

WYOMING GAME AND FISH COMMISSION

CHAPTER 22

WATERCRAFT REGULATION

Section 1. Authority. This regulation is promulgated by authority of W.S. §31-2-101, W.S. §41-13-102, §41-13-104, W.S. §41-13-105, W.S. §41-13-208, W.S. §41-13-211, W.S. §41-13-213, W.S. §41-13-217, W.S. §41-13-218 and W.S. §41-13-219.

Section 2. Regulation. The Wyoming Game and Fish Commission hereby adopts the following regulation governing watercraft. This regulation shall become effective January 1, 2010, and shall remain in effect until modified or repealed by the Commission.

Section 3. Definitions. For the purpose of this regulation, definitions shall be as set forth in Chapter 13, Title 41 and the Commission also adopts the following definitions:

(a) "Accompanied by an adult" means no person under the age of sixteen (16) years shall operate or be in physical control of a motorized watercraft on the waters of the State unless an adult is also physically aboard the motorized watercraft and is responsible for the operation of the watercraft.

(b) "Adult" means a person eighteen (18) years of age or older.

(c) "Aft" means a direction toward the back of a watercraft.

(d) "Beam" means the width of a watercraft at its widest part.

(e) "Bow" means the front of a watercraft.

(f) "Certificate of number" means watercraft registration.

(g) "Degrees of a compass" means the gradations in a compass; there are three hundred sixty (~~360~~)-degrees (360) within a compass.

(h) "Diver's down flag" means a rectangular shaped flag either blue and white in color (alpha flag) or red in color with a white diagonal stripe (diving flag), not less than twelve (12) inches x twelve (12) inches and displayed no less than three (3) feet above the surface of the water.

(i) “Duplicate number or duplicate certificate” means a certificate of number issued by the Department to replace an original certificate of number.

(j) “Enclosed cabin” means a permanent structure with hardened sides, which is intended for human occupation.

(k) “Gunwale” means the upper edge of the side of a watercraft.

(l) “HIN” means a Hull Identification Number that meets the specifications listed in Title 33 of the Code of Federal Regulations.

(m) “Kill switch” means a device for shutting off the engine of a personal watercraft in the event the operator falls off the personal watercraft while it is underway.

(n) “Length of a watercraft” means the length of the hull of a watercraft measured in a straight line from the stem to the stern excluding the deck, bowsprits, bumpkins, rudders, outboard motor brackets and similar fittings or attachments.

(o) “Motorized watercraft” means any watercraft powered by an internal combustion or electric engine.

(p) “Motorized watercraft dealer ” means a person who is engaged in the business of manufacture or sale of motorboats in Wyoming and who is required to be licensed with the Wyoming Department of Revenue to collect and remit sales tax or a person whose motorboat sales business is outside Wyoming, but who demonstrates motorboats in Wyoming.

(q) “No wake” means the speed of a watercraft when underway that does not cause water action ~~which~~that disturbs another watercraft at rest, a dock, or swimmers; and, in no case shall the speed of the watercraft when underway be in excess of five (5) miles per hour.

(r) “Operator” means the person in physical control or in charge of a watercraft while it is in use. When the person in physical control of a watercraft is under the age of sixteen (16) years, the accompanying adult may be considered the operator.

(s) “Personal watercraft” means any inboard motorized watercraft less than sixteen (16) feet in length which has a water-jet pump as its primary source of motor propulsion and ~~which~~that is designed to be operated by a person sitting, standing or kneeling on the watercraft, rather than the conventional manner of sitting or standing inside the watercraft.

(t) "Port" means the left side of a watercraft as one faces forward and is denoted by a red light.

(u) "Proof of ownership for temporary operation" means a notarized bill of sale stating the name of the previous owner of the motorized watercraft, the name of the purchaser of the watercraft, description of the watercraft with correct HIN or a copy of a properly transferred title, a bill of sale with correct HIN from a motorized watercraft dealer, or a copy of a notarized affidavit by the builder of a homemade watercraft ~~which~~that indicates a description of the watercraft and the date construction was completed.

(v) "Rental boat owner" means a person who rents watercraft to the public for a fee.

(w) "Safe carrying capacity" means the capacity shall not exceed the number of persons or the weight limit, whichever is reached first, as stated on the capacity plate affixed to the watercraft.

(x) "Starboard" means the right side of a watercraft as one faces forward and is denoted by a green light.

(y) "Stem" means the line where the port and starboard hulls join together at the bow.

(z) "Stern" means the transom or rear end of a watercraft.

(aa) "Temporary operation" means the operation of a motorized watercraft without a certificate of number during the thirty (30) consecutive days immediately following the date of purchase.

(bb) "Throwable device" means a U.S. Coast Guard approved Type 4 personal flotation device.

(cc) "Underway" means the watercraft is being propelled by mechanized power, ~~by~~ wind, or human effort.

(dd) "Vessel" means every description of watercraft, other than a seaplane on the water, used or capable of being used as a means of transportation on the water.

(ee) "Wake" means the water action caused by a watercraft ~~which~~that is underway that disturbs another watercraft at rest, a dock, or swimmers; and, the speed of the watercraft exceeds five (5) miles per hour.

(ff) "Water sport toy" means a sailboard, float tube, kite board or any aid to swimming or fishing that is not defined as a watercraft.

(gg) "Watercraft" means any contrivance used or designed primarily for navigation on the water that is designed to be propelled by paddles, oars, sails or motors, except devices defined as water sport toys. Amphibious vehicles designed for travel over land and water with propeller or jet propulsion systems shall be considered watercraft for the purpose of this regulation.

(hh) "Wearable personal flotation device" means a U.S. Coast Guard approved Type 1, Type 2, or Type 3 personal flotation device.

Section 4. Motorized Watercraft Registration and Numbers.

(a) All numbers assigned to motorized watercraft in the State shall consist of three (3) parts. The first part, the prefix, shall consist of the letters "WY" signifying the State of registration; the second part shall consist of not more than four (4) Arabic numerals; the third part, the suffix, shall consist of not more than two (2) capital letters, but "I", "O" and "Q" shall not be used because of their similarity to Arabic numerals. The first capital letter in the third part, the suffix, shall indicate the Class of motorboat as A, B, C, or D. Numbers assigned to motorized watercraft dealers shall have the letters "DL" as the suffix. Numbers assigned to rental watercraft shall have the letters "AL," "BL," or "CL" as the suffix.

(b) All numbers shall be displayed on each side of the bow of the motorized watercraft in such a manner that the numbers shall be clearly readable when the motorized watercraft is underway.

(i) Numbers shall be affixed on each side of the exterior bow of the motorized watercraft to read from left to right. The number shall be:

(A) In plain, block vertical, not slanted, letters and numerals of the same proportion;

(B) A minimum of three (3) inches high excluding shading and bordering; and,

(C) A color ~~which~~that shall contrast with the color of the background, i.e., dark numbers on a light background or light numbers on a dark background.

(ii) A hyphen or a space, equal in width to the letter "W" in the prefix, shall separate the three (3) parts of the number. For example: "WY-1234-A" or "WY 1234 A".

(iii) All numbers assigned to motorized watercraft, except those assigned to motorized watercraft dealers, shall be painted on or securely attached to the bow of the motorized watercraft. Motorized watercraft dealers may affix the number for motorized watercraft ~~which~~that are for sale to a removable board(s) to permit transfer of the assigned number upon sale. Display of such number shall be in accordance with this section.

(iv) A motorized watercraft dealer is eligible to receive more than one (1) registration certificate and one (1) motorized watercraft registration number. A motorized watercraft dealer registration number is not assigned to a specific motorized watercraft. Motorized watercraft dealer registration numbers shall not be transferred to another motorized watercraft dealer or motorized watercraft owner.

(c) Upon payment of the motorized watercraft registration fee, each applicant for a motorized watercraft certificate of number shall be issued a registration certificate and two (2) decals upon which shall appear a designation of the year(s) for which the registration fee was paid and the abbreviation WYO. One (1) decal shall be displayed on each side of the motorized watercraft to which the number is assigned aft and directly in line with the assigned number of the motorized watercraft. No other type decal shall be displayed on the front half of the hull. Only the decal ~~which~~that is currently valid shall be displayed.

(d) Transfer of ownership for registration or first time registration of a motorized watercraft shall require a copy or original certificate of title issued in the name of the applicant(s) with the correct HIN.

(i) A watercraft registration shall only be issued in the name of the owner as it appears on the certificate of title.

(e) Persons making application for a watercraft dealer's registration shall provide the Department with a properly completed Streamlined Sales and Use Tax Agreement – Certificate of Exemption form. The form, which can be obtained from the Department of Revenue, indicates the watercraft is being purchased for resale and the purchase is exempt from sales/use tax. The dealer's sales tax license number shall appear on the form.

(f) Duplicate Certificate of Number.

(i) The Department shall not charge a fee for issuance of a duplicate certificate of number when the loss or destruction of the certificate was the fault of the Department. The Department shall charge a fee of five dollars (\$5.00) for issuance of a duplicate certificate of number when the loss or destruction of the original certificate of number was not the fault of the Department.

Section 5. Watercraft Safety Equipment Requirements. Except as provided in this section, it shall be the responsibility of the operator of the watercraft to ensure that all required safety equipment is aboard the watercraft during operation. If the owner of the watercraft is aboard the watercraft during operation, it shall be the responsibility of the owner and not the operator to ensure that all required safety equipment is aboard the watercraft during operation. In the case of rental watercraft, it shall be the responsibility of the rental boat owner to ensure that all required safety equipment is aboard the watercraft at the time the watercraft is rented.

(a) Every watercraft when underway on the waters of the State from sunset to sunrise shall carry and exhibit lights in accordance with the provisions of this section. From sunset to sunrise, no other light ~~which~~that may be mistaken for those listed in this section shall be used.

(i) Every motorized watercraft of classes A and B shall carry the following lights:

(A) A bright white light aft to be visible three hundred sixty degrees (360°) all around the horizon; and,

(B) A combined lantern in the front of the motorized watercraft and lower than the white light aft, showing green to starboard and red to port, so fixed as to show the light from directly ahead to twenty-two and five tenths degrees (22.5°) aft the beam on their respective sides.

(ii) Every motorized watercraft of classes C and D shall carry the following lights:

(A) A bright white light in the front of the motorized watercraft as near the bow at the center axis as practicable, so constructed as to show an unbroken light over an arc of the horizon of two hundred twenty-five degrees (225°), and fixed as to show the light one hundred twelve and five tenths degrees (112.5°) on each side of the motorized watercraft; from directly ahead to twenty-two and five tenths degrees (22.5°) aft the beam on either side;

(B) A bright white light aft to show three hundred sixty degrees (360°) all around the horizon and higher than the white light forward; and,

(C) On the starboard side, a green light constructed to show an unbroken light over an arc of the horizon of one hundred twelve and five tenths (112.5°) degrees, and fixed as to show the light from directly ahead to twenty-two and five tenths degrees (22.5°) aft the beam on the starboard side. On the port side, a red light constructed to show an unbroken light over an arc of the horizon of one hundred twelve

and five tenths degrees (112.5°), and fixed as to show the light from directly ahead to twenty-two and five tenths degrees (22.5°) aft the beam on the port side. Each light shall be fitted with inboard screens of sufficient height set to prevent light from being seen across the bow.

(iii) Every white light referred to in this section shall be visible at a distance of at least two (2) miles and every colored light shall be visible at a distance of one (1) mile.

(iv) Sailboats, when propelled by sail alone, shall exhibit the following lights: On the starboard side, a green light and on the port side a red light to show an unbroken light over an arc of the horizon from directly ahead to twenty-two and five tenths degrees (22.5°) aft the beam. Sailboats shall also carry at the stern a white light to show the light sixty-seven and five tenths degrees (67.5°) from aft on each side of the watercraft. In a small sailboat if it is not possible on account of bad weather or other sufficient causes for the light to be fixed, sailboats shall carry ready at hand a lantern or flashlight to show a white light which that shall be exhibited in sufficient time to avoid collision. Sailboats less than forty (40) feet in length may carry a combined light in lieu of separate side lights.

(v) All hand propelled watercraft operated between sunset and sunrise shall have ready at hand a lantern or flashlight to show a white light which that shall be exhibited in sufficient time to avoid collision.

(vi) All watercraft at anchor or adrift between sunset and sunrise, unless anchored at a designated site such as a marina, shoreline, etc., shall display in the front of the watercraft or where it can best be seen a white light to show all around the horizon and visible for two (2) miles.

(b) Every gasoline engine installed in a motorized watercraft after April 25, 1940, except outboard motors, shall be equipped with an efficient means of backfire flame control. Installations made before November 19, 1952, need not meet the detailed requirements of this subsection and may be continued in use as long as they are in good and serviceable condition. The following are acceptable means of backfire flame control for gasoline engines:

(i) A backfire flame arrester approved by the U.S. Coast Guard. The flame arrester shall be suitably secured to the air intake with flame tight connections;

(ii) An engine air and fuel intake system which that provides adequate protection from propagation of backfire flame to the atmosphere equivalent to that provided by an approved flame arrester. A gasoline engine which that has such an air and fuel intake system and which that is to be operated without a U.S. Coast Guard approved flame arrester shall be labeled to meet requirements of the U.S. Coast Guard; and,

(iii) Any attachment to the carburetor or location of the engine air intake by means of which flames caused by engine backfire shall be dispersed to the atmosphere outside the motorized watercraft in such a way that the flames shall not endanger the motorized watercraft, persons on board, nearby watercraft or structures. All attachments shall be of metal with flame-tight connections and firmly secured to withstand vibration, shock and engine backfire. Such installations do not require formal U.S. Coast Guard approval, but shall be accepted by law enforcement officers on the basis of this subsection.

(c) All motorized watercraft, except open boats, shall have at least two (2) ventilator ducts fitted with cowls or their equivalent for the efficient removal of explosive or flammable gases from the bilges of every engine and fuel tank compartment. There shall be at least one (1) exhaust duct installed so as to extend from the open atmosphere to the lower portion of the bilges and at least one (1) intake duct installed so as to extend to a point at least midway to the bilge or at least below the level of the carburetor air intake. The cowls shall be located and trimmed for maximum effectiveness to prevent displaced fumes from being recirculated. As used in this subsection, the term "open boat" means those motorized watercraft that have all engine and fuel tank compartments and other spaces ~~to~~in which explosive or flammable gases and vapors could form open to the atmosphere so as to prevent the entrapment of such gases and vapors within the motorized watercraft.

(d) Motorized watercraft shall be provided with an efficient sound producing device as set forth in this subsection:

<u>Class of Motorized Watercraft</u>	<u>Type of Device</u>
A & B	Mouth, hand or power operated device capable of producing a blast of two (2) seconds or more duration and audible for at least one-half (1/2) mile.
C	Hand or power operated device capable of producing a blast of two (2) seconds or more duration and audible for at least one (1) mile.
D	Power operated device capable of producing a blast of two (2) seconds or more duration and audible for a distance of at least one (1) mile.

(e) All watercraft shall carry a U.S. Coast Guard approved wearable personal flotation device of a suitable size for each person on board. All U.S. Coast Guard

approved personal flotation devices shall be readily accessible, in good serviceable condition and shall not be waterlogged, torn, or have straps broken or missing.

(i) Watercraft sixteen (16) feet and over in length shall have a minimum of one (1) U.S. Coast Guard approved throwable device (unless otherwise provided by this regulation), ring buoy or buoyant cushion on board the watercraft, in addition to a U.S. Coast Guard approved wearable personal flotation device of a suitable size for each person on board. Watercraft sixteen (16) feet and over in length being utilized in Class II and above whitewater are exempt from having a minimum of one (1) U.S. Coast Guard approved throwable device if the watercraft has a safety throw rope. Class II whitewater means novice straightforward rapids with wide, clear channels ~~which~~that are evident without scouting; occasional maneuvering may be required, but rocks and medium sized waves are easily missed by trained paddlers; swimmers are seldom injured and group assistance, while helpful, is seldom needed; rapids that are at the upper end of this difficulty range are designated "class II".

(ii) Only U.S. Coast Guard approved personal flotation devices or U.S. Coast Guard approved ring buoys shall be carried on watercraft forty (40) feet and over in length.

(iii) All persons aboard personal watercraft and all persons being towed by a watercraft shall wear a U.S. Coast Guard approved wearable personal flotation device of a suitable size while engaged in such activity. All persons utilizing water sport toys are exempt from the requirement of carrying a U.S. Coast Guard approved wearable personal flotation device unless the water sport toy is being towed by a watercraft.

(iv) Requirement For Life Jacket Wear By Children.

(A) No person shall operate a watercraft underway with any child aboard twelve (12) years old or under unless each child is either wearing a U.S. Coast Guard approved personal flotation device (PFD) or is riding in an enclosed cabin.

(f) Operators of motorized watercraft shall display a fluorescent orange flag, at least twelve (12) inches x twelve (12) inches in size, above the motorized watercraft anytime persons towed on water-skis, water sport toys, or other contrivances are down in the water to warn other watercraft operators of the situation. The operator of the motorized watercraft shall ensure the flag is displayed in such a manner that it is visible three hundred sixty degrees (360°) around the motorized watercraft and the person in the water.

(g) Fire extinguishers

(i) Fire extinguishers shall be carried in all watercraft that have one or more of the following conditions that make the watercraft of closed construction:

- (A) Inboard engines;
- (B) Closed compartments under seats wherein portable fuel tanks may be stored;
- (C) Double bottoms not sealed to the hull or which are not completely filled with flotation materials;
- (D) Closed living spaces;
- (E) Closed stowage compartments in which that combustible material are stored; or,
- (F) Permanently installed fuel tanks.

(ii) Fire extinguishers shall be U.S. Coast Guard or Underwriters Laboratory (U.L.) approved. Fire extinguishers are classified by letter and Roman numeral according to the type of fire they shall be expected to extinguish and the size of the extinguisher. The "letter" indicates the type of fire:

- (A) "A" shall be for fires of ordinary combustible materials;
- (B) "B" shall be for gasoline, oil and grease fires; and,
- (C) "C" shall be for electrical fires.

(iii) Fire extinguishers approved for watercraft shall be hand-portable of either B-I or B-II classification.

CLASSIFICATION (type-size)	FOAM (gallons)	CARBON DIOXIDE (pounds)	DRY CHEMICAL (pounds)	HALON (pounds)
B-I	1 1/4	4	2	2 1/2
B-II	2 1/2	15	10	--

(iv) Dry chemical fire extinguishers utilized on watercraft which do not exhibit gauges or devices indicating the amount of pressure in the extinguisher shall be weighed and display a tag which that indicates the extinguisher has been weighed within the immediately preceding twelve (12) months. If the gross weight of a carbon dioxide (CO₂) fire extinguisher is reduced by more than ten percent (10%) of the net weight, the extinguisher does not meet the requirements of this section and shall be recharged.

(v) Fire extinguishers shall be readily accessible aboard the watercraft and in such condition as to be ready for immediate and effective use.

(vi) Requirements for fire extinguishers by length of watercraft are as follows:

(A) Watercraft less than twenty-six (26) feet in length. When no fixed fire extinguishing system is installed in machinery space(s), at least one (1) B-I type approved hand portable fire extinguisher is required. This requirement shall not apply to outboard watercraft less than twenty-six (26) feet in length if the construction of such watercraft shall not permit the entrapment of explosives or flammable gases or vapors. When an approved fixed fire extinguisher system is installed in machinery space(s), one (1) less B-I type extinguisher is required;

(B) Watercraft twenty-six (26) feet to less than forty (40) feet in length. At least two (2) B-I type approved portable fire extinguishers are required or at least one (1) B-II type approved portable fire extinguisher is required. When an approved fixed system is installed, one (1) B-I type is required; and,

(C) Watercraft forty (40) feet to less than sixty-five (65) feet in length. At least three (3) B-I type approved portable fire extinguishers are required; or at least one (1) B-I type plus one (1) B-II type approved portable fire extinguisher are required. When an approved fixed system is installed, two (2) B-I types are required.

Section 6. Boat Races, Regattas and Water Ski Tournaments. No regattas, watercraft races, marine parades, tournaments or exhibitions, or trials thereof, shall be held without prior written authorization from the Department.

(a) Department authorization shall not be granted for any regattas, watercraft races, marine parades, tournaments or exhibitions or trials thereof, without first assuring that:

(i) When the Department authorizes an event, water markers, buoys or regulatory signs shall be placed during the hours of the event by the person granted authority for the event to warn other watercraft operators of a controlled area prohibited from entering by anyone other than contestants of the event. The markers, buoys or regulatory signs shall conform with those adopted for use in the State; and,

(ii) The person granted authority for the regatta, watercraft races, marine parades, tournaments, exhibitions or trials shall satisfy the Department that adequate safeguards and controls exist to protect human life, limb and property.

Section 7. Waterway Marking System.

(a) The Department may restrict and guide watercraft use on waters by placement of such buoys, markers or regulatory signs as it deems necessary. All users of watercraft are required to obey the buoys, markers or regulatory signs. The buoys, markers or regulatory signs signify restricted areas, danger areas and information pertaining to watercraft operation in specific areas. Standard markers used are as follows:

(i) A diamond shape of international orange with white center shall indicate danger. The nature of the danger may be indicated by words or well known abbreviations in black letters inside the diamond shape, or above or below it on white background;

(ii) A diamond shape of international orange with a cross of international orange against a white center without qualifying explanation shall indicate a zone from which all watercraft are excluded;

(iii) A circle of international orange with white center shall indicate a control or restriction. The nature of the control or restriction shall be indicated by words, numerals or well known abbreviations in black letters inside the circle. Additional explanations may be given above or below in black letters;

(iv) A rectangular shape of international orange with white center shall indicate information, other than a danger, control or restriction ~~which~~that may contribute to health, safety or well being. The message shall be presented within the rectangle in black letters;

(v) Letters or numerals used with regulatory markers shall be black in block characters of good proportion and spaced in a manner ~~which~~that shall provide maximum legibility and visibility; and,

(vi) No buoys, markers or regulatory signs shall be placed upon the waters of the State without prior approval of the Department, except that divers or persons snorkeling shall place a diver's down flag(s) upon the water in the immediate area of their activity.

(A) Two (2) different flags are used to indicate the presence of a person engaged in diving in the immediate area. The official flag, Alpha, which is blue and white is internationally recognized for all diving operations. The second flag is the red flag with a white diagonal stripe. No person shall operate or permit the operation of any motorized watercraft on the waters of this State within one hundred (100) feet of a "diver down" flag(s) that has been displayed to indicate the presence of a person diving or snorkeling. The diver's down flag(s) shall be displayed only when diving or snorkeling is in progress, and shall be displayed so as not to impede normal watercraft traffic. "Diver down" flag(s) shall not be placed in areas already occupied by other watercraft.

(b) No person shall alter, damage, deface, destroy, move, remove, tie off to, or otherwise modify any Department approved buoy, marker or regulatory sign.

Section 8. Personal Watercraft.

(a) No person operating a personal watercraft shall cross or jump the wake of another watercraft within one hundred (100) feet of the watercraft creating the wake.

(b) No person shall operate a personal watercraft unless the watercraft is equipped with a "kill switch" installed by the manufacturer. When a personal watercraft is underway, the kill switch shall be attached via a lanyard to the operator of the personal watercraft in such a manner that in the event the operator is ejected from the personal watercraft the engine shall stop.

(c) Personal watercraft are prohibited on certain waters (refer to Section 9(b) of this regulation).

Section 9. Waters On Which The Operation of Watercraft Is Restricted or Prohibited.

(a) No person shall operate a motorized watercraft at a speed ~~which~~that causes a wake within one-hundred (100) feet of a drifting, trolling or anchored watercraft or person(s) in the water.

(b) The use of personal watercraft is prohibited on the following waters throughout the calendar year:

All waters in Grand Teton National Park in Teton County;
Green River Lakes in Sublette County;
New Fork Lakes in Sublette County; and,
Soda Lake on Soda Lake Wildlife Habitat Management Area in Sublette County.

(c) The use of motorized watercraft is prohibited on the following waters throughout the calendar year except as otherwise provided. Emergency, search and rescue, enforcement and Game and Fish Department administrative watercraft are exempt.

All waters in Grand Teton National Park, excluding Jackson and Jenny lakes, in Teton County;

~~Bearpaw Lake in Grand Teton National Park in Teton County;~~

~~Bradley Lake in Grand Teton National Park in Teton County;~~

~~Emma Matilda Lake in Grand Teton National Park in Teton County;~~

Kemmerer City Reservoir in Lincoln County;

~~Leigh Lake in Grand Teton National Park in Teton County;~~

North Platte River upstream from the Saratoga Inn bridge in the town of Saratoga to the Colorado State line in Carbon County (~~the~~ owners or agricultural lessees of property immediately adjacent to the North Platte River, or their agents, may utilize motorized watercraft to carry out agricultural practices.);

South Worland Pond (also known as Golf Course Pond) in Washakie County;

~~String Lake in Grand Teton National Park in Teton County;~~

~~Taggart Lake in Grand Teton National Park in Teton County;~~
~~Two Ocean Lake in Grand Teton National Park in Teton County;~~ and,
West Ten Sleep Lake in Big Horn County.

(d) The use of internal combustion engines in motorized watercraft is prohibited on the following waters throughout the calendar year except as otherwise provided. Emergency, search and rescue, enforcement and Game and Fish Department administrative watercraft are exempt.

A&M Reservoir in Sweetwater County;
Absaraka Lake in Laramie County;
Beck Lake Recreation Area including Beck Lake, New Cody Reservoir and
Markham Reservoir in Park County;
Black Hills Power and Light Osage Pond in Weston County;
Bryan Stock Trail Pond in Natrona County;
Burlington Reservoir in Natrona County;
Cook Lake in Crook County;
Dollar Lake in Sublette County;
Edness Kimball Wilkins State Park including all ponds within the Park in Natrona
County;
Festo Lake in Platte County;
Fiddlers Lake in Fremont County;
Fish Lake in Fremont County;
Gillette Fishing Lake in Campbell County;
Johnson Creek Reservoir in Albany County;
Kleenburn Ponds in Sheridan County;
Lake Alice in Lincoln County;
Leazenby Lake in Albany County;
Lake of the Woods in Fremont County;
Little Soda Lake in Sublette County;
Lower North Crow Reservoir (North Crow Diversion Reservoir) in Laramie
County;
Lucky Pond (Chittim Reservoir) in Fremont County;
Medicine Bow National Forest including all lakes within the boundaries of
Medicine Bow National Forest, except Sand Lake, Turpin Reservoir, Lake Owen, Rob
Roy Reservoir and Hog Park Reservoir, in Carbon and Albany ~~C~~counties;
Middle Piney Lake in Sublette County;
Murphy Lake in Lincoln County;
Naughton Plant Pond in Lincoln County;
North Piney Lake in Sublette County;
Pelham Lake in Fremont County;
Rawlins City Reservoir in Carbon County;
Sand Mesa Reservoirs No. 1 and 2 in Fremont County;
Sibley Lake in Sheridan County;

Snake River from West Table boat ramp to Sheep Gulch boat ramp in Lincoln County;

Soda Lake, on Soda Lake Wildlife Habitat Management Area, in Sublette County shall be closed from May 10 through May 31 to the use of internal combustion motorized watercraft;

South Springer Reservoir in Goshen County;

Swamp Lake in Park County;

Tie Hack Reservoir in Johnson County;

Upper and Lower Jade Lakes in Fremont County;

Upper North Crow Reservoir in Laramie and Albany ~~C~~counties;

Western Nuclear Pond in Fremont County; and,

Wind River Lake in Fremont County.

(e) The use of any type watercraft is prohibited on the following waters throughout the calendar year, except as otherwise provided. Emergency, search and rescue, enforcement and Game and Fish Department administrative watercraft are exempt from this subsection.

Grayrocks Reservoir to include only that area between the regulatory buoys and the spillway in Platte County;

Hawk Springs Reservoir in Goshen County from December 1 – February 15;

Jim Bridger Pond to include only that area inside the pumphouse booms in Sweetwater County;

North Platte River to include that area between the Dave Johnston Power Plant Public Access Area and the Dave Johnston Power Plant in Converse County;

North Platte River to include only that area between Glendo Dam and Glendo Powerplant in Platte County;

Ranchester City Reservoir in Sheridan County; and,

Wheatland Reservoir No. 3 Canal from the headgate in Reservoir No. 2 to the mouth in Reservoir No. 3 in Albany County.

(f) The use of motorized watercraft powered by a motor in excess of fifteen (15) horsepower is prohibited on the following waters throughout the calendar year, except as otherwise provided. Emergency, search and rescue, enforcement and Game and Fish Department administrative watercraft are exempt from this subsection.

Crystal Reservoir in Laramie County;

Deaver Reservoir in Park County;

Harrington Reservoir in Big Horn County.

Healy Reservoir in Johnson County;

Jim Bridger Pond in Sweetwater County;

Lily Lake in Park County;

Muddy Guard Reservoirs in Johnson County;

Newton Lakes Recreational Area including East and West Newton Lakes in Park County;

Packers Lake in Goshen County;

Park Reservoir in Johnson and Sheridan ~~C~~counties;

Renner Reservoir in Washakie County;

Sloans Lake in Laramie County; **and**

Turpin Reservoir in Carbon County; ~~and,~~

(g) The use of motorized watercraft powered by a motor in excess of ten (10) horsepower is prohibited on the following waters throughout the calendar year, except as otherwise provided. Emergency, search and rescue, enforcement, Game and Fish Department administrative watercraft and other watercraft authorized by Grand Teton National Park are exempt from this subsection.

Jenny Lake in Grand Teton National Park in Teton County.

Section 10. Enforcement.

(a) The Wyoming Game and Fish Commission hereby authorizes any peace officer of the State or any of its political subdivisions to enforce the provisions of Title 41 and this regulation.

Section 11.— Violation of Commission Regulations. Failure to abide by the provisions of this regulation shall be punishable as provided by Wyoming statutes for violation of Commission regulations.

Section 12.— Savings Clause. If any provision of this regulation is held to be illegal or unconstitutional, such a ruling shall not affect other provisions of this regulation which can be given effect without the illegal or unconstitutional provision; and, to this end, the provisions of the regulation are severable.

. WYOMING GAME AND FISH COMMISSION

By:

Fred Lindzey, ~~Clifford Kirk~~, President

Dated: **July 7, 2011** ~~August 6, 2009~~

DRAFT 06/16/2011

WYOMING GAME AND FISH COMMISSION

CHAPTER 25

FALCONRY REGULATION

Section 1. Authority. This regulation is promulgated by authority of W.S. §23-1-302, §23-2-101 and §23-2-105.

Section 2. Regulation. The Wyoming Game and Fish Commission hereby adopts the following regulation. This regulation shall remain in effect until modified or repealed by the Commission.

Section 3. Definitions. For the purpose of this regulation, definitions shall be as set forth in Title 23, Wyoming Statutes, and the Commission adopts the following definitions:

(a) "Abatement Activities" means the use of trained raptors to flush, haze or take birds or other wildlife where allowed to mitigate depredation problems, including threats to human health and safety.

(b) "Adult Golden Eagle" means a golden eagle without any immature or sub-adult feathers in either the wings or the tail.

(c) "Aerie" means the nest of any raptor.

(d) "Captive-bred" means raptors, including eggs, hatched in captivity from parents that mated or otherwise transferred gametes in captivity.

(e) "CFR" means the Code of Federal Regulations.

(f) "Department" means the Wyoming Game and Fish Department whose mailing address is: 5400 Bishop Boulevard, Cheyenne, WY 82006, or 3030 Energy Lane, Casper, WY 82604.

(g) "Eyas Raptor" means a young raptor not yet capable of flight.

(h) "Falconry" means taking wild quarry by means of a trained raptor. Falconry includes the taking of raptors from the wild to use in falconry and caring for, training, and possessing raptors held for falconry.

(i) "Falconry Permit" means a permit to possess, transport, sell, purchase, barter, or offer to sell, purchase or barter raptors for falconry purposes.

(j) "General Raptor Capture License" means a license to capture one (1) raptor, except peregrine falcons (*Falco peregrinus*), from the wild in accordance with this regulation.

(k) "Hacking" means the temporary release to the wild of a raptor held for falconry for conditioning or for the preparation of permanent release of a raptor to the wild.

(l) "Hybrid" means offspring produced by crossing species.

(m) "Imping" means to graft new feathers to existing feather shafts on a raptor's wing(s) or tail to repair damage or to increase flying capacity.

(n) "Imprint" means a raptor that is hand-raised from two weeks of age until it is fully feathered and has identified itself with humans rather than its own species. An imprinted raptor is considered to be so for its entire lifetime.

(o) "License to Hunt with Falcon" means a license to take game birds and small game animals with raptors.

(p) "Limited Quota Raptor Capture License" means a license to capture one (1) peregrine falcon (*Falco peregrinus*) from the wild.

(q) "Livestock Depredation Area" means a specific geographic location in which depredation by golden eagles has been recognized. The boundaries and duration of a livestock depredation area are declared by the United States Department of Agriculture (U.S.D.A.) Wildlife Services or by the governor.

(r) "Permittee" means a person who has been issued a valid Wyoming falconry permit or a falconry permit from another state, tribe, or territory that complies with federal falconry standards.

(s) "Raptor" means any bird of the Order Accipitriformes, Falconiformes or Strigiformes listed in 50 CFR 10.13 to be used in falconry.

(t) "Service" means the U.S. Fish and Wildlife Service.

(u) "Wild Raptor" means a non-captive bred raptor taken from its natural environment.

Section 4. Falconry Permit. Persons desiring to take transport, receive or possess any raptor(s) shall make written application for a falconry permit to the Department in accordance with the following provisions:

(a) An application for a falconry permit shall include proof of successful completion of a falconry examination administered by the Department or proof of a previously held falconry permit for the class applied for.

(b) Falconry Permit Conditions.

(i) A Wyoming falconry permit or a falconry permit from another state, tribe, or territory meeting federal falconry standards shall be required before any person may take, possess or transport any raptor for falconry purposes or practice falconry in Wyoming. A falconry permit expires five (5) years from the date of issuance or renewal unless otherwise restricted or revoked in writing by the Department or suspended by court action. The Department may revoke any falconry permit for failure to comply with any condition of the permit or this regulation. A permittee dissatisfied with the Department's decision to revoke a permit may request a hearing before the Wyoming Game and Fish Commission. A request for hearing shall be made in writing to the Chief of the Wildlife Division within ten (10) business days after receipt of the notice from the Department revoking the permit. The hearing shall be conducted in accordance with commission Regulation Chapter 27, Rules of Practice Governing Contested Cases before the Wyoming Game and Fish Commission.

(A) If a falconry permit has lapsed for less than five (5) years, it may be reinstated at the previous class the permittee held if proof of falconry certification for that class is furnished

to the Department.

(B) If a falconry permit has lapsed for five (5) years or more, it may be reinstated at the previous class the permittee held if proof of certification at that class is furnished to the Department and the permittee correctly answers at least eighty percent (80%) of the questions on a supervised falconry examination administered by the Department. The permittee's facilities shall pass inspection by the Department prior to possessing any raptor(s).

(C) In cases where a permit has been revoked or suspended by the Department for failing to comply with conditions of the permit or this regulation, the Department shall reissue a permit after the applicant has provided satisfactory documentation that the conditions which resulted in the revocation or suspension have been corrected and the revocation/suspension period has ended.

(ii) No permittee may take, purchase, receive or otherwise acquire, sell, barter, transfer or otherwise dispose of any raptor unless such permittee enters the required information, including band number or microchip information, in the electronic database at <http://permits.fws.gov/186A> or by submitting Service Form 3-186A to the Department within ten (10) calendar days of any such transaction.

(iii) Permittee(s) shall be in immediate possession of their falconry permit(s) or legible copies of their falconry permit(s), if not at the location of their falconry facilities while trapping, transporting, working with, or flying falconry raptor(s).

(iv) Applicants who have experience in falconry and are visiting the United States or are a new resident in the United States shall qualify for a falconry permit appropriate for their experience. To demonstrate knowledge of U.S. falconry laws and regulations, applicants must correctly answer at least eighty percent (80%) of the questions on the supervised examination for falconers administered by the Department. The Department shall determine which class of falconry permit the applicant is qualified for, consistent with the class requirements in Section 4. To do so, the Department shall base its decision on the applicant's documentation of his experience. The applicant's falconry facilities shall meet the standards in Section 5(a) before keeping any raptors for falconry.

(A) A visitor may use any raptor for falconry that he possesses legally in his country of residence for that purpose, provided import of that species to the United States is not prohibited and provided he has met all permitting requirements of his country of residence.

(B) If a raptor brought into the United States dies or is lost while in Wyoming, the visitor shall report the loss to the Department before leaving Wyoming.

(C) When flown free, any raptor brought to this country temporarily shall have two (2) attached radio transmitters that will allow the falconer to locate it.

(v) A permittee shall notify the Department within thirty (30) days of moving outside of the state of Wyoming with raptors in possession.

(vi) A falconer permitted in another state or jurisdiction who moves to Wyoming with raptors in possession shall notify the Department within thirty (30) days.

Section 5. Classes of Permits to Practice Falconry. The Department shall issue three (3) classes of falconry permits: Apprentice, General, and Master, based upon their experience in falconry as follows:

(a) Apprentice Falconer Permit Requirements and Provisions.

(i) Shall be at least twelve (12) years of age and if less than eighteen (18) years of age, shall have a parent or legal guardian who is legally responsible for the apprentice's activities, sign the permittee's application.

(ii) Shall correctly answer at least eighty percent (80%) of the questions on a supervised falconry examination administered by the Department.

(iii) Shall submit a letter from a Master Falconer or a General Falconer with a valid state, tribal, or territorial falconry permit who is at least eighteen (18) years old and has at least two (2) years experience as a General Falconer or equivalent, stating that he shall assist the permittee as necessary, in: learning about husbandry and training of raptors held for falconry; relevant wildlife laws and regulations; and deciding what species of raptor is appropriate for the permittee to possess while an Apprentice.

(iv) Shall possess no more than one (1) raptor for use in falconry in accordance with 50 CFR 21.29 including wild, captive-bred, or hybrid raptors.

(v) May take any wild raptor less than one (1) year old, except an eyas.

(vi) Shall not possess a raptor taken from the wild as an eyas.

(vii) Shall not possess an imprinted raptor.

(b) General Falconer Permit Requirements and Provisions.

(i) Shall be at least sixteen (16) years of age and if less than eighteen (18) years of age, shall have a parent or legal guardian who is legally responsible for their activities, sign the permittee's application.

(ii) Shall submit documentation to the Department from a General Falconer or Master Falconer stating that the permittee has practiced falconry at the Apprentice Falconer class or equivalent for at least two (2) years, including maintaining, training, flying and hunting the raptor(s) for at least four (4) months in each year.

(iii) Shall have practiced falconry at the apprentice class with his own raptor for at least two (2) years.

(iv) May take and possess any wild, captive-bred or hybrid raptor, except a golden eagle (*Aquila chrysaetos*), bald eagle (*Haliaeetus leucephalus*), white-tailed eagle (*Haliaeetus albicilla*) or Steller's sea-eagle (*Haliaeetus pelagicus*).

(v) Shall possess no more than three (3) raptors.

(vi) Shall not sponsor more than two (2) Apprentice Falconers at one time.

(c) Master Falconer Permit Requirements and Provisions.

(i) Shall have practiced falconry at the General Falconer class with his own raptor(s) for at least five (5) years and submit documentation attesting to such experience.

(ii) May take and possess any wild, captive-bred, or hybrid raptor, except a bald eagle. Shall only take and possess a golden eagle, white-tailed eagle or Steller's sea eagle by meeting the qualifications as set forth in subsection (c)(iv) of this section.

(iii) Shall possess no more than five (5) wild raptors.

(iv) May take and possess up to three (3) eagles of the following species: golden eagle, white-tailed eagle or Steller's sea eagle. In order for the Department to approve a request to possess an eagle for use in falconry, the permittee shall provide the following documentation to the Department:

(A) The permittee's experience in handling large raptors, including information about species handled and the type and duration of the activity in which the experience was gained.

(B) At least two (2) letters of reference from people with experience handling or flying large raptors such as eagles, ferruginous hawks (*Buteo regalis*), northern goshawks (*Accipiter gentilis*) or great horned owls (*Bubo virginianus*). Each letter must contain a concise history of the author's experience with large raptors, which can include, but is not limited to, handling of raptors held by zoos, rehabilitating large raptors or scientific studies involving large raptors. Each letter must also assess the permittee's ability to care for eagles and fly them in falconry.

(v) May possess any number of captive-bred raptors as long as they have been trained in the pursuit of wild game or used in hunting.

Section 6. Falconry Examination.

(a) The examination administered by the Department shall cover care and handling of raptors, federal and state laws and regulations relevant to falconry and other appropriate subject matter.

(b) Any applicant failing to correctly answer at least eighty percent (80%) of the questions on the examination shall be allowed to retake the examination at thirty (30) day intervals.

Section 7. Facilities, Care, and Equipment Requirements. No person may possess a raptor without first providing adequate facilities and equipment to humanely house and care for the raptor under the following provisions:

(a) All raptors held under a falconry permit shall be kept in humane and healthy conditions.

(i) Raptor facilities shall protect raptors from the environment, excessive disturbance, predators, domestic animals and other raptors. The permittee is responsible for the maintenance and security of raptors in his possession.

(A) Raptors may be housed together untethered if they are compatible with each other.

(ii) Raptor facilities shall be inspected and approved by the Department before a permittee may obtain a raptor to use in falconry. The Department shall certify that a permittee's facilities and equipment meet the following standards:

(A) The facility shall have a suitable perch for each raptor, at least one opening for sunlight, and shall provide a healthy environment for raptors inside.

(B) Each raptor shall have an area large enough to allow it to fly if it is untethered, or if tethered, to fully extend its wings or bate (attempt to fly while tethered) without damaging its feathers or contacting other raptors.

(C) Each raptor shall have access to a pan of clean water available unless weather conditions, the perch type or some other factor makes it unsafe for the raptor.

(D) The facility shall be large enough to allow easy access for the care and feeding of raptors.

(E) If raptors are not tethered, all walls that are not solid must be covered in such a manner as to protect the bird from striking or injuring itself against them. Suitable materials may include vertical bars spaced narrower than the width of the body of the smallest raptor housed in the enclosure or heavy-duty netting.

(F) Other innovative housing systems may be acceptable if they provide the enclosed raptors with protection and maintain healthy feathers.

(iii) A permittee may keep raptors outside in the open if they are under constant watch by a designated individual.

(iv) A permittee shall inform the Department within five (5) business days after a permanent change in location of their facilities.

(b) A permittee's falconry facilities may be located on property owned by another individual.

(i) A permittee shall submit to the Department a signed and dated statement showing that the property owner agrees that the falconry facilities, equipment, and raptors may be inspected without advance notice by Department personnel during reasonable hours on any day of the week. Permittees shall be present during inspections.

(c) A permittee shall have jesses or the materials and equipment to make them, leash and swivel, bath container, and appropriate scales or balances for weighing raptor(s) possessed.

(d) When transporting the raptor or using it for hunting, the permittee shall ensure that the raptor has a suitable perch and is protected from the environment and excessive disturbance.

(e) Permittees may house raptors, when not transporting or hunting, in temporary facilities for no more than one-hundred twenty (120) consecutive calendar days provided the raptor has a suitable perch and is protected from the environment, excessive disturbance, predators, domestic animals, and each other. Temporary facilities utilized in excess of one-hundred twenty (120) days shall be deemed permanent facilities and shall meet the requirements set forth in Section 7 (a).

(f) Another falconry permittee may care for a raptor(s) at the original permittee's facilities or at their own facilities for no more than one-hundred twenty (120) consecutive calendar days. The permittee providing such care must have a signed and dated statement authorizing the temporary possession, plus a copy of Service Form 3-186A that shows the original permittee is the owner of the raptor(s). The statement must include information about the time period for which he will keep the raptor(s) and what he is allowed to do with the raptor(s).

(i) The raptor(s) will remain on the original permittee's falconry permit and will not be counted against the possession limit of the person caring for the raptor(s).

(ii) If the person caring for the raptor(s) holds the appropriate class falconry permit, he may fly the raptor(s) in whatever way authorized by the owner.

(iii) Temporary care of another permittee's raptor(s) may be extended indefinitely in extenuating circumstances such as illness, military service, or for a family emergency. The Department shall consider such instances on a case-by-case basis.

(g) A person who does not have a falconry permit may care for falconry raptor(s) at the permittee's facilities for no more than forty-five (45) consecutive calendar days.

(i) The raptor(s) shall remain on the permittee's falconry permit.

(ii) The raptor(s) shall remain in the permittee's facilities.

(iii) Temporary care of raptors may be extended indefinitely in extenuating circumstances, such as illness, military service, or for a family emergency. The Department shall consider such instances on a case-by-case basis.

(iv) The person(s) caring for the raptor(s) shall not fly them for any reason.

(h) Permittees may keep raptor(s) inside their residence. Facilities shall meet the standards in Section 7(a) except that permittees are not required to modify windows or other openings of the structure. Raptors kept in the home shall be tethered when they are not being moved into or out of the residence.

(i) Raptor(s), facilities, equipment and records may be inspected in the presence of the permittee during reasonable hours on any day of the week by Department Law Enforcement personnel.

Section 8. Raptor Capture Licenses. Any person with a valid falconry permit desiring to take raptors from the wild shall make written application for a general or limited quota raptor capture license from the Department in accordance with the following provisions:

(a) A permittee shall not receive more than two (2) general raptor capture licenses or one (1) general raptor capture license and one (1) limited quota raptor capture license in any calendar year. No person shall receive more than one (1) limited quota raptor capture license in any calendar year.

(b) For a general raptor capture license, an applicant shall submit a separate application and fee for each license applied for. The general raptor license capture area shall be the entire State of Wyoming. In accordance with the conditions contained in this Chapter, any species of raptor, except peregrine falcons (*Falco peregrinus*), may be taken from the wild under the authority of a general raptor capture license. Golden eagles shall only be taken in accordance with subsection (k)(iii) of this section.

(c) For a limited quota raptor capture license, a completed application and proper fee shall be submitted for limited quota raptor capture licenses for peregrine falcons (*Falco peregrinus*) to Headquarters not later than March 1 during the calendar year in which the licensee intends to take a peregrine falcon. If the deadline date occurs on a day when Headquarters has been closed to mail delivery or for license sales (weekends, holidays, etc.), applications received on the next business day by 5:00 pm mountain standard time shall be accepted as meeting the application deadline. The Department may issue a maximum of five

(5) limited quota raptor capture licenses to capture peregrine falcons annually by drawing. In the drawing, four (4) licenses shall be reserved for residents and one (1) license shall be reserved for a nonresident. To establish the number of leftover licenses, the Department may continue to alternately draw from the list of unsuccessful applicants of each the resident and nonresident drawing against the established quota, until there are no unissued licenses for which there are applications. In the event there are more limited quota licenses available than applications received, the licenses shall be issued on a first come, first served basis beginning March 15 at 8:00am. The capture area shall be the entire state of Wyoming, except the lands within the Middle Fork of the Popo Agie River, Baldwin Creek or Sawmill Creek drainages in Fremont County are closed.

(d) Any wild raptor captured in the field shall be counted as one of the raptors the permittee is allowed to take from the wild that calendar year, unless the raptor is immediately released at the capture site.

(e) A permittee may not intentionally capture a raptor species that their classification as a falconer does not allow them to possess for falconry. If a permittee captures a raptor they are not allowed to possess, it shall be released immediately.

(f) A Master Falconer authorized by the Department shall take no more than two (2) golden eagles in any year from the wild and only in a livestock or wildlife depredation area during the time the depredation area is in effect. A livestock depredation area is declared by U.S.D.A. Wildlife Services and permitted under 50 CFR 22.23, or upon the request of the governor and authorized by the Service Director pursuant to 50 CFR 22.31 and 50 CFR 22.32.

(g) All traps used for capturing raptors for falconry purposes shall be legibly marked or tagged with the permittee's name and address or current raptor capture license number. All raptor capture devices and setups shall be checked at least once per day while in use, except that all devices and setups used for capturing golden eagles shall be checked every thirty (30) minutes while in use.

(h) A permittee may take no more than two (2) raptors from the wild in any calendar year to use in falconry.

(i) If a permittee transfers a raptor taken from the wild to another permittee in the same year in which he captured it, the raptor shall count as one of the raptors the permittee is allowed to take from the wild that year; it will not count as a capture by the recipient.

(i) General or Master Falconers may remove eyas raptors from a nest or aerie.

(j) At the first opportunity to do so, but no later than ten (10) days after the capture of a wild raptor, the permittee must report the capture by entering the required information, including band number and/or microchip information, in the electronic database at <http://permits.fws.gov/186A> or by submitting Service Form 3-186A to the Department. The permittee shall include the legal description to include 1/4 Sec.; Sec.; Twn.; Rng. or UTM coordinates using map datum NAD 83; of the nest site or location of capture.

(k) Other restrictions on taking raptors from the wild for falconry.

(i) An Apprentice Falconer may take any raptor less than one (1) year old from the wild at any time of the year, except eyas raptors and the following: any species listed as a national Species of Conservation Concern in the most recent list of "Birds of Conservation Concern" from the Service, a bald eagle, a white-tailed eagle, a Steller's sea-eagle, a golden eagle, or a federally listed threatened or endangered species.

(ii) General or Master Falconers may only take raptors less than one (1) year of age from the wild, except American kestrels and great horned owls of any age may be taken from the wild.

(iii) Master Falconers authorized to possess golden eagles for use in falconry may capture an immature or subadult golden eagle in a livestock depredation area during the time the depredation area and associated depredation permit or depredation control order are in effect.

(A) A permittee may take an eyas golden eagle from its nest in a livestock depredation area if a biologist representing the agency responsible for declaring the depredation area has determined that the adult golden eagle is preying on livestock.

(B) A permittee may take a nesting adult golden eagle only if a biologist representing the agency responsible for declaring the depredation area has determined that the adult golden eagle is preying on livestock and that any eyas of the adult will be taken by a falconer authorized to possess it or by the biologist and transferred to an individual authorized to possess it.

(C) A permittee shall determine the locations of the livestock depredation areas declared by U.S.D.A. Wildlife Services, or published in the Federal Register by the Service in response to the governor's request.

(D) Before a permittee begins any eagle trapping activities, he shall inform the Regional U.S. Fish and Wildlife Service Law Enforcement office responsible for the area of the permittee's capture plans. The permittee shall notify the office in person, in writing, or via facsimile or email at least three (3) business days before the permittee begins trapping.

(E) A government employee who has trapped a golden eagle under federal, state, or tribal permit authority may transfer the bird to a permittee authorized to possess golden eagles for use in falconry.

(F) All devices and setups used for capturing golden eagles shall be checked every thirty (30) minutes while in use.

(iv) The permittee may recapture a lost raptor at any time. Recapture of a wild raptor is not considered to be taking a raptor from the wild.

(v) The permittee may capture a lost raptor wearing falconry equipment or a captive-bred raptor at any time, even if he is not allowed to possess the species. The raptor will not count against his possession limit, nor will the take from the wild count against his limit. The permittee must report the recapture of the raptor to the Department no more than five (5) working days after the capture. The raptor must be returned to the person who lost it, if that person may legally possess it. Disposition of a raptor whose legal ownership cannot be determined will be at the discretion of the Department.

(vi) A permittee may take any raptor that he is authorized to possess from the wild, even if the raptor is banded with a federal Bird Banding Laboratory aluminum band, except that banded peregrine falcons shall not be taken from the wild.

(A) If a captured raptor, including a peregrine falcon, is marked with a seamless metal band, a transmitter, or any other item identifying it as a falconry raptor, the raptor shall be reported to the Department no more than five (5) business days after the capture. A recaptured falconry raptor shall be returned to the permittee who lost it. If the permittee does not desire to possess the raptor, the permittee capturing the raptor may keep the raptor. Otherwise, disposition of a raptor whose legal ownership cannot be determined shall be at the discretion of the Department. While a permittee keeps a

raptor for return to the person who lost the raptor, the raptor shall not count against his possession limit or his limit on take of raptors from the wild if he reported possessing the raptor to the Department.

(B) If a permittee captures a peregrine falcon that has a research band, such as a colored band with alphanumeric codes, or a research marking attached to the peregrine falcon, the peregrine falcon must be immediately released, except that if the peregrine falcon has a transmitter attached to it, the permittee is authorized to possess the peregrine falcon up to thirty (30) days if he wishes to contact the researcher to determine if the researcher wishes to replace the transmitter or its batteries. If the researcher wishes to do so, or to have the transmitter removed, the researcher or his designee can make the change or allow the permittee to do so before releasing it. If the researcher does not wish to keep the transmitter on the falcon, the permittee may keep the falcon if he captured the falcon in circumstances in which capture of wild peregrines is allowed.

(C) If a captured raptor has any other band, research marking, or transmitter attached to it, the permittee must promptly report the band numbers and all other relevant information to the federal Bird Banding Laboratory at 1-800-327-2263. The permittee shall contact the researcher and determine if he wishes to replace a transmitter attached to the raptor. If so, the permittee is authorized to possess the raptor up to thirty (30) days until the researcher, his designee, or the permittee can replace the transmitter. Disposition of the raptor will be at the discretion of the researcher and the Department. If the permittee possesses such a raptor temporarily, it will not count against his possession limit for falconry raptors.

(vii) At least one (1) young raptor shall be left in any nest or aerie from which a permittee takes an eyas raptor.

(viii) General or Master Falconers may take no more than one (1) raptor of a threatened species from the wild each year if the regulations in 50 CFR 21.29 allow it and if the falconer obtains a federal endangered species permit to do so before taking the raptor.

(l) A permittee shall not take a raptor recently removed from the federal List of Endangered and Threatened Wildlife to use in falconry unless a management plan allowing for take of that species has been published. If take is allowed in the management plan, a permittee may do so in accordance with the provisions for take in the plan.

(m) Raptors injured due to falconer trapping efforts. Permittees have two (2) options for dealing with a raptor injured by their trapping efforts. In either case, the permittee is responsible for the costs of care and rehabilitation of the raptor.

(n) If a permittee is present at a capture site, another permittee may capture the raptor for him and immediately give possession of the raptor to him. The permittee taking possession of the raptor shall be required to file Service Form 3-186A and shall have the raptor count against their own possession limit.

(i) A permittee may put the raptor on his falconry permit. He shall report the take by entering the required information in the electronic database at <http://permits.fws.gov/186A> or by submitting Service Form 3-186A to the Department at the first opportunity to do so, but no more than ten (10) days after capture of the raptor. The permittee shall then have it treated by a veterinarian or a permitted wildlife rehabilitator. The raptor shall count against the permittee's possession limit.

(ii) A permittee may give the raptor directly to a veterinarian or a permitted Wyoming wildlife rehabilitator and report it to the Department within ten (10) business days. If reported properly, the raptor shall not count against capture or possession limits.

Section 9. Acquisition, Transfer, Release, Loss or Rebanding of a Raptor.

(a) If a permittee acquires, transfers, rebands, or microchips a raptor; or if a raptor a permittee possesses is stolen; or if a permittee loses a raptor to the wild and does not recover it within thirty (30) consecutive days; or if a raptor possessed for falconry dies; the permittee must report the change within ten (10) days by entering the required information in the electronic database at <http://permits.fws.gov/186A> or by submitting Service Form 3-186A to the Department. The permittee of a stolen raptor shall also report such theft to the Department and to the U.S. Fish and Wildlife Service Law Enforcement special agent in charge for the area.

(b) Permittees shall keep copies of all electronic database submissions documenting take, transfer, loss, rebanding, theft or micro-chipping of each falconry raptor until five (5) years after the raptor is transferred, lost or has died.

(c) Permittees shall adhere to the following regulations prior to permanently releasing a raptor to the wild;

(i) If the species is not native to Wyoming, or is a hybrid of any kind, it shall not be released to the wild.

(ii) If the species to be released is native to Wyoming and is captive-bred, a permittee shall not release the raptor to the wild unless he has written permission from the Department. If permitted to do so, the raptor shall be hacked (allowed to adjust) to the wild at an appropriate time of year and an appropriate location. The permittee shall remove any falconry band and report release of the raptor by entering the required information in the electronic database at <http://permits.fws.gov/186A> or by submitting Service Form 3-186A to the Department.

(iii) If the species to be released is native to Wyoming and was taken from the wild, it may be released at an appropriate time of year and an appropriate location. The permittee shall remove any falconry band and report release by entering the required information in the electronic database at <http://permits.fws.gov/186A> or by submitting Service Form 3-186A to the Department.

(d) There is no limit on the number of wild-caught or captive-bred raptors that may be transferred to a permittee, but a permittee shall not exceed their possession limit.

(e) No person shall enter upon the private property of any person to take a raptor without the written permission of the owner or person in charge of the property.

Section 10. Banding, Tagging or Implanting Micro-chips in Raptors Used in Falconry.

(a) When flown free, a hybrid raptor shall have at least two (2) attached radio transmitters to help locate it.

(b) A captive-bred raptor shall be banded with a seamless metal band in accordance with 50 CFR 21.30. If a seamless band is removed or lost, within ten (10) days from the day it is removed or noted missing, the permittee shall report it and request a replacement U.S. Fish and Wildlife Service nonreusable band from the Department. The permittee shall submit the required information electronically immediately upon rebanding or micro-chipping the raptor at <http://permits.fws.gov/186A>, or by submitting Service Form 3-186A to the Department. The permittee shall replace a band that is removed or lost, or may implant an ISO (International Organization for Standardization) compliant (134.2 kHz) microchip in the raptor and report the microchip information at <http://permits.fws.gov/186A> or by submitting Service Form 3-186A to the Department.

(c) A permittee shall not band a raptor removed from the wild with a seamless numbered band.

(d) Any wild caught northern goshawk (*Accipiter gentilis*), Harris's hawk (*Parabuteo unicinctus*), peregrine falcon or gyrfalcon (*Falco rusticolus*) possessed must be banded with a permanent, nonreusable, numbered U.S. Fish and Wildlife Service leg band that the Department will supply. A permittee may purchase and implant an ISO-compliant (134.2 kHz) microchip in the raptor in addition to the band. Contact the Department for information on obtaining and disposing of bands. Permittees may request bands from the Department in advance of any effort to capture a raptor.

(e) If the band must be removed or is lost from a raptor obtained from the wild it must be reported within five (5) days to the Department and the permittee must then do at least one of the following:

(i) Request a U.S. Fish and Wildlife Service nonreusable band from the Department. Immediately upon rebanding the raptor, the permittee shall report it by entering the required information (including band number and microchip information) in the electronic database at <http://permits.fws.gov/186A> or by submitting Service Form 3-186A to the Department.

(ii) Obtain and implant an ISO-compliant (134.2 kHz) microchip in the raptor and report the microchip information at <http://permits.fws.gov/186A> or by submitting Service Form 3-186A form to the Department.

(f) Permittees shall not alter, deface or use counterfeit bands. The rear tab on a band may be removed, and surface imperfections may be smoothed if it does not affect the integrity of the band or the numbering on it.

(g) If a permittee documents health or injury problems for a raptor that are caused by the band, the Department may provide an exemption to the banding requirement for that raptor. In that case, the permittee must possess a copy of the exemption paperwork when transporting or flying the raptor. If the raptor is a wild northern goshawk (*Accipiter gentilis*), Harris's hawk (*Parabuteo unicinctus*), peregrine falcon (*Falco peregrinus*), or gyrfalcon (*Falco rusticolus*) the band must be replaced with an ISO-compliant (134.2 kHz) microchip that the U.S. Fish and Wildlife Service will supply. The U.S. Fish and Wildlife Service will not provide a microchip for a wild northern goshawk, Harris's hawk, peregrine falcon, or gyrfalcon unless a permittee demonstrates that a band caused an injury or health problem for the raptor.

Section 11. Additional Provisions for the Practice of Falconry.

(a) Raptors removed from the wild for falconry are always considered wild raptors.

(b) General Falconers or Master Falconers may hack falconry raptors.

(i) Any raptor a permittee is hacking counts against his possession limit and shall be a species the permittee is authorized to possess.

(ii) Any hybrid or raptor not native to Wyoming shall have two (2) attached functioning radio transmitters during hacking.

(iii) Permittees shall not hack raptors near nesting areas of a federally threatened or endangered bird species or any other locations where raptors are likely to harm Federally listed, threatened or endangered animal species.

(c) Permittees may use other acceptable falconry practices, such as, but not limited to, the use of creance (tethered) flying, lures, balloons or kites in training or conditioning raptors.

(d) Selling or trading raptors under a falconry permit.

(i) A permittee may sell, purchase, barter or offer to sell, purchase or barter captive-bred raptors marked with seamless bands to other permittees who are authorized to possess raptors.

(ii) Permittees shall not purchase, sell, trade or barter wild raptors. Wild raptors shall only be transferred.

(e) A permittee may transfer a raptor to another permit type.

(i) A permittee shall not transfer a wild-caught raptor to a raptor propagation permit unless the raptor has been used in falconry for at least two (2) years, or at least one (1) year for a sharp-shinned hawk (*Accipiter striatus*), Cooper's hawk (*Accipiter cooperii*), merlin (*Falco columbarius*), or an American kestrel (*Falco sparverius*). Within ten (10) days of transferring the raptor, the permittee shall report the transfer by entering the required information in the electronic database at <http://permits.fws.gov/186A> or provide a copy of Service Form 3-186A documenting acquisition of the raptor by the propagator to the Federal migratory bird permit office that administers the propagation permit.

(ii) A permittee may transfer a wild-caught raptor to another permit type at any time, if it has been injured and a licensed veterinarian has determined that the raptor can no longer be flown for falconry. Within ten (10) days of transferring the raptor, the permittee shall provide a copy of Service Form 3-186A documenting acquisition of the raptor and shall also provide a copy of the certification from the veterinarian that the raptor is not useable in falconry, to the federal migratory bird permits office that administers the other permit type.

(f) Permittees may transfer captive-bred raptors if the holder of the other permit type is authorized to possess the raptor(s). Within ten (10) days the permittee must report the transfer by entering the required information in the electronic database at <http://permits.fws.gov/186A> or by submitting Service Form 3-186A to the Department.

(g) Permittees may use raptors possessed for falconry in captive propagation if the permittee or the person overseeing the propagation, has the required propagation permit in accordance with 50 CFR 21.30. If a permittee uses a raptor for eight (8) or more months in a year in captive propagation, the raptor shall be transferred for propagation. The raptor shall then be banded as required in 50 CFR 21.30.

(h) Apprentice, General or Master Falconers may use raptor(s) they possess under their falconry permit in conservation education programs presented in public venues.

(i) A permittee does not need a Wyoming or federal education permit to conduct conservation education programs using a raptor held under a Wyoming falconry permit.

(ii) A permittee may present conservation education programs as an Apprentice Falconer if he is under the direct supervision of a General or Master Falconer during presentation of the program.

(iii) Permittees shall use their raptors primarily for falconry.

(iv) Permittees may charge a fee for presentation of a conservation education program. The fee may not exceed the amount required to recoup the permittee's costs.

(v) In conservation education programs, permittees shall provide information about the biology, ecological roles and conservation needs of raptors and other migratory birds, although not all of these topics must be addressed in every presentation. Permittees shall not give presentations that do not address falconry and conservation education.

(vi) Permittees shall be responsible for all liability associated with conservation education programs as per 50 CFR 13.50.

(i) Permittees shall not receive payment for photography, filming or other such uses of raptors to make movies or other sources of information on the practice of falconry or on the biology, ecological roles and conservation needs of raptors and other migratory birds.

(i) Permittees shall not use raptors to make movies, commercials or in other commercial ventures that are not related to falconry.

(ii) Permittees shall not use raptors for entertainment, advertisements, as a representation of any business, company, corporation or other organization, or for promotion or endorsement of any products, merchandise, goods, services, meetings or fairs, with the following exceptions:

(A) Raptors may be used to promote or endorse a nonprofit falconry organization or association.

(B) Raptors may be used to promote or endorse products or endeavors related directly to falconry, such as hoods, telemetry equipment, giant hoods, perches and materials for raptor facilities.

(j) General or Master Falconers may assist permitted Wyoming wildlife rehabilitators to condition raptors in preparation for release to the wild and may keep raptors in their facilities.

(i) The rehabilitator shall provide the permittee with a letter or form that identifies the raptor and explains that the permittee is assisting in rehabilitation.

(ii) Public contact with any raptor being rehabilitated under these provisions shall be minimized.

(iii) A permittee does not have to add any raptor held for this purpose to their falconry permit; the raptor shall remain under the permit of the rehabilitator.

(iv) Permittees shall return all raptors to the rehabilitator for final disposition.

(k) Using a falconry raptor in abatement activities.

(i) A Master Falconer may conduct and receive payment for abatement activities with raptors possessed for falconry if he has a Special Purpose Abatement permit issued by the U.S. Fish and Wildlife Service or is a sub-permittee of an abatement permittee. A General Falconer may conduct and receive payment for abatement activities only as a sub-permittee of the holder of the abatement permit.

(l) Feathers that raptors molt.

(i) A permittee may possess flight feathers for imping for each species of raptor the permittee possesses or previously held, for as long as the permittee has a valid falconry permit. The permittee may receive feathers for imping from other permitted falconers or propagators in the United States, and may give feathers to them. No permittee shall buy, sell or barter such feathers.

(ii) Permittees may donate feathers from a raptor, except golden eagle feathers, to any person or institution with a valid permit to have the feathers, or to anyone exempt from the permit requirement under 50 CFR 21.12.

(iii) Except for primary or secondary flight feathers or retrices from a golden eagle, permittees shall not be required to gather feathers that are molted or otherwise lost by raptors. Permittees may leave the feathers where the feathers fall, store the feathers for imping or destroy the feathers. Permittees shall collect molted flight feathers and retrices from golden eagles for imping, or shall send the feathers to the National Eagle Repository at: U.S. Fish and Wildlife Service, National Eagle Repository, Rocky Mountain Arsenal, Building 128, Commerce City, Colorado 80022. The telephone number at the Repository is 303-287-2110.

(iv) If a permittee's permit expires or is revoked, he shall donate the feathers of any raptor, except a golden eagle, to any person or institution exempt from the permit requirement under 50 CFR 21.12 or authorized by permit to acquire and possess the feathers. If the permittee does not donate the feathers, the permittee shall burn, bury, or otherwise destroy the feathers.

(m) Disposition of carcasses of falconry raptors.

(i) A permittee shall send the entire body of a golden eagle held for falconry, including all feathers, talons and other parts, to the National Eagle Repository.

(ii) A permittee may donate the body or feathers of any other raptor they were permitted to possess to any person or institution exempt under 50 CFR 21.12 or authorized by permit to acquire and possess such parts or feathers.

(iii) If the raptor was banded or micro-chipped prior to its death, a permittee may keep the body of any raptor, except that of a golden eagle, and the band and microchip shall be left in place. The permittee may keep the body so that the feathers are available for imping or may have the body mounted by a taxidermist. The mount may be used in giving conservation education programs.

(iv) If a permittee does not wish to keep the raptor body or feathers or donate the body or feathers, he shall burn, bury or otherwise destroy the body or feathers within ten (10) consecutive days of the death of the raptor or after final examination by a veterinarian to determine cause of death.

(v) If a permittee does not donate the raptor body or feathers or have the body mounted by a taxidermist, he may possess the flight feathers for as long as he has a valid falconry permit. Permittees shall not buy, sell, or barter the feathers. Permittees shall keep the paperwork documenting their acquisition of the raptor.

(n) Permittee's falconry activities shall not cause the take of federally listed, threatened or endangered wildlife.

(o) A permittee may use a raptor to take any species listed in parts 50 CFR 21.43, 44, 45, or 46 at any time in accordance with the conditions of the applicable depredation order, as long as the permittee is not monetarily compensated.

(p) A surviving spouse, executor, administrator or other legal representative of a deceased falconry permittee shall transfer any raptor held by the permittee to another authorized permittee within ninety (90) consecutive days of the death of the falconry permittee. After ninety (90) consecutive days, disposition of a raptor held under the permit is at the discretion of the Department.

Section 12. Hunting with Raptors. A person holding a valid Wyoming hunting license for game birds or small game animals and a license to hunt with falcon may take game birds and small game animals in and during any of the established hunting areas and seasons in accordance with existing Wyoming Game and Fish Commission regulations under the following provisions:

(a) Persons hunting with raptors may take game birds without distinction as to sex.

(b) A permittee may allow a raptor to feed on a prey animal taken unintentionally, provided that the prey animal is not taken into the falconer's possession.

(i) Unintentional take of any federally listed threatened or endangered species shall be reported to the Department and the U.S. Fish and Wildlife Ecological Services Field Office in Cheyenne within five (5) business days of the take event.

Section 13. Most Restrictive State or Federal Regulation. State and federal regulations govern the taking, possession and transportation of all raptors. In all cases, the most restrictive regulation, whether federal or state, shall apply.

Section 14. Effective Date. These regulations will become effective on January 1, 2012.

Section 15. Violation of Commission Regulations. Failure to abide by the provisions of this regulation shall be punishable as provided by Wyoming statutes for violation of Commission regulations.

Section 16. Savings Clause. If any provision of this regulation is held to be illegal or unconstitutional, such a ruling shall not affect other provisions of this regulation which can be given effect without the illegal or unconstitutional provision; and, to this end, the provisions of this regulation shall be severable.

WYOMING GAME AND FISH COMMISSION

By:

Fred Lindzey, President

Dated: July 7, 2011

DRAFT 06/16/2011

WYOMING GAME AND FISH COMMISSION

CHAPTER 37

RAPTOR PROPAGATION REGULATION

Section 1. Authority. This regulation is promulgated by authority of W.S. ~~§23-1-103~~, §23-1-302, §23-2-101 and §23-2-105.

Section 2. Regulation and Effective Date. The Wyoming Game and Fish Commission hereby adopts the following regulation. ~~This regulation replaces Chapter 25-1.~~ This regulation shall remain in effect until modified or repealed by the Commission.

Section 3. Definitions. For the purpose of this regulation, definitions shall be as set forth in Title 23, Wyoming Statutes, Wyoming Game and Fish Commission Regulation 25 Falconry Regulation, ~~revised as of December 6, 1999, and which does not include any later amendments or editions of the incorporated matter,~~ and the Commission adopts the following definitions:

~~(a) "Service" means the U.S. Fish and Wildlife Service.~~

~~——(b) "Raptor" means a live migratory bird of the Order Falconiformes (commonly called vultures, hawks, falcons and eagles) other than the vulture (Cathartes aura), osprey (Pandion Haliaeetus), bald eagle (Haliaeetus leucocephalus) or golden eagle (Aquila chrysaetos).~~

~~——(c) "Bred in captivity" or "captive bred" means raptors, including eggs, hatched in captivity from parents that mated or otherwise transferred gametes in captivity.~~

(d) "Captivity" means that a live raptor is held in a controlled environment that is intensively manipulated by man for the purpose of producing raptors of selected species, and that has boundaries designed to prevent raptors, eggs or gametes of the selected species from entering or leaving the controlled environment. General characteristics of captivity may include, but are not limited to, artificial housing, waste removal, health care, protection from predators and artificially supplied food.

~~(e) "Falconry" means the sport of taking quarry by means of a trained raptor.~~

Section 4. Raptor Propagation Regulation Established. The practice of raptor propagation shall be permitted as set forth in ~~Permit Requirement (Section 5); Application Procedures (Section 6); Issuance Criteria (Section 7); Conditions of Issuance and Acceptance (Section 8); Additional Permit Conditions (Section 9); Record Keeping~~

~~(Section 10); Annual Report (Section 11); Term of Permit (Section 12); Most Restrictive State or Federal Regulation (Section 13); Violation of Commission Regulations (Section 14); and, Savings Clause (Section 15) of this Chapter.~~

Section 5. Permit Requirement. A raptor propagation permit is required before any person may take, possess, transport, purchase, barter, or offer to sell, purchase, or barter any captive-bred raptor, raptor eggs or raptor semen for propagation purposes.

Section 6. Application Procedures. Applications for raptor propagation permits shall be submitted to the Assistant Regional Director of Law Enforcement, U.S. Fish and Wildlife Service (Service), Denver Federal Center, Denver, Colorado 80225. The Department shall approve permits issued by the Service under a joint State-Federal permit system. Pursuant to agreement, the Service shall issue a permit to a Wyoming resident in accordance with the provisions of this Section. Each application shall contain the general information and certification required by Title 50, Code of Federal Regulations (CFR) Part 13.12 (50 CFR 13.12)(a) ~~revised as of October 1, 1998, and which does not include any later amendments or editions of the incorporated matter. A copy of 50 CFR 13.12 can be viewed at any Department Regional Office or the Headquarters Office.~~ Applications shall contain the following information:

(a) Applicant's full name, mailing address, and telephone number(s);

(i) If the applicant is an individual, the applicant's date of birth, height, weight, hair color, eye color, sex and any business or institutional affiliation of the applicant related to the requested permitted activity;

(ii) If the applicant is a corporation, firm partnership, association, institution, or public or private agency, the name and address of the president or principle officer and of the registered agent for the service of process;

(b) Location where the requested, permitted activity is to occur or to be conducted;

(c) If the requested, permitted activity involves the import or re-export of a raptor from or to any foreign country, and the country of origin, or the country of export, or re-export restricts the taking, possession, transportation, exportation, or sale, documentation as indicated in Title 50, CFR Part 14.52, (e) is required, ~~revised as of October 1, 1998, and which does not include any later amendments or editions of the incorporated matter. A copy of 50 CFR Part 14.52 can be viewed at any Department Regional Office or the Headquarters Office;~~

(d) Certification in the following language:

I hereby certify that I have read and am familiar with the regulations contained in ~~Title 50, CFR Part 13 and the other applicable parts in subchapter B of Chapter I of Title 50, CFR,~~ and I further certify that the information submitted in this application for a permit is complete and accurate to the best of my knowledge and belief. I understand that any false statement herein may subject me to suspension or revocation of this permit and to the criminal penalties of 18 U.S.C. 1001.

(e) Desired effective date of permit;

(f) Date of application;

(g) Signature of applicant;

(h) Such other information as the Service determines relevant to the processing of the application; and,

(i) In addition to the above general information required in the application, ~~Title 50, CFR Part 21.30_(b), revised as of October 1, 1998, and which does not include any later amendments or editions of the incorporated matter,~~ requires the following information: ~~A copy of 50 CFR Part 21 can be viewed at any Department Regional Office or the Headquarters Office.~~

(i) A statement indicating the purpose(s) for which a raptor propagation permit is sought and, where applicable, the scientific or educational objectives of the applicant;

(ii) A statement indicating whether the applicant has been issued a permit from another state authorizing raptor propagation (including name of state, permit number and expiration date);

(iii) A statement fully describing the nature and extent of the applicant's experience with raptor propagation or handling raptors;

(iv) A description of each raptor the applicant possesses or will acquire for propagation purposes to include the species, age (if known), sex (if known), date of acquisition, source and raptor marker (band) number;

(v) A description of each raptor the applicant possesses for purposes other than raptor propagation, to include the species, age (if known), sex (if known), date of acquisition, source, raptor marker (band) number, and purpose for which it is possessed;

(vi) A description and photographs of the facilities and equipment to be used by the applicant including the dimensions of any structures intended for housing the raptors; and,

(vii) A statement indicating whether the applicant requests authority to take raptors from the wild.

Section 7. Issuance Criteria. Upon receiving a properly executed application for a permit in accordance with Section 6 of this Chapter, the Service may issue a raptor propagation permit unless:

(a) The applicant has been assessed a civil penalty or conviction of any criminal provision of any statute or regulation relating to the activity for which the application is filed, if such assessment or conviction evidences a lack of responsibility;

(b) The applicant has failed to disclose material information required, or has made false statements as to any material fact, in connection with his application;

(c) The application has failed to demonstrate a valid justification for the permit and a showing of responsibility;

(d) The authorization requested potentially threatens a raptor population; or,

(e) The Service finds through further inquiry or investigation, or otherwise, that the applicant is not qualified; and,

(f) In addition to the above criteria, the following factors shall be considered in making the decision to issue a permit.

(i) Whether an applicant's raptor propagation facilities are adequate for the number and species of raptors to be under the permit;

(ii) Whether the applicant is at least eighteen (18) years of age with a minimum of two (2) years experience handling raptors; and, if the applicant requests authority to propagate endangered or threatened species, listed in ~~Title 50 CFR Part 17.11, revised as of October 1, 1998, and which does not include any later amendments or editions of the incorporated matter,~~ whether the applicant is at least twenty-three (23) years of age with a minimum of seven (7) years of experience handling raptors. ~~A copy of 50 CFR Part 17.11 can be viewed at any Department Regional Office or the Headquarters Office;~~ and,

(iii) If the applicant requests authority to take raptors from the wild.

(A) Whether issuance of the permit would have a significant effect on any wild population of raptors;

(B) Whether suitable captive stock is available; and,

(C) Whether wild stock is needed to enhance the genetic variability of captive stock.

Section 8. Conditions of Issuance and Acceptance.

(a) Any permit automatically incorporates within its terms the conditions and requirements of Title 50, CFR Part 13, Subpart D, revised as of October 1, 1998, and ~~which does not include any later amendments or editions of the incorporated matter;~~ and, of any part(s) or section(s) specifically authorizing or governing the activity for which the permit is issued. ~~A copy of 50 CFR Part 13 can be viewed at any Department Regional Office or the Headquarters Office.~~

(b) Any person accepting and holding a raptor propagation permit acknowledges the necessity for close regulation and monitoring of the permitted activity by the government. By accepting such a permit, the permittee consents to and shall allow entry by agents or employees of the Service ~~and/or~~ Department upon premises where permitted activity is conducted at a reasonable hour. Service agents ~~and/or~~ law enforcement personnel of the Department may enter such premises to inspect the location, books, records, or permits required to be kept by this Chapter and any raptors kept under authority of this permit.

Section 9. Additional Permit Conditions. In addition to the general conditions found in this Chapter, raptor propagation permits shall be subject to the following additional conditions:

(a) Facilities. Any tethered raptor possessed under this permit shall be maintained in accordance with ~~falconry standards for "Facilities and Equipment Requirements", described in Wyoming Game and Fish Commission Regulation Chapter 25, Falconry Regulations, revised as of December 6, 1999, and which does not include any later amendments or editions of the incorporated matter; and, adopted from Title 50, CFR Parts 21.29 and 21.30, revised as of October 1, 1998, and which does not include any later amendments or editions of the incorporated matter;~~ unless a specific exception in writing is obtained. ~~A copy of 50 CFR Part 21 can be viewed at any Department Regional Office or the Headquarters Office. For untethered raptors, the breeding facilities shall be soundly constructed and entirely enclosed with wood, wire netting or other suitable material which provides a safe, healthy environment. The design of such facilities and ancillary equipment shall:~~ In addition to the requirements set forth in Chapter 25, the breeding facilities for raptors held under this Chapter shall:

~~(i) Minimize the risk of injury by providing protection from predators, disturbances that would likely cause harm, extreme weather conditions, and collision with interior or perimeter construction materials and equipment such as support poles, windows, wire netting, perches or lights;~~

(ii) Enhance sanitation by providing a well-drained floor, fresh air ventilation, source of light, fresh water for bathing and drinking, access for cleaning, and interior construction materials suitable for thorough cleaning or disinfection; and,

(iii) Enhance the welfare and breeding success of the raptors by providing suitable perches, nesting and feeding sites, and observation ports or inspection windows during times when disturbance is felt to be undesirable.

(b) Incubation of eggs. Each permittee shall notify the Service in writing within five (5) days from the day the first egg is laid by any raptor held under a raptor propagation permit, but notice is not required more than once every sixty (60) days.

(c) Marking requirement. Unless otherwise specifically exempted, every raptor possessed for propagation, including all progeny produced pursuant to the permitted activity, shall be banded in accordance with the following provisions:

(i) Except for captive-bred raptors lawfully marked with a seamless numbered band provided by the Service, any raptor possessed for propagation purposes shall be banded with a permanent, non-reusable, numbered band. Raptors obtained from the wild or hatched from an egg taken from the wild shall be marked with a black permanent, non-reusable, numbered band. Lost or removed bands shall be replaced. A marker (band) that is causing damage to a raptor may be removed and another band replaced on the other leg of the raptor. Black permanent, non-reusable, numbered bands shall be used to replace bands of raptors taken from the wild or hatched from an egg taken from the wild. Yellow permanent, non-reusable, numbered bands shall be used to replace bands of captive-bred raptors. The permanent, non-reusable, numbered bands shall be provided to the Department by the Service and shall be placed on the raptor by a Department employee or by the permittee in the presence of ~~the~~ a Department employee;

(ii) No one shall remove, alter, counterfeit or deface the permanent, non-reusable, numbered marker (band), except that the permittee may remove the rear tab on the marker and may smooth any imperfect surface provided the integrity of the band or the numbering is not altered;

(iii) A Service Form 3-186A (Migratory Bird Acquisition/Disposition Report) completed in accordance with the instructions on the form, shall be submitted to the issuing office of the Service within five (5) calendar days, reporting the loss or removal of a band and rebanding;

(iv) Unless specifically exempted by the conditions of the raptor propagation permit, each captive-bred raptor produced under authority of a raptor propagation permit shall be banded within two (2) weeks of hatching with a numbered, seamless band provided by the Service, placed on the raptor's leg (metatarsus). In marking (banding) captive-bred raptors, permittees:

(A) Shall use a band with an opening (inside diameter) ~~which~~**that** is small enough to prevent its removal when the raptor is fully grown without causing serious injury to the raptor or damaging the band's integrity or one-piece construction;

(B) May band a raptor with more than one size band when the potential diameter of the raptor's leg at maturity cannot be determined at the time for banding; and,

(C) Shall remove all but one (1) band from any raptor with more than one (1) band before the raptor is five (5) weeks of age and return all bands removed to the issuing office of the Service.

(v) No raptor taken from the wild, produced from an egg taken from the wild, or produced from an egg from any source other than bred in captivity under authority of a raptor propagation permit shall be banded with a numbered seamless band issued by the Service; and,

(vi) No permittee under this section shall band any raptor with any band issued or authorized by the Service unless that raptor is lawfully possessed by the permittee.

(d) Taking raptors from the wild. No raptor shall be taken from the wild except in accordance with the following:

(i) A raptor propagation permittee may take a raptor from the wild only in accordance with Wyoming Game and Fish Commission Regulation Chapter 25, Falconry Regulation, ~~revised as of December 6, 1999, and which does not include any later amendments or editions of the incorporated matter.~~

(ii) No raptor listed in ~~Title-50 CFR Part-17.11~~ as "endangered" or "threatened" ~~revised as of October 1, 1998, and which does not include any later amendments or editions of the incorporated matter,~~ may be taken from the wild without first obtaining the proper federal permit. ~~Refer to Title 50, CFR Parts 13 and 17, revised as of October 1, 1998, and which does not include any later amendments or editions of the incorporated matter, for permit application requirements. A copy of 50 CFR Parts 13 and 17 can be viewed at any Department Regional Office or the Headquarters Office.~~

(e) Transfer, purchase, sale or barter of raptors, raptor eggs or raptor semen.

(i) A permittee may transfer any lawfully possessed raptor, raptor egg or raptor semen to another permittee or transfer any raptor to a falconer who holds a valid falconry permit if no money or other consideration is involved;

(ii) A permittee may transfer, purchase, sell or barter any raptor ~~which~~that is banded with a numbered seamless marker (band) provided or authorized by the Service, subject to the following conditions:

(A) When the permittee purchases from, sells to, or barter with any person in the United States, that person shall be authorized under this Chapter or Wyoming Game and Fish Regulation Chapter 25, Falconry Regulation, ~~revised as of December 6, 1999, and which does not include any later amendments or editions of the incorporated matter,~~ to purchase, sell or barter captive-bred raptors;

(B) When the permittee purchases from or barter with any person in a foreign country, that person shall be authorized by the competent wildlife management authority of the foreign country in which the transaction occurs to sell or barter captive-bred raptors; and,

(C) When the permittee transfers to, sells to or barter with any person in a foreign country, that person shall be authorized to possess, purchase, or barter captive-bred raptors by the competent wildlife management authority of his/~~her~~ country of residence or domicile and the same wildlife management authority shall certify in writing that the recipient is an experienced falconer or raptor propagator who is required to maintain any raptors in his/~~her~~ possession under conditions that are comparable to the conditions under which a permittee shall maintain raptors as provided in Title-50 CFR Parts-21.29 and 21.30, ~~revised as of October 1, 1998, and which does not include any later amendments or editions of the incorporated matter. A copy of 50 CFR Part 21 can be viewed at any Department Regional Office or the Headquarters Office.~~ No certificate is required if the competent wildlife management authority itself is the recipient of captive-bred raptors for conservation purposes.

(iii) No raptor shall be traded, transferred, purchased, sold or bartered until it is two (2) weeks of age and only after it is properly banded with a permanent, non-reusable marker (band) provided or authorized by the Service, unless it is transferred, sold or bartered to a state or federal wildlife management agency for conservation purposes;

(iv) A permittee may purchase, sell or barter semen collected from any captive-bred raptor; and,

(v) A permittee shall not purchase, sell or barter any raptor eggs, any raptors taken from the wild, any raptor semen collected from the wild, or any raptors hatched from eggs taken from the wild.

(f) Sell, purchase, barter. A permittee shall not sell, purchase, barter, or offer to sell, purchase or barter any raptor unless the raptor is marked on the raptor's leg (metatarsus) by a seamless, numbered band supplied by the Service.

(g) Transfer to another. A permittee shall not receive or otherwise acquire from, shall not transfer or otherwise dispose of to, and shall not loan to or temporarily place with another person any raptor unless that person is authorized to acquire, possess and dispose of such raptors under a valid permit used pursuant to this Chapter or Wyoming Game and Fish Commission Regulation Chapter 25, Falconry Regulation, ~~revised as of December 6, 1999, and which does not include any later amendments or editions of the incorporated matter.~~

(h) Use in Falconry. A permittee may use a raptor possessed for propagation in the sport of falconry only if such use is designated in both the propagation permit and the permittee's falconry permit.

(i) Use of Service Form 3-186A. No permittee shall take, purchase, receive or otherwise acquire, sell, trade, barter, transfer or otherwise dispose of any raptor unless such permittee submits a Service Form 3-186A (Migratory Bird Acquisition/Disposition Report), completed in accordance with the instructions on the form, to the issuing office of the Service within five (5) calendar days of any such transfer. Provided, that a permittee does not have to submit a Service Form 3-186A (Migratory Bird Acquisition/Disposition Report) to report the acquisition of raptors hatched from eggs produced as a result of the permittee's propagation activities as long as these raptors remain in the possession of the permittee.

(j) Documentation of lawful possession. No raptor shall be possessed under authority of a raptor propagation permit unless the permittee has a properly completed Service Form 3-186A (Migratory Bird Acquisition/Disposition Report) for each bird possessed, except as provided in paragraph (i) of this section.

(k) Temporary Possession. A raptor possessed under authority of a raptor propagation permit may be temporarily held by a person other than the permittee only if that person is otherwise authorized to possess raptors, and only if the raptor is accompanied at all times by the properly completed Service Form 3-186A (Migratory Bird Acquisition/Disposition Report) designating the permittee as the possessor of record and by a signed, dated statement from the permittee authorizing the temporary possession.

(l) Interspecific Hybridization. Hybridization between species (interspecific hybridization) shall be authorized only if each raptor produced by interspecific

hybridization is either imprinted on humans (hand-raised in isolation from the sight of other raptors from two (2) weeks of age until it is fully feathered) or surgically sterilized.

(m) Possession of Dead Raptors, Non-Viable Eggs, Nests and Feathers.

(i) Upon the death of any raptor held under permit, a permittee shall remove the marker and immediately return it to the Service. The carcass shall be destroyed immediately, unless the permittee requests authorization from the Service to retain possession of it. A permittee who has obtained written authorization from the Service to retain possession of the carcass may transfer it to any person authorized by the Service to possess it, provided no money or other considerations are involved; and,

(ii) A permittee may possess addled or blown eggs, nests and feathers from raptors held under permit and may transfer any of these items to any other person authorized by the Service to possess them provided no money or other consideration is involved.

(n) Intentional Release.

(i) A permittee shall obtain written authorization from the Service and from the Chief of the Wildlife Division of the Department, or his designee, before intentionally releasing any raptor to the wild. The raptor marker (band) shall be removed from each bird and immediately returned to the Service. A federal bird band shall be attached to each raptor by a person designated by the Service before release; and,

(ii) No raptor produced by interspecific hybridization shall be intentionally released to the wild.

Section 10. Record Keeping. A permittee shall maintain complete and accurate records of all operations, to include the following:

(a) Acquisition of raptors, eggs or semen from sources other than production.

(i) Description of stock shall include: species, sex and age of each (if applicable), genotype-natal area (geographical breeding site or area that captive stock represents), and marker (band) number (if applicable);

(ii) Number or amount of semen, egg(s) and bird(s) acquired; and,

(iii) How stock was acquired to include purchase, barter or transfer (including purchase price or a description of any other consideration involved), or if taken from the wild, the month, day and year acquired; the name, address and permit number of seller, from whom the stock was bartered or transferred; or, if from the wild, the location from which the stock was taken.

(b) Disposition of Raptors, Eggs or Semen.

(i) Description of the stock by species, sex and age of each (if applicable), genotype-natal area (geographical breeding site or area that captive stock represents), and marker (band) number;

(ii) Number or amount of semen, egg(s) or bird(s);

(iii) The manner of disposition including sale, barter or transfer (including the sale price or a description of any other consideration involved), live loss, intentional release to the wild or death;

(iv) Disposition month, day and year of any dead bird; and,

(v) If stock is disposed to the person, that person's name, address and permit number of purchaser, barterer or transferee or description and location of other disposition.

(c) Production and Pedigree Record.

(i) Identify the mother and father(s) by species, genotype-natal area and marker (band) number;

(ii) Insemination means identified as natural, artificial or combined;

(iii) Number of eggs laid in total, first date and last date;

(iv) Number of eggs hatched in total, the first date and last date; and,

(v) Number of young raised to two (2) weeks of age and marker (band) number placed on each raptor and date each raptor was marked (banded).

Section 11. Annual Report. A permittee shall submit an annual report by January 31 of each calendar year for the preceding year to the Service and to the Chief of the Wildlife Division of the Department. The report shall include the following information for each species possessed by the permittee:

(a) Number of raptors possessed as of December 31 (including the species, marker (band) number, sex and age of each raptor);

(b) Number of females laying eggs;

(c) Number of eggs laid;

- (d) Number of eggs hatched;
- (e) Number of young raised to two (2) weeks of age; and,
- (f) Number of raptors purchased, sold, bartered, received or transferred (including the species, marker or band number, sex and age of each raptor), the date of the transaction, and the name, address and permit number of each purchaser, seller, barterer, transferor or transferee.

Section 12. Term of Permit. A raptor propagation permit issued or renewed under this Chapter expires on the date designated on the face of the permit unless amended or revoked, but the term of the permit shall not exceed three (3) years from the date of issuance or renewal. Violation of this regulation or Federal regulations involving captive breeding and propagation of raptors is just cause for revocation of the raptor propagation permit.

Section 13. Most Restrictive State or Federal Regulation. State and federal regulations govern the capture propagation of raptors. In all cases the most restrictive regulation, whether federal or state, shall apply.

Section 14. Violation of Commission Regulations. Failure to abide by the provisions of this regulation shall be punishable as provided by Wyoming statutes for violation of Commission regulations.

Section 15. Savings Clause. If any provision of this regulation is held to be illegal or unconstitutional, such a ruling shall not affect other provisions of this regulation which can be given effect without the illegal or unconstitutional provision; and, to this end, the provisions of this regulation are severable.

WYOMING GAME AND FISH COMMISSION

By:

Fred Lindzey, TRACY HUNT
PRESIDENT President

Dated: ~~December 6, 1999~~ July 7, 2011

DRAFT 06/16/2011
WYOMING GAME AND FISH COMMISSION

CHAPTER 44

REGULATION FOR ISSUANCE OF LICENSES, PERMITS, STAMPS, TAGS,
PREFERENCE POINTS, AND COUPONS

Section 1. Authority. This regulation is promulgated by authority of W.S. §20-6-112, W.S. §23-1-107, §23-1-302, §23-1-702, §23-1-703, §23-1-704, §23-1-705, §23-2-101, §23-2-102, §23-2-107, §23-2-109, §23-2-201, §23-2-207, §23-2-301, §23-2-306, §23-2-307, §23-2-401 and §23-3-403.

Section 2. Regulation. The Commission authorizes the Department through the authority of the Chief Fiscal Officer to issue licenses, permits, stamps, tags, preference points, and coupons, and to develop and maintain policies, processes and procedures necessary to carry out the provisions of this Chapter. The Commission hereby adopts the following regulation governing the issuance of licenses. This regulation shall remain in effect until modified or repealed by the Commission.

Section 3. Definitions. For the purpose of this regulation, definitions shall be as set forth in Title 23, Wyoming Statutes, and the Commission also adopts the following definitions:

(a) "Application Fee" means a fee authorized by the Legislature enabling the Department to recover a portion of its costs associated with compensating owners or lessees of property damaged by game animals and game birds. In addition, the application fee is used by the Department to recover costs associated with license issuance. This fee is nonrefundable.

(b) "Charitable Purpose" means motivated by sympathy and understanding and generosity and done without any remuneration.

(c) "Commissioner Complimentary License" means an antelope, deer or elk license issued at the existing statutory price at the request of a Commissioner.

(d) "Completed Application" means all required portions of the application have been properly completed with correct applicant information. A completed application includes the applicant's name, physical address, mailing address if different than the physical address, date of birth, physical description (height, weight, eyes, hair and sex), years of residency and proof of residency for resident fee types, Social Security Number (SSN), Individual Tax Identification Number (ITIN) or Passport Number from non-U.S. citizens, desired valid hunting license specifications, and an original signature for residents submitting paper applications. Completed application specifications refer to licenses sold through the electronic license service (ELS) and manual book license sales.

(e) "Disabled Veteran" for the purpose of qualifying for a donated license means a veteran who receives fifty percent (50%) or more service connected disability compensation from the United States Department of Veteran's Affairs.

(ef) "Disabilities" as used in this Chapter means permanent anatomical, physiological or mental deficiencies that prevent or restrict normal achievement.

(fg) “Document” means an instrument on which information has been recorded by means of letters, figures, or marks and which may be used as evidence.

(gh) “Documentary Evidence” means evidence furnished by written instruments, inscriptions, or documents of all kinds.

(hi) “Duplicate License” means a license issued by the Department to replace an original license that is valid and has not expired and has been lost or destroyed. If the original license was hand issued, a duplicate license shall be issued. If the original license was issued through the Electronic License Service (ELS), a duplicate license shall only be required if the original license contained a carcass coupon; otherwise, a replacement license may be issued.

(ij) “Electronic Application” means the license or permit application form submitted through the Electronic License Service (ELS).

(jk) “Electronic License Service (ELS)” means the Department’s Electronic Draw Application System, Internet Point of Sale System and Online Internet Sales System used by the Department, license selling agents and the public to apply for or purchase licenses, permits, stamps, tags, preference points and coupons.

(kl) “Electronic Signature” means an electronic process attached to or logically associated with any electronic transaction including the license or permit application submitted to the Wyoming Game and Fish Department that requires substantiation of the identity of the person initiating the electronic transaction. This process includes, but may not be limited to, use of personal credentials to gain access to the system, entering a keystroke at a specified prompt that indicates the submitter’s acceptance of an assertive statement, or the use of any other technology that is in compliance with the State of Wyoming’s Electronic Signature Rules as promulgated by the Office of the Chief Information Officer. This process can be used to indicate the applicant’s acceptance of an assertion such as a residency requirement or veracity of the application at a specified prompt. Ref: W.S. §40-21-102 (a) (viii)

(lm) “Full pPrice License” means a deer, antelope, elk, mountain lion or ram bighorn sheep license issued that is not a reduced price doe/fawn, cow/calf or ewe/lamb license.

(mn) “Full time” means performing duties and responsibilities at the request or direction of an established charitable, humanitarian, or religious organization for more than thirty (30) hours per calendar week every week the person is absent from the state.

(no) “General Licenses” means big or trophy game or wild turkey licenses valid in any hunt area in which licenses have not been totally limited in number. General licenses shall be valid only under species, sex, age class, and harvest limitations that are in effect for each hunt area.

(op) “Governor Complimentary License” means a hunting or fishing license issued for no fee at the request of the Governor.

(pq) “Gunpowder or Buckskin Hunt” means the annual Gunpowder and Buckskin Hunt conducted by the Sheridan, Wyoming Rotary Club.

(~~er~~) “Headquarters” means the Cheyenne Office of the Wyoming Game and Fish Department located at 5400 Bishop Boulevard, Cheyenne, Wyoming 82006.

(~~es~~) “Humanitarian Purpose” means for the promotion of human welfare and the advancement of social reforms and done without remuneration.

(~~st~~) “Initial Drawings” means computer processed drawings held for initial offering of resident and nonresident licenses and permits.

(~~tu~~) “Landowner” means an individual, partnership, corporation, trust, limited liability company or combination of these, which either owns real property in fee simple title or is acquiring equitable interest by written contract.

(~~uy~~) “Landowner Applicant” means an individual who either owns real property solely or jointly with other individuals or who holds an interest in a corporation, partnership, trust or limited liability company, which owns real property or is a member of the “immediate family” of the individual.

(~~vw~~) “Landowner Applicant’s Immediate Family” means the landowner applicant’s spouse, parents, grandparents, or lineal descendants and their spouses.

(~~wx~~) “Leftover Licenses” means licenses that are limited in number and were not issued in the initial drawing and shall be issued on an as processed basis through the ELS.

(~~xy~~) “Leftover Permits” means permits that are limited in number and were not issued in the initial drawing and shall be issued on an as processed basis through the ELS.

(~~yz~~) “License” means a document issued by the Department, through the authority of the Commission, to a qualified individual that grants certain privileges to take fish or wildlife in accordance with statutory or regulatory provisions.

(~~zaa~~) “License Authorization” means a document approved by the Governor or by a member of the Commission that empowers the Department to issue a Governor complimentary or Commissioner complimentary license in the name of the applicant designated on the document.

(~~aabb~~) “Limited Quota Drawing” means the processing of an application for limited quota or general big game licenses, trophy game licenses, wild turkey licenses, permits, or the wild bison priority list through a drawing.

(~~bbcc~~) “Limited Quota Licenses” means licenses limited in number and valid only in a specified hunt area(s) or portion(s) of a hunt area, for a specified type of weapon, for a specified sex, age class or species of big game, trophy game, wild turkey, or sandhill crane during specified season dates.

(~~eedd~~) “Limited Quota Reduced Price Cow or Calf (cow/calf) License” means a license, which may be authorized in specific hunt areas allowing a person to take cow or calf elk independent of what may be taken on a general license or full priced limited quota license.

(~~edee~~) “Limited Quota Reduced Price Doe or Fawn (doe/fawn) License” means a license, which may be authorized in specific hunt areas allowing a person to take doe or fawn animals independent of what may be taken on a general license or full priced limited quota license.

(~~eeff~~) “Limited Quota Reduced Price Ewe or Lamb (ewe/lamb) License” means a license which may be authorized in specific hunt areas allowing a person to take a ewe or lamb bighorn sheep independent of what may be taken on a full priced limited quota license.

(~~ffgg~~) “Minor Dependent” means an individual less than eighteen (18) years of age who is domiciled with parent(s) or legal guardian.

(~~eggh~~) “National Bow Hunt” means an archery-only hunt that is sponsored and administered by the Wyoming National Bowhunt Inc.

(~~hhii~~) “Nonprofit Charitable Organization” means an organization which engages in activities providing the general public with benefits designed to aid in educational, moral, physical, conservation, or social improvement and which is not established for profit.

(~~jjkk~~) “Nonprofit Organization Dedicated to Providing Hunting Opportunities to Individuals with Disabilities” means any organization that is registered with the Wyoming Secretary of State and certifies that they are nonprofit and that the primary purpose or mission as stated in their charter is to provide hunting opportunities to individuals with disabilities defined in this regulation.

(~~jjkk~~) “Nonresident” means any person who is not domiciled in Wyoming for at least one (1) year immediately preceding making application for a license and who is not a resident as defined by W.S. §23-1-102 (a)(ix) and W.S. §23-1-107.

(~~kkll~~) “One-Shot Antelope Hunt” means the One-Shot Antelope Hunt sponsored by the One-Shot Antelope Club in Lander, Wyoming.

(~~hhmm~~) “Party” means a group of individuals with the same residency status who apply together for hunting licenses for the same species, area and type, and who have expectations of receiving the same treatment in processing of their applications and receiving the same drawing results. For purposes of this regulation, a Party does not include anyone else, regardless of whether or not they may accompany the party of hunters during the hunt. For limited quota sandhill crane applications, residents and nonresidents may apply together in the same party.

(~~mmnn~~) _____ “Party Application” means a group of applications in which all applicants with the same residency status specify the same species, hunt area and type in the same order of preference, and all applicants expect the same processing and draw results.

(~~nnoo~~) “Permit” means a document, which grants additional privileges to an individual who possesses the proper license(s) to carry out activities not authorized by the license itself.

(~~eepp~~) "Person's ~~p~~Privilege to ~~e~~Obtain a ~~l~~License ~~h~~Has ~~b~~Been ~~r~~Revoked or ~~s~~Suspended by a ~~e~~Court or the Wildlife Violator Compact" means revocation or suspension of the person's license or preference point(~~s~~).

(~~ppqq~~) "Pioneer ~~l~~Licenses" means antelope, deer or elk licenses issued to Wyoming residents who were born on or before January 1, 1930, and who have resided continuously for at least forty (40) years in Wyoming immediately preceding the application for a license.

(~~qqrr~~) "Pioneer ~~h~~Heritage ~~l~~Licenses" means antelope, deer or elk licenses issued to Wyoming residents who were born after January 1, 1930, are at least seventy (70) years of age prior to the issuance of the license and have continuously resided in Wyoming for at least fifty (50) years immediately preceding application for the license. The fee for the Heritage License shall be established by the Department by multiplying the fee for resident licenses for the same species and license type by sixty five percent (65%) and rounding down to the next whole dollar amount.

(~~ffss~~) "Potential to ~~u~~Use ~~l~~License" means the license shall be considered to be in possession of the person in whose name it was issued on or after the earliest opening date for which the license is valid if the license is not in the possession of an authorized Department employee.

(~~sstt~~) "Processing Fee" means a fee established by the Department to cover extra costs associated with withdrawing an application from a drawing.

(~~ttuu~~) "Proper Application Form" means the current year's form prescribed by the Department, a photocopy of the form, or facsimile of the form. These forms shall be the only forms accepted by the Department.

(~~uuvv~~) "Properly Completed Duplicate License Affidavit" means a Department affidavit form signed by the person applying for a duplicate license and the license selling agent who sold the original license, on which all information has been accurately provided by the licensee and agent. Affidavits for original licenses issued through the ELS do not require the signature of the agent who originally sold the license.

(~~vvww~~) "Proper Fee" means cash or a negotiable instrument as set forth by W.S. §34.1-3-104 which results in full payment to the Department, in U.S. dollars for the amount specified by law or regulation for the respective licenses, permits, stamps, tags, preference points, or certificates.

(~~wwxx~~) "Qualified Person" means an individual who meets the statutory and regulatory requirements to apply for or receive a license or a preference point. A person shall not be qualified if their privilege to apply for or receive a license or a preference point has been revoked, suspended, or restricted by a court in Wyoming or has been revoked or suspended in Wyoming through the Wildlife Violator Compact.

(~~xxyy~~) "Quota" means the maximum specified number of licenses to be issued for a given hunt area and species as provided by Commission regulation; in the case of nonresident elk hunt area quotas, the maximum number of specified licenses to be issued by hunt area as provided in writing by the Wildlife Division to the Fiscal Division.

(yyzz) “Region General Deer Licenses” means general nonresident deer licenses that shall be limited in number and valid for a specified group of hunt areas in accordance with Commission regulations. A license issued for a region shall only be valid in hunt areas within the region where limitations in Commission regulations specify general licenses. A license issued for a region shall not be valid in any hunt area within that region in which licenses are totally limited in quota, unless specified by Commission regulations.

(zzaaa) “Religious Purpose” means actions taken to advance sacred matters, religion or a church and done without remuneration.

(aaabbb) “Replacement License” means the reprint of a license, permit, or stamp that does not contain a carcass coupon. ~~The and the~~ license was originally issued by the Department or license selling agent through the ELS, ~~and~~ is currently valid and has not expired.

(bbbccc) “Resident” means a United States citizen or legal alien who is domiciled in Wyoming for at least one (1) full year immediately preceding making application for any resident game and fish license, preference point, permit or tag, shall not have claimed residency in any other state, territory, or country for any other purpose during that one (1) year period, and meets the requirements specified in Wyoming Statutes §23-1-102 and §23-1-107.

(eedddd) “Special Nonresident Antelope, Deer or Elk Licenses” means those licenses having a fee greater than that of a regular nonresident antelope, deer or elk license as defined in Wyoming Statute and which the statutes provide for a separate nonresident drawing with specific percentages of nonresident quotas designated for only those applicants paying the higher license fees.

(deeeeee) “Sportsperson Identification Number” means the unique number assigned by the Department to each individual license applicant on the ELS.

(eeeffff) “Transfer” means to convey a license authorization as set forth in Section 12 of this regulation from one (1) person to another.

(fffgggg) “Type” means a limitation on a license in a particular hunt area for the sex of animal, the species of animal, the length of the season, the type of weapon, or a portion of the hunt area in which the license shall be valid.

(ggghhhh) “Unable to Use the License Ffor Good Cause” means an individual is unable to use a bighorn sheep, grizzly bear, moose or mountain goat license due to disabling injury or illness, military personnel who receive permanent change of station (PCS) orders or are assigned away from their home duty station on temporary orders (TDY) for the majority of the regular season, or when the Department has determined a majority of, or the entire hunting opportunity has been lost in a specific limited quota hunt area for antelope, bighorn sheep, deer, elk, moose or mountain goat due to the administrative actions of the state or federal government in closing the majority of or all public access to a hunt area due to a natural disaster, including, but not necessarily limited to, wildland fires.

(hhhhiii) “Under the eCare and sSupervision of the rResiding fFacility” means the person is in accompaniment of an employee of the appropriate institution or facility that issued the special limited fishing permit.

(#iii) “Youth License” means a big game license that may be issued to a resident or nonresident individual who is at least eleven (11) years of age and who has not attained eighteen (18) years of age at the time of application. The license shall not be valid until the licensee reaches his twelfth (12th) birthday. For all other species, excluding furbearing animals, requiring a license to take means a license that may be issued to a resident or nonresident individual who has not attained eighteen (18) years of age. For a resident youth trapping license this means residents under the age of seventeen (17).

Section 4. Method of License Issuance and Accounting. The Fiscal Division shall maintain inventory control and account for the issuance and sale of all licenses, permits, stamps and tags issued under the authority of the Commission. All licenses, permits and tags shall be issued on the basis of a completed application. Applications may be in the form of a separate document or may be incorporated into and considered as part of the license document.

(a) Licenses issued over-the-counter. All licenses that are not limited in number shall be issued by the Department through designated Department personnel and facilities or designated license selling agents.

(b) Licenses issued through competitive drawings. Except as provided in this Chapter, all licenses and permits that are limited in number shall be issued through competitive drawings conducted by the Department’s License Section. Entry into the drawing for a limited quota license or permit shall be upon submission of a completed application on proper forms.

(c) Commercial license issuance. All commercial licenses shall be issued by the Department’s License Section at Headquarters, by designated Department personnel or at facilities in accordance with statutory and regulatory provisions and requirements.

(d) Licenses or permits issued after initial drawings. Leftover licenses or permits shall be sold through the ELS on a first-come, first-served basis.

(e) Depredation license issuance. Depredation licenses may be issued at designated Department locations when additional harvest is needed as determined by the Wildlife Division.

Section 5. License Issuance.

(a) In circumstances where the demand for a particular type of license exceeds the supply, a competitive drawing shall be utilized when feasible to determine successful applicants.

(b) The Department shall only issue licenses in excess of established quotas in the following circumstances:

(i) to accommodate a successful party application in a limited quota drawing;

(ii) to process a Commissioner or Governor license authorization;

(iii) upon authorization by the Chief Fiscal Officer to resolve a Department license issuance error; or,

(iv) as provided by Commission regulation.

(c) To establish the number of leftover licenses or permits, the Department may continue alternately running the unsuccessful applicants of each resident and nonresident drawing until there are no unissued licenses or permits for which there are unsuccessful applications.

(d) License selling agents shall abide by the following procedures in the sale of limited quota full and reduced price leftover licenses.

(i) License ~~S~~selling ~~A~~agents shall not sell or allocate licenses prior to the date established annually by the Chief Fiscal Officer.

(ii) License ~~S~~selling ~~A~~agents shall not process applications received by phone, mail, facsimile, or other electronic means prior to 8:00 a.m. on the date established annually by the Chief Fiscal Officer.

(iii) All applications for resident licenses and permits shall contain the resident applicant's original or electronic signature and when applicable, the parent or legal guardian's signature in accordance with Wyoming statute. All applications for nonresident licenses and permits shall contain either the nonresident applicant's signature or the signature of the person submitting the application on behalf of the nonresident applicant; and,

(A) In the event the license is issued through the ELS, the resident licensee shall be present at the license selling agent location to purchase a license. The parent or guardian of that applicant shall also be present, if required.

(B) A resident license application for another person shall only be issued at a Wyoming Game and Fish Office upon presentation of a properly completed application form bearing the resident signature and the signature of the parent or guardian, if required.

(iv) License selling agents and the ELS shall only issue licenses to one customer at a time, first come, first served in the order the individuals appear in line. The agent may issue licenses to a single individual who has applications for a maximum of six (6) persons. The applications may be for different hunt areas and different species. If the customer has applications for more than six (6) persons, the customer shall return to the back of the line and not be issued another license for another person until such time that all other applicants waiting in line ahead have been served.

(e) Big Game Licenses. No individual shall apply for or receive more than one (1) license for each big game species during any one (1) calendar year, except as otherwise provided in Commission regulation(s).

(i) Antelope. Eighty percent (80%) of the total available limited quota antelope licenses shall initially be offered to residents in the initial drawing. The order of the resident antelope initial drawings depicted in this section shall be Resident Landowner Licenses, then Resident Regular Licenses.

(A) Statutes provide for up to eighty (80) licenses to be available for a one-shot antelope hunt. These licenses shall be issued above quotas established for the hunt area(s) and shall be allocated to residents and nonresidents as designated by the Wildlife Division. These licenses are exempt from the provisions in this Chapter limiting the number of big game licenses an individual can obtain in one (1) calendar year.

(B) The Commission may, upon receipt of payment of antelope license fees, issue up to a total of thirty (30) antelope licenses each year for the exclusive distribution by nonprofit organizations dedicated to providing hunting opportunities to individuals with disabilities.

(I) Qualifying organizations shall make application to the License Section of the Department on or before August 1 for the antelope licenses. The application shall specify:

(1.) The total number of licenses requested;

(2.) The Hunt Area and Type designation of the licenses requested; and,

(3.) Certification that shows the organization qualifies under the definition of a "Nonprofit Organization Dedicated to Providing Hunting Opportunities to Individuals with Disabilities."

(II) In the event that more than one (1) qualifying organization requests licenses under this subsection, the Department shall allocate the licenses through a random drawing to the specific qualifying organization(s).

(III) The antelope licenses issued shall be issued through the Department above quotas established for the hunt area(s) and shall be allocated to residents or nonresidents as designated by the nonprofit organization(s).

(C) The order of the nonresident antelope initial drawing set forth in this section shall be Nonresident Landowner Licenses, Nonresident Special Licenses, then Nonresident Regular Licenses. The allocation of remaining licenses after the Landowner License Drawing shall be forty percent (40%) to the Nonresident Special License Drawing and sixty percent (60%) to the Nonresident Regular License Drawing.

(D) The Department shall allocate not less than seventy-five percent (75%) of the available Special and Regular Nonresident antelope licenses to a preference point drawing. The order of the nonresident antelope preference point drawing shall allow individual applicants with the highest number of preference points to be given a drawing advantage for the total number of available licenses to be issued in accordance with this section; then the applicants with the next highest number of preference points shall be selected, and so forth, until the quota has been filled for all first choice selections. The Department shall allocate up to twenty-five percent (25%) of the available nonresident antelope licenses to a random drawing in which all unsuccessful applicants from the preference point drawing shall be placed. The preference point drawing advantage shall only apply to an applicant's first choice selection. All unsuccessful applicants in the preference point drawing shall participate in the respective random drawing for all remaining choices, giving no advantage to applicants with preference points.

(I) In addition to the restrictions set forth in Section 16 of this eChapter, party applications with a differing number of preference points among party members shall have preference points averaged and rounded out to five (5) decimal places.

(E) Antelope licenses that have not been applied for and issued through initial drawings shall be offered to residents and nonresidents as leftover licenses.

(F) Eighty percent (80%) of the total available limited quota reduced price doe/fawn antelope licenses shall be offered to residents in the initial drawing. An applicant may only apply for and receive the maximum number of reduced price doe/fawn antelope licenses as specified in Chapter 2, General Hunting Regulation. Any reduced price doe/fawn antelope licenses remaining unsold following the initial drawing shall be made available on the date established annually by the Chief Fiscal Officer. Reduced price pioneer doe/fawn antelope licenses shall only be made available for sale at Headquarters, except as otherwise provided by the Chief Fiscal Officer. In addition to the statutorily prescribed application fees, the price of reduced price doe/fawn antelope licenses shall be twenty-two dollars (\$22.00) for residents, fourteen dollars (\$14.00) for resident youth, two dollars (\$2.00) for resident pioneers, eighteen dollars (\$18.00) for pioneer heritage, thirty-four dollars (\$34.00) for nonresidents and nineteen dollars (\$19.00) for nonresident youth.

(ii) Bighorn Sheep. Seventy-five percent (75%) of the total available limited quota full price bighorn sheep licenses shall initially be offered to residents in the preference point drawings. The Department shall allocate not less than seventy-five percent (75%) of the available resident full price bighorn sheep licenses and not less than seventy-five percent (75%) of the available nonresident full price bighorn sheep licenses to a preference point drawing. The order of the resident and nonresident full price bighorn sheep preference point drawing shall allow individual applicants with the highest number of preference points to be given a drawing advantage for the total number of available licenses to be issued in accordance with this section; then the applicants with the next highest number of preference points shall be selected, and so forth, until the quota has been filled. The Department shall allocate up to twenty-five percent (25%) of the available resident full price bighorn sheep licenses and shall allocate up to twenty-five percent (25%) of the available nonresident full price bighorn sheep licenses to a random drawing in which all unsuccessful applicants from the preference point drawing shall be placed.

(A) Seventy-five percent (75%) of each year's total available limited quota reduced price ewe/lamb licenses shall be offered to residents in the initial drawing, except as otherwise provided by Commission regulations. An applicant may only apply for and receive the maximum number of reduced price ewe/lamb licenses as specified in Chapter 2, General Hunting Regulation. Reduced price ewe/lamb licenses remaining unsold following the initial drawing shall be made available on the date established annually by the Chief Fiscal Officer. In addition to the statutorily prescribed application fees, the price of reduced price ewe/lamb licenses shall be thirty-six dollars (\$36.00) for residents, twenty dollars (\$20.00) for resident youth, two hundred forty dollars (\$240.00) for nonresidents and one hundred dollars (\$100.00) for nonresident youth.

(iii) Deer. Eighty percent (80%) of the total available limited quota deer licenses shall initially be offered to residents in the initial drawing. The order of the

resident deer initial drawings depicted in this section shall be Resident Landowner Licenses, then Resident Regular Licenses.

(A) The Commission shall annually establish the nonresident region general deer license quotas in addition to license quotas for limited quota hunt areas. Nonresident region general deer license quotas shall not include hunt areas with limited quota licenses issued to nonresidents.

(B) Statutes provide for up to seventy-five (75) nonresident special deer licenses to be available for a national bow hunt. This quota shall be deducted from the nonresident special deer quota for the nonresident deer region in which the national bow hunt is held. National bow hunt deer licenses shall only be valid during the hunt dates established by Wyoming National Bow Hunt, Inc. and the Department. These dates shall be within the existing special archery season dates as set forth in the most current Commission Regulation Chapter 6 Deer Hunting Seasons of the Commission regulations for the specific deer hunt area(s) in which the hunt will occur.

(C) Statutes provide for up to twenty-five (25) licenses, which may be issued, for a gunpowder or buckskin hunt(s). These licenses shall be issued above quotas and allocated to residents and nonresidents as designated by the Wildlife Division. These licenses are exempt from the provisions in this Chapter limiting the number of big game licenses an individual can obtain in one (1) calendar year.

(D) The order of the nonresident deer initial drawings described in this section shall be Nonresident Landowner Licenses, Nonresident Special Licenses, and then Nonresident Regular Licenses. The allocation of remaining licenses after the nonresident landowner drawing shall be forty percent (40%) to the Nonresident Special License Drawing and sixty percent (60%) to the Nonresident Regular License Drawing.

(E) The Department shall allocate not less than seventy-five percent (75%) of the available Special and Regular Nonresident deer licenses to a preference point drawing. The order of the nonresident deer preference point drawing shall allow individual applicants with the highest number of preference points to be given a drawing advantage for the total number of available licenses to be issued in accordance with this section; then the applicants with the next highest number of preference points shall be selected, and so forth, until the quota has been filled for all first choice selections. The Department shall allocate up to twenty-five percent (25%) of the available nonresident deer licenses to a random drawing in which unsuccessful applicants from the preference point drawing shall be placed. The preference point drawing advantage shall only apply to an applicant's first choice selection. Unsuccessful applicants in the preference point drawing shall participate in the respective random drawing for all remaining choices, giving no advantage to applicants with preference points.

(I) In addition to the restrictions set forth in Section 16 of this eChapter, party applications with differing number of preference points among party members shall have preference points averaged and rounded out to five (5) decimal places.

(F) Nonresident Region General deer licenses that have not been applied for and issued through initial drawing shall be offered to nonresidents as leftover licenses.

(G) Limited quota deer licenses that have not been applied for and issued through the initial drawings shall be offered to residents and nonresidents as leftover licenses.

(H) Eighty percent (80%) of the total available limited quota reduced price doe/fawn deer licenses shall be offered to residents in the initial drawing. An applicant may only apply for and receive the maximum number of reduced price doe/fawn deer licenses as specified in Chapter 2, General Hunting Regulation. Any reduced price doe/fawn deer licenses remaining unsold following the initial drawing shall be made available on the date established annually by the Chief Fiscal Officer. Reduced price pioneer doe/fawn deer licenses shall only be made available for sale at Headquarters, except as otherwise provided by the Chief Fiscal Officer. In addition to the statutorily prescribed application fees, the price of reduced price doe/fawn deer licenses shall be twenty-two dollars (\$22.00) for residents, fourteen dollars (\$14.00) for resident youth, two dollars (\$2.00) for resident pioneers, eighteen dollars (\$18.00) for pioneer heritage, thirty-four dollars (\$34.00) for nonresidents and nineteen dollars (\$19.00) for nonresident youth.

(I) Resident general deer licenses shall not be limited in number and shall be issued at all Department Regional Offices, Headquarters and designated license selling agents. Resident general deer licenses may also be applied for and issued through the drawing process by submission of prescribed license and application fees.

(iv) Elk. A total license limit of 7,250 nonresident elk licenses shall be made available to nonresident applicants in the initial drawing each year. Reduced price cow/calf elk licenses and leftover limited quota elk licenses described in this Chapter may be made available to nonresidents in addition to the limit of 7,250. Sixteen percent (16%) of the total available limited quota elk licenses shall initially be offered to nonresidents in the nonresident elk initial drawing. The order of the nonresident elk initial drawings described in this section shall be Nonresident Landowner Licenses, Nonresident Special Licenses, and then Nonresident Regular Licenses. Following the Nonresident Landowner License Drawing, licenses available in the initial drawing from the 7,250 limit shall be allocated as follows: The allocation of remaining licenses after the nonresident landowner drawing shall be forty percent (40%) to the Nonresident Special License Drawing and sixty percent (60%) to the Nonresident Regular License Drawing. If the 7,250 license quota is not issued in the initial nonresident drawings, the Department may achieve the 7,250 license quota by issuing general elk licenses. Licenses remaining for limited quota areas resulting from this procedure may be made available in the resident elk initial drawing.

(A). The Department shall allocate not less than seventy-five percent (75%) of the available Special and Regular Nonresident elk licenses to a preference point drawing. The order of the nonresident elk preference point drawing shall allow individual applicants with the highest number of preference points to be given a drawing advantage for the total number of available licenses to be issued in accordance with this section; then the applicants with the next highest number of preference points shall be selected, and so forth, until the quota has been filled for all first choice selections. The Department shall allocate up to twenty-five percent (25%) of the available nonresident elk licenses to a random drawing in which all unsuccessful applicants from the preference point drawing shall be placed. The preference point drawing advantage shall only apply to an applicant's first choice selection. All unsuccessful applicants in the preference point drawing shall participate in the respective random drawing for all remaining choices, giving no advantage to applicants with preference points.

(I) In addition to the restrictions set forth in Section 16 of this eChapter, party applications with differing number of preference points among party members shall have preference points averaged and rounded out to five (5) decimal places.

(B) Following the nonresident elk drawing, quotas for resident limited quota elk licenses shall be adjusted according to the elk quotas established by Commission regulation. In those cases for hunt areas or license types that did not exist for the nonresident elk drawing, but which were later approved by Commission regulation, one hundred percent (100%) of the total available limited quota elk licenses shall be offered to residents in the initial drawing. For the license types that have increased from the initial total available quota established for the nonresident elk drawing, the original resident quota and one hundred percent (100%) of the increased quota shall initially be offered to residents. For the license types that have decreased from the initial total available quota established for the nonresident elk drawing, the quota available to residents in the resident initial drawing shall be the greater of eighty-four percent (84%) of the new reduced quota or the new reduced quota less licenses issued in the nonresident drawing, except in those hunt areas in Grand Teton National Park. For the hunt areas within Grand Teton National Park, the initial quota offered to residents shall be one hundred percent (100%) of the new reduced quota less licenses issued to nonresidents. The Department shall determine if any licenses remaining from the nonresident elk drawing shall be offered to residents in the initial drawing. The order of the resident elk initial drawings depicted in this section shall be Resident Landowner Licenses, then Resident Regular Licenses.

(C) Elk licenses that have not been applied for and issued through the initial drawings shall be offered to residents and nonresidents as leftover licenses.

(D) Eighty-four percent (84%) of each year's total available limited quota reduced price cow/calf licenses shall be offered to residents in initial drawings, except as otherwise provided by Commission regulations. An applicant may only apply for and receive the maximum number of reduced price cow/calf elk licenses as specified in Chapter 2, General Hunting Regulation. Reduced price cow/calf elk licenses remaining unsold following the initial drawings shall be made available on the date established annually by the Chief Fiscal Officer. Reduced price pioneer cow/calf elk licenses shall only be made available for sale at Headquarters, except as otherwise provided by the Chief Fiscal Officer. In addition to the statutorily prescribed application fees, the price of reduced price cow/calf elk licenses shall be forty-three dollars (\$43.00) for residents, twenty dollars (\$20.00) dollars for resident youth, five dollars (\$5.00) for resident pioneers, twenty-seven dollars (\$27.00) for pioneer heritage, two hundred eighty-eight dollars (\$288.00) for nonresidents and one hundred dollars (\$100.00) for nonresident youth.

(E) Resident general elk licenses shall not be limited in number and shall be issued at all Department Regional Offices, Headquarters and designated license selling agents. General elk licenses may also be applied for and issued through the initial drawing process by submitting prescribed license and application fees.

(v) Moose. Eighty percent (80%) of the total available limited quota moose licenses shall be offered to residents in the initial drawing. The Department shall allocate not less than seventy-five percent (75%) of the available resident moose licenses and not less than seventy-five percent (75%) of the available nonresident moose licenses to a preference point drawing. The order of the resident and nonresident moose preference

point drawing shall allow individual applicants with the highest number of preference points to be given a drawing advantage for the total number of available licenses to be issued in accordance with this section; then, the applicants with the next highest number of preference points shall be selected, and so forth, until the quota has been filled. The Department shall allocate up to twenty-five percent (25%) of the available resident moose licenses and shall allocate up to twenty-five percent (25%) of the available nonresident moose licenses to a random drawing in which all unsuccessful applicants from the preference point drawing shall be placed.

(vi) Mountain Goat. Seventy-five percent (75%) of the total available limited quota mountain goat licenses shall be offered to residents in the initial drawing.

(f) Trophy Game. No individual shall apply for or receive more than one (1) license for a specific trophy game species during any one (1) calendar year, except as otherwise provided in Commission regulation.

(i) Black Bear. Black bear licenses shall not be limited in number. They shall be issued as over-the-counter licenses through the ELS and at designated book license selling agents throughout the state.

(ii) Grizzly Bear. No licenses shall be issued for this species until such time as the Commission may establish an open season.

(iii) Mountain Lion. Full price mountain lion licenses and reduced price mountain lion licenses shall not be limited in number. They shall be issued as over-the-counter licenses through the ELS and at designated book license selling agents throughout the state. A person may apply for and receive a maximum of one (1) full price mountain lion license and one (1) reduced price mountain lion license during any one (1) calendar year. Reduced price mountain lion licenses are only valid in specified hunt areas. A person shall possess and exhibit a full price mountain lion license for the current calendar year in order to receive a reduced price mountain lion license for the same calendar year. The price of reduced price mountain lion license shall be twenty dollars (\$20.00) for residents and ninety-two dollars (\$92.00) for nonresidents.

(g) Wild Bison. Priority lists for wild bison licenses shall be generated through a drawing by the Department's License Section at Headquarters. Notification of selected applicants for license issuance shall be in accordance with Commission Regulation Chapter 15, Wild Bison Recreational Hunting Season. Wild Bison licenses shall be issued at the respective Department Regional Office in the region where the wild bison recreational hunting opportunity exists, or through Headquarters, on the basis of the wild bison priority lists.

(i) Wild bison priority list(s) shall be maintained for any wild bison and ~~cow~~**female or** calf wild bison. An individual shall only apply for one (1) license type.

(ii) Applications for resident and nonresident wild bison priority lists shall only be accepted at Headquarters on proper application forms. Residents shall pay a five-dollar (\$5.00) application fee and nonresidents shall pay a fourteen-dollar (\$14.00) application fee. Applicants shall have the choice of applying for any wild bison or ~~any~~**any** ~~cow~~**female or** calf wild bison. In addition to the application fees, applications shall be accompanied by a six-dollar (\$6.00) nonrefundable entry fee for the priority list drawing. A computer random number selection shall be utilized to determine name placement on the

wild bison priority lists. Applicants shall be notified of their placement on the wild bison priority lists.

(iii) Eighty percent (80%) of the wild bison licenses shall be initially offered to residents. If the number of resident applicants for wild bison licenses does not meet or exceed the resident wild bison license allocation, the remaining resident allocation may be issued to nonresidents. If the number of nonresident applicants for wild bison licenses does not meet or exceed the nonresident wild bison license allocation, the remaining license allocation may be issued to residents.

(iv) The wild bison priority list(s) shall be established annually. The application period for the wild bison priority list(s) shall be as established in Section 18 of this regulation. The effective period of each annual wild bison priority list shall be ~~September~~ August 1, the year the priority list drawing takes place through January 31 of the following calendar year.

(h) Bird.

(i) Falconry.

(A) Hunt with Falcon licenses shall be issued as over-the-counter licenses through the ELS and designated book license selling agents throughout the state.

(B) ~~Falcon~~ General Raptor Capture licenses shall be issued as over-the-counter licenses at Headquarters. Limited ~~q~~Quota ~~falcon~~ Raptor ~~e~~Capture licenses shall be issued in accordance with Commission Regulation Chapter 25 Falconry Regulation.

(ii) Game Bird. Game Bird licenses shall not be limited in number. They shall be issued as over-the-counter licenses through the ELS and at designated book license selling agents.

(iii) Wild Turkey. Eighty percent (80%) of each year's total available spring and fall limited quota wild turkey licenses shall be offered to residents in the initial drawing. The order of the initial drawings shall be resident landowner licenses, resident regular licenses, nonresident landowner licenses, and then nonresident regular licenses.

(A) Limited quota wild turkey licenses that have not been applied for and issued through the initial drawing shall be offered to residents and nonresidents as leftover licenses.

(B) The Commission may authorize general wild turkey licenses, which shall not be limited in number. Those licenses shall be issued as over-the-counter licenses through the ELS and designated book license selling agents. These licenses may also be applied for and issued through the initial drawing process.

(i) Small Game. Small Game licenses shall not be limited in number. They shall be issued as over-the-counter licenses through the ELS and at designated book license selling agents.

(j) Furbearing Animals.

(i) Trapping. Resident furbearing animal trapping licenses shall not be limited in number. They shall be issued as over-the-counter licenses through the ELS and at designated book license selling agents. Nonresident furbearing animal trapping licenses shall not be limited in number and shall be issued at Headquarters.

(ii) Capture Furbearing Animal for Domestication. Capture Furbearing Animal for Domestication licenses shall not be limited in number and shall be issued at Headquarters.

(k) Archery. Archery licenses shall not be limited in number. They shall be issued as over-the-counter licenses through the ELS and at designated book license selling agents.

(l) Commercial Licenses. Commercial licenses require written approval by Department personnel prior to issuance.

(i) Commercial Fish Hatchery. Commercial Fish Hatchery licenses shall not be limited in number and shall be issued at Headquarters.

(ii) Deal in Live Bait. Deal in Live Bait licenses shall not be limited in number and shall be issued at Department Regional Offices and Headquarters.

(iii) Fishing Preserve. Fishing Preserve licenses shall not be limited in number and shall be issued at Headquarters.

(iv) Fur Dealer. Fur Dealer licenses shall not be limited in number and shall be issued at Headquarters.

(v) Game Bird Farm. Game Bird Farm licenses shall not be limited in number and shall be issued at Headquarters.

(vi) Taxidermist. Taxidermist licenses shall not be limited in number and shall be issued to qualified persons at Headquarters.

(m) Fishing. Fishing licenses shall not be limited in number. They shall be issued as over-the-counter licenses through the ELS and at designated book license selling agents.

(i) Seine or Trap Fish. Seine or Trap Fish licenses shall not be limited in number and shall be issued through the ELS. No person shall apply for or receive more than one (1) seine or trap fish license during a calendar year.

(n) Duplicate Licenses.

(i) In order for a duplicate license to be issued, a duplicate license affidavit shall be properly completed by the licensee and by the license selling agent or sub-agent.

(A) For a license that was originally a manual book license sale, the license selling agent or sub-agent from the business entity that issued the license shall be required to complete the duplicate license affidavit prior to issuing a duplicate license.

(B) For a license that was originally issued through the ELS, the license selling agent or sub-agent shall be required to complete a duplicate license affidavit prior to issuing a duplicate license.

(ii) Duplicate licenses shall be issued through the ELS and through designated book license selling agents.

(iii) The Department and license selling agents shall charge a fee of five dollars (\$5.00) for issuance of a duplicate license.

(iv) The Department shall not charge a fee for issuance of a duplicate license when the loss or destruction of the license is the fault of the Department.

(o) Replacement Licenses.

(i) The completion of a duplicate license affidavit shall not be required for the issuance of a replacement license.

(ii) The Department and license selling agents shall charge a fee of five dollars (\$5.00) for the issuance of a replacement license issued through the ELS.

(p) Resident Guide Licenses shall be issued for no charge at Department Regional Offices, Headquarters, and through designated Department personnel.

Section 6. Permits.

(a) Sandhill Crane.

(i) Limited Quota Sandhill Crane. Applicants shall be selected by random computer selection. Both residents and nonresidents shall draw against the same quota. Limited quota sandhill crane permits that have not been applied for and issued through drawings shall be issued through the ELS on an as processed basis until quotas have been reached or the permit is no longer valid.

(ii) General Sandhill Crane. The permits shall not be limited in number and shall be issued as over-the-counter permits at Headquarters.

(b) Disabled Hunter and Disabled Hunter Companion Permits. Any person qualified to obtain a disabled hunter permit or purchase a disabled hunter companion permit shall apply on the proper application form to the Department's License Section at Headquarters or to Department Regional Offices.

(c) Hunters with a Qualifying Disability Permit. Any person qualified to obtain a Hunter with a Qualifying Disability Permit to Shoot from a Vehicle shall apply on the proper application form to the Department's License Section at Headquarters, Department Regional Offices, or designated Department personnel.

(d) Migratory Bird.

(i) Harvest Information Permit. Harvest Information Permits shall not be limited in number and shall be issued at Department Regional Offices, Headquarters and

at designated book license selling agents throughout the state. Harvest Information Permits may also be available through the Department's website.

(e) Furbearing Animal, Limited Quota Beaver and Marten.

(i) Applicants shall be selected by random computer drawing. Both residents and nonresidents shall draw against the same quota. Leftover permits may be issued to the first eligible applicant through the ELS.

(f) Pheasant.

(i) Glendo Permit. Eighty percent (80%) of each year's total available limited quota Glendo pheasant permits shall be offered to residents in the initial drawing. Glendo pheasant permits that have not been applied for and issued through the initial drawing shall be issued through the ELS on an as processed basis until quotas have been reached or the permit is no longer valid. No person shall apply for or receive more than one (1) Glendo Permit in a single calendar year.

(ii) Springer Permit. Eighty percent (80%) of each year's total available limited quota Springer pheasant permits shall be offered to residents in the initial drawing. Springer pheasant permits that are not applied for and issued through the initial drawing shall be issued at the Springer Check Station or as authorized by the Chief Fiscal Officer.

~~(g) Reciprocity Permit. Reciprocal agreements provide for licensing for fishing of residents of Wyoming and adjoining states upon artificial impoundment of water forming the boundary between Wyoming and adjoining states. Reciprocity permits shall not be limited in number and shall be sold at designated Department Regional Offices, Headquarters and designated book license selling agents.~~

(h) Special Management Permit. Any individual participating in a special management program shall be required to purchase a special management permit. Special Management Permits shall not be limited in number and shall be issued through the ELS and at designated book license selling agents. Hunters purchasing a special management permit shall validate the permit by signing in ink across the face of the permit. Hunters who acquire a special management permit in conjunction with a license through the ELS shall not be required to meet the signature provisions of this subsection.

(i) Special Limited Fishing Permit.

(i) Any institution, ~~or~~ facility **or school** designated by the Department to issue special limited fishing permits to any person under the care and supervision of the **institution**, residing facility, **or school** as authorized in W.S. §23-2-207 may issue such permits to fish in accordance with Commission Regulation Chapter 46, Fishing Regulations.

(ii) Special limited fishing permits shall specify the following information:

(A) Name and date of birth of individual to whom the permit is issued.

(B) Calendar year for which the permit is valid.

(C) Name of institution, ~~or~~ facility, or school issuing the permit.

(D) Name of the person employed by institution, ~~or~~ facility, or school who issued the permit.

(iii) No person shall apply for or receive any permit under this section by false swearing, fraud or false statement of any kind or in any form.

(iv) Employees of institutions facilities or schools as authorized in W.S. §23-2-207 are not eligible to receive special limited fishing permits.

(v) Any institution, ~~or~~ facility or school, designated by the Department to issue special limited fishing permits, shall submit an annual report to the Department's License Section. The report shall include the number of special limited fishing permits issued, the name of the institution, ~~or~~ facility or school and any other required information as provided by the Department. Reports shall be due on or before January 31 following the reporting period year.

Section 7. Tags.

(a) Wyoming Interstate Game Tag. Wyoming Interstate Game Tags shall not be limited in number and shall be sold through Department Regional Offices, Headquarters, designated Department personnel, game tag distributors or their designees.

Section 8. Stamps.

(a) Conservation Stamp. Conservation Stamps shall not be limited in number and shall be sold through the ELS and at designated book license selling agents.

(i) Hunters or anglers acquiring a conservation stamp for the purpose set forth in W.S. §23-2-306 shall validate the stamp by signing their name in ink in the space provided on the face of the stamp. Hunters or anglers who acquire a lifetime conservation stamp, or a conservation stamp authorization through the ELS shall not be required to meet the signature provisions of this subsection.

(ii) The validated stamp, or the document exhibiting the stamp privilege, shall be in possession of any person required by W.S. §23-2-306 to obtain a stamp if the person is engaged in the act of hunting or fishing and shall be immediately produced for inspection upon request from any Department personnel.

(b) Wildlife Damage Management Stamp. Wildlife Damage Management Stamps shall not be limited in number and shall be sold through the ELS and at designated book license selling agents. The price for the stamp shall be established by the Wyoming Animal Damage Management Board.

(c) Reciprocity Stamp. Reciprocal agreements provide for licensing for fishing of residents of Wyoming and adjoining states upon artificial impoundment of water forming the boundary between Wyoming and adjoining states. Reciprocity stamps shall not be limited in number and shall be sold at designated Department Regional Offices, Headquarters and designated book license selling agents.

Section 9. Landowner Licenses. Landowner licenses shall only be issued to those landowners ~~that~~who own land which provides habitat for antelope, deer, elk or wild turkeys and meets the requirements as set forth in this section. Any lands purchased or subdivided for the primary purpose of obtaining landowner licenses shall not be eligible for landowner licenses. The Wyoming Game and Fish Commission authorizes the issuance of landowner licenses in order to provide the opportunity for a landowner applicant or member of the landowner applicant's immediate family to hunt antelope, deer, elk or wild turkey on the landowner's property in the case where all available licenses for a hunt area have been ~~totally~~ limited in number and only available through a competitive drawing.

(a) In order to qualify for a license issued under this section, the deeded land qualifying the landowner applicant shall be located in the hunt area for which applied, shall consist of a minimum of one hundred sixty (160) contiguous acres and shall be utilized by the type of big game or wild turkeys for which the applicant applied to the extent the land provides food, cover and water. The landowner applicant shall demonstrate that the species of wildlife for which the license application has been made utilized the described land for a minimum of two thousand (2,000) days of use during the twelve (12) month period immediately preceding the date of application. In no case shall more than two (2) big game licenses per species or more than two (2) spring wild turkey or no more than two (2) fall wild turkey licenses be issued for a parcel of deeded land meeting the above qualifications in a calendar year.

(b) Resident or nonresident landowner applicants that own land in Wyoming or members of the landowner applicant's immediate family may be issued licenses upon application and payment of the specified fee. Licenses shall be issued to landowners without participating in a competitive drawing unless the number of landowner license applications exceeds the number of licenses authorized for the hunt area by the Commission. In such cases, a competitive drawing shall be utilized to determine successful landowner license applicants. Landowner license applications shall be drawn first in each respective resident and nonresident drawing and shall be drawn against the total quota available in each respective hunt area.

(a)(c) As a condition of eligibility for licenses issued to landowners, landowner applicants shall provide on and with the application for a license issued to landowners, documentation that substantiates in which capacity the individual qualifies as a landowner applicant under the definition of a landowner applicant or landowner's immediate family in this Chapter. Documentation shall include the completion of the landowner license application form provided by the Department, and any attachments required by the Department to determine eligibility of the applicant. The Department shall consider the eligibility of the applicant based on the requirements in this regulation and documentation provided by the landowner. Applicants for landowner licenses shall be submitted to the game warden or the regional wildlife supervisor in whose geographic area of responsibility the land listed on the application occurs.

(ad) In the case of resident license availability, no full price landowner licenses shall be authorized if hunting with a general license is allowed at any time during the hunting season, unless the general license is valid for antlerless deer or antlerless elk hunting only.

(be) In the case where ~~the~~ nonresident landowner qualifies for a landowner license in a hunt area where the current hunting season provides for both limited quota and general license hunting during the established hunting season for the species applied ~~for~~, the nonresident landowner may apply as a nonresident applicant for either the limited quota license for the area in which the applicant ~~is~~ qualified, or a general license in the initial drawing. If the nonresident landowner is unsuccessful in obtaining a limited quota license in the nonresident drawing, the nonresident landowner may subsequently apply to the Department for the issuance of a general license.

(ef) Landowner licenses shall be designated by the landowner and applied for by a landowner applicant, or a member of the landowner applicant's immediate family. In no case may an individual landowner applicant apply for or receive more than one (1) ~~full price and one (1) limited quota reduced price~~ landowner license per ~~big game~~ species in a calendar year; ~~except, an individual~~ In no case may an individual landowner applicant ~~may~~ apply for and receive ~~more than~~ one (1) landowner license for a spring wild turkey license and one (1) landowner license for a fall wild turkey license in ~~the same a~~ calendar year. A maximum of one (1) full price landowner and one (1) reduced price landowner license per ~~big game~~ species may be allowed to a landowner applicant regardless of the number of landholdings in which the landowner applicant holds an interest. Regardless of ~~a~~ change in ownership of a particular parcel of land, no more than two (2) landowner licenses for each ~~big game~~ species (antelope, deer, elk, ~~or wild turkey~~) shall be issued in any calendar year on the basis of the qualification of the particular parcel. Regardless of a change in ownership of a particular parcel of land, no more than two (2) spring wild turkey and two (2) fall wild turkey landowner licenses shall be issued in any calendar year on the basis of the qualification of the particular parcel.

~~(d) — Resident or nonresident landowner applicants that own land in Wyoming or members of the landowner applicant's immediate family may be issued licenses upon application and payment of the specified fee. Licenses shall be issued to landowners without participating in a competitive drawing unless the number of landowner license applications exceeds the number of licenses authorized for the hunt area by the Commission. In such cases, a competitive drawing shall be utilized to determine successful landowner license applicants. Landowner license applications shall be drawn first in each respective resident and nonresident drawing and shall be drawn against the total quota available in each respective hunt area.~~

~~(e) — In order to qualify for a license issued under this section, the deeded land qualifying the landowner applicant shall be located in the hunt area for which applied, shall consist of a minimum of one hundred sixty (160) contiguous acres and shall be utilized by the type of big game or wild turkeys for which the applicant applied to the extent the land provides food, cover and water. The landowner applicant shall demonstrate that the species of wildlife for which the license application has been made utilized the described land for a minimum of two thousand (2,000) days of use during the twelve (12) month period immediately preceding the date of application. Applications for landowner licenses shall be submitted to the game warden or regional wildlife supervisor in whose geographic area of responsibility the land listed on the application occurs.~~

~~(f) — As a condition of eligibility for licenses issued to landowners, landowner applicants shall provide on and with the application for a license issued to landowners documentation that substantiates in which capacity the individual qualifies as a landowner applicant under the definition of a landowner applicant or landowner's immediate family in this Chapter. Documentation shall be the completion of the landowner license application.~~

~~form provided by the Department and any attachments required by the Department to determine eligibility of the applicant. The Department shall consider the eligibility of the applicant based on the requirements in this regulation and documentation provided by the landowner.~~

~~(g) No landowner licenses shall be issued for reduced price doe/fawn antelope, reduced price doe/fawn deer, or reduced price cow/calf elk.~~

Section 10. Lifetime Licenses and Conservation Stamp. Any resident qualified to purchase a lifetime fishing or lifetime combination license pursuant to Wyoming statute may apply on the proper application form to the Department's License Section at Headquarters.

(a) Wyoming statute provides for a lifetime conservation stamp. Any person may apply on the proper application form to the Department's License Section at Headquarters.

(b) Receiving a lifetime license grants the recipient the privilege of utilizing the license for his lifetime; however, the license shall not be construed as exercising resident hunting or fishing privileges in Wyoming when and if the person leaves the State of Wyoming.

Section 11. Governor Complimentary Licenses. Wyoming statutes provide for the issuance of complimentary licenses to be issued at the request of the Governor. Big game licenses authorized under this section shall be valid for the species for which the license has been issued. These licenses shall be valid in any hunt area in accordance with Commission regulations, except for the following:

(a) Complimentary moose licenses shall not be valid in any moose hunt area, which has a total quota of ten (10) or less antlered or any moose licenses.

(b) Complimentary full price bighorn sheep licenses shall not be valid in any bighorn sheep hunt area, ~~which~~that has a total quota of eight (8) or less full price bighorn sheep licenses.

(c) Holders of Governor Complimentary licenses shall be exempt from the provisions in this Chapter limiting the number of big game licenses an individual can possess in any one calendar year. However, State statute dictates that a hunter shall be restricted to take a maximum of two (2) elk in a season under all licenses held. An individual is eligible to receive a Governor Complimentary moose license and a Governor Complimentary full price bighorn sheep license annually. Recipients shall be exempt from the five (5) year waiting period and preference points shall not be lost if an individual receives a Governor Complimentary moose or full price bighorn sheep license. Nonresident preference points shall not be lost if an individual receives a Governor Complimentary antelope, deer or elk license.

Section 12. Commissioner Complimentary Licenses.

(a) Wyoming statutes provide that each appointed Commissioner may cause, through the issuance of license authorizations to nonprofit charitable organizations, to be issued at full price, complimentary antelope, deer, or elk licenses. Once the commissioner complimentary license authorization has been auctioned or otherwise bid to the highest

bidder or raffled to members of the public by the nonprofit or charitable organization, the recipient of the license authorization may only transfer the license authorization to another person if no additional consideration above the bid or raffle price is paid by the transferee. The recipient of the license authorization may donate the license authorization back to the nonprofit or charitable organization that originally bid the license authorization to be rebid to a new highest bidder. The Department shall issue the license in the name of the person who submits the authorization for license issuance. All big game licenses authorized under this section are valid for a specific region or hunt area as designated by the applicant at the time of application. The specific region, or hunt area, or type shall not be changed following the issuance of the license by the Department. Holders of Commissioner Complimentary licenses shall be exempt from the provisions in this Chapter limiting the number of licenses an individual can possess in any one (1) calendar year. However, Sstate statute dictates that a hunter shall be restricted to take a maximum of two (2) elk in a season under all licenses held. Nonresident recipients shall not lose preference points for receiving a Commissioner Complimentary antelope, deer or elk license. As a condition to issuance of a Commissioner Complimentary license, the Department shall require an authorized officer of the recipient organization to certify under penalty of law that the respective organization is a nonprofit, charitable organization as defined in this regulation and eligible to receive the Commissioner Complimentary license authorization.

(i) Effective January 1, 2012, there shall be a limit on the number of big game Commissioner Complimentary Licenses issued in any hunt area or region. Commissioner Complimentary Licenses shall not be issued for a hunt area license type having a quota of twenty (20) or less licenses.

Section. 13 Commissioner Complimentary Licenses for Persons with Life Threatening Illnesses

(ba) The Commission may, upon receipt of payment of the proper fee issue up to twenty five (25) antelope licenses, twenty five (25) deer licenses, twenty five (25) elk licenses and twenty five (25) turkey licenses to persons twenty (20) years of age or younger with a life-threatening illness and who is sponsored by a nonprofit charitable organization whose mission it is to provide opportunities and experiences to persons with life-threatening or serious illnesses. Licenses issued under this subsection shall be issued above quotas established for the hunt area(s) by Commission regulation. However, no more than ten (10) antelope, ten (10) limited quota deer, ten (10) limited quota elk or ten (10) limited quota turkey licenses shall be issued for any one hunt area during the same calendar year.

(i) The sponsoring organization shall submit a request for the number of licenses and species requested on or before March 1 for spring turkey and on or before August 1 for antelope, deer, elk and fall turkey.

(ii) After notification that a sponsoring organization's request has been granted, the sponsoring organization shall submit a completed application and appropriate license fee for the person with a life-threatening or serious illness to the Department's License Section for license issuance.

(iii) As a condition to issuance of a license in this subsection, the Department shall require an authorized officer of the sponsoring organization to certify

under penalty of law that the respective organization is a nonprofit, charitable organization as defined in this regulation.

(iv) The sponsoring organization shall provide a notarized statement from a licensed physician stating the license recipient is clinically diagnosed with a life-threatening or serious illness.

(v) The Department shall issue licenses to individuals sponsored by qualifying organizations meeting the provisions under this subsection to residents and nonresidents in accordance with Section 5(e)(i), 5(e)(iii), 5(e)(iv), and Section 5(h)(iii) of this eChapter. In the event the number of applications exceeds the number of licenses available under this subsection, the Department shall allocate the licenses through a random drawing on or before March 2 for spring turkey and on or before August 2 for antelope, deer, elk and fall turkey. Licenses remaining after the initial issuance shall be available on a first come, first served basis until the quotas for licenses in this subsection have been allocated.

Section 1314. Pioneer Licenses, Pioneer Heritage Licenses, Honorably Discharged Pioneer Veteran's Licenses, One Hundred Percent (100%) Disabled Resident Veterans Licenses, and Resident Disabled Veteran's Lifetime Fishing Licenses.

(a) Pioneer lifetime combination game bird/small game/fishing licenses may be issued to qualified individuals. The Pioneer Ggame Bbird/Ssmall Ggame/Ffishing licenses shall not be limited in number and shall be issued at Department Regional Offices and Headquarters.

(b) ~~Pioneer Heritage antelope, deer or elk licenses.~~ Pioneer heritage antelope, deer, ~~or~~ elk or wild turkey licenses may be issued through the ELS to any resident who was born after January 1, 1930, is at least seventy (70) years of age prior to the issuance of the license and has continuously resided in Wyoming for at least fifty (50) years immediately preceding application for the license. The fee for such licenses shall be: pioneer heritage antelope license, twenty dollars (\$20.00); pioneer heritage deer license, twenty-three dollars (\$23.00); ~~and~~; pioneer heritage elk license, thirty-two dollars (\$32.00); and, pioneer heritage wild turkey license, ten dollars (\$10.00).

(c) Honorably discharged pioneer veteran combination game bird/small game/fishing licenses may be issued to qualified individuals. Combination game bird/small game/fishing licenses may be issued to residents of the state who qualify as honorably discharged pioneer veterans. The honorably discharged pioneer veteran game bird/small game/fishing license shall not be limited in number and shall be issued at Department Regional Offices and Headquarters upon submission by the applicant of documentary proof that he qualifies as an honorably discharged pioneer veteran.

(d) One hundred percent (100%) disabled resident veteran combination game bird/small game/fishing license may be issued to qualified individuals. Combination game bird/small game/fishing licenses may be issued to residents of the state who qualify as one hundred percent (100%) disabled resident veterans. The one hundred percent (100%) disabled resident veteran game bird/small game/fishing license shall not be limited in number and shall be issued at Department Regional Offices and Headquarters upon submission by the applicant of documentary proof provided by the United States Department of Veteran's Affairs that the resident veteran qualifies as one hundred percent

(100%) disabled. For the purpose of this subsection, one hundred percent (100%) disabled does not refer to disability compensation.

(e) Wyoming statutes provide for the issuance of antelope, deer, or elk pioneer licenses to individuals qualified at the time of license issuance. For purposes of drawings for which the submission of a proper application form shall be required, license issuance shall be considered to be the published tentative draw date. Any resident person qualified to receive a limited quota pioneer big game license shall make application on proper application forms to Headquarters or any location designated by the Chief Fiscal Officer. Limited quota pioneer licenses for antelope, deer, and elk shall be applied for in accordance with Section 17 of this Chapter. Pioneer general and pioneer heritage general deer and elk licenses shall be issued through the ELS. Limited quota reduced price pioneer and reduced price pioneer heritage doe/fawn antelope, doe/fawn deer, and cow/calf elk licenses shall only be issued at Headquarters, except as otherwise provided by the Chief Fiscal Officer.

(f) Resident disabled veteran's lifetime fishing license. Any resident disabled veteran who receives fifty percent (50%) or more service connected disability compensation from the United States Department of Veteran's Affairs may apply on the proper application form for a resident disabled veteran's lifetime fishing license. The disabled veteran's resident lifetime fishing license shall not be limited in number and shall be issued at Department Regional Offices and Headquarters upon submission by the applicant of documentary proof provided by the United States Department of Veteran's Affairs that he receives fifty percent (50%) or more service connected disability compensation. The license shall remain valid for the lifetime of the person in whose name it is issued as long as the person is a resident in accordance with W.S. §23-1-107 and Commission rules and regulations.

Section. 15 Donation of Big Game Licenses to Disabled Veterans.

(a) The holder of a valid big game license may surrender a big game license to the Department for reissuance to a disabled veteran.

(i) The unused, unaltered license with all coupons intact shall be surrendered to the Department's License Section prior to the earliest opening date for said license, including special archery seasons.

(ii) The unused license shall be submitted along with a form provided by the Department which indicates the license holders' desire to surrender the license issued in their name and donate the surrendered license to a disabled veteran.

(iii) Any person surrendering a valid big game license to be reissued to a disabled veteran, shall not be eligible to receive a duplicate license for the same species, hunt area and type as the surrendered license.se.

(iv) A surrendered license shall count against the maximum number of licenses a person may otherwise apply for and receive as a condition of Commission regulation.

(v) Any person surrendering a valid big game license for re-issuance to a disabled veteran, for which preference points have been accumulated, shall not have preference points restored.

(b) The surrendered license shall be reissued by the Department's License Section to a qualified disabled veteran who has been selected and sponsored by a nonprofit charitable organization providing hunting opportunities for disabled veterans.

(i) As a condition to reissue a license in this subsection, the Department shall require an authorized officer of the sponsoring organization to certify under penalty of law that the respective organization is a nonprofit, charitable organization, as defined in this regulation, that provides hunting opportunities to disabled veterans.

(ii) The sponsoring nonprofit charitable organization shall submit a completed application form for the issuance of a license on forms provided by the Department. In addition, documentary proof provided by the United States Department of Veterans Affairs that the applicant qualifies as a disabled veteran for the donated license shall be submitted with the application form.

(iii) Donated licenses shall be reissued on a first come, first serve basis as licenses are surrendered and qualified applications are received.

(iv) The license shall be reissued to a qualified disabled veteran at no fee.

(v) The license shall be reissued for the same species, area, and license type as the license donated.

Section ~~14~~**16**. Active Duty Wyoming Resident in Combat Zone Licenses.

(a) Complimentary resident general elk, resident general deer, resident game bird, resident small game and resident daily fishing licenses shall be issued to any Wyoming resident currently serving on active duty in the United States military deployed to a combat zone while home on military leave during the applicable hunting or fishing season. Applicants for licenses in this subsection shall meet the statutory requirements established in W. S. §23-2-101(a), and shall provide to the Department a valid, current military identification card, military leave orders indicating the resident is currently deployed to a combat zone and is returning to a combat zone at the end of the current leave period, a current Leave and Earnings Statement indicating the applicant is receiving hostile fire compensation and proof of residency at the time of application. Licenses shall be issued at no fee to the applicant and shall only be issued at the Headquarters or Department Regional Offices.

Section ~~15~~**17**. Depredation Licenses. Application shall be made to Department Regional Offices in the region where participation is desired on proper application forms. Applicants shall apply annually to be included on priority lists. Applicants shall make separate application for each species. Name placement on each list shall be established in accordance with Commission regulations.

Section ~~16~~18. Party Applications. The maximum allowable number of applications in a party shall be six (6). Residents and nonresidents shall not apply together in the same party, except for sandhill crane permits. Applications from landowner applicants shall not be accepted as a party with non-landowner applicants. Nonresidents applying in the drawing for special licenses shall not apply as a party with nonresidents applying in the drawing for regular licenses. No party applications shall be accepted for moose, bighorn sheep, or mountain goat licenses. All party applications may be disqualified if one or more applications within the party are improper or incomplete; or, if the party block has not been properly completed; or, all applications do not specify the same species, hunt area, and type in the same order of preference. All applications in the same party shall be submitted together in the same envelope. All members of a party may either receive licenses or refunds of their license fees minus application fees and applicable preference point fees.

Section ~~17~~19. Proof of Residency for Resident Licenses.

(a) Any qualified individual may apply for or receive a resident game and fish license, permit, or tag if the person meets the residency requirements pursuant to W.S. §23-1-102(a)(ix)(xv) and §23-1-107. When an individual signs an application to obtain a resident license or signs a resident license, the individual swears that he is a Wyoming resident as defined in W.S. §23-1-102(a)(ix)(xv) and §23-1-107.

(b) Any person applying for or purchasing a resident license, permit, preference point, or tag shall provide proof of their residency. License selling agents and the Department shall consider as documentary evidence of residency the applicant's Wyoming driver's license or Wyoming identification card, a copy of their school records, a completed military form DD214, a completed and signed proof of residency statement on a form provided by the Department or a completed proof of residency affidavit issued through the ELS. Documentary evidence furnished by an applicant for a resident license shall not be considered conclusive proof in a court of law that the applicant is a resident in accordance with Wyoming statutes.

(c) A person qualifying as a Wyoming resident in accordance with W.S. §23-1-107(c) shall not gain or lose residency for the purpose of serving full time for a period not to exceed four (4) years in an established volunteer service program for charitable purposes, humanitarian purposes, or religious purposes. A letter, signed and notarized by the volunteer service program's director, which describes the services provided (including that they were provided without remuneration), the duration of service, and the hours served may be used to establish compliance with W.S. §23-1-107(c).

(d) A person qualified as a Wyoming resident as defined in W.S. §23-1-102 (ix) and W.S. §23-1-107, is not considered a nonresident for the purposes of applying for or purchasing licenses, permits, tags or preference points.

Section ~~18~~20. Application Dates.

(a) Proper application forms for drawings shall be separate documents submitted to Headquarters during the application periods stated in this section. The Department may also implement the ability to submit electronic applications for drawings through the ELS. Electronic applications shall provide for an electronic signature process for residency oaths, certification to the correctness of information provided, or any other

assertions as may be required by this regulation on the applications. Evidence of electronic signatures on drawing applications and licenses purchased may not be excluded in legal proceedings. Ref: W.S. § 40-21-113

(b) All applications for resident licenses and permits shall contain the resident applicant's original or electronic signature and, when applicable, the parent or legal guardian's signature in accordance with Wyoming statute. All applications for nonresident licenses and permits shall contain either the nonresident applicant's signature or the signature of the person submitting the application on behalf of the applicant. Where Commission regulation does not provide for a distinction between resident and nonresident applicants, the application shall contain the applicant's signature or the signature of the person submitting the application on behalf of the applicant.

(c) Photocopies of properly completed applications shall be accepted through mail or hand delivery. Except as specifically authorized by the Chief Fiscal Officer, applications submitted to the Department through facsimile devices shall not be accepted.

(d) Applications made on the proper application form and accompanied by the proper fee shall be accepted at Headquarters or any location designated by the Chief Fiscal Officer per the schedule presented in subsection (h) of this section. Personal checks from nonresident applicants drawn on banks not in Wyoming shall only be accepted by the Department for licenses issued in the initial drawings. Applicants whose checks are returned to the Department unpaid by their banks shall be required to replace the returned check and to pay for any licenses issued or applications submitted during the remaining calendar year and the next calendar year with cashier's checks or money orders. Cash shall be accepted as proper fee. However, the sending of cash and endorsed checks through the mail or left at the Headquarters drop box shall be done at the applicant's own risk. The Department shall not provide receipts and shall not accept any responsibility for theft or loss for any reason.

(e) Applications shall not be accepted after 5:00 p.m. mountain standard time zone on the respective application deadline dates listed in subsection (h) regardless of postmark date or mail deliverance method utilized by the applicant, except for licenses remaining unsold after the initial drawings. If the deadline date occurs on a day when Headquarters has been closed to mail delivery or for license sales (weekends, holidays, etc.), applications received on the next business day by 5:00 p.m. mountain standard time zone on that day shall be accepted as meeting the application deadline. No application for a current calendar year license shall be accepted after 5:00 p.m. mountain standard time zone December 31 of the same current year.

(f) Applications submitted through the ELS shall not be accepted after 5:00 p.m. mountain standard time zone on the respective application deadline dates listed in subsection (h). If the deadline date occurs on a day when Headquarters has been closed to mail delivery or for license sales (weekends, holiday, etc.), the ELS shall be available until 5:00 p.m. mountain standard time zone on the next business day.

(g) If the ELS is closed during the deadline date listed in subsection (h), as determined by Commission policy, the Department shall accept applications through the ELS until 5:00 p.m. mountain standard time zone on the next calendar day.

(h) Application Dates

<u>LICENSE</u>	<u>BEGINNING APPLICATION DATE</u>	<u>LAST DATE TO ACCEPT APPLICATIONS</u>	<u>LAST DATE TO MODIFY/WITHDRAW</u>
<u>ANTELOPE</u>			
Limited Quota Nonresident License	Jan. 1	March 15	June 3
Limited Quota Nonresident License With Preference Point Option	Jan. 1	March 15	June 3
Limited Quota Nonresident Landowner License	Jan. 1	March 15	June 3
Limited Quota Nonresident Landowner License With Preference Point	Jan. 1	March 15	June 3
Limited Quota Reduced Price Nonres. Doe/Fawn	Jan. 1	March 15	June 3
<u>Limited Quota Reduced Price Nonres. Landowner Doe/Fawn</u>	<u>Jan. 1</u>	<u>March 15</u>	<u>June 3</u>
Limited Quota Reduced Price Resident Doe/Fawn	May 1**	May 31	June 3
Limited Quota Resident	May 1**	May 31	June 3
Limited Quota Resident Landowner	April 15	May 15	June 3
<u>Limited Quota Reduced Price Resident Landowner Doe/Fawn</u>	<u>April 15</u>	<u>May 15</u>	<u>June 3</u>

<u>LICENSE</u>	<u>BEGINNING APPLICATION DATE</u>	<u>LAST DATE TO ACCEPT APPLICATIONS</u>	<u>LAST DATE TO MODIFY/WITHDRAW</u>
<u>BIGHORN SHEEP</u>			
Limited Quota Nonresident License	Jan. 1	Feb. 28*	April 15
Limited Quota Resident License	Jan. 1	Feb. 28*	April 15
Nonresident Preference Point Only	July 1	Sept. 30	n/a
Resident Preference Point Only	July 1	Sept. 30	n/a
<u>DEER</u>			
General and Limited Quota Resident	May 1**	May 31	June 3
Limited Quota Nonresident Landowner License	Jan. 1	March 15	June 3
Limited Quota Nonresident Landowner License With Preference Point	Jan. 1	March 15	June 3
Limited Quota Resident Landowner	April 15	May 15	June 3
Limited Quota Reduced Price Nonres. Doe/Fawn	Jan. 1	March 15	June 3
<u>Limited Quota Reduced Price Nonres. Landowner Doe/Fawn</u>	<u>Jan. 1</u>	<u>March 15</u>	<u>June 3</u>
Limited Quota Reduced Price Resident Doe/Fawn	May 1**	May 31	June 3
<u>Limited Quota Reduced Price Resident Landowner Doe/Fawn</u>	<u>April 15**</u>	<u>May 15</u>	<u>June 3</u>
Nonresident Preference Point Only	July 1	Sept. 30	n/a
Region and Limited Quota Nonresident License	Jan. 1	March 15	June 3
Region and Limited Quota Nonresident License With Preference Point Option	Jan. 1	March 15	June 3
<u>ELK</u>			
General and Limited Quota Nonresident License	Jan. 1	Jan. 31	Feb. 3
General and Limited Quota Nonresident License With Preference Point Option	Jan. 1	Jan. 31	Feb. 3
General and Limited Quota Resident	May 1**	May 31	June 3
Limited Quota Nonresident Landowner License	Jan. 1	Jan. 20	Feb. 3
Limited Quota Nonresident Landowner License With Preference Point	Jan. 1	Jan. 20	Feb. 3
Limited Quota Reduced Price Nonres. Cow/Calf	Jan. 1	Jan. 31	Feb. 3
<u>Limited Quota Reduced Price Nonres. Landowner Cow/Calf</u>	<u>Jan. 1</u>	<u>Jan. 20</u>	<u>Feb. 3</u>
Limited Quota Reduced Price Resident Cow/Calf	May 1**	May 31	June 3
<u>Limited Quota Reduced Price Resident Landowner Cow/Calf</u>	<u>April 15**</u>	<u>May 15</u>	<u>June 3</u>
Limited Quota Resident Landowner	April 15	May 15	June 3
Nonresident Preference Point Only	July 1	Sept. 30	n/a
<u>FURBEARING ANIMAL</u>			
Limited Quota Furbearing Animal Trapping Permit	July 1	Sept. 1	n/a
<u>MOOSE</u>			
Limited Quota Nonresident	Jan. 1	Feb. 28*	April 15
Limited Quota Resident	Jan. 1	Feb. 28*	April 15
Nonresident Preference Point Only	July 1	Sept. 30	n/a

Resident Preference Point Only	July 1	Sept. 30	n/a
<u>MOUNTAIN GOAT</u>			
Limited Quota Nonresident	Jan. 1	Feb. 28*	April 15
Limited Quota Resident	Jan. 1	Feb. 28*	April 15
	BEGINNING APPLICATION DATE	LAST DATE TO ACCEPT APPLICATIONS	LAST DATE TO MODIFY/WITHDRAW
<u>LICENSE</u>			
<u>PHEASANT</u>			
Glendo Permit	Aug. 15	Sept. 15	n/a
Springer Permit	Aug. 15	Sept. 15	n/a
<u>PREFERENCE POINT ONLY</u>			
Nonresident	July 1	Sept. 30	n/a
Resident	July 1	Sept. 30	n/a
<u>SANDHILL CRANE</u>			
General	Aug. 1	Through end of season	n/a
Limited Quota	July 1	July 31	n/a
<u>WILD BISON PRIORITY LIST</u>			
	Jan. 1	Feb. 28*	n/a
<u>WILD TURKEY</u>			
Limited Quota Nonresident			
Spring	Jan. 1	Jan. 31	Feb. 3
Fall	July 1	Aug. 15	Aug. 18
Limited Quota Nonresident Landowner			
Spring	Jan. 1	Jan. 20	Feb. 3
Fall	July 1	Aug. 15	Aug. 18
Nonresident General			
Spring	Jan. 1	Through end of season	n/a
Fall	July 1	Through end of season	n/a
Limited Quota Resident			
Spring	Jan. 1	Jan. 31	Feb. 3
Fall	July 1	Aug. 15	Aug. 18
Limited Quota Resident Landowner			
Spring	Jan. 1	Jan. 20	Feb. 3
Fall	July 1	Aug. 15	Aug. 18
Resident General			
Spring	Jan. 1	Through end of season	n/a
Fall	July 1	Through end of season	n/a

*February 29 on leap year.

**Online applications only begin January 1.

Section 1921. Drawing Advantage. The Department shall develop and maintain a license issue system that allows qualified persons, as prescribed below, who have either purchased a preference point or were unsuccessful in the preference point drawing for a full price bighorn sheep, moose, or nonresident antelope, deer or elk license, a drawing

advantage in future years as prescribed in Wyoming statutes. All applicants participate in the preference point drawing regardless of their preference point balance.

(a) All preference points accumulated through methods not authorized by this regulation or statute shall be subject to deletion.

(b) Preference points shall be assigned to persons who apply to receive preference points during authorized application periods. The following provisions apply to the issuance of preference points.

(i) No person shall apply for or receive a preference point during any calendar year in which the person's privilege to obtain a license has been revoked or suspended by a court or the Wildlife Violator Compact.

(ii) Preference points are not transferable from one person to another or from one species to another.

(iii) No person may apply for more than one (1) preference point per species in the same calendar year. If the applicant applies for a preference point during the initial license drawing period and is either awarded a preference point or receives their first choice license in the initial drawing, they shall not apply for a preference point for the same species during the preference point only application period in the same calendar year. Any preference point awarded in a calendar year shall not be considered for advantage in any license drawings during the same calendar year in which it was awarded.

(iv) A person shall not apply for or receive a separate preference point in the same calendar year in which the person receives a full price bighorn sheep or moose license or a first choice license in the initial drawing for nonresident antelope, deer or elk.

(v) A person eleven (11) years of age may apply for a preference point if the person shall become twelve (12) years of age in the same calendar year as the application for a preference point is made.

(vi) For the purpose of assigning preference points in this section, any unsuccessful license applicant failing to apply for a license or preference point during a second consecutive calendar year shall lose all accumulated preference points and shall be considered as a first year applicant for any subsequent calendar year in which the applicant submits an application for a license or a preference point for that particular species.

(vii) For the purpose of retaining bighorn sheep and moose preference points in this section, any sportsperson whose residency status changes and who has accumulated preference points will retain those points as long as the sportsperson applies for a license for that particular species within two (2) consecutive calendar years. Failing to apply for a license or preference point within two (2) consecutive calendar years, the sportsperson shall lose all accumulated preference points for that particular species.

(c) If a person desires to apply for a preference point only and not receive a license, the person shall apply for and receive a preference point by paying the proper fee and making application during the preference point only application period specified in Section 18 of this regulation.

(d) If an applicant's preference points have been deleted because the applicant caused more than one (1) customer record to be generated by using a different sportsperson identification number or a different last or first name, then those preference points shall not be restored. The Chief Fiscal Officer may make an exception in the case of name changes because of marriage, divorce, adoption, or legal name change.

(e) Upon drawing a full price bighorn sheep or moose license, all accumulated preference points by the applicant for that species shall be deleted. No person shall apply for or receive a full price bighorn sheep license or preference point for full price bighorn sheep within any consecutive five (5) year period of having received a full price bighorn sheep license through the drawing. No person shall apply for or receive a moose license or preference point for moose within any consecutive five (5) year period of having received a moose license through the drawing.

(i) Preference points are assigned to residents and nonresidents who are unsuccessful in either the full price bighorn sheep or moose drawings. The nonresident preference point fee, in addition to the statutorily prescribed application fee, shall be retained from the license fee remitted. The preference point fee for nonresidents shall be one hundred dollars (\$100.00) for full price bighorn sheep and seventy-five dollars (\$75.00) for moose.

(ii) In lieu of applying for a full price bighorn sheep or moose license, a person may elect to purchase a preference point for each species. The preference point fee for residents shall be seven dollars (\$7.00) per species and the fee for nonresidents shall be one hundred dollars (\$100.00) for full price bighorn sheep, and seventy-five dollars (\$75.00) for moose. The applicant is not required to pay the statutorily prescribed application fee.

(f) A preference point shall only be assigned to nonresident antelope, deer or elk applicants, who participate in the initial drawing for full price licenses and who have remitted the proper preference point fee and who are unsuccessful in drawing their first choice license. The preference point fee, in addition to the statutorily prescribed application fee, shall be retained from the total amount remitted. The preference point fee for nonresidents shall be thirty dollars (\$30.00) for antelope, forty dollars (\$40.00) for deer, fifty dollars (\$50.00) for elk and ten dollars (\$10.00) per species for nonresident youth.

(i) In lieu of applying for a nonresident antelope, deer or elk license, a nonresident applicant may elect to purchase a preference point for each species. The preference point fee for nonresidents shall be thirty dollars (\$30.00) for antelope, forty dollars (\$40.00) for deer, fifty dollars (\$50.00) for elk and ten dollars (\$10.00) per species for nonresident youth. The applicant, when only applying for preference points, is not required to pay the statutorily prescribed application fee. Individuals ~~that~~who have drawn their first choice license in the initial draw are prohibited from purchasing or receiving a preference point in the same calendar year.

(ii) Upon drawing a license for the applicant's first choice in the initial draw for nonresident antelope, deer or elk, all accumulated preference points by the applicant for that species shall be deleted and the applicant shall be prohibited from purchasing a preference point for that species in the same calendar year.

Section 2022. Reservation of Licenses. Individuals who have been issued a Governor's Complimentary license for full price bighorn sheep or moose and who have

been unable to use the license for good cause, may reserve a license for the same species for the immediately succeeding calendar year only. Individuals who have been issued full price bighorn sheep, moose, mountain goat or grizzly bear licenses through the Department's drawing process and who have been unable to use the license for good cause may reserve a license for the same species, hunt area, and season type for the immediately succeeding calendar year only. Conditions of this reservation are set forth in subsections (a), (b), (c) and (d) of this Section.

(a) To qualify for consideration of reservation of a full price bighorn sheep, moose, mountain goat, or grizzly bear license due to a natural disaster, the licensee shall request the reservation in writing. The request, along with the unused intact license, must be received by the Headquarters, Fiscal Administration before the opening date of the season for the designated species as specified in Commission rules and regulations during the year for which the initial license is issued.

(b) For reasons related to being unable to use the license for good cause, other than natural disaster and military deployment, the individual and the individual's physician shall fully complete a Disabled Hunter Certification Form. This form, along with a "restriction from hunting activity" statement on the physician's official prescription slip, and the license unaltered and with all coupons intact shall be submitted to Headquarters, Fiscal Administration. For reasons related to being unable to use the license for good cause, other than natural disaster and disabling injury or illness, military personnel who receive permanent change of station (PCS) orders or are assigned away from their home duty station on temporary orders (TDY) for the majority of the regular season, shall provide to Headquarters a copy of official military orders from the Armed Forces of the United States along with the license unaltered and with all coupons intact. In no case shall a person be allowed to reserve any license if the person fails to submit the license unaltered and with all coupons intact to Headquarters, Fiscal Administration before the opening date of the season for the designated species as specified in Commission rules and regulations during the year for which the license is issued.

(c) Prior to the respective drawing, license quotas in the subsequent year for areas where licenses have been reserved may be adjusted to reflect reservations as provided by Wyoming statute and this Chapter.

(d) In circumstances where related season, quota or sex limitation of the hunt area for the unused license changes in the subsequent year, the following options shall be offered:

(i) If the unused license allowed taking either sex of animal, but that type no longer exists, the licensee shall be given a choice of a license for an antlered (male) or antlerless (female) animal in the subsequent year.

(ii) If the unused license was limited to taking an antlerless or female animal, but that type no longer exists, the licensee shall be given either an any or an antlered or male only license at the Department's discretion in the subsequent year.

(iii) If the license was limited to taking an antlered or male animal, but that type no longer exists, the licensee shall be given either an any or an antlerless or female only license at the Department's discretion in the subsequent year.

(iv) If in the subsequent year, the entire hunt area is closed to hunting of the species listed on the unused license, the licensee shall be offered a license for the same species and sex limitations in another area of the licensee's choice.

(v) If in the next year, the entire state has been closed to hunting of the species listed on the unused license, the licensee shall not be issued another license to hunt that species. Under this circumstance, the licensee shall be issued a refund of the fee paid for the unused license.

Section ~~24~~23. Applicant Disqualification. The applicant(s) is solely responsible for the veracity of information on the application(s). Applications shall be disqualified from participating in drawings for the following reasons:

- (a) Improper application form;
- (b) Improper completed application;
- (c) Receipt of application after the deadline application date, regardless of postmark or type of mail delivery utilized by the applicant;
- (d) Improper fee as described in the definitions of this Chapter or as specified in administrative procedure of the Department;
- (e) Applications for more licenses or permits than authorized by regulation or statute;
- (f) The applicant's privilege to purchase or receive any hunting license or preference points have been suspended by a court order or the Wildlife Violator Compact;
- (g) The applicant causes more than one (1) sportsperson identification number to have been assigned;
- (h) Submission by an individual of more than one (1) application for a license for the same big or trophy game species or wild turkey, unless authorized by Commission regulation;
- (i) Submission of an application in which all hunt area choices for full price bighorn sheep or moose are invalid or closed;
- (j) Applying for a license the applicant is not eligible to receive by Rule and Regulation or Statute;
- (k) Check returned unpaid by the bank;
- (l) The application for big or trophy game licenses is made by an individual under the age of fourteen (14) years and the application has not been cosigned by the applicant's parent or legal guardian; or,
- (m) The applicant will not reach twelve (12) years of age by December 31 of the year the application is made for the purchase of a preference point. An applicant less than twelve (12) years of age may apply for and receive a big or trophy game hunting license provided the applicant will reach twelve (12) years of age during the season for the

designated species as specified in Commission Rules and Regulations during the year for which the license is valid.

Section ~~22~~ 24. Suspension or Revocation of License.

(a) Non-Payment of Child Support.

(i) Upon receipt from the Department of Family Services of a certified copy of an order from a Court to withhold, suspend, or otherwise restrict a license or preference point issued by the Commission, the Department shall notify the party named in the court order by first-class mail of the withholding, suspension, or restriction in accordance with the court order. The Department shall mail this notice by first-class mail to the party named and to the address provided by the Department of Family Services.

(ii) Upon receipt of a notice from the Department of Family Services that the obligor is in compliance with the court order, the Game and Fish Department shall immediately reinstate the license unless the license has been suspended or revoked for other reasons. The Department shall by first-class mail notify the party named and to the address provided by the Department of Family Services that the individual's license privileges have been reinstated. The Department shall also mail by first-class mail to the obligor any licenses in the Game and Fish Department's possession at the time of reinstatement.

(iii) The Department shall maintain a written record indicating to whom the notice was mailed and the address to which the notice was mailed.

(b) Wildlife Violator Compact. The Department may suspend license privileges in accordance with Commission Regulation, Chapter 54, Home State Suspension Procedures For The Wildlife Violator Compact dated September 9, 2003, and which does not include any later amendments or editions of the incorporated matter.

Section ~~23~~ 25. Withdrawal or Modification of Application and Refund of License Fees. Licenses, permits, stamps, tags, or preference points issued under Title 23, Wyoming Statutes or this regulation become the permanent property of the licensee and shall not be canceled or any fee refunded after the license, permit, stamp, tag, or preference point has been issued, except as specified in this section or otherwise as set forth in Commission regulation.

(a) A request for a voluntary withdrawal of an application before a drawing shall be accepted subject to a five-dollar (\$5.00) processing fee to cover the Department's administrative cost of the transaction. The request to withdraw an application shall be received in writing, by facsimile or initiated through the ELS by the date indicated in Section 18(h) of this regulation. The five-dollar (\$5.00) processing fee shall be waived in the case of pioneer license applicants, but not in the case of pioneer heritage license applicants and in the case of the death of an applicant as evidenced by a copy of the death certificate. The processing fee for withdrawal of an application shall be deducted from the license fee refund.

(i) Applicants may not submit a voluntary withdrawal form for the Wild Bison Priority Listing or for the purchase of a preference point only.

(b) A request for modification of an application must be received by the date indicated in Section 18(h) of this regulation.

(i) If the applicant submitted an application form to Headquarters, the applicant may only request changes to hunt area and type. The changes must be requested in writing, by facsimile bearing the applicant's signature and sportsperson identification number or initiated through the ELS.

(ii) If the applicant submitted an application form through the ELS, the applicant may initiate authorized changes to their application record via the ELS.

(c) To request a refund of a license fee in this subsection, the licensee shall submit the request for refund in writing along with the unused, unaltered license with all coupons intact to Headquarters, Fiscal Administration during the calendar year for which the license is valid. The licensee shall also execute and submit at the time of a refund request a Department affidavit describing the reason(s) the licensee was not able to exercise the license privileges which includes a sworn statement that the licensee did not exercise any hunting privileges granted by the license including any or all seasons for the designated species as specified in Commission regulation during the calendar year for which the license was valid. If the license is destroyed, lost or illegible, the licensee shall state on the Department affidavit to that effect and timely submit with the written request for refund in the calendar year for which the license is valid. If the licensee is granted a refund for a license, the individual may apply for and receive any remaining leftover license for the same species in accordance with State statutes and Commission regulations. Application fees and any applicable preference point fees will not be refunded.

(d) To qualify for a refund of a license fee in accordance with this section, the licensee shall meet one (1) of the following provisions:

(i) In the case of the death of the licensee, any person who has authority to represent the decedent as provided by a court order shall submit a written request for a license refund supported by a copy of the respective death certificate. The date of death on such certificate shall have occurred prior to the opening of the regular season, or during the regular season, resulting in the licensee not being able to participate in the majority of the regular season.

(ii) In the case of the death of the licensee's spouse, parents, grandparents, lineal descendants and their spouses, step-parent, step-sibling, step-children, father-in-law, mother-in-law, brother-in-law, sister-in-law, step-son-in-law or step-daughter-in-law, the licensee shall submit a written request for a license refund supported by the respective death certificate. The date of death on such certificate shall have occurred during the regular season, resulting in the licensee not being able to participate in the majority of the regular season.

(iii) In the case of incapacitating illness or injury of the licensee supported by a physician's sworn statement on a Department form that the licensee is incapable of performing tasks necessary to exercise the privileges of the license;

(iv) Military personnel who receive permanent change of station (PCS) orders. Military personnel who are assigned away from their home duty station on temporary orders (TDY); for the majority of the regular season, all of this being supported

by a copy of official military orders from the Armed Forces of the United States, and such orders require the affected personnel to move away from their home duty station, shall accompany the written request for the license refund;

(v) Individuals who are not able to participate in the majority of the regular season for the species specified in Commission rules and regulations during the year for which the license is issued as a result of a court subpoena, jury duty, Grand Jury investigation or attorneys required to attend criminal cases. A certified copy of the court document shall accompany the written request for the license refund;

(vi) When the Department determines one-hundred percent (100%) of the hunting opportunity and access to the hunt area has been closed due to administrative actions of the state or federal government in closing of the public access to public lands due to a natural disaster, including but not necessarily limited to, wildland fires, the licensee of a limited quota antelope, full price bighorn sheep, deer, elk, moose, or mountain goat license may request a license fee refund;

(vii) An error on the part of the Department or its authorized agent where the applicant has been issued a license not requested. An applicant may request in writing to the Chief Fiscal Officer to review a decision made by a Department employee or an agent of the Department in the handling of the application for, or the issuance of a license, permit, or preference point if the decision is contrary to statute or rule and regulation promulgated by the Commission. All decisions of the Chief Fiscal Officer shall abide by provisions of state and federal statutes and commission regulations. In the case of Department error on an unsuccessful application, or an applicant who is issued a license other than that for which he applied, the Chief Fiscal Officer shall determine whether the applicant would have drawn the license if the error had not happened. If the applicant would have drawn and no licenses remain available, the Chief Fiscal Officer may increase the license quota to resolve the claim. For the unsuccessful applicant who would not have drawn and who would have received a refund had the error not occurred, the Chief Fiscal Officer shall make no other finding in his decision. For the successful applicant who would not have drawn the first choice had the error not occurred, the Chief Fiscal Officer shall offer ~~two choices. The Chief Fiscal Officer may offer~~ the licensee either a refund or allow the licensee to keep the license so issued;

(viii) Any youth licensee may be granted a license refund if the youth licensee's opportunity to hunt is jeopardized as a result of any license refund granted by the Department as specified in sections (i), (ii), (iii), (iv), (v), (vi), or (vii) of this subsection.:

(ix) A sponsoring organization of a person with a life-threatening illness that has received a license under Section 12(b) may be granted a license refund if the licensee's opportunity to hunt is jeopardized as a result of incapacitating illness or injury supported by a physician's sworn statement on forms provided by the Department that the licensee is incapable of performing tasks necessary to exercise the privileges of the license.

(e) Refunds shall not be allowed under the following circumstances:

(i) The licensee illegally purchased more licenses than what was authorized for purchase by Commission regulation or Wyoming statute;

(ii) Under no circumstances shall the Department approve a refund of any license, permit, stamp, or tag if the written request for refund is received after December 31st of the calendar year in which the license, permit, stamp, or tag was issued;

(iii) Refunds shall be denied in any circumstance where the licensee hunted on the license for the designated species as specified in Commission rules and regulations, including special archery seasons, during the year for which the license is issued.

(f) There shall be no right of appeal to the Commission for any decision rendered by the Chief Fiscal Officer or the Department for any provision of this section.

(g) Restoration of preference points. In any case where a license may be obtained by the accumulation of preference points, or preference points may be obtained in lieu of application for a license and a license refund is granted by the Department, all accumulated preference points, including any preference point that may have been earned for the year the license is issued, shall be restored to the applicant.

Section 24 26. Alteration or Transfer of Licenses, Permits, Stamps, Tags, Coupons or Preference Points to Another Person Prohibited; Use by Another Person Prohibited; Invalidation by Improper Fees. Department licenses, permits, stamps, tags or coupons shall not be altered by anyone other than authorized Department personnel.

(a) No license, permit, stamp, tag, coupon or preference point shall be transferred, or used for the purpose of taking wildlife, except by the individual to whom it was issued and therein named and while in that individual's possession. No individual shall take or attempt to take any wildlife using another individual's license, permit, stamp, tag, or coupon. Any license, permit, stamp, preference point, or tag shall not be valid unless the proper fees have been received by the Department.

(b) Licenses, excluding lifetime licenses, shall only become valid when signed by the person in whose name the license is issued in the space provided on the license for the owner's signature, and where applicable, co-signed by a parent or legal guardian.

(c) Any Department enforcement officer may seize as evidence any license, permit, stamp, tag, or coupon that was obtained in violation of Commission regulations or Wyoming statute.

Section 25 27. License Expiration. All licenses, excluding licenses to operate game bird farms, shall expire on the last day of the calendar year in which issued; except, the Commission by regulation provides that big game licenses and wild bison licenses issued in one (1) calendar year are valid through the closing date established in January of the next succeeding calendar year when the Commission establishes a hunting season for big game animals or wild bison for which the licenses are valid that opens in one (1) calendar year and closes in January of the next succeeding calendar year. All daily hunting and fishing licenses shall only be valid for the calendar day(s) delineated on the license.

Section 26 28. Violation of Commission Regulations. Failure to abide by the provisions of this regulation shall be punishable as provided by Wyoming statutes for violation of Commission regulations.

Section ~~27~~ 29. Savings Clause. If any provision of this regulation is held to be illegal or unconstitutional, such a ruling shall not affect other provisions of this regulation which can be given effect without the illegal or unconstitutional provision; and, to this end, the provisions of this regulation are severable.

WYOMING GAME AND FISH COMMISSION

By:

Fred Lindzey~~Ed Mignery~~, President

Dated: ~~July 29, 2010~~ July 7, 2011

DRAFT 06/08/2011
WYOMING GAME AND FISH COMMISSION

CHAPTER 45

WILDLIFE REHABILITATION

Section 1. Authority. This regulation is promulgated by authority of W.S. §23-1-103 and W.S. §23-1-302.

Section 2. Regulation and Effective Date. The Wyoming Game and Fish Commission hereby adopts the following regulation governing the rehabilitation of wildlife and the issuance of permits for persons to rehabilitate wildlife. This regulation shall remain in effect until modified or repealed by the Commission.

Section 3. Purpose. The purpose of this regulation is to provide for the care of sick, injured, debilitated, ~~and~~ or orphaned wildlife, excluding big game animals and trophy game animals, by permitted wildlife rehabilitators and to provide criteria for the issuance of permits to such wildlife rehabilitators. In accordance with this regulation, wildlife rehabilitators issued permits pursuant to this regulation may acquire sick, injured, debilitated, or orphaned wildlife and provide necessary treatment in order that the wildlife may be returned to live in the wild independent of human aid and sustenance. When the animal is not releasable to the wild, the Department may authorize the wildlife rehabilitator to euthanize the animal or transfer the animal to a Department approved institution for scientific or zoological purposes.

Section 4. Definitions. For the purpose of this regulation, definitions shall be as set forth in Title 23, Wyoming Statutes, and the Commission also adopts the following definitions:

(a) "Birds" mean game birds, migratory game birds, and protected birds.

(b) "Contact" means, but is not limited to, physical contact between the public and wildlife, including the unauthorized provision of food and liquids, and also visual, auditory, or olfactory contact between the public and wildlife that may cause or result in subjecting the wildlife to stress, behavioral anomalies, including taming or imprinting, or in any diminishment of the capacity of such wildlife to subsequently survive in the wild independent of human aid and sustenance.

(c) "DVM" means a doctor of veterinary medicine licensed to practice in the state.

(d) "Public" means, but is not limited to, all persons other than the wildlife rehabilitator permitted under this regulation; public does not mean members of the immediate family of wildlife rehabilitators, providers of temporary care authorized under this regulation, DVMs, or employees of the Department.

(e) "Rehabilitate" means the provision of care and treatment to sick, injured, debilitated, or orphaned wildlife for the purpose of returning such wildlife to the wild in a condition that enables the wildlife to survive independent of human aid and sustenance.

(f) "Wildlife Rehabilitation Permit, Provisional Wildlife Rehabilitation Permit or Permit" means a permit issued pursuant to this regulation and Wyoming Game and Fish Commission Regulation Chapter 10, Regulation For Importation, Possession, Confinement, Transportation, Sale

and Disposition of Live Wildlife, revised as of March 16, 1998, and which does not include any later amendments or editions of the incorporated matter.

(g) "Wildlife Rehabilitator, Provisional Wildlife Rehabilitator or Permittee" means a person who has been issued a permit in accordance with the provisions of this regulation for the purpose of providing care, aid and treatment to sick, injured, debilitated or orphaned wildlife with the goal of returning such wildlife to the wild independent of human aid or sustenance.

Section ~~45~~. Exemptions.

(a) Persons who, as a job requirement, are directed to rescue birds and provide short term care to birds ~~which~~that are injured or distressed at industrial sites ~~such as iron and phosphate locations and power plants~~ are exempt from the regulation. However, such persons shall obtain a permit from the Department issued under Chapter 10 Regulation For Importation, Possession, Confinement, Transportation, Sale and Disposition ~~Of Live Wildlife, revised as of March 16, 1998, and which does not include any later amendments or editions of the incorporated matter.~~ Such person(s) shall not advertise or otherwise promote their services as a wildlife rehabilitator.

(b) Veterinarians licensed under the provisions of ~~S~~state statute may render emergency care and treatment to sick or injured wildlife without a permit issued under this regulation. Whenever a DVM renders such care or treatment, the DVM shall transfer responsibility for such wildlife either to a permitted wildlife rehabilitator or to the Department within thirty (30) days of initial contact with the wildlife, unless an extension beyond thirty (30) days is granted by the Department. Any care and treatment rendered shall not create a financial obligation to the Department or permitted wildlife rehabilitator without prior approval. Any DVM may euthanize any sick or injured wildlife defined in Title 23, except mammals classified as endangered or threatened species by Title 50, Code of Federal regulations (CFR), Part 17.11 (50 CFR 17.11)~~50 CFR 17.11 revised as of September 24, 1998, and does not include any later amendments or editions of the incorporated matter,~~ if the DVM determines that no other reasonable action would be practical, humane, or effective for the rehabilitation of the wildlife. ~~A copy of 50 CFR can be viewed at any Department Regional Office or the Department's Headquarters Office.~~ If the wildlife is of a type not authorized to be rehabilitated by a permitted wildlife rehabilitator, the DVM shall immediately notify the Department and the Department shall determine disposition of the wildlife.

Section ~~56~~. Possession.

(a) Nothing in this regulation shall authorize or be construed to authorize a wildlife rehabilitator permitted under this regulation to practice veterinary medicine contrary to State statute.

(b) Wildlife possessed under authority of this regulation remain property of the State and nothing herein shall be construed as granting any ownership interest to a permitted wildlife rehabilitator, provisional wildlife rehabilitator, or any other person. As owner, the State has the right to require a wildlife rehabilitator or any other person having possession of wildlife under authority of this regulation to immediately surrender possession of such wildlife to the Department in the case of violation of this regulation or other applicable law or whenever the Department determines it necessary or appropriate for the welfare of such wildlife or for the protection of wildlife resources or the public.

~~Section 6. Definitions. For the purpose of this regulation, definitions shall be as set forth in Title 23, Wyoming Statutes, and the Commission also adopts the following definitions:~~

~~(a) "Birds" mean game birds, migratory game birds, and protected birds.~~

~~(b) "Contact" means, but is not limited to, physical contact between the public and wildlife, including the unauthorized provision of food and liquids, and also visual, auditory, or olfactory contact between the public and wildlife which may cause or result in subjecting the wildlife to stress, behavioral anomalies, including taming or imprinting, or in any diminishment of the capacity of such wildlife to subsequently survive in the wild independent of human aid and sustenance.~~

~~(c) "DVM" means a doctor of veterinary medicine licensed to practice in the State.~~

~~(d) "Public" means, but is not limited to, all persons other than the wildlife rehabilitator permitted under this regulation; public does not mean members of the immediate family of wildlife rehabilitators, providers of temporary care authorized under this regulation, DVM's, and employees of the Department.~~

~~(e) "Rehabilitate" means the provision of care and treatment to sick, injured, debilitated, or orphaned wildlife for the purpose of returning such wildlife to the wild in a condition which enables the wildlife to survive independent of human aid and sustenance.~~

~~(f) "Wildlife Rehabilitation Permit, Provisional Wildlife Rehabilitation Permit or permit" means a permit issued pursuant to this regulation and Wyoming Game and Fish Commission Regulation Chapter 10, Regulation For Importation, Possession, Confinement, Transportation, Sale and Disposition of Live Wildlife, revised as of March 16, 1998, and which does not include any later amendments or editions of the incorporated matter.~~

~~(g) "Wildlife Rehabilitator, Provisional Wildlife Rehabilitator or Permittee" means a person who has been issued a permit in accordance with the provisions of this regulation for the purpose of providing care, aid and treatment to sick, injured, debilitated or orphaned wildlife with the goal of returning such wildlife to the wild independent of human aid or sustenance.~~

Section 7. Scope of Permit Requirements. No person, except as authorized under provisions of this regulation, or as exempted under this regulation, shall rehabilitate wildlife without complying with the provisions of this regulation.

Section 8. Agreement. All applications for permits issued pursuant to this regulation shall be signed by the applicant. Such signature shall constitute an agreement by the applicant to fully comply

with all relevant provisions of statute including, but not limited to, this regulation and all applicable conditions and restrictions of the permit.

Section 9. Minimum Qualifications and Application Required to Obtain a Permit. Upon receipt of an application, the Department shall review the application and inspect the facility(ies). Approval or disapproval by the Department shall be based on compliance with the permitting and facility(ies) criteria in this regulation. Written notification of the approval or disapproval, including the reason for disapproval, shall be made within sixty (60) days of the Department receipt of the application. In order to be considered for a wildlife rehabilitation permit, a person shall submit a written application on a form provided by the Department and the applicant shall provide the following information:

(a) The applicant's name, address, and telephone number where the applicant can be reached between the hours of 8:00 a.m. to 5:00 p.m.;

(b) The species and categories (such as small game, protected birds, migratory birds, game birds, nongame mammals, furbearing animals, reptiles, amphibians) of wildlife ~~which~~that the applicant is qualified for and has the facility(ies) to rehabilitate;

(c) Certification that the applicant is at least eighteen (18) years of age and domiciled within the Sstate;

(d) A description of the facility(ies) and location of facility(ies) and a statement that the applicant can possess and maintain the facility(ies) at a location(s) ~~which~~that is not contrary to the laws of the appropriate County or Mmunicipality, or any other applicable laws or subdivision covenants;

(e) If the applicant proposes to rehabilitate birds, a copy of a special purpose rehabilitation permit to rehabilitate migratory game birds and protected birds in compliance with ~~the U.S. Code of Federal Regulations 50 CFR 21.27, revised as of October 1, 1998, and does not include any later amendments or editions of the incorporated matter. A copy of 50 CFR 21.27 can be viewed at any Department Regional Office or the Department's Headquarters Office;~~

(f) A letter from a DVM in which the DVM agrees to examine and treat injured wildlife. The Department shall not be responsible for reimbursement to the DVM for services rendered;

(g) A certificate of training specifying the hours of training completed, and the course curriculum, and signed by the entity providing the training and indicating the details of the training. The certification shall specify completion of a basic wildlife rehabilitation curriculum ~~which~~that includes basic animal care concepts, zoonotic disease information, preferred euthanasia practices, wildlife rehabilitation laws and ethics, and other general rehabilitation information. Provisional wildlife rehabilitators shall not be required to complete the course prior to their second license renewal. The Department reserves the right to accept or reject the training completed as meeting the requirements of this regulation;

(h) Certification that the proposed possession and treatment of wildlife is not contrary to the laws of the appropriate County or Mmunicipality, or any other applicable laws;

(i) Certification from another wildlife rehabilitator permitted by the Department that the person possesses the necessary skills and abilities to be permitted as a wildlife rehabilitator. This requirement pertains to applicants who apply for Wildlife Rehabilitation Permits when the applicant has not previously been issued a Wildlife Rehabilitation Permit by the Department;

(j) Certification that the applicant has within five (5) consecutive years immediately preceding the date of application not been assessed a civil or administrative penalty for, or been convicted

of a violation of any provision of this regulation, or of any provision of ~~S~~state statute, ~~C~~county or ~~M~~municipal ordinance involving cruelty to animals, or of any provision of any federal statute or regulation ~~which-that~~ is related to activity for which the permit is sought;

(k) Certification that the applicant shall possess an on-site holding facility(ies) ~~whichthat~~ meets the Department's approval. The Department shall utilize the National Wildlife Rehabilitators Association and International Wildlife Rehabilitation Council's Minimum Standards for Wildlife Rehabilitation, ~~dated 1993, and which does not include any later amendments or editions of the incorporated matter, as a guide to determine the adequacy of facility(ies). A copy of these Standards can be viewed at Department Regional Offices.~~ A provisional wildlife rehabilitator may meet this requirement with facility(ies) available from the sponsor. A permit shall not be granted by the Department until such time as the applicant shall possess an approved facility(ies); and,

(l) ~~Certification-The~~ Department ~~personnel can~~ may inspect the facility(ies), wildlife held, and records during reasonable hours: on any day of the week.

Section 10. Denial of Permit. An application for a permit may, unless otherwise provided, be denied when:

(a) the application is incomplete;

(b) the applicant has within five (5) consecutive years preceding the date of application been assessed a civil or administrative penalty for, or been convicted of a violation of any provision of this regulation, or of any provision of ~~S~~state statute, ~~C~~county or ~~M~~municipal ordinance involving cruelty to animals, or of any provision of any federal statute or regulation which is related to activity for which the permit is sought;

(c) the applicant has failed to disclose material information or has made false statements as to any fact in connection with the application; ~~and/or,~~

(d) an inspection by ~~an authorizedthe~~ Department ~~employee~~ of the facility(ies) where wildlife shall be maintained has disclosed that the facility(ies) does not meet the Department's requirements.

Section 11. Types of Permits. There shall be two (2) types of wildlife rehabilitation permits. The Department may issue a Provisional Wildlife Rehabilitation Permit or a Wildlife Rehabilitation Permit to a person in accordance with this section.

(a) Provisional Wildlife Rehabilitation Permit. In order to qualify, an applicant shall meet the requirements in subsections (a), (b), (c), (d), (e), (f), (h), (j), and (l) of Section 9 of this regulation. A person shall only be allowed to apply for and receive a Provisional Wildlife Rehabilitation Permit for a maximum of two (2) consecutive calendar years. If after that time the person cannot qualify for a Wildlife Rehabilitation Permit, the person shall not be granted a Provisional Wildlife Rehabilitation Permit and shall be required to dispose of all wildlife held under this regulation in compliance with the provisions of Section 18 of this regulation. This permit:

(i) Authorizes the permittee to receive, rehabilitate, transfer and release all wildlife listed on the permit under the conditions specified on the permit;

(ii) Requires the applicant to be sponsored by a ~~W~~wildlife ~~R~~rehabilitator(s) permitted for the same wildlife;

(iii) Requires the permittee to consult with the permittee's sponsor immediately after receiving any wildlife. If the sponsor is not available, the permitted provisional wildlife rehabilitator shall consult with a permitted wildlife rehabilitator or DVM within twenty-four (24) hours;

(iv) Requires the permittee to immediately return any wildlife to the sponsor upon request by the Department or the sponsor; and,

(v) Requires that if at anytime a provisional wildlife rehabilitator loses sponsorship, all wildlife shall be transferred to the sponsor or another ~~Wy~~wildlife ~~Re~~rehabilitator permitted for such wildlife within forty-eight (48) hours. If the provisional wildlife rehabilitator has not obtained another sponsor within thirty (30) days, the permit shall expire. Any time sponsorship is revoked, the sponsor shall verbally notify the Department within forty-eight (48) hours and in writing within five (5) days.

(b) Wildlife Rehabilitator. In order to qualify for this permit an applicant shall meet all requirements in Section 9 of this regulation. Persons who hold permits for wildlife rehabilitation in the ~~S~~state the date this regulation is passed by the Commission are grandfathered and are not required to meet the requirements of subsection (g), (i) and (k) of Section 9. This permit:

(i) Authorizes the permittee to receive, rehabilitate, transfer and release all wildlife listed on the permit under the conditions specified on the permit.

(c) A person shall possess a Provisional Wildlife Rehabilitation Permit prior to making application for and being considered by the Department for a Wildlife Rehabilitation Permit unless the person meets all qualifications for a Wildlife Rehabilitation Permit in Section 9 at the time of application.

Section 12. Record Keeping Requirements.

(a) All permitted wildlife rehabilitators shall keep current and complete written records at the permitted facility(ies) of wildlife handled, containing the following information:

- (i) Species of wildlife;
- (ii) Length and type of treatment;
- (iii) Source of wildlife;
- (iv) Cause for admission;
- (v) Attending DVM, if applicable;
- (vi) Acquisition date; and,
- (vii) Disposition and disposition date.

(b) These records shall be submitted by the permittee to the Department Headquarters Office, Law Enforcement, 5400 Bishop Blvd., Cheyenne, Wyoming 82006 no later than January 31 for wildlife held during the immediately preceding calendar year. In addition, permittees shall maintain copies of the current and prior calendar years' records. Failure to submit an annual report, failure to provide required information, or the making of false statements shall be cause for suspension, revocation or non-renewal of the permit. All records relevant to permit activities shall be kept at the facility(ies) location(s) as indicated in the application by the permittee to the Department and shall be available for review by Department personnel during reasonable hours.

Section 13. Requirements for Permit Renewal. The renewal of a permit is contingent upon the permittee's compliance with relevant ~~S~~state laws and the provisions of this regulation.

Section 14. Facility(ies) and Inspections.

(a) All wildlife shall be kept within wildlife holding enclosure(s) except when being transported, transferred, treated or released. The holding facility(ies) shall be designed, constructed and maintained to provide:

(i) Safety and protection for wildlife and people;

(A) Facility(ies) and outdoor cage(s) shall be locked;

(B) Facility(ies) shall ensure containment for wildlife under rehabilitation and exclusion of other wild and domestic animals.

(ii) Sufficient space to allow normal development and physical behavior, as well as postural and social adjustments with freedom of movement;

(iii) Proper lighting levels;

(iv) Proper ventilation;

(v) Ability for the permittee to conduct cleaning, sanitation, disinfecting and handling procedures considering safety, escape prevention and while minimizing stress to wildlife;

(vi) A means to gradually acclimate wildlife to external environmental conditions;

(vii) Appropriate ambient temperatures;

(viii) Barriers to minimize stress on these wildlife; and,

(ix) Barriers to prevent imprinting on humans or domestic animals.

(b) In addition to the design, construction and maintenance of the holding facility(ies) as specified in this section, the permittee shall provide:

(i) Specific enclosure(s) for all developmental stages of wildlife on the permit;

(ii) Enclosure(s) for recuperation from injuries;

(iii) Quarantine capabilities;

(iv) Parasite and pest control;

(v) Shelter within enclosure(s) as needed;

(vi) Clean water and appropriate food; and,

(vii) Nesting and/or bedding materials.

- (c) The facility(ies) shall be kept clean and sanitary.
- (d) The facility(ies), records and wildlife shall be available for immediate inspection upon request by the Department.

Section 15. Care, Treatment and Disposition of Wildlife.

- (a) A DVM shall approve all medications, medical treatments, diagnostic and prognostic procedures. Anesthesia and surgery shall be conducted only by a DVM or under direct DVM supervision.
- (b) If the permittee or DVM determines that any wildlife is not likely to survive, the wildlife shall be euthanized immediately by the DVM or permittee.
- (c) As soon as it can be determined that sick or injured wildlife is not likely to recover within one-hundred eighty (180) days, the wildlife shall be euthanized; unless Department approval is given for extended care.
- (d) Factors that shall be considered in determining what action should be taken relative to injured wildlife include:
 - (i) Type, extent and severity of injury(ies);
 - (ii) Physical condition of injured wildlife; and,
 - (iii) Any other relevant factors ~~which~~that indicate ~~that~~ no reasonable action would be practical or effective for the rehabilitation of the animal involved.
- (e) No public contact shall be allowed with any wildlife held under a permit granted pursuant to this regulation; unless otherwise approved in writing by the Department.
- (f) Any dead wildlife shall be disposed of by appropriate burial, incineration or other lawful disposition or transferred to the Department upon request of the Department. In no case shall a rehabilitator retain possession of any dead wildlife or parts thereof.

~~(g) It shall be unlawful to use leashes and tethers in the rehabilitation of wildlife. Creances for flying raptors in rehabilitation may be used only for sound biological reasons under the supervision of a DVM. Creances shall not be used as a substitute for flight cages for pre-release training and exercise.~~

(g) Permittees may temporarily transfer physical possession of an injured raptor to a person permitted to practice falconry in accordance with Wyoming Game and Fish Commission Regulation Chapter 25 Falconry, for conditioning.

(i) The raptor shall be returned to the rehabilitator within one-hundred eighty (180) days from the time the rehabilitator originally received the raptor; unless Department approval is given for extended care.

(h) Permittees may use volunteers who are not permitted by this Regulation under their supervision at the ~~W~~wildlife Rehabilitators facility(ies), provided that the ~~W~~wildlife Rehabilitator maintains current records including name, address, telephone number, and dates worked for all volunteers.

(i) Any other person may care for the wildlife held by a permittee when authorized in writing by the permittee provided that, if the period of care exceeds thirty (30) days, the ~~Wildlife Division Law Enforcement Section in the Headquarters Office~~Department shall be notified in writing of such temporary

care provisions within three (3) calendar days from the inception of temporary care. Such written notification shall include the name(s) of the person(s) providing temporary care, the reason or need for temporary care status, and the number of days temporary care is to be maintained. Persons providing temporary care shall do so at the facility(ies) location(s) approved in the wildlife rehabilitation permit application. The Department may remove wildlife from temporary care when such temporary care has been instituted contrary to the provisions of this regulation. Those persons specified in Section 10(b) shall not be authorized to perform temporary care.

(j) All wildlife held under authority of a Wildlife Rehabilitation Permit shall not be:

- (i) Maintained as pets;
- (ii) Intentionally tamed;
- (iii) Transferred to a person not properly permitted;
- (iv) Sold, exchanged for consideration or bartered; ~~and/~~ or,

(v) Maintained in unapproved facility(ies) or by unauthorized person(s) or maintained for a period longer than that specified in this regulation.

(k) The permit does not authorize the use of injured/recovering wildlife for educational purposes.

(i) The permittee's ~~w~~Wildlife ~~r~~Rehabilitation ~~p~~Permit shall not authorize the permittee to hold nonreleasable wildlife for the sole purpose of placing them in educational programs; and,

(ii) If a person desires to hold birds for educational purposes, the person shall apply to the Department for consideration of the issuance of a permit under Wyoming Game and Fish Commission Regulation Chapter 33, Issuance of Scientific and Educational Permits, ~~revised as of December 10, 1996, and which does not include any later amendments or editions of the incorporated matter.~~

(l) Wildlife for which recovery from disease, injury, or debilitation in the permittee's judgment is not anticipated shall be:

(i) Donated by the permittee to a zoo ~~by the permittee~~, museum or natural history organization approved in writing by the Department; or,

(ii) Shall be euthanized by the permittee, unless the permittee is otherwise directed by the Department.

(iii) Orphaned wildlife ~~which~~that, in the judgment of the permittee, cannot be released to the wild due to a lack of behavioral traits enabling such wildlife to survive without dependence on human aid and sustenance or to imprinting on humans, shall be disposed of as stipulated in this subsection.

(m) The Department reserves the right to make final judgment as to the capacity of wildlife to recover from disease, injury or debilitation or for orphans to be successfully reared and released.

(i) The Department may;

(A) Direct the disposal of such wildlife by transfer to another rehabilitator;

(B) Release to the wild; or,

(C) ~~Euthan~~Euthanize~~as~~, when in the Department's judgment, the health, welfare, and safety of such wildlife, the public, free-ranging wildlife, or domestic animals shall be best served by such disposal. In making such decisions, the Department may consult with DVM's, rehabilitators, or other experts or qualified persons as the Department shall deem advisable. Any actions directed by the Department under this subsection shall be the wildlife rehabilitator's financial responsibility.

(D) Order that specific wildlife be released, transferred, surrendered, or humanely euthanized by or at the expense of the wildlife rehabilitator, and may seize and remove wildlife from the custody of the permittee if the Department deems it necessary for the welfare of such wildlife, or other wildlife, domestic animals, for the welfare and safety of humans, or for failure to comply with any provisions of the permit.

Section 16. Release of Wildlife.

(a) All rehabilitated wildlife shall be released in appropriate habitat or as otherwise required to comply with any special conditions of the permit; ~~or~~; at a site approved in advance by the Department.

(b) All rehabilitated wildlife shall be released as soon as it has reached physical maturity and/or has attained full recovery from injury or illness, or as soon thereafter as the time of year is ecologically appropriate. In no case shall any rehabilitated wildlife be held longer than one (1) year without prior Department approval based on sound biological reasons.

Section 17. Revocation of Permit. A Wildlife Rehabilitation Permit may be revoked by the Department at any time for:

(a) Failure to comply with any condition of the permit or of this regulation;

(b) If the applicant has, within five (5) consecutive years immediately preceding the date of application, been assessed a civil or administrative penalty for, or been convicted of a violation of any provision of this regulation, or of any provision of ~~S~~state statute, ~~C~~county or ~~M~~municipal ordinance involving cruelty to animals, or of any provision of any federal statute or regulation which is related to activity for which the permit is sought;

(c) Failure to provide care and treatment necessary to prepare wildlife held under authority of the permit for successful release to the wild; ~~and/or~~,

(d) Failure to allow inspection by Department personnel of the facility(ies), wildlife held, or records during reasonable hours on any day of the week.

(e) Any revocation of a wildlife rehabilitator license shall be subject to contested case proceedings in accordance with Wyoming Game and Fish Commission Regulation Chapter 27, Rules Of Practice Governing Contested Cases Before The Wyoming Game and Fish Commission, ~~revised as of January 19, 1982, and which does not include any later amendments or editions of the incorporated matter.~~

Section 18. Disposal of Wildlife for Revocation and/or Non-Renewal of Permit. Wildlife possessed or maintained by a person whose permit has been revoked or whose permit has not been renewed by the first day of the following calendar year for which it was issued shall be disposed of by that person in

a manner as required in writing by the Department. Any wildlife not disposed of may be seized and disposed of by the Department.

Section 19. Restrictions. A wildlife rehabilitation permit shall not authorize the rehabilitation of any wildlife defined as big game animal or trophy game animal.

Section 20. Costs. Any costs, charges, or fees, including but not limited to food, shelter, equipment, labor, veterinarian or other special consultation or services, transportation, federal or other licensing fees, training and educational fees, or any other expenses associated with the rehabilitation of wildlife shall be the responsibility of the permittee. The permittee shall not charge the Department for services provided.

Section 21. Compliance with Other Laws. Issuance of a ~~w~~Wildlife ~~r~~Rehabilitation ~~p~~Permit under this regulation shall not exempt the permittee from compliance with the provisions of any other local, state or federal law.

Section 22. Acceptance of Liability. The holder of a ~~w~~Wildlife ~~r~~Rehabilitation ~~p~~Permit assumes liability for exposure of a human or contraction by a human of any disease or parasite transmitted by the wildlife possessed by the rehabilitator. The wildlife rehabilitator agrees that he/she shall not hold himself/herself as an agent, servant or employee of the Wyoming Game and Fish Commission or Wyoming Game and Fish Department.

Section 23. Violation of Commission Regulations. Failure to abide by the provisions of this regulation shall be punishable as provided by Wyoming Statutes for violation of Commission regulations.

Section 24. Savings Clause. If any provision of this regulation is held to be illegal or unconstitutional, such a ruling shall not affect other provisions of this regulation which can be given effect without the illegal or unconstitutional provision; and, to the end, the provisions of this regulation are severable.

WYOMING GAME AND FISH COMMISSION

By:

Fred Lindzey, Tracy Hunt, President

Date: ~~October 25, 1999~~ July 7, 2011

WYOMING GAME AND FISH COMMISSION

CHAPTER 46

FISHING REGULATIONS

Section 1. Authority. These regulations are promulgated by authority of W. S., §23-1-302, §23-2-206, §23-2-209, §23-3-201, §23-3-202, §23-3-308, §23-3-401, §23-4-101, §23-4-103, and §23-6-111.

Section 2. Effective Date. These regulations are effective January 1, ~~2010~~2012 and shall remain in effect until modified or rescinded by the Commission.

Section 3. Definitions. For the purpose of these regulations, definitions shall be as set forth in Title 23, Wyoming Statutes, and the Commission also adopts the following definitions:

(a) “Artificial Flies and Lures” means manmade flies and lures. Artificial lures are single devices regardless of the number of hooks, include-including spoons, spinners and plugs made of metal, plastic, wood ~~and-or~~ other non-edible materials, or plastic products made to resemble worms, eggs, fish ~~and-or~~ other aquatic organisms. Artificial flies includes flies, streamers, jigs, ~~and-or~~ poppers tied from such materials as thread, feathers, hair ~~and-or~~ tinsel. Artificial flies and lures ~~does~~ not include living or dead organisms or edible parts thereof, natural or prepared organic food stuffs, or chemical attractants, regardless if the chemical attractant is added in the manufacturing process or applied afterward.

(b) “Artificial Light” means any man-made light or lighting device.

(c) “Bait” means living or dead organisms or edible parts thereof, natural or prepared organic food, and chemical attractants used in the taking of fish.

(d) “Baitfish” means nongame fish.

(e) “Commercially Produced Live Baitfish” means fathead minnows for sale by a live baitfish dealer that were obtained from a licensed Wyoming commercial fish hatchery.

(~~ef~~) “Creel ~~limit~~Limit” means the number of game fish a person may catch and reduce to possession during any one (1) day, or have in possession.

(~~fg~~) “Dates” means the dates mentioned are inclusive.

(~~gh~~) “Day” means calendar day.

(~~hi~~) “Drainage” means the river or stream proper and the area of land, including all streams and standing waters, ~~which~~that drains into that river or stream.

(~~ij~~) “Fishing Contest” means any event for catching fish on waters of the state, excluding licensed fishing preserves, from waters open to public use where an entry or participation fee is charged and fifty (50) or more adult (18 years of age or older) anglers participate on a given date.

(k) “Fishing Contest Permit” means a document issued by the Department that grants the permittee authorization to conduct a fishing contest.

(~~j~~) “Game Fish” means:

- (i) bass (GENUS Micropterus and Ambloplites);
- (ii) sunfish (GENUS Lepomis);
- (iii) crappie (GENUS Pomoxis);
- (iv) walleye and sauger (GENUS Sander);
- (v) yellow perch (GENUS Perca);
- (vi) trout, salmon, and char (GENUS Salmo, Oncorhynchus, and Salvelinus);
- (vii) whitefish (GENUS Prosopium);
- (viii) grayling (GENUS Thymallus);
- (ix) pike (GENUS Esox);
- (x) catfish and bullheads (GENUS Ameiurus, Ictalurus, Noturus, and Pylodictis);
- (xi) burbot (GENUS Lota);
- (xii) sturgeon (GENUS Scaphirhynchus); and,
- (xiii) freshwater drum (GENUS Aplodinotus).

(~~km~~) “Hook” means a single hooked device or bait regardless of the number of prongs.

(~~ln~~) “Lake” means a body of standing water in a depression of land and includes reservoirs, ponds (excluding ponds created by beavers) and gravel and mining pits.

(~~mo~~) “Live Baitfish Dealer” means a person licensed by the Department and engaged in the selling of live baitfish.

(~~np~~) “Live Baitfish Dealer of Record” means the designated individual legally accountable for all aspects of the live baitfish dealer.

(~~oq~~) “Length” means the total length of a fish in inches, as measured in a straight line along a flat surface, from the tip of the snout to the tip of the tail.

~~(p) “Lure” means a single hooked device regardless of the number of hooks.~~

(~~qr~~) “Nongame ~~fish~~**Fish**” means all fish not defined as game fish.

(~~rs~~) “Possession ~~limit~~**Limit**” means the maximum number of game fish that may legally be in possession at any time and in any form. Game fish in transit or storage, including home or domicile, shall be considered in possession. Possession limits apply regardless of how many days an angler has fished.

(~~st~~) “Prize” means any award including, but not limited to, cash, merchandise, coupons, trophies or any other items of value.

~~(t) “Stream” means water in a permanent bed or channel with a current that is usually continuous in one direction and includes creeks, rivers, irrigation ditches, drains, canals, sloughs and ponds created by beavers. Streams may not flow continuously during low flow periods. Ponds or puddles in a stream channel during low flow periods shall be considered to be a stream.~~

(~~uu~~) “Snagging” means attempting to take a fish in a manner that the fish does not take the hook voluntarily in its mouth.

(~~vv~~) “Special Fishing Contest Provision” means a provision promulgated for exclusion of fishing contests for specific waters.

(~~ww~~) “Special Winter Ice Fishing Provision” means a provision promulgated for the ice covered period for specific waters.

(x) “Stream” means water in a permanent bed or channel with a current that is usually continuous in one direction and includes creeks, rivers, irrigation ditches, drains, canals, sloughs and ponds created by beavers. Streams may not flow continuously during low-flow periods. Ponds or puddles in a stream channel during low flow periods shall be considered to be a stream.

(y) “Wild Caught Live Baitfish Possession Area” means the specific drainage in Area 2, 3 or 5 where wild caught live baitfish may be possessed regardless of whether they were captured by a seining license holder or obtained from a live baitfish dealer.

Section 4. Seasons and Fishing Hours.

(a) Fishing is permitted year-round twenty-four (24) hours a day in any of the waters in the ~~State~~**state** except as otherwise provided by Commission regulation for specific areas, streams, lakes, or portions thereof. Exceptions are listed with the regulations for each drainage area in Sections 18, 21, 23, 26, 29, and 33.

Section 5. Methods.

(a) Except as otherwise provided, fish shall only be taken or fished for with a maximum of two (2) rods or poles, with lines and hooks attached and the angler in attendance. No line may have more than three (3) single hooked devices attached.

(i) It is legal to use hand lines, set lines, poles, or tip ups when fishing through the ice and the angler is in attendance.

(b) Eggs of salmonids (trout, salmon, grayling, whitefish, cisco) are the only parts that may be used legally as bait. Internal organs, eggs, eyes, fins, and skin of game fish other than salmonids are the only portions ~~which~~that may be used legally as bait. Any part of nongame fish may be used as bait. The use of bait may be restricted on specific waters as described in Sections 18, 23, 26, 29 and 33.

(c) It is unlawful to snag fish.

(d) No person shall use an artificial light with the sole purpose of aiding in the attraction or taking of fish. No person shall use any device to physically extend an artificial light over the water to attract fish. It is illegal to use or attempt to use artificially lighted hooked devices. Artificial lights used for navigation, safety, preparing fishing equipment, observing fishing rods and lines and artificially lighted bobbbers are legal. Artificial lights within watercraft or on the shore, ~~which~~that are not otherwise prohibited, are legal.

(e) Use or possession of corn while fishing is prohibited on all waters of the state.

(f) Use or possession of bait is prohibited in areas or on waters where fishing is permitted by the use of artificial flies and lures only.

(g) The following method restrictions apply for waters listed in subsection (iv) of this Section.

(i) The use of more than two (2) lines is permitted only during the ice covered period, and only when the angler is fishing through the ice, on waters listed below as being included under the Special Winter Ice Fishing Provision.

(ii) No person shall use more than six (6) lines at any time to fish.

(iii) When using more than two (2) lines, ~~each line shall bear no more than one (1) hook, artificial fly or lure;~~

(A) The angler's name shall be attached to each line, pole or tip-up;

(B) The angler shall be no more than three hundred (300) yards from all lines; and,

(C) The angler shall check his/her own lines.

(iv) The following waters are included under the Special Winter Ice Fishing Provision.

(A) Alcova Reservoir in Natrona County.

(B) Big Horn Lake in Big Horn County.

(C) Big Sandy Reservoir in Sweetwater County.

(D) Boysen Reservoir in Fremont County.

(E) Deaver Reservoir in Park County.

(F) Flaming Gorge Reservoir in Sweetwater County.

(G) Fontenelle Reservoir in Lincoln County.

(H) Glendo Reservoir in Platte County.

(I) Goldeneye Reservoir in Natrona County.

(J) Gray Reef Reservoir in Natrona County.

(K) Grayrocks Reservoir in Platte County.

(L) Guernsey Reservoir in Platte County.

(M) Harrington Reservoir in Big Horn County.

(N) Keyhole Reservoir in Crook County.

(O) Kortes Reservoir in Carbon County.

(P) Lake DeSmet in Johnson County.

(Q) Ocean Lake in Fremont County.

(R) Pathfinder Reservoir in Carbon and Natrona

~~Counties~~counties.

(S) Pilot Butte Reservoir in Fremont County.

(T) Seminoe Reservoir in Carbon County.

(U) Sulphur Creek Reservoir in Uinta County.

(V) Wardell Reservoir in Big Horn County.

(W) Woodruff Reservoir in Uinta County.

Section 6. Creel limits.

(a) Except as otherwise provided, no person shall catch and keep during any one (1) day, or have in possession more than the number and length of fish specified as the general creel limits listed below. Except as otherwise provided, no more than one (1) limit shall be caught and reduced to possession from each of the following ~~eleven-twelve~~ ~~(11-12)~~ categories. Please refer to subsection (c) of this Section. Exceptions are listed with the regulations for each drainage area in Sections 18, 23, 26, 29, and 33.

Category	Creel Limits
(i) Trout (in combination includes brown, cutthroat, grayling, golden, lake , rainbow, salmon, splake, tiger trout, and other trout hybrids). Excludes brook trout <u>and lake trout</u> .	<u>Lakes:</u> six (6) No more than one (1) trout shall exceed twenty (20) inches. <u>Streams:</u> <u>three (3) No more than one (1) trout shall exceed sixteen (16) inches.</u>
(ii) Brook trout	sixteen (16) No more than six (6) brook trout shall exceed eight (8) inches.
<u>(iii) Lake trout</u>	<u>six (6) No more than one (1) lake trout shall exceed twenty-four (24) inches.</u>
(iiiiv) Whitefish	six (6) twenty-five (25)
(iv) Largemouth and smallmouth bass in combination	six (6)
(v) Walleye	six (6)
(vi) <u>Channel Catfish</u> catfish	six (6)
(viii) Northern pike and tiger musky (northern pike-muskellunge hybrid)	three (3) all northern pike and tiger musky less than thirty (30) inches in length shall be released to the water immediately.
(viiiix) Yellow perch, black bullhead, stonecat, crappie, rock bass, bluegill, pumpkinseed, green sunfish, green sunfish-bluegill hybrid, freshwater drum in combination	fifty (50)
(ix) <u>Ling Burbot</u> (burbot <u>ling</u>)	three (3)

(xi) Sauger two (2)

(xii) Shovelnose sturgeon two (2)

(b) Except as otherwise provided in the exception for an individual water the total creel limit for the trout category, regardless of the water (streams or lakes) a person is fishing, shall not exceed six (6) trout. ~~It may be more or less depending on exceptions for the specific waters being fished.~~

(c) Any fish caught that is not to be counted in the creel limit shall be immediately released to the water with as little injury to the fish as possible. Any fish placed on a stringer, in a container, in a live well, or not released immediately to the water, shall be considered to be reduced to possession of the angler and shall be killed prior to being transported from the water of origin. No fish that has been reduced to possession of the angler shall be released alive without prior written approval from the Department.

(d) All fish possessed or transported shall be kept in a manner that species and numbers can be determined. When length limits apply, the whole body shall remain intact (gills and entrails can be removed) while in transit or in the field. Where length limits do not apply, a piece of skin large enough to allow species identification (at least one (1) inch square) shall remain on all fish fillets while in transit or in the field. In addition, walleye and sauger caught in the Wind River, Big Horn River and Tongue River drainages shall remain whole (gills and entrails may be removed) until the angler is off the water or ice and done fishing for the day.

(e) There are no creel limits on nongame fish. Nongame fish may be taken by the use of legal fishing methods during any season open for the taking of game fish.

Section 7. Seining and Trapping of Fish.

(a) Seining and trapping licenses (hereafter referred to as seining license) for the purpose of taking live baitfish may be obtained from Game and Fish Department Regional Offices or from the Cheyenne Headquarters.

(b) No person shall seine, net or trap live baitfish without first obtaining a valid seining license. A valid seining license is required when using a seine, net or trap to take baitfish, even those that will be used as dead bait. Any brook stickleback (*Culaea inconstans*) taken by a trap, net or seine must be immediately killed.

(c) No person shall have more than one (1) seining license each calendar year.

(d) Seining or trapping and use of baitfish shall only be done as specified in regulations for the specific drainage areas in Sections 19, 24, 27, 30, and 34. Locations where baitfish may be obtained, possessed and used shall be specified on the seining license.

(e) Legal gear for taking live baitfish includes seines, traps, cast nets, umbrella nets and dip nets. There are no restrictions on the size of mesh or net size for cast nets, umbrella nets or dip nets. Collection gear shall be hand operated.

(i) Seines used for the purpose of taking live baitfish shall not be more than five (5) feet deep.

(ii) Traps used for the purpose of taking live baitfish shall not be more than thirty-six (36) inches long, twelve (12) inches deep, twelve (12) inches wide or twelve (12) inches in diameter and the throat shall not exceed one (1) inch width.

(A) A seining license holder shall not use more than five (5) traps at a time.

(B) A holder of both a seining license and live baitfish dealer's license shall have no restriction on the number of traps that can be used.

(C) The owner's name and seining license number shall be attached to each trap while in use.

(f) Any game fish taken by trap, net or seine shall be released to the water immediately.

(g) Any **live** baitfish captured for use as dead bait shall be killed immediately and shall not be transported live.

(h) A seining license holder shall not sell live baitfish without first possessing a valid live baitfish dealer's license.

(i) A seining license holder shall be allowed to give live baitfish to other anglers in his or her fishing party for use only when the seining license holder is present. All live baitfish shall be returned to the seining licensee while not in use, and shall remain in the **wild caught live baitfish possession** area listed on the seining license.

(j) A seining license holder shall be allowed to give dead baitfish to other anglers for use as dead bait.

(k) Seining licenses are subject to suspension or revocation for failure to comply with the seining and trapping conditions specified in Sections 7, 19, 24, 27, 30 and 34.

(i) Any revocation of a seining license other than a court hearing revocation shall be subject to contested case proceedings in accordance with Wyoming Game and Fish Commission Regulation Chapter 27, Rules Of Practice Governing Contested Cases Before The Wyoming Game and Fish Commission.

Section 8. Live Baitfish Dealers.

(a) Any person desiring to sell live baitfish shall apply for and receive a valid live baitfish dealer's license prior to selling live baitfish except holders of a valid Wyoming commercial fish hatchery license who may sell live baitfish to live baitfish dealers for resale. Application for a live baitfish dealer's license shall be made on forms provided by the Department. The applicant shall provide information including, but not limited to, the physical location of the business and a description of facilities to be used for holding fish.

(b) No live baitfish shall be transported into the ~~State-state~~ under a live baitfish dealer license.

(c) ~~Golden shiners and fathead minnows obtained from a licensed fish hatchery in Wyoming~~ Commercially produced live baitfish shall be the only live baitfish that may be sold for use in all locations east of the continental divide ~~throughout the State~~ where the use of live baitfish is permitted as described in Sections 24, 27 and 34. ~~Other species of~~ Wild caught fish sold for use as -baitfish ~~sold~~ are subject to the collection, possession and use restrictions specified in Sections 7, 9, 19, 24, 27, 30, and 34.

(d) A live baitfish dealer of record shall be established for each live baitfish dealer's license. Employees of a live baitfish dealer are authorized to sell live baitfish at the established business location. The current year's live baitfish dealer's license shall be displayed for public viewing at the established business location. If a parent company has multiple business locations, a live baitfish dealer's license shall be required at each separate location selling live baitfish.

(e) A live baitfish dealer may sell ~~statewide-use~~ commercially produced live baitfish as specified in subsection (c) of this Section. In addition to the ~~statewide-use~~ commercially produced live baitfish, a live baitfish dealer shall sell wild caught live baitfish for no more than one specific live baitfish location and shall be subject to collection, possession and use restrictions specified in Sections 19, 24, 27, 30 and 34 for the live baitfish location. Live baitfish dealers selling ~~statewide-use~~ commercially produced live baitfish and wild caught live baitfish ~~for use in a specific live baitfish location~~ shall have separate fish holding facilities and maintain separate records for each facility.

(f) Live baitfish dealers shall issue a receipt to the buyer at the time of sale. Receipts shall be filled out completely, they shall be issued by the live baitfish dealer or an employee of the live baitfish dealer and no information on the receipt shall be completed by the buyer. The receipt shall show the dealer's name and address, the number and species of fish sold, the date of the transfer, expiration date and where the fish shall be used. Receipt forms shall be provided by the Department. Copies of the receipts shall be returned to the Department's Cheyenne Headquarters (License Section) by January 15 for sales that occurred during the prior calendar year.

(i) Live fish sold or transferred to live baitfish dealers for resale may be held indefinitely by a licensed live baitfish dealer. Live baitfish dealers may receive live baitfish from holders of valid Wyoming:

(A) Commercial hatchery licenses; or,

(B) Live baitfish dealer licenses.

(ii) Live baitfish sold to all others may be kept for no more than fifteen (15) consecutive days from the time of sale, except for commercially produced live baitfish ~~authorized for use throughout the state~~ as specified in subsection (c) of this Section, in which case the live baitfish shall be kept for no more than thirty (30) consecutive days from the time of sale. The use of wild caught live baitfish ~~sold for use in a specific live baitfish location~~ shall be subject to the collection, possession and use restrictions specified in Sections 19, 24, 27, 30 and 34. Unused live baitfish shall not be released alive and must be killed when the receipt expires.

(iii) Resale of live baitfish collected under a seining license shall be subject to the collection, possession and use restrictions specified in Sections 19, 24, 27, 30 and 34. Specifically, they shall be used only within the areas specified on the seining license used to collect them.

(g) Department personnel may inspect the holding facilities and fish of live baitfish dealers during normal business hours.

(h) If a Department inspection discloses species of wildlife not authorized by the Department in the holding facilities of a licensed live baitfish dealer the Department may, at its discretion, order the shipment of fish or fish in the holding facility removed from Wyoming.

(i) Live baitfish dealers shall keep records, on forms provided by the Department, of who they obtained the baitfish from, numbers of live baitfish received and where the supplier obtained the live baitfish. Live baitfish dealers shall maintain at the established business location legible, current, accurate and complete baitfish records. Completed forms shall be returned to the Department's Cheyenne Headquarters (License Section) by January 15 for activities that occurred during the prior calendar year.

(j) Live baitfish dealer licenses are subject to suspension or revocation for failure to comply with provisions (a) through (h) of this ~~section~~Section.

(i) Any revocation of a live baitfish dealer license other than a court hearing revocation shall be subject to contested case proceedings in accordance with Wyoming Game and Fish Commission Regulation Chapter 27, Rules Of Practice Governing Contested Cases Before The Wyoming Game and Fish Commission.

Section 9. Use of Baitfish.

(a) The use or possession of live baitfish is prohibited on all waters except as otherwise provided in Sections 19, 24, 27, 30 and 34 which describe Waters where live baitfish may be obtained, **possessed** and used ~~are designated within the regulations for the specific drainage area in Sections 19, 24, 27, 30, and 34.~~ Possession of live baitfish is prohibited in areas or on waters where the use of live baitfish is not permitted, except while seining or trapping baitfish on waters designated within the regulations for the specific drainage area in Sections 19, 24, 27, 30, and 34. Possession of live brook stickleback (*Culaea inconstans*) is prohibited in Wyoming.

(b) The specific waters from which wild caught live baitfish may be seined, netted or trapped and used are listed in Sections 19, 24, 27, 30 and 34. Wild caught Live live baitfish shall not be transported out of the designated ~~use~~ wild caught live baitfish possession area ~~as from which they were collected.~~ This area shall be listed by the Department on the seining license, live baitfish dealer license or live baitfish receipt.

(c) Commercially produced live baitfish may be transported and possessed throughout Areas 2, 3 and 5 (east of the continental divide) except where the use of live baitfish is prohibited. Use or possession of commercially produced live baitfish is prohibited on all waters except as otherwise provided in Sections 19, 24, 27, 30 and 34.

(d) Possession of live brook stickleback (*Culaea inconstans*) is prohibited in Wyoming.

(~~ee~~) Persons with live baitfish in possession shall produce, upon request from Department personnel, either a receipt from a licensed live baitfish dealer or a seining license verifying origin of the live baitfish.

(~~df~~) No live baitfish shall be transported into the ~~State-state~~ for use as live baitfish.

(~~eg~~) Dead baitfish may be used as bait. Restrictions on the use of dead baitfish are designated within the regulations for the specific drainage area in Sections 19, 24, 27, 30, and 34. Nongame fish taken by the use of legal fishing methods during any season open for the taking of game fish may be used as dead bait. Any live baitfish captured for use as dead bait shall be killed immediately and shall not be transported live.

Section 10. Closure of Fish Holding Facilities. All fish rearing and retaining ponds used by the ~~State-state~~ including those located at state fish hatcheries, or any that may be constructed elsewhere, are closed to fishing throughout the calendar year. Temporary facilities at spawning station sites are closed to fishing during the time they are in use by the Department.

Section 11. Underwater Spear Gun Fishing.

- (a) Fish may be taken by underwater spear gun fishing only in lakes.
- (b) No person shall use an underwater spear gun to take game fish under water without obtaining a fishing license.
- (c) No game fish may be taken unless the underwater spear gun fisherman is completely submerged.
- (d) All spears used on spear guns shall be attached to the spear gun with a lanyard with a maximum length of twenty (20) feet.
- (e) Underwater spear gun fishing is not permitted within one hundred (100) yards of any designated swimming or water ski areas, boat dock, ramp or spillway.
- (f) A diver's flag shall be displayed on the water when diving or underwater spear gun fishing. It shall be a rectangular flag ~~which~~**that** is either blue and white in color or red in color with a white diagonal stripe, not less than twelve (12) inches x twelve (12) inches and displayed no less than three (3) feet above the surface of the water.
- (g) The creel limit on walleye taken by spear gun shall be two (2) walleye per day or in possession. All other general and water-specific creel limits shall apply.
- (h) In Area 1 underwater spear gun fishing is permitted for the taking of nongame fish and whitefish only in lakes, excluding those waters in Grand Teton National Park.

Section 12. Transportation of Live Fish. No person shall transport live fish or live fish eggs from the water of capture, except as provided by Commission regulations or as authorized by the Department.

Section 13. Tagging or Marking Fish. No person shall tag or mark fish and release them into the waters of the ~~State~~**state** without prior written approval from the Department.

Section 14. Ice Fishing Shelters. Any person utilizing an enclosed ice fishing shelter on the waters of the ~~State~~**state** shall label the shelter externally with the owners name and address. ~~Any person utilizing an ice fishing shelter~~ shall remove the shelter from the body of water before ice-out.

Section 15. Fishing Contests.

(a) Fishing contests held on waters of the ~~State~~**state excluding licensed fishing preserves that are open to public use** shall be approved and authorized in writing by the Department. **No person shall conduct a fishing contest without first obtaining a fishing contest permit. The permittee shall adhere to all requirements and stipulations provided on the fishing contest permit.**

(b) Applications. Anyone desiring to hold a fishing contest shall submit an application for a **fishing contest** permit **on a form provided by** ~~to~~ the Department ~~at~~

~~least thirty (30) days prior to the start of the contest on a form provided by the Department. Information on the application shall include the name of the applicant; location of the waters where the contest is to be held; the dates of the contest; the number of participants expected for the contest; the amount of the entry fee; a copy of the contest rules; and, the name, address and telephone number of the person responsible for the contest.~~ **Fishing contest applications may be submitted one (1) year (365 days) prior to the start of the fishing contest, but shall be submitted at least thirty (30) days prior to the start of the fishing contest.**

(c) Live ~~Fish Releases~~ **Fishing Contests**. No person shall release live fish in a ~~live release~~ fishing contest without ~~prior written approval of the Department~~ a **fishing contest permit** specifying the methods of **authorizing live** release.

(d) Reasons for Denying **Fishing Contest** Permits. **The Department may deny an application if information is falsified on the application, or if the application is incomplete or incorrectly filled out. Fishing contest Permits-permits** shall not be issued if the Department ~~believes~~ **determines** the fishing contest does not comply with **Wyoming Statutes**, Commission regulations, shall be harmful to the fisheries resource, or that public use facilities such as boat ramps, parking areas, campgrounds, and related facilities are inadequate to support the contest. Failure to comply with the requirements of the ~~authorization letter~~ **fishing contest permit** ~~for previous tournaments is a violation of Commission regulations and~~ may result in denial of future fishing contest permits.

(e) Post-**Fishing** Contest Report Required. Within thirty (30) days after completion of the fishing contest, the permittee shall submit a **legible, complete and accurate** written report to the Department on a form provided by the Department. ~~The report shall include the number of contest participants, fisheries catch data as requested by the Department and other information requested on the form.~~ Failure to submit this report may result in denial of future fishing contest permits.

(f) **Fishing** Contest-free ~~period~~ **Period**. The following restrictions apply for waters covered by the “special fishing contest provision”.

(i) Waters included under the “special fishing contest provision” are listed with the regulations for those drainage areas in Section 33.

(ii) The Department shall authorize **fishing** contests such that each water included in the “Special Fishing Contest Provision” has a period of at least **two (2)** weeks when fishing contests are not allowed.

(iii) The specific dates when contests are not allowed are listed with the regulations for those drainage areas in Section 33.

Section 16. **Established Check Stations, Mandatory Reporting**. Every angler shall stop and report at every check station on route to or from any fishing area regardless if the person has any fish in possession. Upon request of any authorized Department

representative, anyone who has been fishing shall produce a valid license and conservation stamp, if required, and fish. Even if the fish in possession ~~has~~ have been cut and wrapped or processed, the person transporting shall stop and report at the check station.

Section 17. Area 1 Coverage. Area 1 means the Snake River, Salt River, Greys River, Hoback River, Gros Ventre River and Buffalo Fork River ~~Drainages~~ drainages and all drainages west of the Teton and Snake River Ranges.

Section 18. Area 1 Exceptions to ~~general provisions~~ General Provisions. Fishing is permitted as described in Sections 1 through 16 of this Chapter, except as otherwise specified in this ~~section~~ Section:

(a) All lakes within Grand Teton National Park in Teton County.

(i) The creel limit on trout shall be six (6) per day or in possession.

(A) No more than three (3) shall be cutthroat trout; and,

(B) No more than one (1) cutthroat trout shall exceed twelve (12) inches.

(ab) All ~~waters~~ streams within Area 1, unless indicated otherwise, in Fremont, Lincoln, Sublette, and Teton ~~Counties~~ counties.

(i) The creel limit on trout shall be ~~six~~ three (~~6~~) per day or in possession.

~~(A) No more than three (3) shall be cutthroat trout;~~

(A) No more than one (1) trout shall exceed sixteen (16) inches; and,

(B) No more than one (1) cutthroat trout shall exceed twelve (12) inches; ~~and,~~

~~(C) No more than one (1) trout shall exceed twenty (20) inches.~~

(bc) All Snake River tributary streams upstream from Sheep Gulch boat ramp (excluding Hoback River drainage), streams on the west slope of the Teton and Snake River ranges, and designated wilderness waters, unless indicated otherwise, in Fremont, Lincoln, Sublette, and Teton ~~Counties~~ counties.

(i) Closed to fishing from ~~December~~ November 1 through March 31.

(ed) All streams within Grand Teton National Park below Jackson Lake Dam, excluding Buffalo Fork River, Pacific Creek, Gros Ventre River and Snake River, in Teton County.

(i) Closed to fishing ~~December~~ November 1 through July 31.

(ii) Fishing is permitted by the use of artificial flies and lures only.

~~(de)~~ Flat Creek on the National Elk Refuge from the McBride Bridge downstream to the posted boundary in Teton County.

(i) Closed to fishing from November 1 through July 31.

(ii) The creel limit on trout shall be six (6) per day or in possession.

(A) No more than one (1) shall be cutthroat trout; and,

(B) All cutthroat trout less than twenty (20) inches shall be released to the water immediately.

(iii) Fishing is permitted by the use of artificial flies only.

~~(ef)~~ Flat Creek from the posted boundary on the National Elk Refuge downstream to the west boundary of the National Elk Refuge in Teton County.

(i) Closed to fishing throughout the calendar year.

~~(f) Flat Creek from the U.S. Highway 26/89/191 Bridge on West Broadway north of Karns Meadow downstream to the confluence with the Snake River in Teton County.~~

~~(i) Closed to fishing from November 1 through April 30.~~

~~(gg)~~ Flat Creek from the west boundary of the National Elk Refuge downstream to the confluence with the Snake River ~~U.S. Highway 26/89/191 Bridge on West Broadway north of Karns Meadow~~ in Teton County.

(i) Closed to fishing from ~~November~~ December 1 through March 31.

~~(ii) It shall be unlawful for persons eighteen (18) years of age and older to fish.~~

~~(hh)~~ Greys River proper from Corral Creek downstream to the Murphy Creek Bridge in Lincoln County.

(i) Fishing is permitted by the use of artificial flies and lures only.

~~(ii)~~ Jackson Lake, Grand Teton National Park in Teton County.

(i) Closed to fishing from October 1 through October 31.

~~(ii) The creel limit on trout shall be six (6) per day or in possession.~~

~~(A) No more than one (1) trout shall exceed twenty-four (24) inches;~~

~~(B) No more than three (3) shall be cutthroat trout; and,~~

~~(C) No more than one (1) cutthroat trout shall exceed twelve (12) inches.~~

~~(j) Murphy Lake in Lincoln County.~~

~~(i) The creel limit on trout shall be six (6) per day or in possession.~~

~~(A) No more than one (1) trout shall exceed twenty (20) inches.~~

~~(k)~~ Nowlin Creek on the National Elk Refuge above “Closed Area” signs in Teton County.

(i) Closed to fishing throughout the calendar year.

~~(h)~~ Nowlin Creek on the National Elk Refuge from “Closed Area” signs downstream to its confluence with Flat Creek in Teton County.

(i) Closed to fishing from November 1 through July 31.

(ii) The creel limit on trout shall be six (6) per day or in possession.

(A) No more than one (1) shall be cutthroat trout; and,

(B) All cutthroat trout less than twenty (20) inches shall be released to the water immediately.

(iii) Fishing is permitted by the use of artificial flies only.

~~(m)~~ Pacific Creek downstream from the wilderness boundary to the confluence with the Snake River in Teton County.

(i) Closed to fishing from ~~November~~ December 1 through March 31.

(ii) Fishing is permitted by the use of artificial flies and lures only.

~~(n) Palisades Reservoir in Lincoln County.~~

~~(i) The creel limit on trout shall be six (6) per day or in possession.~~

~~(A) No more than one (1) trout shall exceed twenty (20) inches.~~

~~(o)~~ Salt River ~~Drainage~~ drainage upstream from the Upper Narrows Bridge (Wyoming Highway 238) in Lincoln County.

(i) All trout shall be released to the water immediately from November 1 through December 31.

(ii) Fishing is permitted by the use of artificial flies and lures only from November 1 through December 31.

(pn) Salt River from one quarter (¼) mile below the Highway 238 Bridge downstream to the Diversion (Murray) Fishing Access as posted in Lincoln County.

(i) Fishing is permitted by the use of artificial flies and lures only.

(qq) Snake River proper for a distance of one hundred fifty (150) feet below the downstream face of Jackson Lake Dam, Grand Teton National Park in Teton County.

(i) Closed to fishing throughout the calendar year.

(rp) Snake River proper from one hundred fifty (150) feet below Jackson Lake dam downstream to the gauging station one thousand (1,000) feet below Jackson Lake dam in Teton County.

(i) All cutthroat trout shall be released to the water immediately from November 1 through March 31.

(ii) The use or possession of fish, parts thereof, or fish eggs for bait is prohibited. Refer to Grand Teton National Park fishing regulations.

(sq) Snake River proper from one thousand (1,000) feet below Jackson Lake dam (at gauging station) downstream to the Wyoming Highway 22 Bridge (Wilson Bridge) in Teton County.

(i) All cutthroat trout shall be released to the water immediately from November 1 through March 31.

(ii) Fishing is permitted by the use of artificial flies and lures only.

(tr) Snake River proper from Wyoming Highway 22 Bridge (Wilson Bridge) downstream to Sheep Gulch boat ramp in Lincoln and Teton ~~Counties~~counties.

(i) All cutthroat trout shall be released to the water immediately from November 1 through March 31.

(us) Snake River proper from Yellowstone National Park boundary downstream to Jackson Lake in Teton County.

(i) All cutthroat trout shall be released to the water immediately from November 1 through March 31.

(vt) Soda Lake in the Gros Ventre River ~~Drainage~~drainage in Teton County.

(i) Closed to fishing from November 1 through April 30.

(ii) The creel limit on trout shall be one (1) per day or in possession.

(A) All trout less than twenty (20) inches shall be released to the water immediately.

(iii) Fishing is permitted by the use of artificial flies and lures only.

~~(w) Strawberry Reservoir in Lincoln County.~~

~~(i) The creel limit on trout shall be six (6) per day or in possession.~~

~~(A) No more than one (1) trout shall exceed twenty (20) inches.~~

~~(x) Swift Creek Reservoirs in Lincoln County.~~

~~(i) The creel limit on trout shall be six (6) per day or in possession.~~

~~(A) No more than one (1) trout shall exceed twenty (20) inches.~~

Section 19. Area 1 Live Baitfish. The use or possession of live baitfish in Area 1 is prohibited except that licensed live baitfish dealers may possess live baitfish native to the drainage until the time of sale. Holders of valid seining licenses may only seine, net or trap baitfish native to the drainage for use as dead bait in Area 1, excluding the waters within Grand Teton National Park (refer to Section ~~22-21~~ for Jackson Lake exception). Any baitfish captured, except those to be held by licensed live baitfish dealers, shall be killed immediately. Native baitfish permissible for use in the Snake River drainage are reidside shiner, speckled dace, longnose dace, Paiute sculpin, mottled sculpin, Utah chub, and Utah sucker.

Section 20. Palisades Reservoir Boundaries. The boundaries of Palisades Reservoir shall be Sheep Gulch Boat Ramp on the Snake River arm; ~~the~~ Greys River Bridge just above Mill Creek on the Greys River arm; ~~and~~ McCoy Creek Bridge on the Salt River arm.

Section 21. Grand Teton National Park.

(a) Fishing is permitted in Grand Teton National Park in conformance with laws and regulations of the Commission, the ~~State state~~ of Wyoming and the regulations of the National Park Service.

(b) The use or possession of fish, fish eggs (real or artificial) or fish parts for bait is prohibited in all waters within Grand Teton National Park, ~~except~~ that it shall be permissible to possess or use the following dead, nongame fish on or along the shores of Jackson Lake: reidside shiner, speckled dace, longnose dace, Paiute sculpin, mottled sculpin, Utah chub, and Utah sucker. Please refer to Grand Teton National Park Regulations.

(c) The following fishless lakes are closed to fishing throughout the calendar year: Christian Ponds, Hedrick Pond, Moose Pond, Sawmill Pond, and Swan Lake.

Section 22. Area 2 Coverage. Area 2 means the Wind River, Bighorn River, Shoshone River, Clarks Fork and Yellowstone River ~~Drainages~~drainages.

Section 23. ~~Area 2 Exceptions to general provisions~~**General Provisions.** Fishing is permitted as described in Sections 1 through 16 of this Chapter, except as otherwise specified in this ~~section~~**Section**:

(a) All streams within Area 2, unless indicated otherwise, in Big Horn, Fremont, Hot Springs, Johnson, Park, Teton and Washakie ~~Counties~~**counties**.

(i) The creel limit on trout shall be ~~six~~**three** (~~6~~**3**) per day or in possession.

~~(A) No more than two (2) shall be cutthroat trout; and,~~

~~(B) No more than one (1) trout shall exceed sixteen (16) inches;~~

~~and,-~~

~~(B) No more than one (1) cutthroat trout shall exceed twelve (12) inches.~~

(b) Big Horn Lake downstream from the causeway (Highway 14A) in Big Horn County.

(i) The creel limits are as follows:

(A) Trout - five (5) fish per day, ten (10) fish in possession;

(B) Bass - six (6) fish per day, twelve (12) in possession;

(C) Walleye and sauger - ~~five~~**six** (~~5~~**6**) fish per day no more than ~~two~~**three** (~~2~~**3**) shall be sauger, ~~ten~~**twelve** (~~10~~**12**) fish in possession, no more than ~~two~~**three** (~~2~~**3**) shall be sauger. All walleye and sauger must be kept whole (gills and entrails may be removed) until the angler is off the water **or ice** and done fishing for the day;

(D) Channel catfish - six (6) fish per day or in possession;

(E) ~~Ling (burbot)~~**Burbot (ling)** - three (3) fish per day or in possession;

(F) Shovelnose sturgeon – two (2) fish per day or in possession; and,

(G) Other game species - no limit.

~~(c) Bighorn River from Wedding of the Waters downstream to the Black Mountain Road Bridge (County Road 15-172) in Hot Springs County.~~

~~(i) The creel limit on trout shall be three (3) per day or in possession.~~

~~(A) No more than one (1) trout shall exceed eighteen (18) inches.~~

~~(dc)~~ Buffalo Bill Reservoir, excluding South Fork and Diamond Creek Dike Ponds in Park County.

(i) That portion lying west of a straight line connecting the mouths of Rattlesnake Creek and Sheep Creek (commonly known as Spring Creek) up the drainage to Gibbs Bridge is closed to fishing from April 1 through July 14.

(ii) The creel limit on trout (excluding lake trout) shall be three (3) per day or in possession.

(A) No more than two (2) shall be cutthroat trout; and,

(B) No more than one (1) trout (excluding lake trout) shall exceed eighteen (18) inches.

~~(iii) The creel limit on lake trout shall be six (6) per day or in possession.~~

~~(A) No more than one (1) lake trout shall exceed twenty four (24) inches.~~

~~(iviii)~~ The creel limit on walleye shall be unlimited.

~~(e) Christina Lake in Fremont County.~~

~~(i) The creel limit on trout shall be six (6) per day or in possession.~~

~~(A) No more than two (2) shall be lake trout; and,~~

~~(B) No more than one (1) trout shall exceed twenty (20) inches.~~

~~(fd)~~ Clarks Fork River from the Wyoming/Montana ~~State state~~ line downstream to the Shoshone National Forest Boundary (at mouth of Clarks Fork River Canyon) in Park County.

~~(i) The creel limit on trout shall be three (3) per day or in possession.~~

~~(A) No more than two (2) shall be cutthroat trout; and,~~

~~(B) No more than one (1) trout shall exceed sixteen (16) inches.~~

(ii) Fishing is permitted by the use of artificial flies and lures only.

~~(ge)~~ Deaver Reservoir in Park County.

(i) The creel limit of walleye shall be three (3) per day or in possession.

~~(hf)~~ East Newton Lake in Park County.

(i) The creel limit on trout shall be one (1) per day or in possession.

(A) All trout less than twenty-two (22) inches shall be released to the water immediately.

(ii) Fishing is permitted by the use of artificial flies and lures only.

~~(ig)~~ Fish Lake in Fremont County.

(i) The creel limit on trout shall be three (3) per day or in possession.

(A) No more than one (1) trout shall exceed sixteen (16) inches.

~~(jh)~~ Grace Lake in Big Horn County.

(i) The creel limit on brook trout shall be two (2) per day or in possession.

(ii) Fishing is permitted by the use of artificial flies and lures only.

~~(k) Gustave Lake in Fremont County.~~

~~(i) The creel limit on trout shall be six (6) per day or in possession.~~

~~(A) No more than two (2) shall be lake trout; and,~~

~~(B) No more than one (1) trout shall exceed twenty (20) inches.~~

~~(li)~~ Lake Cameahwait (Bass Lake) in Fremont County.

(i) The creel limit on largemouth bass shall be two (2) per day or in possession.

(A) All bass between ten (10) and fifteen (15) inches (inclusive) shall be released to the water immediately; and,

(B) No more than one (1) bass shall exceed fifteen (15) inches.

~~(mj)~~ Little Moose Lake in Park County.

(i) The creel limit on trout shall be two (2) per day or in possession.

(ii) Fishing is permitted by the use of artificial flies and lures only.

~~(nk)~~ Luce Reservoir in Park County.

(i) All trout shall be released to the water immediately.

(ii) Fishing is permitted by the use of artificial flies and lures only.

~~(el)~~ Middle Depression Reservoir in Fremont County.

(i) The creel limit on trout shall be three (3) per day or in possession.

(A) No more than one (1) trout shall exceed sixteen (16) inches.

~~(pm)~~ North Fork of the Shoshone River ~~Drainage~~**drainage** from Newton Creek downstream to Gibbs Bridge (including Newton Creek) in Park County.

(i) Closed to fishing from April 1 through June 30.

~~(qn)~~ North Fork of the Shoshone River ~~drainage~~**Drainage** upstream of Gibbs Bridge in Park County.

(i) The creel limit on trout shall be three (3) per day, or in possession.

(A) No more than two (2) shall be cutthroat trout; and,

(B) No more than one (1) trout shall exceed eighteen (18) inches.

(o) Nowood River drainage streams upstream from the confluence with the Bighorn River including Paintrock and Tensleep Creeks in Big Horn, Johnson, and Washakie counties.

(i) The creel limit on trout shall be six (6) per day, or in possession.

~~(rp)~~ Pelham Lake in Fremont County.

(i) The creel limit on trout shall be two (2) per day or in possession.

(A) All trout less than sixteen (16) inches shall be released to the water immediately.

(ii) Fishing is permitted by the use of artificial flies and lures only.

~~(sq)~~ Renner Reservoir in Big Horn County.

(i) The creel limit on largemouth bass shall be six (6) per day or in possession.

(A) No more than one (1) bass shall exceed twelve (12) inches.

(r) Shell Creek drainage streams upstream from the confluence with the Bighorn River in Big Horn County.

(i) The creel limit on trout shall be six (6) per day, or in possession.

~~(ts)~~ Shoshone Lake and Shoshone Creek in Fremont County.

(i) Closed to fishing from September 1 through ~~May 31~~**June 14**.

(ii) The creel limit on brook trout shall be ~~four~~**six (46)** per day or in possession.

(t) Shoshone River drainage streams from Buffalo Bill Dam downstream to Big Horn Lake in Big Horn and Park counties.

(i) The creel limit on trout shall be six (6) per day or in possession.

(A) No more than one (1) trout shall exceed sixteen (16) inches.

(u) Swamp Lake in Park County.

(i) The creel limit on brook trout shall be two (2) per day or in possession.

(ii) Fishing is permitted by the use of artificial flies and lures only.

(v) The “Rise” of the Middle Fork of the Popo Agie River downstream to the Bridge on the Sinks Canyon Road in Fremont County.

(i) Closed to fishing throughout the calendar year.

(w) Upper Brooks Lake in Fremont County.

(i) The creel limit on game fish shall be six (6) per day or in possession.

(ii) No more than two (2) game fish shall exceed twelve (12) inches.

~~(w) Wind River Drainage streams upstream from the confluence with the East Fork of the Wind River, including the East Fork Drainage, in Fremont County.~~

~~(i) The creel limit on trout shall be three (3) per day or in possession.~~

~~(A) No more two (2) shall be cutthroat trout; and,~~

~~(B) No more than one (1) trout shall exceed sixteen (16) inches.~~

Section 24. Area 2 Live Baitfish. The use or possession of live baitfish in Area 2 is prohibited except as otherwise specified in this ~~section~~**Section and Sections 7 and 9.**

(a) Area 2 Live Baitfish location A. Live baitfish may be used for bait in the waters listed in subsection (i), provided the baitfish are obtained from a licensed live baitfish dealer authorized to sell baitfish for use in these waters or the baitfish were seined or trapped from the waters listed in subsection (ii). **Live baitfish restricted to use in location A shall not be transported out of the designated wild caught live baitfish possession area defined in subsection (iii).**

(i) Fathead minnows, ~~golden shiners,~~ and lake chubs are the only live baitfish species ~~which~~**that** may be used in the following waters:

(A) Torrey Lake;

(B) Ring Lake; and,

(C) Trail Lake.

(ii) A holder of a valid seining license may seine, net or trap fathead minnows, ~~golden shiners,~~ or lake chubs from the Wind River ~~Drainage~~ drainage upstream from the western boundary of the Wind River Indian Reservation excluding Torrey, Ring and Trail lakes. All other fish captured must be released to the water immediately.

(iii) The designated wild caught live baitfish possession area for location A is the Wind River drainage upstream from the western boundary of the Wind River Reservation.

(b) Area 2 Live Baitfish location B. Live baitfish may be used for bait in the waters listed in subsection (i), provided the baitfish are obtained from a licensed live baitfish dealer authorized to sell baitfish for use in these waters or the baitfish were seined or trapped from the waters listed below in subsection (ii). **Live baitfish restricted to use in location B shall not be transported out of the designated wild caught live baitfish possession area defined in subsection (iii).**

(i) Live baitfish may be used in the following waters:

- (A) Wardell Reservoir;
- (B) Big Horn Lake;
- (C) Bighorn River;
- (D) Deaver Reservoir;
- (E) Harrington Reservoir;
- (F) Shoshone River downstream from Penrose Dam;
- (G) Wind River downstream from Boysen Reservoir;
- (H) Boysen Reservoir;
- (I) Ocean Lake; and,
- (J) Pilot Butte Reservoir.

(ii) A holder of a valid seining license may seine, net or trap baitfish from the following waters:

(A) Wind River **and Bighorn River Drainage drainages downstream** from the western boundary of the Wind River ~~Indian~~ Reservation-~~downstream to Boysen Dam.~~

(iii) The designated wild caught live baitfish possession area for location B is the Wind River and Bighorn River drainages downstream from the western boundary of the Wind River Reservation.

~~(e) Area 2 Live Baitfish location C. Live baitfish may be used for bait in the waters listed in subsection (i) provided the baitfish are obtained from a licensed live baitfish dealer authorized to sell baitfish for use in these waters or the baitfish were seined or trapped from the waters listed below in subsection (ii).~~

~~(i) Live baitfish may be used in the following waters:~~

~~(A) Wardell Reservoir;~~

~~(B) Big Horn Lake;~~

~~(C) Bighorn River;~~

~~(D) Deaver Reservoir;~~

~~(E) Harrington Reservoir;~~

~~(F) Shoshone River downstream from Penrose Dam; and,~~

~~(G) Wind River downstream from Boysen Dam.~~

~~(ii) A holder of a valid seining license may seine, net or trap baitfish from the following waters:~~

~~(A) Bighorn River Drainage downstream from Boysen Dam.~~

Section 25. Area 3 Coverage. Area 3 means the Niobrara River, Cheyenne River, Stockade-Beaver Creek, Sand Creek, Belle Fourche River, Little Missouri River, Little Powder River, Powder River, Tongue River, and Little Bighorn River ~~Drainages~~**drainages.**

Section 26. Area 3 Exceptions to ~~general provisions~~**General Provisions.** Fishing is permitted as described in Sections 1 through 16 of this Chapter, except as otherwise specified in this ~~section~~**Section:**

(a) Bull Creek in Sheridan County.

(i) All trout (except brook trout) shall be released to the water immediately.

(ii) Fishing is permitted by the use of artificial flies and lures only.

(b) Burlington Reservoir in Natrona County.

(i) Closed to fishing from September 1 through April 30.

(c) Little Bighorn River drainage streams upstream from the Montana state line in Sheridan County.

(i) The creel limit on trout shall be six (6) per day or in possession.

(~~e~~d) Middle Fork of Powder River, from Bachaus Creek downstream to the Bar C Road (Johnson County Road 238) on the Bar C Ranch in Johnson County.

(i) The creel limit on trout shall be three (3) per day or in possession.

(A) No more than one (1) trout shall exceed sixteen (16) inches.

(~~d~~e) Muddy Guard Reservoir No. 1 in Johnson County.

(i) The creel limit on trout shall be one (1) per day or in possession.

(A) All trout less than twenty (20) inches shall be released to the water immediately.

(ii) Fishing is permitted by the use of artificial flies and lures only.

(~~e~~f) North Tongue River ~~Drainage~~drainage upstream from the Mouth of Bull Creek in Sheridan County.

(i) All trout (except brook trout) shall be released to the water immediately.

(ii) Fishing is permitted by the use of artificial flies and lures only.

(g) Powder River drainage streams upstream from the Montana state line, including Clear Creek and Crazy Woman Creek drainages, (except the Middle Fork Powder River from Bachaus Creek downstream to the Bar C Road (Johnson County Road 238) on the Bar C Ranch) in Campbell, Johnson, Natrona, Sheridan and Washakie counties.

(i) The creel limit on trout shall be six (6) per day or in possession.

(~~f~~h) Sand Creek, from the forest service boundary above Ranch "A" downstream to Interstate 90 in Crook County.

(i) The creel limit on brown trout is twelve (12) per day or in possession.

(A) All other trout shall be released to the water immediately; and,

(B) No more than one (1) trout shall exceed twelve (12) inches.

(ii) Fishing is permitted by the use of artificial flies and lures only on the Ranch "A" Public Fishing Area.

(i) Tongue River drainage streams upstream from the Montana state line in Johnson and Sheridan counties except the North Tongue River drainage upstream from the Mouth of Bull Creek in Sheridan County.

(i) The creel limit on trout shall be six (6) per day or in possession.

Section 27. Area 3 Live Baitfish. The use or possession of live baitfish in Area 3 is prohibited except as otherwise specified in this **Section and Sections 7 and 9**.

(a) Area 3 Live Baitfish location A. Live baitfish may be used for bait in the waters listed in subsection (i), provided the baitfish are obtained from a licensed live baitfish dealer authorized to sell baitfish for use in these waters or the baitfish were seined or trapped from the waters listed below in subsection (ii). **Live baitfish restricted to use in location A shall not be transported out of the designated wild caught live baitfish possession area defined in subsection (iii).**

(i) Live baitfish may be used in the following waters:

- (A) Keyhole Reservoir; and,
- (B) Belle Fourche River proper.

(ii) A holder of a valid seining license may seine, net or trap baitfish from the following waters:

- (A) Keyhole Reservoir; and,
- (B) Belle Fourche River **Drainage**.

(iii) The designated wild caught live baitfish possession area for location A is the Belle Fourche River drainage, Little Missouri drainage, Little Powder drainage and Cheyenne River drainage.

~~(b) Area 3 Live Baitfish location B. Live baitfish may be used for bait in the waters listed in subsection (i) provided the baitfish are obtained from a licensed live baitfish dealer authorized to sell baitfish for use in these waters or the baitfish were seined or trapped from the waters listed below in subsection (ii).~~

~~(i) Live baitfish may be used in the following waters:~~

~~(A) Tongue River from Interstate Highway 90 to the Wyoming-Montana State line;~~

~~(B) Goose Creek from Interstate Highway 90 to its confluence with Tongue River; and,~~

~~(C) Kleenburn Ponds 1 and 2 adjacent to the Tongue River north of Interstate 90, near Acme.~~

~~(ii) A holder of a valid seining license may seine, net or trap baitfish from the following waters:~~

~~(A) Tongue River Drainage.~~

(b) Area 3 Live Baitfish location B. Live baitfish may be used for bait in the waters listed in subsection (i), provided the baitfish are obtained from a licensed live baitfish dealer authorized to sell commercially produced live baitfish as described in Section 8 (c).

(i) Commercially produced live baitfish may be used in the following waters:

(A) Lake DeSmet in Johnson County; and,

(B) Healy Reservoir in Johnson County.

Section 28. Area 4 Coverage. Area 4 means the Green River, Little Snake River, Bear River and Great Divide Basin ~~Drainages~~drainages.

Section 29. Area 4 Exceptions to ~~general provisions~~General Provisions. Fishing is permitted as described in Sections 1 through 16 of this Chapter, except as otherwise specified in this ~~section~~Section:

(a) All streams within Area 4, unless indicated otherwise, in Carbon, Lincoln, Sublette, Sweetwater and Uinta counties.

(i) The creel limit on trout shall be three (3) per day or in possession.

(A) No more than one (1) trout shall exceed sixteen (16) inches;
and,

(B) No more than one cutthroat trout shall exceed twelve (12) inches.

(b) All waters within Area 4 in Carbon, Lincoln, Sublette, Sweetwater and Uinta counties.

(i) The creel limit on ~~ling~~ (burbot (ling)) shall be unlimited.

(ii) The creel limit on walleye shall be unlimited.

(c) Bear River ~~Drainage~~drainage ~~Streams~~streams including Smiths Fork and Salt Creek (also called Thomas Fork) drainages, unless indicated otherwise, in Lincoln County.

(i) The creel limit on trout shall be six (6) per day or in possession.

(A) No more than three (3) shall be a cutthroat trout; and,

(B) No more than one (1) cutthroat trout shall exceed sixteen (16) inches.

~~(d) Bear River from the upstream boundary of the Bear River State Park downstream to the northern boundary of the Evanston City limits (Sims Lane) in Uinta County.~~

~~(i) The creel limit on trout shall be two (2) per day or in possession.~~

~~(A) No more than one (1) trout shall exceed sixteen (16) inches.~~

~~(e) Beaver Creek Drainage upstream from the confluence with South Piney Creek in Sublette County.~~

~~(i) Fishing is permitted by the use of artificial flies and lures only.~~

(fd) Boulder Creek from the inlet of Boulder Lake to the confluence of the North Fork of Boulder Creek in Sublette County.

(i) Closed to fishing from April 1 through June 30.

(ge) Burnt Lake in Sublette County.

(i) Closed to fishing from November 15 through April 30.

(hf) Currant Creek in Sweetwater County.

(i) Closed to fishing from April 1 through June 30.

(ii) All cutthroat trout shall be released to the water immediately.

(iii) Fishing is permitted by the use of artificial flies and lures only.

(ig) Fall Creek in Sublette County.

(i) Closed to fishing from May 1 through June 30 from Burnt Lake downstream five hundred (500) yards.

(jh) Fish Creek ~~Drainage~~ **drainage** (of South Piney Creek) on the Bridger-Teton National Forest upstream from the forest boundary in Sublette County.

(i) Fishing is permitted by the use of artificial flies and lures only.

(ki) Flaming Gorge Reservoir in Sweetwater County.

(i) The creel limit on trout (excluding lake trout) shall be four (4) per day or in possession.

(A) No more than three (3) shall be kokanee salmon.

(ii) The creel limit on lake trout shall be eight (8) per day or in possession.

(A) No more than one (1) lake trout shall exceed twenty-eight (28) inches.

~~(iii) The creel limit on bass shall be ten (10) per day or in possession.~~

(iv) All kokanee salmon caught from September 10 through November 30 shall be released to the water immediately.

(v) The possession or use of gaffs for landing fish is prohibited.

~~(h)~~ Flume Creek below Fontenelle Reservoir in Sweetwater County.

(i) Closed to fishing throughout the calendar year.

~~(m) Fontenelle Reservoir in Lincoln County.~~

~~(i) No length limit applies to Kokanee salmon.~~

~~(nk)~~ Green River from Warren Bridge (Hwy 191) downstream to the Swain's (Wood's) Bridge, Sublette County Road 23-179 in Sublette County.

(i) Fishing is permitted by the use of artificial flies and lures only.

~~(ol)~~ Green River from the Sweetwater County Road 8 Bridge, 4.5 miles below Fontenelle Dam, downstream to the Big Sandy River in Sweetwater County.

(i) The creel limit on trout shall be one (1) per day or in possession.

(A) All trout less than twenty (20) inches shall be released to the water immediately.

(ii) Fishing is permitted by the use of artificial flies and lures only.

~~(pm)~~ Green River from Fontenelle Dam downstream approximately one (1) mile to the U.S. Geological Survey gauge station (cable crossing) at the Weeping Rocks Campground in Sweetwater County.

(i) Closed to fishing from October 1 through December 31.

~~(qn)~~ Halfmoon Lake in Sublette County.

(i) The creel limit on lake trout shall be ~~six~~ two (62) per day or in possession.

~~(A) No more than two (2) shall be lake trout; and,~~

~~(BA)~~ No more than one (1) lake trout shall exceed twenty-four (2024) inches.

~~(fo)~~ Ham's Fork River from Viva Naughton Reservoir downstream to Kemmerer City Reservoir in Lincoln County.

~~(i) The creel limit on trout shall be three (3) per day or in possession.~~

~~(A) No more than one (1) trout shall exceed sixteen (16) inches.~~

(ii) Fishing is permitted by the use of artificial flies and lures only.

~~(s) High Savery Reservoir in Carbon County.~~

~~(i) The creel limit on trout shall be six (6) per day or in possession.~~

~~(A) No more than two (2) shall be cutthroat trout; and,~~

~~(B) No more than one (1) trout shall exceed twenty (20) inches.~~

~~(tp)~~ Jim Bridger Pond in Sweetwater County.

(i) Closed to ice fishing.

~~(uq)~~ Kemmerer City Reservoir in Lincoln County.

(i) The creel limit on trout shall be three (3) per day or in possession.

(A) No more than one (1) trout shall exceed sixteen (16) inches.

(ii) Fishing is permitted by the use of artificial flies and lures only.

~~(vr)~~ Kendall Warm Springs and Kendall Warm Springs Creek in Sublette County.

(i) Closed to fishing throughout the calendar year.

(s) LaBarge Creek, five hundred (500) feet downstream and five hundred (500) feet upstream of the fish migration barrier located between Big Fall Creek and Turkey Creek on the Bridger-Teton National Forest in Lincoln County.

(i) Closed to fishing throughout the calendar year.

~~(wt)~~ Lake Alice in Lincoln County.

(i) The creel limit on trout shall be six (6) per day or in possession.

(A) No more than two (2) cutthroat trout shall exceed twelve (12) inches.

(ii) Fishing is permitted by the use of artificial flies and lures only.

~~(xu)~~ Meadow Creek in Sublette County.

(i) Closed to fishing from April 1 through June 30.

(~~yv~~) Meadow Lake in Sublette County.

(i) The portion east of the Game and Fish Department markers shall be closed to fishing from May 1 through June 30.

(ii) The entire lake is closed to fishing from November 15 through April 30.

(~~zw~~) Middle Piney Lake in Sublette County.

(i) The creel limit on lake trout shall be ~~six-two~~ (~~62~~) per day or in possession.

~~(A) No more than two (2) trout shall be lake trout; and,~~

(~~BA~~) No more than one (1) lake trout shall exceed twenty-~~four~~ (~~2024~~) inches.

(~~ax~~) Naughton Plant Pond in Lincoln County.

(i) Closed to ice fishing.

(ii) The creel limit on trout shall be two (2) per day or in possession.

(~~by~~) New Fork River above the New Fork Lakes in Sublette County.

(i) Closed to fishing from September 1 through April 30.

(~~ez~~) New Fork River from the Mesa Road Bridge (Sublette County Road 23-123) downstream to the confluence with the East Fork River in Sublette County.

(i) Fishing is permitted by the use of artificial flies and lures only.

(~~adaa~~) North Cottonwood Creek ~~Drainage~~ drainage (including Maki Creek) on the Bridger-Teton National Forest upstream from the forest boundary in Sublette County.

(i) Fishing is permitted by the use of artificial flies and lures only.

(~~aeab~~) North Fork Savery Creek from the concrete fish trap (dam) downstream to High Savery Reservoir in Carbon County.

(i) Closed to fishing September 1 to September 30.

(~~afac~~) North Fork of the Little Snake River ~~Drainage~~ drainage upstream from Forest Service Road 809.1b in Carbon County.

(i) Closed to fishing throughout the calendar year.

(~~agad~~) North Horse Creek and Lead Creek ~~Drainage~~drainage on the Bridger-Teton National Forest upstream from the forest boundary in Sublette County.

(i) Fishing is permitted by the use of artificial flies and lures only.

(~~ahae~~) North Piney Creek ~~Drainage~~drainage on the Bridger-Teton National Forest upstream from the forest boundary in Sublette County.

(i) Fishing is permitted by the use of artificial flies and lures only.

(~~aiaf~~) North Piney Lake and upstream tributaries in Sublette County.

(i) Closed to fishing from June 1 through July 15.

(ii) The creel limit on cutthroat trout shall be one (1) per day or in possession.

(iii) Fishing is permitted by the use of artificial flies and lures only.

(~~ajag~~) Pinedale Children's Pond in Sublette County.

(i) It shall be unlawful for persons fourteen (14) years of age and older to fish.

(~~akah~~) Roaring Fork of the Little Snake River ~~Drainage~~drainage upstream from the Huston Park Wilderness Area boundary in Carbon County.

(i) Closed to fishing throughout the calendar year.

(ai) Rock Crib Lake in Sublette County.

(i) The creel limit on brook trout shall be six (6) per day or in possession.

(~~alaj~~) Salt Creek (also called Thomas Fork) ~~Drainage~~drainage (including Raymond Creek) upstream from the Wyoming-Idaho ~~State~~state line in Lincoln County.

(i) Fishing is permitted by the use of artificial flies and lures only.

(~~amak~~) Smiths Fork ~~Drainage~~drainage upstream from the Hobbie Creek confluence (including Hobbie Creek ~~Drainage~~drainage) in Lincoln County.

(i) Fishing is permitted by the use of artificial flies and lures only.

(~~anal~~) Soda Lake north of Pinedale in Sublette County.

(i) Closed to fishing from October 1 through May 9.

(ii) The creel limit on trout (including brook trout) shall be one (1) per day or in possession.

(~~æam~~) South Cottonwood Creek ~~Drainage~~**drainage**, excluding Soda Lake ponds, on the Bridger-Teton National Forest upstream from the forest boundary in Sublette County.

(i) Fishing is permitted by the use of artificial flies and lures only.

(~~apan~~) South Horse Creek ~~Drainage~~**drainage** on the Bridger-Teton National Forest upstream from the forest boundary in Sublette County.

(i) Fishing is permitted by the use of artificial flies and lures only.

~~(aq) Spring Creek Channel (near Cokeville) from the US Highway 30 bridge downstream to the Railroad Track bridge in Lincoln County.~~

~~(i) It shall be unlawful for persons between the ages of fourteen (14) and sixty-four (64) years of age (inclusive) to fish.~~

(~~arao~~) State Hospital Pond in Uinta County.

(i) State Hospital Pond is open only to patients of the Wyoming State Hospital.

(~~asap~~) Viva Naughton Reservoir in Lincoln County.

(i) The creel limit on trout shall be six (6) per day or in possession.

(A) No more than one (1) trout shall exceed twenty (20) inches.

(ii) Upstream face of Viva Naughton Dam closed to fishing throughout the calendar year (no one shall fish from the dam).

(aq) Wagon Creek Lake in Sublette County.

(i) The creel limit on brook trout shall be six (6) per day or in possession.

Section 30. Area 4 Live Baitfish. The use or possession of live baitfish in Area 4 is prohibited ~~except that licensed live baitfish dealers may possess live baitfish until the time of sale.~~ A holder of a valid seining license may seine, net or trap live baitfish for use as dead bait in the Green and Bear River ~~Drainages~~**drainages**, excluding **Kendall Warm Springs,** Halfmoon Lake, Little Halfmoon Lake, Burnt Lake, the Flaming Gorge National Recreation Area, the Bitter Creek drainage upstream of Rock Springs city limits and the Big Sandy ~~Drainage~~**drainage** upstream of Big Sandy Reservoir. Any live baitfish captured ~~except those to be held by live baitfish dealers~~ shall be killed immediately.

Section 31. Flaming Gorge Reservoir Reciprocal Stamp. A person may utilize a valid Wyoming fishing license to fish in the Utah portions of Flaming Gorge Reservoir if the person possesses a valid Utah reciprocal fishing stamp. A person may utilize a valid

Utah fishing license to fish in the Wyoming portions of Flaming Gorge Reservoir if the person possesses a valid Wyoming reciprocal fishing stamp. Anglers purchasing a reciprocal fishing stamp shall validate the stamp by signing in ink across the face of the stamp. **Anglers who acquire a reciprocity stamp authorization through the Department's electronic license service shall not be required to meet the signature portion of this Section.** Each licensed angler may take only one creel limit regardless of the number of fishing licenses or stamps held.

Section 32. Area 5 Coverage. Area 5 means the North Platte River, Sweetwater River and South Platte River **Drainages**~~drainages~~.

Section 33. Area 5 Exceptions to ~~general provisions~~General Provisions. Fishing is permitted as described in Sections 1 through 16 of this Chapter, except as otherwise specified in this ~~section~~**Section**:

(a) Alsop Lake in Albany County.

(i) The creel limit on trout shall be two (2) per day or in possession.

(A) All trout less than sixteen (16) inches shall be released to the water immediately.

(ii) Fishing is permitted by the use of artificial flies and lures only.

(b) Bump Sullivan Reservoir in Goshen County.

(i) Closed to fishing from November 1 through February 15.

(c) Crow Creek, Dale Creek, Horse Creek and Lodgepole Creek drainages on the Medicine Bow-Routt National Forest (Pole Mountain District) upstream from the forest boundary in Albany County.

(i) The creel limit on brook trout shall be six (6) per day or in possession.

(d) Dome Rock Reservoir in Carbon County.

(i) The creel limit on trout shall be one (1) per day or in possession.

(A) All trout less than twenty (20) inches shall be released to the water immediately.

(ii) Fishing is permitted by the use of artificial flies and lures only.

(e) Edness Kimball Wilkins State Park, all ponds within the park in Natrona County.

(i) Closed to fishing, minnow seining and minnow trapping throughout the calendar year.

(f) Encampment River, from Highway 230 at Riverside downstream to its confluence with the North Platte River in Carbon County.

(i) Fishing is permitted by the use of artificial flies and lures only.

(g) Festo Lake in Platte County.

(i) All largemouth and smallmouth bass less than fifteen (15) inches shall be released to the water immediately.

(h) Glendo Reservoir **including the North Platte River downstream from the bridge on Highway 319 (near Orin Junction) to Glendo Reservoir** in Platte County.

(i) All walleye less than fifteen (15) inches shall be released to the water immediately.

(ii) All walleye must be kept whole (gills and entrails may be removed) until the angler is off the water or ice and done fishing for the day. Once off the water or ice and done fishing for the day, walleye can be filleted for transportation and storage.

(iii) The Special Fishing Contest Provision applies (see Section 15 (f)).

(A) No fishing contests shall be approved for the following dates: June ~~1716, 2010-2012~~ through June 30, ~~2010~~**2012**; and June ~~1717, 2011-2013~~ through June 30, ~~2011~~**2013**.

(i) Grayrocks Reservoir in Platte County.

(i) Between the spillway and floating regulatory buoys or as designated by regulatory signing is closed to fishing throughout the calendar year.

(ii) All largemouth and smallmouth bass less than fifteen (15) inches shall be released to the water immediately.

~~(iii) The creel limit on crappie shall be fifteen (15) per day or in possession.~~

(j) Hawk Springs Reservoir in Goshen County.

(i) All largemouth and smallmouth bass less than fifteen (15) inches shall be released to the water immediately.

(k) Huck Finn Pond in Albany County.

(i) It shall be unlawful for persons fourteen (14) years of age and older to fish.

(l) Lake Absarraca (Country Club Lake) in Laramie County.

(i) All largemouth and smallmouth bass less than fifteen (15) inches shall be released to the water immediately.

~~(m) Laramie River Drainage streams upstream from its confluence with the North Platte River in Albany, Goshen and Platte Counties.~~

~~(i) The creel limit on trout shall be three (3) per day or in possession.~~

~~(A) No more than one (1) trout shall exceed sixteen (16) inches.~~

~~(n) Medicine Bow River Drainage streams upstream of Seminole Reservoir in Albany and Carbon Counties.~~

~~(i) The creel limit on trout shall be three (3) per day or in possession.~~

~~(A) No more than one (1) trout shall exceed sixteen (16) inches.~~

~~(o) North Platte River Drainage streams from Colorado-Wyoming State line downstream to the USGS gauging station weir immediately above Seminole Reservoir in Carbon County.~~

~~(i) The creel limit on trout shall be three (3) per day or in possession.~~

~~(A) No more than one (1) trout shall exceed sixteen (16) inches.~~

(m) North Platte River drainage streams from Bessemer Bend Bridge (Natrona County Road 308) downstream to Guernsey Dam in Albany, Converse, Natrona and Platte counties.

(i) The creel limit on trout shall be six (6) per day or in possession.

(A) No more than one (1) trout shall exceed twenty (20) inches.

(n) North Platte River from Alcova Dam downstream to Gray Reef Reservoir in Natrona County.

(i) The creel limit on trout shall be six (6) per day or in possession.

~~(p)~~ North Platte River from Colorado-Wyoming ~~State state~~ line downstream to the Saratoga Inn Bridge in Carbon County.

(i) Fishing is permitted by the use of artificial flies and lures only.

~~(q)~~ North Platte River from Gray Reef Dam downstream, eight (8) miles to the upstream boundary of the Lusby Public Fishing Area in Natrona County.

(i) The creel limit on trout shall be one (1) per day or in possession.

(A) All trout less than twenty (20) inches shall be released to the water immediately.

(ii) Fishing is permitted by the use of artificial flies and lures only.

(iii) That portion lying between the “Closed Area” signs at the gauge cable crossings (the first cable crossing is approximately 700 yards downstream from Gray Reef Dam) is closed to fishing from April 1 through April 30.

(fg) North Platte River from Kortez Dam downstream to the confluence with Sage Creek (Miracle Mile) in Carbon County.

(i) The creel limit on trout shall be three (3) per day or in possession.

(A) No more than one (1) trout shall exceed sixteen (16) inches.

(sr) North Platte River from Pathfinder Dam downstream eight tenths (0.8) of a mile to the vehicle bridge in Natrona County.

(i) The creel limit on trout shall be one (1) per day or in possession.

~~(t) North Platte River from the upstream boundary of the Lusby Public Fishing Area downstream to the Bessemer Bend Bridge (Natrona County Road 308) in Natrona County.~~

~~(i) The creel limit on trout shall be three (3) per day or in possession.~~

~~(A) No more than one (1) trout shall exceed sixteen (16) inches.~~

(us) North Platte River from vehicle bridge eight tenths (0.8) of a mile downstream from Pathfinder Dam downstream to Alcova Reservoir in Natrona County.

(i) The creel limit on trout shall be one (1) per day or in possession.

(A) All trout less than twenty (20) inches shall be released to the water immediately.

(ii) Fishing is permitted by the use of artificial flies and lures only.

(vt) Packers Lake in Goshen County.

(i) All largemouth and smallmouth bass less than fifteen (15) inches shall be released to the water immediately.

(wu) Rock Lake in Platte County.

(i) All largemouth and smallmouth bass less than fifteen (15) inches shall be released to the water immediately.

(xv) Sloans Lake in Laramie County.

(i) All largemouth and smallmouth bass less than fifteen (15) inches shall be released to the water immediately.

(~~y~~w) Springer Reservoir in Goshen County.

(i) Closed to fishing from November 1 through February 15.

(~~z~~x) The canal from the headgate on Wheatland Reservoir No. 2 to the canal mouth on Wheatland Reservoir No. 3 in Albany County.

(i) Closed to fishing throughout the calendar year.

(~~aa~~y) Turpin Reservoir in Carbon County.

(i) The creel limit on trout (includes brook trout) shall be six (6) per day or in possession.

~~(A) No more than one (1) trout shall exceed twenty (20) inches.~~

Section 34. Area 5 Live Baitfish. The use or possession of live baitfish in Area 5 is prohibited except as specified **below in this Section and Sections 7 and 9.**

(a) Live baitfish may be used for bait in Seminoe, Kortez, Pathfinder, Alcova, Gray Reef, Glendo, Guernsey, Grayrocks, Hawk Springs, Bump Sullivan, Wheatland #1, and Springer reservoirs, Rock, Festo, and Packers lakes, and the North Platte River proper from Interstate Highway 80 downstream to the Wyoming-Nebraska ~~State-state~~ line (except eight (8) river miles from Gray Reef Dam to the upstream boundary of the Lusby Public Fishing Area and from vehicle bridge eight tenths (0.8) of a mile downstream - from Pathfinder Dam downstream to Alcova Reservoir) provided the baitfish are obtained from a licensed live baitfish dealer authorized to sell baitfish for use in those waters.

(b) Seining and trapping of live baitfish is prohibited in all waters in the Horse Creek ~~Drainage~~**drainage**, the South Platte River ~~Drainage~~**drainage**, the Medicine Bow National Forest and all waters located west of Interstate Highway 25 in the Laramie River ~~Drainage~~**drainage**.

(c) Area 5 Live Baitfish location A. Live baitfish may be used for bait in the waters listed in subsection (i), provided the baitfish are obtained from a licensed live baitfish dealer authorized to sell baitfish for use in these waters or the baitfish were seined or trapped from the waters listed below in subsection (ii). **Live baitfish restricted to use in location A shall not be transported out of the designated wild caught live baitfish possession area defined in subsection (iii).**

(i) Live baitfish may be used in the following waters:

(A) Glendo Reservoir;

(B) Guernsey Reservoir;

(C) Grayrocks Reservoir;

- (D) Hawk Springs Reservoir;
- (E) Wheatland Reservoir #1;
- (F) Bump Sullivan Reservoir;
- (G) Springer Reservoir;
- (H) Rock Lake;
- (I) Festo Lake;
- (J) Packers Lake; and,

(K) North Platte River proper downstream from the dam at Dave Johnston Power Plant (Converse County) to the Wyoming-Nebraska ~~State-state~~ line.

(ii) A holder of a valid seining license may seine, net or trap baitfish from the following waters:

(A) North Platte River ~~Drainage-drainage~~ from the dam at Dave Johnston Power Plant (Converse County) downstream to Glendo Dam except in the Medicine Bow National Forest;

(B) North Platte River proper downstream from Glendo Dam to the Wyoming-Nebraska ~~State-state~~ line; and,

(C) Laramie River ~~Drainage-drainage~~ east of Interstate Highway 25.

(iii) The designated wild caught live baitfish possession area for location A is the North Platte River drainage below the Dave Johnston Power Plant (Converse County).

(d) Area 5 Live Baitfish location B. Live baitfish may be used for bait in the waters listed in subsection (i), provided the baitfish are obtained from a licensed live baitfish dealer authorized to sell baitfish for use in these waters or the baitfish were seined or trapped from the waters listed below in subsection (ii). **Live baitfish restricted to use in location B shall not be transported out of the designated wild caught live baitfish possession area defined in subsection (iii).**

(i) Live baitfish may be used in the following waters:

- (A) Pathfinder Reservoir;
- (B) Alcova Reservoir;
- (C) Gray Reef Reservoir;

- (D) Glendo Reservoir;
- (E) Kortes Reservoir;
- (F) Guernsey Reservoir; and,

(G) North Platte River proper between Seminoe Dam and ~~Wyoming Nebraska State line~~ Guernsey Dam, except eight (8) river miles from Gray Reef Dam to the upstream boundary of the Lusby Public Fishing Area and from the vehicle bridge eight-tenths (0.8) of a mile downstream from Pathfinder Dam downstream to Alcova Reservoir.

(ii) A holder of a valid seining license may seine, net or trap baitfish from the following waters:

(A) North Platte River ~~Drainage~~ drainage from Seminoe Dam downstream to the dam at Dave Johnston Power Plant (Converse County).

(iii) The designated wild caught live baitfish possession area for location B is the North Platte River drainage below Seminoe Dam (Carbon County) downstream to Guernsey Dam (Converse County).

(e) Area 5 Live Baitfish location C. Live baitfish may be used for bait in the waters listed in subsection (i), provided the baitfish are obtained from a licensed live baitfish dealer authorized to sell baitfish for use in these waters or the baitfish were seined or trapped from the waters listed below in subsection (ii). **Live baitfish restricted to use in location C shall not be transported out of the designated wild caught live baitfish possession area defined in subsection (iii).**

(i) Live baitfish may be used in the following waters:

(A) Seminoe Reservoir; **and,**

(B) North Platte River from Seminoe Reservoir to Interstate Highway 80.

(ii) A holder of a valid seining license may seine, net or trap baitfish from the following waters:

(A) North Platte River ~~Drainage~~ drainage from Interstate Highway 80 downstream to Seminoe Dam.

(iii) The designated wild caught live baitfish possession area for location C is the North Platte River drainage below Interstate Highway 80 downstream to Seminoe Dam (Carbon County).

(f) Area 5 Live Baitfish location D. Live baitfish may be not be used in this area. Any baitfish seined or trapped from the waters listed below in subsection (i) shall be killed immediately or released to the water immediately.

(i) A holder of a valid seining license may seine, net or trap baitfish for use as dead bait from the following waters:

(A) North Platte River ~~Drainage~~drainage upstream from Interstate Highway 80 to the Medicine Bow National Forest.

Section 35. Free Fishing Day. Anglers may fish without payment of any fee and without acquiring a license pursuant to W.S. 23-2-201 or a conservation stamp under W.S. 23-3-306 on June ~~52, 2010-2012~~ and June ~~41, 2011~~2013. Anglers may exercise the privileges of sport fishing licensees subject to limitations imposed by law and Commission rule and regulation.

Section 36. Violation of Commission Regulations.

(a) Failure to abide by the provisions of these regulations shall be punishable as provided by Wyoming statutes for violation of Commission regulations.

Section 37. Savings Clause. If any provision of these regulations is held to be illegal or unconstitutional, such a ruling shall not affect other provisions of these regulations ~~which~~that can be given effect without the illegal or unconstitutional provision; ~~and,~~ and, to this end the provisions of this regulation are severable.

WYOMING GAME AND FISH COMMISSION

By: _____

~~Clifford Kirk~~Fred Lindzey
PRESIDENT

Date: ~~August 6, 2009~~July 7, 2011