

UTE INDIAN TRIBE/UDC
UINTAH AND OURAY RESERVATION
Fort Duchesne, Utah

Rules and Regulations Governing the Taking of Upland Game

2019-2020
UPLAND GAME PROCLAMATION



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FISH AND WILDLIFE DEPARTMENT
Ute Indian Tribe
(435)722-5511

I. DEFINITIONS

- A. "All Terrain Vehicle" (ATV) means any motorized vehicle designed for or capable of travel over unimproved terrain. Includes but is not limited to: motorcycles, three-wheelers, quad-runners, four-wheelers, snow mobiles and dune buggies.
- B. "Authorized Officer" shall mean a Ute Indian Tribe Conservation Officer Bureau of Indian Affairs Police Officer, or Federal Law Enforcement Officer who has been authorized to enforce this Proclamation in accordance with Tribal or Federal Law.
- C. "Bag Limit" shall mean the total number of game species allowed to be taken in one day.
- D. "Closed Season" shall mean that period of time during which the taking of any game species is prohibited.
- E. "Code" shall mean Title VIII of the Wildlife and Outdoor Recreation Code of the Ute Indian Tribe of the Uintah and Ouray Reservation.
- F. "Exterior Boundary Lands" shall mean those non-trust lands within the original confines of the Uintah and Ouray Reservation as set forth by Executive Orders of October 3, 1861, and January 5, 1882.
- G. "Guide" shall mean any person who offers services at a cost or at no cost, of providing direction and/or supervision to any person to an area or areas on trust lands of the reservation for the purpose of angling, camping, hunting, or other recreational activities.
- H. "Hagen Lands" shall mean those lands within the original boundaries of the Reservation which were determined to have been removed in Hagen v. Utah, 510 U. S. 399 (1994) and Ute Indian Tribe v. Utah, 114 F. 3d (10th Cir. 1997), Including those lands known as the "Strawberry Reclamation Project Area" and the "Gilsonite Strip".
- I. "Hunt or Hunting" shall mean to take or pursue any animal by any means (except and including those prohibited by this proclamation).
- J. "Mixed-Blood" shall mean any person whose name appears on the final roll of mixed-blood members of the Ute Indian Tribe which was published in the Federal Register on April 5, 1956.
- K. "Non-Indian" shall mean any person who is neither a Tribal member, a Mixed-blood or a non-member Indian.
- L. "Non-Member" shall mean all non-Indians and non-member Indians.
- M. "Non-Member Indian" shall mean an enrolled member of an Indian Tribe other than the Tribe that is recognized by the Secretary of the Interior as possessing a government-to-government relationship with the United States; excepting that, the phrase "non-member Indian" shall not include Mixed-bloods.
- N. "Permit" shall mean a document issued by the Ute Tribe Fish and Wildlife Department or its authorized agents, which document authorizes the person to whom it is issued to hunt the particular species identified on the permit in accordance with the rules and regulations established in this Proclamation.
- O. "Person" shall mean a natural being, and unless otherwise appears from the context include Tribal members, mixed-bloods, non-Indians, and non-member Indians as defined elsewhere in this section.
- P. "Possession" shall mean the actual or constructive and custody of and control over a thing.
- Q. "Possession Limit" shall mean the number of a given game species a person may have in their possession at any one time.
- R. "Proclamation" shall mean the rules and regulations established by the Business Committee of the Ute Indian Tribe, Uintah and Ouray Reservation, Utah for managing the Tribe's wildlife resources, which Proclamation sets the seasons and regulations for hunting Upland Game animals within on exterior boundary lands of the Uintah and Ouray Reservation.
- S. "Proper Identification" shall mean:
- 1- for a Tribal Member, a Ute Indian Tribe identification card;
 - 2- for Mixed-bloods, a Mixed-blood identification card issued by the Bureau of Indian Affairs;
 - 3- for non-member Indians, a valid identification card issued by the Tribe in which said person is enrolled or a Certificate of Degree of Indian Blood issued by the Bureau of Indian Affairs; and
 - 4- for non-Indians, a valid picture identification card (e.g. such as a Drivers License) issued by the state in which said non-Indian resides.
- T. "Reservation" shall mean all lands, including trust and non-trust lands, located within the original boundaries of the Uintah and Ouray Reservation as set forth by Executive Orders of October 3, 1861, and January 5, 1882, and confirmed and defined by Ute Indian Tribe v. Utah, 114 F. 3d 1513 (10th Cir. 1997).
- U. "Take" shall mean to hunt, pursue, harass, catch, capture, possess, trap, or kill, or attempt to hunt, pursue, harass, catch, capture, possess, trap or kill any game animal.
- V. "Tribal member" shall mean any person who is an enrolled member of the Ute Indian Tribe of the Uintah and Ouray Reservation.
- W. "Trespass" shall mean to enter unlawfully upon Trust Lands, or private property.
- X. "Trust Lands" shall mean those lands of the Reservation which are held in trust by the United States for the benefit of the Tribe, an individual or group of individuals, and which are subject to the exclusive jurisdiction of the Tribe and the United States.
- Y. "Upland Game" shall mean all species of chukar, dove, quail, grouse, pheasant, rabbit or hare, turkey, rock-chuck, and prairie dog.

2. SHOOTING HOURS

Shooting hours shall be restricted to daylight hours, only. Daylight hours are defined as one-half hour before official sunrise to one-half hour after official sunset.

3. BAG AND POSSESSION LIMITS

Bag limits and species authorized to be taken are those adopted by the Ute Indian Tribe. Possession and bag limits on the Uintah and Ouray Reservation shall not be in addition to Utah State bag or possession limits for pheasant, quail, dove, chucker, grouse, and rabbit or hare. A Federal Migratory Bird Stamp must accompany a Tribal Upland Game Permit in order to hunt dove.

A. LIMITS FOR TRIBAL MEMBERS AND MIXED-BLOODS, INCLUDING EXTERIOR BOUNDARY LANDS:

<u>SPECIES</u>	<u>BAG</u>	<u>POSSESSION</u>
1- Dove	10	20
2- Sage Grouse	1	2
3- Pheasant (Roosters only)	2	4
4- Chucker	10	20
5- Rabbit or Hare	10	20
6- Forest or Pine Grouse	4	8
7- Quail	10	20
8- Turkey	By Special Permit only	
9- Prairie Dog	No limit	
10- Rock-Chuck	No limit	

B. Limits for Non-members:

<u>SPECIES</u>	<u>BAG</u>	<u>POSSESSION</u>
1- Dove	10	20
2- Pheasant (Roosters only)	2	4
3- Rabbit or Hare	10	20
4- Quail	5	10

C. Species Closed to Hunting by Non-members:

There shall be no season, no bag or possession limit for non-members for the following species on trust lands: turkey, sage grouse, chukar, forest or pine grouse, prairie dog or rock-chuck.

4. PERMITS

A. Permit Required. Purchase and possession of a Ute Tribe Upland Game permit is required for all non-members to hunt pheasant, quail, dove, and rabbit or hare on Trust Lands. A Federal Migratory Bird Stamp must accompany a Tribal Upland Game Permit in order to hunt dove.

B. State Permits. A Utah State small game permit is not required to hunt on trust lands and is not valid for trust lands. All persons must have proper identification and the proper permit in their immediate possession at all times while engaged in hunting and/or transporting Upland Game.

C. Non-member Permit

1. Upland Game Permit (12 years and over with successful completion of hunters education, must show blue card) \$45.00
2. Upland Game Permit includes: Pheasant, Quail, Dove (with a Federal Migratory Bird Stamp) and Rabbit or Hare.
3. Camping is included in the Permit.

* There will be a **Conservation Stamp Fee of \$15.00** to cover the costs of management and camping facilities. The fee will be paid separately at the time of purchasing a permit, and is not included in the above fees. Conservation Stamp must be signed at the time of purchase, across the face of the stamp, in order to be valid.

D. Tribal Member Permit

1. The Ute Tribe Fish and Wildlife Department will issue Ute Tribal members and Mixed-bloods, a Ute Tribe Upland Game permit at no charge to hunt: chucker, quail, prairie dog, rock-chuck, pheasant, dove (with a Federal Migratory Bird Stamp), grouse, and rabbit or hare on the trust lands and exterior boundary lands.
2. Tribal members and Mixed-bloods must present proper identification to the Fish and Wildlife Department in order to obtain an upland game permit.

5. GENERAL REGULATIONS

A. Hunter Safety Course

Any person under 18 years of age must show proof of successful completion of a hunter safety course before obtaining a permit.

B. Species Identification

If game birds are dressed, one fully feathered wing must remain attached to each bird so as to permit species identification while being transported between the place where taken, and the personal abode of the possessor or between the place taken and a commercial facility.

C. Restrictions for Hunters under 18 Years of Age

Any person under 18 Years of age must be accompanied by a permitted, responsible adult while hunting on the reservation.

D. Exhibit of Permits

Any person engaged in hunting, fishing, or trapping, or while transporting any wildlife shall be required upon demand of any authorized officer, to exhibit the required Tribal license, permit, or proper identification; and any device or apparatus in his/her possession used for hunting, fishing, or trapping; or any wildlife in his/her possession.

E. Carrying of License

1. No person shall engage in hunting for protected wildlife as provided by this Proclamation without having procured the necessary Tribal Upland Game permits or tags, or proper identification as herein provided, and having at the time such permits, tags or proper identification on his/her possession; nor shall any person lend, transfer, sell, give or assign his permits or tags belonging thereto or the rights granted by such permits or tags.
2. It shall be unlawful for any person to use or have in his or her possession while hunting any license, permit or proper identification not issued to him/her.

F. Hunting under the Influence of Alcohol or Illegal Drugs

It is unlawful for any person to possess or use weapons in the pursuit of any kind of wildlife while under the influence of alcohol, or drugs that impair judgment.

G. Unlawful use of Motorized Vehicles

It is unlawful for any person to take or pursue any Big Game, Upland Game, Furbearer, or Waterfowl from any ATV, aircraft, or airboat.

1-TRIBAL MEMBERS ONLY- ATV operations shall be limited to those areas within a two (2) mile radius of each community. Use of ATV's within a one (1) radius of any recreational area is prohibited. Any other use is strictly prohibited, unless other authorization is obtained by the Fish and Wildlife Department Director, with concurrence the Business Committee.

H. Checking Stations

It is unlawful for any person to fail to stop at checking stations or road blocks where a stop sign or red or blue light is displayed.

I. Damage of Property

It is unlawful for any person to damage, disarrange, or destroy property. It shall be unlawful for any person to hunt or shoot within 600 feet of any dwelling, house, barn, corral, feeding pen, stock yard, or any enclosure where domestic animals are kept or fed, unless the express permission of the person in lawful possession of such building or enclosure is first had and obtained.

J. Guides and Guiding

1. No Tribal member shall offer guide services or guide any person on trust lands of the Uintah and Ouray Reservation unless that person has been approved and licensed by the Ute Tribe Fish and Wildlife Department and Fish and Wildlife Advisory Board.
2. No non-member shall offer guide services or guide any non-member on trust lands.

K. Trespass

No non-member Indian and no non-Indian shall engage in any activity on trust lands on the Reservation, unless he or she has obtained the proper permit to do so. Failure to possess the proper permit(s) shall constitute trespass.

L. Trash

It shall be unlawful to leave or dump trash on trust lands of the reservation. If you pack it in, then pack it out. Keep our lands clean.

M. Camping

All non-members shall camp in designated areas only.

N. Accompaniment

No person who receives a permit to hunt on trust lands of the Uintah and Ouray Reservation may be accompanied on that hunt by a non-Indian or non-member Indian unless said non-Indian or non-member Indian is the spouse or minor child of the permit holder.

O. Hagen Lands

Mixed-bloods are not allowed to hunt on Hagen Lands under the authority of this proclamation.

P. Waste

It shall be unlawful for any person to waste or permit to be wasted or spoiled, the carcass of any upland game.

6. FIREARMS RESTRICTIONS

A. Weapons Restrictions

- 1 - No rifle, revolver, pistol, or shotgun pellets larger than #2 birdshot may be used in pursuit of Upland Game birds.
- 2 - It shall be unlawful to take dove with a shotgun of any description capable of holding more than three (3) shells, unless it is plugged with a one-piece filler, so its total capacity does not exceed three (3) shells.
- 3 - No rifle or revolver larger than a .22 caliber, or shotgun pellets larger than #2 birdshot may be used in pursuit of rabbits or hare.
- 4- Non-members are not allowed to have any hand gun in their possession while on trust lands.
- 5 - It shall be unlawful to take any Upland Game with archery equipment, **except** Tribal Members and Mixed-bloods may take prairie dog, rabbit and hare, sage grouse, turkey, and forest or pine grouse with archery equipment.
- 6 – No Lead Shot may be used for Turkey

B. Unlawful Discharge of Firearms

It is unlawful for any person other than peace officers in the performance of their duty to discharge any kind of firearm from any vehicle, or from, upon, or across any roadway.

C. Loaded Firearms in Vehicle

No person, other than peace officers in the performance of their duty or persons with a valid permit to carry loaded firearms for the protection of life or property, shall carry in or on any vehicle any firearms which have live ammunition in the firing chamber. A revolver shall be deemed loaded when it has live ammunition in the chamber of the cylinder aligned with the barrel or the chamber of the cylinder which would next rotate into alignment with the barrel.

D. Concealed Weapon Permits

A State of Utah concealed weapon permit is not valid on trust lands. Any person that carries a concealed weapon other than those authorized under 6 C. of this proclamation shall be in violation of this statute and shall be prosecuted in a court of competent jurisdiction.

7. POSTED AREAS

No person may hunt, trap or trespass on any lands that are posted against such activities by the owner. If permission is required to hunt, trap or trespass those restricted areas, then permission must be acquired in writing prior to accessing those lands.

8. UPLAND GAME SEASONS

A. TRIBAL MEMBERS AND MIXED-BLOODS

1. Dove..... September 1 – October 30, 2019
2. Sage GrouseSeptember 21 – October 13, 2019
3. Forest or Pine Grouse.September 1 – December 31, 2019
4. Chucker..... September 1 - November 24, 2019
5. Pheasant November 2 - December 1, 2019
6. Rabbit or HareSeptember 1, 2019 - February 29, 2020
7. Quail.....November 2 - December 31, 2019
8. Wild Turkey Special Permit Only
9. Prairie DogYear-round
10. Rock-Chuck.....Year-round

B. NON-MEMBERS

1. DoveSeptember 1 – September 30, 2019
2. Pheasant.....November 2 - 17, 2019
3. QuailNovember 3 – 17, 2019
4. Rabbit or HareNovember 1 - 17, 2019

9. TURKEY REGULATIONS (Tribal members and mixed-bloods only)

SPECIAL 2019 SPRING WILD TURKEY HUNT

Trust Lands Season: April 1 – May 31, 2020

Exterior Boundary Seasons:
(Limited Entry) April 11 – April 30, 2020

Exterior Boundary Seasons:
(General Season) May 4 - May 31, 2020

Areas Open: Trust lands or exterior boundary lands located in Duchesne and Uintah Counties of the reservation for Rio Grand Turkeys and Merriams Turkeys South of Green River Merriams Turkeys or Rio Grand Turkeys.

Age: 12 Years of Age and Older (Must have successfully completed hunters education and show blue card)

Limit: 1 Wild Turkey, Tom Only, per permit holder

No. of Permits: a. Trust Lands:
**North: Rio Grand or Merriams –150 Permits
(All Trust land north of Turkey Trail)**

b. Exterior Boundary Lands:
Limited Entry: April 11 – April 30, 2020 **# of permits TBD**

General Season: May 4 - May 31, 2020 **Unlimited**

General Regulations for Turkey:

- a. No person may take or attempt to take Wild Turkey on the trust lands of the reservation, without first having obtained a valid permit to hunt Wild Turkey from the Ute Tribe Fish and Wildlife Department.
- b. Any Tribal member or Mixed-blood wishing to hunt Wild Turkey, must file an application with the Ute Tribe Fish & Wildlife Department between February 3, 2020 and February 20, 2020.
- c. The Ute Tribe Fish and Wildlife Department shall conduct a drawing for Wild Turkey permits on March 5, 2020. Any person who has filed an application for a Special Wild Turkey permit shall be eligible for the said drawing and need not to be present at the said drawing to obtain a permit.
- d. Permits may be picked-up beginning, March 23, 2020. Tribal members and Mixed-bloods must present the proper identification, before a permit will be issued.
- e. No person shall lend, sell, trade, give, assign or otherwise transfer his/her permit or tag belonging thereto or the rights granted by such permit or tag to any other person.
- f. Any Tribal member or Mixed-blood is eligible for a Turkey Permit every year.
- g. A person may not take Wild Turkey by the use or aid of live decoys.
- h. Any person who receives a permit to hunt Wild Turkey, must punch-out the date of kill and attach the tag section of the permit to the carcass of the turkey, before the carcass is moved from or the hunter leaves the site of the kill.

- i. Weapons Restrictions: - No rifle, revolver or pistol may be used in pursuit of Turkey.
- j. **Mixed-bloods are not allowed to hunt on Hagen Lands under the authority of this proclamation.**

10. AREAS CLOSED TO HUNTING

- a. Those trust lands within one mile of the White River and Green River shall be closed to all non-members for Upland Game. **Tribal members and Mixed-bloods may hunt this area November 2 through December 1, 2019 for pheasant, with a two rooster bag limit. As well as, areas south and west of the Green River to Turkey Trail for those members who obtain a Trust Land Turkey permit for the dates of April 1 – May 31, 2020**
- b. Those trust lands west of the Upper Stillwater Road (County Road 95) to State Road 35 are closed to all hunting by non-members (entire Rock Creek area).
- c. All trust lands in the Hill Creek Extension.
- d. **Mixed-bloods are not allowed to hunt on Hagen Lands under the authority of this proclamation.**
- e. **Mixed-bloods are not allowed to hunt on newly acquired lands and NOSR lands under the authority of this proclamation.**
- g. No hunting on Midview Reservoir and Bottle Hollow Lake.

11. AREAS OPEN TO HUNTING

- a. The area open to non-members of the Ute Indian Tribe for the hunting of Upland Game birds and rabbits are those trust lands in Uintah and Duchesne Counties, except that area known as the Hill Creek Extension south of Black Bridge, those areas listed as closed in #10 above, and those lands otherwise posted "Closed" to hunting.
- b. The area open to Ute Tribal members for the hunting of Upland Game is reservation-wide, including the exterior boundary lands, **except** those areas otherwise posted "Closed" to hunting.
- c. The area open to Mixed-bloods for the hunting of Upland Game is reservation-wide, including the exterior boundary lands except:
 1. **Mixed-bloods are not allowed to hunt on Hagen Lands under the authority of this proclamation, and**
 2. **Mixed-bloods are not allowed to hunt on newly acquired lands and NOSR lands under the authority of this proclamation.**
 3. Those areas otherwise posted "Closed" to hunting.

12. PROSECUTION

Any person who violates any provision of this Proclamation shall be subject to criminal prosecution in a court of competent jurisdiction and shall be subject to civil penalties as provided in the Ute Law and Order Code.

13. DISCLAIMER

The Ute Indian Tribe, the Fish and Wildlife Department of the Ute Indian Tribe, its officers and employees shall not be responsible for loss of property, personal injury or loss of life due to any persons negligence or failure to comply with the rules and regulations established in these guidelines and Ute Law and Order Code.