

***UTE INDIAN TRIBE 2009  
FISHING, BOATING, AND  
CAMPING REGULATIONS  
OF THE UINTAH AND OURAY RESERVATION***

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## **A. GENERAL REGULATIONS**

### **1. Permits**

- a. Annual fishing permits shall be valid 365 days.
- b. Annual permits require an additional *Conservation Fee* for maintenance and management costs of recreational management areas. (See provision C2)

### **2. Vehicles**

- a. No person may operate an all-terrain vehicle on Tribal Trust Lands. Tribal members may operate ATV's within 2 miles of any populated community in accordance with the *Tribal Law and Order Code*, Tribal Policy or as otherwise approved by the Ute Tribal Business Committee for the purpose of Law Enforcement, Management, Search and Rescue, or medical emergency by authorized individuals.
- b. Any non-member operating a motorized vehicle on Tribal Trust Lands shall be deemed to have consented to the lawful search of said vehicle by a peace officer.
- c. Non-member use of horses, llamas or other beast of burden on Tribal Trust Lands is strictly prohibited without written authorization of the Ute Indian Tribe.

### **3. Trespass**

- a. No Non-Member shall engage in any activity on Tribal Trust Lands without first obtaining the proper permit. A violation of this regulation shall constitute trespass as defined in the Ute Indian Tribe *Law and Order Code*, and as directed by Ute Indian Tribe Policy.
- b. No non-member may trespass on or across Trust Lands, unless such travel is on or across a public highway or a designated public thoroughfare accessing a Designated Angling/Recreation Area, (See Provision B) and permit holder has in his/her immediate possession a valid Fishing Camping Boating permit to perform that activity.
- c. No person may travel on or across a trust allotment or fee property on Tribal Trust Lands without having obtained the permission of the allottee or land owner.
- d. A Tribal Fishing Camping Boating permit does not entitle the permit holder to sight see, explore, prospect and hike on tribal trust lands.
- e. A Tribal Fishing Camping Boating permit does not entitle the permit holder to access Tribal Trust Land by horseback or any means other than vehicles with limitations as defined in provision A-2 above.

### **4. Animal Control**

All dogs must be under the physical and voice control of the dog's handler at all times.

## **5. Weapons Restrictions**

- a. No non-member may possess any firearm or archery equipment while on Trust Lands unless said person has in his/her immediate possession a valid permit authorizing permit holder to hunt and permit holder is validly engaged in hunting during the season for which the permit was issued.
- b. No person may hunt or discharge a firearm within one-half (1/2) mile of any lake or reservoir or designated camping area.
- c. It shall be unlawful for any person to willfully or negligently destroy or deface any sign, building, structure, or property of the Ute Indian Tribe, or any other property owner.

## **6. Closed Areas**

- a. No person may fish, camp and/or boat in an area that has been determined CLOSED by the Ute Indian Tribe, or Ute Tribe Fish and Wildlife Department.
- b. Mixed-bloods are prohibited to angle on Hagen Lands under the authority of this proclamation.

## **7. Accompaniment**

Any Non-member(s) authorized to fish, camp, or boat on Tribal Trust Lands shall not be accompanied by an unlicensed Non-Member; unless said Non-Member is the legal spouse or minor child of the permit holder.

## **8. Exhibition of Permits**

Any person engaged in hunting, fishing, or trapping, or transporting any harvested game shall be required, upon demand of any Tribal Peace Officer or Tribal Conservation Officer, to exhibit a valid Tribal license and/or permit, proper identification, and any device or apparatus in his/her possession used for hunting, fishing, or trapping.

## **9. License Possession**

- a. No person shall engage in fishing, camping or boating, as defined by this proclamation, without having procured the necessary permits or tags, proper identification, and having a valid permits, tags, and proper identification in his/her possession while engaged in such activities.
- b. No person shall lend, transfer, sell, give or assign his/her permits or tags, or lend, transfer, sell, give or assign the rights granted by such permits to any other person(s).

## **10. Proper Identification**

Any person(s) must have his/her valid identification immediately available at all times while engaged in angling, camping, or boating on Tribal Trust Lands.

## **11. Fishing Guides**

- a. No Tribal Member may offer guide services on Tribal Trust Lands without having first registered and obtained proper authorization from the Ute Tribe Fish and Wildlife Department.
- b. Non-members are prohibited from guiding on Tribal Trust Lands.

## **12. Refunds Policy**

Tribal Permits are Non-Refundable.

## **13. Permits**

No Non-Member shall engage in any activity on Tribal Trust Lands, unless said Non-Member has a valid permit to perform such activity in his/her immediate possession. Failure to possess the proper permit(s) shall constitute trespass.

## **14. Pack in - Pack out Policy**

All persons shall pack out all trash accumulated while fishing, camping, boating or hunting on Tribal Trust Lands.

## **15. Permit required for minors 12 Years of age and Older**

Non-Members, 12 years of age and older, must obtain a valid permit before angling on Tribal Trust Lands. Permit and proper identification must be in the immediate possession of the person to whom it was issued at all times while such person is engaged in angling on Tribal Trust Lands.

## **16. Permits for minors Under 12 years of age**

Non-Members and/or Un-Enrolled (Ute Indian Tribe) Indians under the age of 12 years are **not** required to purchase a Tribal permit to angle on Tribal Trust Lands provided that:

- a. Non-Member(s), 11 years of age or younger, must be accompanied by an adult with a valid Tribal permit.
- b. Non-Member(s), 11 years of age or younger, angling without a Tribal permit shall be included in, and be deducted from, the daily bag and possession limit from the licensed angler who is accompanying the minor.
- c. Any Non-Member between the ages of 7 and 11 years of age may purchase a Tribal permit entitling the holder to the full daily bag and possession limit, as established in Provision C4 below.

## **17. Persons under 18 years of age**

Any person under 18 years of age must be accompanied by a licensed angler while fishing on Tribal Trust Lands.

## 18. State Permits

- a. No person shall be required to obtain a fishing license from the State of Utah before angling on Tribal Trust Lands.
- b. A fishing license issued by the State of Utah shall not confer any rights on any person, and shall not be valid for fishing camping and boating on Tribal Trust Lands.

## 19. Time Limitations

- a. No person may angle on Tribal Trust Lands earlier than one-half (1/2) hour before official sunrise or later than one-half (1/2) hour after official sunset.
- b. All Tribal Annual fishing permits for the calendar year of 2009 shall expire at 11:59 pm of the 364th day from the day of permit purchase.
- c. Day permits shall be valid for one 24-hour period from 12:01am to 11:59 pm, of day specified on permit.

## B. DESIGNATED ANGLING/ RECREATION AREAS

1. Tribal Fishing Camping and Boating permits entitle a permit holder to angling and recreational activities on Tribal Trust Lands, **ONLY** within each **Designated Angling / Recreation Area**.

**Designated Angling/ Recreation Areas** are defined as: Each recreational body of water, as identified in Provisions B3 and B4, and a recreational buffer of one-quarter (1/4) of a mile around, or adjacent from waters edge.

### 2. Opening/Closing – Change Policy

- a. Opening/Closing dates are specifically due to access, liability, management concerns and/or Cultural/Tribal considerations. Areas may be closed because of the cultural significance that the area may possess to the Ute Indian Tribe, seasonal limitations for access and/or specific management requirements.
- b. In the interest of conservation and/or protection of a species, the Ute Tribe Fish and Wildlife Department may open or close any area, including a tributary or any reservoir, or portion of, by publishing a Notice of Opening/Closing no less than three (3) days in advance of the effective date.

### 3. Year Round Openings for Angling - 2009

#### **DESIGNATED ANGLING/RECREATION AREAS**

Bottle Hollow Reservoir	Clay Basin Pond
Coyote Basin	Duchesne River
Gulf Pond	Midview Reservoir
Ouray Area-Green River	Strawberry River
Twin Pots Reservoir	White River

**4. Area Restrictions - Open/Closing Dates for Angling 2009 (see provision B1)**

<b><u>DESIGNATED ANGLING/ RECREATION AREAS</u></b>	<b><u>NON-MEMBERS</u></b>	<b><u>TRIBAL MEMBERS &amp; MIXED BLOODS</u></b>
Big Springs and Ponds	OPEN Mar.31-Sept.8	OPEN Mar. 4-Oct. 24
Bitter Creek	OPEN Mar.31-Sept.8	OPEN Mar. 4-Oct. 24
Cedarview Reservoir	CLOSED	CLOSED
Chandler Creek	CLOSED	CLOSED
Corral Creek	CLOSED	CLOSED
Dick Hollow	CLOSED	CLOSED
Elders Pond***	Special Event	Special Event
Florence Creek	CLOSED	CLOSED
Green River-Desolation Canyon****	CLOSED	OPEN Mar. 4-Oct. 24
Hill Creek,		
a. South of Towave to Weaver	CLOSED	OPEN Mar. 4-Oct. 24
b. North of Towave Reservoir	OPEN Mar.31-Sept.8	OPEN Mar. 4-Oct. 24
c. South of Weaver Reservoir	CLOSED	CLOSED
Lake Fork River	OPEN Mar.31-Sept.8	OPEN Mar. 4-Oct. 24
McAffee Basin	CLOSED	CLOSED
Pioche Creek	CLOSED	CLOSED
Pole Creek	OPEN Mar.31-Sept.8	OPEN Mar. 4-Oct. 24
Rock Creek	OPEN Mar.31-Sept.8	OPEN Mar. 4-Oct. 24
Towave Reservoir	OPEN Mar.31-Sept.8	OPEN year round
Uintah River	OPEN Mar.31-Sept.8	OPEN Mar. 4-Oct. 24
Weaver Reservoir	OPEN Mar.31-Sept.8	OPEN Mar. 4-Oct. 24
Whiterocks River	OPEN Mar.31-Sept.8	OPEN Mar. 4-Oct. 24
Yellowstone River	OPEN Mar.31-Sept.8	OPEN Mar. 4-Oct. 24

**5. Bottle Hollow Reservoir and Recreation Area**

- a. Alcoholic beverage consumption at Bottle Hollow Reservoir and Recreation Area is STRICTLY PROHIBITED.
- b. Overnight camping is PROHIBITED.
- c. All Non-Members shall not be in, on, or around the Bottle Hollow Reservoir area from one half (1/2) hour after official sunset to one half (1/2) hour before official sunrise.

**6. Rock Creek Recreation Area**

- a. Rock Creek Recreation Area is Day Use Only. No Overnight Camping Allowed.
- b. Permit holders are restricted to a 150 foot recreational buffer from rivers edge.
- c. Special Permit required from Ute Tribe Outfitting for Upper Rock Creek –
- d. Visit [www.uitfwd.com/outfitting](http://www.uitfwd.com/outfitting) Flies and Lures, Catch-and-Release ONLY.

## 7. Elders Pond Recreation Area

- a. Elders Pond - Recreational area is open to Special Event Use Only. Contact Ute Tribe F&WD for information on fishing special events.

## C. FISHING PERMITS/FEEES/REGULATIONS

### 1. Permits

- a. **Season Permit:** Any Non-member(s) may purchase a permit which entitles him/her to angle during the 2009 fishing season, subject to the policy, and any restrictions as defined within this proclamation, or imposed on the permit. The Ute Tribe reserves the right to sell, or deny the sale of any of its permits, at the Tribe's discretion.
- b. **Daily Permit:** Any Non-member(s) may purchase a permit which entitles him/her to angle during the 2009 fishing season, subject to the policy, and any restrictions as defined within this proclamation, or imposed on the permit. The Ute Tribe reserves the right to sell, or deny the sale of any of its permits, at the Tribe's discretion.
- c. **Persons with Disabilities:** Any Non-member(s) may obtain a Tribal permit, free of cost, with valid proof of disability. Disability permits are subject to any policy, and any restrictions, as defined within this proclamation or imposed on the permit

### 2. Permit Fees:

- a. **2009 Season fishing permit fees:**
  - a. 11 years and younger \$15.00\*
  - b. 12 to 15 years of age \$25.00\*
  - c. 16 to 55 years of age \$30.00\*
  - d. 55 years of age and older \$25.00\*

*\* A Conservation Fee of \$10.00, on annual permits, is required to cover the costs of facilities maintenance. The fee is required separately at the time of purchase and is not included in the above fees.*

- b. **2009 Daily fishing permit fees:**
  - a. 1-Day Permit \$10.00
  - b. 2-Day Permit \$20.00
  - c. 3-Day Permit \$30.00
  - d. 4-Day Permit \$40.00
  - e. 5-Day Permit \$50.00

3. **Fishing Permit Camping:** A Season Fishing Permit shall entitle the permit holder and his/her immediate family to camp, without fee, in designated camp

sites, within **Designated Angling/Recreation Areas**, for up to seven (7) consecutive days. After a seven (7) day consecutive stay, a permit holder and his/her immediate family shall not return to the **Designated Angling/Recreation Area** inhabited for a thirty (30) day period.

4. **Bag Limits:** The 2009 daily bag and possession limits\* for all Tribal Members, Mixed Bloods, and Non-Members who have purchased a permit shall be:

<u>SPECIES</u>	<u>BAG</u>	<u>POSSESSION</u>
Trout and salmon, in the aggregate	8	16
Lake Trout (Bottle Hollow/Twin Pots)	4	4
Whitefish	10	20
Channel Catfish	24	48
Bluegill	10	20
Bass, smallmouth and largemouth, in the aggregate	10	20
Walleye	6	12
Northern Pike (from Green, White and Duchesne Rivers, ONLY)	No Limit	No Limit
Crayfish, Crawfish, Crawdads (Must have a valid Fishing Permit)	No Limit	No Limit

\* Special management areas such as Bottle Hollow Reservoir, Cedarview Reservoir, and Rock Creek each possess specific harvest policy and regulations. See Provisions B5 and B6.

5. **Free Fishing Day**

- a. Bottle Hollow and Midview Reservoirs – Free Fishing Days June 29-July 4 2009.
- b. Permit requirement suspended during these days. Daily bag limit - 3 fish.
- c. Bottle Hollow Reservoir inlet is CLOSED to angling.
- d. Overnight camping is PROHIBITED.
- e. All Non-Members shall not be in, on, or around the Bottle Hollow Reservoir area from one-half (1/2) hour after official sunset to one-half (1/2) hour before official sunrise.

6. **General Angling Regulations:**

It shall be unlawful for any person(s) to take or attempt to take game fish by any means other than angling, except as defined below.

- a. No person may use more than two artificial flies or one mechanical lure, at any one time, on each rod, pole or troll board.
- b. No person may angle with a lure equipped with more than three gang hooks attached at any one time.

- c. Angling equipment must be attended at all times. *Attended* means that the angler shall be within ten (10) feet of equipment while engaged in angling.
- d. One (1) rod/pole per angler is allowable, while engaged in angling.
- e. It shall be unlawful for any person to use any of the following materials or products as bait while angling on Tribal Trust Lands: (a) corn (b) live or dead minnows (c) game or non-game fish, or parts thereof (d) preserved/frozen fish, or parts thereof.
- f. Any licensed Angler may take carp, suckers, Utah chub and bullhead catfish for personal, non-commercial consumption from waters open to angling, by angling or by use of a set line.
- g. No set line shall have more than ten hooks.
- h. No person may use more than one set line at any time for the taking of carp, suckers and catfish on the Green River.
- i. Set lines permitted on the Duchesne River, Green River, & White River ONLY.

- 7. **Designated Angling /Recreation Areas:** All Tribal Fishing Camping and Boating permit holders shall be restricted to angling, camping, boating, and recreational activities in **Designated Angling/Recreation Areas** only, as defined by the provisions within this proclamation. (See Provision B1)
- 8. **Other Activities Expressly Prohibited** - Any person(s) is strictly prohibited in any attempt to take any species of fish by means of chumming, snagging and gaffing, or by use of gill nets, trammel nets, trawl nets, hoop nets, fyke nets, seine nets, electrical device(s), chemical explosives, or firearms.
- 9. **Possession of Fish** - No Tribal Member or Mixed Blood may sell, barter, trade, or give away any fish to any Non-Member.
- 10. **Archery** - Archery Equipment may be permitted in the taking of carp by Tribal Members and Mixed Bloods **ONLY**.
- 11. **Endangered Fish Policy** - Colorado Pikeminnow, Humpback Chub, Bonytail Chub, and Razorback Sucker are Federally Listed as Endangered Fish that have been known to inhabit reaches of the White, Duchesne and Green Rivers within Tribal Jurisdiction. It is illegal to catch, harm or take any or any part of these fish species. All Federally Listed Endangered Species must be released immediately unharmed. If a Federally Listed Endangered Fish is accidentally caught and hooked within its gullet, do not attempt to remove the hook as serious injury may occur as a result of handling the fish. Cut the line at the mouth and release the fish immediately.

## D. CAMPING PERMIT/FEES/REGULATIONS

### 1. Permits:

- a. Camping Duration: Tribal camping permits shall be valid for up to seven (7) consecutive days from the date of purchase. Any individual camper at any permit holder's camping site, who is not a member of the permit holder's immediate family, will be required to obtain a Group Camping permit. No group/family may remain at a designated campsite for more than seven (7) consecutive days from date specified on permit. After a seven (7) day consecutive stay, a permit holder and his/her immediate family shall not return to the **Designated Angling/Recreation Area** inhabited for a 30-day period.
- b. Camping Season: The 2009 camping season shall begin, March 31, 2009 and extend through Sept. 8, 2009. Camping on Tribal Trust Lands is only permitted within **Designated Angling/Recreation Areas** (See Provision B1)
- c. Non-Member(s) must obtain a Tribal camping permit to camp on any Tribal Trust Lands.
- d. Any Non-Member(s) who has purchased a permit to fish on Tribal Trust Lands may camp, with his/her immediate family, without charge, in accordance with the terms, guidelines and restrictions defined within this proclamation.
- e. No person may camp on Non-Tribal Trust Land or Allotted Land within the Uintah and Ouray Indian Reservation, Exterior Boundaries without first having obtained the permission of the Landowner or Allottee, as appropriate.
- f. Mixed Bloods are not allowed camping on Hagen Lands under the authority of this proclamation.
- g. Family Camping: Permits may be obtained entitling the permit holder(s) and his/her immediate family to camp at designated camping sites, within **Designated Angling/Recreation Areas** on Tribal Trust Lands. (See Provision B1)
- h. Group Camping: Permits may be obtained entitling the permit holder(s) and the indicated number of individuals to camp at designated camping sites, within **Designated Angling/Recreation Areas** on Tribal Trust Lands. (See Provision B1)

### 2. Permit Fees: 2009 Non-member Tribal camping permit fees shall be:

- |                        |                                   |         |
|------------------------|-----------------------------------|---------|
| a. Family Camping      | Family.....                       | \$20.00 |
| b. Group Camping:      | Group of 1 to 10 persons .....    | \$25.00 |
|                        | Group of 11 to 15 persons .....   | \$30.00 |
|                        | Group of 16 to 20 persons .....   | \$40.00 |
|                        | Group of 21 to 30 persons .....   | \$50.00 |
|                        | Group of 31 or more persons ..... | \$60.00 |
| c. Desolation Camping: | Group.....                        | \$30.00 |

### 3. Special Regulations

- a. Permit holder(s) are responsible for all garbage/trash and other debris while camping on Tribal Trust Lands. Littering is strictly prohibited on Tribal Trust Lands. **'PACK IT IN, PACK IT OUT!'**
- b. Rock Creek shall be CLOSED to camping to all Non-Members.
- c. Desolation Canyon shall be CLOSED to camping to all Non-Members with the following exceptions. Camping will be permitted with a valid Tribal Camping Permit and used in conjunction with BLM Special Recreation Permits. All BLM Recreation Special Permit stipulations shall apply. Contact BLM at (435) 636-3622, or at their web site [www.blm.gov/utah/price/riverinf.htm](http://www.blm.gov/utah/price/riverinf.htm) for more information.
- d. Camping and recreation activities on Tribal Trust Lands are permitted ONLY in Designated Angling/Recreation Areas, as defined within this proclamation. (See Provision B1) Hiking outside of Designated Angling/Recreation Areas shall be considered trespass.

## E. BOATING PERMITS/FEES/REGULATIONS

### 1. Permits

#### a. Non-Members:

Non-Member(s) may obtain a Tribal boat permit which shall entitle the permit holder to operate a motorized or non-motorized boat on any lake or reservoir on Tribal Trust Land Waters. Permit holder(s) must provide a valid boat registration showing ownership of said boat upon purchase. Boat permits must be affixed to the boat while in operation on any lake or reservoir on Tribal Trust Land Waters. Tribal boat permit holders are subject to all policy and restrictions defined within the *2009 Ute Tribe Fishing Camping Boating Proclamation*.

#### b. Tribal Members:

Tribal Members are required to obtain a Tribal boat permit, at no charge. Proof of Ownership and valid Tribal identification are required to obtain permit.

Watercraft are required to possess proper numerical identification affixed and must be currently registered to one of 50 states within the United States or one of 11 Canadian provinces within Canada while operating on Tribal Trust Land Waters.

**2. Permit Fees:**

Non-Member Tribal boating permit fees shall be:

**Season Permit**

- a. **Boat** (motor GREATER than ten (10) horsepower)  
**Jet Ski** .....\$100.00\*
- b. **Boat** (motor - ten (10) horsepower or LESS)  
**Sailboat-Rowboat-Windsurfing Board-Rafts-Canoe-Kayak**.....\$50.00\*

**Daily Permit**

- a. Daily permits (valid for any 24-hour period from 12:01 am to 11:59 pm): Any boat with/without a motor (including sailboats, rowboats, windsurfing boards, rafts, canoes and kayaks) .....\$10.00

\* There will be a Conservation Stamp Fee of \$10.00 to cover the costs of Facility Maintenance. The fee will be paid separately at time of purchase.

**3. AIS Policy:**

- a. As a result of Aquatic Invasive Species Management , the Ute Tribe Fish and Wildlife Department may open or close any area, including a tributary or any reservoir, or portion of, by publishing a Notice of Opening/Closing no less than three (3) days in advance of the effective date.
- b. Any boat may be subject to decontamination, detainment and/or confiscation, as determined by Ute Indian Tribe Fish and Wildlife personnel or Ute Indian Tribe Law Enforcement Officers, and in accordance with the Ute Indian Tribe, AIS Management Policy.

**4. Restrictions:**

- a. No person(s) may operate an airboat on any lake or reservoir on Tribal Trust Land Waters.
- b. No person may operate a floating wader with a motorized engine attached.
- c. Para-sailing and para-gliding or similar activities shall be prohibited without a special use permit.

**5. Exceptions**

Use of restricted motorized watercraft, rafts, canoes or other vessels shall be permitted **ONLY** for the purposes of management, law enforcement, search and rescue, or medical emergency by authorized person(s).

**6. Boating Season:**

- a. Non-Member Tribal Boating Season shall be March 31, through September 27, 2009.
- b. Bottle Hollow and Midview Recreation Areas shall be open March 31, through December 1, 2009.

**7. Areas OPEN to Boating and Floating/Waders:**

Bottle Hollow Reservoir .....	Boating with or without motors; Floating, Waders
Coyote Basin.....	BOATING CLOSED; Floating, Waders
Cedarview Reservoir* .....	Boating with or without motors; Floating, Waders
Gulf Pond.....	BOATING CLOSED; Floating, Waders
Midview Reservoir.....	Boating with or without motors; Floating, Waders
Twin Pots Reservoir*.....	Boating with or without motors; Floating, Waders
Big Spring Ponds .....	BOATING CLOSED; No Floating, No Waders
Clay Basin Pond .....	BOATING CLOSED; Floating, Waders
Towave Reservoir .....	BOATING CLOSED; Floating, Waders
Weaver Reservoir .....	BOATING CLOSED; Floating, Waders
Green, White and Duchesne Rivers** .....	Canoes, kayaks, and rafts and boats without ..... motors or motors less than 10 horsepower

\* <25 HP Motors only on Cedarview and Twin Pots Reservoirs

\*\* BLM Recreation Special Permit may apply. See BLM for River Permit details.

**8. Boat Launching**

All boat launching will be done at an established boat ramp at the marina. **No exceptions**, subject to availability.

**9. Personal Floatation Devices**

- a. No person may operate a boat less than 16 feet in length, canoe, and/or kayak on any lake or reservoir on Tribal Trust Land Waters, unless boat is equipped with the following:
  - a. Type I - life preserver;
  - b. Type II - buoyant vest;
  - c. Type III - special purpose water safety buoyant device;
  - d. Type IV - buoyant cushion or ring life buoy for each person.
- b. Person(s) under 12 years of age are required to wear a properly fitting, Coast Guard, approved floatation device of the following types: Type I, II, or III personal flotation device, while on board any boat on any lake or reservoir on Tribal Trust Land Waters.
- c. Person(s) being towed by any watercraft are required to wear a properly fitting, Coast Guard approved, floatation device of one of the following types: Type I, II or III personal flotation device or a foam water sports jacket, provided that if

this non-Coast Guard approved device is worn, there is a Coast-Guard approved flotation device on board the boat, in accordance with paragraph (a), above.

- 10. Operating Requirements:** The United States Coast Guard rules and regulations governing the operation and safety requirements shall be enforced while on Tribal Trust Land Waters.
- a. No person may operate a boat or manipulate a water ski or similar machine on waters on Tribal Trust Land Waters in a reckless or negligent manner or while under the influence of any alcoholic beverage, narcotic drug, barbiturate, or other controlled substance.
  - b. No person may operate a motorboat for the purpose of towing a skier:
    - a. unless he/she can maintain a safe course with proper lookout, and be aware of skier's progress through the proper use of a competent observer who is no less than 8 years of age;
    - b. before sunrise and after sunset;
    - c. in such a manner as to cause a tow rope, ski, or skier to collide with any object or person;
    - d. for para-sailing or para-gliding or similar activity.
  - c. No person shall operate any motorboat in excess of a slow, wakeless speed within 150 feet of another boat, dock, launching area, designated wakeless or slow area, scuba launch platform, person, swimmer, skier or angler or his/her equipment or while any passenger is riding on an exterior surface of the boat such as the bow decking, gunwales, transom or motor cover or is standing, unless the boat is more than 16 feet in length and is equipped with adequate safeguards and railing to prevent such person(s) from falling overboard.
  - d. No person shall operate or offer for rent any boat which is overloaded, overpowered, or unseaworthy, taking into consideration capacities, weather conditions, type of construction and other relevant conditions. The Fish and Wildlife Department Conservation Officers may prohibit any person from launching or operating a vehicle on waters on trust lands if, in the Department's opinion, said boat is overloaded, overpowered, or otherwise constitutes a hazard to the public safety.
  - e. No person may swim from an unanchored boat unless at least one person capable of operating the boat properly remains on board the boat.
  - f. No person shall permit a boat that he/she is operating to enter posted waters.
  - g. No person shall operate a boat in violation of the instructions displayed on a marker bearing an orange circle on a white background on Tribal Trust Land Waters.
  - h. No person shall operate a boat powered by an electric or gasoline engine while his/her vision is obstructed in the direction of travel on Tribal Trust Land Waters.
  - i. No person shall allow his/her boat to occupy space at a public launching area

- or loading dock for more than 15 minutes without proper authorization.
- j. No person may operate boats and other motorized watercrafts within one hundred yards of anchored swimming platforms.
- k. No person may operate boats and other motorized watercrafts within fifthly yards of all floating buoy's.

## F. RECREATION/SPECIAL USE PERMITS

### 1. Recreation/Special Use Permits:

Permits are valid for up to thirty (30) Consecutive Days from the date of purchase.

- a. **Recreation Use Permit:** Permit entitles permit holder, and up to ten (10) individuals, picnicking and swimming use within Designated Angling/Recreation Areas, as defined in this proclamation, on Tribal Trust Lands. (See Provision B1)
- b. **Scuba Permit:** Permit entitles permit holder scuba access for use within the Bottle Hollow Recreational area. Permit is valid 30 consecutive days from date of purchase.
- c. **Boat/Raft/Canoe Take-out Parking:** No non-member may park vehicle on trust lands for the putting in or taking out of approved watercraft on the White River, Duchesne River or Green River, unless he/she has purchased a valid Special Use permit.

### 2. Restrictions

No Non-Member(s) may engage in, picnicking, swimming, scuba diving or additional recreational activities, on Tribal Trust Lands, without purchase of a Recreation/Special Use permit.

NOTICE TO ALL PERSONS: Swim at your own risk. All person(s) under 18 years of age must be accompanied by a responsible adult. The Ute Indian Tribe, Ute Tribe Fish and Wildlife Department and Tribal staff will not be liable for any loss of property, personal injury or loss of life while engaged in any activity on the Reservation.

### 3. Permit Fees: 2009 Non-Member Recreation/Special Use permit fees shall be:

- |                                      |                          |          |
|--------------------------------------|--------------------------|----------|
| a. Recreation Use Permit:            | Group of 1 to 10 persons | \$10.00* |
| b. Scuba Permit:                     | Individual               | \$25.00  |
| c. Boat/Raft/Canoe Take-out Parking: | Individual Vehicle/Day   | \$5.00   |

\* Recreation Use permit fee is actual cost of Conservation Fee for Management and Camping facilities.

## G. PROSECUTION

Any person(s) who violates any provision of the Rules and Regulations of the Ute Indian Tribe shall be subject to Criminal Prosecution in a court of competent jurisdiction and shall be subject to Civil Penalties as provided in the Ute Tribe Law and Order Code.

## H. LIABILITY

The Ute Indian Tribe and the Ute Tribe Fish and Wildlife Department shall not be held liable for the following: Loss of property or life, personal injury, theft, fire and/or accidents that may occur during the Fishing and Camping Season. Also, any other activity due to negligence or failure to comply with the Rules and Regulations established pursuant to the Ute Tribe Fishing Camping and Boating Annual Proclamation.

**I. DEFINITIONS** - The following terms shall have the prescribed meaning for the purposes of this proclamation only.

1. **Adult** shall mean any person 12 years of age or older for purposes of permits and bag/possession limitations established under these guidelines; for all other purposes, "adult" shall mean any person 18 years of age or older.
2. **Aggregate** shall mean the combined total of trout and salmon or bass species in the possession of the permit holder.
3. **Agreement** shall mean the State/Tribe Cooperative Agreement on Hunting, Trapping and Fishing, signed on May 7, 1999 between the State of Utah and the Ute Indian Tribe.
4. **All-terrain vehicle** shall mean, but not limited to, motorcycles, three-wheelers, quad-runners, snowmobiles, or any other vehicle designed for travel over unimproved terrain.
5. **Angling** shall mean fishing with rod, pole, tipup, handline or trollboard, held in the hands of, or within 10 lineal feet of, the person fishing and having a single line with legal hooks, baits or lures attached.
6. **Aquatic life or animal** shall mean any species of fish, crustacean, aquatic insect or amphibian.
7. **Artificial lure** shall mean any device made of rubber, wood, metal, glass, fiber, feathers, hair or plastic with hook or hooks attached.
8. **Bag limit** shall mean the maximum limit, in number or amount, of aquatic life which may lawfully be taken by any one person during any one day.
9. **Boat** shall mean any craft used to transport a person on water, whether by electric or gasoline engine, sail or manual power, and shall include, but shall not be limited to, a sailboat, skiff, rowboat, dinghy, dory and launch.
10. **Chumming** shall mean depositing in the water any substance, not attached to a fishing device, for the purpose of attracting fish.
11. **Closed Season** shall mean that period of time during which the taking of fish, or a

particular species of fish, is prohibited.

12. **Code** shall mean the Wildlife and Outdoor Recreation Code of the Ute Indian Tribe of the Uintah and Ouray Reservation, found at Title VIII of the Ute Law and Order Code, as amended by any subsequent ordinances or resolutions of the Tribal Business Committee.
13. **Designated Angling/ Recreation Areas** shall mean: Each recreational body of water, as identified in Provisions C3 and C4, and a recreational buffer of one-quarter (¼) of a mile around, or adjacent from waters edge.
14. **Endangered Species** shall mean but shall not be limited to the following species; Razorback sucker, Humpback chub, Flannelmouth sucker, and Colorado Pikeminnow.
15. **Fishing** shall mean to catch or attempt to catch fish, crayfish, or other aquatic animals.
16. **Float Tube** shall mean a floating device, that is not considered a boat or raft and that is capable of supporting one person.
17. **Floating Wader** shall mean an inflatable device used to support one person on the water which does not exceed 48 inches in any dimension.
18. **Game Fish** shall mean trout (rainbow, albino, cutthroat, brown, golden, brook, and lake), kokanee salmon, grayling, whitefish, largemouth and smallmouth bass, bluegill, channel catfish, northern pike, tiger muskie, and walleye.
19. **Guide** shall mean any person who offers services at a cost or at no cost of providing direction and/or supervision to any person to an area or areas on the trust lands for the purpose of angling, camping, or other recreational activities.
20. **Hagen Lands** shall mean those lands within the original boundaries of the Reservation which were determined to have been removed therefrom in Hagen v. Utah, 510 U.S. 399 (1994) and Ute Indian Tribe v. Utah, 114F.3D 1513 (1997) including those lands known as the “Strawberry Reclamation Project” and the “Gilsonite Strip”.
21. **Immediate Family** shall mean the spouse (Lawfully Married) and minor children of a permit holder.
22. **Lake or Reservoir** shall mean a natural or man-made body of standing water contained in a depression of the earth's surface, and supplied from drainage.
23. **Licensed Angler** shall mean any non-member 12 years of age or older who has a valid fishing permit issued by the Ute Tribe Fish and Wildlife Department.
24. **Minor** shall mean any person under the age of 12 years for purposes of permits and bag/possession limitations established under these guidelines; and for all other purposes, "minor" shall mean any person under the age of 18 years.
25. **Mixed Bloods** shall mean any person whose name appears on the final roll of mixed-blood members of the Ute Indian Tribe which was published in the Federal Register on April 5, 1956.
26. **Motor** shall mean any and all electric and internal-combustion engines.
27. **Non-Game Fish** shall mean all fish species that are not listed as game fish, including (but not limited to) carp, suckers, chubs and minnows.

28. **Non-Indian** shall mean any person who is neither a Tribal member, a Mixed-blood, or a Non-member Indian.
29. **Non-Member** shall mean all non-Indians and all non-member Indians.
30. **Non-Member Indian** shall mean an enrolled member of an Indian tribe other than the Tribe that is recognized by the Secretary of the Interior as possessing a government-to-government relationship with the United States; excepting that the phrase “Non-member Indian” shall not include Mixed-bloods.
31. **Peace Officer** shall mean a Ute Indian Tribe conservation officer, Bureau of Indian Affairs' police officer, or federal law enforcement officer who has been authorized to enforce any rules or regulations in accordance with tribal or federal law.
32. **Permit** shall mean a document issued by the Ute Tribe Fish and Wildlife Department, which authorizes the person to whom it was issued to engage in the specific activity(ies) specified on the permit.
33. **Person** shall mean a natural being and, unless otherwise appears from the context, shall include non-member Indians and non-Indians, as defined elsewhere in this section.
34. **Possession** shall mean the actual or constructive custody of and control over a thing.
35. **Possession Limit** shall mean the maximum limit, in number or amount, of aquatic life taken from the reservation which may lawfully be in the possession of any one person at any one time.
36. **Proclamation** shall mean the rules and regulations established by the Ute Indian Tribe Business Committee of the Ute Indian Tribe for the managing the resources on the Uintah and Ouray Reservation, which proclamation sets the seasons and regulations for use of Reservation lands and waters.
37. **Proper Identification** shall mean:
- a. for a tribal member, a Ute Indian Tribe identification card;
  - b. for a mixed-blood, a Mixed Blood identification card issued by the Bureau of Indian Affairs;
  - c. for non-member Indians, a valid identification card issued by the Tribe in which said person is enrolled or a Certificate of Degree of Indian Blood issued by the Bureau of Indian Affairs; and
  - d. for non-Indians, a valid, picture identification card (e.g. such as driver's license) issued by the state in which said non-Indian resides.
38. **Reservation** shall mean all lands located within the exterior boundaries of the Uintah and Ouray Reservation, Utah.
39. **Set Line** shall mean a line anchored at one end to a non-moving object and not attached to a fishing pole.
40. **Single Hook** shall mean a hook or multiple hooks having a common shank.
41. **Snagging and Gaffing** shall mean attempting to take fish in such a manner that the fish does not take the hook voluntarily in its mouth. Snag or gaff hooks are hooks with or without handles used to take fish by snagging or gaffing.

42. **Take or Taking** shall mean to hunt, pursue, harass, angle for, catch, capture, possess, trap, or kill, or to attempt to hunt, pursue, harass, angle for, catch, capture, possess, trap or kill any fish or aquatic animal.
43. **Trespass** shall mean to enter unlawfully upon trust lands.
44. **Tribal Members** shall mean any person who is an enrolled member of the Ute Indian Tribe of the Uintah and Ouray Reservation.
45. **Trust Lands** shall mean all lands of the Uintah and Ouray Reservation which are held by the United States in trust for a member of or for the Ute Indian Tribe and all lands title to which is held by the Ute Indian Tribe and the United States.
46. **Waste** shall mean the abandonment, spoilation, deterioration or any other use of a fish or aquatic animal, protected under these guidelines, that is not usually associated with a beneficial use of the species involved.