

24.35.01 – RULES OF THE OUTFITTERS AND GUIDES LICENSING BOARD

000. LEGAL AUTHORITY.

These rules have been promulgated pursuant to authority granted in the Outfitters and Guides Act. (4-6-23)

001. SCOPE.

The rules implement, administer, and enforce the Act to establish uniform standards for licensing outfitted and guided activities to protect the public and protect, enhance, and facilitate management of Idaho's fish, wildlife, and recreational resources. (4-6-23)

002. DEFINITIONS.

The definitions set forth in Section 36-2102, Idaho Code, are applicable to these rules. In addition, the following terms have the meanings set forth below: (4-6-23)

01. Act. Title 36, Chapter 21, Idaho Code, commonly known as the Outfitters and Guides Act, as amended. (4-6-23)

02. Authorized Person. An investigator or inspector in the employ of the Board, a conservation officer of the IFGC, or any local, state, or federal law enforcement officer. (4-6-23)

03. Classified River. For the purpose of these rules, specific sections of some whitewater river or streams which are considered more hazardous than others have been designated "classified." Classified rivers are denoted by an asterisk (*) in the list of rivers contained in Subsection 259.01. (4-6-23)

04. Compensation. The receipt, exchange or taking of goods, services, or cash in exchange for outfitted or guided activities. A bona fide charging of out-of-pocket travel expenses by members of a recreational party is not deemed compensation. However, such out-of-pocket expenses may not include depreciation, amortization, wages, or other recompense. (4-6-23)

05. Facilities and Services. The provision of personnel, lodging (tent, home, lodge, or hotel/motel), transportation (other than by commercial carrier), guiding, preparation and serving of food and equipment, or any other accommodation for the benefit of clientele in the conduct of outdoor recreational activities as designed in Section 36-2102(b), Idaho Code. (4-6-23)

06. Fishing. Fishing activities on those waters and for those species described in the rules of the IFGC, IDAPA 13.01.11, "Rules Governing Fish," general fishing seasons and any anadromous fishing rules and as authorized in the Outfitter's Operating Plan. (4-6-23)

07. Float Boats. Watercraft (inflatable watercraft, dories, drift boats, canoes, catarafts, kayaks, sport yaks, or other small watercraft) propelled by, and moving with the stream flow, maneuvered by oars, paddles, sweeps, pike poles or by motors for downstream steerage only. Downstream steerage does not include holding or upstream travel of a watercraft with a motor. Excluded as float boats are personal flotation devices, innertubes, air mattresses, or similar devices. (4-6-23)

~~**08. Hazardous Desert or Mountain Excursions.** Outfitted or guided activities conducted in a desert or mountainous environment that may constitute a potential danger to the health, safety, or welfare of participants involved and are known to involve inherent risk. These activities include day or overnight trail rides, backpacking, technical mountaineering/rock climbing, cross-country skiing, backcountry alpine skiing, animal pack trips, snowmobiling, ATV, paragliding, motored and non-motored cycling, wagon rides, sleigh rides, and dog sled rides. (4-6-23)~~

089. Hunting. The pursuit of any game animal or bird and all related activities including packing of client camp equipment, supplies, game meat and clients to and from a hunting camp. (4-6-23)

109. IFGC. The Idaho Department of Fish and Game or the Idaho Fish and Game Commission. (4-6-23)

110. Major Activity. A licensed activity, the nature of which requires a significant commitment of time and effort by an outfitter in its execution and is intended to provide a significant amount of income to an outfitter. (4-6-23)

121. Major Amendment. All outfitter license amendment requests requiring Board research or recommendation of a land management agency or other agency before the Board takes final action on the amendment request. (4-6-23)

123. Minor Amendment. All outfitter license amendment requests that can be processed by the Board without requiring outside research or recommendation of a land managing agency or other agency before the Board takes final action on said amendment request. (4-6-23)

134. Operating Area. The area assigned by the Board to an outfitter for the conduct of outfitting activities. (4-6-23)

145. Operating Plan. A detailed schedule or plan of operation which an outfitter proposes to follow in the utilization of licensed privileges, areas, or activities. (4-6-23)

156. Out-of-Pocket Expenses. The direct expenses attributable to a recreational activity. Such direct expenses do not include: (4-6-23)

- a. Compensation for either sponsors or participants; (4-6-23)
- b. Amortization or depreciation of debt or equipment; or (4-6-23)
- c. Costs of non-expendable supplies. (4-6-23)

167. Power Boats. All motorized watercraft used on Idaho waters open to commercial outfitting activities. Excluded as power boats are hovercraft, jet skis or similar devices, and float boats using motors for downstream steering. (4-6-23)

178. Watercraft. A boat or vessel propelled mechanically or manually, capable of operating on inland water surfaces. Excluded as watercraft are hovercraft, jet skis, personal flotation devices (PFD's), or similar devices. (4-6-23)

003. – 099. (RESERVED)

100. OUTFITTER OR DESIGNATED AGENT LICENSE OR AMENDMENT APPLICATION.

A complete application for a new outfitter or designated agent license, outfitter license major amendment, or new landowner statement in existing areas must, in addition to all other requirements, include: (4-6-23)

01. Name. The name(s) registered with the Idaho Secretary of State as an assumed business name, the name of the business entity, or both. (4-6-23)

02. Other Signatures. Signed landowner or land manager statement from: (4-6-23)

a. The affected state and federal land managers in all areas where an outfitter plans to utilize lands administered by the state or federal government (this may involve memorandum of understanding procedures as applicable to proposed operation on national forest or public domain lands); and (4-6-23)

b. Private land owners, or their agents, where an outfitter applicant proposes to use such private lands in his operation. (4-6-23)

~~03. Examinations. All new applicants applying for an outfitter or designated agent license must successfully pass a Board approved examination on the Act, the rules, and general outfitting procedures germane to the license applied for. An applicant who fails the test may retake it after a five (5) day waiting period. (4-6-23)~~

034. Operating Plan. An operating plan required by the germane land management agency or on a Board approved form. (4-6-23)

045. Insurance. Current certificate or proof of insurance covering licensed activities. (4-6-23)

056. Designated Agent. When the applicant is a corporation, firm, partnership, or other organization or combination thereof, the designation at least one (1) designated agent who is a qualified outfitter, covered by the outfitter's bond, and who will be responsible for the outfitting business. The designated agent must apply for and be granted a license. (4-6-23)

067. Hearing. If more than one (1) applicant submits a complete application with landowner statement(s), the Board has the discretion to decide the successful applicant. (4-6-23)

078. Existing Operating Area. A licensed outfitter may be given priority for any opportunities within the outfitter's existing operating area boundaries. (4-6-23)

089. Operating Area Limitations. To safeguard the health, safety, and welfare of the public and for the conservation of wildlife and fish resources, the Board may place a limit on the number of outfitter licenses issued within an operating area. (4-6-23)

101. OUTFITTER AND DESIGNATED AGENT LICENSE RENEWAL.

01. Outfitter Licensing Priority. Priority for licensure in any outfitter's operating area may be maintained by submitting a complete application for a license for the ensuing license period before the expiration date of the current license. (4-6-23)

02. Renewal. All licenses expire on March 31 and every application for license renewal for an outfitter and designated agent must be complete and include a use report containing an activity, use, and harvest report on the actual use during the preceding year and other information as required by the Board. (4-6-23)

03. Penalty Fee. When a completed renewal application is filed with the Board after the due date, a penalty fee must be paid before the license is issued. (4-6-23)

04. License Expired and Reinstatement. Reinstatement of an expired license will be governed by Section 67-2614, Idaho Code. If an application for reinstatement is not received within six (6) months of expiration of the license, the Board may consider the operating area and activities as an available opportunity. (4-6-23)

102. OUTFITTER OR DESIGNATED AGENT RESPONSIBILITIES.

An outfitter or designated agent is responsible for maintaining the standards set forth in the Operating Plan and for the actions of all guides and other employees while in the scope of their employment. (4-6-23)

103. GUIDE LICENSE APPLICATION REQUIREMENTS.

All new applicants for a Guide license must submit a completed application on Board approved forms along with the required fee. (4-6-23)

01. General Qualifications. The applicant must provide the following: (4-6-23)

a. Documentation of requisite training and experience sufficient to perform the services and activities provided on the license; and (4-6-23)

b. A current American Red Cross first aid certification or other comparable certification that is acceptable to the Board; (4-6-23)

02. Activity-Specific Qualifications. In addition to the general qualifications, the applicant must provide evidence of activity-specific training submitted with application or amendment. (4-6-23)

a. Hunting. (4-6-23)

i. Experience in the outfitter's operating area(s) for at least ten (10) days and is knowledgeable of trails, terrain, drainages, and game habits and habitat. (4-6-23)

ii. Ability to read and understand a map and compass or operate a global positioning system (GPS) or other computerized map system. (4-6-23)

iii. Training and experience caring for meat and trophies, including the ability to correctly cape an animal and ability to instruct and assist clients in the proper care of meat. (4-6-23)

b. Float Boating on Classified Water. (4-6-23)

i. Three (3) complete float boat trips on each of the classified rivers applied for under the supervision of an outfitter or guide licensed for that river. ~~Allowances may be made for experience gained as a commercial boat operator on selected whitewater rivers with characteristics similar to Idaho's classified rivers, provided the applicant has logged at least five hundred (500) miles as a commercial float boat operator on one (1) or more of those rivers.~~ (4-6-23)

ii. ~~To document this experience, a statement signed by the applicant under oath or affirmation be recorded on a Board-approved form that includes precise put-in and take-out points, miles logged for each trip, and the names and addresses of the boat operators who have employed them. Guides with six (6) or more documented float boat trips on any other classified river section, under the supervision of a licensed outfitter or guide for that river, shall be deemed qualified once they complete one additional float boat trip under the supervision of a licensed outfitter or guide on the classified river section for which licensure is sought.~~ (4-6-23)

iii. One (1) documented float boat trip on a classified section of river, under the supervision of an outfitter or guide licensed for that river, for an applicant able to demonstrate a log of at least 500 miles operating as a commercial float boat operator on select whitewater rivers with characteristics similar to Idaho's classified rivers. To document this experience, a statement signed by the applicant under oath or affirmation should be recorded on a Board-approved form that includes precise put-in and take-out points, miles logged for each trip, and the names and addresses of the boat operators who have employed them.

c. Power Boating on Classified Water. (4-6-23)

i. Fifty (50) hours on the total length of the river or section of water applied for. (4-6-23)

d. Float or Power Boating on Unclassified Water. (4-6-23)

i. At least one (1) complete commercial float or power boat trip on each of the sections or lakes applied for. (4-6-23)

e. ATV-UTV-Snowmobiling. (4-6-23)

i. Experience in the outfitter's operating area for at least ten (10) days and is knowledgeable of the area's drainages, rideable terrain, and unique avalanche or other hazards as well as the machines being utilized by the outfitter. (4-6-23)

ii. When operating in winter conditions in terrain with avalanche potential, must have Recreation level 1 avalanche training, American Avalanche Association or similar consisting of twenty-four (24) hours of training with over fifty percent (50%) in the field, and Avalanche Rescue through American Avalanche Association or similar, consisting of eight (8) hours of training with a minimum of five (5) hours in the field. (4-6-23)

f. Snow-Based Non-Motorized Travel in Avalanche Terrain (backcountry skiing, Nordic skiing, or snow shoeing on non-groomed trails). (4-6-23)

i. Experience in the outfitter's operating area(s) for at least ten (10) days and is knowledgeable of the area's drainages, rideable terrain, and unique avalanche hazards. (4-6-23)

ii. Recreation level 1 avalanche training, American Avalanche Association or similar consisting of twenty-four (24) hours of training with over fifty percent (50%) in the field, and Avalanche Rescue through American Avalanche Association or similar, consisting of eight (8) hours of training with a minimum of five (5) hours in the field. (4-6-23)

g. Rock Climbing/Mountaineering. (4-6-23)

i. Experience in the outfitter's operating area for at least ten (10) days and is knowledgeable of the area's routes, navigable terrain, and unique hazards. (4-6-23)

ii. When operating in winter conditions in terrain with avalanche potential, must have Recreation level 1 avalanche training, American Avalanche Association or similar consisting of twenty-four (24) hours of training with over fifty (50%) in the field, and Avalanche Rescue through American Avalanche Association or similar, consisting of eight (8) hours of training with a minimum of five (5) hours in the field. (4-6-23)

h. Equestrian Activities. (4-6-23)

i. Experience in the outfitter's operating area for at least ten (10) days and is knowledgeable of horsemanship and the area's routes, trails, terrain, drainages, and unique hazards. (4-6-23)

03. Validity. A guide license is valid only while the guide is under the employment of an Idaho licensed outfitter. (4-6-23)

04. Amendment. To add authorized activities to the license, a guide must submit a completed license amendment request on a Board-approved form, along with supplemental documentation of training and experience for each newly requested activity. (4-6-23)

05. Renewal. A license must be renewed before it expires by submitting a complete application for renewal ~~on Board-approved forms~~ together with the renewal fee. ~~A license expires biennially on the license holder's birthdate. A license not renewed on or before the license holder's birthdate will be immediately canceled in accordance with Section 67-2614(a), Idaho Code. No reinstatement fee will be charged. A license expires biennially on the license holder's birth date. Licenses not timely renewed will be immediately canceled in accordance with Section 67-2614, Idaho Code.~~ (4-6-23)

104. – 199. (RESERVED)

200. LICENSE PRODUCTION.

Upon request of an authorized person, a licensee must provide proof of licensure when engaged in licensed activities and identify a guide's employing outfitter. (4-6-23)

201. THIRD-PARTY AGREEMENT.

An outfitter will not allow, condone, or abet any third-party agreement involving activities for which they are licensed. An employee of the licensed outfitter acting in the scope of employment is not a third party. (4-6-23)

202. STANDARDS FOR NON-USE.

The Board may annually review the outfitter's use reports for the preceding three (3) years to determine whether any licensed activity or operating area fall within non-use. If the outfitter falls within non-use, a "notice of non-use" may be issued to the outfitter. (4-6-23)

01. Definitions. (4-6-23)

a. Non-use. When an outfitter is making zero (0) or negligible use of major licensed activities for any two (2) of the three (3) preceding years unless the lack of use is due to an act of nature or because of state or federal agency restrictions on hunting or fishing that limit the ability of the outfitter to seek and accommodate clients; (4-6-23)

b. Zero (0) use. No recorded use by an outfitter of their licensed area or activities; (4-6-23)

c. Negligible use. An unreasonable lack of use as determined by the Board for any one (1) or more of the particular activities in the assigned operating area. Typically, use may be determined by comparison of use levels for the same activity(s) in similar operating areas. (4-6-23)

02. Required Records. Outfitters will maintain records sufficient to demonstrate to the Board use of their licensed activities and areas. (4-6-23)

203. OPERATING AREA.

An outfitter's operating area may be adjusted for reasons of wildlife and fish conservation, where territorial conflict exists, or for the safety of persons utilizing the services of outfitters. Special circumstances may also warrant short term modification of an outfitters operating area. (4-6-23)

01. Environmental Considerations. Any changes in wildlife population health, environmental conditions and/or new government regulation may result in the adjustment of an outfitter's operating area. (4-6-23)

02. Conflict Considerations. An incident(s) of territorial conflict, particularly one that leads to public safety concerns, may result in the adjustment of an outfitter's operating area. (4-6-23)

03. Safety Considerations. Any change(s) in the environmental condition(s), in the manner or amount of public use of the operating area and/or in a licensee's manner of operation within the operating area, that pose a threat to the health and safety of persons using the operating area may result in a change in the outfitters operating area. (4-6-23)

04. Hot Pursuit. The Board may approve a minor amendment of an outfitters license to allow an outfitter licensed for bear and cougar hunting to enter into an adjacent area with a client for hot pursuit of bear and cougar hunting when hunting with hounds, provided that the pursuit starts inside the outfitter's licensed area. (4-6-23)

05. Controlled Hunts Outside Operating Area. The Board may authorize an outfitter who is licensed for hunting moose, bighorn sheep, or mountain goat to conduct a one-time hunt outside of the outfitter's licensed area when the outfitter submits a request on a Board-approved form. (4-6-23)

a. For changes of operation under Subsections 04 and 05 of this Rule, written permission from all outfitters licensed for the species in the hunt area being requested and all applicable landowners or land managers will be provided to the Board. (4-6-23)

b. For changes under Subsection 04 and 05 of this Rule, under special circumstances the Board may waive the requirement of approval from the overlapping outfitter(s). (4-6-23)

c. For changes under Subsection 05 of this Rule, no compensation is permitted between outfitters participating in the conduct of a controlled hunt in another outfitter's area, unless the outfitter supplies a service for that compensation. (4-6-23)

06. Overlap Predator Areas. The Board may authorize outfitters to enter into a standing agreement with each other and the appropriate land manager(s) allowing the outfitters to hunt wolf, mountain lion, or black bear across multiple operating areas. (4-6-23)

204. OUTFITTER BUSINESS PURCHASE, LICENSE CONSIDERATIONS.

The sale of an outfitting business requires an application for a new outfitter license by the purchaser, provided that the Board may give priority for licensure to an applicant who has negotiated an agreement related to a sale with a licensee if the applicant meets all other requirements or upon documentation from a court. The Board may consider prior non-use of licensed operating area or activities when evaluating priority for licensure or placing conditions on a license. (4-6-23)

205. AVAILABILITY OF OUTFITTING OPPORTUNITIES.

Except as provided in other sections of this chapter, when a new opportunity or existing opportunity which had previously been licensed to another outfitter becomes available, the Board may use a competitive application process through a waiting list, public notice, or both to select a qualified applicant. A competitive application process may be coordinated with another governmental agency that has management or permitting authority over the opportunity. (4-6-23)

01. Waiting List. The waiting list will be maintained for each individual river, lake and reservoir outlined in Section 259 and for each specific IFGC unit listed in IDAPA 13.01.08, "Rules Governing Taking of Big Game Animals." (4-6-23)

02. Placement on Waiting List. A written request, in a form specified by the Board, must be submitted to be placed on the waiting list, and a name on the waiting list will be maintained for a period of five (5) years or until December 31 of the fifth year that the name is placed on the list, whichever comes first. (4-6-23)

03. Notification. When public notice is used when an opening occurs, a public announcement will be made via the Board's website and may be made in conjunction with notice by another governmental agency. Persons on the waiting list will be notified of the available opportunity in any competitive application process. (4-6-23)

04. Application Period and Consideration. Anyone wishing to apply for the opportunity must submit a complete application or amendment, including all applicable fees, by the date specified in the notice. The Board will consider the qualifications of all applicants and in its discretion select the best qualified applicant. (4-6-23)

206. BOAT EQUIPMENT REQUIREMENTS.

Each float or power boat used by an outfitting operation must be identified as follows: (4-6-23)

01. Identification. Identification recorded with the Board on the outfitter application consisting of words, names, or letters not less than three (3) inches in height and be of a contrasting color indicating the current licensed outfitter and that is placed above the water line on each side of the bow or stern of the boat utilized by that outfitter in letters. (4-6-23)

02. Clearwater. On Sections CL2 and CL3 of the Clearwater River, a sticker affixed to the surface of any boat used for anadromous fishing that is not less than eight (8) inches in height and placed immediately adjacent to the identification words, names or letters on each side of the boat towards the bow, identifying the boat as operated by a licensed outfitter. Stickers will be provided and sold annually by the Board or a vendor designated by the Board. (4-6-23)

207. BOAT TRANSPORT OF HUNTING CLIENTS.

A boatman licensee (either power or float) must not transport big game hunters to any big game hunting area unless licensed to outfit for big game hunting in that area or has entered into an agreement with the licensed outfitter hunting for that area. (4-6-23)

208. – 256. (RESERVED)

257. DESIGNATION OF ALLOCATED DEER AND ELK TAGS.

For the purposes of this section, an outfitting operation is an outfitter licensee whose licensed activities include hunting for the species in the area of the allocated tag being designated. When IFGC allocates tags, the allocated tags will be designated pursuant to Section 36-2120, Idaho Code, and this rule. The designation applies for the next season unless IFGC adjusts the number of allocated tags for the hunt. (4-6-23)

01. Notification. All notices, orders, or other documents may be made to the email address on file with the Board. (4-6-23)

02. Outfitted Hunter Tag Use History. Each outfitter's hunter tag use history will be determined from the use recorded by IFGC pursuant to Section 36-408(4), Idaho Code, and as may be adjusted as a result of a tag transfer or hardship request that is approved by the Board. (4-6-23)

a. Transfers. An outfitting operation is credited for use of an allocated tag that it transfers to another outfitting operation for use that year in the same hunt. The receiving outfitting operation is not credited for using the transferred tag. (4-6-23)

b. Surrenders. An outfitting operation may surrender a designated allocated tag(s) to the undesignated tag pool for use by any outfitting operation in the same hunt. The surrendering outfitting operation is not credited for use of the surrendered tag unless it later uses the tag from the pool. (4-6-23)

03. New Hunt Allocated Tag Designation. When the IFGC allocates tags for a newly capped or controlled hunt, the allocated tags will be designated proportionately as follows: (4-6-23)

a. Divide each outfitting operation's base allocation by the total of all base allocations in the hunt, resulting in a percentage of total use. Truncate the decimal at the hundredths place. (4-6-23)

b. Multiply the percentage of total use from Subsection 257.03 a. of these rules by the total number of allocated tags for the hunt, which determines the number of allocated tags designated to the outfitting operation. (4-6-23)

04. Use of Previously Designated Allocated Tags. For established capped or controlled hunts, allocated tags will first be designated to each outfitting operation in an amount equal to the outfitting operation's use of the allocated tags previously designated to it for the same hunt. (4-6-23)

a. In a capped hunt, the use of previously designated allocated tags is the average use of allocated tags in the preceding two (2) years; in the event that IFGC adjusts the number of allocated tags in a hunt where there is only one (1) year of allocation, the Board will not average the use. (4-6-23)

b. In a controlled hunt, the use of previously designated allocated tags is the highest year of use of allocated tags in the preceding two (2) years. (4-6-23)

05. Remaining or Additional Allocated Tags. Allocated tags not designated above will be designated proportionately as follows: (4-6-23)

a. Subtract each outfitting operation's use of previously designated allocated tags from Subsection 257.04 from its base allocation number to determine the number of non-allocated tags it used for a capped hunt or the matching hunt with non-allocated tags for a controlled hunt, when necessary to determine non-allocated tag use; then (4-6-23)

b. Divide the result by the total number of non-allocated tags used by all outfitting operations, resulting in a percentage of the total non-allocated tags used by outfitting operations in that hunt. Truncate the decimal at the hundredths place; and finally (4-6-23)

c. Multiply the percentage of total use from Subsection 257.05.b. by the number of allocated tags yet to be designated, which determines the number of allocated tags designated to the outfitting operation. (4-6-23)

06. Rounding. If allocated tag designation results in a partial tag, the calculation will be rounded up when a decimal equals or exceeds six tenths (0.6) and rounded down when a decimal is less than six tenths (0.6). When calculating after a reduction of allocated tags pursuant to Section 36-2120(4), Idaho Code, the calculation will be rounded up when a decimal equals or exceeds five tenths (0.5) and rounded down when a decimal is less than

five tenths (0.5).

(4-6-23)

07. Tie-breaker. If, after applying Subsections 257.03 through 06, there is a surplus or deficit of allocated tags to be designated, the unrounded proportion from Subsection 257.05, with as many decimal places as necessary, will be used, and then as follows: (4-6-23)

a. After a reduction in allocated tags, surplus tags will first be designated in amounts to restore outfitter operations to the number of tags that would have otherwise been designated pursuant to Subsection 257.04 or as close thereto as practicable. (4-6-23)

b. If a surplus, the outfitting operation whose unrounded proportion is the greatest will be designated one (1) tag, and if there are additional surplus tags, the outfitter with the next greatest unrounded proportion will be designated one (1) allocated tag, and repeated in descending unrounded proportions until all surplus tags are designated. In the event there is more than one outfitting operation with the same unrounded proportion and there are insufficient undesignated tags to designate to each outfitter, the undesignated tag will be designated based on a random drawing between those outfitting operations. (4-6-23)

c. A deficit will be resolved from the outfitting operation whose unrounded proportion is closest to six tenths (0.6), and then next closest to six tenths (0.6) when there is a deficit of more than one (1) allocated tag. If there is more than one (1) outfitting operation with the same unrounded proportion, a random drawing will be held between those outfitters. (4-6-23)

08. Stipulation by Outfitters. Outfitting operations in a hunt may submit to the Board a written stipulation determining the number of allocated tags designated to each outfitting operation in that hunt. The stipulation must be signed by all eligible outfitting operations for the hunt; however, under special circumstances, the Board may waive the requirement of approval from all other outfitting operations. If the Board approves the stipulation, the stipulation will be effective until the next designation of allocated tags for the hunt. On or before November 1 preceding the hunt, any outfitting operation may petition the Board to vacate the stipulation for good cause that would make it unconscionable or unjust to enforce the stipulation. If the Board vacates the stipulation, the allocated tags in that hunt will be designated pursuant to Section 36-2120, Idaho Code, and this rule. (4-6-23)

09. Undesignated Tag Pool. Any designated allocated tags that are surrendered or have not been utilized by an outfitting operation on or before July 16 or the next business day for a capped hunt, or on or before September 10 or the next business day for a controlled hunt, will be available in an undesignated pool for any outfitting operation, as follows: (4-6-23)

a. Beginning April 10 preceding the hunt, an outfitting operation may submit a request for an allocated tag from the pool. The request must be on a Board-approved form. (4-6-23)

b. Beginning April 20 preceding the hunt, or next business day ~~thereafter, until July 16, allocated tags will be designated from the pool on a first-come, first-served basis, an allocated tag will be designated from the pool on a first-come, first-served basis to an outfitting operation without any designated allocated tags or which has utilized all of its designated allocated tags, using a waiting list when necessary. A maximum of two (2) allocated tags will be designated to each requesting outfitting operation until all other requesting outfitting operations have been served, then a requesting outfitting operation is eligible to receive a maximum of two (2) additional allocated tags from the pool, repeated until all requesting outfitting operations are served or until no tags remain.~~ (4-6-23)

c. No tags designated from the pool will be considered for historical use calculations until all tag transfers are recorded and all hardship requests have been resolved. (7-1-24)

d. ~~After July 16 preceding the hunt, or the next business day thereafter, allocated tags will be designated from the pool on a first-come, first-served basis to an outfitting operation who has submitted a request for allocated tags from the pool. Initially, a maximum of two (2) allocated tags may be granted to each requesting outfitting operation that either lacks designated tags or has used, without transferring, all of its designated tags. In cases where there are more requesting operations than available tags, the allocation will prioritize outfitting operations with no designated tags, ensuring they receive two tags each until all such operations are served. Once all~~

operations without designated tags have been served, any remaining allocated tags will be distributed among all requesting operations, including those with previously allocated tags, on a first-come, first-served basis, with a maximum of two (2) tags per operation per round of distribution. This process will continue until all requested tags have been allocated.

e. If an outfitting operation does not pick up all the designated allocated tags that were requested by hunt, they will only be eligible the following year to request the number of tags that were picked up. If an outfitting operation requested tags from the pool, but fails to pick up any tags, that outfitter will be ineligible the following year to request any tags from the pool absent showing of good cause approved by the Board.

10. Objection to Calculation. If an outfitting operation believes the calculation is incorrect, it may object by filing a petition with the Board within fourteen (14) days from the date the notification was sent and in accordance with the Idaho Administrative Procedures Act. The petition will include any supporting information or documentation. (4-6-23)

a. All outfitting operations in the hunt in question will be notified of the petition. (4-6-23)

b. The outfitting operation bears the burden of establishing that the calculation was incorrect. (4-6-23)

11. Hardship Request. An outfitting operation may submit a written hardship request to maintain all or a portion of previous outfitted hunter tag use history when the outfitting operation shows good cause that its use of allocated designated tags was impacted by circumstances beyond the outfitting operation's control. The request must be submitted on or before a deadline set by the Board. The outfitting operation must provide information or documentation as requested by the Board to substantiate the request. (4-6-23)

12. Change in Operating Area or Owner of Business. When an outfitting operation is sold or when an operating area is adjusted through a sale and designated allocated tags are associated with the affected operating area, the associated designated allocated tags and tag use history will transfer to the new owner. (4-6-23)

258. NUMBER OF OUTFITTERS AND GUIDES LIMITED. Big Lost and Little Lost Rivers and the Big Wood and the Little Wood Rivers – All reaches from headwaters to the termination of the flow of the Big Lost and the Little Lost Rivers and all reaches of the Big Wood and Little Wood Rivers are limited to a maximum of five (5) outfitters on both rivers combined. (4-6-23)

259. RIVER, LAKE, AND RESERVOIR POWER AND FLOAT OUTFITTER LIMITS. For the express purpose of safeguarding the health, safety and welfare of the public, for the conservation of wildlife and range resources, and to enable the outfitted and non-outfitted public to enjoy the recreational value of Idaho's rivers, streams, lakes, reservoirs and other natural resources, the Board has discretion to limit the number of outfitters licensed on waters that lie totally or partially within the State of Idaho. Pursuant to Section 36-2107(e), Idaho Code, the Board may cooperate with federal and state government to evaluate relevant factors in decisions related to setting outfitter licensure limits on navigable waterways. The following rivers and streams or sections that lie totally or partially within the state of Idaho are open to commercial boating operations by outfitters and guides. (4-6-23)

01. Licensable Waters – River Sections (BL1) Blackfoot River through (PR1) Priest River –

Table:

River/Section	Maximum No. Power	Maximum No. Float
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<p>(BL1) Blackfoot River - Blackfoot Reservoir/Government Dam to Trail Creek Bridge. For each license/permit issued, no more than two (2) boats per section/per day may be used by any outfitter at any one time in each of the following river sections:</p> <p>a) Blackfoot Reservoir/Government Dam to Sage Hen Flats/Cutthroat Campground b) Sage Hen Flats/Cutthroat Campground to Morgan Bridge c) Morgan Bridge to Trail Creek Bridge</p> <p>No outfitter may have more than six (6) boats on the BL1 in any one (1) day.</p> <p>OGLB licenses are for the entire BL1 segment; a section of BL1 cannot be separated from BL1 for the purposes of selling a portion of an outfitter's business.</p>	none	2
<p>(BO1) Boise River, South Fork - Danskin Bridge to the Neal Bridge EXCEPT on weekends or holidays. Each outfitter may use only one (1) boat for fishing only with a maximum of two (2) fisherman. No overnight camping or walk-and-wade fishing allowed.</p>	none	2
<p>(BO1A) Boise River - Eckert Road Bridge to Main Street Bridge.</p>	none	
<p>(BO1B) Boise River - Main Street Bridge to West side of Garden City limits.</p>	none	
<p>(BO2) Boise River - Downstream from the west side of the Garden City municipal limits to the east side of the Caldwell municipal limits. A maximum of two (2) outfitters may be licensed for fishing in addition to float boating. Each outfitter may use at any time a maximum of four (4) boats for boating activities. The Board may approve adjustments of these boat limitations to accommodate canoeing or kayaking activities that are part of an outfitters operating plan.</p>	none	4
<p>(CF1) Clark Fork River - Entire river upstream of a straight line extending north of county boat dock (near mouth of Johnson Creek) to Bear Paw Point (southwest tip of Denton Slough). Each outfitter may use at any one time a maximum of two (2) boats prior to the Friday preceding Memorial Day of each year, there is no limit thereafter.</p>	2 outfitters for either power or float or combination thereof	
<p>(CF2) Clark Fork River - Entire river upstream of a straight line extending north of county boat dock (near mouth of Johnson Creek) to Bear Paw Point (southwest tip of Denton Slough) (boating limited to the Friday preceding Memorial Day through December <u>November 3rd</u>)</p>	2 outfitters for either power or float or combination thereof	
<p>(CL1) Clearwater River — Lowell to the Lower Bridge at Kooskia. Each outfitter may use at any one time a maximum of (a) three (3) boats for fishing, and (b) five (5) boats for other boating activities. Fishing may not be conducted downstream from the Upper Bridge at Kooskia by CL1 outfitters. The Board may approve adjustments of these boat limitations to accommodate canoeing or kayaking activities that are part of an outfitter's operating plan.</p>	None	5
<p>(CL2) Clearwater River — The Upper Bridge at Kooskia to the Orofino Bridge. Each outfitter may use at any one time a maximum of (a) three (3) boats for fishing, and (b) five (5) boats for other boating activities. The Board may approve adjustments of these boat limitations to accommodate canoeing or kayaking activities that are part of an outfitter's operating plan.</p>	6	10

(CL3) Clearwater River — The Orofino Bridge to the mouth of the Clearwater River with the Snake River at Lewiston. Each outfitter may use at any one time a maximum of (a) three (3) boats for fishing, and (b) five (5) boats for other boating activities. The Board may approve adjustments of these boat limitations to accommodate canoeing or kayaking activities that are part of an outfitters operating plan.	10	10
* (NFCL) North Fork Clearwater River — Kelly Forks Bridge downstream to backwaters of Dworshak Reservoir	none	4
(CDNF) Headwaters of North Fork Coeur d'Alene- Including tributaries (Independence and Tee Pee Creeks) upstream from Devils Elbow Campground. Three (3) walk and wade only licenses. Up to four (4) clients on the river at one time per license.	None	none
(CD1) Coeur d'Alene River — Devil's Elbow to South Fork confluence. Fishing limit is two (2) float boats per license with a maximum of two (2) clients at a time per boat. Two (2) additional walk and wade licenses can be issued. Walk and wade limited to a maximum of two (2) clients at a time per license.	None	1
(CD2) Coeur d'Alene River — South Fork confluence downstream to Cataldo Mission Boat Ramp. Fishing limit is one (1) float boat per license with a maximum of two (2) clients or two walk and wade clients per license at a time. Walk and wade activities do not have to be initiated from a float boat.	None	1
(CD3) Lateral (Coeur d'Alene chain) Lakes — Connected by the Coeur d'Alene River. Cataldo Mission Boat Ramp to Highway 97 Bridge. A limit of one (1) power boat per license with a maximum of two (2) clients at a time or a limit of one (1) guide per license and two (2) float tubes at a time or two (2) clients walking and wading. The walk and wade activities must be associated with the power boating.	3	none
* (JB1) Jarbidge/Bruneau Rivers	none	4
(KO1) Kootenai River — Montana state line to Canada boundary	5	5
(LCL1) Little North Fork Clearwater River — Mouth of Canyon Creek to first bridge on the Little North Fork Clearwater River. Fishing only. Each outfitter may use only two (2) boats per day with a maximum of two (2) fishermen per boat.	None	2
* (LO1) Lochsa River	none	5
(MO1) Moyie River — Canada boundary to Bonners Ferry Municipal Dam (boating closing date July 20)	none	5
* (OW1) Owyhee River — Nevada state line to Oregon state line or South Fork to confluence with Owyhee River and continuing on to a take-out point.	None	6
(PN1) Payette River, North Fork — Payette Lakes Outlet to Hartsell Bridge. Four (4) boat or ten (10) canoe limit per trip, and only two (2) trips per day per outfitter.	None	2

(PN1A) Payette River, North Fork = Cascade City Park, <u>1/4</u> mile south of Cascade on Highway 55 to Cabarton. Restrictions: Catch and release for TROUT ONLY, other species F & G rules apply. No stopping by commercial groups from <u>1/4</u> mile above to <u>1/4</u> mile below heron nesting trees. Four (4) boat or ten (10) canoe limit per trip, and only two (2) trips per day per outfitter.	None	2
(PN2) Payette River, North Fork = Cabarton to Smiths Ferry Bridge	none	5
(PS1) Payette River, South Fork = Grandjean to Deadwood River	none	5
* (PS2) Payette River, South Fork = Deadwood River to Banks	none	5
(PA1) Payette River = Banks to Black Canyon Dam	none	5
(PO1) Pend Oreille River	5	5
(PR1) Priest River = Dickensheet Campground to Priest River City	none	2

(7-1-24)

02. Licensable Waters – River Sections (MF1) Middle Fork Salmon River through (SE2) Selway River – Table:

River/Section	Maximum No. Power	Maximum No. Float
<u>(LS 1) Little Salmon River – Above the mouth of the Rapid River to the headwaters.</u>	<u>None</u>	<u>2</u>
###(MF1) Salmon River, Middle Fork - Boundary Creek to Cache Bar on the Salmon River	none	27
(SA1) Salmon River - First bridge across Salmon River above Redfish Lake Creek to Torrey's Bar	none	6
(SA2) Salmon River - Torrey's Bar to first Highway 93 bridge above Challis. Each outfitter may use at any one time a maximum of (a) three (3) boats for fishing, and (b) five (5) boats for other boating activities. The Board may approve adjustments of these boat limitations to accommodate canoeing or kayaking activities that are a part of an outfitter's operating plan.	none	5
(SA3) Salmon River - First Highway 93 bridge above Challis to Kilpatrick River access. Each outfitter may use at any one time a maximum of (a) three (3) boats for fishing, and (b) five (5) boats for other boating activities. The Board may approve adjustments of these boat limitations to accommodate canoeing or kayaking activities that are a part of an outfitter's operating plan.	none	6
(SA4A) Salmon River - Kilpatrick River access to North Fork - License period from May 1 to September 30. Each outfitter may use at any one time a maximum of (a) three (3) boats for fishing and (b) five (5) boats for other boating activities. The Board may approve adjustments of these boat limitations to accommodate canoeing or kayaking activities that are part of an outfitter's operating plan.	5	11

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(SA4B) Salmon River - Kilpatrick River access to North Fork - License period from October 1 to April 30. Each power boat outfitter may use at any one time a maximum of one (1) boat and each float boat outfitter may use at any one time a maximum of three (3) boats.	2	8
(SA5) Salmon River - North Fork to Corn Creek	3	9
###(SA6) Salmon River - Corn Creek to Spring Bar Boat Ramp with no outfitter fishing below Vinegar Creek from September 15 through March 31 except that on a case-by-case basis, outfitter fishing may occur when permitted by the BLM and with the notification to and concurrence of the Board Executive Officer.	14	31
* (SA7A) Salmon River - Vinegar Creek to Hammer Creek - License period from March 15 to October 15. No power boating is allowed from the Saturday before Memorial Day through Labor Day from 10:30 a.m./Mountain Time to 5:00 p.m./Mountain Time daily between the Riggins City Boat Dock and Lucile.	10	26
* (SA7B) Salmon River - Power boats from Vinegar Creek to Spring Bar Boat Ramp and float boats from Vinegar Creek to Island Bar Boat Ramp, open from September 15 to March 31 only. Each float boat outfitter may use at any one time a maximum of three (3) boats for fishing, or two (2) additional boats for fishing when permitted by the BLM and with the notification to and concurrence of the Board Executive Officer; and each power boat outfitter may use at any one time a maximum of two (2) boats for fishing, or one (1) additional boat for fishing when permitted by the BLM and with the notification to and concurrence of the Board Executive Officer.	6	12
* (SA7C) Salmon River - Riggins City Park Boat Ramp to Hammer Creek. Three (3) designated outfitters may utilize float boats to fish from the Riggins City Boat Dock to Hammer Creek during the period from September 15 to March 31.	none	3
###(SA8) Salmon River - Hammer Creek to Heller Bar or Lewiston on the Snake River	15	35
* (SE1) Selway River - Paradise Campground to Selway Falls	none	4
(SE2) Selway River - Selway Falls to the mouth of the Selway River at Lowell. Each outfitter may use at any one time a maximum of (a) three (3) boats for fishing, and (b) five (5) boats for other boating activities. The Board may approve adjustments to these boat limitations to accommodate canoeing or kayaking activities that are part of an outfitter's operating plan.	none	5

(4-6-23)

03. Licensable Waters – River Sections (SH1) Henry’s Fork Snake River through (TE3) Teton River – Table:

River/Section	Maximum No. Power	Maximum No. Float
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<p>(SH1) Snake River, Henry's Fork - Henry's Lake Outlet to Hatchery Ford. (Each outfitter may use at any one time a maximum of (a) eight (8) boats for fishing No more than three (3) of these boats may be used at any one time on any of the following river reaches: Henry's Lake Outlet to Island Park Dam, Island Park Dam to Last Chance, Last Chance to Osborn Bridge, and Osborn Bridge to Hatchery Ford), and (b) five (5) boats for other boating activities. The Board may approve adjustments to these boat limitations to accommodate canoeing or kayaking activities that are part of an outfitter's operating plan.</p>	<p>none</p>	<p>7</p>
<p>(SH2) Snake River, Henry's Fork - Mesa Falls to St. Anthony. Each outfitter may use at any one time a maximum of (a) eight (8) boats for fishing, no more than three (3) of these boats may be used at any one time on any one of the following river reaches: Mesa Falls to Stone Bridge, Stone Bridge to Ashton Dam, and Ashton Dam to Chester Dam, and Chester Dam to St. Anthony, and (b) five (5) boats for other boating activities. The Board may approve adjustments of these boat limitations to accommodate canoeing or kayaking activities that are part of an outfitter's operating plan.</p>	<p>none</p>	<p>8</p>
<p>(SH3) Snake River, Henry's Fork - No more than three (3) boats for fishing may be used by an outfitter at any one (1) time in each of the following river sections:</p> <p>a) ♦ St. Anthony to Red Road Bridge Boat Access (i.e., Parker/Salem or Fort Henry) b) Red Road Bridge Boat Access to Warm Slough Boat Access c) Warm Slough Boat Access to Menan Boat Access</p> <p>No outfitter may have more than six (6) boats on the SH3 in any one (1) day.</p> <p>When permitted by the BLM and with the notification to and concurrence of the Board Executive Officer, each outfitter may be allowed adjustments to the maximum boat limits in order to accommodate non-fishing boating activities (e.g., canoeing, paddle boards, and kayaks) and hazardous excursions that are part of an outfitter's operating plan. These adjustments must be reviewed and approved annually.</p> <p>OGLB licenses are for the entire SH3 segment; a section of SH3 cannot be separated from SH3 for the purposes of selling a portion of an outfitter's business.</p>	<p>none</p>	<p>4</p>

<p>(SS1) Snake River - South Fork - No more than four (4) boats per section/per day may be used by an outfitter at any one (1) time in each of the following river sections:</p> <p>a) Palisades Dam Boat Access to the Spring Creek Boat Access (Swan Valley Bridge) or Conant Boat Access. Exception: Not more than eight boats would be permitted between Spring Creek Boat Access and Conant Boat Access to allow for the flexibility to launch/take-out boats.</p> <p>b) Spring Creek or Conant Boat Access to Fullmer Boat Access. Exception: Not more than eight (8) boats would be permitted in Section (b) on the same day, provided that no more than four (4) of said boats are in this Section after 11:00 a.m. due to overnight use at designated outfitter camps.</p> <p>c) Fullmer Boat Access to Byington Boat Access.</p> <p>d) Byington Boat Access to Lorenzo Boat Access.</p> <p>e) Lorenzo Boat Access to Menan Boat Access.</p> <p>Additionally, no outfitter may have more than twelve (12) boats on the SS1 in any one day.</p> <p>A one-time per year exception after July 15 may be granted from Conant Boat Access to Byington Boat Access that would allow two (2) additional boats per section to accommodate large client groups. During this one-time exception, if the two (2) additional boats do not accommodate the large client group, additional boats must come from slots allocated to other outfitters. The maximum daily boat limit for SS1 may not be exceeded. This would require written concurrence from the BLM/USFS and the Board Executive Officer.</p> <p>Float boats may use motors (5HP or less) for downstream steerage only within the entire SS1 reach. Downstream steerage would not include holding or upstream travel of watercraft with a motor.</p> <p>OGLB licenses are for the entire SS1 segment; a section of SS1 cannot be separated from SS1 for the purposes of selling a portion of an outfitter's business.</p>	<p>None*</p>	<p>8**</p>
<p>* Each licensed float boat outfitter may use one (1) supply boat (float or power) that does not carry clients. During periods of preparing overnight camps (i.e., setting up tents and portable toilet facilities, boating in grills and other cooking supplies) for the season, usually May or June of each year; and removing the same items listed above from overnight camps at the end of the season, usually October or November; multiple supply boats may be used.</p> <p>** One (1) license additional for waterfowl hunting covering both BLM and USFS managed lands and waters for the South Fork (Palisades Dam to Wolf Flats Boat Access may be issued. This license opportunity is in addition to the eight (8) float licenses and is limited to providing waterfowl hunting during waterfowl hunting season as defined by Idaho Fish and Game Rules and where no more than two (2) float or power boat boats per day per section a and b only can be used by the outfitter at any one time for that purpose. Fishing may not be provided or conducted unless the outfitter is also licensed and permitted as one (1) of the eight (8) outfitters addressed in this rule who may not provide hunting activities. This business opportunity may be sold separately.</p>		

<p>(SN1) Snake River - For each license/permit issued, no more than four (4) boats per section/per day may be used by an outfitter at any one time in each of the following river sections:</p> <p>a) Menan Boat Access to Mike Walker Boat Access (includes Federally managed lands). b) Mike Walker Boat Access to Gem State Power Plant (includes non-Federal lands).</p> <p>Float boats may use motors (5HP or less) for downstream steerage only within the entire SS1 reach. Downstream steerage would not include holding or upstream travel of watercraft with a motor.</p> <p>OGLB licenses are for the entire SN1 segment; a section of SN1 cannot be separated from SN1 for the purposes of selling a portion of an outfitter's business.</p>	<p>3 outfitters either float or power or combination thereof</p>	
<p>(SN2) Snake River - Gem State Power Plant. Idaho Falls, downstream to headwaters of American Falls Reservoir. For each license/permit issued, no more than four (4) boats per section/per day may be used by any outfitter at any one time in each of the following river sections:</p> <p>a) Gem State Power Plant to Shelley/Firth b) Shelley/Firth to Porterville c) Porterville to Blackfoot (Boating limited, walk-wade if there is access) d) Blackfoot to Tilden Bridge e) Tilden Bridge to the headwaters of American Falls Reservoir</p> <p>No outfitter may have more than twelve (12) boats on the SN2 in any one day.</p> <p>OGLB licenses are for the entire SN2 segment; a section of SN2 cannot be separated from SN2 for the purposes of selling a portion of an outfitter's business.</p>	<p>3 outfitters either float or power or combination thereof</p>	

<p>(SN3) Snake River - American Falls Dam to Massacre Rocks State Park. For each license/permit issued, no more than five (5) boats per section/per day may be used by any outfitter at any one time in each of the following river sections:</p> <p>a) American Falls Dam to Pipeline (includes federally and non- federally managed lands) b) Pipeline to Vista (includes federally and non- federally managed lands) c) Vista to Eagle Rock (includes non-federally managed lands) d) Eagle Rock to Massacre Rocks (includes non-federally managed lands)</p> <p>No outfitter may have more than ten (10) boats on the SN3 in any one day.</p> <p>Float boats may use motors (5HP or less) for downstream steerage only. Downstream steerage does not include holding or upstream travel of watercraft with a motor.</p> <p>Sturgeon Fishing: Pipeline to Massacre Rocks, no more than five (5) boats per section/per day may be used by any outfitter at any one time in each of the river sections between Pipeline to Massacre Rocks.</p> <p>American Falls Dam to Pipeline, one (1) boat within this section/two (2) weekdays per week/two (2) weekend days per month. Idaho Department of Fish and Game, Southeast Region (Pocatello) needs to be notified prior to Sturgeon Fishing.</p> <p>OGLB licenses are for the entire SN3 segment; a section of SN3 cannot be separated from SN3 for the purposes of selling a portion of an outfitter's business.</p>	3 outfitters either float or power or combination thereof	
(SN4) Snake River - Massacre Rocks State Park to Milner Dam	3	3
* (SN5) Snake River - Milner Dam to Star Falls	none	3
* (SN6) Snake River - Star Falls to Twin Falls	none	5
(SN7) Snake River - Twin Falls to Lower Salmon Falls Dam	3	3
(SN8) Snake River - Lower Salmon Falls Dam to Bliss Dam	3	5
(SN9) Snake River - Bliss Dam to headwaters of C.J. Strike Reservoir	5	5
(SN10) Snake River - C.J. Strike Dam to Walter's Ferry	5 outfitters for either power or float or combination thereof	
(SN11) Snake River - Walter's Ferry to headwaters of Brownlee Reservoir	5	none
* (SN12) Snake River - Hells Canyon Dam to Pittsburg Landing	18	15
* (SN13) Snake River - Hells Canyon Dam to Pittsburg Landing, two (2) one-day float trips only	none	2
(SN14) Snake River - Pittsburg Landing to Heller Bar or Lewiston	19	15

(SN15) Snake River - Washington/Oregon state line to Lewiston	Limitations pending. (This section is set aside for future rules of fishing only outfitters.)	
(SJ1) St. Joe River - St. Joe River Headwaters to Red Ives. No outfitted boating. One (1) walk and wade only fishing outfitter.	none 2	none
(SJ2) St. Joe River - Red Ives to Avery. In addition to one (1) float boat license, three (3) walk and wade only outfitters. No fishing from float boats, boat clients may fish via walk and wade.	none	1
(SJ3) St. Joe River - Avery to St. Joe City Bridge	none	2
(SJ4) St. Joe River - St. Joe City Bridge to Lake Coeur d'Alene	2	none
(SM1) St. Maries River	5	5
(TE1) Teton River - Upper put-in to Cache Bridge, motors not to exceed 10 hp	5 outfitters for either power or float or combination thereof	
(TE2) Teton River - Cache Bridge to Harrop Bridge, motors not to exceed 10 hp	6 outfitters for either power or float or combination thereof	
<p>(TE3) Teton River - No more than two (2) boats per section/per day may be used by an outfitter at any one time in each of the following river sections: a), b), d), e) and f). No more than four (4) boats per section/per day may be used by an outfitter at any one time on river section c) and where two (2) boats from same outfitter must be spaced at three-hour (3) intervals:</p> <p>a) Harrop Bridge Boat Access to Felt Dam Boat Access. b) Felt Dam Boat Access to Spring Hollow Boat Access. c) Spring Hollow Boat Access to Teton Dam Site Boat Access. d) Teton Dam Site Boat Access to Hog Hollow Bridge Boat Access. e) Hog Hollow Bridge Boat Access to Teton Highway. f) Teton Highway to confluence with the Henry's Fork of the Snake River. Note: No boat access exists at the confluence with the Henry's Fork of the Snake River. Outfitters would utilize Hibbard Bridge or Warm Slough Access on SH3. No fishing on SH3.</p> <p>No outfitter may have more than eight (8) boats on the TE3 in any one day.</p> <p>Float boats may use motors not to exceed 10 hp in section a) (Harrop Bridge to Felt Dam Access) only. Float boats may use motors (5HP or less) for downstream steerage only in sections d), e) and f). Motors are not allowed in other sections. Downstream steerage does not include holding or upstream travel of watercraft with a motor.</p> <p>OGLB licenses are for the entire TE3 segment; a section of TE3 cannot be separated from TE3 for the purposes of selling a portion of an outfitter's business.</p>	none	5

* Classified rivers

Floatboat and powerboat outfitters on these sections are considered within their area of operations when hiking from the river or fishing in tributaries away from the river but does not include overnight activities. Conflicts with land-based outfitters will be handled on a case-by-case basis. (4-6-23)

04. Other -- Table. The following lakes and reservoirs or portions thereof that lie totally or partially within the state of Idaho are open to fishing by outfitters with the following limitations:

Lake or Reservoir	Maximum No. of Operators	Maximum No. Boats per Operator per Lake or Reservoir
Lake Coeur d'Alene	8	2 ⁴
Dworshak Reservoir	7	2
Henry's Lake	8	2
Island Park Reservoir	7	2
Magic Reservoir	3	2
Palisades Reservoir	10	2
Lake Pend Oreille	11	2 ⁴
Priest Lake	5	2 ⁴
American Falls Reservoir	3	2
C.J. Strike Reservoir	4	2
Brownlee Reservoir	5	2
Oxbow Reservoir	3	2
Hells Canyon Reservoir	3	2

(7-1-24)

05. Other Lakes and Reservoirs. All other Idaho lakes and reservoirs are limited to two (2) outfitters with a maximum of two (2) boats (float or power) per outfitter. (4-6-23)

260. – 299. (RESERVED)

300. UNETHICAL AND UNPROFESSIONAL CONDUCT.

The Board may refuse to issue or renew a license or otherwise discipline a license holder for any of the following: (4-6-23)

01. Harass. Harassment of the public in their use of Idaho's outdoor recreational opportunities. (4-6-23)

02. Endanger. Operating in a manner which endangers the health, safety, or welfare of the public. (4-6-23)

03. Interfere. Interference with private landowners, public land management agencies, and/or stockmen and their rights and privileges. (4-6-23)

301. – 399. (RESERVED)

400. INSPECTIONS.

The Board has the authority to inspect outfitter facilities and equipment.

(4-6-23)

401. – 999. (RESERVED)

24.35.01 – RULES OF THE OUTFITTERS AND GUIDES LICENSING BOARD

000. LEGAL AUTHORITY.

These rules have been promulgated pursuant to authority granted in the Outfitters and Guides Act. (4-6-23)

001. SCOPE.

The rules implement, administer, and enforce the Act to establish uniform standards for licensing outfitted and guided activities to protect the public and protect, enhance, and facilitate management of Idaho's fish, wildlife, and recreational resources. (4-6-23)

002. DEFINITIONS.

The definitions set forth in Section 36-2102, Idaho Code, are applicable to these rules. In addition, the following terms have the meanings set forth below: (4-6-23)

01. Act. Title 36, Chapter 21, Idaho Code, commonly known as the Outfitters and Guides Act, as amended. (4-6-23)

02. Authorized Person. An investigator or inspector in the employ of the Board, a conservation officer of the IFGC, or any local, state, or federal law enforcement officer. (4-6-23)

03. Classified River. For the purpose of these rules, specific sections of some whitewater river or streams which are considered more hazardous than others have been designated "classified." Classified rivers are denoted by an asterisk (*) in the list of rivers contained in Subsection 259.01. (4-6-23)

04. Compensation. The receipt, exchange or taking of goods, services, or cash in exchange for outfitted or guided activities. A bona fide charging of out-of-pocket travel expenses by members of a recreational party is not deemed compensation. However, such out-of-pocket expenses may not include depreciation, amortization, wages, or other recompense. (4-6-23)

05. Facilities and Services. The provision of personnel, lodging (tent, home, lodge, or hotel/motel), transportation (other than by commercial carrier), guiding, preparation and serving of food and equipment, or any other accommodation for the benefit of clientele in the conduct of outdoor recreational activities as designed in Section 36-2102(b), Idaho Code. (4-6-23)

06. Fishing. Fishing activities on those waters and for those species described in the rules of the IFGC, IDAPA 13.01.11, "Rules Governing Fish," general fishing seasons and any anadromous fishing rules and as authorized in the Outfitter's Operating Plan. (4-6-23)

07. Float Boats. Watercraft (inflatable watercraft, dories, drift boats, canoes, catarafts, kayaks, sport yaks, or other small watercraft) propelled by, and moving with the stream flow, maneuvered by oars, paddles, sweeps, pike poles or by motors for downstream steerage only. Downstream steerage does not include holding or upstream travel of a watercraft with a motor. Excluded as float boats are personal flotation devices, innertubes, air mattresses, or similar devices. (4-6-23)

08. Hunting. The pursuit of any game animal or bird and all related activities including packing of client camp equipment, supplies, game meat and clients to and from a hunting camp. (4-6-23)

09. IFGC. The Idaho Department of Fish and Game or the Idaho Fish and Game Commission. (4-6-23)

10. Major Activity. A licensed activity, the nature of which requires a significant commitment of time and effort by an outfitter in its execution and is intended to provide a significant amount of income to an outfitter. (4-6-23)

11. Major Amendment. All outfitter license amendment requests requiring Board research or recommendation of a land management agency or other agency before the Board takes final action on the amendment request. (4-6-23)

12. Minor Amendment. All outfitter license amendment requests that can be processed by the Board without requiring outside research or recommendation of a land managing agency or other agency before the Board takes final action on said amendment request. (4-6-23)

13. Operating Area. The area assigned by the Board to an outfitter for the conduct of outfitting activities. (4-6-23)

14. Operating Plan. A detailed schedule or plan of operation which an outfitter proposes to follow in the utilization of licensed privileges, areas, or activities. (4-6-23)

15. Out-of-Pocket Expenses. The direct expenses attributable to a recreational activity. Such direct expenses do not include: (4-6-23)

a. Compensation for either sponsors or participants; (4-6-23)

b. Amortization or depreciation of debt or equipment; or (4-6-23)

c. Costs of non-expendable supplies. (4-6-23)

16. Power Boats. All motorized watercraft used on Idaho waters open to commercial outfitting activities. Excluded as power boats are hovercraft, jet skis or similar devices, and float boats using motors for downstream steering. (4-6-23)

17. Watercraft. A boat or vessel propelled mechanically or manually, capable of operating on inland water surfaces. Excluded as watercraft are hovercraft, jet skis, personal flotation devices (PFD's), or similar devices. (4-6-23)

003. – 099. (RESERVED)

100. OUTFITTER OR DESIGNATED AGENT LICENSE OR AMENDMENT APPLICATION.

A complete application for a new outfitter or designated agent license, outfitter license major amendment, or new landowner statement in existing areas must, in addition to all other requirements, include: (4-6-23)

01. Name. The name(s) registered with the Idaho Secretary of State as an assumed business name, the name of the business entity, or both. (4-6-23)

02. Other Signatures. Signed landowner or land manager statement from: (4-6-23)

a. The affected state and federal land managers in all areas where an outfitter plans to utilize lands administered by the state or federal government (this may involve memorandum of understanding procedures as applicable to proposed operation on national forest or public domain lands); and (4-6-23)

b. Private land owners, or their agents, where an outfitter applicant proposes to use such private lands in his operation. (4-6-23)

03. Operating Plan. An operating plan required by the germane land management agency or on a Board approved form. (4-6-23)

04. Insurance. Current certificate or proof of insurance covering licensed activities. (4-6-23)

05. Designated Agent. When the applicant is a corporation, firm, partnership, or other organization or

combination thereof, the designation at least one (1) designated agent who is a qualified outfitter, covered by the outfitter's bond, and who will be responsible for the outfitting business. The designated agent must apply for and be granted a license. (4-6-23)

06. Hearing. If more than one (1) applicant submits a complete application with landowner statement(s), the Board has the discretion to decide the successful applicant. (4-6-23)

07. Existing Operating Area. A licensed outfitter may be given priority for any opportunities within the outfitter's existing operating area boundaries. (4-6-23)

08. Operating Area Limitations. To safeguard the health, safety, and welfare of the public and for the conservation of wildlife and fish resources, the Board may place a limit on the number of outfitter licenses issued within an operating area. (4-6-23)

101. OUTFITTER AND DESIGNATED AGENT LICENSE RENEWAL.

01. Outfitter Licensing Priority. Priority for licensure in any outfitter's operating area may be maintained by submitting a complete application for a license for the ensuing license period before the expiration date of the current license. (4-6-23)

02. Renewal. All licenses expire on March 31 and every application for license renewal for an outfitter and designated agent must be complete and include a use report containing an activity, use, and harvest report on the actual use during the preceding year and other information as required by the Board. (4-6-23)

03. Penalty Fee. When a completed renewal application is filed with the Board after the due date, a penalty fee must be paid before the license is issued. (4-6-23)

04. License Expired and Reinstatement. Reinstatement of an expired license will be governed by Section 67-2614, Idaho Code. If an application for reinstatement is not received within six (6) months of expiration of the license, the Board may consider the operating area and activities as an available opportunity. (4-6-23)

102. OUTFITTER OR DESIGNATED AGENT RESPONSIBILITIES.

An outfitter or designated agent is responsible for maintaining the standards set forth in the Operating Plan and for the actions of all guides and other employees while in the scope of their employment. (4-6-23)

103. GUIDE LICENSE APPLICATION REQUIREMENTS.

All new applicants for a Guide license must submit a completed application on Board approved forms along with the required fee. (4-6-23)

01. General Qualifications. The applicant must provide the following: (4-6-23)

a. Documentation of requisite training and experience sufficient to perform the services and activities provided on the license; and (4-6-23)

b. A current American Red Cross first aid certification or other comparable certification that is acceptable to the Board; (4-6-23)

02. Activity-Specific Qualifications. In addition to the general qualifications, the applicant must provide evidence of activity-specific training submitted with application or amendment. (4-6-23)

a. Hunting. (4-6-23)

i. Experience in the outfitter's operating area(s) for at least ten (10) days and is knowledgeable of trails, terrain, drainages, and game habits and habitat. (4-6-23)

ii. Ability to read and understand a map and compass or operate a global positioning system (GPS) or

other computerized map system. (4-6-23)

iii. Training and experience caring for meat and trophies, including the ability to correctly cape an animal and ability to instruct and assist clients in the proper care of meat. (4-6-23)

b. Float Boating on Classified Water. (4-6-23)

i. Three (3) complete float boat trips on each of the classified rivers applied for under the supervision of an outfitter or guide licensed for that river.

ii. Guides with six (6) or more documented float boat trips on any other classified river section, under the supervision of a licensed outfitter or guide for that river, shall be deemed qualified once they complete one additional float boat trip under the supervision of a licensed outfitter or guide on the classified river section for which licensure is sought. (4-6-23)

iii. One (1) documented float boat trip on a classified section of river, under the supervision of an outfitter or guide licensed for that river, for an applicant able to demonstrate a log of at least 500 miles operating as a commercial float boat operator on select whitewater rivers with characteristics similar to Idaho's classified rivers. To document this experience, a statement signed by the applicant under oath or affirmation should be recorded on a Board-approved form that includes precise put-in and take-out points, miles logged for each trip, and the names and addresses of the boat operators who have employed them.

c. Power Boating on Classified Water. (4-6-23)

i. Fifty (50) hours on the total length of the river or section of water applied for. (4-6-23)

d. Float or Power Boating on Unclassified Water. (4-6-23)

i. At least one (1) complete commercial float or power boat trip on each of the sections or lakes applied for. (4-6-23)

e. ATV-UTV-Snowmobiling. (4-6-23)

i. Experience in the outfitter's operating area for at least ten (10) days and is knowledgeable of the area's drainages, rideable terrain, and unique avalanche or other hazards as well as the machines being utilized by the outfitter. (4-6-23)

ii. When operating in winter conditions in terrain with avalanche potential, must have Recreation level 1 avalanche training, American Avalanche Association or similar consisting of twenty-four (24) hours of training with over fifty percent (50%) in the field, and Avalanche Rescue through American Avalanche Association or similar, consisting of eight (8) hours of training with a minimum of five (5) hours in the field. (4-6-23)

f. Snow-Based Non-Motorized Travel in Avalanche Terrain (backcountry skiing, Nordic skiing, or snow shoeing on non-groomed trails). (4-6-23)

i. Experience in the outfitter's operating area(s) for at least ten (10) days and is knowledgeable of the area's drainages, rideable terrain, and unique avalanche hazards. (4-6-23)

ii. Recreation level 1 avalanche training, American Avalanche Association or similar consisting of twenty-four (24) hours of training with over fifty percent (50%) in the field, and Avalanche Rescue through American Avalanche Association or similar, consisting of eight (8) hours of training with a minimum of five (5) hours in the field. (4-6-23)

g. Rock Climbing/Mountaineering. (4-6-23)

i. Experience in the outfitter's operating area for at least ten (10) days and is knowledgeable of the

area's routes, navigable terrain, and unique hazards. (4-6-23)

ii. When operating in winter conditions in terrain with avalanche potential, must have Recreation level 1 avalanche training, American Avalanche Association or similar consisting of twenty-four (24) hours of training with over fifty (50%) in the field, and Avalanche Rescue through American Avalanche Association or similar, consisting of eight (8) hours of training with a minimum of five (5) hours in the field. (4-6-23)

h. Equestrian Activities. (4-6-23)

i. Experience in the outfitter's operating area for at least ten (10) days and is knowledgeable of horsemanship and the area's routes, trails, terrain, drainages, and unique hazards. (4-6-23)

03. Validity. A guide license is valid only while the guide is under the employment of an Idaho licensed outfitter. (4-6-23)

04. Amendment. To add authorized activities to the license, a guide must submit a completed license amendment request on a Board-approved form, along with supplemental documentation of training and experience for each newly requested activity. (4-6-23)

05. Renewal. A license must be renewed before it expires by submitting a complete application for renewal together with the renewal fee. A license expires biennially on the license holder's birthdate. A license not renewed on or before the license holder's birthdate will be immediately canceled in accordance with Section 67-2614(a), Idaho Code. No reinstatement fee will be charged.

104. – 199. (RESERVED)

200. LICENSE PRODUCTION.

Upon request of an authorized person, a licensee must provide proof of licensure when engaged in licensed activities and identify a guide's employing outfitter. (4-6-23)

201. THIRD-PARTY AGREEMENT.

An outfitter will not allow, condone, or abet any third-party agreement involving activities for which they are licensed. An employee of the licensed outfitter acting in the scope of employment is not a third party. (4-6-23)

202. STANDARDS FOR NON-USE.

The Board may annually review the outfitter's use reports for the preceding three (3) years to determine whether any licensed activity or operating area fall within non-use. If the outfitter falls within non-use, a "notice of non-use" may be issued to the outfitter. (4-6-23)

01. Definitions. (4-6-23)

a. Non-use. When an outfitter is making zero (0) or negligible use of major licensed activities for any two (2) of the three (3) preceding years unless the lack of use is due to an act of nature or because of state or federal agency restrictions on hunting or fishing that limit the ability of the outfitter to seek and accommodate clients; (4-6-23)

b. Zero (0) use. No recorded use by an outfitter of their licensed area or activities; (4-6-23)

c. Negligible use. An unreasonable lack of use as determined by the Board for any one (1) or more of the particular activities in the assigned operating area. Typically, use may be determined by comparison of use levels for the same activity(s) in similar operating areas. (4-6-23)

02. Required Records. Outfitters will maintain records sufficient to demonstrate to the Board use of their licensed activities and areas. (4-6-23)

203. OPERATING AREA.

An outfitter's operating area may be adjusted for reasons of wildlife and fish conservation, where territorial conflict

exists, or for the safety of persons utilizing the services of outfitters. Special circumstances may also warrant short term modification of an outfitters operating area. (4-6-23)

01. Environmental Considerations. Any changes in wildlife population health, environmental conditions and/or new government regulation may result in the adjustment of an outfitter's operating area. (4-6-23)

02. Conflict Considerations. An incident(s) of territorial conflict, particularly one that leads to public safety concerns, may result in the adjustment of an outfitter's operating area. (4-6-23)

03. Safety Considerations. Any change(s) in the environmental condition(s), in the manner or amount of public use of the operating area and/or in a licensee's manner of operation within the operating area, that pose a threat to the health and safety of persons using the operating area may result in a change in the outfitters operating area. (4-6-23)

04. Hot Pursuit. The Board may approve a minor amendment of an outfitters license to allow an outfitter licensed for bear and cougar hunting to enter into an adjacent area with a client for hot pursuit of bear and cougar hunting when hunting with hounds, provided that the pursuit starts inside the outfitter's licensed area. (4-6-23)

05. Controlled Hunts Outside Operating Area. The Board may authorize an outfitter who is licensed for hunting moose, bighorn sheep, or mountain goat to conduct a one-time hunt outside of the outfitter's licensed area when the outfitter submits a request on a Board-approved form. (4-6-23)

a. For changes of operation under Subsections 04 and 05 of this Rule, written permission from all outfitters licensed for the species in the hunt area being requested and all applicable landowners or land managers will be provided to the Board. (4-6-23)

b. For changes under Subsection 04 and 05 of this Rule, under special circumstances the Board may waive the requirement of approval from the overlapping outfitter(s). (4-6-23)

c. For changes under Subsection 05 of this Rule, no compensation is permitted between outfitters participating in the conduct of a controlled hunt in another outfitter's area, unless the outfitter supplies a service for that compensation. (4-6-23)

06. Overlap Predator Areas. The Board may authorize outfitters to enter into a standing agreement with each other and the appropriate land manager(s) allowing the outfitters to hunt wolf, mountain lion, or black bear across multiple operating areas. (4-6-23)

204. OUTFITTER BUSINESS PURCHASE, LICENSE CONSIDERATIONS.

The sale of an outfitting business requires an application for a new outfitter license by the purchaser, provided that the Board may give priority for licensure to an applicant who has negotiated an agreement related to a sale with a licensee if the applicant meets all other requirements or upon documentation from a court. The Board may consider prior non-use of licensed operating area or activities when evaluating priority for licensure or placing conditions on a license. (4-6-23)

205. AVAILABILITY OF OUTFITTING OPPORTUNITIES.

Except as provided in other sections of this chapter, when a new opportunity or existing opportunity which had previously been licensed to another outfitter becomes available, the Board may use a competitive application process through a waiting list, public notice, or both to select a qualified applicant. A competitive application process may be coordinated with another governmental agency that has management or permitting authority over the opportunity. (4-6-23)

01. Waiting List. The waiting list will be maintained for each individual river, lake and reservoir outlined in Section 259 and for each specific IFGC unit listed in IDAPA 13.01.08, "Rules Governing Taking of Big Game Animals." (4-6-23)

02. Placement on Waiting List. A written request, in a form specified by the Board, must be submitted to be placed on the waiting list, and a name on the waiting list will be maintained for a period of five (5) years or until December 31 of the fifth year that the name is placed on the list, whichever comes first. (4-6-23)

03. Notification. When public notice is used when an opening occurs, a public announcement will be made via the Board's website and may be made in conjunction with notice by another governmental agency. Persons on the waiting list will be notified of the available opportunity in any competitive application process. (4-6-23)

04. Application Period and Consideration. Anyone wishing to apply for the opportunity must submit a complete application or amendment, including all applicable fees, by the date specified in the notice. The Board will consider the qualifications of all applicants and in its discretion select the best qualified applicant. (4-6-23)

206. BOAT EQUIPMENT REQUIREMENTS.

Each float or power boat used by an outfitting operation must be identified as follows: (4-6-23)

01. Identification. Identification recorded with the Board on the outfitter application consisting of words, names, or letters not less than three (3) inches in height and be of a contrasting color indicating the current licensed outfitter and that is placed above the water line on each side of the bow or stern of the boat utilized by that outfitter in letters. (4-6-23)

02. Clearwater. On Sections CL2 and CL3 of the Clearwater River, a sticker affixed to the surface of any boat used for anadromous fishing that is not less than eight (8) inches in height and placed immediately adjacent to the identification words, names or letters on each side of the boat towards the bow, identifying the boat as operated by a licensed outfitter. Stickers will be provided and sold annually by the Board or a vendor designated by the Board. (4-6-23)

207. BOAT TRANSPORT OF HUNTING CLIENTS.

A boatman licensee (either power or float) must not transport big game hunters to any big game hunting area unless licensed to outfit for big game hunting in that area or has entered into an agreement with the licensed outfitter hunting for that area. (4-6-23)

208. – 256. (RESERVED)

257. DESIGNATION OF ALLOCATED DEER AND ELK TAGS.

For the purposes of this section, an outfitting operation is an outfitter licensee whose licensed activities include hunting for the species in the area of the allocated tag being designated. When IFGC allocates tags, the allocated tags will be designated pursuant to Section 36-2120, Idaho Code, and this rule. The designation applies for the next season unless IFGC adjusts the number of allocated tags for the hunt. (4-6-23)

01. Notification. All notices, orders, or other documents may be made to the email address on file with the Board. (4-6-23)

02. Outfitted Hunter Tag Use History. Each outfitter's hunter tag use history will be determined from the use recorded by IFGC pursuant to Section 36-408(4), Idaho Code, and as may be adjusted as a result of a tag transfer or hardship request that is approved by the Board. (4-6-23)

a. Transfers. An outfitting operation is credited for use of an allocated tag that it transfers to another outfitting operation for use that year in the same hunt. The receiving outfitting operation is not credited for using the transferred tag. (4-6-23)

b. Surrenders. An outfitting operation may surrender a designated allocated tag(s) to the undesignated tag pool for use by any outfitting operation in the same hunt. The surrendering outfitting operation is not credited for use of the surrendered tag unless it later uses the tag from the pool. (4-6-23)

03. New Hunt Allocated Tag Designation. When the IFGC allocates tags for a newly capped or

controlled hunt, the allocated tags will be designated proportionately as follows: (4-6-23)

a. Divide each outfitting operation's base allocation by the total of all base allocations in the hunt, resulting in a percentage of total use. Truncate the decimal at the hundredths place. (4-6-23)

b. Multiply the percentage of total use from Subsection 257.03.a. of these rules by the total number of allocated tags for the hunt, which determines the number of allocated tags designated to the outfitting operation. (4-6-23)

04. Use of Previously Designated Allocated Tags. For established capped or controlled hunts, allocated tags will first be designated to each outfitting operation in an amount equal to the outfitting operation's use of the allocated tags previously designated to it for the same hunt. (4-6-23)

a. In a capped hunt, the use of previously designated allocated tags is the average use of allocated tags in the preceding two (2) years; in the event that IFGC adjusts the number of allocated tags in a hunt where there is only one (1) year of allocation, the Board will not average the use. (4-6-23)

b. In a controlled hunt, the use of previously designated allocated tags is the highest year of use of allocated tags in the preceding two (2) years. (4-6-23)

05. Remaining or Additional Allocated Tags. Allocated tags not designated above will be designated proportionately as follows: (4-6-23)

a. Subtract each outfitting operation's use of previously designated allocated tags from Subsection 257.04 from its base allocation number to determine the number of non-allocated tags it used for a capped hunt or the matching hunt with non-allocated tags for a controlled hunt, when necessary to determine non-allocated tag use; then (4-6-23)

b. Divide the result by the total number of non-allocated tags used by all outfitting operations, resulting in a percentage of the total non-allocated tags used by outfitting operations in that hunt. Truncate the decimal at the hundredths place; and finally (4-6-23)

c. Multiply the percentage of total use from Subsection 257.05.b. by the number of allocated tags yet to be designated, which determines the number of allocated tags designated to the outfitting operation. (4-6-23)

06. Rounding. If allocated tag designation results in a partial tag, the calculation will be rounded up when a decimal equals or exceeds six tenths (0.6) and rounded down when a decimal is less than six tenths (0.6). When calculating after a reduction of allocated tags pursuant to Section 36-2120(4), Idaho Code, the calculation will be rounded up when a decimal equals or exceeds five tenths (0.5) and rounded down when a decimal is less than five tenths (0.5). (4-6-23)

07. Tie-breaker. If, after applying Subsections 257.03 through 06, there is a surplus or deficit of allocated tags to be designated, the unrounded proportion from Subsection 257.05, with as many decimal places as necessary, will be used, and then as follows: (4-6-23)

a. After a reduction in allocated tags, surplus tags will first be designated in amounts to restore outfitter operations to the number of tags that would have otherwise been designated pursuant to Subsection 257.04 or as close thereto as practicable. (4-6-23)

b. If a surplus, the outfitting operation whose unrounded proportion is the greatest will be designated one (1) tag, and if there are additional surplus tags, the outfitter with the next greatest unrounded proportion will be designated one (1) allocated tag, and repeated in descending unrounded proportions until all surplus tags are designated. In the event there is more than one outfitting operation with the same unrounded proportion and there are insufficient undesignated tags to designate to each outfitter, the undesignated tag will be designated based on a random drawing between those outfitting operations. (4-6-23)

c. A deficit will be resolved from the outfitting operation whose unrounded proportion is closest to six tenths (0.6), and then next closest to six tenths (0.6) when there is a deficit of more than one (1) allocated tag. If there is more than one (1) outfitting operation with the same unrounded proportion, a random drawing will be held between those outfitters. (4-6-23)

08. Stipulation by Outfitters. Outfitting operations in a hunt may submit to the Board a written stipulation determining the number of allocated tags designated to each outfitting operation in that hunt. The stipulation must be signed by all eligible outfitting operations for the hunt; however, under special circumstances, the Board may waive the requirement of approval from all other outfitting operations. If the Board approves the stipulation, the stipulation will be effective until the next designation of allocated tags for the hunt. On or before November 1 preceding the hunt, any outfitting operation may petition the Board to vacate the stipulation for good cause that would make it unconscionable or unjust to enforce the stipulation. If the Board vacates the stipulation, the allocated tags in that hunt will be designated pursuant to Section 36-2120, Idaho Code, and this rule. (4-6-23)

09. Undesignated Tag Pool. Any designated allocated tags that are surrendered or have not been utilized by an outfitting operation on or before July 16 or the next business day for a capped hunt, or on or before September 10 or the next business day for a controlled hunt, will be available in an undesignated pool for any outfitting operation, as follows: (4-6-23)

a. Beginning April 10 preceding the hunt, an outfitting operation may submit a request for an allocated tag from the pool. The request must be on a Board-approved form. (4-6-23)

b. Beginning April 20 preceding the hunt, or next business day thereafter, until July 16, allocated tags will be designated from the pool on a first-come, first-served basis. (4-6-23)

c. No tags designated from the pool will be considered for historical use calculations until all tag transfers are recorded and all hardship requests have been resolved. (7-1-24)

d. After July 16 preceding the hunt, or the next business day thereafter, allocated tags will be designated from the pool on a first-come, first-served basis to an outfitting operation who has submitted a request for allocated tags from the pool. Initially, a maximum of two (2) allocated tags may be granted to each requesting outfitting operation that either lacks designated tags or has used, without transferring, all of its designated tags. In cases where there are more requesting operations than available tags, the allocation will prioritize outfitting operations with no designated tags, ensuring they receive two tags each until all such operations are served. Once all operations without designated tags have been served, any remaining allocated tags will be distributed among all requesting operations, including those with previously allocated tags, on a first-come, first-served basis, with a maximum of two (2) tags per operation per round of distribution. This process will continue until all requested tags have been allocated.

e. If an outfitting operation does not pick up all the designated allocated tags that were requested by hunt, they will only be eligible the following year to request the number of tags that were picked up. If an outfitting operation requested tags from the pool, but fails to pick up any tags, that outfitter will be ineligible the following year to request any tags from the pool absent showing of good cause approved by the Board.

10. Objection to Calculation. If an outfitting operation believes the calculation is incorrect, it may object by filing a petition with the Board within fourteen (14) days from the date the notification was sent and in accordance with the Idaho Administrative Procedures Act. The petition will include any supporting information or documentation. (4-6-23)

a. All outfitting operations in the hunt in question will be notified of the petition. (4-6-23)

b. The outfitting operation bears the burden of establishing that the calculation was incorrect. (4-6-23)

11. Hardship Request. An outfitting operation may submit a written hardship request to maintain all or a portion of previous outfitted hunter tag use history when the outfitting operation shows good cause that its use

of allocated designated tags was impacted by circumstances beyond the outfitting operation’s control. The request must be submitted on or before a deadline set by the Board. The outfitting operation must provide information or documentation as requested by the Board to substantiate the request. (4-6-23)

12. Change in Operating Area or Owner of Business. When an outfitting operation is sold or when an operating area is adjusted through a sale and designated allocated tags are associated with the affected operating area, the associated designated allocated tags and tag use history will transfer to the new owner. (4-6-23)

258. NUMBER OF OUTFITTERS AND GUIDES LIMITED.

Big Lost and Little Lost Rivers and the Big Wood and the Little Wood Rivers – All reaches from headwaters to the termination of the flow of the Big Lost and the Little Lost Rivers and all reaches of the Big Wood and Little Wood Rivers are limited to a maximum of five (5) outfitters on both rivers combined. (4-6-23)

259. RIVER, LAKE, AND RESERVOIR POWER AND FLOAT OUTFITTER LIMITS.

For the express purpose of safeguarding the health, safety and welfare of the public, for the conservation of wildlife and range resources, and to enable the outfitted and non-outfitted public to enjoy the recreational value of Idaho’s rivers, streams, lakes, reservoirs and other natural resources, the Board has discretion to limit the number of outfitters licensed on waters that lie totally or partially within the State of Idaho. Pursuant to Section 36-2107(e), Idaho Code, the Board may cooperate with federal and state government to evaluate relevant factors in decisions related to setting outfitter licensure limits on navigable waterways. The following rivers and streams or sections that lie totally or partially within the state of Idaho are open to commercial boating operations by outfitters and guides. (4-6-23)

01. Licensable Waters – River Sections (BL1) Blackfoot River through (PR1) Priest River –

Table:

River/Section	Maximum No. Power	Maximum No. Float
<p>(BL1) Blackfoot River - Blackfoot Reservoir/Government Dam to Trail Creek Bridge. For each license/permit issued, no more than two (2) boats per section/per day may be used by any outfitter at any one time in each of the following river sections:</p> <p>a) Blackfoot Reservoir/Government Dam to Sage Hen Flats/Cutthroat Campground b) Sage Hen Flats/Cutthroat Campground to Morgan Bridge c) Morgan Bridge to Trail Creek Bridge</p> <p>No outfitter may have more than six (6) boats on the BL1 in any one (1) day.</p> <p>OGLB licenses are for the entire BL1 segment; a section of BL1 cannot be separated from BL1 for the purposes of selling a portion of an outfitter's business.</p>	none	2
<p>(BO1) Boise River, South Fork - Danskin Bridge to the Neal Bridge EXCEPT on weekends or holidays. Each outfitter may use only one (1) boat for fishing only with a maximum of two (2) fisherman. No overnight camping or walk-and-wade fishing allowed.</p>	none	2
<p>(BO1A) Boise River - Eckert Road Bridge to Main Street Bridge.</p>	none	
<p>(BO1B) Boise River - Main Street Bridge to West side of Garden City limits.</p>	none	

(BO2) Boise River - Downstream from the west side of the Garden City municipal limits to the east side of the Caldwell municipal limits. A maximum of two (2) outfitters may be licensed for fishing in addition to float boating. Each outfitter may use at any time a maximum of four (4) boats for boating activities. The Board may approve adjustments of these boat limitations to accommodate canoeing or kayaking activities that are part of an outfitters operating plan.	none	4
(CF1) Clark Fork River - Entire river upstream of a straight line extending north of county boat dock (near mouth of Johnson Creek) to Bear Paw Point (southwest tip of Denton Slough). Each outfitter may use at any one time a maximum of two (2) boats prior to the Friday preceding Memorial Day of each year, there is no limit thereafter.	2 outfitters for either power or float or combination thereof	
(CF2) Clark Fork River - Entire river upstream of a straight line extending north of county boat dock (near mouth of Johnson Creek) to Bear Paw Point (southwest tip of Denton Slough) (boating limited to the Friday preceding Memorial Day through November 30)	2 outfitters for either power or float or combination thereof	
(CL1) Clearwater River – Lowell to the Lower Bridge at Kooskia. Each outfitter may use at any one time a maximum of (a) three (3) boats for fishing, and (b) five (5) boats for other boating activities. Fishing may not be conducted downstream from the Upper Bridge at Kooskia by CL1 outfitters. The Board may approve adjustments of these boat limitations to accommodate canoeing or kayaking activities that are part of an outfitter’s operating plan.	None	5
(CL2) Clearwater River – The Upper Bridge at Kooskia to the Orofino Bridge. Each outfitter may use at any one time a maximum of (a) three (3) boats for fishing, and (b) five (5) boats for other boating activities. The Board may approve adjustments of these boat limitations to accommodate canoeing or kayaking activities that are part of an outfitter’s operating plan.	6	10
(CL3) Clearwater River – The Orofino Bridge to the mouth of the Clearwater River with the Snake River at Lewiston. Each outfitter may use at any one time a maximum of (a) three (3) boats for fishing, and (b) five (5) boats for other boating activities. The Board may approve adjustments of these boat limitations to accommodate canoeing or kayaking activities that are part of an outfitters operating plan.	10	10
* (NFCL) North Fork Clearwater River – Kelly Forks Bridge downstream to backwaters of Dworshak Reservoir	none	4
(CDNF) Headwaters of North Fork Coeur d’Alene- Including tributaries (Independence and Tee Pee Creeks) upstream from Devils Elbow Campground. Three (3) walk and wade only licenses. Up to four (4) clients on the river at one time per license.	None	none
(CD1) Coeur d’Alene River – Devil’s Elbow to South Fork confluence. Fishing limit is two (2) float boats per license with a maximum of two (2) clients at a time per boat. Two (2) additional walk and wade licenses can be issued. Walk and wade limited to a maximum of two (2) clients at a time per license.	None	1
(CD2) Coeur d’Alene River – South Fork confluence downstream to Cataldo Mission Boat Ramp. Fishing limit is one (1) float boat per license with a maximum of two (2) clients or two walk and wade clients per license at a time. Walk and wade activities do not have to be initiated from a float boat.	None	1

(CD3) Lateral (Coeur d'Alene chain) Lakes – Connected by the Coeur d'Alene River. Cataldo Mission Boat Ramp to Highway 97 Bridge. A limit of one (1) power boat per license with a maximum of two (2) clients at a time or a limit of one (1) guide per license and two (2) float tubes at a time or two (2) clients walking and wading. The walk and wade activities must be associated with the power boating.	3	none
* (JB1) Jarbidge/Bruneau Rivers	none	4
(KO1) Kootenai River – Montana state line to Canada boundary	5	5
(LCL1) Little North Fork Clearwater River – Mouth of Canyon Creek to first bridge on the Little North Fork Clearwater River. Fishing only. Each outfitter may use only two (2) boats per day with a maximum of two (2) fishermen per boat.	None	2
* (LO1) Lochsa River	none	5
(MO1) Moyie River – Canada boundary to Bonners Ferry Municipal Dam (boating closing date July 20)	none	5
* (OW1) Owyhee River – Nevada state line to Oregon state line or South Fork to confluence with Owyhee River and continuing on to a take-out point.	None	6
(PN1) Payette River, North Fork – Payette Lakes Outlet to Hartsell Bridge. Four (4) boat or ten (10) canoe limit per trip, and only two (2) trips per day per outfitter.	None	2
(PN1A) Payette River, North Fork – Cascade City Park, ¼ mile south of Cascade on Highway 55 to Cabarton. Restrictions: Catch and release for TROUT ONLY, other species F & G rules apply. No stopping by commercial groups from ¼ mile above to ¼ mile below heron nesting trees. Four (4) boat or ten (10) canoe limit per trip, and only two (2) trips per day per outfitter.	None	2
(PN2) Payette River, North Fork – Cabarton to Smiths Ferry Bridge	none	5
(PS1) Payette River, South Fork – Grandjean to Deadwood River	none	5
* (PS2) Payette River, South Fork – Deadwood River to Banks	none	5
(PA1) Payette River – Banks to Black Canyon Dam	none	5
(PO1) Pend Oreille River	5	5
(PR1) Priest River – Dickensheet Campground to Priest River City	none	2

(7-1-24)

02. Licensable Waters – River Sections (MF1) Middle Fork Salmon River through (SE2) Selway River – Table:

River/Section	Maximum No. Power	Maximum No. Float
(LS 1) Little Salmon River – Above the mouth of the Rapid River to the headwaters.	None	2

###(MF1) Salmon River, Middle Fork - Boundary Creek to Cache Bar on the Salmon River	none	27
(SA1) Salmon River - First bridge across Salmon River above Redfish Lake Creek to Torrey's Bar	none	6
(SA2) Salmon River - Torrey's Bar to first Highway 93 bridge above Challis. Each outfitter may use at any one time a maximum of (a) three (3) boats for fishing, and (b) five (5) boats for other boating activities. The Board may approve adjustments of these boat limitations to accommodate canoeing or kayaking activities that are a part of an outfitter's operating plan.	none	5
(SA3) Salmon River - First Highway 93 bridge above Challis to Kilpatrick River access. Each outfitter may use at any one time a maximum of (a) three (3) boats for fishing, and (b) five (5) boats for other boating activities. The Board may approve adjustments of these boat limitations to accommodate canoeing or kayaking activities that are a part of an outfitter's operating plan.	none	6
(SA4A) Salmon River - Kilpatrick River access to North Fork - License period from May 1 to September 30. Each outfitter may use at any one time a maximum of (a) three (3) boats for fishing and (b) five (5) boats for other boating activities. The Board may approve adjustments of these boat limitations to accommodate canoeing or kayaking activities that are part of an outfitter's operating plan.	5	11
(SA4B) Salmon River - Kilpatrick River access to North Fork - License period from October 1 to April 30. Each power boat outfitter may use at any one time a maximum of one (1) boat and each float boat outfitter may use at any one time a maximum of three (3) boats.	2	8
(SA5) Salmon River - North Fork to Corn Creek	3	9
###(SA6) Salmon River - Corn Creek to Spring Bar Boat Ramp with no outfitter fishing below Vinegar Creek from September 15 through March 31 except that on a case-by-case basis, outfitter fishing may occur when permitted by the BLM and with the notification to and concurrence of the Board Executive Officer.	14	31
* (SA7A) Salmon River - Vinegar Creek to Hammer Creek - License period from March 15 to October 15. No power boating is allowed from the Saturday before Memorial Day through Labor Day from 10:30 a.m./Mountain Time to 5:00 p.m./Mountain Time daily between the Riggins City Boat Dock and Lucile.	10	26
* (SA7B) Salmon River - Power boats from Vinegar Creek to Spring Bar Boat Ramp and float boats from Vinegar Creek to Island Bar Boat Ramp, open from September 15 to March 31 only. Each float boat outfitter may use at any one time a maximum of three (3) boats for fishing, or two (2) additional boats for fishing when permitted by the BLM and with the notification to and concurrence of the Board Executive Officer; and each power boat outfitter may use at any one time a maximum of two (2) boats for fishing, or one (1) additional boat for fishing when permitted by the BLM and with the notification to and concurrence of the Board Executive Officer.	6	12

* (SA7C) Salmon River - Riggins City Park Boat Ramp to Hammer Creek. Three (3) designated outfitters may utilize float boats to fish from the Riggins City Boat Dock to Hammer Creek during the period from September 15 to March 31.	none	3
##(SA8) Salmon River - Hammer Creek to Heller Bar or Lewiston on the Snake River	15	35
* (SE1) Selway River - Paradise Campground to Selway Falls	none	4
(SE2) Selway River - Selway Falls to the mouth of the Selway River at Lowell. Each outfitter may use at any one time a maximum of (a) three (3) boats for fishing, and (b) five (5) boats for other boating activities. The Board may approve adjustments to these boat limitations to accommodate canoeing or kayaking activities that are part of an outfitter's operating plan.	none	5

(4-6-23)

03. Licensable Waters – River Sections (SH1) Henry’s Fork Snake River through (TE3) Teton River – Table:

River/Section	Maximum No. Power	Maximum No. Float
(SH1) Snake River, Henry's Fork - Henry's Lake Outlet to Hatchery Ford. (Each outfitter may use at any one time a maximum of (a) eight (8) boats for fishing No more than three (3) of these boats may be used at any one time on any of the following river reaches: Henry's Lake Outlet to Island Park Dam, Island Park Dam to Last Chance, Last Chance to Osborn Bridge, and Osborn Bridge to Hatchery Ford), and (b) five (5) boats for other boating activities. The Board may approve adjustments to these boat limitations to accommodate canoeing or kayaking activities that are part of an outfitter's operating plan.	none	7
(SH2) Snake River, Henry's Fork - Mesa Falls to St. Anthony. Each outfitter may use at any one time a maximum of (a) eight (8) boats for fishing, no more than three (3) of these boats may be used at any one time on any one of the following river reaches: Mesa Falls to Stone Bridge, Stone Bridge to Ashton Dam, and Ashton Dam to Chester Dam, and Chester Dam to St. Anthony, and (b) five (5) boats for other boating activities. The Board may approve adjustments of these boat limitations to accommodate canoeing or kayaking activities that are part of an outfitter's operating plan.	none	8

<p>(SH3) Snake River, Henry's Fork - No more than three (3) boats for fishing may be used by an outfitter at any one (1) time in each of the following river sections:</p> <p>a) ♦ St. Anthony to Red Road Bridge Boat Access (i.e., Parker/Salem or Fort Henry) b) Red Road Bridge Boat Access to Warm Slough Boat Access c) Warm Slough Boat Access to Menan Boat Access</p> <p>No outfitter may have more than six (6) boats on the SH3 in any one (1) day.</p> <p>When permitted by the BLM and with the notification to and concurrence of the Board Executive Officer, each outfitter may be allowed adjustments to the maximum boat limits in order to accommodate non-fishing boating activities (e.g., canoeing, paddle boards, and kayaks) and hazardous excursions that are part of an outfitter's operating plan. These adjustments must be reviewed and approved annually.</p> <p>OGLB licenses are for the entire SH3 segment; a section of SH3 cannot be separated from SH3 for the purposes of selling a portion of an outfitter's business.</p>	<p>none</p>	<p>4</p>
<p>(SS1) Snake River - South Fork - No more than four (4) boats per section/per day may be used by an outfitter at any one (1) time in each of the following river sections:</p> <p>a) Palisades Dam Boat Access to the Spring Creek Boat Access (Swan Valley Bridge) or Conant Boat Access. Exception: Not more than eight boats would be permitted between Spring Creek Boat Access and Conant Boat Access to allow for the flexibility to launch/take-out boats. b) Spring Creek or Conant Boat Access to Fullmer Boat Access. Exception: Not more than eight (8) boats would be permitted in Section (b) on the same day, provided that no more than four (4) of said boats are in this Section after 11:00 a.m. due to overnight use at designated outfitter camps. c) Fullmer Boat Access to Byington Boat Access. d) Byington Boat Access to Lorenzo Boat Access. e) Lorenzo Boat Access to Menan Boat Access.</p> <p>Additionally, no outfitter may have more than twelve (12) boats on the SS1 in any one day.</p> <p>A one-time per year exception after July 15 may be granted from Conant Boat Access to Byington Boat Access that would allow two (2) additional boats per section to accommodate large client groups. During this one-time exception, if the two (2) additional boats do not accommodate the large client group, additional boats must come from slots allocated to other outfitters. The maximum daily boat limit for SS1 may not be exceeded. This would require written concurrence from the BLM/USFS and the Board Executive Officer.</p> <p>Float boats may use motors (5HP or less) for downstream steerage only within the entire SS1 reach. Downstream steerage would not include holding or upstream travel of watercraft with a motor.</p> <p>OGLB licenses are for the entire SS1 segment; a section of SS1 cannot be separated from SS1 for the purposes of selling a portion of an outfitter's business.</p>	<p>None*</p>	<p>8**</p>

<p>* Each licensed float boat outfitter may use one (1) supply boat (float or power) that does not carry clients. During periods of preparing overnight camps (i.e., setting up tents and portable toilet facilities, boating in grills and other cooking supplies) for the season, usually May or June of each year; and removing the same items listed above from overnight camps at the end of the season, usually October or November; multiple supply boats may be used.</p> <p>** One (1) license additional for waterfowl hunting covering both BLM and USFS managed lands and waters for the South Fork (Palisades Dam to Wolf Flats Boat Access may be issued. This license opportunity is in addition to the eight (8) float licenses and is limited to providing waterfowl hunting during waterfowl hunting season as defined by Idaho Fish and Game Rules and where no more than two (2) float or power boat boats per day per section a and b only can be used by the outfitter at any one time for that purpose. Fishing may not be provided or conducted unless the outfitter is also licensed and permitted as one (1) of the eight (8) outfitters addressed in this rule who may not provide hunting activities. This business opportunity may be sold separately.</p>		
<p>(SN1) Snake River - For each license/permit issued, no more than four (4) boats per section/per day may be used by an outfitter at any one time in each of the following river sections:</p> <p>a) Menan Boat Access to Mike Walker Boat Access (includes Federally managed lands).</p> <p>b) Mike Walker Boat Access to Gem State Power Plant (includes non-Federal lands).</p> <p>Float boats may use motors (5HP or less) for downstream steerage only within the entire SS1 reach. Downstream steerage would not include holding or upstream travel of watercraft with a motor.</p> <p>OGLB licenses are for the entire SN1 segment; a section of SN1 cannot be separated from SN1 for the purposes of selling a portion of an outfitter's business.</p>	<p>3 outfitters either float or power or combination thereof</p>	
<p>(SN2) Snake River - Gem State Power Plant. Idaho Falls, downstream to headwaters of American Falls Reservoir. For each license/permit issued, no more than four (4) boats per section/per day may be used by any outfitter at any one time in each of the following river sections:</p> <p>a) Gem State Power Plant to Shelley/Firth</p> <p>b) Shelley/Firth to Porterville</p> <p>c) Porterville to Blackfoot (Boating limited, walk-wade if there is access)</p> <p>d) Blackfoot to Tilden Bridge</p> <p>e) Tilden Bridge to the headwaters of American Falls Reservoir</p> <p>No outfitter may have more than twelve (12) boats on the SN2 in any one day.</p> <p>OGLB licenses are for the entire SN2 segment; a section of SN2 cannot be separated from SN2 for the purposes of selling a portion of an outfitter's business.</p>	<p>3 outfitters either float or power or combination thereof</p>	

<p>(SN3) Snake River - American Falls Dam to Massacre Rocks State Park. For each license/permit issued, no more than five (5) boats per section/per day may be used by any outfitter at any one time in each of the following river sections:</p> <p>a) American Falls Dam to Pipeline (includes federally and non- federally managed lands) b) Pipeline to Vista (includes federally and non- federally managed lands) c) Vista to Eagle Rock (includes non-federally managed lands) d) Eagle Rock to Massacre Rocks (includes non-federally managed lands)</p> <p>No outfitter may have more than ten (10) boats on the SN3 in any one day.</p> <p>Float boats may use motors (5HP or less) for downstream steerage only. Downstream steerage does not include holding or upstream travel of watercraft with a motor.</p> <p>Sturgeon Fishing: Pipeline to Massacre Rocks, no more than five (5) boats per section/per day may be used by any outfitter at any one time in each of the river sections between Pipeline to Massacre Rocks.</p> <p>American Falls Dam to Pipeline, one (1) boat within this section/two (2) weekdays per week/two (2) weekend days per month. Idaho Department of Fish and Game, Southeast Region (Pocatello) needs to be notified prior to Sturgeon Fishing.</p> <p>OGLB licenses are for the entire SN3 segment; a section of SN3 cannot be separated from SN3 for the purposes of selling a portion of an outfitter's business.</p>	<p>3 outfitters either float or power or combination thereof</p>	
<p>(SN4) Snake River - Massacre Rocks State Park to Milner Dam</p>	<p>3</p>	<p>3</p>
<p>* (SN5) Snake River - Milner Dam to Star Falls</p>	<p>none</p>	<p>3</p>
<p>* (SN6) Snake River - Star Falls to Twin Falls</p>	<p>none</p>	<p>5</p>
<p>(SN7) Snake River - Twin Falls to Lower Salmon Falls Dam</p>	<p>3</p>	<p>3</p>
<p>(SN8) Snake River - Lower Salmon Falls Dam to Bliss Dam</p>	<p>3</p>	<p>5</p>
<p>(SN9) Snake River - Bliss Dam to headwaters of C.J. Strike Reservoir</p>	<p>5</p>	<p>5</p>
<p>(SN10) Snake River - C.J. Strike Dam to Walter's Ferry</p>	<p>5 outfitters for either power or float or combination thereof</p>	
<p>(SN11) Snake River - Walter's Ferry to headwaters of Brownlee Reservoir</p>	<p>5</p>	<p>none</p>
<p>* (SN12) Snake River - Hells Canyon Dam to Pittsburg Landing</p>	<p>18</p>	<p>15</p>
<p>* (SN13) Snake River - Hells Canyon Dam to Pittsburg Landing, two (2) one-day float trips only</p>	<p>none</p>	<p>2</p>
<p>(SN14) Snake River - Pittsburg Landing to Heller Bar or Lewiston</p>	<p>19</p>	<p>15</p>

(SN15) Snake River - Washington/Oregon state line to Lewiston	Limitations pending. (This section is set aside for future rules of fishing only outfitters.)	
(SJ1) St. Joe River - St. Joe River Headwaters to Red Ives. No outfitted boating. One (1) walk and wade only fishing outfitter.	none 2	none
(SJ2) St. Joe River - Red Ives to Avery. In addition to one (1) float boat license, three (3) walk and wade only outfitters. No fishing from float boats, boat clients may fish via walk and wade.	none	1
(SJ3) St. Joe River - Avery to St. Joe City Bridge	none	2
(SJ4) St. Joe River - St. Joe City Bridge to Lake Coeur d'Alene	2	none
(SM1) St. Maries River	5	5
(TE1) Teton River - Upper put-in to Cache Bridge, motors not to exceed 10 hp	5 outfitters for either power or float or combination thereof	
(TE2) Teton River - Cache Bridge to Harrop Bridge, motors not to exceed 10 hp	6 outfitters for either power or float or combination thereof	
<p>(TE3) Teton River - No more than two (2) boats per section/per day may be used by an outfitter at any one time in each of the following river sections: a), b), d), e) and f). No more than four (4) boats per section/per day may be used by an outfitter at any one time on river section c) and where two (2) boats from same outfitter must be spaced at three-hour (3) intervals:</p> <p>a) Harrop Bridge Boat Access to Felt Dam Boat Access. b) Felt Dam Boat Access to Spring Hollow Boat Access. c) Spring Hollow Boat Access to Teton Dam Site Boat Access. d) Teton Dam Site Boat Access to Hog Hollow Bridge Boat Access. e) Hog Hollow Bridge Boat Access to Teton Highway. f) Teton Highway to confluence with the Henry's Fork of the Snake River. Note: No boat access exists at the confluence with the Henry's Fork of the Snake River. Outfitters would utilize Hibbard Bridge or Warm Slough Access on SH3. No fishing on SH3.</p> <p>No outfitter may have more than eight (8) boats on the TE3 in any one day.</p> <p>Float boats may use motors not to exceed 10 hp in section a) (Harrop Bridge to Felt Dam Access) only. Float boats may use motors (5HP or less) for downstream steerage only in sections d), e) and f). Motors are not allowed in other sections. Downstream steerage does not include holding or upstream travel of watercraft with a motor.</p> <p>OGLB licenses are for the entire TE3 segment; a section of TE3 cannot be separated from TE3 for the purposes of selling a portion of an outfitter's business.</p>	none	5

* Classified rivers

Floatboat and powerboat outfitters on these sections are considered within their area of operations when hiking from the river or fishing in tributaries away from the river but does not include overnight activities. Conflicts with land-based outfitters will be handled on a case-by-case basis. (4-6-23)

04. Other -- Table. The following lakes and reservoirs or portions thereof that lie totally or partially within the state of Idaho are open to fishing by outfitters with the following limitations:

Lake or Reservoir	Maximum No. of Operators	Maximum No. Boats per Operator per Lake or Reservoir
Lake Coeur d'Alene	8	2
Dworshak Reservoir	7	2
Henry's Lake	8	2
Island Park Reservoir	7	2
Magic Reservoir	3	2
Palisades Reservoir	10	2
Lake Pend Oreille	11	2
Priest Lake	5	2
American Falls Reservoir	3	2
C.J. Strike Reservoir	4	2
Brownlee Reservoir	5	2
Oxbow Reservoir	3	2
Hells Canyon Reservoir	3	2

(7-1-24)

05. Other Lakes and Reservoirs. All other Idaho lakes and reservoirs are limited to two (2) outfitters with a maximum of two (2) boats (float or power) per outfitter. (4-6-23)

260. – 299. (RESERVED)

300. UNETHICAL AND UNPROFESSIONAL CONDUCT.

The Board may refuse to issue or renew a license or otherwise discipline a license holder for any of the following: (4-6-23)

01. Harass. Harassment of the public in their use of Idaho’s outdoor recreational opportunities. (4-6-23)

02. Endanger. Operating in a manner which endangers the health, safety, or welfare of the public. (4-6-23)

03. Interfere. Interference with private landowners, public land management agencies, and/or stockmen and their rights and privileges. (4-6-23)

301. – 399. (RESERVED)

400. INSPECTIONS.

The Board has the authority to inspect outfitter facilities and equipment.

(4-6-23)

401. – 999. (RESERVED)