resident or nonresident minor (seventeen (17) years of age or younger) with a life threatening medical condition as certified by a qualified and licensed physician, and who is sponsored by a qualified organization defined in Section 36-408(6), Idaho Code. Minimum age, hunter education, and license requirements are waived for individuals applying for or receiving a special needs big game tag. (3-20-20)

03. Validity of Tag. Each special needs tag will be valid for only one (1) of the following species: deer, elk, pronghorn, moose, black bear, or mountain lion. (3-20-20)

a. The special needs tag is valid in any open hunt, controlled or general, as provided by Commission proclamation, EXCEPT the use of the special needs tag is restricted from use in any Controlled Hunt with less than five (5) controlled hunt tags. (3-20-20)

b. Applicants may only receive one (1) special needs tag in a lifetime. (3-20-20)

c. In exercising hunting privileges, the recipient of a special needs tag must be accompanied by an adult in possession of a valid Idaho big game hunting license. (3-20-20)

04. Application. Applications will be on a form as prescribed by the Department. (3-20-20)

a. Applications will only be considered from eligible nonprofit organizations. For drawing eligibility, the Department must receive an application between January 2 through January 31, inclusively, of the calendar year for the hunt. (3-20-20)

b. Applications received by the Department after January 31 may be considered on a first-come basis if there are not sufficient eligible applications. (3-20-20)

c. A copy of the nonprofit organization's IRS determination letter must accompany the application. (3-20-20)

05. Fees. All fees associated with applying for and receiving a special needs tag, including fees for any associated Disabled Persons Motor Vehicle Hunting Permit or Disabled Archery Permit, are waived. (3-20-20)

06. Random Draw. Eligible applications will be randomly drawn for tag issuance if the number of applications exceeds the number of tags available. (3-20-20)

07. Nonresident Tag Limitation. Not more than one (1) special needs tag will be issued to a nonresident, unless there are insufficient applications for resident applicants. (3-20-20)

901. DISABLED VETERANS SPECIAL BIG GAME TAG.

01. Availability. The Department will make five (5) big game tags available for disabled veterans, of which two (2) tags will be designated to the Idaho Division of Veterans Services. (3-20-20)

a. Any of the five (5) big game tags described in Section 900 that has not been issued by July 15 each year may also be available for disabled veterans. (3-20-20)

02. **Eligibility**. A disabled veterans special big game tag will only be issued to a disabled veteran, as certified by the Idaho Division of Veterans Services, who is sponsored by a qualified organization defined in Section 36-408(7), Idaho Code. (3-20-20)

a. A disabled veteran does not need a hunting license or hunter education to apply for or receive a disabled veterans special big game tag. (3-20-20)

b. An individual may only receive one (1) disabled veterans special big game tag in a lifetime. (3-20-20)

03. **Validity of Tag**. Each disabled veterans special big game tag will be valid for only one (1) of the following species: deer, elk, pronghorn, moose, black bear, or mountain lion. The disabled veterans special big game tag will be valid for use in any general or controlled hunt open for that species, EXCEPT for those Controlled Hunts with fewer than five (5) controlled hunt tags, as authorized by Commission proclamation. (3-20-20)

a. Applicants may only receive one (1) disabled veterans special big game tag in a lifetime. (3-20-20)

04. **Application**. Applications will be on a form as prescribed by the Director. (3-20-20)

a. Applications will only be considered from an eligible nonprofit organization or governmental agency. For drawing eligibility, the Department must receive the application between January 2 through January 31, inclusively, of the calendar year for the hunt. (3-20-20)

b. Applications received by the Department after January 31 may be considered on a first come basis if there are not sufficient eligible applications. (3-20-20)

c. A copy of the nonprofit organization's IRS determination letter must accompany the application. (3-20-20)

05. **Fees**. All fees associated with applying for and receiving a disabled veterans special big game tag, including any associated Disabled Persons Motor Vehicle Hunting Permit or Disabled Archer Permit, are waived. (3-20-20)

902. – 999. **(RESERVED)**

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