

**TITLE XVI
FISH AND GAME CODE**

CHAPTER 1 FISHING REGULATIONS

Section 16-1-1 Permits

(1) Fishing permits will be issued to the general public to fish, camp, hike, boat and picnic in open or designated areas of the Wind River Indian Reservation. Permits will be sold at the Shoshone and Arapaho Tribal Complex, Fort Washakie, Wyoming. Office hours: 8:00 a.m. through 4:00 p.m., weekdays.

(2) Permits will also be sold at the City Rexall Drug Store, Thermopolis, Wyoming; K.O.A. Campground, Thermopolis, Wyoming; Crowheart Store, Crowheart, Wyoming; Hartman Sporting Goods, Riverton, Wyoming; Bi-Rite Store, Riverton, Wyoming; West Route Trading Company, Riverton, Wyoming; Rocky Acres Camp Ground, N.W. of Lander, Wyoming; Coast to Coast, Lander, Wyoming; McRae's Drug Store, Lander, Wyoming; Whiskey Mountain Tackle Shop, Dubois, Wyoming; The Boulder Store, Boulder, Wyoming; Tribal Service Station, Fort Washakie, Wyoming and the Trail Town Supply, Shoshoni, Wyoming.

(3) The fee charge for Reservation Permits will be as follows:

a) Permits sold at the Shoshone and Arapaho Tribal Complex (Wind River and Wyoming):

Residential Seasonal	
(Wyoming and WRIR)	\$35.00
Non-Resident Seasonal	\$60.00
One-Day Resident	\$ 7.00
One-Day Non-Resident	\$10.00
Seven-Day Resident	\$25.00
Seven-Day Non-Resident	\$35.00
Ice Fishing	\$10.00
Non-Resident Youth	
(seasonal) (14 to 18 years)	\$25.00
Non-Resident Senior Citizens	
(seasonal) (age 60 and over)	\$35.00
Resident Combination License	
(ice and seasonal)	\$40.00
Resident Youth Combination	
(ice and seasonal)	\$10.00

Resident Senior Citizens

Combination (ice and seasonal) \$15.00

b) For additional information about permits, write to Fish and Game Office, Tribal Complex, P. O. Box 217, Fort Washakie, Wyoming 82514, or call (307) 332-7207.

(4) The Shoshone and Arapaho Councils have the right to regulate the fishing, and to fix seasons and bag limits; open, shorten or close seasons for any species of fish or fishes on the Reservation pertaining to protection, management, and propagation of fish. These fishing regulations are subject to change each year.

(5) All persons, except those otherwise provided for in these regulations, fourteen (14) years of age and over shall have a valid fishing permit to use the open areas of the Reservation. All persons under fourteen (14) years of age will be required to be accompanied by an adult who has a valid fishing permit to use the open areas of the Reservation.

(6) All persons under fourteen (14) years of age shall have their fish included within the creel limits of the accompanying adult (holder of the valid permit).

(7) Fishing permits will allow holder to fish from land or boat, camp and picnic in the open areas provided in the regulations.

(8) Non-enrolled Indians who are married to members of the tribes must possess a special permit at a fee of \$2.50 per year. An enrolled spouse must verify marital status each year. All non-enrolled members of Shoshone and Arapaho Tribes, fourteen (14) years of age and over, must have a valid I.D. card for fishing only to show that one parent or both parents are enrolled. This card can be obtained at the Shoshone and Arapaho Enrollment Office, Tribal complex, at a fee of \$5.00 and to be renewed every three (3) years. All non-Indian persons who are married to enrolled members of the tribes will be issued a special permit at a fee of \$5.00 per year.

(9) All persons who possess a special permit and/or courtesy permit shall abide by these regulations and creel limits stated herein.

(10) The Joint Business Council will govern all regulations concerning the activities, fees and conditions that will apply to special groups utilizing the Wind River Indian Reservation for the single or combined purpose or purposes of obtaining an experience, education, or lasting knowledge of the Wind River Indian Reservation resources. A group or groups will elect or provide a chairman representing that group to meet with the Joint Business Council to consummate fees and conditions and all details relating to the activities of said group or groups while enjoying the combined resources of the Wind River Indian Reservation. These Fishing Regulations are subject to change each year.

(11) All person(s) who violates any rules or regulations stated herein will be subject to tribal and/or federal prosecution and loss of license privileges for not less than one (1) year.

(12) All person(s) who are repeated offenders of said regulations shall be subject to the revocation of license privileges for a period of five (5) years.

Section 16-1-2 Ice Fishing

(1) Ice fishing season, available in January:

a) Season Dates: January 01 to February 29; and

b) License Fee: \$10.00.

(2) License Holders. Any person fourteen (14) years of age and over shall have a valid fishing permit to fish the open areas of the Reservation.

(3) Open Areas. Bull Lake, Dinwoody Lakes and Ray Lake.

(4) Creel Limits. See Section 16-1-3.

(5) General Fishing Regulations. When fishing through the ice, it will be legal to use hand lines or set lines, providing however, that no person shall use more than six (6) lines and no more than one (1) hook per line and each line shall bear the name of the owner and that owner must be in attendance while lines are in use (this shall be interpreted to mean that owner is on the ice or in the immediate vicinity of the lines).

(6) All persons under the age of fourteen (14) shall have their fish included within the creel limit of the accompanying adult (holder of the valid permit).

(7) Definition of Game Fish. Trout, catfish, sauger/walleye and ling.

(8) No limit of rough fish or whitefish.

(9) Live Bait. Use of live minnows is permitted. Persons with live bait fish in possession while fishing shall either have a receipt or a permit verifying origin of fish; the receipt is to state the dealer's or permittee's name, address and the permit number under which the fish were obtained, the number of fish received and the date of the transfer. All live bait must be from the Wind River drainage area. Carp minnows are strictly prohibited.

Section 16-1-3 General Fishing

(1) Creel Limits. No person may catch, kill or destroy or attempt to catch, kill or destroy, during one (1) day, more than the number of fish specified as a creel limit of the waters of the Reservation:

<u>Species</u>	<u>Creel Limits</u>
Trout (excluding Lake Trout)	Eight (8) only, one (1) fish may be twenty inches (20") or over.
Lake Trout	Two (2) only, one (1) fish may be twenty-four inches (24") or over.
Brook Trout	No limit on Brook Trout ten inches (10") and under.
Ling	Two (2) per day.
Walleye	Six (6) per day.
Whitefish	No limit.

(2) No limit on rough fish, e.g., carp and suckers.

(3) Special Regulations for Bull Lake, Dinwoody Lakes and Dinwoody Creek, Wind River Canyon and Upper and Lower Bull Lake Creek.

<u>Species</u>	<u>Creel Limits</u>
Trout (excluding Lake Trout)	Five (5) only, one (1) fish may be twenty inches (20") or over.
Lake Trout	Two (2) only, one (1) fish may be twenty-four inches (24") or over.

(4) No person may harvest or attempt to harvest during any one (1) day, or have in possession (which includes fish in transit or storage) at any one time more than the number and length of fish specified as the daily creel limit.

(5) Anglers are required to either release or kill fish immediately after catching. Maintaining live fish on stringers or live wells of water craft or any other life sustaining method is strictly prohibited.

(6) All fish possessed or transported must be kept in such a manner that species and numbers can be determined. Head and tail must remain attached when length limits apply.

(7) Live Bait. Use of live minnows is permitted. Persons with live bait fish in possession while fishing shall either have a receipt or a permit verifying origin of fish; the receipt is to state the dealer's or permittee's name, address and the permit number under which the fish were obtained, the number of fish received and the date of the transfer. All live bait must be from the Wind River drainage. Carp minnows are strictly prohibited. The use of live bait in wilderness lakes is strictly prohibited.

(8) Legal Fishing Tackle. A fishing tackle consisting of a single rod or pole to be held in the hand with line and hook or hooks, attached, shall be the only lawful means by which a person or persons may take, or attempt to take, any fish from the waters of the Reservation, except as otherwise noted provided by law or regulations; provided, however, that no line may have more than three (3) single or treble hooks or flies in series or one (1) lure of any type which bears more than one (1) hook. (This regulation shall be interpreted as meaning that the ordinary bass plug flat fish or spinner is legal so long as it does not bear more than three (3) hooks and not more than one (1) such lure is used at any time. There is no limit on the number of hookless lures that may be used, e.g., cowbells).

(9) Prohibited Fishing Methods. No person shall harvest or attempt to harvest any fish on Reservation waters by the use of the following methods:

Spearing	Seines
Firearms (any type)	Electrical Devices
Poisons	Snagging
Nets (all types)	Chemicals
Bows (any type)	Traps
Explosives	

Section 16-1-4 Boat Fishing

(1) Life Jackets and Boat: Each and every person who shall operate or ride a boat, raft or other navigable vessel shall have in possession an approved U.S. Coast Guard type life jacket during the time the boat, raft or vessel is afloat on any waters of the Reservation. All persons, except enrolled Shoshone and Arapaho members, in the boat must possess a valid fishing permit.

(2) All lakes and streams are closed to boat fishing, except the following: Bull Lake, Dinwoody Lakes, Ray Lake, Moccasin Lake and Washakie Reservoir; however, motorized boats are prohibited on Moccasin Lake.

(3) The use of motorized boats or rafts is prohibited on all lakes and ponds in the roadless area of the Wind River Indian Reservation.

Section 16-1-5 Open Waters

(1) Open waters of the Reservation are to be determined each year by the Shoshone and Arapaho Joint Business Council.

(2) The following waters of the Reservation are open to year-round fishing with permit (January 1 through December 31): North Fork of the Popo Agie River and Popo Agie River, to Hudson.

(3) The following waters of the Reservation are open to permit fishing April 1 through September 30 (4:00 a.m. through 10:00 p.m.):

a) Bull Lake and Bull Lake Creek;

b) Upper and Lower Dinwoody Lakes, and Dinwoody Creek below Upper Dinwoody Lake to its confluence of the Wind River;

c) Ray Lake;

d) Washakie Reservoir and upstream;

e) Wind River, including Wind River Canyon, beginning at the tunnels, and downstream to the Wedding of the Waters; and

f) Downstream from the confluence of the Popo Agie and the Little Wind River.

(4) All roadless area lakes and streams and Moccasin Lake are open to permit fishing, June 1 through September 30.

(5) Yantie Lake is closed to fishing.

(6) Dinwoody Creek above Upper Dinwoody Lake is closed to fishing.

(7) North Fork of Little Wind River is closed to fishing downstream from its confluence with Washakie Creek.

(8) All waters not expressly opened to permit fishing to the general public will be closed.

Section 16-1-6 Roads and Camping

(1) Sportsmen are cautioned as to the following requirements: All motorized vehicles and non-motorized trail bikes are prohibited from entering the wilderness or roadless areas of the reservation or other areas designated by proper authority.

(2) Persons coming onto the Reservation are cautioned that many of the Reservation roads and trails are not open to public travel (e.g., Dry Creek Cold Springs Road).

(3) The public will observe all road and trail closures posted by the Fish and Game Department of the Shoshone and Arapaho Tribes.

(4) All persons must possess a campfire permit for starting any campfires, warming fires, or portable stoves during the period to June 1 through September 30, except in the following areas: Moccasin Lake Campground, Washakie Reservoir, Ray Lake, Little Wind River Campground, and within one (1) mile of the Big Wind River.

(5) Any person violating this campfire permit requirement may have his Tribal Fishing Permit revoked for a period of no less than one (1) year by the tribal game wardens and others designated by the Joint Business Council pursuant to Resolution No. 3105 of the Shoshone and Arapaho Joint Business Council.

(6) Campfire permits are free and may be obtained at the Tribal Complex, Fish and Game Office, Fort Washakie, Wyoming, 82514; City Rexall Drug Store, Thermopolis, Wyoming, 82441; K.O.A. Campground, Thermopolis, Wyoming, 82441; Crowheart Store, Crowheart, Wyoming, 82512; Hartman Sporting Goods, Riverton, Wyoming, 82501; Bi-Rite Drug Store, Riverton, Wyoming, 82501; West Route Trading Company, Riverton, Wyoming, 82501; Rocky Acres Campground, N.W. of Lander, Wyoming, 82520; Coast to Coast, Lander, Wyoming, 82520; McRaes Drug Store, Lander, Wyoming, 82520; Whiskey Mountain Tackle Shop, Dubois, Wyoming, 82513; The Boulder Store, Boulder, Wyoming, 82923; The Tribal Service Station, Fort Washakie, Wyoming, 82514; and The Trail Town Supply, Shoshoni, Wyoming, 82649. Daily communication with the BIA Forestry Department concerning the fire index will determine whether or not fire permits will be issued.

(7) Campfires. Pursuant to the provisions of Title 18, Chapter 91, Section 156, Code of Federal Regulations, "Whoever, having kindled or caused to be kindled, a fire, leaves said fire without totally extinguishing the same or permits or suffers said fire to burn or spread beyond his control, or leaves or suffers said fire to burn unattended, shall be fined not more than \$500.00 or imprisoned not more than six months, or both."

(8) Littering. Whoever dumps, throws, places or disposes of, in any manner upon any lands of the Wind River Reservation, any garbage, trash, litter, rubbish, debris or any substance which would in any way detract from the appearance of the land, shall forfeit his right

to a fishing license for a period of not less than one (1) year, pursuant to Resolution No. 3105 of the Shoshone and Arapaho Joint Business Council.

(9) Upon littering all persons will be fined a minimum of \$150.00 and loss of license for a period of not less than one (1) year.

Section 16-1-7 Antiquities and Outfitting

(1) Warning Preservation of Antiquities. Persons coming on the Reservation are cautioned that hunting of arrowheads and artifacts is prohibited and violators will be subject to prosecution.

(2) Notice is hereby given that these lands form part of a federally owned and controlled Indian Reservation. Any person or persons who damage or destroy, without specific authority from the Assistant Secretary of the Bureau of Indian Affairs, excavate or appropriate any historic or prehistoric ruin, monument, case or other natural curiosity, or object of antiquity or of scientific interest, will be subject to arrest and punishment under the provisions of the Act of Congress approved June 9, 1906.

(3) Fishermen unfamiliar with the wilderness should secure the services of a local licensed Indian guide and/or outfitter. Fishermen must notify the Tribal Fish and Game Department when securing the services of a local, licensed Indian guide and/or outfitter. Persons fishing on the Reservation are cautioned to abide by all the rules, regulations and laws of the Wind River Indian Reservation applicable thereon.

(4) All non-Indians and non-enrolled Indians are prohibited from utilizing horses and other livestock in the back country, except when utilizing professional services of an outfitter licensed by the Tribes.

(5) A replacement for a lost license may be issued from the Reservation Fish and Game Office, Tribal Complex, Fort Washakie, Wyoming, 82514. Upon payment of \$2.00 and after the Department has been furnished an affidavit signed by the original agent, a duplicate will be issued.

(6) Before entering private land or fenced lands to fish, permission must be secured from the owner or occupant of the land.

(7) The right is reserved to close any of the fishing areas to permit-fishing in order to protect the area from fire or other reasons. Public notice of such damage will be given prior to closing when possible. In emergency, closing will be immediate and without notice. These fishing regulations do not apply to the enrolled members of the Shoshone and Arapaho Tribes. All other permits not covered in these regulations must be obtained from the Joint Business

Council. These regulations are subject to change by the Joint Business Council of the Shoshone and Arapaho Tribes yearly.

(8) Outfitters - Fishing Only - Wind River Indian Reservation.

a) North Fork Little Wind River Lakes (Raft, Twin, Movo, Wykee, Sonnicant, Heebecheeche, Kagevah, Solitude, Icy, Polaris and Maraine). Outfitter: Benny LeBeau, (307) 332-2409, P.O. Box 717, Fort Washakie, Wyoming, 82514;

b) Bull Lake Creek Lakes and Wilson Creek Lakes (Wilson Creek Lakes, Lydle, Steamboat, Hatchet, Alpine, Deadman and Paradise). Outfitter: Bill Bradford, (307) 455-2445, 18 W. Dinwoody Lake Road, Dubois, Wyoming, 82513;

c) Washakie Park Lakes (Shoshone, Twenty Lakes and Roberts Trail). Outfitter: Darwin Griebel, (307) 856-2950, Star Route 2815, Kinnear, Wyoming, 82516;

d) Moccasin Lake and Mosquito Park Lakes (Moccasin, Marys, Squaw, Hidden and Baptiste). Outfitter: Leo Lajeunesse, (307) 332-7722, P. O. Box 562, Fort Washakie, Wyoming, 82514;

e) Bob Creek Lakes. Outfitter: Calvin (Rocky) O'Neal, (307) 486-2261, P. O. Box 582, Crowheart, Wyoming 82512;

f) Kirkland Park Lakes. Outfitter: Will O'Neal, (307) 486-2230, P. O. Box 591, Crowheart, Wyoming, 82512;

g) Cold Springs and Dry Creek. Outfitters: Ronnie and Ramona Givens, (307) 486-2270, P. O. Box 601, Crowheart, Wyoming, 82512; and

h) Bull Lake and Upper Bull Lake Creek. Outfitters: Romer, Pat and Charles Washakie, (307) 856-3435, Crowheart, Wyoming, 82512.

(9) All persons using the service of these outfitters must possess a Tribal Fishing Permit.

(10) Outfitting, other than outfitters licensed by the Shoshone and Arapaho Tribes, are strictly prohibited. Any person or persons illegally outfitting within the exterior boundaries of the Wind River Indian Reservation shall be subject to a fine not less than \$500.00 and not to exceed \$10,000.00 and/or one (1) year in jail, plus revocation of fishing license privileges for a period of five (5) years.

(11) Reward. Any person or persons may receive a reward of \$2,000.00 for information leading to the apprehension and conviction of any person or persons engaged in the act of illegal outfitting.

(12) Outfitter Definition. “Outfitter” means any person or agent of a domestic corporation, who, operating within the exterior boundaries of the Wind River Indian Reservation from a temporary or permanent camp, private or public lodge, private or incorporated home, for pecuniary profit or other gain, provide professional guide services, any saddle or pack animal, vehicle, boat or any other conveyance.

Section 16-1-8 Wildlife

(1) All wildlife within the exterior boundaries of the Wind River Indian Reservation are declared to be the property of the Shoshone and Arapaho Tribes.

(2) “Wildlife” means all the wild animals, birds and fish within the Wind River Indian Reservation. The Wind River Indian Reservation is closed to all hunting and trapping, except by members of the Shoshone and Arapaho Tribes, Public Law 86-634m 86th Congress, H.R. 4386, July 16, 1960, 1165:

Hunting, trapping or fishing on Indian Lands. “Whoever, without lawful authority or permission, willfully and knowingly goes upon any land that belongs to any Indian or Indian tribe, band or group and either are held by the United States, in trust or are subject to a restriction against alienation imposed by the United States, or upon any lands of the United States that are reserved for Indian use, for the purpose of hunting, trapping, or fishing thereon or for the removal of game, peltries, or fish therefrom, shall be fined not more than \$500 or imprisoned not more than ninety (90) days or both and all game, fish and peltries in his possession shall be forfeited.”

(3) Also provided in Public Law 86-634, Title 18, USCA 1164, destroying boundary and warning signs:

“Whoever willfully destroys, defaces, or removes any sign erected by an Indian Tribe, or Government agency (1) to indicate the boundary of an Indian Reservation or of an Indian country as defined in Section 1151 of this title, or (2) to give notice that hunting, trapping or fishing is not permitted thereon without lawful authority or permission, shall be fined not more than \$250 or imprisoned not more than six (6) months, or both.”

CHAPTER 2 CREATION OF HUNTING CODE

Section 16-2-1 Establishment

The Shoshone and Arapaho Tribes, pursuant to their inherent tribal sovereignty as authorized by their respective general councils, hereby establish this Game Code.

Section 16-2-2 Jurisdiction

The Shoshone and Arapaho Tribal Court shall have general subject matter jurisdiction over all cases of action arising on the Wind River Indian Reservation involving fish and game violations or offenses to adjudicate and determine the rights and responsibilities of all parties.

Section 16-2-3 Prior Inconsistent Resolutions and Ordinances

Any and all resolutions and ordinances of the Shoshone and Arapaho Tribes which conflict in any way with the provisions of this Game Code are hereby repealed to the extent that they are inconsistent with or conflict with or are contrary to the spirit and/or purpose of this Game Code.

CHAPTER 3 HUNTING PERMITS AND TAGS

Section 16-3-1 Permit Required

A hunting permit (license) is required to take or attempt to take any big game, upland game bird, or migratory waterfowl on Indian lands on the Reservation.

Section 16-3-2 Tag Required

Game tags are required for each authorized species of big game. At the time of kill, the tag is to be attached to the edible portion of the animal and should remain until processing. The tag number will be written on the hunting license of each individual.

Section 16-3-3 Permit Cost

Hunting permits will cost \$5.00 each. Only one (1) permit is allowed per individual.

Section 16-3-4 Tag Cost

Big game tags will cost: Elk - \$1.00; Deer - \$1.00; Antelope - \$1.00; and Black bear - \$1.00. Bighorn mountain sheep requires a \$100.00 deposit to enter the drawing for a permit.

Four (4) bighorn sheep permits only. The hunter who is unsuccessful in the drawing will be refunded his deposit.

Section 16-3-5 Transporting Game

A person may transport big game legally taken by another person, provided that the big game is properly tagged.

CHAPTER 4 BIG GAME HUNTING

Section 16-4-1 Pre-Sundance Season

(1) Pre-Sundance Male Deer or Male Elk Season. Enrolled members of the Shoshone and Arapaho Tribes who dance in an approved Sundance ceremony may take, or attempt to take, provided they possess the proper hunting permit and tags, either one (1) male deer or one (1) male elk. Hunting of does, fawns, cows or calves shall be prohibited. Sundance dancers must be verified by an elder of the Sundance prior to obtaining a permit from the Tribes to hunt. Animals harvested shall be used only in Wind River Indian Reservation Shoshone and Arapaho Sundance Ceremonies.

(2) Hunting Units. Hunting units for the pre-Sundance season will be the same as for the general big game season.

(3) The following is the established pre-Sundance male deer or male elk season:

<u>Species</u>	<u>Sex</u>	<u>Season Date</u>
One (1) elk or one (1) deer	Antlered Elk (including spikes)	07/06 - 07/12
	Antlered Deer (including spikes)	07/06 - 07/12

Section 16-4-2 Regular Season

Enrolled members of the Shoshone and Arapaho Tribes may take, or attempt to take, provided they possess the proper hunting permit and tags, the following big game species: Any elk, antlered deer, buck antelope, bighorn sheep (4) only, 3/4 curl or larger ram and black bear. Only one (1) of each big game species covered by the regulations can be taken during the hunting season.

Section 16-4-3 Open Units

The following hunting units will be open to big game hunting:

- (1) Owl Creek Mountain Unit. All the Tribal land and allotted lands north and east of the Big Wind River, excluding closed areas.
- (2) Wind River Mountain Unit. All the Tribal land and allotted lands west of the drift fence and southwest of U.S. Highway 287, excluding closed areas.

Section 16-4-4 Closed Areas

The following areas will be closed to big game hunting:

- (1) The river bottoms proper of the Wind and Big Wind Rivers, Little Wind River, South and North Fork of the Little Wind River below the drift fence and Popo Agie River.
- (2) Land below (east) of the drift fence (refer to map location).
- (3) The Wind River Canyon proper.
- (4) Area east of Boysen Reservoir where Highway 789 meets the Reservation boundary north to the tunnels in the Wind River Canyon.

Section 16-4-5 Seasons

The following are the established big game hunting seasons per hunting unit:

- (1) Owl Creek Mountain Units

<u>Species</u>	<u>Sex</u>	<u>Season Date</u>
Elk	Any Elk	10/01 - 11/07
Deer	Antlered Deer (including spikes)	10/01 - 10/20
Antelope	Bucks Only (horns longer than ears)	10/01 - 10/20
Bighorn Sheep	Ram Only (3/4 curl or larger)	09/10 - 10/10

Moose	Closed
Black Bear	¹ see below
Mountain Lion	Closed
Grizzly Bear	Closed

(2) Wind River Mountain Unit

<u>Species</u>	<u>Sex</u>	<u>Season Date</u>
Elk	Any Elk	10/01 - 11/20
Deer	Antlered Deer (including spikes)	10/01 - 10/20
Antelope	Closed	
Bighorn Sheep	Closed	
Moose	Closed	
Black Bear	² see below	
Mountain Lion	Closed	
Grizzly Bear	Closed	

CHAPTER 5 TRAPPING

Section 16-5-1 Area Permitted

Trapping will be permitted within the exterior boundaries of the Reservation.

¹ Black bear may be taken. Black bear cubs and female black bear with cubs at side may NOT be taken. Use of baits and/or dogs for black bear hunting purposes are prohibited.

² Black bear may be taken. Black bear cubs and female black bear with cubs at side may NOT be taken. Use of baits and/or dogs for black bear hunting purposes are prohibited.

Section 16-5-2 What May Be Trapped

The following fur-bearing animals may be trapped: Mink, beaver, muskrat, weasel and badger. Predators may also be trapped (foxes, skunks and coyotes).

Section 16-5-3 Season

Trapping will be permitted from October 1 through April 30.

Section 16-5-4 Permit

Each trapper must obtain a trapping permit and Arapaho Tribes. Cost of permits are as follows:

- (1) Trapper \$20.00
- (2) Youth Under Sixteen (16) Years of Age \$5.00

Section 16-5-5 Tag

All traps and snares must be identified with a metal tag bearing the trapper's name.

Section 16-5-6 Pelt Tags

Pelt tags will be required on all beaver pelts. The tags are available from the Tribes for \$0.50 each.

Section 16-5-7 Protected Species

Whenever any of the protected species of wildlife are accidentally, unintentionally, or inadvertently caught in a trap or snare and cannot be released alive or unharmed, the carcasses must be turned into the Tribes.

CHAPTER 6 UPLAND GAME BIRD HUNTING

Section 16-6-1 General Provisions

- (1) Types of species, sex and season dates:

<u>Species</u>	<u>Sex</u>	<u>Season Date</u>
Sage Grouse (chicken)	Either	09/20 - 11/30

Pheasant	Males Only	11/01 - 11/30
Chukar	Either	11/01 - 11/30
Hungarian Partridge	Either	11/01 - 11/30
Blue Grouse	Either	09/20 - 11/30
Ruffed Grouse	Either	09/20 - 11/30

(2) There will be a daily bag of three (3) birds of any species.

(3) Head and wing plumage must remain attached to the carcass for species identification while in the field.

CHAPTER 7 MIGRATORY BIRD HUNTING

Migratory Bird Hunting. Waterfowl, mourning doves, etc., hunting season recommendations will be made at a later date after receiving guidelines from the U.S. Fish and Wildlife Service.

CHAPTER 8 IMPLEMENTATION OF GAME CODE BY REGULATION

Section 16-8-1 Purpose

The purpose of these regulations is to ensure proper wildlife management and protection on the Wind River Indian Reservation while concurrently providing the opportunity for tribal members to utilize the wildlife resources.

Section 16-8-2 Definitions

As used in this part:

- (1) “Aircraft” means any flying machine whether fixed-wing or helicopter.
- (2) “Antlered deer” means any antlered mule deer, or whitetail deer, including deer with spikes.
- (3) “Any elk” means an elk of any age and of either sex.
- (4) “Area director” means the Director of the Billings Area Office of the Bureau of Indian Affairs.

(5) “Authorized officer” means any law enforcement officer of the Department of the Interior, and any other person authorized to enforce these regulations, including tribal game wardens.

(6) “Bag limits” means the maximum limit, in number amount, of a particular species of wildlife, which may lawfully be taken by one (1) person in one (1) day.

(7) “Big game” means any one of the following species of animals: Elk, mule deer, whitetail deer, bighorn sheep, moose, antelope, black and grizzly bear and mountain lion.

(8) “Buck antelope” means a male antelope with horns longer than his ear.

(9) “Bureau” means Bureau of Indian Affairs (BIA).

(10) “Carcass” means the dead body of an animal or parts thereof.

(11) “Closed season” means the time during which wildlife may not be lawfully taken.

(12) “Cross-country vehicles” means those vehicles designed or used to travel on the snow or across the terrain, including, but not limited to, snow cats, snowmobiles, all-terrain vehicles, four-wheel drive vehicles and dirt bikes.

(13) “Drift fence: means the main north to south barbed wire fence constructed by the Civilian Conservation Corps (CCC) in 1936 to control livestock movement on the Wind River Reservation.

(14) “Falconry” means the taking of wildlife with birds of prey.

(15) “Fur bearing animals” means muskrats, racoons, marten, mink, beaver, badger and weasel.

(16) “Harass” means to chase, shoot at, or in any other manner intentionally disturb wildlife.

(17) “Hunting” means to take any bird or animal by any means.

(18) “License” means a written document granting authority to engage in specific activities covered in this code.

(19) “Member” means any enrolled member of the Shoshone and Arapaho Indian Tribes.

(20) “Non-game animals” means all wild animals except big game, small game, fur-bearing animals, predatory animals and aquatic wildlife.

(21) “Non-game birds” means any individual who is not enrolled in either the Shoshone or Arapaho Tribes.

(22) “Pollution of water” means the discharge or dumping into any stream or body of water, or depositing within such distance that it may be carried into such water, any poisonous, deleterious, or polluting substance or waste that is or may be injurious to aquatic or non-aquatic wildlife, domestic animals or human beings.

(23) “Predatory animals” means foxes, skunks and coyotes.

(24) “Pre-Sundance” means the designated period of time before the Sundance ceremony.

(25) “Reservation” means the Wind River Indian Reservation.

(26) “Road” means any maintained road that has been used by the public.

(27) “Scientific collection permit” means a special permit issued for the taking of wildlife specimens for scientific purposes.

(28) “Small game” means any of the following species of mammals: Cottontail rabbit, jack rabbit, snowshoe hare, marmot (rock chuck) and prairie dog.

(29) “Snowmobile” means any motorized vehicle designed for travel on snow and/or ice and steered and supported in whole or in part by skis, belts, cleats, runners or low pressure tires.

(30) “Sundance” means the annual religious ceremony approved by the Arapaho and Shoshone Tribal Councils.

(31) “Superintendent” means the Superintendent of the Wind River Agency, Bureau of Indian Affairs.

(32) “Tag or big game tag” means an identification device issued for attachment to the carcass of big game animals.

(33) “Take or taking” means pursuing, shooting, shooting at, hunting, netting (including placing or setting any net or other capturing device), killing, capturing, snaring, or trapping wildlife, or attempting any of the foregoing.

(34) “Trapping” means the taking of wildlife in any manner except with gun or implement in hand.

(35) “Upland game bird” means any of the following species of birds: Sage, grouse, blue grouse, ruffed grouse, Hungarian (gray) partridge, chukar, pheasant, mourning dove and rock dove.

(36) “Waterfowl” means all species of ducks and geese (not including swans), the order Anseriformes.

(37) “Wildlife” means any wild forms of birds and mammals including their nests and eggs.

(38) “Wildlife area” means an area established by the Department of the Interior (BIA) for special wildlife protection, research, or management practices, or one established by the Tribes.

Section 16-8-3 Administration

(1) Local administration of the program will be the responsibility of the Shoshone and Arapaho Tribes.

(2) When this Code is published, the Tribes shall establish the hunting season, define the hunting areas, set the permit fees and establish season limits for all wildlife hunting for the next season. The Tribes shall establish the hunting season, define the hunting areas, set the permit fees and establish season limits for all wildlife hunting on or before June 1 of each year thereafter and publish in the Riverton Ranger newspaper, the explicit hunting program for that year, and the Tribes shall post such hunting program on bulletin boards located at the Reservation Agency headquarters, Post Office and tribal headquarters.

(3) The Tribes are authorized to make in-season and emergency changes when necessary to ensure proper implementation of the game code. The Tribes are responsible for having each emergency or in-season adjustment published in the local newspaper as a legal notice, and post each such adjustment on bulletin boards located at the Reservation Agency headquarters, Post Office and tribal headquarters, at least twenty-four (24) hours before it becomes effective.

Section 16-8-4 Closed Areas, Pre-Sundance Season and Predatory and Small Game Season

(1) Closed Areas. The following areas are closed to all big game hunting:

a) The Wind and Big Wind Rivers, Little Wind River, South and North Forks of the Little Wind River below the “drift fence,” and the Popo Agie River;

b) Land below the “drift fence;” and

c) The Wind River Canyon proper.

(2) Pre-Sundance Deer and Elk Season. The Tribes shall establish an open season for male deer and male elk before the Sundance ceremony. Hunting of does, fawns, cows or calves shall be prohibited. Sundance participants (hunting) must be verified by an elder of the Sundance prior to obtaining a permit from the Tribes. Permittees must report harvest information to the Tribes.

(3) Predatory and Small Game Season and Bag Limits. Hunting shall be open all year for predatory and small game animals. There is no bag limit for predatory and small game animals.

Section 16-8-5 Waterfowl Hunting

Hunting of waterfowl on the Reservation shall comply with the rules and regulations promulgated under the Federal Migratory Bird Treaty Act.

Section 16-8-6 Endangered Species

The following list of species are federally classified as endangered or threatened with extinction and are protected from all hunting, taking or harassment on the Reservation:

(1) Bald eagle.

(2) Black footed ferret.

(3) Gray wolf.

(4) Grizzly bear.

(5) Whooping crane.

Section 16-8-7 Protected Species of Birds and Mammals

The following species of birds and mammals are completely protected from any hunting, trapping, shooting or taking on the Reservation:

(1) Golden eagle.

- (2) All species of hawks and falcons (Order Falconiformes).
- (3) All species of owls (Order Strigiformes).
- (4) Whistling and trumpeter swans (Order Anseriformes - Sub. family cygninae).
- (5) All species of migratory shorebirds, wading birds, and seabirds including loons, grebes, cormorants, herons, egrets, pelicans, cranes, cur. lews, plovers, avocets, phalaropes, sandpipers, gulls, and terns (orders Gaviiformes, Podicipediformes, Peli. Caniformes, Ciconiiformes, Gruiformes Family Gruidae and Charadrii formes).
- (6) All species of songbirds including woodpeckers, swallows, swifts, hummingbirds, nighthawks, kingfishers, jays, ravens, wrens, thrushes, chickadees, bluebirds, vireos, warblers, black birds and sparrows (orders Caprimulgi, formes, Apodiformes, Piciformes, and Passeriformes).
- (7) Lynx, river otter, wolverine, fisher and marten.

Section 16-8-8 Trapping Regulations and Seasons

- (1) Trapping will be permitted within the exterior boundaries of the Reservation.
- (2) The Tribes will establish the trapping season and closed trapping season each year and list the animals that can be trapped. Trapping will be allowed only in areas designated by the Tribes. Each trapper must identify individual traps and snares with a metal tag bearing his name. The Tribes shall designate which trapped animal needs a pelt tag and the Tribes shall set the cost of the pelt tag.
- (3) Trapping of predators will be permitted from October 1, 1988, through April 30, 1989.
- (4) Trapping of furbearers, excluding bobcat, will be permitted from October 1, 1988, through April 30, 1989.
- (5) Bobcat trapping will be permitted from December 1, 1988, through February 15, 1989:
 - a) Bobcat season will close on forty-eight (48) hours' notice upon reaching Reservation trapping quota (75) or on February 15, 1989, whichever occurs first.
 - b) All traps and snares must be identified with a metal tag bearing the trappers name;

c) Pelt tags will be required on all bobcat pelts within five (5) days of being trapped, at a cost of \$1.00 per tag. Bobcat pelt tags will be issued by the Supervisory Tribal Game Warden on a first come first serve basis. No more than four (4) tags will be issued to any individual by any Game Warden during a consecutive seven (7) day period. Before a tag is issued, the properly licensed trapper must present the pelt accompanied by the whole skinned carcass to the Supervisory Tribal Game Warden and the tag will be attached by the Officer; and

d) The trapper must also provide the location of the harvest, and the date of harvest before a tag will be issued.

(6) Whenever any of the protected species of wildlife are accidentally, unintentionally, or inadvertently caught in a trap or a snare and cannot be released alive or unharmed, the carcasses must be turned into the supervisory Tribal Game Warden.

(7) Trappers must check traps at least every seventy-two (72) hours.

(8) No trapper or person shall set any trap within thirty feet (30') of any exposed bait visible to airborne Raptors. Exposed bait means meat or viscera or any animal, bird, or fish with or without skin, hide, or feathers.

(9) Bonds for 16-8-8 Violations

Section 16-8-8 (3) Trapping Predator Out of Season	
Any Offense	\$150.00
Section 16-8-8 (4) Trapping Furbearer Out of Season	
Any Offense	\$250.00
Section 16-8-8 (5) Trapping Bobcat Out of Season	
Any Offense	\$300.00
Section 16-8-8 (5)(c) Failure to Tag Bobcat Pelt	
Any Offense	\$50.00
Section 16-8-8 (7) Failure to Check Traps Within 72 Hours	
Any Offense	\$100.00
Section 16-8-8 (8) Setting Trap Within Thirty Feet (30') of Exposed Bait	
Any Offense	\$100.00

Section 16-8-9 Authorized Enforcement Officers

Tribal Game Wardens, Department of the Interior peace officers and other officers designated by the Tribes shall have the authority and the duty to enforce the provisions of the Game Code, and shall be referred to in this Code as “Authorized Officers.”

Section 16-8-10 Violations of Game Code

(1) Any person who violates any provision of this game code shall be subject to prosecution in tribal or federal court under applicable laws, e.g., Title 18, U.S.C., 1165, and the Lacey Act Amendments of November 16, 1981, Title 16, U.S.C., 3371. Any person who has committed a violation of this code shall be subject to a fine of not more than \$5,000.00, or to imprisonment of not more than one (1) year, or to a combination of both fine and imprisonment per offense.

(2) Any wildlife taken, or firearms, vehicles, or other equipment used in violation of this code may be confiscated as provided for under Title 16, U.S.C., 3374.

(3) The privilege to hunt may also be suspended, revoked or forfeited.

Section 16-8-11 Hunting by Non-Members Prohibited

There shall be no hunting by persons other than enrolled members of the Shoshone and Arapaho Tribes on any Indian land of the Reservation. Non-enrolled spouses of tribal members are not allowed to hunt.

Section 16-8-12 Firearms Restrictions

For hunting big game, the use of firearms with a barrel bore diameter of less than .23 (23/100) of an inch, or chambered to fire a cartridge less than two inches (2") in overall length, will not be allowed. Firearms for hunting upland game birds (excluding blue and ruffed grouse) and waterfowl are restricted to shotguns of twelve (12) gauge or smaller. Ten (10) gauge shotguns are allowed only for goose hunting. The use of fully automatic weapons or devices designed to silence or muffle the sound of any firearm for hunting any wildlife is prohibited.

Section 16-8-13 Prohibited Hunting Procedures

The following hunting procedures are illegal and prohibited on the Reservation:

(1) Hunting with Aircraft or Motor Vehicles. No person shall pursue, harass, hunt, shoot, or kill any wildlife with, from, or by use of aircraft or motorized vehicle (truck, automobile, motorcycle, all terrain vehicle or vehicle designed for travel over snow).

(2) Use of Artificial Light. No person shall hunt, pursue or kill any game animal or game bird through the use of any artificial light or lighting device (including spotlights, and automobile, snowmobile, all terrain vehicle and motorcycle headlights).

(3) Sale of Game and Blood Antlers. No person shall sell, offer for sale, barter, or have in possession with intent to sell any wildlife blood antlers or any edible portion of any game animal or bird. No person shall obtain by sale or barter any wildlife, blood antler or any edible portion of any game animal or bird.

(4) Wanton Waste of Game

a) No person who takes any upland game bird, waterfowl, or big game animal shall abandon or intentionally or needlessly allow to go to waste, any portion thereof. The failure of a person to properly dress and care for any big game animal killed by the person, and, if the carcass is reasonably accessible, the failure to take or transport the carcass to the camp of that person, and there properly care for the carcass within forty-eight (48) hours after killing, is prima facie evidence of a violation; and

b) No person shall abandon edible portions of a big game animal or game bird at meat processing plant. The leaving of edible portions of a game animal at a processing plant for more than ninety (90) days shall be considered prima facie evidence of a violation. The owners or operators in charge of any meat processing plant shall immediately report the violation to the Tribes. Notwithstanding any other provision of this code, the owner of the plant is entitled to all or a portion of the abandoned meat, or to the proceeds of sale by ruling of Tribal Court of any meat abandoned, up to the amount of reasonable processing and storage charges, following a conviction or within a reasonable time after the violation is reported.

(5) Shooting From or Across Roads. No person shall fire any firearm from, upon, along or across any public road or highway.

(6) Hunting Big Game with Dogs. No person shall use dogs to track or chase game animals. Dogs so used or observed harassing big game animals may be shot by enforcement officers to protect big game animals.

(7) Use of Poisons. The use of any poisons to take any wildlife is prohibited.

(8) Unlawful Possession of Wildlife. It shall be unlawful to possess any wildlife or parts thereof unless it can be shown by the possessor that he has the requisite license and/or tags or other express written authorization by the Tribes to hunt or take such animal, or that the animal was given to the possessor by a licensed hunter or trapper.

(9) Hunting with a Firearm While Intoxicated or Under the Influence of a Controlled Substance

a) It shall be unlawful for any person intoxicated or under the influence of a controlled substance to carry a firearm (loaded), or to take any wildlife; and

b) It shall be unlawful for any person to handle or discharge a firearm in a careless or reckless manner, or with wanton disregard for the safety of human life and property.

(10) Aiding in Concealment of Wildlife Unlawfully Taken or Possessed. No person shall knowingly aid or assist in the concealment of any wildlife that has been unlawfully taken or is unlawfully possessed.

(11) Hunting on Private Property or Near Building Without Permission

a) No person shall hunt, trap or discharge firearms upon the private property of another without knowledge and consent of the property owner; and

b) No person shall hunt or discharge firearms within two hundred (200) yards of an occupied building, whether on privately owned or Tribal land, without the consent of the person(s) occupying such building.

(12) Destruction of Private or Public Property. No person shall deface, shoot at, or destroy public or private property, including signs, fences, livestock or improvements.

(13) Hiring Another to Hunt or Hunting for Remuneration. No person shall hire another person to hunt game for him, nor shall any person hunt game animals for another in return for payment of goods, services or money.

Section 16-8-14 Hunters Required to Wear Colored Clothing

No person shall hunt any big game without wearing, in a visible manner, exterior garments of a fluorescent orange color, which shall include a hat, and either a shirt, vest, jacket, coat, sweater or other upper body garment.

Section 16-8-15 Hunting Hours

No person shall pursue, shoot, kill or attempt to take any wildlife between one-half (½) hour after sunset of one day and one-half (½) hour before sunrise of the next day.

Section 16-8-16 Age Restrictions

The following age restrictions shall apply for hunting on Indian lands on the Reservation:

- (1) The minimum age to take any big game animal is fourteen (14) years.
- (2) No person under twelve (12) years of age may take any game bird, small game waterfowl or predator unless accompanied by an adult.
- (3) Non-enrolled children of enrolled members may take wildlife, but, at age sixteen (16), non-enrolled children lose all tribal hunting and trapping rights.

Section 16-8-17 Permit Requirements, Costs and Procedures

The following permit program will be implemented for qualified persons to hunt on Indian lands on the Reservation:

(1) Requirements

- a) No person shall be allowed to take or attempt to take any wildlife without a proper permit and tags in their possession. Also, no person taking or attempting to take wildlife on the Reservation shall fail or refuse to exhibit their permit(s) to any authorized officer upon request; and
- b) State of Wyoming hunting licenses shall not be required for enrolled tribal members hunting on Indian lands of the Reservation.

(2) Permit Cost

- a) Permit fees for hunting on Indian lands on the Reservation will be established annually and published by the Tribes and will be used for the purposes of administering this game code.

(3) Procedures

- a) Permits (licenses) shall be issued in the name of the Tribes. Each permit shall be signed by the permittee in ink on the face thereof. Any permit not signed is invalid. With each permit authorizing the taking of wildlife, the Tribes shall provide such tags as required. Tags shall be attached in a manner prescribed by the Tribes;
- b) It shall be unlawful for any person to obtain and sign, as a permittee in any one (1) permit year, more than one (1) tag for the taking of each authorized big game species; and

c) The Tribes may issue a duplicate permit, provided that the person requesting such duplicate permit furnishes the information deemed necessary. A fee of \$2.00 shall be collected on each duplicate permit issued.

(4) Permit Conditions Required. All persons to whom permits are issued by the Tribes shall be required to sign permit conditions before any such permit shall be valid. The permit conditions shall be in the form provided by Section 17 (5). The permit conditions shall be signed by the applicant in the presence of the person issuing the permit.

(5) Permit Conditions

a) Permit conditions shall be printed on the back of all permits and shall take the following form:

“I hereby agree as consideration for the granting of this permit, that the following terms and conditions govern my use of the permit. I agree to obey all Tribal and Federal laws and regulations. I consent to the absolute and exclusive jurisdiction of the Tribal Court for any disputes arising from my use of resources administered by the Tribes. I understand that taking of wildlife on the Wind River Reservation is conditioned on my obedience of Tribal and Federal laws and regulations and that violation of such laws and regulations makes me subject to arrest, Tribal or Federal court action, loss of present and future permits and seizures of property as security for payment of potential financial obligations to the Tribes. I understand that willfully using wildlife resources contrary to the terms of Tribal law or regulation, constitutes theft of Tribal assets and is a violation of Tribal law. I agree to return all unused tags within twenty (20) days after the close of the season. For each tag used to tag a harvested animal, the following information must be provided to the Tribes no later than twenty (20) days after the close of the big game season: species of animal killed; sex of animal killed; if a deer or elk, list number of points, or if a spike; date animal was killed; and approximate location of kill.”

b) For each tag a hunter does not or for which the above harvest information is not provided, either in person or by mail, to the Tribes within the allotted time frame, loss of hunting privileges for one (1) or more big game seasons, will result. This information is needed to obtain a profile of the big game harvest to aid in setting future seasons and properly manage big game on the reservation; and

c) The front of the permit form shall contain the following words:

“I have read and hereby agree to abide by the Shoshone and Arapaho Game Code and Permit conditions as states on the reverse. This permit is not valid unless signed in ink in the presence of a designated official.”

(6) Revocation and Denial of Right to Obtain Permit; Notice

a) In addition to or as an alternative to pursuing the other remedies provided by this code, the Tribes, after notice, may suspend or revoke, a period not to exceed five (5) years, the permit and privilege to take wildlife of any person who:

i) unlawfully takes or possesses wildlife;

ii) carelessly uses a firearm or other weapon; or

iii) destroys, injures, or molests livestock, or damages or destroys crops, personal property, notices, signboards, or other improvements while taking wildlife;

b) Before any such suspension or revocation, the Tribes shall notify the person whose privileges may be suspended to appear and show cause why they should not be suspended; and

c) The Tribes shall maintain the names and addresses of persons whose permits have been revoked or suspended, and the periods for which they have been denied the right to secure permits.

(7) Obtaining a Permit by Fraud or Misrepresentation

a) No person shall, by fraud or misrepresentation, obtain a permit to take wildlife, and any permit thus obtained is null and void from the date of issuance thereof; and

b) It shall be unlawful for any person to issue a permit of any kind to a person whose privileges to obtain that permit has been suspended or revoked. Any permit issued to a person whose privilege to have that permit has been revoked or suspended, shall be void.

(8) Transportation Permits. A person may transport big game legally taken by another person provided that the big game has attached to it a permit for the taking of that game endorsed by the person who took it. Wildlife shall be transported in such a manner that it may be inspected by authorized persons upon demand until the wildlife is processed. No person shall possess more than one (1) bag or possession limit of any species of wildlife, except for the purpose of transportation. The Tribes can be contacted for information on transporting game off of the reservation.

Section 16-8-18 Civil Penalties

See Section 16-8-10 (3).

Section 16-8-19 Tagging Procedure for Harvested Big Game and Some Fur-Bearing Animals

(1) Tags are required for hunting big game and some fur-bearing animals on the reservation. The Tribes shall publish a list, on or before June 1st, of the animals that can be hunted with required tags.

(2) Upon application for a big game permit, tags will be issued for each species for which a permit is issued. Each tag shall bear the permittee's big game permit number and name of the species for which it is issued. Tags are not transferable. Evidence of sex must remain attached to the carcass in the field and during transportation. Big game tags shall be carried by the permittee at all times while hunting. No big game animal shall be transported, stored, or possessed unless the tag has been securely attached.

Section 16-8-20 Restrictions on Motor Vehicle Use, Posting of Notices and Exceptions

(1) Motor Vehicle Use. When the tribes determines that the operation of motor vehicles within a certain area is or may be damaging to wildlife reproduction, wildlife management, wildlife habitat, or special studies, the Tribes may post notices closing the area(s) to motor vehicle for a designated period of time, provided that all roads in the area shall remain open unless specifically closed.

(2) Notices of Restrictions, Posting and Publication. For all areas specified pursuant to Section 20 (1), the Tribes shall cause notice of the restrictions, prohibitions or permitted uses of such area to be posted, prior to the effective date of such changes in use, at the main roads and highways entering such area and at such locations as the Tribes deems appropriate. In addition to the posted notices required by Section 20 (2), the Tribes shall cause a notice of such restrictions, prohibitions, or permitted uses, together with a description of the area, to be published in the local newspaper prior to the effective date of such changes in use.

(3) Roadless Area. In compliance with Title 25, CFR, Part 265, no person shall drive any motor operated vehicle in the designated Wind River Roadless Area. Also, it is illegal to operate any motor-operated vehicle cross-country on federal lands where cross-country driving is prohibited.

(4) Exceptions. The restrictions, prohibitions or permitted uses established in Section 20 (1) shall not apply to:

- a) Public employees acting within the scope of their employment;

b) Holders of valid licenses or permits. Holders of such licenses and permits shall be limited to the specified purposes and area of travel for which such licenses or permits were issued or granted;

c) A licensed hunter who enters an area solely to pick up a big game animal which he has legally killed; or

d) Emergency situations, such as fire or other disasters, or when otherwise necessary to protect life or property.

Section 16-8-21 Interference with Persons Engaged in Authorized Activities

Disturbing, molesting or interfering with any employee of the United States or of any local, state or tribal government employee engaged in official business, or with any private person engaged in the pursuit of an authorized activity on the reservation is prohibited.

Section 16-8-22 False Personation

(1) Whoever falsely assumes or pretends to be an officer or employee acting under the authority of the Tribes or any department, agency or office thereof, and acts as such, or in such pretended character demands or obtains any money, paper, document or thing of value, shall be fined not more than \$1,000.00 or imprisoned for not more than one (1) year, or both.

(2) Whoever falsely represents himself to be an officer, agent or employee of the Tribes, and in such assumed character arrests or detains any person or in any manner searches the person, buildings or other property of any person, shall be fined not more than \$1,000.00 or imprisoned for not more than one (1) year, or both.

Section 16-8-23 Expenditures of Funds - Source and Functions

The Tribes may expend such funds as may become available from funds appropriated to carry out the provisions of this game code, including, but not limited to, expenditures for:

(1) Investigations and surveys of actual or possible wildlife habitat damage by motor vehicles and the study of areas to be recommended for cross-country vehicle use.

(2) Posting notices of restrictions, prohibitions and permitted uses of motor vehicles.

(3) Providing maps.

(4) An information and education program on wildlife habitat preservation and restoration.

(5) The enforcement of the provisions of this game code or any rule or regulation adopted pursuant to this code.

Section 16-8-24 Taking Birds

No person shall take or injure any bird or harass any bird upon its nest or remove the nest or eggs of any bird, except as may occur in normal horticultural and agricultural practices and as may be authorized by the Tribes. Nothing in this code shall be construed to prohibit the taking of such birds for scientific purposes.

Section 16-8-25 Other Prohibited Activities

Except as otherwise provided by this code, in addition to all other activities prohibited, while hunting by this code it shall be unlawful for any person to:

- (1) Destroy or deface signs, tables, improvements, crops, or personal or real property.
- (2) Destroy, remove, injure or cut any green tree on the reservation without written BIA or Tribal authorization.
- (3) Cut, damage, or destroy any fence on the reservation.
- (4) Hunt big game on the reservation without a valid permit in possession.
- (5) Take big game in excess of the number permitted by Tribal regulations or hunt big game during a period of the year not permitted by Tribal regulations.
- (6) Hunt big game in any manner or place not permitted by Tribal regulations.
- (7) Enter upon land closed to entry while hunting, fishing, camping, or hiking or while traveling on the reservation.
- (8) Detach or remove, or attempt to detach or remove from the carcass of a big game animal, a portion thereof for the purpose of misrepresenting or concealing the species or sex of the animal.
- (9) Use any explosive compound or corrosive, narcotic, poison or other deleterious substance for the purpose of taking, stunning, or killing, birds, small game or big game.
- (10) Take, possess, transport, buy, sell or offer for sale any migratory bird taken on the reservation, except as permitted by this code or other federal regulations.

(11) Carry, transport, or possess devices for taking game within or upon a game refuge, except as permitted by this code or other federal regulations.

(12) Enter any special use area of the reservation without proper special use permit.

(13) Disobey a lawful order of any authorized officer.

(14) Cross-country ski, snowmobile, sled, tube or toboggan in key wilderness winter critical habitat areas closed to such activities upon public notice from the Tribes.

History: Adopted 1987. Restated Nov. 1, 2004, by the Shoshone & Arapaho Tribal Court.