

2010 ELK, MOOSE AND BIGHORN SHEEP PROCLAMATION

Note: This document amended Aug. 6, 2010. Blue text on pages 2 and 10 indicates new wording; struck-through text is original. See pages 17-19 for actual text of amendment.

Pursuant to North Dakota law and the recommendation of the Game and Fish Director, I hereby declare an open season for the issuance of 561 elk, plus additional landowner licenses for elk unit E4, 173 moose licenses, and 6 bighorn sheep licenses. Except as provided hereinafter or otherwise by law, no person shall hunt, kill, take, possess, or so attempt to hunt, kill, take, transport or possess any elk, moose, or bighorn sheep or parts thereof.

DEFINITIONS. As hereinafter used, unless the content or subject matter otherwise requires: “Game” shall include any of those species of big game, small game, or furbearers as defined in section 20.1-01-02 of the North Dakota Century Code. “Edible flesh” (big game animals) shall be both front quarters, both hind quarters, and back straps but does not include meat ruined by bullet or natural causes. “Common Carriers” are shipping companies, commercial meat processors and taxidermists. “Processed and Packaged Meat” is meat which has been cut/ground and wrapped. It is not quartered or boned out pieces of meat.

1. SEASON DATES, TIMES, OPEN AREAS:

HOURS OF HUNTING are one-half (½) hour before sunrise to one-half (½) hour after sunset.

SEASON	UNITS	OPENS	CLOSES	RESTRICTIONS
<i>Elk Bow Season</i> <i>(Experimental)</i>	E1, E2	Sept. 3	Sept. 26	Restricted to bows only during this time period. Restricted to unit and type of elk as designated on license. All license holders are allowed to hunt during all open E1 or E2 seasons with appropriate legal archery equipment or firearms. Orange clothing is required when hunting during seasons open to firearms.
<i>Elk Regular Season</i>	E1	Oct. 1 Nov. 26	Oct. 31 Dec. 12	Restricted to unit and type of elk as designated on license. All license holders are allowed to hunt during all open E1 or E2 seasons with appropriate legal archery equipment or firearms.
	E2	Oct. 1	Dec. 31	(Note: E1 restriction to antlerless elk only in Nov. 26 to Dec. 12 portion). Orange clothing required.

SEASON	UNITS	OPENS	CLOSES	RESTRICTIONS
<i>Antlerless Elk Season</i>	E3, E4	Sept. 3	Dec. 31 Jan. 21	Note: After Sept. 5, E3, E4 lottery license holders may hunt in either unit.
	E2	Aug. 13	Sept. 30	Only private lands determined by the Director to be severely impacted by elk are to be open after other measures have been attempted and determined to be ineffective. The Director may authorize individuals with valid E2 antlerless elk licenses to participate.
<i>Any Elk September Season</i>	E3, E4	Sept. 3	Sept. 30	Note: After Sept. 5, E3, E4 lottery license holders may hunt in either unit. Landowner preference license holders may only hunt in their unit. Orange clothing required.
<i>Any Elk October Season</i>	E3, E4	Oct. 1	Oct. 31	Note: After Oct. 3, E3, E4 lottery license holders may hunt in either unit. Landowner preference license holders may only hunt in their unit. Orange clothing required.
<i>Any Elk Extended Season</i>	E3, E4	Nov. 5	Dec. 31 Jan. 21	For both September and October Season Any license holders in either unit. Landowner preference license holders may only hunt in their unit. Orange clothing required. Restricted to antlerless elk only from Jan. 1 to Jan 21.
<i>Elk Regular Season</i>	E5	Sept. 3	Dec. 31	Open to all lottery license holders from all units. Hunters may only take the type of elk on their license. Orange clothing required.

SEASON	UNITS	OPENS	CLOSES	RESTRICTIONS
<i>Moose Bow Season (Experimental)</i>	M4, M5, M6, M8, M9, M10, M11	Sept. 3	Sept. 26	Restricted to unit and type of moose as designated on license. All license holders are allowed to hunt during all open moose seasons with appropriate legal archery equipment or firearms. Orange clothing is required when hunting during an open firearm season.
<i>Moose Regular Season</i>	M4, M8, M9, M10, M11	Oct. 1	Oct. 24	Restricted to unit and type of moose as designated on license. All license holders are allowed to hunt during all open moose seasons with appropriate legal archery equipment or firearms. Orange clothing required when hunting during an open firearm season.
	M5, M6	Nov. 19	Dec. 12	
<i>Bighorn Sheep Bow Only</i>	B1, B2, B3, B4	Oct. 15	Nov. 4	Restricted to male bighorn sheep. Restricted to unit designated on license. Restricted to bows only. Orange clothing required during regular bighorn season. (See Section 12)
<i>Bighorn Sheep Regular Season</i>	B1, B2, B3, B4	Oct. 22	Nov. 4	Restricted to male bighorn sheep. Restricted to unit designated on license. Any legal weapon. Orange clothing required. (See Section 12)

2. ELIGIBILITY.

One elk license shall be raffled to a North Dakota resident or nonresident according to Section 20.1-08-04.6 of the North Dakota Century Code and as authorized by this Governor's Proclamation. The recipient of this raffle permit shall not be eligible to ever again receive another raffle permit (N.D.C.C. 20.1-08-04.6) for elk in North Dakota, however, he/she is eligible to enter the regular lottery for an elk license under Section 20.1-03-11 of the North Dakota Century Code providing that he/she has not received one of these licenses previously. This license is valid for any open unit and any elk regardless of age or sex.

One moose license shall be raffled to a North Dakota resident or nonresident according to Section 20.1-08-04.2 of the North Dakota Century Code and as authorized by this Governor's Proclamation. The recipient of this raffle permit shall not be eligible to ever again receive another raffle permit (N.D.C.C. 20.1-08-04.2) for moose in North Dakota, however, he/she is eligible to enter the regular lottery for a moose license under Section 20.1-03-11 of the North Dakota Century Code providing that he/she has not received one of these licenses previously. This license is valid for any open unit and any moose regardless of age or sex.

One bighorn sheep license shall be auctioned to the highest bidder in accordance with Section 20.1-08-04.1 of the North Dakota Century Code. The bid guidelines shall be set forth by the Minnesota-Wisconsin Chapter of the Foundation for North American Wild Sheep. Both residents and nonresidents shall be eligible to bid even if they have been successful bidders in previous years or successful lottery licensees. The successful bidder for the 2010 bighorn sheep license as well as previously successful bidders shall not be eligible to apply for a bighorn sheep lottery license in North Dakota. This license is valid for any open unit and for a male bighorn only.

Who May Apply (Elk and Moose)--Only North Dakota residents shall be eligible. A person may apply for a license to hunt either or both species (elk and/or moose); however, they may not apply for a species (elk and/or moose) for which they have received a license in previous years.

Who May Apply (Bighorn Sheep)--Both residents and nonresidents shall be eligible to apply for one of the five bighorn sheep licenses which will be issued by lottery. No more than one license may be issued to a nonresident in accordance with N.D.C.C. 20.1-08-04.1.

3. LICENSES.

All licenses shall be issued by a lottery procedure determined by the game and fish director and must be signed in ink. The deadline for submitting lottery applications to the Game and Fish Department's Bismarck office is March 17, 2010. Because of sometimes delayed postmarking procedures, applications postmarked March 17 or 18 and earlier will be accepted. A person may submit only one application per species. A \$3 nonrefundable application fee in the form of a personal check, certified check, or money order must accompany each resident application. Applicants issuing an insufficient funds check, which the collection agency is unable to collect, will be ineligible to apply for either of the species for the 2011 and 2012 seasons. (NOTE: Fee for nonresident sheep applicants is \$100.00). Licenses are non-transferable. No person may give, barter, or sell an issued license to another person. If elk licenses remain after the lottery, the Department may issue these on a first come-first served basis to any eligible person.

Moose and Elk (E1 and E2) Seasons (*Experimental*)--All moose and elk E1 and E2 license holders will get the option to hunt during the Bow Season (using legal archery equipment only) and during the Regular Season (using any legal archery equipment or firearms) but hunters are still restricted to the unit and type of moose or elk as designated on the license.

Bow Only Option (Bighorn Sheep)--When applying, an applicant may declare a "bow only" option for bighorn sheep. Declaring the "bow only" option for bighorn sheep allows for a week extension of the season, however, all hunters falling under the bow only option are restricted to hunting with a bow only for the entire season. Available licenses will not be designated between regular or bow only. Choosing the "bow only" option for bighorn sheep will have no bearing on whether you will be drawn or not. Applicants will be selected through a random lottery drawing and licenses will be issued based on choices appearing on the application.

Persons declaring on their application and issued the "bow only" option license for bighorn sheep may not use or have in their possession any firearm while hunting, except handguns. However, handguns may not be used in any manner to assist in the harvest of a bighorn sheep on a "bow only" license.

Landowner Preference License for Elk--Persons who own, or lease for agricultural purposes and actively farm or ranch, a minimum of 160 acres of land in the following areas shall be eligible to apply for one of 10 licenses in Unit E1, one of 13 licenses in Unit E2, or one of 42 licenses in Unit E3. These licenses are issued only through the Department's Bismarck office and are subtracted from the maximum number of elk licenses available for Unit E1, E2 and E3. Preferential licenses are valid for either sex, regardless of age, except in Unit E1 where only antlerless elk may be taken during the November 26-December 12 time frame. Preferential licenses for E1 and E2 may be used until filled, in both bow and gun season subject to the rules of the season.

Landowner preference licenses for Unit E4 will be issued in accordance with exemptions provided under N.D.C.C. 20.1-03-11.7. Landowner preference licenses in E4 are valid for the September, October and Extended seasons. These exemptions include:

- Not restricted to 15 percent of total licenses.
- Not restricted to once-in-a-lifetime.
- No more than 1 license may be issued on all parcels of land owned by any landowner even if the amount of land is in excess of 160 acres of land.
- Recipients of landowner preference licenses for elk in Units E3 and E4 may use this license to harvest an elk causing depredation in either Unit E3 or E4 from 1 May 2010 through 31 July 2010. The following conditions apply to harvest of elk during this time period-
 - A landowner preferential elk license for either Unit E3 or E4 is required.
 - Elk may be taken in Units E3 and E4 with landowner preferential license from 1 May 2010 through 31 July 2010.
 - Landowners and other preferential license holders who intend to harvest depredating elk must notify the Department 24 hours prior to harvesting an animal and must notify the Department within 24 hours after harvesting an animal to verify the kill.

Qualifying Areas

E1

Pembina County

T.161 N. R.56 W. Sec. 1-4 & 9-11

T.162 N. R.55 W. Sec. 30 & 31

T.162 N. R.56 W. All except Sec. 1-9,
17-20, 30, 31

Cavalier County

T.160 N. R.57 W. Sec. 1, 2, 3, 4, 10, 11, 12

T.161 N. R.57 W. Sec. 2, 3, 4, 9, 10, 11, 12, 13
14, 15, 16, 22, 23, 24, 25, 26, 27, 34, 35, 36

T.162 N. R.57 W. Sec. 3, 4, 5, 6, 7, 8, 9, 10, 15,
16, 17, 18, 19 E ½, 20, 21, 22, 26, 27, 28, 29,
30 E ½, 33, 34, 35

T.163 N. R.57 W. Sec. 31, 32, 33, and south and
west of the Pembina River in Sec. 30.

T.163 N. R.58 W. Sec. 9, 15, 16, 21, 22, 23, 25,
26, 27, 28, and south and west of the
Pembina River in Sec. 4, 10, 14, 24

E2

Dunn County

T.148 N. R.96 W., T.148 N. R.97 W.
 T.147 N. R.96 W., T.147 N. R.97 W.
 T.147 N. R.95 W. N & W of Hwy 22
 T.146 N. R.96 W.
 T.146 N. R.97 W.

McKenzie County

T.146 N. R.98 W.
 T.146 N. R.99 W. Sec. 3 NW ¼
 T.147 N. R.98 W. Sec. 31 NW ¼
 T.148 N. R.98 W.
 T.149 N. R.95 W.
 T.149 N. R.96 W.
 T.149 N. R.97 W.
 East ½ of T.149 N. R.98 W.
 plus Sec.28, 29, 32, 33
 South ½ of T.150 N. R.95 W.
 South ½ of T.150 N. R.96 W.
 South ½ of T.150 N. R.97 W.

E3

Golden Valley County

T.136 N. R.105 W. Sec. 25 SE ¼
 T.141 N. R.104 W. Sec. 11 SE ¼
 T.142 N. R.103 W.
 T.143 N. R.104 W.
 T.144 N. R.103 W.
 T.144 N. R.104 W.

Slope County

T.133 N. R.104 W. Sec. 1 NE ¼
 T.136 N. R.101 W. Sec. 4 NW ¼
 T.136 N. R.103 W. Sec. 9 NW¼, 15 NW¼,
 17 NW ¼, 19 NW ¼, 30 NW ¼

Billings County

T.137 N. R.100 W. Sec. 7, 8 SE ¼, 28 SE ¼, 20 SW ¼
 T.137 N. R.101 W. Sec. 26, 30 NW¼, 32 NE¼
 T.137 N. R.102 W. Sec. 4
 T.138 N. R.101 W. Sec. 8 SE ¼, 34
 T.138 N. R.102 W. Sec. 3 SE ¼, 19, 29 NW ¼
 T.139 N. R.100 W. Sec. 1
 T.139 N. R.102 W. Sec. 15 W ½, 31 NW ¼
 T.140 N. R.100 W. Sec. 1-17, 28 N ½
 T.140 N. R.102 W. Sec. 33 S ½
 T.141 N. R.99 W. Sec. 21 SE ¼, 30 W ½, 31 N ½,
 32 NE ¼
 T.141 N. R.100 W. Sec. 1-18, 20-29, 32-36
 T.142 N. R.100 W. Sec. 3-10, 15-22, 27-34

Billings County (Cont.)

T.142 N. R.101 W. Sec. 1-24
 T.142 N. R.102 W. Sec. 1-18
 T.143 N. R.99 W. Sec. 7 W ½, 19
 T.143 N. R.100 W. Sec. 4, 10 NW¼, 14 N ½,
 17 E ½, 31-34
 T.143 N. R.101 W. Sec. 8 SE ¼, 21 NW ¼,
 33 W ½
 T.143 N. R.102 W. Sec. 7 NE ¼, 16, 36 NE ¼
 T.144 N. R.100 W. Sec. 13 SE ¼, 17 SW ¼,
 35 NW ¼
 T.144 N. R.101 W. Sec. 31 NE ¼
 T.144 N. R.102 W. Sec. 5, 8, 17, 29

E4

Billings County

T.140 N. R.102 W. Sec. 6
 T.141 N. R.100 W. Sec. 30
 T.141 N. R.101 W. Sec. 2, 3, 6, 20, 24
 T.141 N. R.102 W. Sec. 17, 32
 T.142 N. R.101 W. Sec. 31
 T.142 N. R.102 W. Sec. 19, 23, 25

Golden Valley County

T.137 N. R. 103 W. Sec. 2 SW ¼
 T.140 N. R.103 W. Sec. 2, 4
 T.141 N. R.103 W. Sec. 26

Landowner Preference License for Moose--Persons who own, or lease for agricultural purposes and actively farm or ranch, a minimum of 160 acres of land in the following units are eligible to apply for one of the preferential moose licenses to hunt only upon qualifying lands described on their application. These licenses are issued only through the Department's Bismarck office in accordance with North Dakota Century Code 20.1-03-11. Preferential licenses are valid for either sex, regardless of age. In accordance with N.D.C.C. 20.1-03-11.8 landowner licenses in Unit M4 will be issued to individuals with qualifying land within a restricted area within Unit M4. Individuals that receive a license under this provision must pay the \$20.00 big game license fee except if under age 16 the fee is \$10.00. In addition individuals receiving a landowner preference license may hunt the entire hunting Unit M4. A successful applicant from this restricted area may not return an unused license to regain eligibility for a license to hunt moose in future years.

*Qualifying Areas for M4*Bottineau County

Township
 Dalen North - All except Sec. 30, 31
 Dalen South - All except Sec. 6, 7, 16-21 & 28-36
 Roland - All
 Homen - All
 Whitteron - Only Sec. 1-6
 Cordelia - All except Sec. 31-36

Rolette County

Township
 Willow Lake - All
 Gilbert - Sec. 3-10, 15-22, 27-30
 Baxter - Only N. Sec. 28-33, Sec. 4-9
 Holmes - All except S. Sec. 33-36
 Hutchinson - All except S. Sec. 13-36

Landowner Preference Licenses Available for Moose

<u>Unit</u>	<u>Number Available</u>
M4	1
M5	0
M6	2
M8	3
M9	4
M10	10
M11	3

Any person who receives a lottery license or a landowner preference license shall not be eligible to apply for that species again in either the regular lottery or for landowner preference licenses for the same species, except under the exemptions provided for certain landowner preferential licenses.

4. WEAPONS.

Nonlicensees--No elk, moose, or bighorn sheep licensee hunting in the field during the elk, moose, or bighorn sheep season may be accompanied by a nonlicensee carrying the same type of weapon as the licensee. For the purpose of this section "type of weapon" means one of the following: a) centerfire rifles, b) handguns, c) muzzleloading weapons, d) archery equipment, or e) shotguns. A nonlicensee is a person not having an elk, moose, or bighorn sheep license for the same season and unit as the person with the license.

Legal Firearms (Elk and Moose)--Centerfire rifles of .25 caliber or larger are legal for elk and moose. Centerfire rifles of .50 caliber or larger using smokeless powder are prohibited. Muzzleloading rifles or single shot muzzleloader pistols of .50 caliber or larger are legal for both species. Rifles must have a minimum barrel length of 16 inches. Rifled slugs of 20 gauge or larger are legal for shotguns. Minimum barrel length of shotguns is 18 inches. Handgun (pistol, revolver, or single shot) cartridge cases under .40 caliber must be at least 1.285 inches in length and bullets must be at least .257 inches in diameter. Handgun cartridge cases of .40 caliber or larger must be at least .992 inches in length. Fully automatic weapons, full metal jacketed bullets which are nonexpanding, as well as altered projectiles are prohibited.

Legal Firearms (Bighorn Sheep)--Centerfire rifles of .243/6mm caliber or larger are legal for bighorn sheep. Centerfire rifles of .50 caliber or larger using smokeless powder are prohibited. Muzzleloading rifles or single shot muzzleloader pistols of .50 caliber or larger are legal. Rifles must have a minimum barrel length of 16 inches. Rifled slugs of 20 gauge or larger are legal for shotguns. Minimum barrel length of shotguns is 18 inches. Handgun (pistol, revolver, or single shot) cartridge cases under .40 caliber must be at least 1.285 inches in length and bullets must be at least .257 inches in diameter. Handgun cartridge cases of .40 caliber or larger must be at least .992 inches in length. Fully automatic weapons, full metal jacketed bullets which are nonexpanding, as well as altered projectiles are prohibited.

Legal Archery Equipment--A bow must be pulled, held, and released by hand. Any release aid may be used providing it is hand operated, the shooter supports the draw weight of the bow, and the release is not attached to any part of the bow other than the bowstring. The bows used for hunting bighorn sheep, moose, and elk must have at least 50 pounds of draw at 28 inches or less draw length. Arrows must be at least 24 inches long, tipped with a metal broadhead, with at least two sharp cutting edges, and have a cutting diameter of at least 3/4 inch (i.e., not able to pass through a 3/4 inch ring.) Broadheads used for hunting bighorn, moose, and elk must be unbarbed and have fixed blades (i.e., broadheads with mechanical, or retractable blades manufactured to stay open are illegal). Telescopic sights, range finding devices, battery-powered or electronically lighted sights or other electronic devices attached to the bow, or the arrow, are not permitted. Handheld range finding devices are legal. Arrows capable of causing damage or injury to the animal in excess of that inflicted by the cutting edges of the broadhead, are prohibited while hunting big game with a bow (e.g., explosive arrow points, arrows tipped with drugs or chemicals, and pneumatic or hydraulic shafts are illegal). No firearms, except handguns, may be in the hunter's possession while

hunting big game with a bow license. However, handguns may not be used in any manner to assist in the harvest of a big game animal on an archery license. Crossbows are not legal, except with a permit from the North Dakota Game and Fish Department Director. When permitted, crossbows must: a) have a peak draw weight of at least 75 pounds and not more than 200 pounds, b) be equipped with a working safety to prevent accidental firing, c) have a stock at least 14 inches long, d) use arrows or bolts at least 14 inches in length, e) battery-powered and electronic-lighted sight pins and telescopic sights not exceeding a maximum power of four by thirty-two millimeters may be attached to crossbows used for hunting, and f) crossbow hunters must comply with all other archery equipment regulations listed above.

Other Weapons Restrictions--Firearms must be unloaded and encased within the boundaries of any national park.

American's with Disabilities--The Director may make reasonable accommodations to comply with the American's with Disabilities Act.

5. AIRCRAFT, MOTOR-DRIVEN VEHICLES, AND LIGHTS.

- * It shall be illegal to use an aircraft for spotting game 72 hours prior to and during the hunting season. A licensee cannot hunt the same day they are airborne over their hunting unit with the exception of their scheduled passenger airline flight. It is illegal to drive, concentrate, rally, raise, stir-up, spot, or disturb game with aircraft.
- * Motor-driven vehicles may not be used to pursue game.
- * It is illegal to shoot with bow and arrow or firearm while in or on a motor-driven vehicle.
- * It is illegal to carry a firearm in or on a motor-driven vehicle with a cartridge in the chamber. The entire cylinder of a revolver is considered the chamber, requiring the revolver to be completely unloaded. It is illegal to carry any muzzleloading firearm in or on a motor-driven vehicle with a percussion cap or primer on the nipple or powder in the flash pan.
- * No person may use a motor-driven vehicle in the process of hunting big game or aid another in the process of hunting big game unless the motor-driven vehicle is on an established trail.
- * No person may use motor-driven vehicles on North Dakota Game and Fish Department Conservation PLOTS (**P**riate **L**and **O**pen **T**o **S**portsmen) property without permission from the landowner. These areas have been entrusted to the public for walking access through written agreements by private landowners. The boundaries of these properties are delineated in the North Dakota Game and Fish Department's annual PLOTS Guide and on-site by large yellow triangular signs.
- * It shall be illegal to engage in shining for big game with any artificial light for the purpose of locating or observing big game between sunset of one day and sunrise of the next.
- * Use of night vision equipment or electronically enhanced light gathering optics for locating or hunting big game is prohibited.

6. BAG LIMITS.

ELK. One elk restricted to type of elk described on license. Type of elk includes either antlerless or any elk (antlerless or antlered*).

MOOSE. One moose restricted to type of moose described on license. Type of moose includes either antlerless, antlered* or any moose (antlerless or antlered*).

* All elk or moose with at least one visible antler are considered antlered.

BIGHORN SHEEP. One male bighorn sheep.

7. TAGGING REQUIREMENTS.

Immediately after an animal has been killed, the hunter must indicate the date of kill by cutting out the appropriate month and day from the tag provided with the license and securely attach it to the antler on an antlered animal or in a slit in the ear on antlerless to prevent its removal. The tag, placed immediately upon the antler or slit in ear, shall remain with the antlers or head until March 31, 2011. After the antlers, head, or hide have been removed from the carcass, the carcass tag shall remain with the carcass or processed meat until consumed or until March 31, 2011.

In no case is it legal to possess or transport an elk, moose, or bighorn sheep unless it is properly tagged. The tag must remain with the carcass until it is cut up and packaged as food. The tag must be kept for inspection until all meat is consumed. No person may reuse or attempt to reuse any tag issued. Tags are non-transferable. Anyone who harvests a bighorn sheep in North Dakota must have them plugged by North Dakota Game and Fish Department personnel. Any person who violates this requirement may be convicted of a noncriminal offense and a \$250 fee.

When any part of an animal is mounted, if the tag is removed from the antlers or ear, the tag must be securely fastened to the back or bottom of the mount and remain there.

Mandatory Elk Harvest Reporting. Elk lottery license holders in Units E3 and E4 are required to provide hunter harvest information no later than February 4 16, 2011. Failure to do so will result in loss of eligibility for all lottery licenses in 2011.

8. TRANSPORTATION AND STORAGE.

License holders must accompany their game animal, or parts thereof, (excluding hide) during transportation, unless a permit for the transportation of game is issued by the Department upon request. Game may be shipped by common carrier in receipt of proper bill of lading. An elk, moose, or bighorn sheep carcass must be accompanied by the head to the final place of storage. No resident of the state may ship big game or parts thereof (other than hides) out of state without a permit from the Department. It is illegal to possess or transport another's game animal, or parts thereof, (excluding hide) without the license holder accompanying or as otherwise permitted. Processed and packaged meat of legally taken game may

be gifted to another. Unprocessed, unpackaged game meat may be gifted as follows: 1) Prior to reaching the licensee's personal residence a transportation permit must be obtained and accompany the game meat. 2) After reaching the licensee's personal residence if accompanied by the name and address of the licensee.

Commercial processors and common carriers may possess any person's legally taken possession limit of game.

9. AREAS CLOSED TO HUNTING.

Federal or state properties such as refuges, sanctuaries, military installations, parks, or historic sites posted to trespassing or hunting are closed to hunting.

In accordance with N.D.C.C. 20.1-08-04.9, nonresidents shall be prohibited from hunting from October 9 through October 15, 2010 on Game and Fish Department wildlife management areas or Conservation PLOTS (Private Land Open To Sportsmen) areas.

10. HUNTING IN UNHARVESTED CROPS.

It is illegal to hunt in unharvested cereal and oilseed crops without the owner's consent. Crops also include alfalfa, clover, and other grasses grown for seed.

11. BAITING RESTRICTIONS.

Baiting on Game and Fish Department's Wildlife Management Areas (WMAs) is prohibited. Baiting is defined as the placement and or use of bait(s) for attracting big game and other wildlife to a specific location for the purpose of hunting. Baits include but are not limited to grains, minerals, salts, fruits, vegetables, hay or any other natural or manufactured foods. The designation does not apply to the use of scents and lures, water, food plots, standing crops, or livestock feeds being used in standard practices.

12. ORANGE CLOTHING REQUIREMENTS.

All big game hunters are required to wear a head covering and an outer garment above the waistline of solid daylight fluorescent orange color, totaling at least 400 square inches. This requirement doesn't apply during the elk and moose bow seasons (September 3, 2010 through September 26, 2010) and the "bow only" portion of the bighorn sheep season (October 15, 2010 through October 21, 2010).

13. WANTON WASTE.

No person shall kill, cripple, waste, destroy, spoil, or abandon the edible flesh of any big game animal without making a reasonable effort to retrieve and retain the big game animal in his/her actual custody, at the place where taken and between that place and either (a) his/her personal residence, (b) a taxidermist, (c) a common carrier, or (d) a commercial processor.

14. LICENSES AVAILABLE BY SPECIES AND UNIT.

ELK	Unit E1 Regular Season	- 70 licenses - (15) any elk (55) antlerless elk
	Unit E2 Regular Season	- 90 licenses - (30) any elk (60) antlerless elk
	Unit E3 September Season	- 70 licenses - any elk
	Unit E3 October Season	- 70 licenses - any elk
	Unit E3 Antlerless Season	- 150 licenses - antlerless elk
	Unit E4 September Season	- 25 licenses - any elk
	Unit E4 October Season	- 35 licenses - any elk
	Unit E4 Antlerless Season	- 50 licenses - antlerless elk
	Raffle *	- <u>1 license</u>
		561 licenses

* One additional elk license is authorized to be raffled by the Rocky Mountain Elk Foundation and the North American Wildlife Enforcement Memorial Museum and Educational Center in accordance with N.D.C.C. 20.1-08-04.6. This license is valid for any open unit and any elk regardless of age or sex. The recipient of this license may choose either the bow or any legal weapon season but not both.

MOOSE	Unit M1c - Closed due to low population
	Unit M4 - 7 licenses - (4) antlered moose (3) antlerless moose
	Unit M5 - 5 licenses - any moose
	Unit M6 - 15 licenses - any moose
	Unit M8 - 25 licenses - (15) any moose (10) antlerless moose
	Unit M9 - 30 licenses - (15) any moose (15) antlerless moose
	Unit M10- 70 licenses - (40) any moose (30) antlerless moose
	Unit M11- 20 licenses - (15) any moose (5) antlerless moose
	Raffle* - <u>1 license</u>
	173 licenses

* One additional moose license is authorized to be raffled by the Rocky Mountain Elk Foundation and the North American Wildlife Enforcement Memorial Museum and Educational Center in accordance with N.D.C.C. 20.1-08-04.2. This license is valid for any open unit and any moose regardless of age or sex. The recipient of this license may choose either the bow or any legal weapon season but not both.

BIGHORN SHEEP	Units B1/B2 - 1 license
	Unit B3 - 1 license
	Unit B4 - 3 licenses
	*Auction - <u>1 license</u>
	6 licenses

*Auction license allows hunting in all open units.

One license will be drawn for Units B1 and B2. The license holder can hunt both units.

15. UNIT BOUNDARY DESCRIPTIONS.

ELK

Unit E1--Cavalier, Pembina, and Walsh counties, and those portions of Rolette and Towner counties north of ND Highway 66 and east of ND Highway 30.

Unit E2--McKenzie and Dunn counties, excluding all of Theodore Roosevelt National Park.

Unit E3--Billings, Golden Valley and Slope counties. Except that portion of Unit E4 in Billings and Golden Valley counties and Theodore Roosevelt National Park.

Unit E4--An area in Billings and Golden Valley counties north of Interstate 94, excluding all of Theodore Roosevelt National Park. Composed of land in the following:

Golden Valley County

T. 140N. R. 103W. All N. of I-94
T. 141N. R. 103W. Sec. 25-27 & 34-36

Billings County

T. 141N. R. 100W. Sec. 19, 30 & 31
T. 141N. R. 101W. All except T.R.N.P.
T. 142N. R. 101W. Sec. 25-36

T. 140N. R. 102W. All except T.R.N.P. and
south of I-94
T. 141N. R. 102W. All except T.R.N.P.
T. 142N. R. 102W. Sec. 19-36

Unit E5--The remainder of the state not included in a numbered unit.

MOOSE

Unit M1c--**CLOSED in 2010.** Those portions of Cavalier, Pembina, Ramsey, and Walsh counties bordered on the east by Minnesota, on the north by Canada, on the west by ND Highway 1 and on the south by ND Highway 17.

Unit M4--Those portions of Bottineau and Rolette counties bordered on the west by ND Highway 14, on the south by ND Highway 5, on the east by ND Highway 30, and on the north by Canada.

Unit M5--Those portions of Grand Forks, Nelson, Ramsey, and Walsh counties bordered on the north by ND Highway 17, on the west by ND Highway 1, on the south by U.S. Highway 2, and on the east by Minnesota.

Unit M6--Those portions of Barnes, Benson, Cass, Dickey, Eddy, Foster, Grand Forks, Griggs, LaMoure, Nelson, Ramsey, Ransom, Richland, Sargent, Steele, Stutsman, and Traill counties bordered on the west by U.S. Highway 281, on the north by U.S. Highway 2, on the east by Minnesota, and on the south by South Dakota.

Unit M8--Those portions of Bottineau, Cavalier, Pierce, Ramsey, Rolette, and Towner counties bordered on the east by ND Highway 1, on the north by Canada and Unit M4, on the west by ND Highway 60, and on the south by ND Highway 17.

Unit M9--Those portions of Benson, Bottineau, McHenry, McLean, Towner, Pierce, Ramsey, Renville, Sheridan, Ward and Wells counties bordered on the east by ND Highway 1 and Unit M6, on the north by Unit M8, Unit M4 and Canada. The western and southern borders are composed of ND Highway 256 and U.S. Highway 83 to the point where the highway crosses the southern portion of Lake Sakakawea, then west along Lake Sakakawea and south along the Missouri River to Washburn, then north on ND Highway 200A, then east on ND Highway 200 to the junction of U.S. Highway 281 at Carrington. Mallard Island is included within this unit.

Unit M10--Those portions of Bottineau, Burke, Divide, McLean, Mountrail, Renville, Ward and Williams counties, bordered on the east by Unit M9, the north by Canada and the west by Montana. The southern border starts at the junction of Montana and U.S. Highway 2 and continues east along U.S. Highway 2 to Williston where it meets up with ND Highway 1804, then continues east along ND Highway 1804 to New Town, then follows ND Highway 23 west to the shore of Lake Sakakawea, then following the north shore of Lake Sakakawea to U.S. Highway 83 (Unit M9).

Unit M11--Those portions of McKenzie, Mountrail and Williams counties bordered on the west by Montana, on the north and east by Unit M10, and on the south by a line starting along ND Highway 200 at the Montana border, eastward to U.S. Highway 85, then south and east along U.S. Highway 85 to ND Highway 23 at Watford City, then continuing along ND Highway 23 to New Town (Unit M10).

BIGHORN SHEEP

Unit B1--All of Slope County and those portions of Billings and Golden Valley counties south of Interstate 94 **except that portion known as Unit B2** (see Unit B2 description).

Unit B2--Those portions of Billings County starting at the Interstate 94 Fryburg Exit #36, then south to 38th Street, then west to 136th Avenue, then south to 43rd Street--USFS 740, then west to KG Road--USFS 765, then south to Dantz Creek (between Kendley and Moody Plateaus), then west to East River Road (FH3)--USFS 742, then north to USFS 794, then west to Little Missouri River, then north to Garner Creek, then west to West River Road--USFS 745, then north to Old Highway 10, then east to Interstate 94, then east to point of origin.

Unit B3--Those portions of Golden Valley, Billings, Stark and McKenzie counties starting at a point where Interstate 94 enters North Dakota, then following Interstate 94 east to U.S. Highway 85, then north to McKenzie County Road 50, then west to McKenzie County Road 27--Red Wing Road, then north to McKenzie County Road 38--Hay Draw Road, then west and north to Montana State Line, then south to point of origin.

Unit B4--Those portions of McKenzie and Dunn counties starting at the intersection of McKenzie County Road 38--Hay Draw Road and the Montana State Line, then south and east to McKenzie County Road 27--Red Wing Road, then south and east to McKenzie County Road 50, then east to U.S. Highway 85, then

south to ND Highway 200, then east to ND Highway 22, then north to McKenzie County Road 53, then west and north to ND Highway 23 (excluding area within Fort Berthold Indian Reservation), then west to U.S. Highway 85, then west and north to the south bank of the Missouri River (Lake Sakakawea), then west along the south bank of the Missouri River to the Montana State line, then south to the point of origin. **Except portions of T. 147N. R. 98W. that are north of the Little Missouri River, and all sections of T. 148N. R. 98W. and T. 148N. R. 99W. where a new bighorn sheep release area is located.**

16. SPECIAL ELK DEPREDAATION MANAGEMENT LICENSE.

Special elk depredation management licenses may be issued as allowed by N.D.C.C. 20.1.08.04.6 by lottery from the current year's applicant list when a wild elk is deemed by the Director to be a nuisance to farmed elk operations and other non-lethal measures have been attempted and determined to be ineffective. The Director shall establish specific requirements for each individual license.

17. VIOLATIONS AND PENALTIES.

The following violations have the listed penalties:

- * Hunting before or after legal hours (Section 1) up to 30 minutes--penalty--\$100.
In excess of 30 minutes--Class B misdemeanor.
- * No person may keep or carry in or on any motor-driven vehicle any firearm with a cartridge in the chamber while hunting game birds or game animals (Section 5)--penalty--\$100.
- * Failure to sign or affix stamps to the licensee's fishing, hunting, and furbearer certificate (Section 3)--penalty--\$25.
- * Use of motor-driven vehicle in a restricted area (Section 5)--penalty--\$50.
- * Fail to accompany, possessing or transporting another's game animal or parts thereof excluding hides (Section 8)--penalty--\$100.

GIVEN UNDER MY HAND and the Great Seal of the State of North Dakota this 2nd day of March, 2010.

/s/
John Hoeven
Governor

Attest:

/s/
Secretary of State

Deputy

AMENDMENT NUMBER ONE TO THE **2010 ELK, MOOSE AND BIGHORN SHEEP PROCLAMATION**

The following sections are to be amended out of the 2010 Elk, Moose and Bighorn Proclamation dated March 2, 2010.

2010 ELK, MOOSE AND BIGHORN SHEEP PROCLAMATION

1. SEASON DATES, TIMES, OPEN AREAS:

SEASON	UNITS	OPENS	CLOSES	RESTRICTIONS
<i>Antlerless Elk Season</i>	E3, E4	Sept. 3	Dec. 31	Note: After Sept. 5, E3, E4 lottery license holders may hunt in either unit.
<i>Any Elk Extended Season</i>	E3, E4	Nov. 5	Dec. 31	For both September and October Season Any license holders in either unit. Landowner preference license holders may only hunt in their unit. Orange clothing required.

7. TAGGING REQUIREMENTS.

Mandatory Elk Harvest Reporting. Elk lottery license holders in Units E3 and E4 are required to provide hunter harvest information no later than February 1, 2011. Failure to do so will result in loss of eligibility for all lottery licenses in 2011.

The following sections are to be amended into the 2010 Elk, Moose and Bighorn Proclamation dated March 2, 2010.

2010-2011 ELK, MOOSE AND BIGHORN SHEEP PROCLAMATION

1. SEASON DATES, TIMES, OPEN AREAS:

SEASON	UNITS	OPENS	CLOSES	RESTRICTIONS
<i>Antlerless Elk Season</i>	E3, E4	Sept. 3	Jan. 21	Note: After Sept. 5, E3, E4 lottery license holders may hunt in either unit.
	E2	Aug. 13	Sept. 30	Only private lands determined by the Director to be severely impacted by elk are to be open after other measures have been attempted and determined to be ineffective. The Director may authorize individuals with valid E2 antlerless elk licenses to participate.
<i>Any Elk Extended Season</i>	E3, E4	Nov. 5	Jan. 21	For both September and October Season Any license holders in either unit. Landowner preference license holders may only hunt in their unit. Orange clothing required. Restricted to antlerless elk only from Jan. 1 to Jan 21.

7. TAGGING REQUIREMENTS.

Mandatory Elk Harvest Reporting. Elk lottery license holders in Units E3 and E4 are required to provide hunter harvest information no later than February 16, 2011. Failure to do so will result in loss of eligibility for all lottery licenses in 2011.

GIVEN UNDER MY HAND and the Great Seal of the State of North Dakota this _____ 6th _____ day of August, 2010.

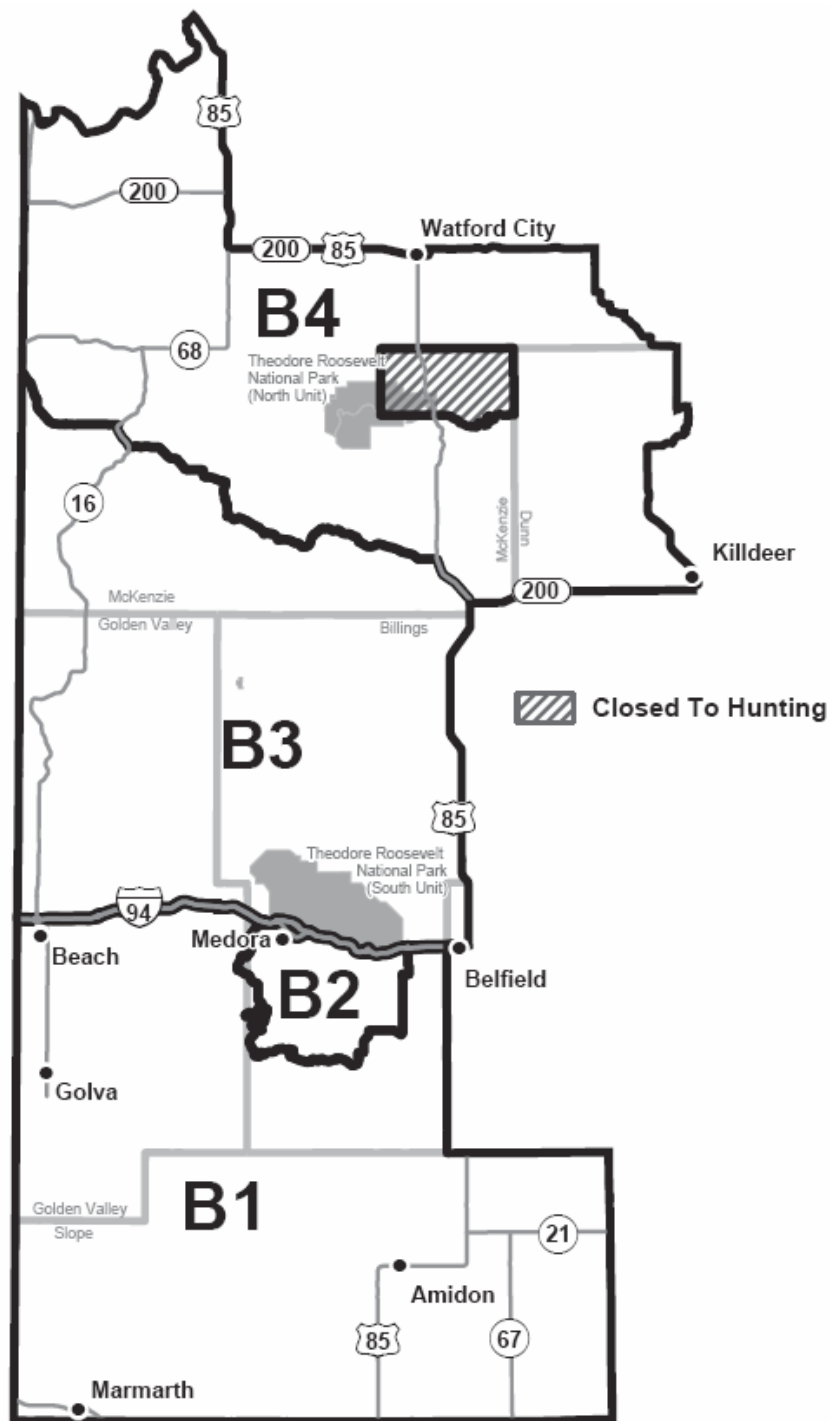
/s/
John Hoeven
Governor

Attest:

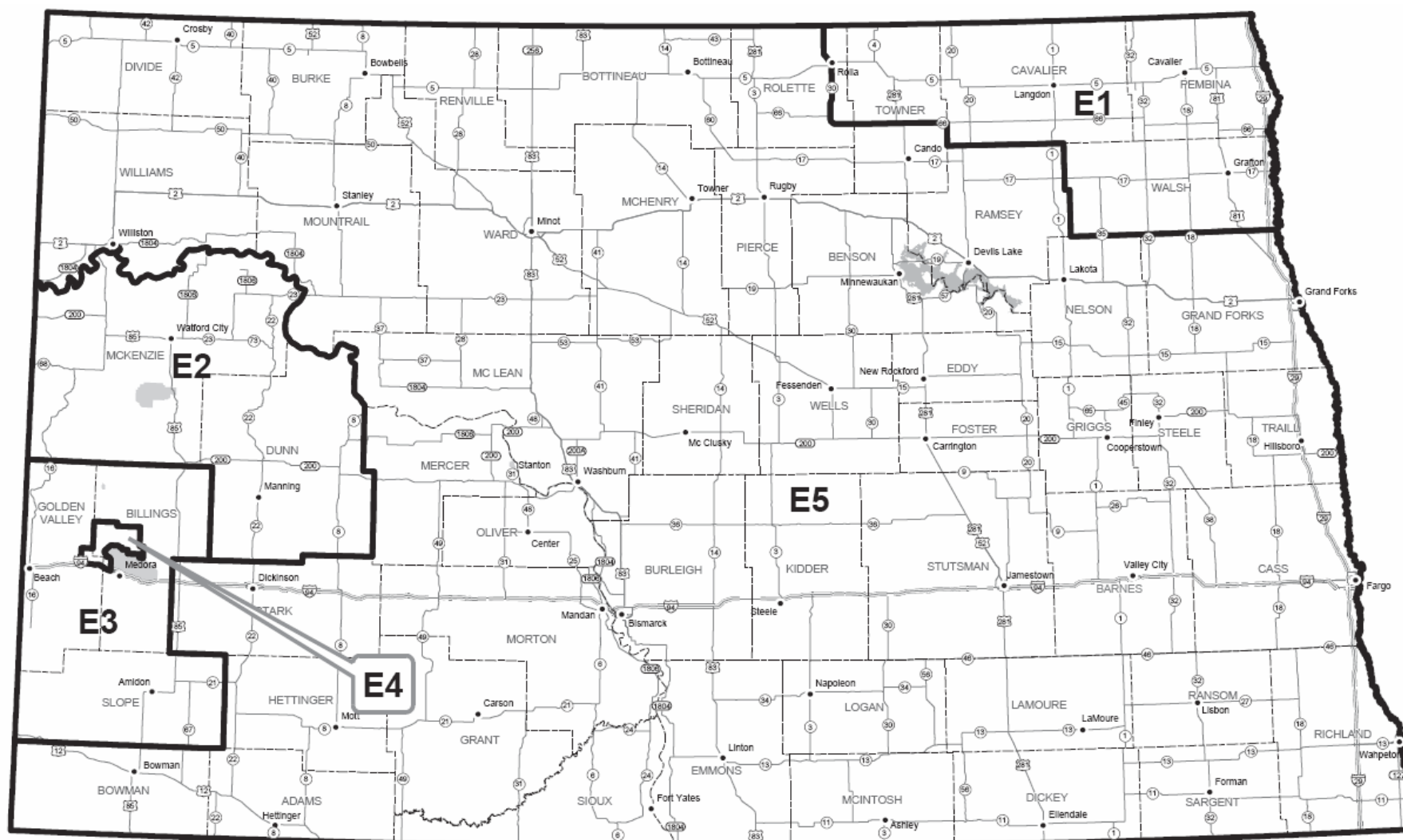
/s/
Secretary of State

Deputy

Bighorn Sheep Hunting Units



Elk Hunting Units



Moose Hunting Units

