



## IDAHO FISH AND GAME GOLDSHEET

*July 2025 Commission Meeting*

*Agenda Item No.: 5B*

*Agenda Item: Administrative Rules: Adoption of Proposed Rules – Zero Based Regulation (Action)*

*Bureau Chief Approval: JF*

*Presented by: Amber Worthington*

*Position/Title: Deputy Director of Programs and Policy*

### **Background:**

Consistent with Executive Order 2020-01 for Zero-Based Regulation (ZBR), the Commission is reviewing six chapters of IDAPA rules this year:

- 13.01.03 – Public Use of Lands Owned or Controlled by the Department of Fish and Game
- 13.01.04 – Rules Governing Licensing
- 13.01.08 – Rules Governing the Taking of Big Game Animals
- 13.01.16 – Trapping of Wildlife and Taking of Furbearing Animals
- 13.01.17 – Rules Governing Use of Bait for Hunting Big Game Animals
- 13.01.19 – Rules for Selecting, Operating, Discontinuing, and Suspending Vendors

In addition to ZBR rulemaking, staff also integrated language around recommendations made by the Commission-directed Non-resident Tag Issuance Advisory Committee and the Hunting and Advanced Technology Working Group; and comments received by the public from those recommendations.

### **Statutory Authority and/or Policy Issues:**

Idaho Code 36-104 grants authority to the Commission to promulgate IDAPA rules. Idaho Code 67, Chapter 52 (Idaho Administrative Procedure Act) governs the process for considering, adopting, and implementing IDAPA rules. Specifically, Idaho Code 67-5220 provides for negotiated rulemaking and Idaho Code 67-5221 provides for adoption of proposed rules for additional public notice and comment.

### **Public Involvement Process:**

Notices of Intent to Promulgate Rules via Negotiated Rulemaking for ZBR chapters 13.01.04, 13.01.08, 13.01.16, and 13.01.17 review were published in the May 2024 Idaho Administrative Bulletin and 13.01.03 and 13.01.19 in the May 2025 bulletin. Publication of those bulletins opened written comment periods for public input and published opportunities for public commenting in person.

Additional public engagement opportunities were also available during the public meeting portion of Commission meetings.



## IDAHO FISH AND GAME GOLDSHEET

The table below shows all the dates of the various opportunities the public had available to weigh in on the chapters being voted on today.

Public Engagement Opportunities					
13.01.03	13.01.04	13.01.08	13.01.16	13.01.17	13.01.19
5/7/2025	5/1/2024	5/1/2024	5/1/2024	5/1/2024	5/7/2025
5/21/2025	5/7/2025	5/7/2025	5/7/2025	5/7/2025	5/21/2025
7/16/2025	5/29/2024	5/29/2024	5/30/2024	5/31/2024	7/16/2025
	6/9/2025	6/8/2025	6/11/2025	6/11/2025	
	7/22/2024	7/22/2024	7/22/2024	7/22/2024	
	11/6/2024	11/6/2024	11/6/2024	11/6/2024	
	1/28/2025	1/28/2025	1/28/2025	1/28/2025	
	3/25/2025	3/25/2025	3/25/2025	3/25/2025	
	5/21/2025	5/21/2025	5/21/2025	5/21/2025	
	7/16/2025	7/16/2025	7/16/2025	7/16/2025	
Commission Public Meeting					
Written Comment Period Begins (21 days)					
Rulemaking Public Meeting					

Additional public outreach and engagement was done through the work of the Nonresident Tag Issuance Advisory Group and the Hunters Advanced Technology working group, which provided feedback and recommendations from the group members and the engaged members of public. That feedback specifically pertains to chapters 13.01.04 and 13.01.08.

### Justification:

Idaho Code (Idaho Administrative Procedure Act) governs the process for considering, adopting, and implementing IDAPA rules.

### Staff Recommendation:

The Staff recommendation for proposed rule language is presented by chapter in the following pages. These include proposed rules for:

- 13.01.03 – Public Use of Lands Owned or Controlled by the Department of Fish and Game
- 13.01.04 – Rules Governing Licensing
- 13.01.08 – Rules Governing the Taking of Big Game Animals
- 13.01.16 – Trapping of Wildlife and Taking of Furbearing Animals
- 13.01.17 – Rules Governing Use of Bait for Hunting Big Game Animals
- 13.01.19 – Rules for Selecting, Operating, Discontinuing, and Suspending Vendors



## IDAHO FISH AND GAME GOLDSHEET

Staff recommendation includes the repeal of chapter 13.01.17 and consolidation of the language into chapter 13.01.08.

**Suggested Motion:** I move the Commission adopt the proposed rules as presented, with authority for the Department to make non-substantive edits in the proofreading process that do not alter the sense, meaning or effect of the rules.

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

#### 000. LEGAL AUTHORITY.

Section 36-104(b), Idaho Code, ~~authorizes the Commission to adopt rules concerning the use of lands owned or controlled by the Department.~~ (3-31-22)( )

#### 001. ~~TITLE AND SCOPE.~~

~~The title of this chapter for citation is IDAPA 13.01.03 “Public Use of Lands Owned or Controlled by the Department of Fish and Game.”~~ These rules govern use of lands owned or controlled by the Department. (3-31-22)( )

#### 002. – 009. (RESERVED)

#### 010. DEFINITIONS.

01. **Aircraft.** Any vehicle capable of use for transportation on or in the air and any unmanned aircraft system. (3-31-22)

02. **Camp(ing).** To use a location as a temporary or permanent place of dwelling, lodging or living accommodation. Indicators of camping may include, but are not limited to, storing personal belongings, erecting tents or other temporary structures, storing personal belongings or for overnight sleeping, carrying on cooking activities, laying out bedding or making any fire. ( )

03. **Commercial Use.** Any use or activity related to a business venture or for which a fee is charged, or in which the primary purpose is the sale or barter of goods or services, regardless of whether the use or activity is intended to produce a profit. (3-31-22)

034. **Lands Owned or Controlled by the Department.** Real property, owned or controlled by the Commission or Department, managed for public recreation or for the protection, maintenance, or ~~and~~ enhancement of fish and wildlife. (3-31-22)( )

045. **Designated Roads and Trails.** All roads and trails posted as open or designated as open on Department public use maps. (3-31-22)

056. **Safety Zone.** A posted area established for the safety and protection of persons, equipment, structures, or livestock, and where shooting within, across, or into the area is not permitted. (3-31-22)

067. **Unattended.** As it pertains to decoys, the absence of any person within one hundred (100) yards from any decoy for a period of more than one-half (1/2) hour. (3-31-22)

078. **Watercraft.** ~~Any vessel capable of use~~ Device as a means for ~~of~~ transportation on or in the water. — (3-31-22)( )

#### 011. – 099. (RESERVED)

#### 100. PUBLIC USE RESTRICTIONS.

01. **Activities Not Allowed Without Authorization.** Unless specifically authorized by the Commission, Director, Regional Supervisor, or designee, no person may: (3-31-22)

a. Enter, use, or occupy lands or water when said lands are posted against such entry, use, or occupancy. (3-31-22)

b. Camp ~~or park a vehicle or trailer in any area posted against such use, or or, in locations where camping is specifically authorized, to fail to comply with posted stay limits or~~ leave unattended a camp, vehicle, or trailer for more than forty-eight (48) hours, ~~or to camp or park a vehicle or trailer for more than ten (10) days during any thirty (30) day period on any one (1) Wildlife Management Area (WMA) or one (1) access site separate from a WMA.~~ (3-31-22)( )

c. Operate any motorized vehicle, including over-snow use, except on designated roads and trails. (3-31-22)

d. Use watercraft on any waters posted against such use. (3-31-22)

e. Use any form of fireworks, ~~or explosives,~~ or exploding targets. (3-31-22)( )

f. Permit any dog or other domestic animal to run at large when not present to control or care for it, or to permit any dog to be off leash when posted against such use. (3-31-22)

g. Conduct a dog field trial of any type, except a dog field trial or dog training using artificially propagated game birds between August 1 and September 30 with ~~Department~~ authorization pursuant to under IDAPA 13.01.15.300, ~~“Rules Governing the Use of Dogs.”~~ (3-31-22)( )

h. Construct any blind, pit, platform, or tree stand, where soil is disturbed or trees are cut or altered, and fasteners, such as wire, rope, or nails are used; or to leave any portable manufactured blind or tree stand overnight. (3-31-22)

i. Adjust, open, close, tamper with, or manipulate in any manner, any diversion structure, headgate, flume, recorded or flow dock or any device for water control. This provision does not limit the powers of agencies or irrigation districts as provided by statute or rule. (3-31-22)

j. Shoot within, across, or into posted safety zones. (3-31-22)

k. Leave any decoy unattended, or to place any decoy any earlier than two (2) hours before official shooting hours for waterfowl, or to leave any decoy at a hunting site later than two (2) hours after official shooting hours for waterfowl. (3-31-22)

l. Discharge any paintball, or airsoft guns. (3-31-22)( )

m. Disturb or remove any soils, gravel, or minerals. (3-31-22)

n. Turn domestic livestock into, or allow ~~said animals~~ them to graze or trail on or across Department lands, except riding and pack animals may be used in association with recreational uses or as posted. (3-31-22)( )

o. Cut, dig, or remove any crops, trees, shrubs, grasses, forbs, logs, or fuel wood. (3-31-22)

p. Place, maintain, or store any beehives or bee boards. (3-31-22)

q. Use lands for any commercial purpose. (3-31-22)

r. Place a geocache. (3-31-22)

s. Use for group events of over fifteen (15) people. (3-31-22)

t. Land or launch aircraft except on public airstrips. (3-31-22)

u. Use or transport any hay, straw, or mulch that is not weed-free certified. (3-31-22)

|      **101. – 999.      (RESERVED)**

### 13.01.04 – RULES GOVERNING LICENSING

#### 000. LEGAL AUTHORITY.

Sections 36-104(b), 36-301, 36-401 through 413, and 36-1101, Idaho Code. (4-6-23)

#### 001. SCOPE.

These rules govern licensing. (4-6-23)

#### 002. – 009. (RESERVED)

#### 010. DEFINITIONS.

01. **Allocated Tag.** Game tags ~~allocated under Section 36-408, Idaho Code~~ that may be sold only to an outfitted hunter. (4-6-23)( )

02. **Authorized Corporate Representative.** Corporation shareholder designated in writing by the corporation as the eligible tag applicant. (4-6-23)

03. **Blind or Visually Impaired.** Persons meeting criteria set forth in Sections 36-202(w) or 67-5402(2), Idaho Code. (4-6-23)

04. **Capped Hunt.** A hunt framework for which the Commission has set a limit on the total number of tags available to residents and nonresidents by game management zone, unit, or other hunt area. In a capped hunt, tags are available to residents over the counter, without a drawing by lot, and tags are available to nonresidents either over the counter or by drawing by lot. ( )

05. **Controlled Hunt.** A hunt framework for which tags are drawn by lot by game management zone, unit, or other hunt area. ( )

046. **Domicile.** An individual's true, fixed, permanent home and where they intend to return whenever absent. Individuals can have only one (1) domicile. Determination of domicile may consider, without limitation: (4-6-23)

a. Income tax return state of residency and filing address; (4-6-23)

b. Voter registration; (4-6-23)

c. Location where person and immediate family live; (4-6-23)

d. Mailing/forwarding address; (4-6-23)

e. Vehicle registration; (4-6-23)

f. Location claimed for homeowner exemption; or (4-6-23)

g. State of driver's license. (4-6-23)

057. **Disabled.** Meeting criteria set forth in Sections 36-406(g), or 36-1101(b), Idaho Code. (4-6-23)

068. **Eligible Property.** At least three hundred twenty (320) acres of land, excluding any government

**Commented [AW1]:** Most of the changes within the definitions section are due to the language added for the proposed non-resident draw framework. It was language that was approved for temporary rule by the Commission at the May 2025 meeting and brought over directly into the proposed rule or simplified. Any other changes to definitions are to simplify or clarify existing language.

lands, in one (1) Game Management Area ~~Unit~~ controlled hunt area determined by the Department to be valuable for habitat or propagation purposes for deer, elk, pronghorn, ~~or~~ black bear, ~~or at least seventy nine (79) acres of land, excluding any government lands, in one (1) Game Management Unit determined by the Department to be valuable for habitat or propagation purposes for turkey~~ whether owned by one (1) or more persons, a partnership, or corporation.

(4-6-23)( )

**079. Landowner.** Person or corporation whose name appears on a deed as the owner, or on a sales contract as the purchaser, and any affiliates, management companies, associated entities, wholly-owned subsidiaries, corporations, or limited liability companies wherein fifty percent (50%) or more of the ownership or controlling interest is maintained by a single individual, partnership, or corporation. (4-6-23)

**10. ~~Permanent Disability.~~** ~~Medically determinable physical impairment, which a physician has certified as a condition having no expectation for a fundamental or marked improvement at any time in the future.~~ **Leftover Tag.** A tag that is unsold or returned without use. (4-6-23)( )

**11. ~~Physician~~ Licensed Medical Provider.** Person licensed to practice medicine pursuant to the Idaho Medical Practice Act (Sections 54-1801 through 54-1820, Idaho Code), or equivalent state licensing authority in the state of practice. (4-6-23)( )

**12. NR DAV Draw Hunt.** Controlled hunt framework specific to drawing by lot of reduced fee deer and elk tags for eligible nonresident disabled veterans. ( )

**13. NR Draw Hunt.** Controlled hunt framework in which tags are available to residents over the counter but are issued by drawing by lot to nonresidents. These may include capped hunts and NRL hunts. These hunts are considered controlled hunts subject to application fees under sections 36-104 and 36-416, Idaho Code. ( )

**14. NRL Hunt.** Hunt framework in which nonresident tags are limited but tags are available to residents over the counter without limit. ( )

**0815. Non-Allocated Tag.** Game tag ~~that may be sold to either outfitted or non-outfitted hunters~~ ~~other than an outfitter allocated tag.~~ (4-6-23)( )

**16. Over the Counter (First come, First Served).** The sale of tags on a first-come, first-served basis on-line, at Department Offices and other vendor locations, without a drawing by lot. ( )

~~10.~~

**0917. Outfitted Hunter.** Person who obtains hunting services (excluding meat pack-out) under written agreement with an outfitter licensed under Chapter 21, Title 36, Idaho Code, for the species and area for which the applicable game tag is valid. (4-6-23)

**1018. Permanent Disability.** Medically determinable physical impairment, which a ~~physician-licensed medical provider~~ has certified as a condition having no expectation for a fundamental or marked improvement at any time in the future. (4-6-23)( )

**19. Two-Year Outfitter Verified Use History.** Tag use by outfitted hunters, as verified and recorded in accordance with Section 36-408, Idaho Code, for each of the two (2) calendar years immediately preceding the date on which the Commission determines tag allocation for a hunt area. (4-6-23)

011. – 049. (RESERVED)

#### 050. RESIDENT LICENSES AND LIFETIME CERTIFICATES.

A person, upon payment of the appropriate fee set forth in Sections 36-413 or 36-416, Idaho Code, and proof of Idaho residence or qualification for resident license privileges, may receive the corresponding resident license or lifetime license certificate under the conditions set forth in this section. (3-31-22)

**01. Proof of Residence.** Resident license and lifetime license certificate applications must be supported



by an original or unaltered copy of the following: (3-31-22)

- a. Idaho Driver's License for all persons who drive. (3-31-22)
- b. Nondrivers may use other suitable proof of residency, such as: (3-31-22)
  - i. Idaho Identification Card issued by the Idaho Transportation Department; or (3-31-22)
  - ii. Two (2) documents bearing the applicant's name and address, not issued by the applicant, such as: (3-31-22)
    - (1) Rent receipts or mortgage statements for previous six (6) months; (3-31-22)
    - (2) Home utility bills for previous six (6) months; (3-31-22)
    - (3) A notarized statement from an employer on business letterhead; (3-31-22)
    - (4) Proof of voter registration dated six months prior; (3-31-22)
- c. For persons under eighteen (18) years of age who do not have an Idaho Driver's license or Idaho Identification Card: (3-31-22)
  - i. For lifetime license certificates: a certified copy of the minor's birth certificate, and proof of Idaho residency of one (1) parent or legal guardian in accordance with this subsection. (3-31-22)
  - ii. For annual or shorter-term licenses: proof of Idaho residency of one (1) parent or legal guardian in accordance with this subsection and attestation by the parent or legal guardian of the minor's identity. (3-31-22)

**02. Verification of Idaho Residency.** The Department may investigate and verify that the information submitted by the applicant as to Idaho residency is true and correct. (3-31-22)

~~**03. Application by Telephone or Electronic Methods.** Application for annual or shorter term licenses may be made by telephone or other electronic methods, provided the applicant supplies the number from a valid license or identification card issued by the Idaho Transportation Department. (3-31-22)~~

**034. Applications for Lifetime License Certificates.** Applications for lifetime license certificates will be made on a form prescribed by the Department and may only be submitted either in person at a Department office or by mail to the Department at P.O. Box 25, Boise, ID 83707. (3-31-22)

**051. ~~PURCHASING-BUYING~~ LICENSES FOR OTHERS.**

**01. Resident Licenses.** A resident may ~~purchase-buy~~ a license for ~~another resident the resident's spouse or child under the age of eighteen (18) living in the same household~~, provided that the ~~purchase~~buyer presents proof of residence for the person who will hold the license. (3-31-22)( )

**02. Nonresident Licenses.** A person may ~~purchase-buy~~ a nonresident license for another person because no residency certification is necessary. (3-31-22)( )

**03. Lifetime License Certificates.** If the lifetime license certificate is being ~~purchased-bought~~ for a person other than the one submitting the application, the ~~purchaser-buyer~~ must provide proof of residence for the intended recipient of the lifetime license certificate in accordance with Section 050 of these rules. (3-31-22)( )

**052. – 199. (RESERVED)**

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

**Commented [AW2]:** Staff simplified this language in this section and aligned it to terms defined in Idaho Code.

01. **Licenses.** Authorized lifetime license certificate holders will be issued the appropriate combination, hunting, ~~or fishing, or trapping~~ license annually, provided they are eligible for said license. (3-31-22)( )

02. **Permits and Tags.** The certificate holder has the responsibility to obtain any appropriate permit or game tag. (3-31-22)

**201. CERTIFICATE NON-TRANSFERABLE.**

Neither the lifetime license certificate nor the annual licenses are transferable. The fee paid is not refundable under any circumstances. (3-31-22)

**202. CERTIFICATE HOLDERS RESIDING OUT-OF-STATE.**

01. **Validity.** The lifetime license certificate does not become invalid if the certificate holder subsequently resides outside the state of Idaho. (3-31-22)

02. **Effect of Subsequent Change in Residency.** Should the certificate holder subsequently become a nonresident, they will be treated as a resident, except they will be subject to nonresident fees for tags and permits in accordance with section 36-416, Idaho Code. ~~the following applies:~~ (3-31-22)( )

**Commented [AW3]:** Staff simplified and cleaned up unnecessary language in this section 202.02.

~~a. The holder may only must purchase permits, and tags at the nonresident fee.~~ (3-31-22)

~~b. The holder will be treated as a resident for purposes of controlled hunt applications and limits or quotas on the number of tags or permits, based on resident/non-resident status.~~ (3-31-22)

~~c. The holder will be entitled to resident bag limits, and possession limits, and seasons.~~ (3-31-22)

**203. OBTAINING CERTIFICATES UNLAWFULLY.**

It is unlawful for any person to obtain, use or possess, or attempt to obtain, use or possess a lifetime license certificate by fraud, deceit or misrepresentation. All ~~licenses~~ licenses, including lifetime license certificates unlawfully obtained shall be seized and shall become null and void. Any fees paid, will not be refunded. (3-31-22)( )

**204. REVOCATION OF CERTIFICATE AND LICENSES.**

A lifetime license and the rights of a lifetime license certificate holder to obtain a license may be revoked pursuant to Section 36-1402, and Chapter 15, Title 36, Idaho Code. (3-31-22)

**205. – 249. (RESERVED)**

**250. DEFACED OR ALTERED LICENSES INVALID.**

Any license that is defaced, altered, or tampered with will be invalid from the date and time of issuance. It is unlawful to use or attempt to use any license that has been defaced, tampered with, or altered. Evidence of defacing, tampering, or altering includes but is not limited to tears or erasures or typeovers to the license stock. (3-31-22)

**251. – 254 61. (RESERVED)**

**255. AUTHORIZATION NUMBER PENDING RECEIPT OF LICENSE.**

**Commented [AW4]:** Section 255 is being removed because it reflects old and obsolete practices.

~~01. Authorization Number. A person applying by telephone or other electronic method will receive an authorization number assigned as directed by the Department.~~ (3-31-22)

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

Thereafter, the individual must have in possession the appropriate signed license to hunt or fish. (3-31-22)

~~03. Violation. It is a violation to hunt and fish with an invalid authorization number or an authorization number issued to another person. (3-31-22)~~

~~04. Authorization Number Only Eligible for Certain Activities. The authorization number may be used only for those hunting or fishing activities that do not require a license, tag, or permit to be notched or attached to a carcass. (3-31-22)~~

#### ~~256. — 261. (RESERVED)~~

#### 262. RESIDENT LICENSES – JOB CORPS STUDENTS.

A Job Corps student may obtain a resident fishing license pursuant to Section 36-202(s)4, Idaho Code, provided the student presents certification of current enrollment at a Job Corps Center in Idaho signed by the Center director. (3-31-22)

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

##### 01. Nonresident Eligibility. (3-31-22)

a. A nonresident member of the Armed Forces of the United States or a foreign country may obtain a resident license pursuant to Section 36-202(s)(3), provided the service member presents a copy of assignment orders (in official form appropriate for the branch of service, such as "Request and Authorization for Permanent Change of Station-Military") that indicate the member is on active duty with a permanent duty station in Idaho at the time of license application. The nonresident ~~active-duty~~ active-duty member's spouse and dependent children less than eighteen (18) years of age may obtain a resident license, provided they present a copy of the assignment orders and documentation they are member of the ~~active-duty~~ active-duty member's household in Idaho. (3-31-22)( )

b. Members of the Armed forces who are not residents of the state, and who are stationed or domiciled in Idaho for fewer than thirty (30) days immediately preceding application are not eligible for resident licenses or a military furlough license and must ~~purchase~~ buy nonresident licenses and tags. (3-31-22)( )

c. Discharged servicemembers who were not residents of the state of Idaho at the time of their induction or enlistment, or who have not been stationed within the state of Idaho for a period of at least six (6) months prior to their discharge are not entitled to resident licenses until they have domiciled in this state for a period of six (6) months. The Department will rely on Discharge Form DD214 (or official successor form certifying release or discharge from active duty) for the home of record. (3-31-22)

d. Civilian employees of the military who are not Idaho residents are not eligible for resident licenses. (3-31-22)

02. **Resident.** Idaho residents who are in the military service of the United States and maintain Idaho as their official home of residence are eligible to ~~purchase~~ buy a resident license or obtain a military furlough license, pursuant to Section 36-202(s)(2), provided they provide a current leave and earnings statement or other proof identifying Idaho as their official state of residence. The service member's spouse and dependent children less than eighteen (18) years of age living in the service member's household may ~~purchase~~ buy resident licenses. ~~(3-31-22)( )~~

#### 264. RESIDENT LICENSES – STUDENT.

01. **Absent Full-time Student.** Pursuant to Section 36-202(s)1, Idaho Code, an Idaho resident who is a full-time student of an out-of-state institution of learning, paying nonresident tuition or otherwise not claiming residency in another state, is entitled to receive a resident license, for a period not to exceed five (5) years, even though the student is not physically present in Idaho continuously for a period of six (6) months preceding his application for such license. (3-31-22)

**02. Temporarily Present.** Students who are temporarily present within the state of Idaho while exercising residency privileges in another state or country are not eligible to ~~purchase-buy~~ resident licenses. ~~—(3-31-22)( )~~

**265. FOREIGN EXCHANGE HIGH SCHOOL STUDENTS.**

Pursuant to Section 36-202(s), Idaho Code, any foreign exchange student enrolled in an Idaho high school may obtain a resident fishing license, provided the student presents proof of Idaho high school enrollment and a copy of the U.S. Immigration document or other government document showing “J-1” student classification. All other foreign students are nonresidents. (3-31-22)

**266. FOREIGNERS/ALIENS IN IDAHO.**

~~Except as otherwise provided by these rules persons who are not Non-U.S. citizens. Foreigners residing in the state on a temporary visa are not eligible for a resident license, unless they hold a valid Idaho Drivers License. Persons residing in the state who present a valid permanent visa or a currently pending application for U.S. citizenship are only eligible for a resident license if they have a permanent U.S. visa or a pending application for U.S. citizenship and have are not eligible for resident licenses unless they present a valid permanent U.S. visa or a pending application for U.S. citizenship and proof of being~~ domiciled within Idaho for six (6) months with a bona fide intent to remain. ~~—(3-31-22)( )~~

Commented [AW5]: This language has been simplified.

**267. – 301. (RESERVED)**

**302. —DISABILITY LICENSES.**

Disability licenses include: Disabled Combination, Disabled Hunting, Disabled Fishing, Disabled American Veterans Combination, Disabled American Veterans Hunting, Disabled American Veterans Fishing, and Nonresident Disabled American Veterans Hunting. (3-31-22)

**01. Attestation to Disability.** No person may misrepresent any information to obtain a disability license. (3-31-22)

**02. Documentation for Eligibility.** The Department will not process an application for a disability license unless the applicant provides to the Department (by mail or in person) or vendor one (1) of the following: (3-31-22)

**a.** A Social Security Administration benefit verification letter in the individual’s name showing that the applicant is receiving SSI (Supplemental Security Income) or SSDI benefits for the current year; (3-31-22)

**b.** A letter from the Railroad Retirement board verifying disability status dated within three (3) years preceding the application for a disabled license; (3-31-22)

**c.** An official identification card issued by the U.S. Department of Defense, or a letter, of any date, from the U.S. Department of Veterans Affairs, verifying a service-connected disability rating of forty percent (40%) or greater. Such documentation will be required only for the initial application and will not be required for subsequent disability license application. The Department will not process applications for nonresident Disabled American Veteran licenses unless applicants provide this documentation. (3-31-22)

**d.** A current year’s letter from U.S. Veterans Affairs showing an individual is receiving a nonservice-connected pension. (3-31-22)

**e.** Certification of permanent disability on a form prescribed by the Department, completed and signed by the applicant’s physician, physician assistant, or nurse practitioner, also signed by the applicant, stating which of the criteria set forth in Subsection 010.04 of this rule, qualifies the applicant as permanently disabled and why. If the physician, physician assistant, or nurse practitioner is not licensed to practice in Idaho, a copy of the physician, physician assistant, or nurse practitioner’s medical license must accompany the application. (3-31-22)

f. A valid Idaho driver's license if the holder meets disability requirements of Section 49-117(7)(b), Idaho Code, and the license is marked as disabled. (3-31-22)

### 303. DISABLED PERSONS MOTOR VEHICLE HUNTING PERMITS.

#### 01. Applications for Disabled Motor Vehicle Hunting Permits. (3-31-22)

a. Applications for disabled motor vehicle hunting permits will be on a form prescribed by the Department, completed and signed by the applicant, or an individual may present their valid Idaho driver's license in lieu of the prescribed Department form if the individual meets the disability requirements of Section 49-117(7)(b), Idaho Code, except for blindness, and the driver's license is appropriately marked as disabled. (3-31-22)

b. Each application submitted on the Department form shall be accompanied by certification from the applicant's physician, physician assistant, or nurse practitioner stating which of the criteria set forth in Section 36-1101, Idaho Code, qualifies the applicant and why, along with the applicant's certification that the applicant is capable of holding and firing, without assistance from other persons, legal hunting equipment. If the physician, physician assistant, or nurse practitioner is not licensed to practice in Idaho, a copy of the physician, physician assistant, or nurse practitioner's medical license must accompany the application. Physicians, physician assistants, or nurse practitioners must check the appropriate box for short-term or long-term disability on the application. If the disability is short term and physical mobility is expected to improve, the physician, physician assistant, or nurse practitioner must include a date when the disability is expected to end. (3-31-22)

#### 02. Disabled Motor Vehicle Hunting Permits. (3-31-22)

a. Disabled motor vehicle hunting permits will expire no later than December 31 of the fifth year following the date of issuance. (3-31-22)

b. The permit shall be prominently displayed on any vehicle from which the person is hunting, on the driver's side of the dashboard of the parked vehicle, suspended from the rearview mirror, or otherwise displayed so as to be in plain view of any person looking at the vehicle or through any windshield. (3-31-22)

### 304. REASONABLE MODIFICATION PERMIT (WEAPON RESTRICTIONS).

01. **Application.** Applications for reasonable modification permits (for medical reasons) to allow use of equipment otherwise unauthorized will include: (4-6-23)

a. All information requested on a form prescribed by the Department; (3-31-22)

b. The applicant's signature; (3-31-22)

c. ~~Signed certification from a licensed medical provider of the applicant's physician, physician assistant, optometrist, or nurse practitioner~~ stating the criteria limiting the applicant's ability to participate without special accommodation, including checking of the appropriate box for short-term or long-term disability, and for short-term disability, including date when the disability is expected to end; which for visual disabilities may also be certified by the applicant's optometrist, licensed under Title 54, Chapter 15, Idaho Code; ~~(3-31-22)( )~~

**Commented [AW6]:** The language in 304.01.c has been modified to simplify the language and provide eligibility stipulations for visual disabilities.

d. A copy of the license of the physician, physician assistant, optometrist, or nurse practitioner, if that person is not licensed to practice in Idaho; (3-31-22)

e. Applicant's certification that applicant is able to hold and fire, without help from other persons, legal firearms or archery equipment; and (3-31-22)

f. A description of equipment accommodation requested, explaining how the requested accommodation will allow the applicant to participate without enhancing their abilities beyond the limitations and purpose of the hunt. (4-6-23)

**02. Determination.** The Department will make its determination based on reasonableness of the accommodation and its consistency insofar as possible with all provisions guiding other hunters. The Department has discretion to deny applications as unreasonable in light of restrictions for other hunters, or set a modification different from the modification requested. (4-6-23)

**a.** Reasonable modification related to accommodation for use of scope or sight magnification (including battery-powered or tritium-lighted reticles) for archery or muzzleloader equipment may include magnification up to 4x power because of equipment availability. (3-31-22)

**b.** Reasonable modification related to archery only hunts may include the use of a crossbow or a device that holds a bow at partial or full draw. (3-31-22)

**c.** Reasonable modification for blind or visually impaired hunters may include a simple electronic device (e.g., smartphone camera), incorporated or attached to the scope (otherwise prohibited by IDAPA 13.01.08.410.01), for use by the hunter or companion, only as a viewfinder or display screen to aid in aiming. (4-6-23)

**03. Authority.** Reasonable Modification Permits authorize holders to use equipment, as specified in the permit, that is otherwise prohibited. (4-6-23)

**04. Expiration and Carrying.** (3-31-22)

**a.** Reasonable modification permits expire no later than December 31 of the fifth year following the issuance date, or the earlier ending of any shorter-term disability. (4-6-23)

**b.** A permit holder must carry a copy of the permit during any hunting in which the permit applies. (4-6-23)

### **305. DISABLED HUNTER AND COMPANION: GAME TAGS, PERMITS, AND LIMITS.**

**01. Assistance of Disabled Hunter by Designated Companion.** Any disabled hunter possessing a valid disability license, disabled motor vehicle or disabled archery permit, as provided in Sections 302 through 304, or who is a disabled veteran participating in a hunt as provided in Section 36-408(7), Idaho Code, may be accompanied by a designated companion who may assist the disabled hunter with taking wildlife. (3-31-22)

**02. Excepted From Game Tag or Game Permit Possession Only.** The companion assisting a disabled hunter is excepted from game tag or permit possession to take game wounded by a disabled hunter. All other applicable rules governing the taking of wildlife apply to the companion, including possession of a valid hunting license and any applicable weapons permit (archery or muzzleloader) for the hunt. (3-31-22)

**03. Validation and Attachment of Tag.** The companion to a disabled hunter may validate and attach the disabled hunter's game tag or permit in accordance with applicable rules ~~(IDAPA 13.01.08, Rules Governing Taking of Big Game Animals, or IDAPA 13.01.09, Rules Governing Taking of Game Birds and Upland Game Animals).~~ (3-31-22)( )

**04. Accompanying the Disabled Hunter.** The companion must accompany the disabled hunter while hunting. Once a disabled hunter has wounded game, the hunter's companion does not need to be accompanied by the disabled hunter while taking game wounded by the disabled hunter or while tagging or retrieving downed game on behalf of the disabled hunter. (3-31-22)

**05. Written Statement of Designation.** While taking wounded or killed game to assist a disabled hunter, the companion to a disabled hunter must possess a written statement from the disabled hunter designating that person as the disabled hunter's companion, signed by the disabled hunter including the disabled hunter's name, address, hunting license number, any applicable tag or permit number, and the dates of designation as a companion. If a companion to a disabled hunter transports any wildlife on behalf of a disabled hunter, a proxy statement is required in accordance with Section 36-502, Idaho Code. (3-31-22)

06. **Companion's Possession Limit.** Any wounded game killed, or game tagged or retrieved, by a designated companion on behalf of a disabled hunter counts against the disabled hunter's possession limit and does not count against the companion's possession limit. (3-31-22)

07. **Disabled Hunter Considered for Violation.** The disabled hunter in possession of the valid game tag or permit is considered the hunter for violation of waste or destruction of wildlife under Section 36-1202, Idaho Code. (3-31-22)

306. -- ~~309.~~ (RESERVED)

**310. TAGS AND PERMITS.**

No person may take big game animals without having in possession the appropriate license, tags, and permits as set forth in Section 36-409, Idaho Code. ( )

**01. Use of Tags and Permits. ( )**

a. Controlled hunt tags, including controlled depredation hunt tags and controlled hunt extra tags, issued for big game animals may be used only for take of the animal in the hunt area specified by Commission proclamation or Department order for the controlled hunt for which the tag is issued. ( )

b. General season tags, including extra general season tags, issued for big game animals may be used during any open general season, including any general special weapon season, ONLY as follows: ( )

i. Only for take of the animal specified on the tag, with a Regular Deer tag being valid for mule deer or white-tailed deer; and ( )

ii. Only in the hunt area for which the tags are issued, as designated by Commission proclamation. ( )

c. And for elk, Elk A Tags may be used only during a general season, including any general special weapon season, designated by Commission proclamation as an Elk A season, and Elk B Tags may be used only during any general season, including any general special weapon season designated by Commission proclamation as an Elk B season. ( )

02. **Statewide Hunt Area.** If a general season tag, including any extra general season tag, for a big game animal does not specify a hunt area, the tag may be used statewide, unless Commission proclamation or Department order specifies an area where such tag use is prohibited or otherwise limited in its use. ( )

03. **Additional Use of Nonresident Deer and Elk Tags.** A hunter may use an unfilled nonresident elk or deer tag, to take instead a black bear, mountain lion, or gray wolf, during the open season corresponding to the elk or deer tag hunt area or unit when the season for the animal taken is also open. ( )

**311. ARCHERY AND MUZZLELOADER PERMITS.**

No person may hunt in a season designated by Commission proclamation as Archery Only or Muzzleloader Only without the appropriate archery or muzzleloader permit for the relevant season validated on their license. ( )

**312. DELAY IN ELIGIBILITY FOR BUYING LIMITED GENERAL HUNT TAG.**

When the Commission limits the number of tags available for a general big game hunt, the Commission may establish a period of no more than five (5) days at the beginning of a tag sale period, during which any applicant for a controlled hunt in the same license year for the same species is not eligible to buy a tag for that limited hunt. ( )

~~3013.~~ -- ~~3014.~~ (RESERVED)

**3105 NONRESIDENT TAG RESTRICTIONS**

**Commented [AW7]:** Anything related to license, tag, or permit eligibility, sales, or use was moved from 13.01.08 to 13.01.04 to assist in streamlining and providing consistency of understanding and use.

The language in section 310 has been moved from with only changes to numbering and a statutory reference.

The language in sections 311 and 312 have been moved with no changes.

**Commented [AW8]:** Section 315 was brought over from 13.01.08, cleaned up and consolidated.

Changes to 315.01.a, address an increase in the threshold for number of controlled hunt tags going to nonresidents.

Other language changes address the proposed NR Draw framework.

**01. Controlled Hunt Limitations.** Outfitter-allocated hunts, NR Draw Hunts, NR DAV Draw Hunts, LAP Hunts, LPH hunts, and emergency depredation hunts are exempt from the limitation of this Subsection. ( )

**a.** In controlled hunts with nineteen (19) or fewer tags, not more than one (1) nonresident tag will be issued. In controlled hunts, EXCEPT unlimited controlled hunts, with more than twenty (20) tags, not more than ten percent (10%) of the tags will be issued to nonresidents. This rule will apply to each uniquely numbered controlled hunt and to the controlled hunts for each species. ( )

**b.** In controlled hunts unlimited for residents, the Commission may limit the number of tags available for nonresident hunters to no less than ten percent (10%) of the average number of tags drawn annually during the previous five (5) year period. ( )

**02. General Hunts.** The Commission may make tags available to nonresidents via NR Draw Hunts or over the counter sales. The Commission may limit the number of tags available for nonresidents in a zone or big game hunting unit to no less than ten percent (10%) of the average hunter participation estimated for that zone or unit during the previous five (5) year period. The Commission may make tags available to nonresidents via NR Draw Hunts or over the counter sales. ( )

**03. Wildlife Partnership Tags.** Governor's Wildlife Partnership Tags for deer, elk, pronghorn, bighorn sheep, mountain goat, and moose will be taken from the nonresident tag availability and is subject to Nonresident Tag Limitations set forth in 36-408.09, Idaho Code. ( )

**316. -- 319. (RESERVED)**

**320. ELIGIBILITY FOR CONTROLLED HUNT APPLICATION.**

A person must possess an Idaho hunting license valid for taking game animals to apply for any controlled hunt. (3-31-22)

**01. Bighorn Sheep.** ( )

**a.** Any person whose name was drawn on a controlled hunt for any bighorn sheep is not eligible to apply for any bighorn tag for two (2) years. Except that a person may apply for a bighorn tag in the second application period or a leftover bighorn tag in the current and the following year. ( )

**b.** Any person who has killed a California bighorn ram is not eligible to apply for a California bighorn ram controlled hunt tag; and any person who has killed a Rocky Mountain bighorn ram is not eligible to apply for a Rocky Mountain bighorn ram controlled hunt tag, except any person who has killed a California bighorn ram south of Interstate Highway 84 since 1974 and is otherwise eligible, may apply for a Rocky Mountain bighorn ram tag for any hunt north of Interstate Highway 84; and any person who has killed a Rocky Mountain bighorn ram north of Interstate Highway 84 since 1974 and is otherwise eligible, may apply for a California bighorn ram tag for any hunt south of Interstate Highway 84. ( )

**c.** Any person who kills a bighorn ewe is not eligible to apply for another bighorn ewe controlled hunt tag for five (5) years. The harvest of a bighorn ewe does not make the person ineligible to apply for a tag to take a California bighorn ram or a Rocky Mountain bighorn ram. Any person who applies for a bighorn ewe is not eligible to apply for any bighorn ram the same year. ( )

**02. Mountain Goat.** ( )

**a.** Any person whose name was drawn on a controlled hunt for mountain goat is not eligible to apply for a mountain goat tag for two (2) years. Except that a person may apply for a mountain goat tag in the second application period or a leftover mountain goat tag in the current and the following year. ( )

**b.** Any person who has killed a mountain goat since 1977 is not eligible to apply for a mountain goat tag. ( )

**Commented [AW9]:** Section 320 was moved from 13.01.08 and cleaned up. Change to 320.07 provides for an LAP land requirement for turkeys. 320.08 is an addition for the new Herd Health landowner permission hunt



**03. Moose.** ( )

a. Any person whose name was drawn on a controlled hunt for moose is not eligible to apply for a moose permit for two (2) years. Except that a person may apply for a moose tag in the second application period or a leftover moose tag in the current and the following year. ( )

b. Any person who has killed an antlered moose in Idaho is not eligible to apply for a moose tag for antlered moose, and any person who has killed an antlerless moose in Idaho is not eligible to apply for a tag for antlerless moose, except that any person may apply for tags remaining unsold after the controlled hunt draw. ( )

**04. Antlered-Only Deer, Antlered-Only Elk, and Pronghorn.** Any person whose name was drawn on a controlled hunt for antlered-only deer, antlered-only elk, or any pronghorn (including either sex, and doe and fawn) is not eligible in the following one (1) year to apply for any controlled hunt for the respective species drawn (antlered-only deer, antlered-only elk, or any pronghorn). ( )

a. Exceptions. A person drawn in the previous year remains eligible to apply for controlled hunts in the second application period, controlled hunts with an unlimited number of tags, or Landowner Appreciation Program hunts. Such person is also eligible to purchase a leftover tag or Governor's Wildlife Partnership Tag. ( )

**05. Grizzly Bear.** No person who has killed a grizzly bear in Idaho may apply for a grizzly bear tag. ( )

**06. Black Bear.** Any nonresident applying for a controlled black bear hunt who wishes to use hounds must separately apply for a Hound Hunter Permit, subject to applicable limitations of IDAPA 13.01.15.200.04, "Rules Governing the Use of Dogs." ( )

**07. Landowner Permission Hunts.** Any person applying for a landowner permission hunt must have a permission slip including the name, address, and signature of a landowner who owns more than one hundred fifty-nine (159) acres in the hunt area for big game species and seventy-nine acres (79) acres in the hunt area for game birds. ( )

**08. Herd Health Landowner Permission Hunts.** Any person applying for a herd health Landowner Permission hunt must have a permission slip including the name, address, and signature of the landowner who owns or leases property in the defined hunt area. ( )

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

**10. Outfitter Allocated Hunts.** Any person must have a written agreement with an outfitter to submit an application for an outfitter allocated controlled hunt. ( )

**11. Multiple Applications.** ( )

a. Any person applying for a bighorn sheep, mountain goat, grizzly bear, or moose controlled hunt is not eligible to apply for any other controlled hunt in the same year, except Unlimited Controlled Hunts, a controlled black bear hunt, a controlled gray wolf hunt, or a designated depredation or extra tag hunt for deer, elk or pronghorn. Unsuccessful applicants for bighorn sheep, mountain goat, grizzly bear, or moose controlled hunts are eligible to participate in the second application period for deer, elk, and pronghorn, and of leftover controlled hunt tags. ( )

b. A person may apply for both a controlled hunt tag and a controlled hunt extra tag for the same big game species. ( )

### 330. **CONTROLLED HUNT APPLICATIONS**

01. **Application Periods and Tag Claim Deadlines.** The Department will publish dates for controlled hunt application periods, deadlines for claiming tags, and leftover tag sales via the Department's website and proclamation brochures. ( )

02. **Applications.** Individual applications or group applications for controlled hunts may be submitted during the application period, via the automated licensing system at any vendor location, including Department offices, the Internet, or telephone. Any individual application or group application that has incomplete or incorrect hunt or license numbers or lacks information or fees will be declared void and will not be entered in the drawing. All applications will be considered final; except, applicants who want to change their submitted controlled hunt application may request the original application be canceled and resubmit a new controlled hunt application during the applicable application period. The new application is subject to the appropriate controlled hunt application fees. ( )

03. **Deadline for Claiming Tags and Unclaimed Tags.** Successful applicants must claim controlled hunt tags by the published deadlines for the respective first or second deer and elk controlled hunt drawings, or black bear, gray wolf, or pronghorn controlled hunt drawings. Any controlled hunt deer or elk tag not bought and picked up by the published deadline for the first application period will be made available for the second controlled hunt drawing. Any controlled hunt deer or elk tag not bought and picked up by the second controlled hunt drawing, or any black bear, gray wolf, or pronghorn controlled hunt tag not picked up by the published deadline will be sold as leftover controlled hunt tags. ( )

04. **Applicant Requirements.** Applicants must comply with the following requirements: ( )

a. Only one (1) application, per person or group, will be accepted for the same species, except a person or group may submit one additional application for a controlled hunt extra tag for the same species. Additional applications for the same person or group for the same species will result in all applicants being declared ineligible. ( )

b. Only one (1) controlled hunt extra tag will be issued for each person on any application submitted. ( )

c. Several applications may be submitted so long as each application is for a single species, a single applicant or group, and both hunts on an application must be controlled hunt tag hunts or controlled hunt extra tag hunts. ( )

d. The fee set by Section 36-416, Idaho Code, must be submitted with each application, including for leftover controlled hunt tags. A single payment may be submitted to cover fees for all applications. If a check or money order is insufficient to cover the fees, all applications will be voided and returned. ( )

05. **Group Application.** ( )

a. A "group application" for deer, elk, and pronghorn is defined as two, three, or four (2, 3, or 4) persons applying for the same controlled hunt(s) on the same application. All applicants must comply with all rules and complete applications properly. All applicants must abide by the same first and second hunt choices. ( )

b. A "group application" for moose, bighorn sheep, mountain goat, black bear, and gray wolf, is defined as two (2) persons applying for the same controlled hunt on the same application. Both applicants must comply with all rules and complete applications properly. Both applicants must abide by the same first and second hunt choices. ( )

c. If a group application exceeds the number of tags available in a hunt, that group application will not be selected for that hunt. ( )

**Commented [AW10]:** Section 330 language was moved from 13.01.08 and consolidated and restructured into individual sections to make the website and proclamation brochure the ultimate references for deadlines and information.

Changes also clarify application requirements, rules pertaining to deadlines for claiming tags, and clarify or removed redundant language.

d. If an applicant becomes ineligible prior to the drawing the applicant will be removed from the application and excluded from the drawing. ( )

**06. Unlimited Controlled Hunts.** Unlimited controlled hunts identified by proclamation as “first-choice only” may be applied for only as the applicant’s first choice-controlled hunt. ( )

**07. Landowner Permission Controlled Hunts.** Landowner permission hunt tags will be sold first-come, first-served basis at the Department’s Headquarters or regional offices beginning the first business day on or after July 15. ( )

**08. Hunt Choice Drawing.** Single or group applications which are not drawn for the first-choice hunt will automatically be entered into an additional choice drawings, provided the additional choice hunt applied for has not been filled. ( )

**09. Second Drawing Exclusion.** The Director may designate certain controlled hunt tags unclaimed (3-31-22) after the first drawing to become immediately available on a first-come, first-served over-the-counter basis due to the dates of the hunt. ( )

**331. – 339. (RESERVED)**

**340. NR DRAW AND NR DAV DRAW HUNT CHOICES AND APPLICATIONS.**

**01. Eligibility for multiple hunt applications and tag limits.** ( )

a. A person may only submit one application each for deer or elk in NR draw hunts. An individual eligible for both NR DAV draw hunts and NR draw hunts may submit an application for each hunt type. ( )

b. An individual who is successful in an NR DAV draw hunt or in the first application period of an NR draw hunt is not eligible to apply in the second application period for NR draw hunts. An application for an NR draw hunt or a DAV Draw Hunt does not restrict eligibility for other controlled hunt applications or leftover tag purchases, but successful applicants cannot possess more than one tag each for deer or elk, except where the Commission has authorized possession of additional tags. ( )

**02. Hunt Choices.**

a. Individual or group applications for NR and NR DAV Tag may apply for up to five (5) prioritized hunt choices per application. ( )

b. If a group application is drawn whose number of applicants exceeds the number of available tags, that group application will not be selected for that hunt. ( )

c. Applications that are not selected for their higher choice hunt will automatically be entered into drawings for their lower choices, provided the lower choices applied for have not been filled. ( )

**03. Group Application.**

a. A “group application” for NR draw hunts or NR DAV draw hunts may be submitted by two, three, or four (2, 3, or 4) individuals eligible for the same hunt(s) on the same application. ( )

**Commented [AW11]:** Section 340 is the same or similar language the Commission approved at the May 2025 meeting as a temporary rule for the NR draw framework.

b. If any applicant is ineligible at the time of drawing the applicant will be removed from the application and excluded from the drawing. ( )

**350. USE OF CONTROLLED HUNT TAGS.**

**01. Use of Controlled Hunt Tags.** No person may hunt in any controlled hunt without having a valid controlled hunt tag in possession as specified by species in IDAPA 13.01.04.315. ( )

a. A controlled hunt area with an "X" suffix is an extra tag hunt. ( )

b. In the event a tag is issued based on erroneous information supplied by the applicant, the tag will be invalidated by the Department and may NOT be used. The Department will notify the person of the invalidation of the tag. The person will remain on the drawn list, and if there is a waiting period in a succeeding year, the person will be required to wait the specified time period. ( )

**02. Deer.** Any person who draws a controlled hunt tag for deer is not eligible to hunt in any other deer hunt--archery, muzzleloader, or general; except: ( )

a. The person may choose not to purchase the controlled hunt tag by the date set by Section 259 of these rules proclamation for the first deer drawing, allowing the person to participate in a general season hunt or the second application period or the leftover controlled hunt tag sale. ( )

b. If the person draws an unlimited controlled hunt, the person may relinquish the controlled hunt prior to purchasing, allowing the person to participate in a general season hunt or the second application period or the leftover controlled hunt tag sale. ( )

c. The holder of a deer controlled hunt tag may purchase a nonresident general season tag as a second tag. ( )

d. Any person who draws a controlled hunt extra tag for deer may also possess any other deer general or any other non-extra controlled hunt deer tag hunt in any other deer hunt--archery, muzzleloader, general or controlled hunt. ( )

**03. Elk.** Any person who draws a controlled hunt tag for elk is not eligible to hunt in any other elk hunt--archery, muzzleloader, or general; except: ( )

a. The person may choose not to purchase the controlled hunt tag by the date set by Commission rule for the first elk drawing, allowing the person to participate in a general season hunt or the second application period or the leftover controlled hunt tag sale. ( )

b. If the person draws an unlimited controlled hunt, the hunter may relinquish the controlled hunt prior to purchasing, allowing the person to participate in a general season hunt or the second application period or the leftover controlled hunt tag sale. ( )

c. The holder of an elk controlled hunt tag may purchase a nonresident general season tag as a second tag. ( )

d. Any person who draws a controlled hunt extra tag for elk may also possess a ny other elk hunt, general or any other non-extra controlled hunt elk tag hunt in any other elk hunt--archery, muzzleloader, general or controlled hunt. ( )

**04. NR Draw Tags.** A nonresident who draws an elk or deer tag in NR Draw Hunt or NR DAV Draw Hunt may participate in another hunt that is not an extra tag hunt, provided they exchange or relinquish the NR Draw

**Commented [AW12]:** Section 350 was moved from 13.01.08.  
350.04 was added to address NR Draw tag use.  
350.06.b is being removed because it doesn't align with the new language regarding exchange period.

or NR DAV Draw Hunt tag for the other controlled hunt tag or leftover tag by any applicable deadline. ( )

**05. Pronghorn.** Any person who draws a pronghorn controlled hunt tag is not eligible to hunt in any other pronghorn hunt; except: ( )

**a.** The person may choose not to purchase the controlled hunt tag by the date set by Commission rule for the first pronghorn drawing allowing the person to participate in a general season hunt or the second application period or the leftover controlled hunt tag sale. ( )

**b.** If the person draws an unlimited controlled hunt, the person may relinquish the controlled hunt prior to purchasing, allowing the person to participate in a general season hunt or the second application period or the leftover controlled hunt tag sale. ( )

**c.** The holder of a pronghorn controlled hunt tag may purchase a controlled hunt extra tag for pronghorn. ( )

**d.** Any person who draws a pronghorn controlled hunt extra tag may possess any other pronghorn hunt, general or any other non-extra controlled hunt pronghorn tag apply for a controlled hunt tag for pronghorn. ( )

**06. Black Bear.** ( )

**a.** Any person who draws a spring controlled hunt tag for black bear may choose to purchase the controlled hunt bear tag or return an unused general season bear tag in exchange for the controlled hunt bear tag. ( )

**b.** Any person who draws a fall controlled hunt tag for black bear may choose to purchase the controlled hunt bear tag or return an unused general season bear tag in exchange for the controlled hunt bear tag. ( )

**351.— 399. (Reserved)**

**400. LANDOWNER APPRECIATION PROGRAM (LAP).**

**01. Property and Landowner Registration.** (3-31-22)

**a.** Only landowners who have registered their eligible property with the Department are eligible to apply for LAP controlled hunt tags for deer, elk, pronghorn, turkey, and/or black bear. Registered landowners must notify the Department of any changes in property ownership or eligibility. (3-31-22) ( )

**b.** Registration of an eligible property and landowner applicant will be on a form prescribed by the Department. The landowner must submit the registration form; a copy of the deed(s) and the most recent tax assessment(s) describing the eligible property and showing the name(s) of the owner(s); and a map of the eligible property to the Department regional office. Department personnel will certify the registration and land description and return a copy to notify the landowner. (3-31-22) ( )

**Commented [AW13]:** Section 400 changes include clarifying language, adding turkeys to the LAP program, and referencing proclamations for dates rather than use a set date (June 15).

c. If the person registering is an authorized corporate or partnership representative, the registration will include written verification from the board of directors, partnership, or an officer of the corporation, other than ~~himself~~the registrant, verifying ~~that he~~they are authorized to register the property and eligible applicants. ~~(3-31-22)~~ ( )

02. **Hunt Areas.** LAP controlled hunt tags will be issued only for those controlled hunt areas designated by the Commission as eligible for such tags. (3-31-22)

03. **Tag Eligibility.** Landowners may receive LAP controlled hunt tags only for the species and sex that use the eligible property and only for LAP hunt areas in which the registered property is located. (3-31-22)

04. **Controlled Hunt Applications.** Applications for LAP controlled hunt tag(s) will be on a form prescribed by the Department. (3-31-22)

a. Applications from landowners with six hundred forty (640) acres or more will be accepted on or after May 15 of each year. Applications submitted in person or mailed to the Department main office or any Regional Office, postmarked ~~not later than June 15 of each year~~ on a date published in the LAP proclamation, will be entered in the random drawing for LAP controlled hunt tags. Each application will be entered in the random drawing one (1) time based upon each six hundred and forty (640) acres of eligible property registered by the landowner ~~that are~~ within the game management unit LAP controlled hunt area. ~~(3-31-22)~~ ( )

b. One (1) application may be submitted by a landowner with eligible property consisting of six hundred forty (640) acres to four thousand nine hundred ninety-nine (4,999) acres. A second application may be submitted for eligible property consisting of five thousand (5,000) acres or more. (3-31-22)

05. **Left-Over Tags.** Landowners with eligible property consisting of three hundred twenty (320) acres or more may apply for left-over tags following the random draw. ~~Written a~~ Applications will be accepted as specified in the brochure ~~beginning on the first business day on or after July 15 of each year~~ on a first-come, first-served basis, provided they are accompanied by the appropriate application fee as specified in Section 36-416, Idaho Code. ~~(3-31-22)~~ ( )

06. **Issuance of ~~Controlled Hunt~~ Tag(s).** ~~(3-31-22)~~ ( )

a. Once the Commission has determined the number of controlled hunt tags to be issued in any controlled hunt area, an additional ten percent (10%) of the number of controlled hunt tags may be issued as LAP tags. In subsequent years up to twenty-five percent (25%) of the number of controlled hunt tags may be issued only if the hunt is over-subscribed by eligible LAP applicants. (3-31-22)

b. Where the number of LAP applicants exceeds the number of LAP controlled hunt tags available in an area, successful applicants will be determined by drawing. All eligible landowners in the drawing will be considered for one (1) tag before any landowner is eligible for a second tag. (3-31-22)

c. No more than two (2) LAP controlled hunt tags and no more than one (1) LAP controlled hunt extra tag per species may be issued to any eligible landowner per registration. ~~(3-31-22)~~ ( )

d. Only one (1) leftover LAP controlled hunt tag may be issued for eligible property consisting of between three hundred twenty (320) and six hundred thirty-nine (639) acres within a Game Management Area Unit LAP-controlled hunt area. Only one (1) LAP controlled hunt tag and one (1) LAP controlled hunt extra tag may be issued for eligible property consisting of between six hundred forty (640) and four thousand nine hundred ninety-nine (4,999) acres within a Game Management Area Unit LAP-controlled hunt area. One (1) additional LAP controlled hunt tag may be issued to a landowner or designated agent(s) for eligible property in excess of five thousand (5,000) acres within a Game Management Area Unit LAP-controlled hunt area. No landowner or designated agent(s) is eligible to ~~receive~~possess more than one (1) LAP controlled hunt extra tag for one (1) species in a calendar year. ~~(3-31-22)~~ ( )

e. A successful landowner, corporate or partnership representative drawing a LAP controlled hunt tag may designate an eligible individual to whom the controlled hunt tag will be issued. (3-31-22)

07. ~~Sale, or Marketing, or Purchase~~ Unlawful. It is unlawful for anyone other than the Department or Department-authorized representative to sell or market LAP controlled hunt tags, and it is unlawful for a person to buy an LAP controlled hunt tag from any person other than the Department or Department-authorized representative. In addition to any statutory penalties, a violator of this provision will not be eligible to participate in the LAP program for three (3) years. (3-31-22)( )

08. Application of Controlled Hunt Restrictions. (3-31-22)

a. ~~The restriction that applying for a moose, bighorn sheep, or mountain goat controlled hunt makes the applicant ineligible to apply for any other controlled hunt does not apply to persons who are otherwise eligible to apply for a LAP controlled hunt tag. Applicants for LAP controlled hunt tags are not subject to nonresident limits or quota, or to waiting periods or restrictions based on other controlled hunt applications.~~ (3-31-22)( )

~~b. LAP controlled hunts are exempt from limits or quotas on nonresident tags.~~ (3-31-22)

~~c. LAP controlled hunt tags are exempt from the one (1) year waiting periods for deer, elk and pronghorn controlled hunt applications under IDAPA 13.01.08, "Rules Governing Taking of Big Game Animals," Section 257.~~ (3-31-22)

09. Special Restrictions. Any person hunting with a LAP controlled hunt tag may hunt only within the boundaries described in the LAP controlled hunt area. Bag and possession limits set forth in IDAPA 13.01.08, "Rules Governing Taking of Big Game Animals," Section 200, apply to holders of LAP controlled hunt tags. (3-31-22)

401. – 499. (RESERVED)

500. ~~NONRESIDENT DEER AND ELK TAG OUTFITTER SET-ASIDE~~ AND ALLOCATED TAGS.

01. Restrictions. ~~Allocated~~ tags for use in general and controlled hunts will be made available to outfitters sold on a first-come, first-serve basis through July 14 of each year hunters pursuant to IDAPA 24.35.01.257. Outfitter allocated tag for use in a controlled hunt will be made available to outfitters through September 10 or the next business day of each year. IDAPA 24.35.01.257. Tag aApplication for tag purchase will be made by the outfitter for the outfitted hunter on a form prescribed by the Department along with the appropriate license fees and certification that the hunter has a contract to hunt with the outfitter making application. (7-27-23)( )

02. ~~Unsold Tags. Any tags not sold by July 15 of each year will be sold by the Department to nonresidents on a first-come, first-served basis. Designated Buyers. Purchasers~~Buyers of allocated tags, who return their unused tag with a notarized affidavit stating that they have not hunted, may designate another ~~person~~ outfitted hunter to ~~purchase~~ buy a replacement tag. If the original buyer does not make a designation, the outfitter may make the designation. The designated buyer must pay the regular fee for the replacement tag, and the original buyer will not be eligible for a refund from the Department (3-31-22)( )

501. – 504. (RESERVED)

505. APPORTIONMENT OF DEER AND ELK TAGS ALLOCATION. The Commission will apportion non-allocated and allocated tags only for those areas with historic use by outfitted deer and/or elk hunters. The Commission may use this subsection or the allocated tag provisions of Section 36-408, Idaho Code, to set the number of allocated tags in capped hunts, NRL hunts, and controlled hunts for which residents apply. ( )

01. ~~Allocation of Tags for Capped General-Hunt Units or Zones. Pursuant to Section 36408, Idaho Code, the Commission may allocate a number of deer and/or elk tags for use by hunters with signed agreements with~~

**Commented [AW14]:** Section 500 changes include cleanup and move of leftover tag language to section 560 for consolidation. 500.02, Designated Buyers section was moved from section 507.

**Commented [AW15]:** Section 505 changes include streamlining and adding clarifying language regarding allocated tags. 505.01 changes were to update and clean up language to current practices. Additional changes in 505 were to incorporate new non-resident draw language that was adopted as a temporary rule by the Commission at the May 2025 meeting.

licensed outfitters in general units or zones with limited numbers of tags. The Commission may use this subsection or the allocated tag provisions of Section 36-408, Idaho Code, to allocate outfitter tags in capped general hunt units or zones.

a. When the number of hunters in a general hunt unit or zone becomes capped restricted, the Commission sets a capped hunt for the first time the Department will calculate the initial number of allocated tags for each unit or zone using the Idaho Outfitters and Guides Licensing Board's records of average historic tag use percentages during the previous five (5) year period for each unit or zone for three categories: non-outfitted residents, non-outfitted nonresidents, and outfitted hunters. As long as the zone or unit is a capped general hunt, the Department will apply these percentages to apportion tags for the hunt proportionally among non-allocated resident tags, non-allocated nonresident tags, and allocated tags. Where it is biologically feasible, any proportional reductions in the number of allocated tags available within a zone or unit twenty percent (20%) will be spread over a three (3) year period with a maximum reduction of fifty percent (50%) taken in the first year and twenty-five percent (25%) in the second year, with the differential to be deducted from the apportionment for non-allocated nonresident tags. (3-31-22) ( )

b. The allocation of tags will be calculated on a unit or zone basis. Any reduction or increase in hunting opportunities will be proportionate among non-outfitted hunters and outfitted hunters, and will be proportionate among resident and non-resident hunters; EXCEPT where such reduction would result in an allocation of greater than twenty-five percent (25%) for non-resident hunters, the Commission may reduce the allocation for non-resident hunters to a percentage of not less than twenty-five percent (25%). (3-31-22)

02. **Allocation of Tags for Controlled Hunts Areas.** The Commission may only allocate outfitter tags in controlled hunt areas with historic licensed deer and/or elk outfitted area(s). For controlled hunts for which residents apply, the Commission will apportion allocated tags as an outfitter-allocated controlled hunt separate from the controlled hunt for non-allocated tags based on the total tag numbers determined for the controlled hunt area. Hunt application and eligibility rules will apply to allocated tags in controlled hunts. The Commission may set allocated tag numbers as follows, or under Section 36-408, Idaho Code. hunt (3-31-22) ( )

a. The number of outfitter allocated tags will be in addition to the number of tags authorized by the Commission within each controlled hunt area with historic licensed deer and/or elk outfitter areas. (3-31-22)

b. A person is not eligible to apply for an outfitter-allocated controlled hunt unless that person has a written agreement with an outfitter licensed in the hunt area. Successful applicants of an outfitter-allocated controlled hunt must hunt with an outfitter licensed for the hunt area. The outfitter must purchase the successful applicant's controlled hunt tag by August 20. (3-31-22)

c. Successful applicants who do not want to participate in the outfitted hunt may decline the hunt upon written notification to the Department. Those declining the hunt will then be eligible to participate in a general season or leftover controlled hunt. Those drawing an outfitted controlled hunt and then declining the controlled hunt will be subject to any applicable waiting period under IDAPA 13.01.08, "Rules Governing Taking of Big Game Animals," Section 257. (3-31-22)

d. Successful applicants that do not secure the services of an Idaho-licensed outfitter and have not purchased the controlled hunt tag by August 20 will forfeit the opportunity to purchase a controlled hunt tag. The forfeited controlled hunt tag will then be listed as a leftover controlled hunt tag. The Department will inform the Idaho Outfitters and Guides Board that a leftover controlled hunt tag is available. After securing a client, the outfitter(s) may then purchase the leftover controlled hunt tag at a Department office. (3-31-22)

e.a. The Commission may use this subsection or the allocated tag provisions of Section 36-408, Idaho Code, to : (3-31-22)

ai. No less than one (1) tag and no more than three percent (3%) of the total tags; or (3-31-22)

ib. A number based on the average historic use during the previous five (5) year period to be rounded



up when a decimal equals or exceeds zero point six (0.6) and rounded down when a decimal is less than zero point six (0.6); or \_\_\_\_\_ (3-31-22)

~~iii~~c. An unlimited number of allocated tags or a number of allocated tags based on historic use as alternatives only for controlled hunt areas with limited nonresident tags and unlimited resident tags; or \_\_\_\_\_ (3-31-22)

~~iv~~d. No tags will be allocated. \_\_\_\_\_ (3-31-22)

#### ~~506. DEER AND ELK TAG ALLOCATION IN GENERAL HUNTS LIMITED FOR NONRESIDENTS ONLY.~~

##### ~~01.03. Tag Allocation.~~ Tags for NRL Hunts.

~~a.~~ When setting annual or biennial limits for general hunt deer or elk tags available to nonresidents without resident limits, in zones, units, or other hunt areas with historic outfitted hunter use in NRL hunts, the Commission will first allocate, on a corresponding biennial or annual basis, set the number of allocated tags reserved for outfitted hunters equal to the Initial Tag Use Number determined under this Section ~~506~~. The Commission will subtract the number of tags so allocated from the nonresident tag limit. Subject to a maximum of fifty percent (50%) of the remaining nonresident tag limit, the Commission will ~~allocate an additional~~ increase the number of allocated tags reserved for outfitted hunters corresponding to the number by which the higher tag number from the Two-Year Verified Outfitter Use History exceeds the Initial Tag Use Number for the hunt area. The number of tags remaining in the nonresident limit after subtracting the Initial Tag Use Number, and any additional tags allocated under this section, will be available for purchase as non-allocated tags by outfitted or non-outfitted hunters.  
\_\_\_\_\_  
(4-6-23) ( )

##### ~~0402.~~ Initial Tag Use Number. \_\_\_\_\_ (4-6-23)

a. For general hunts first limited for nonresidents while unlimited for residents in 2021 or subsequent years, the Initial Tag Use Number for outfitted hunters is the higher tag use number of the Two-Year Verified Outfitter Use History for 2021-2022, or the two (2) years immediately preceding the first year the hunt area is limited, whichever period is later. \_\_\_\_\_ (4-6-23)

b. The Commission will increase the Initial Tag Use Number for a deer unit subject to a fifty percent (50%) restriction for allocated tag limits in 2021-2022, corresponding to the reduction in outfitted hunter use demonstrated by outfitter(s). \_\_\_\_\_ (4-6-23)

c. If general hunt tags are allocated under this Section 506 for elk zones capped for all hunters before 2021, the Initial Tag Use Number will be the number determined to be historic outfitted hunter use at the time of prior capping, if greater than the otherwise applicable Two-Year Verified Outfitter Use History. \_\_\_\_\_ (4-6-23)

d. The Initial Tag Use Number will remain the same for the zone, unit, or hunt area for subsequent consecutive years in which nonresident tag limits apply. \_\_\_\_\_ (4-6-23)

#### ~~507. DEER AND ELK ALLOCATED TAGS.~~

~~01. Distribution of Allocated Tags.~~ Application for allocated tags will be made by the outfitter for the outfitted hunter, in accordance with tag designation by the Idaho Outfitters and Guides Licensing Board under Section 36-2107, Idaho Code, on a form prescribed by the Department, and with outfitter's certification that a written agreement exists between the outfitter and outfitted hunter for the tag applied for. \_\_\_\_\_ (4-6-23)

~~02. Designated Buyers.~~ Purchasers of allocated tags, who return their unused tag with a notarized affidavit stating that they have not hunted, may designate another person to purchase a replacement tag. If the original buyer does not make a designation, the outfitter may make the designation. The designated buyer must pay the regular fee for the replacement tag. \_\_\_\_\_ (4-6-23)

~~03. Unsold Tags.~~ Any allocated tags not sold by August 1 of each year will be sold by the Department

Commented [AW16]: Language from Section 507 was moved to other sections.

on a first-come, first-served basis. (3-31-22)

508~~6~~. – 549. (RESERVED)

550. NONRESIDENT DEER AND ELK TAG QUOTAS.

01. **General Hunt Tag Quotas.** The following number of general hunt tags will be set aside annually and reserved for sale to nonresidents: (3-31-22)

a. ~~Fourteen-Fifteen~~ thousand ~~five hundred~~ (~~44,000~~15,500) total deer tags (combination of regular and white-tailed deer tags);  
(~~3-31-22~~) ( )

b. Twelve thousand eight hundred fifteen (12,815) total elk tags (A and B tags); (3-31-22)

~~c. One thousand five hundred (1,500) white-tailed deer tags, available only upon sell-out of deer tags referenced in Subsection 550.01.a. (3-31-22)~~

02. **Disabled American Veteran Hunt Tag Quotas.** The following number of disabled American veteran general hunt tags will be set aside annually and reserved for sale to eligible nonresidents. (3-31-22)

a. Five hundred (500) total disabled American veteran deer tags (regular and white-tailed deer tags); (3-31-22)

b. Three hundred (300) total disabled American veteran elk tags (A and B tags). (3-31-22)

03. **Exceptions.** Tag sales to the following persons will not be counted in the quotas in Section 550 of these rules: (3-31-22)

a. Unqualified Residents: Persons who have moved into Idaho and by notarized affidavit show proof of their intent to become bona fide Idaho residents but are not yet qualified to ~~purchase~~buy a resident license. (~~3-31-22~~) ( )

~~b. Designated Buyers of unused nonresident tags to which the quote has already applied: an unused nonresident general hunt deer or elk tag, accompanied by a notarized affidavit stating that the tag buyer has not hunted, may be designated to another nonresident for purchase at the regular tag price, by the original buyer or an outfitter or guide retained by the original buyer, or absent such designation, may be sold by the Department on a first-come, first-serve basis. (3-31-22)~~

~~e~~b. Holders of resident lifetime license certificates who are no longer Idaho residents. (3-31-22)

~~d~~c. Holders of nonresident junior mentored tags. (3-31-22)

551. – 559. (RESERVED)

~~560. SALE OF UNSOLD OR RETURNED LEFTOVER NONRESIDENT GENERAL DEER AND ELK TAG SALES AS SECOND TAGS.~~

01. **Controlled Hunt Tags.** Beginning on the published date for leftover tag sales, any leftover non-allocated controlled hunt tag, except unlimited controlled hunt tags, may be sold as leftover controlled hunt tags on a first-come, first served basis. The ten percent (10%) nonresident limitation will not apply. Applicants for leftover tags with a tag already in possession must return their tag to the Department to be exchanged for the appropriate controlled hunt tag, except where the Commission has authorized by proclamation possession of the additional tag. ( )

02. **Outfitter Set-Aside and Nonresident Deer and Elk Tags.** Any outfitter set-aside (including allocated tags) or nonresident general deer or elk tags unsold or returned to the Department ~~on or after~~ by August 1 may be sold to residents and to nonresidents as a second general hunt tag, at the nonresident tag price on a date

**Commented [AW17]:** Section 550.01.b incorporates changes from the temporary rule the Commission adopted at the May 2025 meeting to combine the deer tags into one amount for quota. 550.02.b was removed in the temporary rule and this is aligning to that activity.

**Commented [AW18]:** Section 560 is combining language sections from 13.01.04 and 13.01.08 and cleaning up language.

specified by the Department. Unless the Commission has limited the use of second tags in a unit or zone by proclamation, a resident may buy a second tag for an elk zone where a nonresident limit has been reached if the zone is unlimited to residents, and a resident may use a second regular or white-tailed deer tag in any unit in the same manner as a first resident general hunt tag.

~~(3-31-22)~~ ( )

561. – 600. (RESERVED)

#### **601. REFUNDS TO NONRESIDENTS, AND EXCHANGES**

The Department will not refund any fee for any resident or nonresident license (as defined in Section 36-202(aa), Idaho Code), except as follows, and provided the refund request is in writing, is accompanied by the original license and tag, and is received or postmarked on or before December 31 of the calendar year in which the license was valid, except in the event of death of the licensee, which must be submitted within one (1) year of the death.~~(3-18-22)~~ ( )

**Commented [AW19]:** Changes to section 601 brought all refund language together, added exchanges to the section, and clarified language. Some language was moved from 13.01.08.

**01. Refund.** Eligibility. ~~Nonresident general or controlled hunt deer or elk tag fees and hunting license fees may be refunded due to the death of licensee; illness or injury of licensee that totally disabled the licensee for the entire length of any applicable hunting season; or military deployment of licensee due to an armed conflict; as substantiated by death certificate, published obituary, written justification by a licensed medical doctor, copy of military orders, or similar documentation. The hunting license fee will not be refunded if it was used to apply for any controlled hunt or to purchase a turkey, mountain lion, or bear tag. The amount refunded will be the amount of the applicable deer or elk tag and hunting license fees, less all issuance fees and a fifty dollar (\$50) processing fee. (3-18-22)~~

a. The holders of general or controlled hunt deer, elk, pronghorn, moose, bighorn sheep, or mountain goat tag fees and hunting license fees are eligible for refund due to the death of licensee as substantiated by death certificate, published obituary; pregnancy of the tag holder with written confirmation from a licensed medical provider; or illness or injury of licensee that totally disabled the licensee for the entire length of any applicable hunting season with written justification by a licensed medical provider. Hunting license and tag fees will not be eligible for refund if used for hunting at any time during the validity of the license and/or tag. ( )

b. Controlled hunt application fees and special controlled hunt application fees are nonrefundable.( )

c. Fees for adult controlled hunt tags subsequently designated to a minor child or grandchild are not refundable. ( )

**02. Amount Refunded.** Refunds to residents under this section will be the amount of the applicable tag and hunting license, less all issuance fees. Refunds to non-residents will be the amount of the applicable tag and hunting license fees, less all issuance fees and a fifty dollar (\$50) processing fee. ( )

**03. Junior Mentored Refund:** If the parent or legal guardian of an individual in possession of a Junior Mentored deer or elk tag is eligible for a refund pursuant to this section, the junior mentored tag holder will be eligible for the same refund options. ( )

**024. Partial Refund.** Nonresident general and controlled hunt deer or elk tag fees may be partially refunded for a reason other than those in the preceding subsection based on the postmark date in the below table. The hunting license fee will not be refunded.

Postmarked	Percent of Tag Fee Refunded
Before <del>April-May</del> 1	75%
In <del>April-May</del> through June	50%

In July <del>and August</del>	25%
<del>September-August</del> through December	0%

~~(3-18-22)( )~~

**05. Exchanges.** Tags may be exchanged for a different tag of the same species provided the tag season has not started, there are tags available in the desired unit or zone, and subject to species-specific dates. Regular and white-tailed deer tags are considered the same species for purposes of exchange. ( )

**a. Deer and Elk Tags.** Deer and elk general season or NR Draw Hunt tags may be exchanged for a tag in a different unit or zone of the same species until July 31 of each calendar year, provided there are tags available in desired unit or zone. Controlled hunt tags may be exchanged for a general season or leftover tag provided there are tags available in the desired unit or zone and the controlled hunt tag season has not started. ( )

**036. Department-Administrative Error.** The Department ~~will~~ may refund fees ~~when-if~~ it determines that ~~a Department employee-the Department or other license vendor~~ made an error in the issuance of the license. ~~(3-18-22)( )~~

**07. Widespread Environmental Incidents Refund.** The Department may provide a refund of a resident or nonresident moose, bighorn sheep, or mountain goat tag if an Administrative Closure is enacted by a land agency due to a natural disaster or widespread environmental incident, that limits public access by fifty percent (50% or more) during fifty percent (50%) or more of the tag season. ( )

**08. Subsequent Year Hunt Eligibility.** Individuals who receive refunds under this section will be eligible for applications in subsequent years as if they had not applied for the refunded tag. ( )

**09. Overpayment of mailed payments.** Overpayment of more than five dollars (\$5) for payments sent by mail will be refunded. Because of processing costs, overpayments of five dollars (\$5) or less will NOT be refunded and will be retained by the Department. ( )

## **602. SPECIAL MILITARY DEPLOYMENT REFUND AND RAIN CHECK.**

~~**01. Special Refund and Rain Check.** This special refund and rain check rule applies to the appropriate calendar year hunting season. Because of military deployment, some persons will be unable to hunt big game animals for which they purchased tags. (3-31-22)~~

**021. Special Refund and Rain Check Eligibility.** Holders of big game tags who can show in good faith they could not participate in ~~hunting activities~~ the hunt due to military deployment ~~will be~~ are eligible for a refund or rain check for license and tags for the next calendar year hunting season as outlined in this rule. ~~(3-31-22)( )~~

**032. Tag Options.** Holders of a general season or controlled hunt tag for deer, elk, moose, bighorn sheep, or mountain goat may request: (3-31-22)

**a.** A refund of the hunting license and tag fee; (3-31-22)

**b.** A rain check for a hunting license and the same general or controlled hunt tag for the same species for the next calendar year hunting season; or (3-31-22)

**c.** For deer and elk only, an exchange in the calendar year for a general season tag for the same species in another zone or area so long as tags are available in that area or zone. (3-31-22)

~~**04. Nonresident Bear or Mountain Lion Tags.** Holders of nonresident bear or mountain lion tags may~~

**Commented [AW20]:** Section 602 was streamlined and simplified.

request: (3-31-22)

a. A refund of the hunting license and tag fee; or (3-31-22)

b. A rain check for a hunting license and tag for the next calendar year hunting season. (3-31-22)

**053. Ineligible to Request Tag Refund or Rain Check.** If the person hunts a species of wildlife before requesting a refund or rain check, then the tag fee for that species will not be refunded or eligible for a rain check for the next calendar year season. A person is not eligible to request a raincheck of a tag that has already been was approved for a raincheck in the prior year. (3-31-22) ( )

**064. Ineligible to Request License Fee Refund or Rain Check.** If the person hunts for any species during the applicable year before requesting a refund or rain check, then the hunting license fee will not be refunded or eligible for a rain check for the next calendar year season. (3-31-22) ( )

**07. Refunds Will Be for the Amount Paid.** All refunds will be for the amount the person paid for the hunting license or tag. (3-31-22)

**085. Use of Department-Approved Request Form for Rain Check or Refund Request.** Requests for a refund or rain check under this section will be made on the Department-approved form, available on the Department website, (found on Idaho Fish and Game website at <http://fishandgame.idaho.gov/>) on or before December 31 of the calendar year in which the license and tags were valid, along with a copy of deployment papers, or a letter from their commanding officers stating the dates the individual was deployed for duty. Those requests received after this date will not be eligible for the special-refund or rain check. (3-31-22) ( )

#### 603 - 699. (RESERVED)

#### 700. BIGHORN SHEEP AUCTION TAG.

**01. Eligibility.** Only persons eligible to purchase-buy an Idaho hunting license are eligible to bid on the bighorn sheep auction tag. (3-31-22) ( )

**02. Validity of Tag.** The Bighorn Sheep Auction Tag is valid for use only in controlled hunts open in the year purchased. The Bighorn Sheep Auction Tag will be valid in controlled hunts in Game Management Units 11, 13, and 18 Controlled Hunt Area 11 only during odd-numbered years and during even-numbered years when the Bighorn Sheep Lottery Tag holder chooses not to hunt in Controlled Hunt Area 11. (3-31-22) ( )

**03. License and Controlled Hunt Tag.** (3-31-22)

a. A hunting license and controlled hunt tag will be provided to the successful bidder from the net proceeds of the auction. (3-31-22)

b. The successful bidder for the Bighorn Sheep Auction Tag must file a notarized affidavit within fifteen (15) days of the successful bid if the hunting license and tag are to be designated to another individual. (3-31-22)

**04. Application of Big Game Rules.** All rules governing IDAPA 13.01.08, "Rules Governing Taking of Big Game Animals," apply to the eligible and successful bidders other than as specified herein. (3-31-22)

a. No successful bidder is eligible to apply for a bighorn sheep controlled hunt tag the same year the bidder is issued a Bighorn Sheep Auction Tag. (3-31-22)

b. Bighorn sheep auction tag recipients are exempt from the once-in-a-lifetime restrictions on killing bighorn sheep. (3-31-22)

**Commented [AW21]:** 700.02 and 800.02 incorporated GMU 13 and 18 into the language for both the Bighorn Sheep Auction and Lottery tag for the option to create and include a new Hunt area for GMUs 13 and 18 as additional areas to the Hells Canyon hunting experience.

**701. GOVERNOR'S WILDLIFE PARTNERSHIP TAGS.**

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

(3-31-22)

**02. Eligibility.**

(3-31-22)

**a.** Only persons eligible to ~~purchase~~-buy an Idaho hunting license are eligible to bid on a Governor's Wildlife Partnership Tag.

~~(3-31-22)~~ ( )

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

(3-31-22)

**c.** There is no waiting period for eligibility for Governor's Wildlife Partnership Tags for elk, deer, or pronghorn.

(3-31-22)

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

(3-31-22)

**04. License and Controlled Hunt Tag.**

(3-31-22)

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

(3-31-22)

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

(3-31-22)

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

~~(3-31-22)~~ ( )

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

(3-31-22)

**702. – 799. (RESERVED)**

**800. BIGHORN SHEEP LOTTERY TAG.**

**01. Eligibility.**

(3-31-22)

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

~~(3-31-22)~~ ( )

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

~~(3-31-22)~~

( )

## 13.01.08 – RULES GOVERNING TAKING OF BIG GAME ANIMALS

### 000. LEGAL AUTHORITY.

Sections 36-104(b), 36-201, 36-405, 36-408, 36-409, and 36-1101, ~~Idaho Code, authorize the Commission to adopt rules concerning taking of big game animals.~~ (3-31-22)( )

### 001. TITLE AND SCOPE.

~~The title of this chapter for citation is IDAPA 13.01.08, “Rules Governing Taking of Big Game Animals.”~~ These rules govern the taking of big game animals. (3-31-22)( )

### 002. -- 009. (RESERVED)

### 010. DEFINITIONS.

~~01. **Bait (Hunting).** Any substance placed to attract big game animals, including but not limited to food, salt in liquid or solid form, or natural scent. ~~except s~~ Synthetic liquid scent for deer, elk, or moose is excluded from this definition~~ ( )

**Commented [AW1]:** Definition moved from 13.01.17 - Rules Governing Use of Bait for Hunting Big Game Animals. Also included 'salt' in the definition since staff received feedback that it was not clear that salt was intended to fall under the bait definition.

~~02. **Established Roadway.** Any road established, built, maintained, approved or designated by any governmental entity or private landowner for travel by full-sized automobiles. An established roadway shows evidence of repeated use by full-sized automobiles, and may include a traveled way of natural earth with depressed wheel tracks and little or no vegetation in the wheel tracks.~~ (3-31-22)

~~023. **Front Quarters, Hind Quarters, Loins, and Tenderloins.** As applied in Section 36-1202, Idaho Code, for edible portions of big game animals, front quarters ~~of big game animals~~ include the meat surrounding the ball joint as far down as the knees, hind quarters include the meat surrounding the ball joint as far down as the hock, and the loins and tenderloins are the meat along the backbone.~~ (3-31-22)

~~034. **Full-sized Automobile.** Any motorized vehicle with a gross weight in excess of one thousand five hundred (1,500) pounds.~~ (3-31-22)

~~045. **Hunter.** A person engaged in the activity of hunting, as defined in Section 36-202, Idaho Code.~~ (3-31-22)

~~056. **Motorized Vehicle.** As defined in Section 36-202, Idaho Code.~~ (3-31-22)

~~07. **Verifier.** A small lens that is inserted into a peep sight to help archers and shooters focus on the sight.~~ ( )

**Commented [AW2]:** Added for clarity, per comment from public.

### 011. -- 199. (RESERVED)

### 200. BAG AND POSSESSION LIMITS.

No person may take more ~~than one (1) deer, elk, pronghorn, moose, bighorn sheep, mountain goat, black bear or gray wolf big game animals~~ during a calendar year ~~than the number of tags the person legally possesses for the species.~~ Unless otherwise provided by statute, proclamation, or rule, a person may not take more than one (1) of any big game species, with bag and possession limits for “deer” applying to white-tailed and mule deer collectively and not separately except: (3-31-22)( )

~~01. **Depredation Hunts.** One (1) additional deer, elk, pronghorn, black bear, or gray wolf may be taken by persons holding a depredation hunt tag for that hunt, except where the depredation hunt precedes or follows a controlled hunt in the area, persons who drew that controlled hunt may be selected to participate in the depredation~~

**Commented [AW3]:** This language has been consolidated and moved to Emergency Depredation Hunts section, newly numbered to section 600.

hunt in accordance with Section 800. Such persons must follow the weapon restrictions that apply to the controlled hunt they drew, and participation in the depredation hunt does not allow them to take a second animal. ( )

~~02. Extra Tag Hunts. In When Commission proclamation or rule establishes extra-tag-controlled hunts identified as "Extra Tag" or authorizes the use of second tags, the respective bag and possession limit one (1) additional deer, elk or pronghorn are increased by one (1), provided the tag holder has other tags valid for the take of that species may be taken by persons holding tags for those hunts. (3-31-22)( )~~

**Commented [AW4]:** Added language for clarity.

~~03. Limits on Take — Deer, Elk, Pronghorn, Mountain Lion, Black Bear, Gray Wolf. In no event may any person take more deer, elk, pronghorn, mountain lion, black bear, or gray wolf in a calendar year than the number of tags the person legally possesses for each species. (3-31-22)~~

**Commented [AW5]:** Consolidated language under Bag and Possession Limit section 200 above.

~~201. -- 249300. (RESERVED)~~

#### 250. Tags And Permits:

No person may take big game animals without having in possession the appropriate license, tags, and permits.

**Commented [AW6]:** Anything related to license, tag, or permit eligibility, sales, or use was moved to Chapter 13.01.04 to assist in streamlining and providing consistency of understanding and use.

(3-31-22)

#### 01. Use of Controlled Hunt Tags.

(3-31-22)

~~a. Controlled hunt tags, including controlled depredation hunt tags and controlled hunt extra tags, issued for big game animals may be used only for take of the animal in the hunt area specified by Commission proclamation or Department order for the controlled hunt for which the tag is issued. (3-31-22)~~

~~02. Use of General Season Tags. General season tags, including extra general season tags, issued for big game animals may be used during any open general season, including any general special weapon season, ONLY as follows: (3-31-22)~~

~~a. Only for take of the animal specified on the tag, with a Regular Deer tag being valid for mule deer or white-tailed deer; and (3-31-22)~~

~~b. Only in the hunt area for which the tags are issued, as designated by Commission proclamation. (3-31-22)~~

(3-31-22)

~~c. And for elk, Elk A Tags may be used only during a general season, including any general special weapon season, designated by Commission proclamation as an Elk A season, and Elk B Tags may be used only during any general season, including any general special weapon season designated by Commission proclamation as an Elk B season. (3-31-22)~~

(3-31-22)

~~03. Statewide Hunt Area. If a general season tag, including any extra general season tag, for a big game animal does not specify a hunt area, the tag may be used statewide, unless Commission proclamation or Department order specifies an area where such tag use is prohibited or otherwise limited in its use. (3-31-22)~~

(3-31-22)

~~04. Additional Use of Nonresident Deer and Elk Tags. A hunter may use an unfilled nonresident elk or deer tag, to take instead a black bear, mountain lion, or gray wolf, during the open season corresponding to the elk or deer tag hunt area or unit when the season for the animal taken is also open. (3-31-22)~~

(3-31-22)

#### 251. Archery And Muzzleloader Permits:

No person may hunt in a season designated by Commission proclamation as Archery Only or Muzzleloader Only without the appropriate archery or muzzleloader permit for the relevant season validated on their license. (3-31-22)

#### 252. DELAY IN ELIGIBILITY FOR BUYING LIMITED GENERAL HUNT TAG:

When the Commission limits the number of tags available for a general big game hunt, the Commission may establish a period of no more than five (5) days at the beginning of a tag sale period, during which any applicant for a controlled hunt in the same calendar year for the same species is not eligible to buy a tag for that limited hunt.

(3-31-22)



253. — 254. — (RESERVED)

**255. — NONRESIDENT TAG RESTRICTIONS.**

**01. — Nonresident Tag Limitations.** (3-31-22)

**a.** — In controlled hunts with ten (10) or fewer tags, not more than one (1) nonresident tag will be issued. In controlled hunts, EXCEPT unlimited controlled hunts, with more than ten (10) tags, not more than ten percent (10%) of the tags will be issued to nonresidents. This rule will apply to each uniquely numbered controlled hunt and to the controlled hunts for each species. Outfitter allocated hunts are exempt from the limitation of this Subsection. (3-31-22)

**b.** — In unlimited controlled hunts, the Commission may limit the number of tags available for nonresident hunters to no less than ten percent (10%) of the average number of tags drawn annually during the previous five (5) year period. (3-31-22)

**c.** — For each species, the total number of outfitter allocated controlled hunt tags will be subtracted from the result of ten percent (10%) of the sum of all controlled hunt tags; including outfitter allocated controlled hunts, but excluding all unlimited controlled hunts. In addition to the limitations of Subsection 255.01.a., the resulting net number will be the maximum number of controlled hunt tags that may be issued to nonresidents for all controlled hunts except outfitter allocated and unlimited controlled hunts. (3-31-22)

**d.** — In general hunts, the Commission may limit by proclamation the number of tags available for nonresident hunters in a zone or big game hunting unit to no less than ten percent (10%) of the average hunter participation estimated for that zone or unit during the previous five (5) year period. If the Commission adopts tag limits in a zone or big game hunt unit for non residents under this Subsection 01.d., without limiting residents, the provisions of IDAPA 13.01.04.505.02, “Rules Governing Licensing,” applicable to controlled hunts with limited nonresident tags and unlimited resident tags will apply to deer and elk tag allocation instead of the provisions of IDAPA 13.01.04.505.01. (3-31-22)

**e.** — Governor’s Wildlife Partnership Tags for deer, elk, pronghorn, bighorn sheep, mountain goat, and moose will be taken from the nonresident tag quota and availability is subject to Nonresident Tag Limitations. (3-31-22)

**256. — (RESERVED)**

**257. — Eligibility For Controlled Hunt Application.**

A person must possess an Idaho hunting license valid for taking game animals to apply for any controlled hunt for big game species. (3-31-22)

**01. — Bighorn Sheep.** (3-31-22)

**a.** — Any person whose name was drawn on a controlled hunt for any bighorn sheep is not eligible to apply for any bighorn tag for two (2) years. Except that a person may apply for a bighorn tag in the second application period or a leftover bighorn tag the following year. (3-31-22)

**b.** — Any person who has killed a California bighorn ram is not eligible to apply for a California bighorn ram controlled hunt tag; and any person who has killed a Rocky Mountain bighorn ram is not eligible to apply for a Rocky Mountain bighorn ram controlled hunt tag, except any person who has killed a California bighorn ram south of Interstate Highway 84 since 1974 and is otherwise eligible, may apply for a Rocky Mountain bighorn ram tag for any hunt north of Interstate Highway 84; and any person who has killed a Rocky Mountain bighorn ram north of Interstate Highway 84 since 1974 and is otherwise eligible, may apply for a California bighorn ram tag for any hunt south of

Interstate Highway 84. (3-31-22)

~~c.~~

~~Any person who kills a bighorn ewe is not eligible to apply for another bighorn ewe controlled hunt tag for five (5) years. The harvest of a bighorn ewe does not make the person ineligible to apply for a tag to take a California bighorn ram or a Rocky Mountain bighorn ram. Any person who applies for a bighorn ewe is not eligible to apply for any bighorn ram the same year. (3-31-22)~~

~~02.~~

~~Mountain Goat. (3-31-22)~~

~~a.~~

~~Any person whose name was drawn on a controlled hunt for mountain goat is not eligible to apply for a mountain goat tag for two (2) years. Except that a person may apply for a mountain goat tag in the second application period or a leftover mountain goat tag the following year. (3-31-22)~~

~~b.~~

~~Any person who has killed a mountain goat since 1977 is not eligible to apply for a mountain goat tag. (3-31-22)~~

~~03.~~

~~Moose. (3-31-22)~~

~~a.~~

~~Any person whose name was drawn on a controlled hunt for moose is not eligible to apply for a moose permit for two (2) years. Except that a person may apply for a moose tag in the second application period or a leftover moose tag the following year. (3-31-22)~~

~~b.~~

~~Any person who has killed an antlered moose in Idaho is not eligible to apply for a moose tag for antlered moose, and any person who has killed an antlerless moose in Idaho is not eligible to apply for a tag for antlerless moose, except that any person may apply for tags remaining unsold after the controlled hunt draw.~~

~~(3-31-22)~~

~~04.~~

~~Antlered-Only Deer, Antlered-Only Elk, and Pronghorn. Any person whose name was drawn on a controlled hunt for antlered-only deer, antlered-only elk, or any pronghorn (including either sex, and doe and fawn) is not eligible in the following one (1) year to apply for any controlled hunt for the respective species drawn (antlered-only deer, antlered-only elk, or any pronghorn). (3-31-22)~~

~~ia.~~

~~Exceptions. A person drawn in the previous year remains eligible to apply for controlled hunts in the second application period, controlled hunts with an unlimited number of tags, or Landowner Appreciation Program hunts. Such person is also eligible to purchase a leftover tag or Governor's Wildlife Partnership Tag.~~

~~(3-31-22)~~

~~05.~~

~~Grizzly Bear. No person who has killed a grizzly bear in Idaho may apply for a grizzly bear tag.~~

~~(3-31-22)~~

~~06.~~

~~Black Bear. Any nonresident applying for a controlled black bear hunt who wishes to use hounds must separately apply for a Hound Hunter Permit, subject to applicable limitations of IDAPA 13.01.15.200.04, "Rules~~

Governing the Use of Dogs.”  
(3-31-22)

07. **Landowner Permission Hunts.** Any person applying for a landowner permission hunt must have a permission slip including the name, address, and signature of a landowner who owns more than one hundred fifty-nine (159) acres in the hunt area. (3-31-22)

08. **Youth Only Hunts.** Youth only controlled hunt application eligibility is limited to persons nine (9) to seventeen (17) years of age, provided they will be ten (10) to seventeen (17) years of age during the hunt for which they apply. A nine (9) year old cannot participate in the hunt until turning age ten (10). A person who turns eighteen (18) years of age during the hunt may continue to participate through the end of the youth only controlled hunt. A person sixty five (65) years of age or older, or a person with a disabled license, may apply during a second application period for youth only controlled hunts or purchase leftover youth only controlled hunt tags on a first come, first served basis. (3-31-22)

09. **Outfitter Allocated Hunts.** Any person must have a written agreement with an outfitter to submit an application for an outfitter allocated controlled hunt. (3-31-22)

10. **Multiple Applications.** (3-31-22)

a. Any person applying for a bighorn sheep, mountain goat, grizzly bear, or moose controlled hunt is not eligible to apply for any other controlled hunt in the same year, except Unlimited Controlled Hunts, a controlled black bear hunt, a controlled gray wolf hunt, or a designated depredation or extra tag hunt for deer, elk or pronghorn. In addition, unsuccessful applicants for bighorn sheep, mountain goat or moose controlled hunts are eligible to participate in the second application period for deer, elk, and pronghorn and the first come, first served deer, elk, and pronghorn controlled hunt permit sales. (3-31-22)

b. Any person may apply for both a controlled hunt tag and a controlled hunt extra tag for the same big game species. (3-31-22)

## 258. CONTROLLED HUNT APPLICATIONS

01. **Applications.** Individual applications or group applications for controlled hunts may be submitted electronically through the automated licensing system at any vendor location, including Department offices, via the Internet or telephone, not later than the annual dates shown below. Any individual application or group application which is unreadable, has incomplete or incorrect hunt or license numbers, or lacks information or fees will be declared void and will not be entered in the drawing. All applications will be considered final; except, applicants who would like to change their submitted controlled hunt application may request the original application be canceled to resubmit a new controlled hunt application during the applicable application period. The new application is subject to the appropriate application fees. (3-31-22)

a. Spring black bear, spring grizzly bear — Application period — January 15 — February 15. (3-31-22)

b. Moose, bighorn sheep, and mountain goat — Application period for first drawing — April 1 — 30. (3-31-22)

c. Deer, elk, pronghorn, fall black bear, fall grizzly bear — Application period for first drawing — May 1 — June 5. (3-31-22)

d. Moose, bighorn sheep, and mountain goat — Application period for second drawing, if applicable — June 15 — 25. (3-31-22)

e. Deer, elk, pronghorn, fall black bear, fall grizzly bear — Application period for second drawing — August 5 — 15. (3-31-22)

~~02. Applicant Requirements. Applicants must comply with the following requirements: (3-31-22)~~

~~a. Only one (1) application, per person or group, will be accepted for the same species, except a person or group may submit one additional application for a controlled hunt extra tag for the same species. Additional applications for the same person or group for the same species will result in all applicants being declared ineligible. (3-31-22)~~

~~b. Only one (1) controlled hunt extra tag will be issued for each person on any application submitted. (3-31-22)~~

~~c. Several applications may be submitted so long as each application is for a single species, a single applicant or group, and both hunts on an application must be controlled hunt tag hunts or controlled hunt extra tag hunts. (3-31-22)~~

~~d. Fees must be submitted with each application. A single payment may be submitted to cover fees for all applications. If a check or money order is insufficient to cover the fees, all applications will be voided and returned. The application fee is set by Section 36-416, Idaho Code, per person per controlled hunt applied for. The tag fees are not to be submitted for deer, elk, pronghorn, black bear, or gray wolf. Persons applying for moose, bighorn sheep, grizzly bear, or mountain goat controlled hunts must submit the tag fee and application fee with their application. Applicants successful in drawing for a moose, bighorn sheep, or mountain goat will receive a tag in the mail. (3-31-22)~~

~~03. Group Application. (3-31-22)~~

~~a. A "group application" for deer, elk, and pronghorn is defined as two, three, or four (2, 3, or 4) persons applying for the same controlled hunt on the same application. All applicants must comply with all rules and complete applications properly. All applicants must abide by the same first and second hunt choices. (3-31-22)~~

~~b. A "group application" for moose, bighorn sheep, mountain goat, black bear, and gray wolf, is defined as two (2) persons applying for the same controlled hunt on the same application. Both applicants must comply with all rules and complete applications properly. Both applicants must abide by the same first and second hunt choices. (3-31-22)~~

~~c. If a group application exceeds the number of tags available in a hunt, that group application will not be selected for that hunt. (3-31-22)~~

~~04. Unlimited Controlled Hunts. Unlimited controlled hunts identified by proclamation as "first-choice-only" may be applied for only as the applicant's first choice controlled hunt. (3-31-22)~~

~~05. Landowner Permission Controlled Hunts. Landowner permission hunt tags will be sold first-come, first-served basis at the Department's Headquarters or regional offices beginning the first business day on or after July 15. (3-31-22)~~

~~06. Sale of Remaining Tags. Any controlled hunt tags, except unlimited controlled hunts that remain unsold after the controlled hunt drawings may be sold by any license vendor, through the Internet, or over the telephone on a first-come, first-served basis on the dates below unless such day is a Sunday or legal holiday, in which case the tags will go on sale the next legal business day. A controlled hunt application and tag will be issued to successful controlled hunt purchasers. The ten percent (10%) nonresident limitation will not apply. Controlled hunt applicants with a tag already in possession must return their tag to a Department office to be exchanged for the appropriate controlled hunt tag, except where the Commission has authorized by proclamation possession of the additional tag. (3-31-22)~~

~~a. Spring Bear – April 1. (3-31-22)~~

~~\_\_\_\_\_ b. \_\_\_\_\_ Moose, Bighorn Sheep, and Mountain Goat – July 10. \_\_\_\_\_ (3-31-22)~~

~~\_\_\_\_\_ c. \_\_\_\_\_ Deer, Elk, Pronghorn, and Fall Bear – August 25. \_\_\_\_\_ (3-31-22)~~

~~\_\_\_\_\_ 07. \_\_\_\_\_ **Controlled Hunt Drawing.** Single or group applications which are not drawn for the first choice hunt will automatically be entered into a second choice drawing, provided the second choice hunt applied for has not been filled. \_\_\_\_\_ (3-31-22)~~

~~\_\_\_\_\_ 08. \_\_\_\_\_ **Second Drawing Exclusion.** The Director may designate certain leftover controlled hunt tags to become immediately available on a first come, first served over the counter basis due to the dates of the hunt. \_\_\_\_\_ (3-31-22)~~

**259. — DEADLINE FOR CLAIMING TAGS AND UNCLAIMED TAGS.**

Successful applicants for the first deer, elk, black bear, gray wolf, or pronghorn controlled hunt drawing must purchase and pick up their controlled hunt tag no later than August 1. All controlled hunt tags not purchased and picked up will be entered into a second controlled hunt drawing. Any controlled hunt tags, except unlimited controlled hunt tags, left over or unclaimed after the second controlled hunt drawing will be sold on a first come, first served basis. \_\_\_\_\_ (3-31-22)

**260. Use Of Controlled Hunt Tags.**

**01. Use of Controlled Hunt Tags.** No person may hunt in any controlled hunt without having a valid controlled hunt tag in possession. \_\_\_\_\_ (3-31-22)

**a.** A controlled hunt area with an “X” suffix is an extra tag hunt. \_\_\_\_\_ (3-31-22)

**b.** In the event a tag is issued based on erroneous information supplied by the applicant, the tag will be invalidated by the Department and may NOT be used. The Department will notify the person of the invalidation of the tag. The person will remain on the drawn list, and if there is a waiting period in a succeeding year, the person will be required to wait the specified time period. \_\_\_\_\_ (3-31-22)

**02. Deer.** Any person who draws a controlled hunt tag for deer is not eligible to hunt in any other deer hunt—archery, muzzleloader, or general; except: \_\_\_\_\_ (3-31-22)

**a.** The person may choose not to purchase the controlled hunt tag by the date set by Section 259 of these rulesproclamation for the first deer drawing, allowing the person to participate in a general season hunt or the second application period or the leftover controlled hunt tag sale. \_\_\_\_\_ (3-31-22)

**b.** If the person draws an unlimited controlled hunt, the person may relinquish the controlled hunt prior to purchasing, allowing the person to participate in a general season hunt or the second application period or the leftover controlled hunt tag sale. \_\_\_\_\_ (3-31-22)

**c.** The holder of a deer controlled hunt tag may purchase a nonresident general season tag as a second tag. \_\_\_\_\_ (3-31-22)

**d.** Any person who draws a controlled hunt extra tag for deer mayalso ny other deertany other deer tag hunt in any other deer hunt—archery, muzzleloader, general or controlled hunt. \_\_\_\_\_ (3-31-22)

**03. Elk.** Any person who draws a controlled hunt tag for elk is not eligible to hunt in any other elk hunt—archery, muzzleloader, or general; except:(3-31-22)

**a.** The person may choose not to purchase the controlled hunt tag by the date set by Commission rule for the first elk drawing, allowing the person to participate in a general season hunt or the second application period or the leftover controlled hunt tag sale. \_\_\_\_\_ (3-31-22)

**b.** If the person draws an unlimited controlled hunt, the hunter may relinquish the controlled hunt prior

to purchasing, allowing the person to participate in a general season hunt or the second application period or the leftover controlled hunt tag sale. (3-31-22)

c. The holder of an elk controlled hunt tag may purchase a nonresident general season tag as a second tag. (3-31-22)

d. Any person who draws a controlled hunt extra tag for elk may also ny other elk hunt, any other elk hunt in any other elk hunt archery, muzzleloader, general or controlled hunt. (3-31-22)

04. NR Draw Tags. A nonresident who draws an elk or deer tag in NR Draw Hunt or NR DAV Draw Hunt may participate in another hunt that is not an extra tag hunt, provided they exchange or relinquish the NR Draw or NR DAV Draw Hunt tag for the other controlled hunt tag or leftover tag by any applicable deadline.

**045. Pronghorn.** Any person who draws a pronghorn controlled hunt tag is not eligible to hunt in any other pronghorn hunt; except: (3-31-22)

a. The person may choose not to purchase the controlled hunt tag by the date set by Commission rule for the first pronghorn drawing allowing the person to participate in a general season hunt or the second application period or the leftover controlled hunt tag sale. (3-31-22)

b. If the person draws an unlimited controlled hunt, the person may relinquish the controlled hunt prior to purchasing, allowing the person to participate in a general season hunt or the second application period or the leftover controlled hunt tag sale. (3-31-22)

c. The holder of a pronghorn controlled hunt tag may purchase a controlled hunt extra tag for pronghorn. (3-31-22)

d. Any person who draws a pronghorn controlled hunt extra tag may ny other pronghorn hunt, any other pronghorn apply for a controlled hunt tag for pronghorn. (3-31-22)

**065. Black Bear.** (3-31-22)

a. Any person who draws a spring (3-31-22)

b. Any person who draws a fall controlled hunt tag for black bear may choose to purchase the controlled hunt bear tag or return an unused general season bear tag in exchange for the controlled hunt bear tag. (3-31-22)

## 261. — SPECIAL CONTROLLED HUNTS.

**01. — Special Controlled Hunt Program.** The Special Controlled Hunt Program is a program to partially fund a sportsman access program adopted by the Commission. This program will offer forty (40) tags valid for the current year hunting seasons; including, twelve (12) tags each for elk, deer, and pronghorn, and four (4) tags for moose. (3-31-22)

a. The rules for controlled hunts set forth in Section 260, of these rules, do not apply to the Special Controlled Hunt Program. (3-31-22)

b. The Special Controlled Hunt application will be marketed by the Department. The Department will issue these tags to eligible persons selected by an impartial random draw process. The successful applicants will receive the tag necessary to hunt the appropriate species. (3-31-22)

**02. — Moneys.** The Department will deposit all moneys received from the sale of Special Controlled Hunt Applications in accordance with state law. The Department will specifically use funds for the sportsman access

program. (3-31-22)

**03. General Rules.** (3-31-22)

**a.** Any individual, resident or nonresident, may purchase and submit applications without limit. (3-31-22)

**b.** Special controlled hunt applications may be entered in the name of individuals other than the purchaser. (3-31-22)

**c.** Each successful applicant must have or be eligible to obtain a valid Idaho hunting license. (3-31-22)

**d.** Each tag will be issued to the individual named on the drawn application that meets license eligibility requirements and cannot be transferred. (3-31-22)

**e.** An individual may be drawn for only one (1) special controlled hunt tag for each species. (3-31-22)

**f.** Each special controlled hunt tag is valid for the designated species and allows the person to hunt in any open hunt, general or controlled, for the designated species in the applicable year's season. (3-31-22)

**g.** The special controlled hunt tag will be in addition to any other tag the person is eligible to obtain. (3-31-22)

**h.** Any applicant, including those who harvest an animal on a special controlled hunt tag, will be eligible to apply for any controlled hunt for the same species in the same year or subsequent years. (3-31-22)

**i.** In the event a license, tag, or permit is issued based on erroneous information, all documents issued based on the erroneous information will be invalidated by the Department and may not be used. The Department will notify the individual at his last known place of residence of the invalidation of the license, tag or permit. (3-31-22)

**04. Application Fees.** Applications may be sold for individual species (Super Hunt) or grouped for combined species (Super Hunt Combo). The application fees will be set by Commission Order under Section 36-415, Idaho Code, or will be the same as the controlled hunt fee set in Section 36-416, Idaho Code. (3-31-22)

**05. Drawing Dates.** There will be two (2) drawings. All drawings will be held at the Department's offices in Boise, Idaho. The first drawing winners will be notified by June 10, and the second drawing winners will be notified by August 15 each year. The Commission may order a different drawing day in case of business emergency, holiday, or non-business days. (3-31-22)

**06. Department Marketed Applications.** (3-31-22)

**a.** Individual applications for special controlled hunts shall be made on a form prescribed by the Department or submitted electronically at any Department Office or license vendor, via Internet or telephone. (3-31-22)

**b.** Applications received at the Licenses Section, Headquarters Office, Idaho Department of Fish and Game, PO Box 25, Boise, Idaho 83707-0025, or submitted electronically, by no later than 11:59 pm Mountain time May 31 of the current calendar year will be eligible for the first drawing held in June; and those received after May 31 and by no later than 11:59 pm Mountain time, August 10, of the current calendar year for the second drawing. Applications received after August 10 will be eligible for the drawing held in June of the following year. (3-31-22)

**c.** All applications entered into the first drawing are not eligible for and will not be entered into the second drawing. (3-31-22)

~~\_\_\_\_\_d. \_\_\_\_\_ Any individual application that is unreadable, has multiple or no species box checked, is incomplete, or lacks the information or fee will be declared void and will not be entered in the drawing. All applications will be considered final; they may not be resubmitted after correction. \_\_\_\_\_ (3-31-22)~~

~~\_\_\_\_\_e. \_\_\_\_\_ Should the winner be ineligible, deceased, or incapacitated to hunt, the first alternate drawn will be declared the winner. Should the first alternate be ineligible, deceased or incapacitated to hunt, the second alternate drawn will be declared the winner. Should the second alternate be ineligible, deceased or incapacitated to hunt, that special controlled hunt tag will be null and void and will not be issued to any person. \_\_\_\_\_ (3-31-22)~~

~~262. \_\_\_\_\_ (RESERVED)~~

~~263. \_\_\_\_\_ REFUNDS OF CONTROLLED HUNT FEES.~~

~~\_\_\_\_\_01. \_\_\_\_\_ Refunds. \_\_\_\_\_ (3-18-22)~~

~~\_\_\_\_\_a. \_\_\_\_\_ Controlled hunt tag fees will be refunded to unsuccessful or ineligible applicants for moose, sheep, mountain goat, and grizzly bear. Unsuccessful applicants may donate all or a portion of refunded tag fees to Citizens Against Poaching by checking the appropriate box on the application. One dollar (\$1) of the non-refundable application fee will go to Citizens Against Poaching unless the applicant instructs otherwise. \_\_\_\_\_ (3-18-22)~~

~~\_\_\_\_\_b. \_\_\_\_\_ Fees for hunting licenses will not be refunded to unsuccessful or ineligible controlled applicants. \_\_\_\_\_ (3-18-22)~~

~~\_\_\_\_\_c. \_\_\_\_\_ Fees for deer or elk tags purchased prior to the drawing will not be refunded to unsuccessful or ineligible applicants. \_\_\_\_\_ (3-18-22)~~

~~\_\_\_\_\_d. \_\_\_\_\_ Overpayment of fees of more than five dollars (\$5) will be refunded. Overpayment of five dollars (\$5) or less will NOT be refunded and will be retained by the Department. \_\_\_\_\_ (3-18-22)~~

~~\_\_\_\_\_e. \_\_\_\_\_ Controlled hunt application fees are nonrefundable. \_\_\_\_\_ (3-18-22)~~

~~\_\_\_\_\_f. \_\_\_\_\_ Fees for resident and nonresident adult controlled hunt tags subsequently designated to a minor child or grandchild are not refundable. \_\_\_\_\_ (3-18-22)~~

~~\_\_\_\_\_g. \_\_\_\_\_ Fees for special controlled hunt application, tag and related hunting license are not refundable. \_\_\_\_\_ (3-18-22)~~

~~26421. — 269. (RESERVED)~~

~~270. \_\_\_\_\_ MANDATORY HUNTER ORIENTATION.~~

~~Anyone drawing a controlled archery-only hunt tag with mandatory hunter orientation as denoted in the season proclamation will receive orientation information that includes hunt boundaries, legal restrictions, and hunter ethics. Tag holders must sign and return an affidavit that they have reviewed and understand the orientation to receive a Certificate of Completion, which must be carried by the hunter during the hunt. Holders of "Certificates of Completion" from previous hunts do not have to repeat this orientation and will be provided with updated Certificates of Completion to participate in the hunt. \_\_\_\_\_ (3-31-22)~~

~~271. — 299. \_\_\_\_\_ (RESERVED)~~

~~300. \_\_\_\_\_ IDENTIFICATION OF ANIMALS THAT LEGALLY MAY BE TAKEN.~~

~~01. \_\_\_\_\_ Big Game Animals of Either Sex. BUnless a season is restricted, big game animals of either sex may be taken, except the following may not be taken: \_\_\_\_\_ (3-31-22)( )~~

~~a. \_\_\_\_\_ Mountain Goat. Females accompanied by young. \_\_\_\_\_ (3-31-22)~~



- b. Black Bear. Females accompanied by young. (3-31-22)
- c. Mountain Lion. Spotted young or females accompanied by spotted young. ~~(3-31-22)~~( )
- d. Grizzly Bear. Adult grizzly bears accompanied by young, or young accompanied by adult grizzly bear(s). (3-31-22)

**02. Seasons Restricted to Antlered or Male Animals Only.** (3-31-22)

- a. Deer. Only deer with at least one (1) antler longer than three (3) inches may be taken in any season open for antlered deer only. (3-31-22)
- b. Two-point deer. Only deer with not more than two (2) points on one (1) antler, not including brow point, and at least one (1) antler longer than three (3) inches may be taken in any season open for two-point deer only. (3-31-22)

~~e. ——— Three-point deer. Only deer having at least one (1) antler with three (3) or more points not counting the brow point or tine may be taken in any season open for three-point or larger deer only. ——— (3-31-22)~~

cd. Four-point deer. Only deer having at least one (1) antler with four (4) or more points, not including the brow point or tine, may be taken in any season open for four-point or larger deer only. (3-31-22)

de. Elk. Only elk with at least one (1) antler longer than six (6) inches may be taken in any season which is open for antlered elk only. (3-31-22)

ef. Spike elk. Only elk with no branching on either antler and at least one (1) antler longer than six (6) inches may be taken in any season which is open for spike elk only. A branch is an antler projection that is at least one (1) inch long and longer than the width of the projection. (3-31-22)

fg. Brow-tined elk. Any elk having an antler or antlers with a visible point on the lower half of either main beam that is greater than or equal to four (4) inches long. (3-31-22)

gh. Moose. Only moose with at least one (1) antler longer than six (6) inches may be taken in any season open for antlered moose only. (3-31-22)

h. Pronghorn. Only pronghorn with a black "cheek patch" and horns greater than three (3) inches long may be taken during a buck only pronghorn seasons. ( )

**03. Seasons Restricted to Antlerless or Female Animals Only.** (3-31-22)

a. Deer. Only deer without antlers or with antlers shorter than three (3) inches may be taken in any season open for antlerless deer only. (3-31-22)

b. Elk. Only elk without antlers or with antlers shorter than six (6) inches may be taken in any season open for antlerless elk only. (3-31-22)

c. Pronghorn. Only pronghorn without a black "cheek patch" or horns less than three (3) inches long may be taken during doe and fawn only pronghorn seasons. (3-31-22)

d. Bighorn sheep. Only bighorn sheep with horns between six (6) inches and twelve (12) inches in length may be taken in any season which is open for bighorn ewes only. (3-31-22)

e. Moose. Only moose without antlers or with antlers less than six (6) inches long may be taken in any season which is open for antlerless moose only. (3-31-22)

**301. -- 319. (RESERVED)**

320. **TAG VALIDATION AND ATTACHMENT.**

01. **Tag.** Immediately after any ~~deer, elk, pronghorn, moose, bighorn sheep, mountain goat, mountain lion, black bear, grizzly bear, or gray wolf~~ big game animal is killed, the appropriate big game animal tag must be validated and securely attached to the animal, as prescribed by rule or proclamation. (3-31-22)( )

a. **Validation.** ~~Tags may either be either paper copies or electronic permits, as determined by the which hunter will determine at time of purchase. Electronic permits tags require use of the Department's official mobile app. Cut out and completely remove only the and must be validated for date and month through the app. Two (2) triangles indicating the date and month of kill must be cut out and completely removed from the paper tag.~~ (3-31-22)( )

b. **Attachment of Tag.** (3-31-22)

i. **Deer, elk, pronghorn, moose, mountain goat, black bear, and bighorn sheep:** to the largest portion of the edible meat to be retained by the hunter or any person transporting for the hunter. The tag must remain attached during transit to a place of processing and remain attached until the meat is processed. The validated tag must accompany the processed meat to the place of final storage or final consumption. (3-31-22)

ii. **Mountain lion, black bear, grizzly bear, and gray wolf:** To the hide until the mandatory check is ~~complied with~~ completed. (3-31-22)( )

321. -- 349. **(RESERVED)**

350. **IDENTIFICATION OF SEX, SIZE, AND/OR SPECIES IN POSSESSION AND DURING TRANSPORTATION OR SHIPMENT.**

01. **Evidence of Sex.** Evidence of sex must be left naturally attached to the carcass of any big game animal until the carcass reaches the final place of storage, or consumption, or is taken to a commercial meat processing facility as follows: (3-31-22)( )

a. ~~In antlered or male only seasons, for species having antlers or horns, the evidence of sex requirement is met when the head, horns, or antlers are left naturally attached to the whole carcass or to a front quarter. If the head, horns, or antlers are removed, some other external evidence of sex (either scrotum, penis or testicles, udder or vulva) must be left naturally attached to the carcass or to a hind quarter; and the any horns or antlers must accompany the carcass while in transit.~~ (3-31-22)( )

b.i. ~~In addition, in seasons restricted based on spike, brow tines, or antler points or branches, to full spike elk, branch antlered bull elk or two-point, (2) deer only seasons, the evidence of sex requirement is met when the head with both complete unaltered antlers are left naturally attached to the whole carcass or to a front quarter. If the head or antlers are removed, some other external evidence of sex (either scrotum, penis or testicles) must be left naturally attached to the carcass or to a hind quarter; and require both complete, unaltered antlers must be naturally attached to each other must and accompany the carcass while in transit.~~ (3-31-22)( )

c. ~~In antlerless, doe/fawn or female only seasons, if the head is removed from female elk, moose, deer, pronghorn, or bighorn sheep, some other external evidence of sex (either udder or the vulva) must be left naturally attached to the carcass or to a hind quarter.~~ (3-31-22)

d. ~~The entire head of antlerless male elk, moose, deer, or pronghorn, or a male lamb bighorn sheep killed during an antlerless, female, doe/fawn or ewe only season, may be left naturally attached to the carcass or to a front quarter. If the head is removed, some other external evidence of sex (either scrotum, penis, or testicles for males or udder or vulva for females) must be left naturally attached to the carcass or to a hind quarter.~~ (3-31-22)

e.b. ~~For black bear, grizzly bear, mountain lion, and gray wolf, external evidence of sex (either scrotum, penis or testicles for males, or udder or vulva for females) must be left naturally attached to the hide until the mandatory~~

**Commented [AW7]:** Changes in section 320 are to simplify language and also provide for the ability to use electronic tagging in the future.

**Commented [AW8]:** Changes to section 350 are for simplification and clean up to make identification requirements easier to understand.

check has been ~~satisfied~~ complied with. (3-31-22)( )

**02. Evidence of Species.** In seasons restricted to mule deer only or white-tailed deer only, if the head is removed, the fully-haired tail must be left naturally attached to the carcass or portion of edible meat if boned, until it reaches the final place of storage, or consumption, or is taken to a commercial meat processing facility. (3-31-22)( )

**03. Other.** Proclamations or emergency hunt orders may designate seasons and areas in which portions of a carcass must be presented to the Department within a specified timeframe, ~~or waive an~~ for which evidence requirement(s) of this section will not apply. (3-31-22)( )

**Commented [AW9]:** Language added here was to provide clarification about evidence requirement and also clarification around situations where it may be waived.

**351. – 403. (RESERVED)**

**404. SPECIAL WEAPON SEASONS.**

The Commission may designate by proclamation Special Weapon seasons, such as Archery Only, Muzzleloader Only, ~~or~~ Short-range Weapons Only, or Centerfire Open Sights Only, in which restrictions to method of take apply in addition to those set forth in Section 410. (3-31-22)( )

**Commented [AW10]:** Staff have added a provision for a centerfire open sights only special weapons hunt which will be further elaborated on below.

**405. SPECIAL WEAPON SEASONS – ARCHERY.**

**01. Archery Only Season.** ~~During a season designated by Commission proclamation as an~~ In Archery Only season, it is unlawful to take a big game animal: (3-31-22)( )

- a. With any firearm, crossbow, or implement other than a longbow, compound bow, or recurve bow. (3-31-22)
- b. With any device attached to the bow that holds a bow at partial or full draw. (3-31-22)
- c. With any bow or crossbow equipped with magnifying sights, except verifiers. (3-31-22)( )

**02. Traditional Archery Only Season.** ~~During a season identified by Commission proclamation as an~~ In Traditional Archery Only seasons, it is unlawful to take any big game animal: (3-31-22)( )

- a. With any firearm, crossbow, or implement other than a longbow or recurve bow. (3-31-22)
- b. With an arrow not constructed of wood or fletched with non-natural material. (3-31-22)
- c. With any bow equipped with sights. (3-31-22)

**406. SPECIAL WEAPON SEASONS – MUZZLELOADER.**

**01. Muzzleloader Only Season.** It is unlawful to take a big game animal with any firearm, including muzzleloading pistols, or implement other than a muzzleloading rifle or musket that complies with each of the following: (7-1-24)

- a. Is at least forty-five (.45) caliber for deer, pronghorn, mountain lion, or gray wolf, or at least fifty (.50) caliber for elk, moose, bighorn sheep, mountain goat or black bear. (3-31-22)
- b. Is capable of being loaded only from the muzzle. (3-31-22)
- c. Is equipped only with open or peep sights. (3-31-22)
- d. Is loaded only with loose black powder including synthetic black powder. (3-31-22)

e. Is equipped with no more than two (2) barrels. (3-31-22)

~~f. Is loaded only with a projectile with a diameter within one hundredth (.01) of an inch of the bore diameter. (3-31-22)~~

g. Is equipped only with flint, musket cap, or percussion cap. 209 primers are prohibited. (3-31-22)

h. Is equipped with an exposed ignition system. (3-31-22)

i. Is loaded only with a patched round ball or conical metal or metal alloy projectile, ~~with the exception of allowance of accuracy tips and pressure bases~~ are allowed. (7-1-24)( )

02. **Pelletized Powder.** It is unlawful to use pelletized powder in a Muzzleloader Only season. (3-31-22)

~~03. Sabot. It is unlawful to use a sabot in a Muzzleloader Only season. (3-31-22)~~

#### 407. SPECIAL WEAPON SEASONS – SHORT-RANGE WEAPONS.

01. **Short-range Weapon Only Season.** ~~During a season designated by Commission proclamation as In~~ a Short-Range Weapon Only season, it is unlawful to use any weapon other than the following: (3-31-22)( )

a. Any shotgun using any slug or double-aught (#00) or larger buckshot. (3-31-22)

b. Any muzzleloader that is at least forty-five (0.45) caliber for deer, pronghorn, mountain lion, or gray wolf, or at least fifty (0.50) caliber for elk, moose, bighorn sheep, mountain goat, or black bear. (3-31-22)

c. Any bow having a peak draw weight of not less than forty (40) pounds. ~~up to or at a draw of twenty-eight (28) inches.~~ (3-31-22)( )

d. Any crossbow having a peak draw weight of not less than one hundred fifty (150) pounds. (3-31-22)

e. Any handgun using straight wall centerfire cartridges ~~not originally developed for rifles.~~ (3-31-22)( )

f. Any airgun using pre-charged pneumatic power to propel a projectile (excluding shot and arrows) with unignited compressed air or gas and projectiles at least thirty-five (0.35) caliber for deer, pronghorn, mountain lion, or gray wolf, ~~deer and pronghorn antelope~~ or at least forty-five (0.45) caliber for elk, moose, bighorn sheep, mountain goat, or black or grizzly bear ~~elk and moose.~~ (3-31-22)( )

#### 408. SPECIAL WEAPON SEASONS – CENTERFIRE OPEN SIGHTS.

01. **Centerfire Open Sight Only Season.** In Centerfire Open Sight Only seasons, it is unlawful to use any weapon other than the following: ( )

a. Any centerfire firearm equipped only with open or peep sights, with or without verifier. ( )

#### ~~408.~~ 409. (RESERVED)

#### 410. UNLAWFUL METHODS OF TAKE – GENERAL.

No person may take big game animals as set forth in this section, ~~except as determined and specified in IDAPA 13.01.04.304 Rules Governing Licensing, Reasonable Modification Permit Weapons Restrictions.~~ (3-31-22)( )

01. **Firearms.** (3-31-22)

**Commented [AW11]:** Added provisions for Centerfire Open Sight Only season.

a. With any firearm that, in combination with a scope, sling, and/or any other attachments, weighs more than sixteen (16) pounds. (3-31-22)

b. With any shotgun using any shot smaller than double-aught (#00) buck. (3-31-22)

c. With any rimfire rifle, rimfire handgun or any muzzleloading handgun, except for mountain lion and trapped gray wolf. (3-31-22)

d. With a fully automatic firearm. (3-31-22)

e. With any electronic device attached to, or incorporated in, the firearm (including handguns and shotguns) or scope; except scopes containing battery powered or tritium lighted reticles are allowed. (3-31-22)

**02. Bows, Crossbows, Arrows, Bolts, Airguns, Chemicals or Explosives.** (3-31-22)

~~a. With arrows or bolts having broadheads measuring less than seven-eighths (7/8) inch in width and having a primary cutting edge less than fifteenth-thousandths (0.015) inch thick. (3-31-22)~~

~~b.a. With any bow having a peak draw weight of less than forty (40) pounds up to or at a draw of twenty-eight (28) inches, or any crossbow having a peak draw weight of less than one hundred-fifty (150) pounds. (3-31-22)( )~~

~~b.b. With any chemicals or explosives attached to the arrow or bolt. (3-31-22)~~

~~d. With arrows or bolts having expanding broadheads. (3-31-22)~~

~~e. With arrows or bolts having barbed broadheads. A barbed broadhead is a broadhead which has any portion of the rear edge of the broadhead forming an angle less than ninety (90) degrees with the shaft or ferrule. (3-31-22)~~

~~f.c. With any electronic or tritium-powered device attached to, or incorporated into, an arrow, bolt, crossbow, or bow; except lighted nocks are allowed. (3-31-22)( )~~

~~g.d. With any bow capable of shooting more than one (1) arrow at a time. (3-31-22)~~

~~h. With any compound bow with more than eighty-five percent (85%) let-off. (3-31-22)~~

~~i.e. With an arrow and broadhead, or bolt and broadhead, with a combined total weight of less than three hundred (300) grains. (3-31-22)~~

~~j.f. With an arrow less than twenty-four (24) inches or a crossbow bolt less than twelve (12) inches in length from the broadhead to the nock inclusive. (3-31-22)~~

~~k. With an arrow wherein the broadhead does not preceede the shaft and nock. (3-31-22)~~

~~l.g. With any crossbow pistol. (3-31-22)~~

~~m.h. With any airgun using pre-charged pneumatic power to propel a projectile (excluding shot and arrows) with unignited compressed air or gas and projectiles less than thirty-five (0.35) caliber for deer, pronghorn antelope, mountain lion, or gray wolf, or less than forty-five (0.45) caliber for elk, moose, bighorn sheep, mountain goat, or black or grizzly bear. (3-31-22)~~

**03. Muzzleloaders.** (3-31-22)

a. With a muzzleloading rifle or musket which is less than forty-five (.45) caliber for deer, pronghorn, mountain lion, or gray wolf, or which is less than fifty (.50) caliber for elk, moose, bighorn sheep, mountain goat, or black bear. (3-31-22)

b. With any electronic device attached to, or incorporated in, the muzzleloader. (3-31-22)

04. Other. (3-31-22)

a. With electronic calls, except for the hunting of mountain lions, black bears, and wolves in seasons set by proclamation and in accordance with Section 36-201, of Idaho Code. (3-31-22)( )

b. With any bait for hunting, except as set forth in these Rules. for hunting, including grain, salt in any form (liquid or solid), or any other substance (not to include synthetic liquid scent) to constitute an attraction or enticement, except in accordance with IDAPA 13.01.17, "Rules Governing the Use of Bait for Hunting Big Game Animals." (3-31-22) ( )

c. With dogs, except for mountain lion or black bear in accordance with IDAPA 13.01.15, "Rules Governing the Use of Dogs." (3-31-22)

d. With any net, snare, trap, chemical, deadfall or device other than legal firearm, archery or muzzleloader equipment or airgun; except in accordance under Section 36-201, Idaho Code, and with IDAPA 13.01.16, "Rules Governing Trapping of Wildlife and Taking of Furbearing Animals." (3-31-22)( )

e. Within an enclosure designed to prevent ingress or egress of big game animals, including fenced facilities defined as Domestic Cervidae Farms under Section 25-3501, Idaho Code, unless authorized by the director. This rule does not apply to domestic cervids. (3-31-22)

f. With radio telemetry or other electronic tracking devices used as an aid to locate big game animals. This rule does not affect the use of telemetry equipment on hounds or other sporting dogs. (3-31-22)

fg. With the use of any smart optics when attached to or incorporated, except scopes with battery powered, tritium lighted reticles, or as defined by 13.01.04.372 Rules Governing Licensing, Reasonable Modification Permit. ( )

h. For big game ungulates (moose, bighorn sheep, mountain goat, elk, mule deer, white-tailed deer, and pronghorn) from August 1 through December 31: ( )

i. With the use of thermal imaging technology, including for scouting, hunting or retrieval; ( )

ii. With the use of night vision technology, including for scouting, hunting or retrieval; ( )

iii. With the use of a transmitting trail camera, including for hunting and scouting, on land in federal, state, or local government ownership, or private land open to the general public for hunting; or ( )

iv. With the use of any aircraft, including any unmanned aircraft system, for scouting or hunting. This restriction is in addition to the restrictions for use of aircraft in section 36-1101(b) Idaho Code. ( )

#### 411. **MOTORIZED HUNTING RULE.**

The use of motorized vehicles by hunters as an aid to hunting big game is restricted in certain areas. This use restriction is in addition to all federal, state and local laws, rules, regulations, ordinances and orders; including, but not limited to, any motorized vehicle licensing, registration, and permitting requirements and traffic laws. Hunters must comply with all motorized vehicle limits or prohibitions instituted by the landowner or land manager. Also, this use restriction rule is not an exception from, and is in addition to, the statutory prohibition against hunting from or by the use of any motorized vehicle set forth in Section 36-1101(b)(1), Idaho Code. (3-31-22)

**Commented [AW12]:** This is where the Hunting and Advanced Technology working group consensus and draft recommendations were added; also includes modifications from rulemaking with public.

**Commented [AW13]:** Changes made to this section were in response to results from the big game hunter survey of 2024 and staff recommendations. Staff identified hunt areas where restrictions could be reduced.

**01. Use Restriction.** In designated units from August 30 through ~~December 31~~ November 14, hunters may only use motorized vehicles on established roadways that are open to motorized traffic and capable of travel by full-sized automobiles. (3-31-22)( )

**02. Exceptions.** This use restriction rule does not apply to the following permissible motorized vehicle uses by hunters off of an established roadway: (3-31-22)

**a.** Holders of a valid Disabled Motor Vehicle Hunting Permit may use a motorized vehicle as allowed by the land owner or manager. (3-31-22)

**b.** Hunters may use a motorized vehicle to retrieve downed game if such travel is allowed by the land owner or manager. (3-31-22)

**c.** Hunters may use a motorized vehicle to pack camping equipment in or out if such travel is allowed by the land owner or manager; however, hunters may not hunt while packing camping equipment. (3-31-22)

**d.** Private landowners on their private land, their authorized agents, and persons with written landowner permission are excepted from the Motorized Hunting Rule use restriction. (3-31-22)

**412. DESIGNATED MOTORIZED HUNTING RULE UNITS.**

The motorized hunting use restriction applies to units 29, ~~30, 30A,~~ 32, 32A, ~~36A, 37,~~ 37A, 45, ~~47, 49,~~ 50, 51, 52, 52A, 53, 56, 58, 59, 59A, 66, 66A, 69, ~~70, 72,~~ 73, 75, 76, 77, and 78. (3-31-22)( )

**413. EXCEPTIONS FOR METHODS OF TAKE AND SHOOTING HOURS FOR GRAY WOLF.**

**01. Exceptions for Dispatch of Trapped Wolf.** A lawfully trapped gray wolf may be dispatched at any hour with any rifle or handgun in exception ~~to IDAPA 13.01.08.400 and of Section 410 of these rules, "Rules Governing Taking of Big Game Animals," without additional permit from the Director.~~ (3-31-22)( )

**02. Exceptions for Methods of Take.** The Commission may by proclamation set seasons ~~by proclamation for units~~ in which the hunting or trapping of gray wolf is exempt from method of take restrictions ~~for game animals~~ contained in Section 36-1101, Idaho Code, or Sections 410 or 412 of these rules, where such take restrictions do not apply to other wild canines. (3-31-22)( )

**03. Permits Involving Waiver of Official Shooting Hours.** Where the Commission sets seasons pursuant to Section 413.02 of these rules, no person may hunt gray wolf by use of artificial light or otherwise outside of official shooting hours set by IDAPA 13.01.07.400, Rules Governing Taking of Wildlife, unless: (3-31-22)

**a.** On public land, that person has a valid permit from the Director and complies with any permit conditions. The Director may deny a person's application for such permit, limit the time or area for hunting, or impose other conditions for good cause, such as public safety or protection of other wildlife or property; or (3-31-22)

**b.** On private land, that person is the owner of that land or has written authorization from the landowner or landowner's agent. (3-31-22)

**414. ~~418.9.~~ (RESERVED)**

~~419. **RETURN OF TAGS BY UNSUCCESSFUL HUNTERS.**  
HUNTERS WHO ARE NOT SUCCESSFUL IN KILLING A BIGHORN SHEEP, MOUNTAIN GOAT, GRIZZLY BEAR, OR MOOSE SHALL PRESENT OR MAIL THEIR UNUSED TAGS TO A DEPARTMENT OFFICE WITHIN TEN (10) DAYS AFTER THE CLOSE OF THE SEASON FOR WHICH THE TAG WAS VALID. CANCELED TAGS WILL BE RETURNED TO THE HUNTER UPON REQUEST.~~  
~~(3-31-22)~~

**Commented [AW14]:** This has been moved to section 420.03

**420. MANDATORY CHECK AND REPORT REQUIREMENTS.**

Any person killing black bear, moose, bighorn sheep, mountain goat, gray wolf, or mountain lion ~~in a unit with no quota~~, must comply with mandatory check and report requirements; within ten (10) days of the date of kill, ~~or any person killing mountain lion in a unit a grizzly bear or species to which a hunt closure quota applies with a quota, or a grizzly bear~~, must, within five (5) days of the date of kill, ~~comply with the mandatory check and report requirements.~~  
by: Mandatory check and reports requirements are:  
(3-31-22)( )

**01. Harvest Report.** Completing the ~~mandatory relevant harvest report~~ (big game mortality report ~~form or mandatory hunter report, or other report form as required~~) for the species taken, or other report form as may be specified by proclamation for the hunt. (3-31-22)( )

**02. Presentation of Animal Parts.** Presenting the following animal parts: ~~so that Department personnel may collect biological data and mark the animal parts:~~ (3-31-22)( )

a. Black Bear: Skull and portion of the hide with evidence of sex attached to be presented to a conservation officer, regional office or official check point for removal and retention of premolar tooth and to have the hide marked. (3-31-22)

b. Grizzly Bear: Skull and portion of the hide with evidence of sex attached to be presented to a conservation officer or regional office for removal and retention of a premolar tooth, and to have the hide marked. (3-31-22)

c. Mountain Lion: Skull and portion of the hide with evidence of sex attached to be presented to a conservation officer, ~~or regional office,~~ or official checkpoint for removal and retention of a premolar tooth, to and to have the hide marked. (3-31-22)( )

d. Gray Wolf: Skull and portion of the hide with evidence of sex attached to be presented to a conservation officer or regional office for removal and retention of a premolar tooth, and to have the hide marked. (3-31-22)

e. Moose: ~~Skulls from all harvested animals and antlers (if antlered) from antlered animals~~ to be presented to a conservation officer or regional office. (3-31-22)( )

f. Bighorn Sheep: ~~Ram-h~~Horns to be presented to a regional office, with ram horns to be marked for marking, ewe horns to be presented to a regional office. (3-31-22)( )

g. Mountain Goat: Horns to be presented to a conservation officer or regional office. (3-31-22)

**03. Return of Tags by Unsuccessful Hunters.** Hunters who are not successful in killing a bighorn sheep, mountain goat, grizzly bear, or moose must present or mail their unused tags to a Department office within ten (10) days after the close of the season for which the tag was valid. Canceled tags will be returned to the hunter upon request.

**04. Possession of Raw Pelts of Black Bear, Grizzly Bear, Mountain lion, and Gray Wolf.** No person may have in possession, except during the respective time period after lawful harvest allowed for mandatory check in ~~this Section 420 of these rules~~ (five (5) or ten (10) days), depending on species), any raw black bear, mountain lion, grizzly bear, or gray wolf pelt, without an official state export tag attached, unless that person possesses a fur buyer or taxidermist license or appropriate import documentation. (3-31-22)( )

**045. Authorized Representative.** A person may authorize another person to comply with the above requirements if that person complies with reporting requirements and possesses enough information to accurately complete the necessary form. (3-31-22)



421. **MANDATORY REPORTS FOR PRONGHORN, DEER, AND ELK ~~REPORT REQUIREMENTS~~.**

01. **Mandatory Report.** Any hunter that obtains a pronghorn, deer, or elk tag must submit to the Department an accurately completed Mandatory Report for the respective species on a form prescribed by the Department, within ten (10) days of killing such animal, or if the hunter does not kill such animal, within ten (10) days of the closing date of the appropriate season. (3-31-22)

02. **Failure to Report.** Failure to submit the pronghorn, deer, or elk Mandatory Report as required in this section will render the person ineligible to obtain any license until a late Mandatory Report permit is submitted with the Department. (3-31-22)

422. **MANDATORY TELEPHONE REPORT.**

In addition to other check and reporting requirements, any hunter killing a grizzly bear must report the harvest within twenty-four (24) hours by calling the Grizzly Bear Reporting Number, a toll-free telephone number published in the grizzly bear season and rules brochure available at Department offices and on the Department website. (3-31-22)

423. -- ~~499~~49. **(RESERVED)**

450. BIOLOGICAL SAMPLE COLLECTION

Any person killing a big game animal must comply with requirements for biological sampling for detection of disease or other population management, as established set by proclamation or order of the Commission or director. ( )

**Commented [AW15]:** This was moved from a different section.

451. -- 499. (RESERVED)

500. **AREAS CLOSED TO HUNTING OF BIG GAME ANIMALS.**

In addition to the closures specified in IDAPA 13.01.07.300, "Rules Governing Taking of Wildlife." (3-31-22)

01. **Mountain Lions and Gray Wolves.** No person may hunt or pursue mountain lion or gray wolf within one-half (1/2) mile of any active Department big game feeding site, except on private property. (3-31-22)( )

02. **Black Bear, Grizzly Bear, and Gray Wolves.** No person may hunt or pursue black bear, grizzly bear, or gray wolf within two hundred (200) yards of the perimeter of any designated dump ground or sanitary landfill. (3-31-22)

501. -- ~~75~~99. **(RESERVED)**

~~800~~600. **EMERGENCY DEPREDAATION HUNTS.**

01. **Eligibility.** (3-31-22)

a. Only ~~Idaho~~-residents with a valid ~~Idaho~~-hunting or combination license are eligible to apply ~~to participate in for big game~~ emergency depredation hunts. Section 36-106(e)(5), Idaho Code provides an exception for tag issuance to nonresident landowners residing in a contiguous state. (3-31-22)( )

b. ~~Persons submitting a~~Applications for emergency depredation hunts ~~are eligible to apply for~~does not affect eligibility for general hunts or other controlled hunts ~~or may hunt in the general season.~~ (3-31-22)( )

02. **Applications.**(3-31-22)

a. A person may submit no more than one (1) emergency depredation hunt application per year for each species~~—deer, elk, pronghorn, black bear, or gray wolf.~~ Applications submitted for the same species in more than one region will result in disqualification from all regions. (3-31-22)( )

b. ~~An individual or a group may apply. A group is defined as two (2) people.~~ Two (2) hunters may applying as a group for the same depredation hunt on the same application. If a group application is selected, both hunters will be offered depredation hunt tags if two or more tags are available. If a ~~An individual who submits applications for more than one (1) species, he does not have to apply in the same group or area for each application.~~ (3-31-22)( )

c. Any form not properly completed ~~will is~~ be ineligible for selection. (3-31-22)( )

~~d. Any holder of an antlerless or doe/fawn, or black bear controlled hunt tag will be considered an applicant for any depredation hunt for that species which is:~~ (3-31-22)

~~i. Held prior to the antlerless or doe/fawn, or black bear controlled hunt; and~~ (3-31-22)

~~ii. Is in the same area as the depredation.~~ (3-31-22)

~~e. Any holder of an antlerless or doe/fawn, or black bear controlled hunt tag may also apply for a depredation hunt in any region.~~ (3-31-22)

~~f.~~ A list of depredation hunt applications received will be maintained for the time period July 1 to June 30. Applications are valid only for the time period for which they are submitted. (3-31-22)

03. **Selection of Participants.** The Department will place all applications (individual or group) for each depredation hunt received by June 30 in random order. All applications received after June 30 will be placed at the end of the list in the order received, except priority will be given to ~~that for~~ military personnel returning from active duty. ~~They will be given priority.~~ The Department will select participants for a hunt in the order in which applicants appear on the list. (3-31-22)( )

04. **Controlled Hunt Tagholder Exception.** ~~except for those~~ emergency depredation hunts that precede, ~~or run concurrently with or at the discretion of the Regional Supervisor, follow a controlled hunt for a doe/fawn, or antlerless, animals or black bear controlled hunt in the same area,~~ the holders of those ~~doe/fawn, antlerless, or black bear~~ controlled hunt tags will be given the option to hunt-use that controlled hunt tag in the depredation hunt for that species before tags are made available to individuals on the application list. ~~If no doe/fawn or antlerless or black bear hunts are scheduled in that unit, or if some depredation hunt tags are not taken by controlled hunt hunters, participants will be selected from applicants for that depredation hunt. If a group application is selected, both hunters will be offered depredation hunt tags. The Regional Supervisor has discretion to: (1) allow holders of unfilled doe/fawn, antlerless, or black bear controlled hunt tags for hunts that have ended in the same area to use those tags in the depredation hunt; (2) waive weapon restrictions that apply to a controlled hunt tag if used in the area of the depredation hunt.~~ (3-31-22)( )

05. **Effect on Bag/Possession Limits.** A depredation hunt tag authorizes the take of one (1) big game animal, which may be in addition to the annual bag and possession limits for that species by use of another controlled or general hunt tag. ( )

601. -- 609. (RESERVED)

## 610. HERD HEALTH KILL AUTHORIZATION

01. **Authorization.** The director may issue herd health kill authorizations to private landowners for the control, eradication, minimization, or management of wildlife disease. Private landowners or their designees may take the number of animals authorized by the director, only on the private property of the landowner to whom the authorization was issued, and subject to compliance with any requirements specified in the authorization. ( )

02. **Possession for Personal Use.** The director's authorization may allow landowners or their designee(s) to keep edible portions of animals taken for their personal use, in addition to other big game animals they may lawfully possess, provided they comply with any specified sampling requirements. ( )

03. **Tag Eligibility.** The use or possession of a herd health kill authorization does not affect the

possessor's eligibility for other game tags. ( )

#### **700. USE OF BAIT FOR HUNTING BIG GAME.**

Bait may be used to hunt only black bear and only under the following conditions, except gray wolf may be taken incidentally to bear baiting. ( )

##### **01. Time.** ( )

a. No bait or bait container may be placed for the purpose of attracting or taking black bear prior to the opening of black bear take season, except bait may be placed one (1) week prior to the opening of bear season in Units 10, 12, 16A, 17, 19, 20, 20A, 26 and 27. ( )

b. All bait, bait containers and materials must be removed and all excavations refilled no later than seven (7) days after the close of each season (spring, fall, or black bear dog training); except bait, bait containers, and materials may remain in Units 10 and 12 between the dog training season and the fall season. ( )

##### **02. Location.** ( )

a. No bait site may be located within two hundred (200) feet of any water (lake, pond, reservoir, year-round free flowing spring, or year-round free flowing stream). ( )

b. No bait site may be located within two hundred (200) yards from any maintained trail or any established roadway; except in the Panhandle and Clearwater Regions, no bait site may be located within two hundred (200) feet from any maintained trail or any established roadway. ( )

c. No bait site may be located within one-half (1/2) mile of any designated campground or picnic area, administrative site, or dwelling. ( )

##### **03. Types.** ( )

a. No person may use any part of a domestic or wild origin game bird, big game animal, upland game animal, game fish, or protected nongame wildlife for bait or scent. ( )

b. The skin must be removed from any mammal parts or carcasses used as bait. ( )

c. No person may use salt in any form (liquid or solid) for bait. ( )

##### **04. Containers.** ( )

a. No bait may be contained within paper, glass, wood or other non-biodegradable materials, except that a single, rigid container with a maximum size of fifty-five (55) gallons may be used if securely attached at the bait site. ( )

b. No bait may be contained in any excavated hole greater than four (4) feet in diameter. ( )

##### **05. Establishment of Bait Sites.** ( )

a. Any structures constructed at bait sites using nails, spikes, ropes, screws, or other materials must be removed by the permit holder within seven (7) days after the close of each season (spring, fall, or black bear dog training). ( )

b. All bait sites must be visibly marked at the nearest tree or on the bait container using a tag supplied by the Department. ( )

#### **702. BAITING PERMIT.**

**Commented [AW16]:** This language is proposed to move from baiting rules for hunting, 13.01.17 to taking of big game, 13.01.08

01. Baiting Permit. ( )

a. Baiting permits are issued by mail or in person from Department offices beginning March 1 of each year. (3-31-22)

b. Baiting permits are valid for the calendar year in which they are issued. ( )

02. Use of Baiting Permit. ( )

a. Any person placing bait must possess a baiting permit issued by the Department. ( )

b. ~~Each hunter in~~ A person may possess only one (1) baiting permit each year and may maintain ~~up to~~ not more than three (3) bait sites. A licensed outfitter may maintain additional bait sites if the number of sites is approved in writing by the landowner or land management agency. ~~except the number of bait sites maintained by outfitters will be that specified by the land management agency in the outfitter's operating plan.~~ ( )

c. No person may hunt over an unlawful bait site. ( )

d. Guides and clients of outfitters (who have a bait permit and are licensed under title 36, chapter 21, Idaho Code) are exempt from possessing a baiting permit, provided they have a copy of the outfitter's permit in their possession while placing bait or hunting over the outfitter's permitted bait site. ( )

703. USE OF BAIT BY A GRIZZLY BEAR.

Any person placing bait to hunt black bear, hunting at a bait site, or witnessing the use of a bait site by a grizzly bear must immediately report use of the bait by a grizzly bear to the Department. No person may hunt black bear over such a bait site for the remainder of the current black bear hunting season. The bait site(s) will be closed for the remainder of the current black bear hunting season and the bait must be removed as soon as possible. ( )

~~801-704~~ 999. (RESERVED)

## 13.01.16 – TRAPPING OF WILDLIFE AND TAKING OF FURBEARING ANIMALS

### 000. LEGAL AUTHORITY.

Sections 36-104(b) and 36-1101(a), Idaho Code, ~~authorize the Commission to adopt rules concerning trapping of wildlife and taking of furbearing animals.~~ (3-31-22)

### 001. ~~TITLE AND SCOPE.~~

~~The title for this chapter for citation is IDAPA 13.01.16, “Trapping of Wildlife and Taking of Furbearing Animals.”~~  
These rules govern the trapping of wildlife and taking of furbearing animals. (3-31-22)

### 002. -- 009. (RESERVED)

### 010. DEFINITIONS.

IDAPA 13.01.06, “Rules Governing Classification and Protection of Wildlife” defines game animals, furbearing animals, and unprotected wildlife. Section 36-201, Idaho Code, defines predatory wildlife. (3-31-22)

01. **Bait.** Any animal parts; except bleached bones or natural liquid scent. (3-31-22)(    )

02. **Sets.** (3-31-22)

a. **Ground Set.** Any foothold trap, body-gripping trap, or snare originally set in or on the land (soil, rock, etc.), which includes any traps elevated up to a maximum of thirty-six (36) inches above the natural ground level. (3-31-22)

b. **Water Set.** Any trap or snare originally set in or on any body of water, which includes traps on floats in the water and those that are set with a minimum of one-third (1/3) of the trap submerged. Water sets includes traps set on beaver dams, in bank holes and in the water at bank slides. (3-31-22)(    )

c. **Other Sets.** Any set not defined as a ground or water set, including without limitation, elevated sets originally set thirty-six (36) inches or more above natural ground level. (3-31-22)

03. **Public Trail.** Any trail designated by any city, county, state, or federal transportation or land management agency on the most current official map of the agency. (3-31-22)

### 011. -- 099. (RESERVED)

### 100. IDENTIFICATION TAGS FOR TRAPS.

All traps or snares, except those used for pocket gophers, ground squirrels or other unprotected rodents, shall have attached to the snare or the chain of every trap, a metal tag bearing: (3-31-22)

01. **Name and Address.** In legible English the name and current address of the trapper; or (3-31-22)

02. **Number.** A six (6) digit number, to be obtained by the trapper from any Department office upon the issuance of the trapper’s first trapping license. (3-31-22)(    )

~~a. Any person assigned a six (6) digit number to mark his traps or snares must notify the Department in writing or in person at any Department Office within thirty (30) days of any change in address. (3-31-22)~~

### 101. -- 149. (RESERVED)

### 150. CONTROLLED TRAPPING PERMITS.

01. **General.** No person may trap in a controlled trapping unit for the designated species without having

a valid permit for that controlled trapping unit in possession. A permit issued based on erroneous information will be invalidated by the Department. The Department will notify the individual of the invalidation, and that person will not be eligible for a controlled trapping permit that year or in a succeeding year to which a waiting period applies.

(3-31-22)

**02. Eligibility.** Any person possessing a valid Idaho trapping license is eligible to apply for a controlled trapping unit permit.

(3-31-22)

**03. Applications.** Applications for controlled trapping permits will be made on a form prescribed by the Department. The Department will only consider applications received at ~~the~~its Headquarters Office ~~of the Department~~ or postmarked not later than September 15 of each year. Any application that is unreadable, has incomplete or incorrect trapping license numbers, or lacks mandatory information or fee will be declared void and will not be entered in the drawing. All applications will be considered final and cannot be resubmitted after correction.

~~(3-31-22)~~( )

**a.** No person may submit more than one (1) application per species for a controlled trapping permit.

(3-31-22)

**b.** No group applications will be accepted.

(3-31-22)

**04. Controlled Trapping Permit Drawing.**

(3-31-22)

**a.** Applications not drawn for the first-choice unit will automatically be entered into a second-choice drawing, provided the second choice applied for has not been filled.

~~(3-31-22)~~( )

**b.** If an insufficient number of “first choice” applications are received for a unit, remaining permits will be filled from applications listing the unit as a second choice.

(3-31-22)

**c.** Any permits left unfilled after the second-choice drawing may be issued on a first-come, -first-served basis.

~~(3-31-22)~~( )

**05. Successful Applicants.** Successful applicants will be notified by mail and must contact the person listed on the notice by October 14 to obtain the permit. The permittee, upon agreeing to follow trapping instructions for the unit, will be issued a permit.

(3-31-22)

**06. Revocation of Permits.** The Department may revoke the permit of ~~A~~any permittee who does not comply with Title 36, Idaho Code, administrative rules, or trapping unit instructions ~~may have his permit revoked.~~

~~(3-31-22)~~( )

**07. Alternative Permittee.** Any revoked permit may be issued to an alternate, selected at the time of the drawing. If there is no alternate, or the alternate fails to comply with Subsection 150.05 above, the permit may be issued to the first eligible trapper answering a notification of vacant trapping ~~U~~unit as approved by the Regional Supervisor.

~~(3-31-22)~~( )

**151. -- 199. (RESERVED)**

**200. TRAPS.**

**01. Checking Traps.**

(3-31-22)

**a.** No person may place snares or traps for gray wolf, furbearing animals, predatory or unprotected wildlife, except pocket gophers, ground squirrels and other unprotected rodents, without visiting every trap or snare once every seventy-two (72) hours and removing any catch therein.

(3-31-22)

**b.** Trappers acting as government employees or contractors are exempt from this rule.

(3-31-22)

**02. Removing Trapped Animals of Another.** No person may remove wildlife from the trap or snare of another except licensed trappers with written permission from the owner. (3-31-22)

**03. Release of Non-Target Catches.** (3-31-22)

**a.** All non-target species caught alive shall be released immediately. Non-target species are defined as any species caught for which the season is closed or is in excess of the trapper's limit. (3-31-22)

**b.** Any trapper who catches a non-target species that is dead shall: (3-31-22)

**i.** Promptly record the date and species of animal caught and include this information in the mandatory furtaker harvest report. (3-31-22)

**ii.** Remove the animal from the trap and take it into possession. (3-31-22)

**iii.** Notify the Department through the local Conservation Officer or Department office within seventy-two (72) hours to make arrangements ~~to transfer the animal to the Department~~ with the Department for disposition of the animal. ~~(3-31-22)~~(      )

**c.** The Department will reimburse trappers ~~ten~~ twenty-five dollars (\$~~10~~25) for each bobcat, ~~lynx, wolverine,~~ otter, or fisher caught accidentally and turned in. ~~(3-31-22)~~(      )

**201. -- 399. (RESERVED)**

**400. FURBEARING ANIMALS – METHODS OF TAKE.**

No person may take beaver, muskrat, mink, marten, or otter by any method other than trapping. No person may use dogs for the taking of furbearing animals, except in accordance with IDAPA 13.01.15, "Rules Governing the Use of Dogs." (3-31-22)

**401. -- 449. (RESERVED)**

**450. LIMITS ON TRAPPING.**

**01. Game Animals.** No person may trap for game birds or game animals, except gray wolf. (3-31-22)

**02. Bait.** No person trapping for gray wolf, furbearing animals, or predatory or unprotected wildlife may use for bait or scent: (3-31-22)

**a.** Any part of a game bird, big game animal, upland game animal, game fish, or protected nongame wildlife; EXCEPT: (3-31-22)

**i.** Trappers may use portions of game birds, game animals, and game fish that are not edible portions, as defined by Section 36-1202, Idaho Code, and may use parts of accidentally killed wildlife salvaged in accordance with IDAPA 13.01.10, "Rules Governing the Importation, Possession, Release, Sale or Salvage of Wildlife," Subsections 300.02.c. and 300.02.d., unless such use is prohibited in areas identified by Commission Proclamation, adopted and published in accordance with Section 36-105(3), Idaho Code. (3-31-22)

**ii.** Trappers may place sets near a big game animal that has died naturally and the carcass has not been repositioned for trapping purposes. Natural causes do not include any man-caused mortality. (3-31-22)

**b.** Live animals. (3-31-22)

**03. Limits on Sets.** No person trapping for gray wolf, furbearing animals, or predatory or unprotected wildlife may: (3-31-22)

**a.** Use any set within thirty (30) feet of any visible bait. (3-31-22)

b. Use a dirt hole ground set with bait unless the person ensures that the bait remains covered at all times to protect raptors and other meat-eating birds from being caught accidentally. (3-31-22)

c. Place any ground sets on, across, or within ten (10) feet of the edge of any maintained unpaved public trail. (3-31-22)

d. Place any ground set on, across, or within any public highway as defined in Section 36-202, Idaho Code; ~~except ground sets may be placed underneath bridges and within and at culverts that are part of a public highway right-of-way.~~  
(3-31-22)( )

i. Except ground sets by may placed on snow-covered routes where authorized at the discretion of the director or regional supervisor; or ( )

ii. Except ground sets may be placed underneath bridges and within and at culverts that are part of a public highway right-of-way, where they are not part of a wildlife crossing structure (overpass or underpass, and any related fencing, constructed to pass wildlife across the public highway). (3-31-22)( )

e. Place any ground set incorporating snare, trap, or attached materials within three hundred (300) feet of any designated public campground, trailhead, paved trail, or picnic area; except cage or box live traps may be placed within these areas as allowed by city, county, state, and federal law. (3-31-22)

f. Place or set any ground set snare without a break-away device or cable stop incorporated within the loop of the snare. (3-31-22)

g. Place any ground set incorporating a foothold trap with an inside jaw spread greater than nine (9) inches. (3-31-22)

h. Place or operate, except as a water set, any body-gripping trap that has a maximum jaw opening, when set, of greater than seven and one-half (7 1/2) inches measured from the inside edges of the body-gripping portions of the jaws, within thirty (30) feet of any bait, lure, or other attractant. (3-31-22)

i. Place or operate, except as a water set, any body-gripping trap that has a maximum jaw opening, when set, greater than six and one half (6 1/2) inches and less than seven and one-half (7 1/2) inches measured from the inside edges of the body-gripping portions of the jaws, unless: (3-31-22)

i. The trap is in an enclosure and the trap trigger is recessed seven (7) inches or more from the top and front most portion of the open end of the enclosure; (3-31-22)

ii. No bait, lure, or other attractant is placed within thirty (30) feet of the trap; or (3-31-22)

iii. The trap is elevated at least three (3) feet above the surface of the ground or snowpack. (3-31-22)

451. -- 454. (RESERVED)

#### 455. GRAY WOLF TRAPPING.

01. Limits on Sets. No person trapping for gray wolf may: (3-31-22)

a. Use any set, EXCEPT a ground set. (3-31-22)

b. Trap for any gray wolf ~~or mountain lion~~ within one-half (1/2) mile of any active Department big game feeding site, except on private property.

(3-31-22)( )



c. Trap for gray wolf, ~~black, bear, or grizzly bear~~ within two hundred (200) yards of the perimeter of any designated dump ground or sanitary landfill. (3-31-22)( )

d. Place or set any ground set snare without two (2) diverters in an area identified by Commission Proclamation as requiring their use (based on levels of non-target catch of animals whose capture may be avoided by diverter use). (3-31-22)

456. -- 499. (RESERVED)

## 500. MANDATORY CHECK AND REPORT – PELT TAGS.

01. **Mandatory Check and Report.** Any person taking ~~river otter, bobcat, or gray wolf~~ the following species must comply with the specified mandatory check, report and pelt tag requirements by: (3-31-22)( )

a. Bobcat: Present the pelt to any Department office or official check-point to obtain the appropriate pelt tag and complete a harvest report. (3-31-22)

b. River otter: Present the pelt to the Department office in the region in which the animal was taken within seventy-two (72) hours of taking, to obtain the appropriate pelt tag and complete a harvest report. Trappers unable to comply with the tagging requirements due to special or unique circumstances must report their harvest to the appropriate regional office or field personnel within seventy-two (72) hours and make arrangements for tagging at the proper regional office. (3-31-22)

c. Gray wolf: Comply with mandatory check and report provisions in IDAPA 13.01.08.420, "Rules Governing Taking of Big Game Animals." (3-31-22)

d. Wildlife listed on the federal list of threatened and endangered species: Report any capture within twenty-four (24) hours to the Department. ( )

02. **Pelt Tags.** (3-31-22)

a. No person may have in possession, except during the open season and for ten (10) days after the close of the season, any raw bobcat pelt without an official state export tag attached, unless that person has a fur buyer or taxidermist license or appropriate import documentation. (3-31-22)

b. No person may have in possession, except during the open season and for seventy-two (72) hours after the close of the season, any raw otter pelt legally harvested in Idaho that does not have an official state export tag attached. (3-31-22)

c. No person may sell, offer for sale, purchase, or offer to purchase any raw bobcat or otter pelt that does not have an official state export tag attached, unless that person has a fur buyer or taxidermist license or appropriate import documentation. (3-31-22)

501. -- 599. (RESERVED)

## 600. TRAPPING ON GAME PRESERVES AND ~~WILDLIFE MANAGEMENT AREAS~~ DEPARTMENT-OWNED OR CONTROLLED LANDS.

01. **Game Preserves and Wildlife Management Areas.** The Commission may, by proclamation, openAll state game preserves (established by Title 19, Chapter 36, Idaho Code) for ~~and Department Wildlife Management Areas (WMAs) are open to the taking of furbearing animals during the open season declared for the areas in which they lie,~~ provided that any person desiring to trap on a WMA must register in advance, either at WMA headquarters or at the Department regional office (established by Title 19, Chapter 36, Idaho Code) by proclamation.  
(3-31-22)( )

**02.     ~~Restrictions~~Department-Owned or Managed Land.** ~~The Regional Supervisor where a wildlife management area (WMA) is located may establish limits on the number of trappers allowed on the WMA, a method of equitable allocation of trapping opportunity on a WMA, the number and types of sets allowed, and posting and reporting requirements.~~ Any person desiring to trap on Department-owned or controlled lands must register in advance at the Department Regional office or the office for the specific Wildlife Management Area. The Regional Supervisor may establish and post, pursuant to IDAPA 13.01.03, additional restrictions or requirements for trapping on a property-specific basis for Department owned or controlled lands in that Region. (3-31-22)(\_\_\_\_)

**601. – 699.     (RESERVED)**

**700.     COMMON SEASON BOUNDARIES FOR STREAMS AND RIVERS.**

Whenever a stream or river forms a boundary between two (2) different trapping areas, the stream or river channel proper will open for trapping on the earlier opening date and close on the later closing date of the two (2) seasons involved. (3-31-22)

**701. – 799.     (RESERVED)**

**800.     TRAPPING REPORTS.**

**01.     Trapping Report Completion.** ~~By July 31, aAll trappers~~A trapping license holder shall fill out~~complete~~ the mandatory furtaker (trapping) harvest report, including both target and non-target catch, for the trapping license year by submission on the Department form via the Department website, in person at a Department office, or by mailing to Box 25, Boise, Idaho 83707. ~~Any trapper failing to make such a report by July 31 will be refused a~~Unless a trapping license holder has submitted a report for that respective trapping license year, that person is not eligible for a trapping license to trap animals for the ensuing following trapping license year until a late report is submitted. (3-31-22)(\_\_\_\_)

**02.     Return of Reports and Permits.** All permittees shall return their controlled trapping unit permits and controlled trapping reports to the person from whom they obtained their controlled trapping unit permits within ten (10) days of the close of the season for the controlled trapping unit. (3-31-22)

**801. -- 999.     (RESERVED)**

### **~~13.01.17 — RULES GOVERNING USE OF BAIT FOR HUNTING BIG GAME ANIMALS~~**

#### **~~000. — LEGAL AUTHORITY.~~**

~~Sections 36-104, 409, and 36-1101, Idaho Code, authorize the Commission to adopt rules concerning the use of bait for hunting big game animals. (3-31-22)~~

#### **~~001. — TITLE AND SCOPE.~~**

~~The title of this chapter for citation is IDAPA 13.01.17, “Rules Governing Use of Bait for Hunting Big Game Animals.” These rules govern use of bait for hunting big game animals. (3-31-22)~~

#### **~~002. — 009. — (RESERVED)~~**

#### **~~010. — DEFINITIONS.~~**

~~01. — **Bait (Hunting).** Bait for hunting purposes is any substance placed to attract big game animals, except synthetic liquid scent for deer, elk, or moose. (3-31-22)~~

~~02. — **Established Roadway.** A roadway open to the general public for motorized traffic and capable of being traveled by full-sized automobiles. (3-31-22)~~

#### **~~011. — 099. — (RESERVED)~~**

#### **~~100. — USE OF BAIT FOR HUNTING BIG GAME.~~**

~~Bait may be used to hunt only black bear and only under the following conditions, except gray wolf may be taken incidentally to bear baiting. (3-31-22)~~

~~01. — **Time.** (3-31-22)~~

~~a. — No bait or bait container may be placed for the purpose of attracting or taking black bear prior to the opening of black bear take season, except bait may be placed one (1) week prior to the opening of bear season in Units 10, 12, 16A, 17, 19, 20, 20A, 26 and 27. (3-31-22)~~

~~b. — All bait, bait containers and materials must be removed and all excavations refilled no later than seven (7) days after the close of each season (spring, fall, or black bear dog training); except bait, bait containers, and materials may remain in Units 10 and 12 between the dog training season and the fall season. (3-31-22)~~

~~02. — **Location.** (3-31-22)~~

~~a. — No bait site may be located within two hundred (200) feet of any water (lake, pond, reservoir, year round year round free flowing spring and year round year round free flowing stream). (3-31-22)~~

~~b. — No bait site may be located within two hundred (200) yards from any maintained trail or any established roadway; except in the Panhandle and Clearwater Regions, no bait site may be located within two hundred (200) feet from any maintained trail or any established roadway. (3-31-22)~~

~~c. — No bait site may be located within one-half (1/2) mile of any designated campground or picnic area, administrative site, or dwelling. (3-31-22)~~

~~03. — **Types.** (3-31-22)~~

~~a. — No person may use any part of a domestic or wild origin game bird, big game animal, upland game animal, game fish, or protected nongame wildlife for bait or scent. (3-31-22)~~

~~b. The skin must be removed from any mammal parts or carcasses used as bait. (3-31-22)~~

~~c. No person may use salt in any form (liquid or solid) for bait. (3-31-22)~~

~~04. Containers. (3-31-22)~~

~~a. No bait may be contained within paper, plastic, glass, metal, wood or other non-biodegradable materials, except that a single, ri metal container with a maximum size of fifty-five (55) gallons may be used if securely attached at the bait site. (3-31-22)~~

~~b. No bait may be contained in any excavated hole greater than four (4) feet in diameter. (3-31-22)~~

~~05. Establishment of Bait Sites. (3-31-22)~~

~~a. Any structures constructed at bait sites using nails, spikes, ropes, screws, or other materials must be removed by the permit holder within seven (7) days after the close of each season (spring, fall, or black bear dog training). (3-31-22)~~

~~b. All bait sites must be visibly marked at the nearest tree or on the bait container using a tag supplied by the Department. (3-31-22)~~

~~101. 199. (RESERVED)~~

~~200. BAITING PERMIT.~~

~~01. Baiting Permit. (3-31-22)~~

~~a. Baiting permits are issued by mail or in person from Department offices beginning March 1 of each year. (3-31-22)~~

~~b. Baiting permits are valid for the calendar year in which they are issued. (3-31-22)~~

~~02. Use of Baiting Permit. (3-31-22)~~

~~a. All persons placing bait must possess a baiting permit issued by the Department. (3-31-22)~~

~~b. Each hunter may possess only one (1) baiting permit each year and may maintain up to three (3) bait sites, except the number of bait sites maintained by outfitters will be that specified by the land management agency in the outfitter's operating plan. (3-31-22)~~

~~c. No person may hunt over an unlawful bait site. (3-31-22)~~

~~d. Guides and clients of outfitters are exempt from possessing a baiting permit, provided they have a copy of the outfitter's permit in their possession while placing bait or hunting over the outfitter's permitted bait site. (3-31-22)~~

~~201. 999. (RESERVED)~~

## 13.01.19 – RULES FOR SELECTING, OPERATING, DISCONTINUING, AND SUSPENDING VENDORS

### 000. LEGAL AUTHORITY.

Sections 36-301 and 36-307, Idaho Code ~~authorize the Commission to adopt rules governing issuance and sale of licenses and authorization and accountability of license vendors.~~ (3-31-22)( )

### 001. TITLE AND SCOPE.

~~The title of this chapter for citation is IDAPA 13.01.19, "Rules for Selecting, Operating, Discontinuing, and Suspending Vendors." These rules~~ This chapter establishes standards for license vendors and related administration. (3-31-22)( )

### 002. -- 099. (RESERVED)

### ~~100.VENDOR CLASSIFICATION.~~

~~The Department classifies vendor applications into the following designations for record keeping, approval, and statistical purposes.~~ (3-31-22)

~~01. Class One. A sporting goods store carrying a complete line of hunting and fishing supplies and other sporting equipment, and open at least five (5) days a week year round except for major holidays.~~ (3-31-22)

~~02. Class Two. A store with a section carrying a complete line of hunting and fishing supplies and other sporting equipment, and open at least five (5) days a week year round except for major holidays.~~ (3-31-22)

~~03. Class Three. A store that specializes in a single aspect of hunting or fishing such as gun, archery or fly fishing shops.~~ (3-31-22)

~~04. Class Four.~~ (3-31-22)

~~a. Strategic. A business or government agency located in an area where the Department has determined there is a need for the public to have licenses available. This may be in areas where there is no or very limited license availability within a twenty five (25) mile radius from established license vendors.~~ (3-31-22)

~~b. Exceptional Service. A business that can provide exceptional license availability in comparison to existing license vendors in the vicinity, such as a business open twenty four (24) hours a day, seven (7) days a week that would not be classified as a class one, two, or three vendor.~~ (3-31-22)

~~05. Class Five. A business not open on a twelve (12) month basis such as a summer fishing resort that would otherwise qualify for any class one through four, which may include an outfitter or guide business with a permanent business location open to the public.~~ (3-31-22)

~~06. Class Six. All other businesses that provide no special or exceptional service to the Department or public.~~ (3-31-22)

### 1040. APPLICATION.

01. Form. Applications will be on a form prescribed by the Department. (3-31-22)

02. Department Review. (3-31-22)

a. Application Review. ~~The Department will evaluate and determine approval or denial of vendor applications quarterly, on or before March 1, June 1, September 1, and December 1. The Department will have thirty (30) calendar days after receipt of all necessary forms to review and investigate the application. The date received plus thirty (30) days will determine into which quarterly evaluation each vendor application will be considered. Applications from the same area will be compared to determine which will best meet vendorship needs in that area. Exceptions may be made by the Department when there are overriding needs for an immediate replacement of a license~~

~~vendor in an area. This will primarily occur where there would be no vendor services available to the public within a twenty-five (25) mile radius.~~ (3-31-22)( )

b. Field Review. After the License Section has received the application form and all other required information from an applicant, they will contact the Regional ~~Conservation Officer~~ Supervisor or a designated regional enforcement officer for a recommendation on the application. The Regional ~~Conservation Officer~~ supervisor or enforcement officer will have ten (10) business days to provide the License Section with a recommendation on the application. (3-31-22)( )

**03. Applicant.** (3-31-22)

a. Application. The Department will only consider license vendorship applications completed in their entirety and accompanied by an original copy of a current credit rating from a recognized credit bureau. The Department will only consider completed applications received by the License section no later than sixty (60) days after the date of the application transmittal letter. The Department may grant an applicant's request to extend this period for up to thirty (30) additional days. Any false or misleading response will void the application. (3-31-22)

b. Approved Application. If the Department approves an application, the applicant will have sixty (60) days from the date of the applicant's approval letter to provide the Department with a signed vendorship contract, and any bond, deposit, or documentation the Department may require. Failure to meet this deadline will void the approval except for extenuating circumstances approved by the Department. (3-31-22)

**1021. SELECTION.**

The following factors will be considered for selecting an applicant to become a license vendor: (3-18-22)

~~01. Low Numbered Vendors. Applicants classified in lower numbered vendor classifications will be given priority over applicants in higher numbered classifications from the same general location.~~ Community Benefit- Applicants must demonstrate a need within the community. The department will consider proximity to other vendors and relevance to hunters and anglers. (3-18-22)( )

~~02. Class Six Applicants. Class six (6) applicants will be approved only when they demonstrate a significant public benefit to have a license vendorship at their location.~~ (3-18-22)( )

~~032. Unsettled Debts.~~ Applicants who have unsettled debts listed with a credit bureau will not be approved. Unsettled debts that are in dispute will not be considered against the applicant. (3-18-22)

~~043. Surety Bond.~~ The Department may require an applicant to provide for each location, a ten-thousand-dollar (\$10,000) surety bond from a corporate surety authorized to do business in the state of Idaho, which guarantees the payment of all state funds collected as a result of licenses issued by the vendor if it appears from the application or other information that an undue risk might otherwise be placed upon the Department in the absence of such bonding. Applicants who otherwise qualify for a vendorship and have been in business less than three (3) years will be required to furnish the Department with a ten-thousand dollar (\$10,000) surety bond in the form and length as determined by the Director. Upon request, at the completion of two (2) years of service, the Department may release the vendor from the bonding requirement based on a review of financial risk. (3-18-22)( )

~~054. Permanence and Accessibility.~~ Applicants who do not have a permanent place of business open and accessible to all segments of the public will not be approved. (3-18-22)

~~065. Number of Existing Vendors in Area.~~ The three (3) closest existing vendors, their hours and days of operation, ~~classification~~, accessibility to the public, and other pertinent information, including their distance to the applicant, will be compared to the applicant. (3-18-22)( )

~~067. Minimum Sales Volume.~~ If the applicant is seeking to replace an existing vendor at the prior vendor's location, the prior vendor's sales volume will be used to estimate the applicant's sales volume. (3-18-22)

~~087. Performance Record.~~ An applicant who was a license vendor or ~~the~~ manager for a vendor within

the past five (5) years will not be approved unless the applicant's performance record was satisfactory. (3-18-22)

**098. Fish and Game Violations.** An application will not be approved if any ~~No owner or store manager (if the applicant is a corporation) may have had a fish and game violation other than an infraction within the past five (5) years. No owner, store manager, or employees that who shall~~ is currently or prospectively be issuing products for the department: may have ~~ve~~ a vendor contract violation that has resulted in or may result in termination or suspension, or r, any fish and game violation other than an infraction within the past three (3) years: No owner, store manager, or employee that shall be issuing products for the department may have, or any F felony conviction within the past five (5) years.  
(3-18-22)(\_\_\_\_\_)

**1032. ACTIVE VENDOR CEILING.**

The number of active vendors, including approved vendor applicants, is limited to four hundred ~~seventy five~~ (47500).  
(3-31-22)

**1043. LICENSING SYSTEM.**

**01. License Issuance.** A vendorship must issue licenses according to statutes, administrative rules, the vendorship contract, the License Vendor Manual, and Department instructions. (3-31-22)

**02. Deposit Schedule.** Amounts collected from the sale and issuance of licenses, along with the Department's share of the license issuance fee for each license will be deposited not less frequently than once every seven (7) calendar days in a bank account ~~prescribed by~~ from which the License Vendor has authorized remittance to the Department for its share of fees. (3-31-22)(\_\_\_\_\_)

**03. Reporting Time Period.** The accounting and reporting time period is a calendar week (Sunday through Saturday). (3-31-22)

**1054. -- 109. (RESERVED)**

**110. OUT-OF-STATE VENDORS.**

~~In general, An~~ An out-of-state location will not be approved to sell licenses ~~, but existing out-of-state vendors unless it is located in close proximity (within fifty (50) miles) to the Idaho border or deemed to have a compelling benefit for the Department may continue to be approved by the Department.~~  
\_\_\_\_\_(3-31-22)(\_\_\_\_\_)

**111. VENDOR LOCATION NOT MOVABLE.**

No vendorship may be relocated to another area (address) without advanced written consent from the Department. (3-31-22)

**112. TYPES OF LICENSES SOLD BY VENDOR.**

The Department will determine what licenses each vendor may issue. \_\_\_\_\_ (3-31-22)

**113. -- 119. (RESERVED)**

**120. CONTRACT AGREEMENT VIOLATIONS.**

**01. Notices of Contract Violations.** The Department will issue notices of contract violations whenever a vendor fails to make deposits, submit reports, ~~or send in voided or canceled licenses on time~~, or issue licenses as instructed.  
(3-31-22)(\_\_\_\_\_)

**02. Intent to Suspend.** Prior to suspending a vendor, a written notice of intent to suspend will be sent to the vendor, except where the Department determines that an emergency or a risk to the public is created by the vendor's conduct or where the vendor has failed to pay for any fund deficiency within the prescribed time, in which

cases the Department may terminate the vendor's agreement immediately. The vendor will have fifteen (15) days ~~in which~~ to submit a written dispute to the Department. (3-31-22)( )

## 121. TERMINATION OR SUSPENSION OF VENDOR.

**01. Grounds.** The Department may terminate or suspend a license vendor on the following grounds: (3-31-22)

**a.** Failure to have sufficient funds for the electronic funds transfer (EFT) to the Department more than once during any twelve- (12) month period. (3-31-22)

**b.** Failure to make good any fund deficiency to the Department within three (3) days of notification. (3-31-22)

**c.** Failure to follow any procedures specified by the Department for selling or reporting sales. (3-31-22)

**d.** Failure to comply with any terms of the contract agreement or failure to maintain the original criteria used in determining vendor eligibility. (3-31-22)

**e.** Fraud or deception in the vendor application. (3-31-22)

**f.** ~~Failure to Negligence in obtaining~~ proof of residence or completion of the application portion of the license, ~~whether intentionally or due to recurring negligence could constitute grounds for suspension of a~~ (3-31-22)( )

**02. Immediate Termination/Suspension.** (3-31-22)

**a.** A vendorship will be terminated immediately upon the following grounds: (3-31-22)

**i.** Notice from the bonding company that the vendor's bond has been canceled. (3-31-22)

~~ii. Inactivity for a year.~~  
(3-31-22)( )

**iii.** Receipt of two (2) suspensions in any three (3) year period. (3-31-22)

~~iv.ii.~~ Sale of the business that is the vendorship. (3-31-22)

~~iv. Felony conviction, or any conviction resulting in the revocation of fishing, hunting, or trapping privileges, by the owner or, store manager, or employee issuing products on behalf of the Department.~~ ( )

**b.** A vendorship will be suspended immediately and may be terminated immediately upon the following grounds: (3-31-22)

**i.** ~~Wildlife Vviolation, other than an infraction, by an owners, store manager, or employee issuing products on behalf of the Department of Fish and Game laws or rules~~ (3-31-22)( )

**ii.** Violation in the issuance of a license or in performance as a vendor. (3-31-22)

**iii.** Alteration of any license. (3-31-22)

**iv.** Three contract violations within any twelve- (12) month period. The vendorship will be suspended for up to one (1) year following such a third violation. (3-31-22)

**03. Terminations – Minimum Sales.** (3-31-22)



a. Incorporated City. ~~When a v~~Vendors located within an incorporated city ~~that~~ fails to ~~sell complete~~ at least ~~three hundred (300) licenses~~ three hundred fifty (350) sales transactions during the first year of operation, or ~~sell complete~~ at least ~~six hundred twenty five (625) licenses~~ seven hundred (700) sales transactions during the second and subsequent years, ~~will be terminated~~ will be at the end of the calendar year. (3-31-22)( )

b. ~~All Other-Unincorporated~~ Areas. ~~All other v~~Vendors located in unincorporated areas ~~who that~~ fail to ~~sell complete~~ at least ~~one hundred twenty five (125) licenses~~ three hundred (300) sales transactions during the first year of operation, or at least ~~two hundred twenty five (225) licenses~~ six hundred (600) transactions during the second and subsequent years, will be terminated at the end of the calendar year. (3-31-22)( )

c. A vendorship not ~~selling the minimum number of licenses~~ completing the minimum number of transactions will not be terminated if the Department determines the service is necessary. (3-31-22)( )

**04. Application After Termination.** An application after termination for reason of inactivity, sale of the business, or nonpayment of license fees will be processed as a new application. The Department will not consider an application for a vendorship terminated for nonpayment of license fees until the applicant makes payment in full of all outstanding fees, including interest charged at the legal rate for judgments. (3-31-22)

**122. -- 129. (RESERVED)**

**130. ISSUING LICENSES AND TAGS.**

**01. Identification.** A vendor will confirm proper identification and proof of residence as defined in IDAPA 13.01.04, ~~"Rules Governing Licensing,"~~ for every individual before issuing a resident license. Nonresident licenses and daily fishing licenses do not require identification. (3-31-22)( )

**02. Social Security Numbers.** A vendor will enter into the licensing system the digits of social security number for any person who purchases a license in accordance, ~~as specified for compliance~~ with Section 73-122, Idaho Code, while protecting that number as confidential information and preventing its use for other purposes or release to any third party. (3-31-22)( )

**131. -- 149. (RESERVED)**

**150. PUBLIC MONIES.**

All monies collected by a vendor are public monies of the state of Idaho and the state has a prior claim upon these monies over all creditors, assignees, or other claimants. (3-31-22)

**151. VOIDED AND CANCELLED LICENSES.**

No correction, alteration, or erasure may be made to an issued license. In case of error to an issued license, the vendor ~~will must~~ cancel ~~and discard~~ the license via the license terminal through the cancel function and immediately discard the license. Vendors may only cancel products in their possession and must immediately discard them. -and return the original voided license and cancellation receipt to the Department at the week's end, to be postmarked on or before the following Wednesday. If the original license is not received when due, the vendor may be charged for the value of the license. — (3-31-22)( )

**152. LOSS OF DOCUMENTS AND FEES.**

A vendor is responsible for all lost documents and blank license stock, regardless of the reason for loss, and will keep all documents and blank license stock in a safe and secure place, preferably in a fireproof box or vault. The vendor will immediately notify the Department of any loss and submit a detailed report of the loss. (3-31-22)

**153. INSPECTION AND AUDIT.**

License records are subject to inspection and audit at all times by an authorized employee or agent of the Department or the State Controller's Office. (3-31-22)

**154. TRANSFER AND SALE OF DOCUMENTS ISSUED TO VENDORS.**

A vendor may only transfer blank license stock to a location not listed on the original application or to another license vendor with advance written permission from the Department. (3-31-22)

**155. RETURN OF EQUIPMENT, LICENSE STOCK, FORMS, AND SUPPLIES.**

A vendor will return any equipment and unused blank license stock, forms, and supplies to the Department immediately upon termination or request by the Department. (3-31-22)

**156. INTERNET SERVICE PROVIDER (ISP).**

Each License Vendor will provide their own Internet Service Provider (ISP), at Vendor's cost, for the computerized license system. The ISP ~~can be dial up or any type of high speed.~~ must provide internet access sufficient enough to process license sales transactions. (3-31-22) ( )

**157. Credit Card Fees**

Vendors may collect a credit card processing fee from customers for products purchased with a credit card equal to the amount of fees charged to the vendor for completing the transaction. Vendors may not collect any other fees in addition to the license and credit card fee. ( )

**157.8. -- 199. (RESERVED)**

**200. CONTRACT TO TAKE LICENSE APPLICATIONS BY TELEPHONE OR OTHER ELECTRONIC METHODS.**

The Department may contract with one (1) or more suppliers to take applications for licenses by telephone or other electronic methods, provided license issuance complies with this chapter and any contract provisions. Any such contract will provide for the deposit of any license fees collected by the supplier to be deposited with the State Treasurer within twenty-four (24) hours of effective receipt of the monies. The Department may, by written contract, allow the supplier may to collect a fee in addition to the license fee, which may be retained by the supplier. ~~This contract between the Department and supplier will establish the fee.~~

(3-31-22)

**201. – 999. (RESERVED)**