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5 Proclamations

2004
Three Affiliated Tribes
DEER
BOW HUNTING
PROCLAMATION

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Three Affiliated Tribes
Natural Resources Department
Game and Fish Division
404 Frontage Road
New Town, ND 58763
701-627-4760

Fort Berthold Indian Reservation

PROCLAMATION

Pursuant to Chapter 18 Code of the Three Affiliated Tribes of Fort Berthold Reservation and the authority of the Three Affiliated Tribes of Fort Berthold Reservation and the authority of the Three Affiliated Tribes Business Council: the Director of the Three Affiliated Tribes Game and Fish Division hereby declares an open season on Mule Deer (*Odocoileus hemionus*) and White-tailed Deer (*O. Virginianus*) as described in the following proclamation.

Except as provided hereinafter or otherwise by law, no person shall hunt, trap, kill, harass, take, and attempt to take or possess any Big Game.

1) SEASON:

The season for taking deer with bow and arrows shall be from one half hour before sunrise, September 3, 2004 each day to one day before deer gun season, November 4, 2004. The deer bow season will then resume one week from the last day of the deer gun season, December 5, 2004 until January 30, 2005. Deer Bow season will remain closed in the event of a Deer Gun Season extension.

2) LIMITS:

One deer regardless of sex, species, or age, may be taken per license holder during the season. (Hunters may obtain a deer bow and a deer gun license.)

3) LICENSES AND PERMITS:

Persons eligible to participate in the deer bow season are: Tribal members, non-member spouses of Tribal members, non-member Indians, and non-member non-Indians (tribal or federal employees). Verification of tribal enrollment (personal or spousal), or employment must be provided upon purchase. There shall be no designation of hunters for Deer Bow Season.

Licenses and special permits shall be issued in a manner and form prescribed by the Game and Fish Director and in accordance with applicable laws. Such licenses and permits shall be in the form of stamps that must be endorsed in ink with the licensee's signature and affixed to the back of their general game license.

HUNT REPORTING:

All bow deer licenses will have a hunter's questionnaire. This questionnaire is to be filled out in full and returned to the Game and Fish Division within 30 days of the season close or harvest of an animal.

***NORTH DAKOTA STATE LICENSES ARE NOT VALID ON THE FORT BERTHOLD INDIAN RESERVATION. ANYONE HUNTING ON TRUST OR ALLOTTED LANDS WITH A STATE DEER LICENSE AND NOT A TRIBAL LICENSE WILL BE CITED FOR HUNTING WITHOUT A PROPER LICENSE.**

4) FEES:

The cost of each license will be \$10.00/license for tribal members. Only one license per hunter per season. Non-member tribal or federal employees license fees shall be \$25 per license. Non-member license fees shall be \$100.00 per license. Non-members must also possess a Tribal Conservation Permit.

5) WEAPONS RESTRICTIONS:

A bow must be pulled and released by hand. The bow must be capable of casting a hunting arrow a distance of 130 yards or possess a draw weight of 40 pounds or more.

Arrows shall be at least 24 inches long and tipped with barbless hunting points of at least 3/4 inch wide by 1-1/2 inches long, having at least two

cutting edges. Bows must be unstrung or made incapable of being drawn either by casing, locking or tying with a cord, at sundown.

Crossbows may only be used by paraplegics and persons having lost the use of an arm who have been granted a permit from the Game and Fish Director to hunt with a crossbow during the deer bow season. Arrow length restrictions do not apply to crossbows.

IT IS ILLEGAL TO CARRY A FIREARM WHILE IN THE ACT OF BOW HUNTING. IT IS ILLEGAL TO HAVE A LOADED FIREARM WHILE IN OR ON A MOTOR VEHICLE. (REVOLVERS WITH A LOADED CYLINDER ARE CONSIDERED LOADED.) VIOLATOR'S OF THIS SECTION SHALL BE PROSECUTED UNDER THE PROVISIONS OF CHAPTER 18-4-5 OF THE THREE AFFILIATED TRIBES FISH AND GAME CODE.

6) HUNTING AREA RESTRICTIONS:

Bow hunters will be allowed to hunt any deer unit within the boundaries of the Fort Berthold Reservation on any lands within the exterior boundaries of the reservation.

POSTING:

It is unlawful to hunt on lands legally posted without first obtaining permission from the owner or tenant. It is unlawful for anyone but the owner or tenant to post land. Legal signs shall give notice that no hunting is permitted and shall display: NAME, ADDRESS OF OWNER OR TENANT AND DATE OF POSTING. SIGNS must be every eighty (80) rods on unfenced lands and at every corner and access point on fenced areas.

PLEASE OBTAIN WRITTEN PERMISSION FROM THE LAND OWNER OR TENANT EVEN IF LAND IS NOT POSTED.

7) AGE RESTRICTIONS:

To purchase a deer bow license, persons must be 14 years of age or older on the opening day of the season. Persons under 16 years of age, afield with bow and arrow, must be accompanied by a parent, guardian or person authorized by the parent or guardian.

HUNTER'S SAFETY COURSE:

Persons born after December 31, 1961 must complete a certified Reservation or State Hunter Safety program and present the certification card earned to the license vendor in order to purchase a Fort Berthold or North Dakota State Hunting License.

8) VEHICLE RESTRICTIONS:

It is illegal to operate a motor vehicle for the purpose of hunting deer except for transportation on established roads and trails. Aircraft and motor powered land vehicles (including but not limited to: automobiles, motorcycles, snowmobiles, etc.) may not be used to locate, harass, pursue, take, and attempt to take or kill any wildlife. It is illegal to shoot from within or on any motor drive vehicle.

After an animal is in possession of the hunter and properly tagged, a motor vehicle may be used to retrieve the carcass. During retrieval, it is permissible for a vehicle to leave an established road or trail, take the most direct route to the carcass and immediately return by the same route to the established roadway.

SPECIAL EXCEPTION:

A handicapped hunter with a special permit from the Game and Fish Director.

ESTABLISHED ROADS AND TRAILS DO NOT INCLUDE TEMPORARY TRAILS ACROSS CULTIVATED LAND AND PASTURES USED FOR AGRICULTURAL PURPOSES.

9) MANNER OF TAKING:

It is LEGAL to use a horse in the process of hunting a deer.

It is ILLEGAL to use a dog as an aide in hunting deer.

It is ILLEGAL to take or attempt to take a deer by dragging a wire, rope, or other contrivance.

It is ILLEGAL to use any artificial light, electronic range finding device or electronic sight device in taking or attempting to take a deer.

10) TAGGING:

The deer tag provided with the big game license must be affixed to the deer carcass either through a slit in an ear or a hind leg.

Immediately upon killing a deer, the license holder shall sign their tag in ink and indicate the date of the kill by filling in the appropriate month and day as provided on the tag.

THE SEAL SHALL REMAIN WITH THE DEER CARCASS UNTIL IT HAS BEEN CUT UP AND PACKAGED AS FOOD. PACKAGED MEAT MUST HAVE THE LICENSE NUMBER ON THE PACKAGE AND THE DEER TAG MUST BE AVAILABLE FOR INSPECTION.

11) TRANSPORTING AND PROCESSING:

The hide, legs and head, and genitalia of any game animal must be attached or present and accompany the carcass to its final place of storage.

Each license holder must accompany his or her deer carcass during transportation except when such game is shipped by public carrier in receipt of a proper bill of lading. Deer may be possessed until September 1, 2002 anywhere in the state. Packaged meat must have the license number on the package and the deer tag must be available for inspection.

REPORT ALL GAME VIOLATIONS TO THE GAME AND FISH DIVISION AT 627-4760 OR YOUR LOCAL TRIBAL RANGER OR THE NEW TOWN POLICE DEPARTMENT AT 627-3617.

A REWARD OF \$50.00 IS OFFERED FOR INFORMATION LEADING TO THE CONVICTION OF PERSONS COMMITTING GAME AND FISH VIOLATIONS.

THIS PROCLAMATION HAS BEEN PRINTED BY THE THREE AFFILIATED TRIBES GAME AND FISH DIVISION UNDER THE AUTHORITY OF THE CHAPTER 18 GAME, FISH AND RECREATION CODE OF THE THREE AFFILIATED TRIBES OF THE FORT BERTHOLD INDIAN RESERVATION.

**Three Affiliated Tribes
2004 PRONGHORN ANTELOPE GUN SEASON
PROCLAMATION**

**Three Affiliated Tribes
Natural Resources Department
Game and Fish Division
404 Frontage Road
New Town, ND 58763
701-627-4760
Fort Berthold Indian Reservation**

PROCLAMATION

Pursuant to Chapter 18 Code of Law of the Three Affiliated Tribes of the Fort Berthold Reservation and the authority of the Three Affiliated Tribal Business Council; The Director of the Three Affiliated Tribes Game & Fish Division hereby declares an open season on Pronghorn Antelope as described in the following proclamation.

Except as provided hereafter or otherwise by law, no person shall hunt, trap, kill, harass, take, attempt to take, or possess any Big Game.

1) SEASON:

The season for taking Pronghorn Antelope with firearms shall be from sunrise to sunset each day from October 1 through October 31, 2004.

2) LIMIT:

One Pronghorn Antelope as prescribed on the license may be taken per license holder during the season. Hunter may apply and will be drawn for a tag in a manner prescribed by the Game and Fish Director.

3) LICENSES AND PERMITS:

Persons eligible to partake in the 2004 Pronghorn Antelope gun season are:
Tribal members and Non-members.

Hunter's must be in good standing and in compliance with all Game and Fish rules and regulations; be current with questionnaires, etc.. to be eligible for the 2004 pronghorn antelope gun season.

Licenses and special permits shall be issued in a manner and form prescribed by the Game & Fish Director and in accordance with applicable laws. Such licenses and permits shall be in the form of stamps that must be endorsed in ink with the licensee's signature and affixed to the back of the General Certificate.

In addition to the pronghorn antelope gun license, each applicant will be issued a tag indicating the sex and unit that he/she may legally hunt. Colors for the various units will be as follows:

10 permits.....Unit #1 (Mandaree Area)- Blue
10 any antelope permits

Closed.....Unit #2 (Little Shell Area)

10 permits.....Unit #3 (White Shield Area) - Red
10 any antelope permits

Closed.....Unit #4 (Twin Buttes Area) - Yellow

Explanation of License Types

Doe or Kid only--a pronghorn antelope without a black "cheek patch" or with horns shorter than its ears.

Any antelope--a pronghorn antelope of any age or sex.

Duplicate licenses are available at the Tribal Game and Fish Office from 8:00 a.m. To 4:30 p.m., Monday through Friday.

***NORTH DAKOTA STATE LICENSES ARE NOT VALID ON THE FORT BERTHOLD INDIAN RESERVATION. ANYONE HUNTING ON TRUST OR ALLOTTED LANDS WITH STATE PRONGHORN ANTELOPE LICENSE AND NOT A TRIBAL LICENSE WILL BE CITED FOR HUNTING WITHOUT A PROPER LICENSE.**

4) FEES:

The cost of each license will be \$10.00/license. Only one license per hunter per season. Senior members (55 years of age and older) may obtain a pronghorn antelope gun license free of charge. Non-members license fees shall be \$150.00/license. Non-members must be accompanied by a tribally licensed hunting guide while in the field.

Senior tribal members who obtain a pronghorn antelope hunting license may have it assigned to a designated hunter of their choice if they do not wish, or are unable to go afield themselves. Request for assignment of a designated hunter must be made on the application form. Only the designated hunter may fill a permit issued in such a manner.

It is illegal for anyone other than a senior citizen tribal member to assign a designated hunter. Special exemption: A handicap tribal member incapable of going afield as a direct result of that handicap.

It is illegal to take or attempt to take a pronghorn antelope by dragging a wire, rope, or other contrivance.

It is illegal to use any artificial light, electronic range finding device or electronic sight device in taking or attempting to take a pronghorn antelope.

5) WEAPONS RESTRICTIONS:

Pronghorn Antelope may only be taken with the following weapons:

A) Rifles:

- 1) Having a barrel length of 16 inches or greater.
- 2) Firing a centerfire cartridge of .22 caliber or greater.
- 3) Capable of holding no more than 8 rounds in the clip or magazine.
- 4) Muzzleloading rifles of .45 caliber or greater.

RESTRICTIONS:

- 1) Fully automatic weapons, those capable of firing 3 shot bursts or greater, full metal jacket cartridges, tracer rounds, or altered projectiles are prohibited.
- 2) It is unlawful to go afield with a firearm while intoxicated.

B) Muzzleloaders or Black Powder Rifles

- 1) Having a barrel length of 18 inches or greater.
- 2) With .45 caliber or larger slug or ball.

RESTRICTIONS:

1) Muzzleloaders with powder charge and percussion cap in place will be considered loaded and are illegal for transport in that manner.

6) HUNTING AREA RESTRICTIONS:

Hunters will only be allowed to fill their permit within the unit designated on their license.

It is unlawful to leave any open gates, bars or other device used to enclose any lands, upon entry or exit.

It is unlawful in any way to cut, remove, or lay down any fence to gain entry to any land for the purpose of hunting.

It is unlawful to shoot, destroy, molest, mutilate, or remove any signs.

It is unlawful to hunt or discharge a firearm within 440 yards of any occupied buildings, schools, medical facilities, or residence.

POSTING: It is unlawful to hunt on lands legally posted without first obtaining written permission from the owner or tenant. It is unlawful for anyone but the owner or tenant to post land. Legal signs shall give notice that no hunting is permitted and shall display: **NAME, ADDRESS OF OWNER OR TENANT and DATE OF POSTING.** Signs must be every eighty (80) rods on unfenced lands and at every corner and access point on fenced areas.

PLEASE OBTAIN WRITTEN PERMISSION FROM THE LAND OWNER OR TENANT EVEN IF LAND IS NOT POSTED.

7) AREAS CLOSED TO HUNTING:

It shall be unlawful to hunt or pursue game in the following areas:

- 1) The buffalo pasture located in Unit #1 (Mandaree Area)
- 2) Unit 2 (Shell Creek Area)

3) Unit 4 (Twin Buttes Area)

8) AGE REQUIREMENTS:

To purchase a pronghorn antelope gun license, persons must be 14 years of age or older on the opening day of the season. Persons under 16 years of age, afield with a gun, must be accompanied by a parent, guardian or a person authorized by the parent or guardian.

HUNTER'S SAFETY COURSE: Persons born after December 31, 1961 must complete a certified Reservation or State Hunter Safety Program and present the certification card earned to the license vendor in order to purchase a Fort Berthold or North Dakota State hunting license.

9) VEHICLE RESTRICTIONS:

It is illegal to operate a motor vehicle for the purpose of hunting pronghorn antelope except for transportation on established roads and trails. Aircraft and motor-powered land vehicles (including but not limited to; automobiles, motorcycles, snowmobiles, ATV's etc.) may not be used to locate, harass, pursue, take, attempt to take, or kill any wildlife. It is illegal to shoot from within or on any motor driven vehicle.

After an animal is in possession of the hunter and properly tagged, a motor vehicle may be used to retrieve the carcass. During the retrieval, it is permissible for a vehicle to leave an established road or trail, take the most direct route to the carcass and immediately return by the same route to the established roadway.

SPECIAL EXCEPTION: A handicapped hunter with a special permit from the Game & Fish Director.

ESTABLISHED ROADS AND TRAILS DO NOT INCLUDE TEMPORARY TRAILS ACROSS CULTIVATED LAND AND PASTURES USED FOR AGRICULTURAL PURPOSES.

10) CLOTHING REQUIREMENTS:

While hunting a pronghorn antelope with a gun, each person shall be required to wear a cap and an outer garment above the waistline of daylight fluorescent orange color, totaling 400 sq. inches or more. All hunters and

trappers, except those pursuing waterfowl, must obey this requirement during the pronghorn antelope gun season.

11) MANNER OF TAKING:

It is legal to use a horse in the process of hunting pronghorn antelope.

It is illegal to use a dog as an aid to hunting pronghorn antelope.

It is illegal to take or attempt to take a pronghorn antelope by dragging a wire, rope, or other contrivance.

It is illegal to use any artificial light, electronic range finding device or electronic sight device in the taking or attempting to take a pronghorn antelope.

12) TAGGING

The pronghorn antelope tag provided with the Big Game license must be attached and locked on the pronghorn antelope carcass either through a slit in the ear, or a hind leg.

Immediately upon killing a pronghorn antelope, the license holder shall sign their seal in ink and indicate the date of the kill by cutting out the appropriate month and day as provided on the seal.

THE SEAL SHALL REMAIN WITH THE PRONGHORN ANTELOPE CARCASS UNTIL IT HAS BEEN CUT UP AND PACKAGED AS FOOD. PACKAGED MEAT MUST HAVE THE LICENSE NUMBER ON THE PACKAGE AND THE PRONGHORN ANTELOPE TAG MUST BE AVAILABLE FOR INSPECTION.

13) TRANSPORTING AND PROCESSING

The hide, legs and head of any Big Game animal must be attached or present and accompany the carcass to its final place of storage.

Each license holder must accompany his pronghorn antelope carcass during transportation except when such game is shipped by public carrier in receipt of a proper bill of lading. Pronghorn antelope may be processed until

September 1, 2005 anywhere in the state. Packaged meat must have the license number on the package and the pronghorn antelope tag must be available for inspection.

EXCEPTION: A designated hunter may hunt for a senior citizen. The senior citizen may transport a legally tagged pronghorn antelope harvested for that specific senior citizen.

14) HUNTER QUESTIONNAIRES

Complete and accurate information on the hunter questionnaires will greatly assist the Game & Fish Division in determining the number of pronghorn antelope harvested and the optimum number of permits that can be issued to maintain a stable, healthy pronghorn antelope population on the Reservation lands for future generations. Hunter's are required to hand them in or send them to the Three Affiliated Tribes Game and Fish Division. **This is mandatory and is to be handed in before March 1, 2005. Failure to comply with this statute will result in a penalty of \$5.00. This penalty must be paid before a hunter will be eligible to participate in any subsequent hunting and/or fishing seasons.**

GENERAL REQUIREMENTS:

- 1) Possess a valid general game license.
- 2) Possess a hunter safety certificate, if born after 12/31/61.
- 3) Complete your 2004 Hunter Application and make payment in full.
- 4) Receive, place on your general license and endorse in ink your game stamp.
- 5) Maintain your pronghorn antelope tag and license at all times while you hunt.
- 6) Hunt only in the unit for which the tag is issued.
- 7) Follow all weapon, vehicle and other hunting restrictions.
- 8) Abstain from hunting in closed areas.
- 9) Wear the appropriate amount of hunter orange while in the field.
- 10) Non-members must also possess a Tribal Conservation permit.

**Three Affiliated Tribes
2004
DEER GUN SEASON
PROCLAMATION**

**Three Affiliated Tribes
Natural Resources Department
Game and Fish Division
404 Frontage Road
New Town, ND 58763
701-627-4760**

**Fort Berthold Indian Reservation
PROCLAMATION**

Pursuant to Chapter 18 Code of Law of the Three Affiliated Tribes of the Fort Berthold Reservation and the authority of the Three Affiliated Tribal Business Council; The Director of the Three Affiliated Tribes Game & Fish Division hereby declares an open season on Mule Deer (ZIDA SHABISHA) and the White-tailed Deer (ZIDA DAGI) as described in the following proclamation.

Except as provided hereafter or otherwise by law, no person shall hunt, trap, kill, harass, take, attempt to take, or possess any Big Game.

1) SEASON:

The season for taking deer with firearms shall be from sunrise to sunset each day from November 5 through November 28, 2004.

2) LIMIT:

One deer as specified by sex, and/or species, regardless of age, may be taken per license holder during the season. Hunter may apply for either a buck or doe (where available) license but will only be eligible for one license per season.

3) LICENSES AND PERMITS:

Persons eligible to partake in the deer gun season are: Tribal members, spouses of Tribal members, non-member Indians, Tribal employees, Federal

Indian Health Service employees and school staff members of the Mandaree, White Shield, and Twin Buttes School Systems.

NON-TRIBAL MEMBERS WHO PARTICIPATE IN THE 2004 NORTH DAKOTA STATE DEER GUN SEASON ARE NOT ELIGIBLE FOR A TRIBAL DEER LICENSE. FAILURE TO COMPLY WITH THIS PROVISION MAY SUBJECT AN INDIVIDUAL TO TRIBAL FINES OR PENALTIES.

Licenses and special permits shall be issued in a manner and form prescribed by the Game & Fish Director and in accordance with applicable laws. Such licenses and permits shall be in the form of stamps that must be endorsed in ink with the licensee's signature and affixed to the back of the General Certificate.

In addition to the deer gun license, each applicant will be issued a deer tag indicating the sex, species (where applicable), and unit that he/she may legally hunt. Colors for the various units will be as follows:

200 Any Antlered permits.....Unit #1 (Mandaree Area)- BROWN
100 Any Antlerless Only permits.....YELLOW

35 Any Antlered permits.....Unit #2 (Little Shell Area) - GREEN
15 Any Antlerless Only permits.....PURPLE

200 Whitetail Antlered Only permits.....Unit #3 (White Shield Area) - RED
100 Whitetail Antlerless Only permits.....TAN

185 Any Antlered Only permits.....Unit #4 (Twin Buttes Area)-BLUE
75 Any Antlerless Only permits.....ORANGE

Duplicate licenses are available at the Tribal Game and Fish Office from 8:00 a.m. To 4:30 p.m., Monday through Friday.

***NORTH DAKOTA STATE LICENSES ARE NOT VALID ON THE FORT BERTHOLD INDIAN RESERVATION. ANYONE HUNTING ON TRUST OR ALLOTTED LANDS WITH STATE DEER LICENSE AND NOT A TRIBAL LICENSE WILL BE CITED FOR HUNTING WITHOUT A PROPER LICENSE.**

4) FEES:

The cost of each license will be \$10.00/license. Only one license per hunter per season. Senior members (55 years of age and older) may obtain a deer gun license free of charge.

Other fees are listed on the 2004 Deer Gun Application.

Senior members who obtain a deer hunting license may have it assigned to a designated hunter of their choice if they do not wish, or are unable to go afield themselves. Request for assignment of a designated hunter must be made on the application form. Only the designated hunter may fill a permit issued in such a manner. Unless otherwise specified, senior citizens who obtain a designated hunter will automatically be issued an **Antlerless only** deer gun tag. *A designated hunter must meet all hunter certification requirements as specified in this proclamation. A person will be required to purchase a General License and a Conservation Stamp unless they have already purchased and are licensed by the Three Affiliated Tribes for the 2004 Deer Gun Season.*

The designated hunter privilege is to be utilized by Senior members ONLY. Persons using another's license to hunt, or the act of loaning out ones license for another to hunt for you are a Violation of Section 18-3-6 of the Chapter 18 Code of Laws and is punishable by a fine of \$100.

It is illegal to take or attempt to take a deer by dragging a wire, rope, or other contrivance.

It is illegal to use any artificial light, electronic range finding device or electronic sight device in taking or attempting to take a deer.

5) WEAPONS RESTRICTIONS:

Deer may only be taken with the following weapons:

A) Rifles:

- 1) Having a barrel length of 16 inches or greater.
- 2) Firing a centerfire cartridge of .222 caliber or greater.
- 3) Capable of holding no more than 8 rounds in the clip or magazine.

RESTRICTIONS:

1) Fully automatic weapons, those capable of firing 3 shot bursts or greater, full metal jacket cartridges, tracer rounds, or altered projectiles are prohibited.

2) .22 caliber and .17 caliber rimfire rifles are unlawful.

B) Muzzleloaders or Black Powder Rifles

1) Having a barrel length of 18 inches or greater.

2) With .44 caliber or larger slug or ball.

RESTRICTIONS:

1) Muzzleloaders with powder charge and percussion cap in place will be considered loaded and are illegal for transport in that manner.

2) Revolvers with bullets in the cylinder will be considered loaded and are illegal for transport in that manner.

6) HUNTING AREA RESTRICTIONS:

Hunters will only be allowed to fill their permit within the unit designated on their license.

It is unlawful to leave any open gates, bars or other device used to enclose any lands, upon entry or exit.

It is unlawful in any way to cut, remove, or lay down any fence to gain entry to any land for the purpose of hunting.

It is unlawful to shoot, destroy, molest, mutilate, or remove any signs.

It is unlawful to hunt or discharge a firearm within 440 yards of any occupied buildings, schools, medical facilities, or residence.

POSTING: It is unlawful to hunt on lands legally posted without first obtaining written permission from the owner or tenant. It is unlawful for anyone but the owner or tenant to post land. Legal signs shall give notice that

no hunting is permitted and shall display: NAME, ADDRESS OF OWNER OR TENANT and DATE OF POSTING. Signs must be every eighty (80) rods on unfenced lands and at every corner and access point on fenced areas.

PLEASE OBTAIN WRITTEN PERMISSION FROM THE LANDOWNER OR TENANT EVEN IF LAND IS NOT POSTED.

7) AREAS CLOSED TO HUNTING:

It shall be unlawful to hunt or pursue game in the following areas:

- 1) The buffalo pasture located in Unit #1 (Mandaree Area) known as Range Unit 904 in the Skunk Creek Bay Area.

8) AGE REQUIREMENTS:

To purchase a deer gun license, persons must be 14 years of age or older on the opening day of the season. A parent, guardian or a person authorized by the parent or guardian, must accompany persons under 16 years of age, afield with a gun.

HUNTER'S SAFETY COURSE: Persons born after December 31, 1961 must complete a certified Reservation or State Hunter Safety Program and present the certification card earned to the license vendor in order to purchase a Fort Berthold or North Dakota State hunting license.

Exemption: Veterans of the United States Armed Forces that have been honorably discharged. Persons applying for this exemption **MUST** present a copy of form DD214 to the Game and Fish Division to be eligible.

9) VEHICLE RESTRICTIONS:

It is illegal to operate a motor vehicle for the purpose of hunting deer except for transportation on established roads and trails. Aircraft and motor-powered land vehicles (including but not limited to; automobiles, motorcycles, snowmobiles, ATV's etc.) may not be used to locate, harass, pursue, take, attempt to take, or kill any wildlife. It is illegal to shoot from within or on any motor driven vehicle.

After an animal is in possession of the hunter and properly tagged, a motor vehicle may be used to retrieve the carcass. During the retrieval, it is permissible for a vehicle to leave an established road or trail, take the most

direct route to the carcass and immediately return by the same route to the established roadway. However, **fire restrictions may apply.**

SPECIAL EXCEPTION: A handicapped hunter with a special permit from the Game & Fish Director.

ESTABLISHED ROADS AND TRAILS DO NOT INCLUDE TEMPORARY TRAILS ACROSS CULTIVATED LAND AND PASTURES USED FOR AGRICULTURAL PURPOSES.

10) CLOTHING REQUIREMENTS:

While hunting a deer with a gun, each person shall be required to wear a cap and an outer garment above the waistline of daylight fluorescent orange color, totaling 400 sq. inches or more. All hunters and trappers, except those pursuing waterfowl, must obey this requirement during the deer gun season.

11) MANNER OF TAKING:

It is legal to use a horse in the process of hunting deer.

It is illegal to use a dog as an aid to hunting deer.

It is illegal to take or attempt to take a deer by dragging a wire, rope, or other contrivance.

It is illegal to use any artificial light, electronic range finding device or electronic sight device in taking or attempting to take a deer.

12) TAGGING

The deer tag provided with the Big Game license must be attached and locked on the deer carcass either through a slit in the ear, or a hind leg.

Immediately upon killing a deer, the license holder shall sign their seal in ink and indicate the date of the kill by fill out the appropriate month and day as provided on the seal.

THE SEAL SHALL REMAIN WITH THE DEER CARCASS UNTIL IT HAS BEEN CUT UP AND PACKAGED AS FOOD. PACKAGED MEAT MUST HAVE THE LICENSE NUMBER ON THE PACKAGE AND THE DEER TAG MUST BE AVAILABLE FOR INSPECTION.

13) TRANSPORTING AND PROCESSING

The hide, legs and head of any Big Game animal must be attached or present and accompany the carcass to its final place of storage.

Each license holder must accompany his deer carcass during transportation except when such game is shipped by public carrier in receipt of a proper bill of lading. Deer may be processed until September 1, 2005 anywhere in the state. Packaged meat must have the license number on the package and the deer tag must be available for inspection.

EXCEPTION: A designated hunter may hunt for a senior citizen. The senior citizen may transport a legally tagged deer harvested for that specific senior citizen.

14) HUNTER QUESTIONNAIRES

Complete and accurate information on the hunter questionnaires will greatly assist the Game & Fish Division, in determining the number of deer harvested and the optimum number of permits that can be issued to maintain a stable, healthy deer population on the Reservation lands for future generations. **This is mandatory and is to be handed in before March 1, 2005. Failure to comply with this statute will result in a penalty of \$5.00. This penalty must be paid before a hunter will be eligible to participate in the 2005 Deer Gun Season.**

GENERAL REQUIREMENTS:

- 1) Possess a valid general game license.
- 2) Possess a hunter safety certificate, if born after 12/31/61.
- 3) Complete your 2004 Hunter Application and make payment in full.
- 4) Receive, place on your general license and endorse in ink your game stamp.
- 5) Maintain your deer tag and license at all times while you hunt.
- 6) Hunt only in the unit for which the tag is issued.

- 7) Follow all weapons, vehicle and other hunting restrictions.
- 8) Abstain from hunting in closed areas.
- 9) Wear the appropriate amount of hunter orange while in the field.
- 10) Hunters must have filled out and handed in to the Game and Fish Division the 2003 Deer Harvest Questionnaire to be eligible to participate in the 2004 Deer Gun Season or have paid \$5 penalty fee.

Three Affiliated Tribes

2004 - 2005

SMALL GAME AND FURBEARER PROCLAMATION

Three Affiliated Tribes
Natural Resources Department
Game and Fish Division
404 Frontage Road - New Town, ND 58763
Phone: (701) 627-4760

Fort Berthold Indian Reservation

NOTICE OF PROCLAMATION

Pursuant to Chapter 18 of the Code of Laws of the Three Affiliated Tribes of the Fort Berthold Reservation, and the authority of the Three Affiliated Tribes Business Council: The Three Affiliated Tribes Game and Fish Division hereby declares an open season on certain species of wildlife, and for the harvest of certain furbearer.

Except as provided hereinafter or otherwise by law, no person shall hunt, trap, kill, harass, take, attempt to take or possess any small game, waterfowl, furbearer, or any other wildlife.

SECTION 1. DEFINITIONS

In this Proclamation, the following definitions shall be used, unless the subject matter otherwise requires.

- A) **"ALLOTTED-LAND"** is individually Indian-owned land held in trust by the United States.
- B) **"CONIBEAR SET"** are body gripping traps composed of a pair of rectangular wires that close like scissors when released.
- C) **"DAILY BAG LIMIT"** is the maximum number of a particular species of game allowed to a hunter, legally licensed by these Tribes, which may be taken or killed during a single hunting day for that species.
- D) **"FEE PATENT LAND"** is land within the exterior boundaries of the Fort Berthold Reservation, not held in trust or subject to restrictions or alienation and which is in private ownership.
- E) **"FURBEARERS"** are mammals including mink, muskrat, weasels, beaver, raccoon, badger, coyote, bobcat, prairie dog, and red or gray fox which are typically hunted or trapped for their fur value or pest status.
- F) **"GAME BIRDS"** includes various varieties of geese, ducks, grouse, pheasants, partridge, and cranes, along with coots, wild turkey, mourning doves, and crows for which a hunting season has been established.

- G) **"NON-MEMBER"** is any person who is not a member of the Three Affiliated Tribes.
 - H) **"NON-INDIAN"** is any person who is not a member of a federally recognized Indian tribe.
 - I) **"NON-RESIDENT"** is any person who is not a resident of the Fort Berthold Indian Reservation.
 - J) **"POSSESSION LIMIT"** is the maximum number of a particular species of game allowed to a hunter, legally licensed by these Tribes, which may be in the hunters actual possession during any phase of any single hunting trip, venture, or expedition of more than one day, provided, however, that the nonresident possession limit for all game, except migratory birds, may equal the nonresident season limit when such nonresident is in final departure not involving any excursion in the field.
 - K) **"PROTECTED SPECIES"** includes but is not limited to elk, bison, antelope, mountain lions, wolves, swift fox, wolverine, fisher, marten, birds of prey, songbirds, deer, lynx, and all other species for which a closed season is specified or for which taking is prohibited.
 - L) **"RESERVATION"** all lands within the exterior boundaries of the Fort Berthold Indian Reservation under jurisdiction of the United States, notwithstanding the issuance of any patent, and including rights-of-way running through the Reservation.
 - M) **"SMALL GAME"** includes all game birds, tree squirrels, rabbits and hares.
 - N) **"STORAGE LIMIT"** is the maximum number of a particular species of game allowed to a hunter, legally licensed by these Tribes, which may be held in the hunter's possession during the respective open season for that species of wildlife until September 1 of the following season in a dressed manner or otherwise, or in any combination of the following: 1) in the hunter's or another's rented, leased, or owned cold storage device not situated in the field, 2) in the storage of the hunter's or another domicile or place of business, 3) in the possession of any licensed common carrier or carriers, or 4) in the possession of any game processor or processors.
 - O) **"TAKE OR TAKING"** Pursuing, shooting at, shooting, hunting, capturing, killing, snaring, or trapping wildlife.
 - P) **"TRAP OR TRAPPING"** Taking wildlife in any manner except with a gun, bow, or any implement in hand.
 - Q) **"TRIBAL MEMBER"** An individual who is duly enrolled, pursuant to Section I Article II of the constitution of the Three Affiliated Tribes.
 - R) **"TRUST-LAND"** Land for which the U.S. Government holds legal title in trust for the benefit of Indians and Indian Tribes.
 - S) **"LIMITED-PROTECTION SPECIES"** Includes but is not limited to coyote, red and grey fox, and other species for which a continuous season exists.
 - T) **"UPLAND GAME BIRDS"** Includes various varieties of grouse, pheasant, partridge, wild turkeys, mourning doves, and crows.
 - U) **"WATERFOWL"** Consist of all varieties of swans, geese, and ducks.
-

SECTION 2. GENERAL RULES AND REGULATIONS.

- 1) **BAG LIMIT:** ANY PERSON ENTERING THE RESERVATION TO HUNT UPLAND GAME WHO ALREADY POSSESSES THE ALLOWED BAG LIMIT FOR THAT SPECIES WILL BE CONSIDERED TO HAVE FILLED THEIR BAG LIMIT UNDER TRIBAL LAW AND THEREFORE CAN NOT TAKE ADDITIONAL UPLAND GAME WITHIN THE RESERVATION BOUNDARIES ON THAT DAY.
- 2) **HOURS OF HUNTING:** Hunting hours shall be prescribed by Central Daylight Time until the date of hour change to Central Standard Time throughout the end of all seasons (except for coyote, red and gray fox which are continuous throughout the year).
- 3) **LEGAL WEAPONS AND AMMUNITION: (UNLESS OTHERWISE SPECIFIED)**

A. UPLAND GAME

Only shotguns no larger than ten (10) gauge, capable of holding no more than 3 shells, legal archery equipment, and raptors may be used. Arrows must be at least twenty-four (24) inches long and have at least two untrimmed feathers or not less than five trimmed feathers. Exploding tips or points are prohibited. Raptors may only be used by those possessing a falconry permit.

B. FURBEARERS

(1) Rifles:

- A. Having a barrel length of 16 inches or greater.
- B. Firing a cartridge of .222 caliber or greater.
- C. Capable of holding no more than 8 rounds in the clip or magazine.

(2) Restrictions:

- A. Fully automatic weapons, those capable of firing 3 shot bursts or greater, tracer rounds, or altered projectiles are prohibited.
- B. .22 caliber and .17 caliber rimfire rifles are unlawful.

"CROSSBOWS" Paraplegics and those persons having lost the use of an arm, having been granted a permit from the Game and Fish Division Director to hunt with a crossbow, may use a crossbow during the upland game season. Use of crossbows to hunt waterfowl, mourning doves, and cranes is prohibited. Crossbow arrows for upland game must have at least two untrimmed feathers or not less than five trimmed feathers. Arrow length restrictions shall not apply to crossbows.

- 4) **USE OF MOTOR DRIVEN LAND VEHICLES, BOATS, AND AIRCRAFT:** Aircraft, watercraft, snowmobiles, ATV's and all other motor vehicles shall not be used to kill, chase, or harass any wildlife. It is unlawful to carry any firearm in or on a motor vehicle with a cartridge in the chamber while hunting any wildlife. The entire cylinder of a revolver shall be considered as the chamber.

MOTOR VEHICLE USE RESTRICTIONS: Motor driven vehicle use is restricted to those constructed roads, well worn trails, and parking areas normally used by passenger cars. **ESTABLISHED ROADS AND TRAILS DO NOT INCLUDE TEMPORARY TRAILS ACROSS CULTIVATED LAND USED FOR AGRICULTURAL PURPOSES.**

Motorboats are legal for going to and from shooting grounds. It is illegal to shoot from a boat, which is unsecured within or not tied immediately alongside a stationary blind. Blinds may be of natural or artificial material. It is unlawful to shoot from any sunken device or from any floating battery, electric, steam, gasoline, or other powered vessel in an attempt to take waterfowl. A motorboat, sailboat or other craft may be used to pick up dead or injured birds. Each watercraft must be provided with U.S. Coast Guard approved life preservers for all occupants.

- 5) **IDENTIFICATION:** One fully feathered wing or fully feathered head of all waterfowl, cranes, and mourning doves; and one leg and foot or the fully feathered head of pheasants, partridge, and grouse shall remain attached to the game during the transportation or shipment to the final place of storage.
- 6) **TRANSPORTATION-PROCESSING:** Each licensee shall accompany his or her own game during the transportation thereof, except when such game is shipped by common carrier in receipt of a proper bill of lading. **CONTACT GAME AND FISH OFFICE OR A TRIBAL RANGER FOR FURTHER INFORMATION.**
 - A) Any person, other than a licensed fur buyer, who ships or transports hides or furs shall tag each hide or fur with the name and address of the person having taken them and such person's general game or furbearer license numbers.
 - B) No one may possess, store, transport, or ship at any time, more than the possession limit for upland game or waterfowl.
- 7) **STORAGE LIMIT:** Members may possess, in a manner described in Section I of this Proclamation, a storage limit of not more than 12 sharp-tailed grouse, 12 male pheasant, or 9 Hungarian partridge.
- 8) **NON-MEMBER, NON-INDIAN SEASON LIMITS:** Non-member and non-Indian season limits shall be as follows: 12 sharp-tailed grouse, 12 male pheasants, or 9-Hungarian partridge. The storage limit for all other species shall be the "possession" limit.

Any game in a hunter's possession in the field or other place not aforementioned must be included in the total of any of the foregoing categories.

In addition, the non-member and non-Indian storage limit shall be this season limit of upland game during his final departure from the Reservation.

- 9) **LICENSES AND SPECIAL PERMITS:** Licenses and special permits shall be issued for each season in a manner and form prescribed by the Game and Fish Director and in accordance with the applicable law. Each hunting license shall be in the form of a stamp which must be endorsed in ink with the licensee's signature and affixed to the back of the licensee's general game license. The general game license must be purchased prior to the purchase of the stamps.

FEDERAL WATERFOWL STAMPS: No person 16 years of age or older shall hunt or kill any waterfowl without having in his possession a **Federal Waterfowl Stamp** for the current season. The stamp shall be validated by the hunter's signature written across the face in ink.

- 10) **HUNTER SAFETY EDUCATION REQUIREMENT:** Persons born after December 31, 1961 must complete the Hunter Safety-Education course, and present the certificate to the license vendor to purchase a hunting license. Certificates from the other Reservations, States and Canada are valid. Exemptions: Persons who hunt with bow only; persons under 12 years of age (those under 12 may hunt if they have appropriate license and are accompanied by parent or guardian).

Persons under 15 years of age afield with firearms must be accompanied by parent, guardian, or person authorized by parent or guardian.

Hunters or trappers of all ages are required to purchase licenses.

- 11) **GATE CLOSURE AND PROPERTY DAMAGE: NO PERSON SHALL LEAVE OPEN PREVIOUSLY CLOSED GATES OR BARS TO A FENCE ENCLOSING A FARM, FIELD, OR PASTURE WHILE IN THE PROCESS OF HUNTING OR RETRIEVING WILD GAME. NOR SHALL ANY PERSON DEFACE, MUTILATE, SHOOT AT, TEAR DOWN OR DESTROY ANY SIGN OR POSTED LAND.**

PLEASE OBTAIN PERMISSION TO HUNT EVEN IF THE LAND IS NOT POSTED.

****Any landowner who does not wish others to hunt on land owned by him or her shall post said land by placing signs every eighty (80) rods around unfenced land and on all access roads or gates to fenced land.**

- 12) **HUNTING NEAR RESIDENCES:** It is unlawful to hunt within 440 yards of any occupied buildings or residences without the owner's written consent. Any person caught within the 440-yard limit shall be prosecuted.
- 13) **HUNTING DOGS:** All hunting dogs must have current vaccinations for rabies before being brought on the Reservation. Proof of vaccination will be required.

- 14) **NON-GAME BIRDS:** It is unlawful to shoot non-game birds. All songbirds, hawks, owls, eagles, and other birds of prey or species not specifically having an open season are protected by Tribal and Federal law.
- 15) **AREA CLOSED TO HUNTING:** Federal properties such as refuges, sanctuaries, military installations, all parks and recreation areas or historic sites posted to trespassing and/or hunting are closed to hunting of all species. In addition, no person shall hunt in unharvested sunflowers without the owner's written consent.

SECTION 3. SMALL GAME SEASONS. For detailed information on the limits and seasons for small game please refer to the table below:

SPECIES	SEASONS	DAILY BAG	POSSESSION LIMIT
Sharptail Grouse	Sept. 4, 2004 -Dec. 26, 2004	3	12
Hungarian Partridge	Sept. 4, 2004 - Oct. 24, 2004	3	9
Pheasant (cocks only)	Oct. 2, 2004-Dec. 26, 2004	3	12
Mourning Dove	Sept. 4, 2004-Oct. 24, 2004	15	30
Sandhill Crane	Sept. 4, 2004-Sept. 26, 2004	1	ONE BIRD PER TAG/SEASON
Tree Squirrel	Sept. 4, 2004-Dec. 26, 2004	4	16
Wild Turkey	Oct. 2, 2004-Dec. 26, 2004	1	ONE BIRD PER TAG/SEASON
Crows (two seasons)	Aug. 7, 2004-Oct. 24, 2004 March 5, 2005-April 24, 2005	Unlimited	Unlimited
Rabbits & Hares	Sept. 4, 2004-Dec. 26, 2004	Unlimited	Unlimited

SPECIFIC SEASONS INFORMATION:

- 1) **SHARP-TAILED GROUSE** may be taken from SEPTEMBER 4, 2004 through December 26, 2004. The DAILY BAG LIMIT shall be 3 and the POSSESSION LIMIT 12. SHOOTING HOURS shall be sunrise to sunset.
- 2) **HUNGARIAN PARTRIDGE** may be taken from SEPTEMBER 4, 2004 through OCTOBER 24, 2004. The DAILY BAG LIMIT shall be 3 and the POSSESSION LIMIT shall be 9. SHOOTING HOURS shall be sunrise to sunset.

- 3) **PHEASANT (MALE PHEASANT ONLY)** may be taken from OCTOBER 2, 2004 through DECEMBER 26, 2004. The DAILY BAG LIMIT shall be 3 and the POSSESSION LIMIT shall be 12. Shooting hours shall be sunrise to sunset.
- 4) **MOURNING DOVES** may be taken from SEPTEMBER 4, 2004 through OCTOBER 24, 2004. The DAILY BAG LIMIT shall be 15 and the POSSESSION LIMIT shall be 30. Shooting hours shall be ½ hour before sunrise to sunset.
- 5) **SANDHILL CRANES** may be taken from SEPTEMBER 4, 2004 through SEPTEMBER 26, 2004. The POSSESSION LIMIT shall be 1. SHOOTING HOURS shall be ½ hour before sunrise to 2 p.m. CST.

IN ADDITION TO THE SMALL GAME LICENSE, A SPECIAL PERMIT IS REQUIRED TO HUNT CRANES. This permit may be obtained from the Game and Fish Office.

- 6) **TREE SQUIRRELS** may be taken from SEPTEMBER 4, 2004 through DECEMBER 26, 2004. The DAILY BAG LIMIT shall be 4 and the POSSESSION LIMIT 16. SHOOTING HOURS shall be sunrise to sunset. Tree squirrels may be taken with shotguns, rimfire, and muzzleloading firearms, or with bows and arrows, legal for the taking of upland game.
- 7) **WILD TURKEYS** may be taken from the South Segment (Twin Buttes Area) and the West Segment (Mandaree Area) of the Fort Berthold Reservation ONLY from OCTOBER 2, 2004 through DECEMBER 26, 2004. THE SEASON LIMIT will be ONE wild turkey, Tom (Male), PER PERMITTEE. SHOOTING HOURS are from ½ hour before sunrise to sunset.

25 PERMITS WILL BE AVAILABLE TO TRIBAL MEMBERS ON A FIRST COME FIRST SERVE BASIS THROUGH OCTOBER 2, 2004.

15 PERMITS WILL BE AVAILABLE TO NON-TRIBAL MEMBERS ON A FIRST COME FIRST SERVE BASIS THROUGH OCTOBER 2, 2004.

Applications will be available from the Game and Fish Office and Tribal Rangers.

- 8) **CROWS** may be taken from AUGUST 7, 2004 through OCTOBER 24, 2004 and from MARCH 5, 2005 through APRIL 24, 2005. There shall be no limit on the number of crows taken. SHOOTING HOURS shall be ½ hour before sunrise to sunset. In addition to the crow season, crows may be taken when committing or about to commit depredations as specified in Federal Law (50 CFR 21.43).
- 9) **RABBITS & HARES** may be taken from SEPTEMBER 4, 2004 through DECEMBER 26, 2004. There shall be no limit to the number taken. SHOOTING HOURS shall be sunrise to sunset.

A separate waterfowl hunting proclamation will be distributed in September, 2004.

NON-TOXIC (STEEL) SHOT REGULATIONS

Possession or use of shot other than steel is prohibited while hunting ducks, geese, coots, and sandhill cranes. **USE OF ONLY STEEL SHOT IS MANDATORY RESERVATION WIDE FOR THE 2004-05 WATERFOWL SEASON AS SET BY THE FEDERAL GOVERNMENT.**

SECTION 4. FURBEARER SEASON

SPECIES	SEASON	DAILY BAG
Coyote Hunting:	Sept. 1, 2004 to Sept. 1, 2005	Unlimited
Trapping:	Sept. 1, 2004 to Sept. 1, 2005	Unlimited
Mink, Weasel, and Muskrat Hunting: TRIBAL MEMBERS ONLY	Oct. 2, 2004 to March 13, 2005	Unlimited
Prairie Dog Hunting:	September 1, 2004 to September 1, 2005	Unlimited
Raccoon & Badger Hunting and Trapping:	Oct. 2, 2004 to March 13, 2005	5
Fox (Grey & Red) Hunting:	Sept. 1, 2004 to Sept. 1, 2005	Unlimited
Trapping:	Oct. 2, 2004 to March 13, 2005	
Beaver (TRIBAL MEMBERS ONLY)		
Hunting:	Oct. 2, 2004 to Jan. 30, 2005	15
Trapping:	Oct. 2, 2004 to Jan. 30, 2005	
Snaring:	Nov. 13, 2004 to Jan. 30, 2005	
Bobcat (Tribal Members Only) Hunting and Trapping:	Nov. 13, 2004 to Jan. 30,	1 PER SEASON

- 1) **FURBEARERS HUNTING AND TRAPPING RESTRICTIONS:** It is unlawful to trap on private land without the written permission of the owner or operator.

It is unlawful for non-members, non-Indians, or non-residents to take furbearers on the Fort Berthold Reservation without a non-member license.

- 2) **HUNTING HOURS:** The opening hour of the first day of all furbearer seasons is ½ hour before sunrise. After the first day of each season, trapping is legal at any hour. Hunting hours are for ½ hour before sunrise to sunset except for raccoon which may be taken at any hour with the aid of not more than a 2-cell flashlight with an aggregate of four volts. A red amber filter must be placed over the light except when taking a raccoon that is treed or at bay.
- 3) **LIMITS:** Unlimited numbers of any FURBEARER may be harvested if the Tribal Game and Fish has declared an unlimited daily bag limit on that species. **LIMITS ON FURBEARERS SPECIES ARE SPECIFIED ON THE PRECEDING TABLE.**

4) **FURBEARERS:**

A) **COYOTES** may be taken with firearms and dogs from **SEPTEMBER 1, 2004** through **SEPTEMBER 1, 2005**. Coyotes may be taken with traps from **SEPTEMBER 1, 2004** through **SEPTEMBER 1, 2005**. Coyotes may also be taken with snares from **NOVEMBER 13, 2004** through **APRIL 17, 2005**.

B) **MINK, WEASEL, AND MUSKRAT** may be taken with traps only, from **OCTOBER 2, 2004** through **MARCH 13, 2005**.

C) **PRAIRIE DOGS** may be taken with firearms from **SEPTEMBER 1, 2004** through **SEPTEMBER 1, 2005**. **Hunters who harvest black-tailed prairie dogs will be required to fill out a Harvest Informational Report in accordance with the TATFW Candidate Conservation Agreement with Assurances.**

D) **RACCOON** may be taken with firearms, bow and arrows and dogs from **OCTOBER 2, 2004** through **MARCH 13, 2005**. Raccoon may be taken with the aid of not more than a two-cell flashlight with an aggregate of four volts. A red or amber filter must be placed on any artificial light used in hunting of raccoon, except when treed or at bay. Legal guns for night hunting of raccoon shall be rifles or handguns firing a rimfire cartridge no larger than .22 caliber long rifle or a .410 gauge shotgun. Rifle slugs may not be used.

E) **BADGER** may be taken with traps, firearms, bow and arrows and dogs from **OCTOBER 2, 2004** through **MARCH 13, 2005**.

- F) **RED AND GREY FOX** may be taken with firearms and dogs from **SEPTEMBER 1, 2004** through **SEPTEMBER 1, 2005**. Traps may be used **OCTOBER 2, 2004** through **MARCH 13, 2005**.
- G) **BEAVER** may be taken with firearms and/or traps from **OCTOBER 2, 2004** through **JANUARY 30, 2005**. Snares may be used from **NOVEMBER 13, 2004** through **JANUARY 30, 2005**.
- H) **BOBCAT** may be taken with traps, firearms, and dogs south and west of the Missouri River from **NOVEMBER 13, 2004** through **JANUARY 30, 2005**. The bobcat season shall be closed north and east of the Missouri River. Bobcat pelts and carcasses must be presented to a tribal ranger or the Game and Fish Office for inspection and tagging prior to their sale or transfer of possession, but no later than fourteen days after the season has closed. The animal carcass must accompany the pelt when presented to the Game and Fish Office for tagging. No fur dealer shall purchase or possess an untagged bobcat.
- I) **LYNX, WOLVES, MOUNTAIN LION, AND SWIFT FOX:** The season on wolves (*Canis lupes*), swift fox (*Vulpes velox*), Mountain lion (*Felis concolor*), and lynx (*Lynx canadensis*) is **CLOSED**.

There have been recent sightings of Mountain Lion and Wolves on the Fort Berthold Indian Reservation. Please contact the Game and Fish Division if you encounter these species.

- 5) **SNARES:** It is unlawful to use snares in the taking of any animal except coyotes and underwater snares for beaver. Coyote Snaring: Use of snares for harvesting coyotes is legal everywhere within the Reservation boundaries except for state wildlife management areas and Federal waterfowl production areas or those areas so designated by tribal authority. **The following regulations also apply to the use of snares:**
- A metal or plastic tag must be attached to each snare. This tag must bear the trapper's name, address, and telephone number.
 - Written permission must be obtained from the landowner prior to placing or setting a snare.
 - Use of relaxed snares is permitted. One stop must be affixed to each snare on land that will prevent the snare from opening to a diameter greater than 12 inches.
 - Snares may not be placed prior to opening day nor shall they remain after the closing of the season.
 - No single strand snares are allowed; cable snares of 5/64" diameter or larger with a single thickness locking device no greater than 18 gauge or double thickness locking device no greater than 24 gauge are legal.
 - Cable snares of the 1/16" equipped with double thickness locking devices no greater than 26 gauge or single thickness locking devices no greater than 22 gauge are legal.

- The sliding hole on the locking device shall be no further than 3/16" from the edge of the locking device on three sides.
 - All snares must be affixed to an immovable object solidly attached to the ground. The use of drags is prohibited.
 - Snares cannot be set so that the bottom loop is higher than 12 inches off the ground; or when snow cover, more than 12 inches above the bottom of a person's footprint in the snow beneath the snare with the full body weight on the foot.
- 6) **TRAPS-REQUIRED IDENTIFICATION TAGGING:** A metal or plastic tag must be attached to every trap placed on Reservation lands. This tag must bear the trapper's name, address, and telephone number.
 - 7) **PROHIBITED TRAP SET:** Conibear type traps with an inside jaw spread greater than 8 inches and water sets with any other trap are prohibited unless the traps are set in 4 plus inches of water.
 - 8) **EXPOSED BAITS:** It is unlawful to place traps within 25 feet of any exposed bait. Exposed bait is defined as any bait weighing in excess of one pound, composed of animal flesh, fur, hide, entrails, or feathers placed in such a manner that it may be approached by free roaming animals of all types without restrictions.
 - 9) **HUNTER ORANGE REQUIREMENT: ANYONE HUNTING OR TRAPPING WILDLIFE DURING DEER GUN SEASON MUST WEAR HUNTER ORANGE WHEN AFIELD EXCEPT WHEN HUNTING WATERFOWL.**
 - 10) **VEHICLE RESTRICTIONS:** Aircraft may **NOT** be used to take coyotes, fox or any other furbearer. No person while operating a snowmobile, ATV, or other motorized vehicle in this Reservation, shall intentionally kill, chase, flush, or harass any wild animal whether of protected or limited-protection status.

HELP PREVENT PRAIRIE FIRES. BECAUSE OF THE EXTREMELY HIGH FIRE DANGER, IT IS UNLAWFUL TO HAVE AN OPEN FIRE, DRIVE VEHICLES OFF GRADED ROADWAYS OR SMOKE WHILE AFIELD. VIOLATORS WILL BE CITED. It is highly recommended that hunters carry fire-fighting equipment, i.e. flappers, water and shovels in their vehicles and be prepared to fight fires if necessary. If you should spot a fire, report it immediately to the nearest police station, fire department or Game and Fish Division.

SECTION 5. SCHEDULE OF FEES

SMALL GAME LICENSE (GROUSE, PARTRIDGE, PHEASANTS, SQUIRRELS, ETC.) NON-MEMBERS & NON-INDIANS MUST HAVE A SMALL GAME LICENSE, CONSERVATION PERMIT, AND AN UPLAND GAME HABITAT STAMP AND/OR A WATERFOWL HABITAT STAMP IN THEIR POSSESSION

**WHILE HUNTING ON TRUST LANDS WITHIN THE EXTERIOR
BOUNDARIES OF FORT BERTHOLD RESERVATION.**

MEMBERS:

SMALL GAME.....	\$ 6.00/person
TURKEY (MALES ONLY).....	\$ 5.00/person
FURBEARER.....	\$ 6.00/person
SMALL GAME/FURBEARERS COMBO.....	\$11.00/person
SENIORS LICENSE (55 YEARS & OLDER/DISABLED VETERAN).....	\$00.00/person

NON-MEMBERS:

CONSERVATION PERMIT.....	\$10.00/annual/person
7-DAY CONSERVATION PERMIT.....	\$ 5.00/person
SENIORS (65 YRS. & OLDER) CONSERVATION.....	\$4.00/annual/person
CONSERVATION PERMIT (DISABLED VETERAN).....	\$0.00/person

(For following fees, seniors subtract \$6.00, disabled veteran subtract \$10.00, but does not apply to Waterfowl Habitat or Furbearer permits.)

SMALL GAME/UPLAND HABITAT.....	\$75.00/person
WATERFOWL HABITAT.....	\$20.00/person
(Plus federal duck stamp)	
FURBEARERS.....	\$20.00/person
SMALL GAME/WATERFOWL COMBO.....	\$90.00/person
SPORTSMAN.....	\$120.00/person
(Small game/waterfowl/furbearer/annual conservation)	

WATERFOWL LICENSES (DUCKS, GEESE, ETC.)

Members must have a Tribal Small Game License and a Federal Duck Stamp.

Non-members must have a Tribal Small Game License, Tribal Conservation Permit, a Tribal Waterfowl Habitat Stamp and a Federal Duck Stamp.

All revenue from the sale of licenses is used for conservation management programs.

Revenue generated from the sales of stamps is utilized to acquire wildlife habitat and equipment needed for wildlife management.

NOTIFY THE FORT BERTHOLD GAME AND FISH DIVISION OF ANY VIOLATIONS: Call 627-4760 between the hours of 8:00 a.m. and 4:30 p.m. on Monday through Friday. After office hours or on the weekends, contact your local Tribal Ranger by calling the New Town Police Department at 627-3617 or 627-3314.

“All information is confidential.”

“A \$50.00 Reward is offered for information leading to a conviction for a Game and Fish Violation.”

Published under the authority of the Chapter 18 Game, Fish & Recreation Code of Laws of the Three Affiliated Tribes by the Natural Resources Department, Game and Fish Division, 404 Frontage Road, Phone (701) 627-4760, New Town, ND 58763.

**Three Affiliated Tribes
2004-2006
FISHING GUIDE
AND PROCLAMATION**

Fort Berthold Indian Reservation

**GAME AND FISH DIVISION
404 Frontage Road
New Town, North Dakota 58763**

Effective April 1, 2004 through March 31, 2006

SPECIAL INTEREST:

RE: FISHING PERMITS

TO THE ENROLLED MEMBERS OF THE THREE AFFILIATED TRIBES:

The Three Affiliated Tribes Tribal Business Council, members of the Natural Resources Committee, in conjunction with the Fish and Wildlife Division, Natural Resources Department, will authorize the following:

Members of the Three Affiliated Tribes who have attained the age of 55 years of age or older and members who are under the age of 16, will be given a **FREE FISHING PERMIT** to fish within the exterior boundaries of the Fort Berthold Reservation.

When requesting for your **FREE FISHING PERMIT**, the following information should be submitted, so the Fish and Wildlife Division can mail your Free Fishing Permit to you. This requested information is mandatory in order to properly fill out your permit.

NAME: First, Middle, and Last
DATE OF BIRTH:
ADDRESS: Street or Box Number
 City, State, Zip Code
COUNTY: I.E. McKenzie, Mountrail, and Dunn
SOCIAL SECURITY NUMBER:
AGE:
HEIGHT:
WEIGHT:
EYES: color
HAIR: color
PHONE: Number (s)

EXTERIOR BOUNDARIES OF THE FORT BERTHOLD INDIAN RESERVATION.

ANY PERSON NOT HAVING A TRIBAL CONSERVATION PERMIT OR TRIBAL FISHING LICENSE IN THEIR POSSESSION WHEN FISHING SHALL RECEIVE A CITATION.

1.2 Game Fish

Game Fish - are defined as northern pike, muskellunge (pure or hybrid, 30 inch minimum size), walleye, sauger, saugeye, trout (brown & rainbow), Chinook salmon, large and smallmouth bass, paddlefish, bluegill, burbot, channel catfish, crappie (black & white), rock bass, white bass, yellow perch, sturgeon (pallid & shovelnose), and zander.

1.3 Non-game and Bait Fish

Non-game and BaitFish - are defined as all species of fish not designated as game fish.

2. SEASONS

2.1 Definition

SEASONS

THE SEASONS SHALL BE OPEN TO THE TAKING OF FISH SPECIES FROM APRIL 1, 2004 TO MARCH 31, 2006. Except for special seasons for salmon snagging, smelt, and closed season for all sturgeon.

3.1 Description

1. The **daily creel limit** is defined as a limit of fish harvested or received from midnight to midnight. No person may possess more than one day's limit of fish while on the water actively engaging in fishing.

2. The **possession limit** shall be two times the daily creel limit. Except as specified in section 3.1-1 the daily creel and possession limit for the reservation shall be:

SPECIES	DAILY LIMIT	POSSESSION LIMIT
Northern Pike	3	6
Walleye, Sauger, or Saugeye (single species or combination)	5	10
Trout	3	6
Salmon	5	10
Largemouth Bass, Smallmouth Bass, or combination	5	10
Yellow Perch	35	175
Bluegill	35	175
Crappie	35	175
White Bass	No Limit	No Limit

Burbot	No Limit	No Limit
Rock Bass	No Limit	No Limit
Channel Catfish	No Limit	No Limit
Non-Game Fish	No Limit	No Limit

3.1-1 Exceptions to daily creel and possession limits, as defined in 3.1 (1) of this section, are as follows:

1. SPECIES	DAILY CREEL	POSSESSION
Muskellunge (pure or hybrid)	1	1
Paddlefish	season limit of 1	
Smelt	15 gallons	15 gallons
Fathead Minnow	12 dozen	12 dozen

3.1-2 It is illegal to take, possess or transport any of the following fish at any time on Fort Berthold Reservation or the State of North Dakota. They must be immediately released back into the water from which they were caught:

1. Pallid Sturgeon
2. Shovelnose Sturgeon
3. Grass carp (white amur)

3.1-3 Game fish may be given to another person, but the fish must be counted on donor's limit. Undersized game fish caught where there is a size limit must be returned to the water regardless of condition. They must be carefully handled to avoid maiming or death.

3.2 SIZE LIMITS

1. It shall be illegal to take muskellunge (pure and hybrid) less than 30 inches in total length.
2. It shall be illegal to remove more than the gills, entrails, and scales from fish that are subject to a size limit while on the water or actively engaged in fishing.

4. Description

FISHING LICENSE, BOATING LICENSE, AND CONSERVATION PERMITS

Tribal fishing licenses are required of Tribal members 16 (sixteen) years of age and older fishing anywhere within the Reservation. A husband/wife fishing license shall be issued allowing a husband/wife only to fish for a reduced rate. Such license shall be valid for the same period as other fishing licenses and each person shall receive a separate license. The husband and wife may each possess a limit of fish.

Any person holding a tribal conservation permit or tribal fishing license shall carry it on him/her while fishing. Upon the request or demand of the director, biologist, Tribal Warden, or Police Officer, he/she shall show the license or permit immediately to the

officer. Licenses and Conservation Permits are valid for one year. This proclamation shall be in effect from April 1, 2004 thru March 31, 2006.

All tribal members who own boats powered by any motor and use them within the Fort Berthold Reservation Boundary must possess a valid Tribal Boat Registration and License. All boats must have a Coast Guard approved life preserver for each occupant and those boats over 16 feet must in addition have an approved throwable life preserver. All boats operating between sunset and sunrise must display legal lights. For more information on boating regulations and safety, contact the Game and Fish Division.

5. SCHEDULE OF FEES

5.1 Members

SCHEDULE OF FEES:

MEMBERS:

Individual.....	\$5.00/person
Husband/wife.....	\$7.00/couple
55 and older.....	\$00.00
Under 16.....	\$00.00
Disabled Veteran (New Town office only).....	\$00.00

NON-MEMBERS: (STATE LICENSE ALSO REQUIRED).

Conservation Permit.....	\$10.00/person
7-Day Conservation Permit.....	\$5.00
Husband/wife.....	\$15.00/couple
65 and older.....	\$4.00
Under 16.....	\$00.00
Disabled Veteran (New Town office only).....	\$00.00

OTHER

Boats under 16 ft. and canoe.....	\$4.00
Boats 16 ft. and over.....	\$6.00
Fish House License.....	\$5.00/5 years
Retail Bait vendor (member).....	\$20.00
Commercial Fishing.....	Inquire at office.

6. MANNER OF TAKING FISH

6.1 Descriptions

A FISHERPERSON MUST REMAIN WITHIN 150 FEET OF HIS/HER FISHING EQUIPMENT AND MUST MANUALLY CHECK IT AT LEAST ONCE AN HOUR.

It is illegal to take fish with any spring lever, chemically, or mechanically actuated fishhook or spear. No person shall lay, set, or use any drug, poison, lime, medicated bait, dynamite, or other injurious substance whatsoever; or lay, stretch, or place any tip-up,

snare, trap, set-line, net wire, string, jug, rope, or cable of any sort on the waters of this reservation for the purpose of catching, taking, killing, or destroying any fish. Snagging of fish other than salmon is illegal (See special seasons). Tip-ups are legal for winter fishing (See Ice Fishing).

It is legal to fish with a hook and line, bow equipment, and spears only.

LEGAL HOOK AND LINE EQUIPMENT FOR EACH ANGLER SHALL CONSIST OF NOT MORE THAN TWO POLES, EACH EQUIPPED WITH ONE LINE TO WHICH IS ATTACHED NOT MORE THAN TWO HOOKS OR LURES PER PERSON.

IT IS LEGAL TO USE A MAXIMUM OF FOUR LINES FOR FISHING THROUGH THE ICE ON LAKE SAKAKAWEA.

Artificial lures are considered a single hook. Lures with trailer hooks and live bait harnesses are legal only when a single bait is attached. Hookless dodgers and attractors ahead of a lure or bait are legal.

BOW AND SPEAR FISHING is legal from **MAY 1 TO OCTOBER 31** from sunrise to sunset each day. **THE FOLLOWING FISH MAY NOT BE TAKEN** with bow or spears: game fish, paddlefish, catfish, and any sturgeon. Permissible bow equipment shall consist of any bow except a crossbow, to which is attached by a line, an arrow equipped with a harpoon style point or a point equipped with wire barbs.

LEGAL UNDERWATER SPEAR EQUIPMENT is a rubber band powered or pneumatic powered spear gun. The spear must be attached to the gun with a lanyard not to exceed 20 feet. Underwater spear fishing is illegal within 150 yards of any designated swimming area, water ski area, boat dock or spillway. An international Diver's Flag must be properly displayed on a float or buoy any diving or spear fishing activity. The flag must be at least 12 (twelve) inches square. The color must be a red background with a white diagonal stripe one-fifth (1/5) of the width of the flag. **BOAT FISHERMAN MUST BE ABLE TO RECOGNIZE THIS FLAG AND EXERCISE DUE CAUTION IN THE AREA!** It shall be unlawful to display this flag when diving or spear fishing is not in the progress. The display of this flag does not restrict use of the area by others but implies the use of caution must be exercised in the vicinity.

The following may not be taken by underwater spear fishing: large or smallmouthed bass, muskellunge, paddlefish, and sturgeon. The season for underwater spear fishing shall be legal only from **MAY 1 THROUGH OCTOBER 31** and is legal from sunrise to sunset.

IT IS ILLEGAL TO DEPOSIT ANY FISH AND FISH PARTS taken by angling, spearing or bowfishing on the ice or shore of, or in, any lake, reservoir, marsh or stream within the Reservation.

It is legal to return fish to the water after being caught on a hook and line. If a fish is returned to the water it must be done immediately after catching, not after being placed on a stringer, in a bucket, basket or live well or other device. Fish returned must show no evidence of bleeding and be carefully placed back into the water.

Any dressed fish transported, if frozen, must be packaged individually. Two filets will count as one fish.

Any fish retained and given to another person shall be counted in the creel and possession limit of the person catching the same.

7. LIVE BAIT

7.1 Description

LIVE BAIT

It shall be illegal to release any minnows or other live bait into waters other than those from which they originated. It shall be illegal to sell or possess with intent to sell as bait, any carp, bullhead, goldeye, golden shiner, carpsucker, goldfish, catfish, game fish, perch, or parts thereof for bait at any time. **ALL FISH OF THE MINNOW FAMILY (except carp and goldfish), ALL FISH FROM THE SUCKER FAMILY (except buffalo fish, whitesucker, and carpsucker), ALL FISH FROM THE STICKLEBACK FAMILY, FROGS, DEAD SMELT, COMMERCIALY PREPARED BAIT, LEECHES, NIGHTCRAWLERS, PERCH EYES AND SALMON EGGS MAY BE USED AS LEGAL BAIT.**

A licensed fisherperson may take minnows by use of one minnow trap and/or dip net. Dip nets may not exceed twenty-four (24) inches in diameter or thirty-six (36) inches in length. Except as provided for the taking of minnows, dip nets may only be used as an aid in landing fish, which have been legally taken by hook and line. A fisherperson may not use more than one minnow trap and such trap may not exceed twelve (12) inches in diameter and thirty (30) inches in length with a throat or mouth opening not to exceed 1 1/4 inches. Each licensed fisherperson may possess up to 12 dozen minnows; numbers exceeding this requires a bait vendors license.

8. ICE FISHING

8.1 Description

ICE FISHING

All members of the Three Affiliated Tribes are required to purchase a tribal fish house license and have the license number and the owner's name permanently marked on the outside of the fish house before the fish house is placed on the ice. Fish house licenses are for a five-year period beginning December 1. Fishing holes outside a fish house may be placed no closer than 10 feet from a given house. No holes shall be greater than 12 inches in diameter at the surface. Fish houses shall be removed from all waters of the Reservation by Midnight **MARCH 5, of each year.** It shall be illegal to leave fish houses on tribally owned land later than **April 1, of each year.** Tip-ups are legal for ice fishing only.

9. OTHER INFORMATION

9.1 Miscellaneous

WHILE TRAVELING TO OR FROM A BOATING SITE, NO PERSON SHALL TRESPASS ON POSTED LAND UNLESS HE/SHE HAS OBTAINED

WRITTEN PERMISSION FROM THE LANDOWNER TO DO SO. ANY PERSON VIOLATING THIS SECTION WILL BE PROSECUTED VIGOROUSLY AND MAY BY REQUIRED BY THE CONVICTING COURT TO PAY FOR ALL DAMAGES RESULTING FROM SUCH PROSECUTION.

THE DEPOSIT OF LITTER, REFUSE, RUBBISH, BOTTLES, CANS, OR ANY OTHER WASTE MATERIALS ON OR IN THE VICINITY OF ANY GAME REFUGE, LAKE, RIVER, PUBLIC PARK, RECREATION AREA, OR ANY AREA OTHER THAN A GARBAGE RECEPTACLE OR DUMP IS UNLAWFUL.

TRANSPORTING LIVE FISH OR FISH EGGS INTO OR OUT OF THE RESERVATION, AND STOCKING OF ANY LIVE FISH OR FISH EGGS INTO ANY WATERS OF THE RESERVATION THEREOF, SHALL BE ILLEGAL WITHOUT PROPER DOCUMENTATION.

10. Commercial Fishing

Commercial fishing consists of activities where a special permit or license is required rather than a regular fishing license. No person may harvest any fish or aquatic species for the purpose of sale except as provided in this section.

This section applies to enrolled members of the Three Affiliated Tribes ONLY. All other persons interested in commercial fishing must contact the North Dakota Game and Fish Department.

10.1. Species

Species of fish eligible for commercial fishing are:

1. Species of fish not designated as Game Fish as stated in section 1; and
2. Channel catfish in Lake Sakakawea and its tributaries.

10.2 Manner of Taking Fish

Seines, hoop nets, and setlines shall be the only legal equipment used in commercial fishing, with the following limitations:

Lake Sakakawea and its tributaries south and east of the Four Bears Bridge to the southeastern boundary of the Reservation (with seines and hoop nets only), and the portion of the Little Missouri River, east of Lost Bridge (with set lines only).

The mesh size of legally licensed seines for commercial fishing shall not be less than 1 1/2 inches square or more than 3 inches square. Tags furnished with the license must be attached to the equipment at all times.

10.3 Season for Commercial Harvest

The open season for commercial fishing shall be from May 15 through November 30. The season shall be closed from December 1 through May 14.

The open season for harvest of minnows by licensed bait dealers shall be from April 1 through March 31.

The commercial harvest of clams or mussels shall be illegal.

The commercial harvest of leeches by licensed bait dealers shall be from April 1 through November 30.

Contact the Game and Fish Division before harvesting any aquatic species from the following areas:

- 1. Wildlife Management Areas located on the Reservation.**
- 2. The State Special Fish Management Area (Parshall Mine Pond).**

PLEASE NOTIFY THE FORT BERTHOLD GAME AND FISH DIVISION OF ANY VIOLATIONS. CALL 627-4760 BETWEEN 8 AM AND 5 PM MONDAY THRU FRIDAY. After business hours contact your local Tribal Warden or the New Town Police Department at 627-3617 or 627-3314 and the message will be delivered to the Game and Fish Division.

The Game and Fish Division pays a reward to anyone providing information on a Game and Fish violation that leads to a conviction of the violator. Please call the numbers listed above. Callers may remain anonymous.