ARIZONA GAME AND FISH LAWS AND RULES 2011-2012 SUPPLEMENT
LEGISLATIVE AND REGULATORY UPDATES THROUGH SEPTEMBER 13, 2013

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TITLE 5. AMUSEMENTS AND SPORTS
CHAPTER 3. BOATING AND WATER SPORTS
ARTICLE 1. GENERAL PROVISIONS

5-301. Definitions
In this chapter, unless the context otherwise requires:
1. "Commercial motorized watercraft" means a motorized watercraft that carries passengers or property for a valuable consideration that is paid to the owner, charterer, operator or agent or to any other person interested in the watercraft.
2. "Commission" means the Arizona game and fish commission.
3. "Department" means the Arizona game and fish department.
4. "Documented watercraft": means any watercraft currently registered as a watercraft of the United States pursuant to 46 code of federal regulations part 67.
5. "Domicile" means a person's true, fixed and permanent home and principal residence, proof of which may be demonstrated as prescribed by rules adopted by the commission.
6. "Motorboat" means any watercraft that is not more than sixty-five feet

in length and that is propelled by machinery whether or not such machinery is the principal source of propulsion.

7. "Motorized watercraft" means any watercraft that is propelled by machinery whether or not the machinery is the principal source of propulsion.
8. "Nonresident" means a citizen of the United States or an alien person who is not domiciled in this state and who is not a resident as defined in this Section.
9. "Operate" means to operate or be in actual physical control of a watercraft while on public waters.
10. "Operator" means a person who operates or is in actual physical control of a watercraft while on public waters.
11. "Person" includes any individual, firm, corporation, partnership or association, and any agent, assignee, trustee, executor, receiver or representative thereof.
12. "Public waters" means any body of water which is publicly owned or which the public is permitted to use without permission of the owner upon which a motorized watercraft can be navigated, including that part of waters common to interstate boundaries which is within the boundaries of this state.
13. "Resident" means a person who is either:
    (a) A member of the Armed Forces of the United States on active duty and stationed in this state for a period of thirty days immediately before the date of application for a watercraft decal.
    (b) A member of the Armed Forces of the United States on active duty and stationed in another state or another country and who lists this state as that member's home of record at the time of application for a watercraft decal.
    (c) Domiciled in this state for at least six consecutive months before the date of application for a watercraft decal and who does not claim residency for any purpose in any other state or country.
14. "Revocation" means invalidating the certificate of number, numbers and annual validation decals issued by the department to a watercraft and prohibiting the operation of the watercraft on the waters of this state during a period of noncompliance with this chapter.
15. "Sailboard" means any board of less than fifteen feet in length which is designed to be propelled by wind action upon a sail for navigation on the water by a person operating the board.
16. "Special anchorage area" means an area set aside and under the control of a federal, state or local governmental agency, or by a duly authorized marina operator or concessionaire for the mooring, anchoring or docking of watercraft.
17. "State of principal operation" means the state where a watercraft is primarily used, navigated or employed.
18. "Underway" means that a watercraft on public waters is not at anchor, is not made fast to the shore or is not aground.
19. "Undocumented watercraft" means any watercraft which does not have and is not required to have a valid marine document as a watercraft of the United States.
20. "Wakeless speed" means a speed that does not cause the watercraft to create a wake, but in no case in excess of five miles per hour.
21. "Watercraft" means any boat designed to be propelled by machinery, oars, paddles or wind action upon a sail for navigation on the water, or as may be defined by rule of the commission.
22. "Waterway" means any body of water, public or private, upon which a watercraft can be navigated. **2012**

TITLE 5. AMUSEMENTS AND SPORTS
CHAPTER 3. BOATING AND WATER SPORTS
ARTICLE 3. REGISTRATION AND TAXATION OF WATERCRAFT

5-321. Numbering; registration fees; exemption from taxation; penalty; procedures

A. Except as provided in section 5-322, the owner of each motorized watercraft requiring numbering by this state shall file an application for a registration number with the department, or its agent, on forms approved by the department. Except as provided by rule adopted by the commission, the application shall be signed by the owner of the motorized watercraft and shall be accompanied by a registration fee. After the effective date of this amendment to this section, the commission shall establish by rule a registration fee for each motorized watercraft requiring numbering by this state.
B. Pursuant to article IX, section 16, Constitution of Arizona, watercraft

are exempt from ad valorem property tax and from license taxes in lieu of property tax.

C. The length of the motorized watercraft shall be measured from the most forward part of the bow excluding the bowsprit or jibboom, over the centerline to the rearmost part of the transom excluding sheer, outboard motor, rudder, handles or other attachments.

D. The commission may assess an additional registration fee, to be collected at the same time and in the same manner as the registration fee imposed by subsection A of this section. The amount of the additional fee shall be determined by the commission and may be imposed in different amounts with respect to resident and nonresident owners. An additional registration fee under this subsection is to be used solely for the purpose of the lower Colorado river multispecies conservation program under section 48-3713.03.

E. On receipt of the application in approved form with the applicable fees, the department or its agent shall enter the application on the records of its office and issue to the applicant two current annual decals and a certificate of number stating the number issued to the watercraft and the name and address of the owner. The owner shall display the assigned number and the current annual decals in such manner as may be prescribed by rules of the commission. The number and decals shall be maintained in legible condition. The certificate of number or commission approved proof of valid certificate of number, except as provided in section 5-371, shall be available at all times for inspection by a peace officer whenever the watercraft is in operation. No number issued by another state or the United States coast guard, unless granted exemption or exception pursuant to this chapter, shall be displayed on the watercraft.

F. No person may operate a motorized watercraft on the waterways of this state unless the watercraft displays the assigned number and current annual decals or the person is in possession of a valid thirty-day temporary registration as prescribed by this article.

G. No motorized watercraft shall be purchased, sold or otherwise transferred without assignment by the owner of the current numbering certificate or other documentation as may be prescribed by rules of the commission. Within fifteen days after such transfer, the person to whom such transfer is made shall make application to the department to have the motorized watercraft registered in the person's name by the department, for which the department shall charge a transfer fee as prescribed in rule by the commission. The department shall not issue or transfer a numbering certificate for a motorized watercraft to a person who is subject to the use tax under title 42, chapter 5, article 4 unless the applicable tax has been paid as shown by a receipt from the collecting officer. Persons doing business as marine dealers and licensed as such by this state are not required to register in their name any watercraft in their possession that may be offered for resale.

H. In the event of the loss or destruction of the certificate of number or annual decal, the department shall issue a duplicate to the owner on payment of a fee as prescribed in rule by the commission.

I. The department may issue any certificate of number directly or may authorize any person to act as agent for the issuance of the certificate of number in conformity with this chapter and with any rules of the commission. An agent that contracts with the commission to renew certificates of number by telecommunication may impose additional fees for the services as provided in the contract.

J. The owner shall furnish to the department notice of the transfer of all or any part of the owner's interest other than the creation of a security interest in a motorized watercraft numbered in this state pursuant to this chapter or of the destruction or abandonment of such watercraft within fifteen days. Such transfer, destruction or abandonment shall terminate the certificate of number of such watercraft, except that in the case of a transfer of a part interest that does not affect the owner's right to operate such watercraft, the transfer shall not terminate the certificate of number.

K. Any holder of a certificate of number shall notify the department within fifteen days if the holder's address no longer conforms to the address appearing on the certificate and, as a part of such notification, shall furnish the department with the holder's new address. The commission may provide in its rules for the surrender of the certificate bearing the former address and its replacement with a certificate bearing the new address or the alteration of an outstanding certificate to show the new address of the holder.

L. On renewal of any motorized watercraft registration that has not been renewed by the current expiration date, the department shall assess a

penalty unless the watercraft ownership has been transferred and the watercraft was not registered subsequent to the expiration date. The commission shall establish the penalty by rule. If more than twelve months have lapsed since the expiration date of the last registration or renewal, the penalty and back fees are waived. **2013**

5-322. Motorized watercraft to be numbered; exceptions

A. All motorized watercraft whether underway, moored or anchored on the waters within the boundaries of the state shall be numbered in accordance with this chapter or rules of the commission in accordance with the federally approved numbering system except:
   1. Foreign watercraft temporarily using the waters of the state.
   2. Military or public vessels of the United States, except recreational type public vessels.
   3. Watercraft used solely as lifeboats.
   4. Undocumented watercraft operating under a valid temporary certificate issued pursuant to rules adopted by the commission.
   5. Documented watercraft numbered in accordance with the regulations of the United States coast guard.

B. Motorized watercraft owned and operated exclusively by the state or by any political subdivision of the state shall be numbered, but no registration fee shall be paid on the watercraft.

C. All owners of motorized watercraft when in the course of interstate operation displaying a current and valid number issued under an approved federal numbering system of the United States coast guard, a state, the Commonwealth of Puerto Rico, the Virgin Islands, Guam or the District of Columbia shall register such watercraft with the department before the expiration of the reciprocity period prescribed by rules of the commission.

D. All motorized watercraft, when in the course of interstate operation and not required to be numbered in their state of principal operation, shall comply with the requirements of subsection C of this section.

E. When this state becomes the new state of principal operation of a motorized watercraft displaying a current number issued under a federally approved numbering system, the validity of such number shall be recognized for a period of ninety days. On expiration of the ninety-day period and before any subsequent use, the owner shall number any motorized watercraft pursuant to section 5-321.

F. Each dealer or manufacturer in this state engaged in the sale of motorized watercraft using the watercraft for demonstration shall obtain one or more dealer watercraft certificates of number with the current validating decals. Applications, fees for each certificate of number and accompanying current decals, renewal and display of certificates of number shall be as prescribed in this chapter or by rules of the commission. **2013**

5-323. Disposition of fees

Each month monies received from the registration and infrastructure fees received under this chapter for the numbering of watercraft shall be deposited, pursuant to sections 35-146 and 35-147, in the watercraft licensing fund. Each month, the department shall distribute the monies as follows:

1. All revenues collected pursuant to section 5-321, subsection A and section 5-326 shall be allocated as follows:
   (a) Sixty-five per cent shall be deposited in the watercraft licensing fund. The watercraft licensing fund is to be used by the department for administering and enforcing this chapter, providing an information and education program relating to boating and boating safety and administering any aquatic invasive species program established under this title or title 17. These monies are subject to legislative appropriation.
   (b) Thirty-five per cent of such revenues shall be further allocated as follows:
      (i) Fifteen per cent to the state lake improvement fund to be used as prescribed by section 5-382.
      (ii) Eighty-five per cent to the law enforcement and boating safety fund to be used as prescribed by section 5-383.
2. All revenues collected from any additional registration fees collected pursuant to section 5-321, subsection C shall be paid to an account designated by a multi-county water conservation district established under title 48, chapter 22 to be used solely for the lower Colorado river multispecies conservation program and for no other purpose. **2012**

5-324. Public records; identification of requester; supplying information by mail; records custodians; certification of records

A. All records of the department made or kept pursuant to this article are public records.

B. The department shall furnish information or copies from the records kept pursuant to this section subject to sections 39-121.01 and 39-121.03.

C. Persons requesting a copy of a public record pursuant to this section shall identify themselves and state the reason for making the request. The department shall verify the name and address of the person making the request by requiring the person to produce necessary information to ensure that the information given is true and correct.

D. The department shall not divulge any information from a watercraft registration record unless the person requesting the information provides the following:
   1. The name of the owner.
   2. The hull identification number of the watercraft.
   3. The department issued number assigned to the watercraft.

E. The procedures required by subsections C and D of this section do not apply to:
   1. This state or any of its departments, agencies or political subdivisions.
   2. A court.
   3. A law enforcement officer.
   4. A licensed private investigator.
   5. Financial institutions and enterprises under the jurisdiction of the department of financial institutions or a federal monetary authority.
   6. The federal government or any of its agencies.
   7. An attorney admitted to practice in this state who alleges the information is relevant to any pending or potential court proceeding.
   8. An operator of a self-service storage facility located in this state who alleges both of the following:
      (a) That the watercraft on which the operator is requesting the record is in the operator's possession.
      (b) That the record is requested to allow the operator to notify the registered owner and any lienholders of record of the operator's intent to foreclose its lien and to sell the watercraft.
   9. A towing company located in this state that alleges both of the following:
      (a) That the watercraft on which the towing company is requesting the record is in the towing company's possession.
      (b) That the record is requested to allow the towing company to notify the registered owner and any lienholders of record, if known, of the towing company's intent to sell the watercraft.
   10. An insurance company.

F. The department may supply the requested information by mail or telecommunications.

G. The director may designate as custodian of the department's public records those department employees the director deems necessary. If a public record of the department has been certified by a records custodian and authenticated as required under proof of records (records of public officials), rules of civil procedure and the rules of evidence for courts in this state, it is admissible in evidence without further foundation.

H. Notwithstanding subsection D of this section, information may be supplied for commercial purposes, as defined in section 39-121.03, if the information is transmitted in a machine readable form such as computer magnetic tape to the person making the request.

I. The department shall maintain for a period of at least one year a file of requests for information that shall be maintained by the name of the person whose record was requested, except those requests made by government agencies. **2012**

5-326. Nonresidents; registration; payment of fees; exemption

A. A nonresident owner of a watercraft who establishes this state as the state of principal operation shall register and number that watercraft pursuant to this article and pay an additional boating safety infrastructure fee assessed pursuant to section 5-327 before placing that watercraft on the waterways of this state.

B. A member of the armed forces of the United States who is on active duty and stationed in this state for a period of at least thirty days immediately before applying for watercraft registration is exempt from this section.

C. The owner shall carry and display proof of payment of the fee required by this section in a manner prescribed by the commission while the watercraft is underway, moored or anchored on the waterways of this state.
D. Subsection A of this section does not apply to nonrecreational or commercial motorized watercraft. **2012**

5-327. Nonresident boating safety infrastructure fees

A. In accordance with section 5-326, the commission shall assess a nonresident boating safety infrastructure fee for each watercraft registered in this state by a nonresident as defined in section 5-301. The fees assessed pursuant to this section shall be paid in addition to the fees required pursuant to section 5-321.
B. For the purposes of section 5-326, subsection A, the commission shall establish nonresident boating safety infrastructure fees. After the effective date of this amendment to this section, the commission shall establish by rule a nonresident boating safety infrastructure fee for each watercraft registered in this state by a nonresident.
C. The length of the motorized watercraft shall be measured in the same manner prescribed in section 5-321, subsection C.
D. Unless the person or watercraft qualifies for an exemption pursuant to section 5-326, no person who is subject to this section shall operate or grant permission to operate a watercraft within the boundaries of this state unless that watercraft displays a valid nonresident boating safety infrastructure decal in conformance with the rules adopted pursuant to section 5-326. **2013**

5-328. Fee limitation

The department may establish fees pursuant to sections 5-321, 5-322 and 5-327, but the total amount of fees collected in any fiscal year may not exceed fifty per cent more than the amount appropriated from the watercraft licensing fund for fiscal year 2012-2013. **2013**

TITLE 17. GAME AND FISH
CHAPTER 2. GAME AND FISH DEPARTMENT AND GAME AND FISH COMMISSION
ARTICLE 1. DEFINITIONS AND AUTHORITY OF THE STATE

17-101. Definitions

A. In this title, unless the context otherwise requires:
1. "Angling" means the taking of fish by one line and not to exceed two hooks, by one line and one artificial lure, which may have attached more than one hook, or by one line and not to exceed two artificial flies or lures.
2. "Bag limit" means the maximum limit, in number or amount, of wildlife that may lawfully be taken by any one person during a specified period of time.
3. "Closed season" means the time during which wildlife may not be lawfully taken.
4. "Commission" means the Arizona game and fish commission.
5. "Department" means the Arizona game and fish department.
6. "Device" means any net, trap, snare, salt lick, scaffold, deadfall, pit, explosive, poison or stupefying substance, crossbow, firearm, bow and arrow, or other implement used for taking wildlife. Device does not include a raptor or any equipment used in the sport of falconry.
7. "Domicile" means a person's true, fixed and permanent home and principal residence. Proof of domicile in this state may be shown as prescribed by rule by the commission.
8. "Falconry" means the sport of hunting or taking quarry with a trained raptor.
9. "Fishing" means to lure, attract or pursue aquatic wildlife in such a manner that the wildlife may be captured or killed.
10. "Fur dealer" means any person engaged in the business of buying for resale the raw pelts or furs of wild mammals.
11. "Guide" means a person who does any of the following:
(a) Advertises for guiding services.
(b) Holds himself out to the public for hire as a guide.
(c) Is employed by a commercial enterprise as a guide.
(d) Accepts compensation in any form commensurate with the market value in this state for guiding services in exchange for aiding, assisting, directing, leading or instructing a person in the field to locate and take wildlife.
(e) Is not a landowner or lessee who, without full fair market compensation, allows access to the landowner's or lessee's

property and directs and advises a person in taking wildlife.

12. "License classification" means a type of license, permit, tag or stamp authorized under this title and prescribed by the commission by rule to take, handle or possess wildlife.
13. "License year" means the twelve-month period between January 1 and December 31, inclusive, or a different twelve-month period as prescribed by the commission by rule.
14. "Nonresident", for the purposes of applying for a license, permit, tag or stamp, means a citizen of the United States or an alien who is not a resident.
15. "Open season" means the time during which wildlife may be lawfully taken.
16. "Possession limit" means the maximum limit, in number or amount of wildlife, which that may be possessed at one time by any one person.
17. "Resident", for the purposes of applying for a license, permit, tag or stamp, means a person who is:
    (a) A member of the armed forces of the United States on active duty and who is stationed in:
        (i) This state for a period of thirty days immediately preceding the date of applying for a license, permit, tag or stamp.
        (ii) Another state or country but who lists this state as the person's home of record at the time of applying for a license, permit, tag or stamp.
    (b) Domiciled in this state for six months immediately preceding the date of applying for a license, permit, tag or stamp and who does not claim residency privileges for any purpose in any other state or jurisdiction.
18. "Road" means any maintained right-of-way for public conveyance.
19. "Statewide" means all lands except those areas lying within the boundaries of state and federal refuges, parks and monuments, unless specifically provided differently by commission order.
20. "Take" means pursuing, shooting, hunting, fishing, trapping, killing, capturing, snaring or netting wildlife or the placing or using of any net or other device or trap in a manner that may result in the capturing or killing of wildlife.
21. "Taxidermist" means any person who engages for hire in the mounting, refurbishing, maintaining, restoring or preserving of any display specimen.
22. "Traps" or "trapping" means taking wildlife in any manner except with a gun or other implement in hand.
23. "Wild" means, in reference to mammals and birds, those species that are normally found in a state of nature.
24. "Wildlife" means all wild mammals, wild birds and the nests or eggs thereof, reptiles, amphibians, mollusks, crustaceans and fish, including their eggs or spawn.
25. "Youth" means a person who is under eighteen years of age.
26. "Zoo" means a commercial facility open to the public where the principal business is holding wildlife in captivity for exhibition purposes.

B. The following definitions of wildlife shall apply:
1. Aquatic wildlife are all fish, amphibians, mollusks, crustaceans and soft-shelled turtles.
2. Game mammals are deer, elk, bear, pronghorn (antelope), bighorn sheep, bison (buffalo), peccary (javelina), mountain lion, tree squirrel and cottontail rabbit.
3. Big game are wild turkey, deer, elk, pronghorn (antelope), bighorn sheep, bison (buffalo), peccary (javelina), bear and mountain lion.
4. "Trophy" means:
    (a) A mule deer buck with at least four points on one antler, not including the eye-guard point.
    (b) A whitetail deer buck with at least three points on one antler, not including the eye-guard point.
    (c) A bull elk with at least six points on one antler, including the eye-guard point and the brow tine point.
    (d) A pronghorn (antelope) buck with at least one horn exceeding or equal to fourteen inches in total length.
    (e) Any bighorn sheep.
    (f) Any bison (buffalo).
5. Small game are cottontail rabbits, tree squirrels, upland game birds and migratory game birds.
6. Fur-bearing animals are muskrats, raccoons, otters, weasels, bobcats, beavers, badgers and ringtail cats.
7. Predatory animals are foxes, skunks, coyotes and bobcats.

8. Nongame animals are all wildlife except game mammals, game birds, fur-bearing animals, predatory animals and aquatic wildlife.
9. Upland game birds are quail, partridge, grouse and pheasants.
10. Migratory game birds are wild waterfowl, including ducks, geese and swans; sandhill cranes; all coots, all gallinules, common snipe, wild doves and bandtail pigeons.
11. Nongame birds are all birds except upland game birds and migratory game birds.
12. Raptors are birds that are members of the order of falconiformes or strigiformes and include falcons, hawks, owls, eagles and other birds that the commission may classify as raptors.
13. Game fish are trout of all species, bass of all species, catfish of all species, sunfish of all species, northern pike, walleye and yellow perch.
14. Nongame fish are all the species of fish except game fish.
15. Trout means all species of the family salmonidae, including grayling. **2013**

TITLE 17. GAME AND FISH
CHAPTER 2. GAME AND FISH DEPARTMENT AND GAME AND FISH COMMISSION
ARTICLE 3. POWERS AND DUTIES

17-211. Director; selection; removal; powers and duties; employees

A. The commission shall appoint a director of the Arizona game and fish department, who shall be the chief administrative officer of the game and fish department. The director shall receive compensation as determined pursuant to section 38-611. The director shall be selected on the basis of administrative ability and general knowledge of wildlife management. The director shall act as secretary to the commission, and shall serve at the pleasure of the commission. The director shall not hold any other office, and shall devote the entire time to the duties of office.

B. The commission shall prepare an examination for the post of director to comply with the requirements of this title. The examination shall be conducted at the offices of the commission at the capital to establish an active list of eligible applicants. The director shall be selected from those scoring satisfactory grades and having other qualities deemed advisable by the commission. The commission may call for additional examinations from time to time for selection of a new list of eligible applicants to fill a vacancy.

C. Subject to title 41, chapter 4, article 4, the director may appoint employees necessary to carry out the purposes of this title, when funds for the payment of their salaries are appropriated. Department employees shall be located in different sections of the state where their services are most needed. Compensation for persons appointed shall be as determined pursuant to section 38-611.

D. The director shall:
1. Have general supervision and control of all activities, functions and employees of the department.
2. Enforce all provisions of this title, including all commission rules.
3. Collaborate with the state forester in presentations to legislative committees on issues associated with forest management and wildfire prevention and suppression as provided by section 37-622, subsection B.

E. Game rangers and wildlife managers may, in addition to other duties:
1. Execute all warrants issued for a violation of this title.
2. Execute subpoenas issued in any matter arising under this title.
3. Search without warrant any aircraft, boat, vehicle, box, game bag or other package where there is sufficient cause to believe that wildlife or parts of wildlife are possessed in violation of law.
4. Inspect all wildlife taken or transported and seize all wildlife taken or possessed in violation of law, or showing evidence of illegal taking.
5. Seize as evidence devices used illegally in taking wildlife and hold them subject to the provisions of section 17-240.
6. Generally exercise the powers of peace officers with primary duties the enforcement of this title.
7. Seize devices that cannot be lawfully used for the taking of wildlife and are being so used and hold and dispose of them pursuant to section 17-240. **2012**

17-231. General powers and duties of the commission

A. The commission shall:
   1. Adopt rules and establish services it deems necessary to carry out the provisions and purposes of this title.
   2. Establish broad policies and long-range programs for the management, preservation and harvest of wildlife.
   3. Establish hunting, trapping and fishing rules and prescribe the manner and methods that may be used in taking wildlife, but the commission shall not limit or restrict the magazine capacity of any authorized firearm.
   4. Be responsible for the enforcement of laws for the protection of wildlife.
   5. Provide for the assembling and distribution of information to the public relating to wildlife and activities of the department.
   6. Prescribe rules for the expenditure, by or under the control of the director, of all funds arising from appropriation, licenses, gifts or other sources.
   7. Exercise such powers and duties necessary to carry out fully the provisions of this title and in general exercise powers and duties which relate to adopting and carrying out policies of the department and control of its financial affairs.
   8. Prescribe procedures for use of department personnel, facilities, equipment, supplies and other resources in assisting search or rescue operations on request of the director of the division of emergency management.
   9. Cooperate with the Arizona-Mexico commission in the governor's office and with researchers at universities in this state to collect data and conduct projects in the United States and Mexico on issues that are within the scope of the department's duties and that relate to quality of life, trade and economic development in this state in a manner that will help the Arizona-Mexico commission to assess and enhance the economic competitiveness of this state and of the Arizona-Mexico region.

B. The commission may:
   1. Conduct investigations, inquiries or hearings in the performance of its powers and duties.
   2. Establish game management units or refuges for the preservation and management of wildlife.
   3. Construct and operate game farms, fish hatcheries, fishing lakes or other facilities for or relating to the preservation or propagation of wildlife.
   4. Expend funds to provide training in the safe handling and use of firearms and safe hunting practices.
   5. Remove or permit to be removed from public or private waters fish which hinder or prevent propagation of game or food fish and dispose of such fish in such manner as it may designate.
   6. Purchase, sell or barter wildlife for the purpose of stocking public or private lands and waters and take at any time in any manner wildlife for research, propagation and restocking purposes or for use at a game farm or fish hatchery and declare wildlife salable when in the public interest or the interest of conservation.
   7. Enter into agreements with the federal government, with other states or political subdivisions of the state and with private organizations for the construction and operation of facilities and for management studies, measures or procedures for or relating to the preservation and propagation of wildlife and expend funds for carrying out such agreements.
   8. Prescribe rules for the sale, trade, importation, exportation or possession of wildlife.
   9. Expend monies for the purpose of producing publications relating to wildlife and activities of the department for sale to the public and establish the price to be paid for annual subscriptions and single copies of such publications. All monies received from the sale of such publications shall be deposited in the game and fish publications revolving fund.
   10. Contract with any person or entity to design and produce artwork on terms which, in the commission's judgment, will produce an original and valuable work of art relating to wildlife or wildlife habitat.
   11. Sell or distribute the artwork authorized under paragraph 10 of this subsection on such terms and for such price as it deems acceptable.
   12. Consider the adverse and beneficial short-term and long-term economic impacts on resource dependent communities, small businesses and the state of Arizona, of policies and programs for

the management, preservation and harvest of wildlife by holding a public hearing to receive and consider written comments and public testimony from interested persons.

13. Adopt rules relating to range operations at public shooting ranges operated by and under the jurisdiction of the commission, including the hours of operation, the fees for the use of the range, the regulation of groups and events, the operation of related range facilities, the type of firearms and ammunition that may be used at the range, the safe handling of firearms at the range, the required safety equipment for a person using the range, the sale of firearms, ammunition and shooting supplies at the range, and the authority of range officers to enforce these rules, to remove violators from the premises and to refuse entry for repeat violations.
14. Solicit and accept grants, gifts or donations of money or other property from any source, which may be used for any purpose consistent with this title.

C. The commission shall confer and coordinate with the director of water resources with respect to the commission's activities, plans and negotiations relating to water development and use, restoration projects under the restoration acts pursuant to chapter 4, article 1 of this title, where water development and use are involved, the abatement of pollution injurious to wildlife and in the formulation of fish and wildlife aspects of the director of water resources' plans to develop and utilize water resources of the state and shall have jurisdiction over fish and wildlife resources and fish and wildlife activities of projects constructed for the state under or pursuant to the jurisdiction of the director of water resources.

D. The commission may enter into one or more agreements with a multi-county water conservation district and other parties for participation in the lower Colorado river multispecies conservation program under section 48-3713.03, including the collection and payment of any monies authorized by law for the purposes of the lower Colorado river multispecies conservation program. **2012**

17-251. Possession or use of a firearm silencer or muffler while hunting; definition

A. The commission shall not adopt or enforce any rule that prohibits the lawful possession or use of a firearm silencer or muffler, including for the taking of wildlife while hunting.

B. This section does not limit the authority of the commission to prescribe the type and caliber of firearm or ammunition that may be used for taking wildlife.

C. For the purposes of this section, "firearm silencer or muffler" means any device that is designed, made or adapted to muffle the report of a firearm. **2012**

17-252. Geospatial data and geographic information system services; wildlife species location information; disclosure or inspection; definitions

A. Geospatial data that the department receives, maintains, shares or stores is not subject to disclosure or inspection under title 39, chapter 1, article 2 if the department provides geospatial data to the public through geographic information system services.

B. Wildlife species location information is not subject to disclosure or inspection under title 39, chapter 1, article 2 for wildlife species location information on private property or when the department determines that disclosure or inspection of the information may cause harm to any wildlife species.

C. For the purposes of this section, "geospatial data" and "geographic information system" have the same meaning as prescribed in section 37-171. **2012**

TITLE 17. GAME AND FISH
CHAPTER 2. GAME AND FISH DEPARTMENT AND GAME AND FISH COMMISSION
ARTICLE 4. FISCAL PROVISIONS

17-261. Game and fish fund

On or before the fifth day of each month the department shall deposit, pursuant to sections 35-146 and 35-147, the monies received from licenses, from the sale of goods or services at locations other than at shooting ranges that the commission owns and operates or from any other source under this title in a special fund known as the game and fish fund, which is set aside, appropriated and made available to the commission in carrying out the

provisions of this title, and the monies shall be used for no other purpose. Expenditures of the monies shall be under control of the budget laws of this state and no monies shall be expended from the fund except:

1. By the annual budget and to match federal grants for wildlife restoration as provided for by the legislature.
2. For emergency purposes not to exceed twenty-five thousand dollars in any one fiscal year when authorized by the governor and the department of administration. **2012**

17-270 IS REPEALED **2013**

17-271. Wildlife endowment fund

A. The wildlife endowment fund is established to be used by the commission for wildlife conservation and management purposes. The fund consists of:
   1. Revenues from sales of lifetime licenses and benefactor licenses.
   2. Gifts, grants and contributions specifically designated for the fund.
   3. Interest and investment income derived from monies in the fund as provided by subsection C of this section.

B. Monies in the wildlife endowment fund are:
   1. Subject to annual appropriation by the legislature pursuant to section 35-143.01.
   2. Exempt from lapsing under section 35-190.

C. The commission shall administer the wildlife endowment fund. On notice from the commission the state treasurer shall invest and divest monies in the wildlife endowment fund as provided by section 35-313, and monies earned from investment shall be credited to the fund. On July 1 of each year the department of administration shall transfer from the wildlife endowment fund to the game and fish fund an amount equal to the interest and investment income deposited in the wildlife endowment fund during the preceding fiscal year. **2013**

17-272. Voluntary contributions in lieu of property taxes

A. If the commission purchases real property and if the property was subject to taxation, or was exempt from taxation under section 42-11114 or 42-11115, at the time of purchase, notwithstanding any other law, the commission may make voluntary contributions of money to the state, the county, the municipality, school districts, a community college district and any other special taxing district organized under title 48 in which the property is located. On or before April 1 of each year in which the commission elects to make voluntary contributions under this section, the commission shall notify the county assessor of the county in which the property is located of its election to make a voluntary contribution pursuant to this section. Contributions under this section:
   1. May be made from the game, nongame, fish and endangered species fund, the conservation development fund, the Arizona game and fish commission heritage fund or any other source of monies available to and budgeted by the commission, except that monies from the heritage fund may be used only with respect to property acquired pursuant to section 17-298.
   2. Are subject to legislative appropriation if legislative appropriation is required for the particular source of monies.

B. The department shall consult with the assessor of the county in which the property is located and determine the assessed valuation of the property and the amount of the contribution under this section. Each year the contribution shall be computed assuming classification as class two property pursuant to section 42-12002 and shall be valued each year as agricultural land pursuant to section 42-13101. The assessed valuation used to compute the contribution shall not be increased from one tax year to the next tax year by more than two per cent.

C. The amount of the contribution shall be determined by applying the current aggregate tax rate to the determined valuation.

D. The county treasurer shall collect and the commission shall pay the amount of contribution under this section at the same time and in the same manner as ad valorem property taxes are collected and paid.

E. The county treasurer shall distribute the monies received under this section to the various taxing jurisdictions in which the property is located in the same manner as property taxes are distributed.

F. This section does not apply to, and the commission shall not make contributions with respect to, lands acquired for fish hatcheries, game farms, firing ranges, reservoir sites, administrative sites or rights-of-way to fishing waters. **2013**

17-273. Firearms safety and ranges fund; uses; criteria

A. The firearms safety and ranges fund is established consisting of monies transferred to the fund pursuant to section 42-5029, subsection D, paragraph 4, subdivision (a), item (iii) and revenues derived from the sale or lease of real property owned by the commission and acquired for or used for the purpose of providing public shooting ranges and monies received from the sale of goods and services from commissioned-owned shooting ranges except for program income associated with federal grants. The Arizona game and fish commission shall administer the fund which is continuously appropriated. Monies in the fund are exempt from the provisions of section 35-190 relating to lapsing of appropriations. Interest earned on monies in the fund shall be credited to the fund.

B. The Arizona game and fish commission shall use monies in the fund on shooting ranges open to the public and operated by government or nonprofit entities for the following purposes:
   1. Shooting range engineering and studies.
   2. Noise abatement.
   3. Safety enhancement.
   4. Shooting range design.
   5. New shooting range sites and construction.
   6. Shooting range relocation.
   7. Shooting sports programs.
   8. Inventory for sale at ranges.
   9. Other projects or expenses that are necessary to operate and maintain a shooting range under good practices and management.

C. The director of the Arizona game and fish department shall consult with the state land commissioner to identify eligible state trust land suitable for the location or relocation of shooting ranges.

D. The Arizona game and fish commission may accept and spend private grants, gifts and contributions to assist in carrying out this section. **2012**

TITLE 17. GAME AND FISH DEPARTMENT AND GAME AND FISH COMMISSION

CHAPTER 3. TAKING AND HANDLING OF WILDLIFE

ARTICLE 1. GENERAL REGULATIONS

17-304. Prohibition by landowner on hunting; posting; exception

A. Landowners or lessees of private land who desire to prohibit hunting, fishing or trapping on their lands without their written permission shall post such lands closed to hunting, fishing or trapping using notices or signboards.

B. State or federal lands including those under lease may not be posted except by consent of the commission.

C. The notices or signboards shall meet all of the following criteria:
   1. Be not less than eight inches by eleven inches with plainly legible wording in capital and bold-faced lettering at least one inch high.
   2. Contain the words "no hunting", "no trapping" or "no fishing" either as a single phrase or in any combination.
   3. Be conspicuously placed on a structure or post at least four feet above ground level at all points of vehicular access, at all property or fence corners and at intervals of not more than one-quarter mile along the property boundary, except that a post with one hundred square inches or more of orange paint may serve as the interval notices between property or fence corners and points of vehicular access. The orange paint shall be clearly visible and shall cover the entire aboveground surface of the post facing outward and on both lateral sides from the closed area.

D. The entry of any person for the taking of wildlife shall not be grounds for an action for criminal trespassing pursuant to section 13-1502 unless either:
   1. The land has been posted pursuant to this section and the notices and signboards also contain the words "no trespassing".
   2. The person knowingly remains unlawfully on any real property after a reasonable request to leave by the owner or any other person having lawful control over the property or the person knowingly disregards reasonable notice prohibiting trespass at the person's entry to any real property. **2000**

17-305. Possession of other weapons while hunting; violation; classification

A. The possession of legal weapons, devices, ammunition or magazines, which are not authorized to take wildlife, is not prohibited while hunting if the weapon or device is not used to take wildlife.

B. Taking wildlife by using a weapon, device, ammunition, or magazine that is not authorized to take wildlife is a class 1 misdemeanor. **2012**

17-309. Violations; classification

A. Unless otherwise prescribed by this title, it is unlawful for a person to:
1. Violate any provision of this title or any rule adopted pursuant to this title.
2. Take, possess, transport, buy, sell or offer or expose for sale wildlife except as expressly permitted by this title.
3. Destroy, injure or molest livestock, growing crops, personal property, notices or signboards, or other improvements while hunting, trapping or fishing.
4. Discharge a firearm while taking wildlife within one-fourth mile of an occupied farmhouse or other residence, cabin, lodge or building without permission of the owner or resident.
5. Take a game bird, game mammal or game fish and knowingly permit an edible portion thereof to go to waste, except as provided in section 17-302.
6. Take big game, except bear or mountain lion, with the aid of dogs.
7. Make more than one use of a shipping permit or coupon issued by the commission.
8. Obtain a license or take wildlife during the period for which the person's license has been revoked or suspended or the person has been denied a license.
9. Litter hunting and fishing areas while taking wildlife.
10. Take wildlife during the closed season.
11. Take wildlife in an area closed to the taking of that wildlife.
12. Take wildlife with an unlawful device.
13. Take wildlife by an unlawful method.
14. Take wildlife in excess of the bag limit.
15. Possess wildlife in excess of the possession limit.
16. Possess or transport any wildlife or parts of the wildlife which was unlawfully taken.
17. Possess or transport the carcass of big game without a valid tag being attached.
18. Use the edible parts of any game mammal or any part of any game bird or nongame bird as bait.
19. Possess or transport the carcass or parts of a carcass of any wildlife which cannot be identified as to species and legality.
20. Take game animals, game birds and game fish with an explosive compound, poison or any other deleterious substances.
21. Import into this state or export from this state the carcass or parts of a carcass of any wildlife unlawfully taken or possessed.

B. Unless a different or other penalty or punishment is specifically prescribed a person who violates any provision of this title, or who violates or fails to comply with a lawful order or rule of the commission, is guilty of a class 2 misdemeanor.

C. A person who knowingly takes any big game during a closed season or who knowingly possesses, transports or buys any big game which was unlawfully taken during a closed season is guilty of a class 1 misdemeanor.

D. A person is guilty of a class 6 felony who knowingly:
1. Barters, sells or offers for sale any big game or parts of big game taken unlawfully.
2. Barters, sells or offers for sale any wildlife or parts of wildlife unlawfully taken during a closed season.
3. Barters, sells or offers for sale any wildlife or parts of wildlife imported or purchased in violation of this title or a lawful rule of the commission.
4. Assists another person for monetary gain with the unlawful taking of big game.
5. Takes or possesses wildlife while under permanent revocation under section 17-340, subsection B.

E. A peace officer who knowingly fails to enforce a lawful rule of the commission or this title is guilty of a class 2 misdemeanor. **2012**

TITLE 17. GAME AND FISH DEPARTMENT AND GAME AND FISH COMMISSION
CHAPTER 3. TAKING AND HANDLING OF WILDLIFE
ARTICLE 2. LICENSES

17-331. License or proof of purchase required; violation of child support order

A. Except as provided by this title, rules prescribed by the commission or

commission order, a person shall not take any wildlife in this state without a valid license or a commission approved proof of purchase. The person shall carry the license or proof of purchase and produce it on request to any game ranger, wildlife manager or peace officer.

B. A certificate of noncompliance with a child support order issued pursuant to section 25-518 invalidates any license or proof of purchase issued to the support obligor for taking wildlife in this state and prohibits the support obligor from applying for any additional licenses issued by an automated drawing system under this title.

C. On receipt of a certificate of compliance with a child support order from the court pursuant to section 25-518 and without further action:
   1. Any license or proof of purchase issued to the support obligor for taking wildlife that was previously invalidated by a certificate of noncompliance and that has not otherwise expired shall be reinstated.
   2. Any ineligibility to apply for any license issued by an automated drawing system shall be removed. **2013**

17-332. Form and contents of license; duplicate licenses; period of validity

A. Licenses and license materials shall be prepared by the department and may be furnished and charged to dealers authorized to issue licenses. The license shall be issued in the name of the department. Except as provided by rule adopted by the commission, each license shall be signed by the licensee in ink on the face of the license and any license not signed is invalid. With each license authorizing the taking of big game the department shall provide such tags as the commission may prescribe, which the licensee shall attach to the big game animal in such manner as prescribed by the commission. The commission shall limit the number of big game permits issued to nonresidents in a random drawing to ten per cent or fewer of the total hunt permits, but in extraordinary circumstances, at a public meeting the commission may increase the number of permits issued to nonresidents in a random drawing if, on separate roll call votes, the members of the commission unanimously:
   1. Support the finding of a specifically described extraordinary circumstance.
   2. Adopt the increased number of nonresident permits for the hunt.

B. The commission shall issue with each license a shipping permit entitling the holder of the license to a shipment of game or fish as provided by article 4 of this chapter.

C. It is unlawful, except as provided by the commission, for any person to apply for or obtain in any one license year more than one original license permitting the taking of big game. A duplicate license or tag may be issued by the department or by a license dealer if the person requesting such license or tag furnishes the information deemed necessary by the commission.

D. No license or permit is transferable, nor shall such license or permit be used by anyone except the person to whom such license or permit was issued, except that:
   1. A person may transfer the person's big game permit or tag to a qualified organization for use by a minor child who has a life-threatening medical condition or by a minor child who has a permanent physical disability. The commission may prescribe the manner and conditions of transferring and using permits and tags under this paragraph. If a physically disabled child is under fourteen years of age, the child must satisfactorily complete the Arizona hunter education course or another comparable hunter education course that is approved by the director. For the purposes of this paragraph:
      (a) "Disability" means a permanent physical impairment that substantially limits one or more of the child's major life activities requiring the assistance of another person or a mechanical device for physical mobility.
      (b) "Qualified organization" means a nonprofit organization that is qualified under section 501(c)(3) of the United States internal revenue code and that affords opportunities and experiences to children with life-threatening medical conditions or with physical disabilities.
   2. A parent, grandparent or legal guardian may allow the parent's, grandparent's or guardian's minor child or minor grandchild to use the parent's, grandparent's or guardian's big game permit or tag to take big game pursuant to the following requirements:
      (a) The parent, grandparent or guardian must transfer the permit or tag to the child in a manner prescribed by the commission.

(b) The parent or guardian must accompany the child in the field or, if a grandparent allows a minor grandchild to use the grandparent's permit or tag, the grandparent, the parent or the child's guardian must accompany the child in the field.
(c) The child must possess a valid hunting license and, if under fourteen years of age, must satisfactorily complete the Arizona hunter education course or another comparable hunter education course that is approved by the director.
(d) Any big game that is taken counts toward the child's bag limit.

E. No refunds may be made for the purchase of a license or permit.
F. Licenses are valid for a license year as prescribed in rule by the commission. Lifetime licenses and benefactor licenses are valid for the lifetime of the licensee. **2013**

17-333. License classifications; fees; annual report; review

A. Through July 1, 2019, the commission shall prescribe by rule license classifications that are valid for the taking or handling of wildlife, fees for licenses, permits, tags and stamps and application fees.
B. The commission may temporarily reduce or waive any fee prescribed by rule under this title on the recommendation of the director.
C. All monies collected pursuant to this section shall be deposited, pursuant to sections 35-146 and 35-147, in the game and fish fund established by section 17-261.
D. On or before December 31 of each year, the commission shall submit an annual report to the president of the senate, the speaker of the house of representatives, the chairperson of the senate natural resources and rural affairs committee and the chairperson of the house of representatives energy, environment and natural resources committee, or their successor committees, that includes information relating to license classifications, fees for licenses, permits, tags and stamps and any other fees that the commission prescribes by rule. On or before July 1, 2019 and each fifth year thereafter, the joint legislative audit committee shall assign a committee of reference to hold a public hearing and review the annual report submitted by the commission.

17-333.01. Fee limitation

The department may establish fees pursuant to this article, but the total amount of license, permit, tag and stamp fees collected in any fiscal year may not exceed fifty per cent more than the amount appropriated from the game and fish fund for fiscal year 2012-2013. **2013**

17-333.02. Trapping license; education; exemption

A. A person applying for a trapping license must successfully complete a trapping education course conducted or approved by the department before being issued a trapping license. The department shall conduct or approve an educational course of instruction in responsible trapping and environmental ethics. The course shall include instruction on the history of trapping, trapping ethics, trapping laws, techniques in safely releasing nontarget animals, trapping equipment, wildlife management, proper catch handling, trapper health and safety and considerations and ethics intended to avoid conflicts with other public land users. A person must pass a written examination to successfully complete the course. The department shall not approve a trapping education course conducted by any person, agency, corporation or other organization for which a fee is charged greater than an amount the commission determines per person.
B. A person who is born before January 1, 1967 or who has completed, from and after December 31, 1987 and before March 1, 1993, the voluntary trapper education course on responsible trapping conducted in cooperation with the Arizona game and fish department is exempt from subsection A of this section. **2013**

17-333.03 IS REPEALED **2013**

17-335. Blind resident; fishing license exemption

A blind resident may fish without a license and is entitled to the same privileges as the holder of a valid license. **2013**

17-335.01. Lifetime license and benefactor license **2013**

A. For the purposes of this title, the commission may prescribe by rule a lifetime license and a benefactor license and privileges associated with the taking and handling of fish and wildlife in this state pursuant to

section 17-333. All monies derived from the sale of lifetime licenses and benefactor licenses shall be deposited, pursuant to sections 35-146 and 35-147, in the wildlife endowment fund established by section 17-271.

B. A lifetime license, benefactor license and trout stamp may be denied or suspended pursuant to, and for the offenses described in, section 17-340.

C. A lifetime license, benefactor license and trout stamp remain valid if the licensee subsequently resides outside this state, but the licensee must pay the nonresident fee to purchase any additional privileges, including stamps, permits and tags required to hunt and fish in this state. Limits set by the commission on issuing nonresident stamps, permits or tags do not apply to stamps, permits or tags sold to a lifetime licensee. **2013**

17-336. Complimentary and honorary youth licenses

A. The commission may issue a complimentary license to:
   1. A pioneer who is seventy years of age or older and who has been a resident of this state for twenty-five or more consecutive years immediately preceding application for the license. The pioneer license is valid for the lifetime of the licensee, and the commission shall not require renewal of the license.
   2. A veteran of the armed forces of the United States who has been a resident of this state for one year or more immediately preceding application for the license and who is receiving compensation from the United States government for permanent service connected disabilities rated as one hundred per cent disabling.

B. The commission may issue a youth license for a reduced fee, as prescribed by the commission, to a resident of this state who is a member of the boy scouts of America who has attained the rank of eagle scout or a member of the girl scouts of the USA who has received the gold award. **2013**

17-338. Remission of fees from sale of licenses or permits; violation; classification

A. License dealers shall transmit to the department all license or permit fees collected and furnish such information as the commission prescribes by rule. The failure to make such a transmission within thirty days after the deadline the commission prescribes by rule shall be cause to cancel a license dealer's license. The knowing failure to transmit all collected license and permit fees within thirty days is a class 2 misdemeanor.

B. Persons issuing licenses or permits other than the department shall retain as their compensation five per cent of the selling price of each license or permit, except that:
   1. Compensation for Arizona, California, Nevada and Utah-Colorado river special use permits shall be established through agreement between the respective states and the commission.
   2. License dealers who contract with the commission to sell licenses by telecommunication may impose additional fees for their services as provided in the contract. **2013**

17-340. Revocation, suspension and denial of privilege of taking wildlife; notice; violation; classification

A. On conviction or after adjudication as a delinquent juvenile as defined in section 8-201 and in addition to other penalties prescribed by this title, the commission, after a public hearing, may revoke or suspend a license issued to any person under this title and deny the person the right to secure another license to take or possess wildlife for a period of not to exceed five years for:
   1. Unlawful taking, unlawful selling, unlawful offering for sale, unlawful bartering or unlawful possession of wildlife.
   2. Careless use of firearms which has resulted in the injury or death of any person.
   3. Destroying, injuring or molesting livestock, or damaging or destroying growing crops, personal property, notices or signboards, or other improvements while hunting, trapping or fishing.
   4. Littering public hunting or fishing areas while taking wildlife.
   5. Knowingly allowing another person to use the person's big game tag, except as provided by section 17-332, subsection D.
   6. A violation of section 17-303, 17-304 or 17-341 or section 17-362, subsection A.
   7. A violation of section 17-309, subsection A, paragraph 5 involving

a waste of edible portions other than meat damaged due to the method of taking as follows:
(a) Upland game birds, migratory game birds and wild turkey: breast.
(b) Deer, elk, pronghorn (antelope), bighorn sheep, bison (buffalo) and peccary (javelina): hind quarters, front quarters and loins.
(c) Game fish: fillets of the fish.

8. A violation of section 17-309, subsection A, paragraph 1 involving any unlawful use of aircraft to take, assist in taking, harass, chase, drive, locate or assist in locating wildlife.

B. On conviction or after adjudication as a delinquent juvenile and in addition to any other penalties prescribed by this title:
1. For a first conviction or a first adjudication as a delinquent juvenile, for unlawfully taking or wounding wildlife at any time or place, the commission, after a public hearing, may revoke, suspend or deny a person's privilege to take wildlife for a period of up to five years.
2. For a second conviction or a second adjudication as a delinquent juvenile, for unlawfully taking or wounding wildlife at any time or place, the commission, after a public hearing, may revoke, suspend or deny a person's privilege to take wildlife for a period of up to ten years.
3. For a third conviction or a third adjudication as a delinquent juvenile, for unlawfully taking or wounding wildlife at any time or place, the commission, after a public hearing, may revoke, suspend or deny a person's privilege to take wildlife permanently.

C. A person who is assessed civil damages under section 17-314 shall not apply for or obtain a license during the pendency of an action for damages, while measures are pursued to collect damages or prior to the full payment of damages.

D. On receiving a report from the licensing authority of a state which is a party to the wildlife violator compact, adopted under chapter 5 of this title, that a resident of this state has failed to comply with the terms of a wildlife citation, the commission, after a public hearing, may suspend any license issued under this title to take wildlife until the licensing authority furnishes satisfactory evidence of compliance with the terms of the wildlife citation.

E. In carrying out this section the director shall notify the licensee, within one hundred eighty days after conviction, to appear and show cause why the license should not be revoked, suspended or denied. The notice may be served personally or by certified mail sent to the address appearing on the license.

F. The commission shall furnish to license dealers the names and addresses of persons whose licenses have been revoked or suspended, and the periods for which they have been denied the right to secure licenses.

G. The commission may use the services of the office of administrative hearings to conduct hearings and to make recommendations to the commission pursuant to this section.

H. Except for a person who takes or possesses wildlife while under permanent revocation, a person who takes wildlife in this state, or attempts to obtain a license to take wildlife, at a time when the person's privilege to do so is suspended, revoked or denied under this section is guilty of a class 1 misdemeanor. **2012**

17-341. Violation; classification

A. It is unlawful for a person to knowingly purchase, apply for, accept, obtain or use, by fraud or misrepresentation a license, permit, tag or stamp to take wildlife and a license or permit so obtained is void and of no effect from the date of issuance thereof.

B. Any person who violates this section is guilty of a class 2 misdemeanor. **2012**

17-344. Period of validity of special permits

Arizona-Colorado river special use permits and California-Colorado river special use permits shall be valid from January 1 to December 31, inclusive, or as the commission prescribes by rule or order. **2013**

17-345. Surcharges; purposes

In addition to any other fees, the commission may impose and collect:

1. A surcharge on a license, permit, tag, and stamp as the commission prescribes by rule. Monies collected pursuant to this paragraph shall be segregated from other fees and deposited in the conservation development fund.

2. Surcharges on Arizona-Colorado river special use permits, California-Colorado river special use permits and Nevada-Colorado river special use permits issued in this state as provided by sections 17-342, 17-343 and 17-344. The amount of the surcharges shall be determined by the commission. A surcharge under this paragraph is to be used solely for the purpose of the lower Colorado river multispecies conservation program under section 48-3713.03. Any monies collected pursuant to this paragraph shall be segregated from other revenues and deposited, pursuant to sections 35-146 and 35-147, in a fund designated as the Colorado river special use permit clearing account. Each month, on notification by the department, the state treasurer shall pay all of the monies in the clearing account to an account designated by a multi-county county water conservation district established under title 48, chapter 22 to be used solely for the lower Colorado river multispecies conservation program and for no other purpose. **2013**

17-346. Special big game license tags

In addition to any license tags issued under section 17-333, the commission may issue special big game license tags in the name of an incorporated nonprofit organization that is dedicated to wildlife conservation. No more than three special big game license tags may be issued for each species of big game in a license year. Notwithstanding section 17-332, subsection D, an organization that receives special big game license tags issued under this section may sell and transfer them if all proceeds of the sale are used in this state for wildlife management. **2013**

TITLE 17. GAME AND FISH DEPARTMENT AND GAME AND FISH COMMISSION
CHAPTER 3. TAKING AND HANDLING OF WILDLIFE
ARTICLE 4. TRANSPORTATION AND STORAGE

17-371. Transportation, possession and sale of wildlife and wildlife parts

A. A person may transport in his possession his legally taken wildlife, or may authorize the transportation of his legally taken big game, provided such big game or any part thereof has attached thereto a valid transportation permit issued by the department. Such wildlife shall be transported in such manner that it may be inspected by authorized persons upon demand until the wildlife is packaged or stored. Species of wildlife, other than game species, may be transported in any manner unless otherwise specified by the commission. A person possessing a valid license may transport lawfully taken wildlife other than big game given to him but in no event shall any person possess more than one bag or possession limit.

B. A holder of a resident license shall not transport from a point within to a point without the state any big game species or parts thereof without first having obtained a special permit issued by the department or its authorized agent.

C. Migratory birds may be possessed and transported in accordance with the migratory bird treaty act (40 Stat. 755; 16 United States Code sections 703 through 711) and regulations under that act.

D. A holder of a sport falconry license may transport one or more raptors that the person lawfully possesses under terms and conditions prescribed by the commission. Regardless of whether a person holds a sport falconry license and as provided by section 17-236, subsection C, the person may transport for sport falconry purposes one or more raptors that are not listed pursuant to the migratory bird treaty act.

E. Heads, horns, antlers, hides, feet or skin of wildlife lawfully taken, or the treated or mounted specimens thereof, may be possessed, sold and transported at any time, except that migratory birds may be possessed and transported only in accordance with federal regulations. **2012**

TITLE 17. GAME AND FISH DEPARTMENT AND GAME AND FISH COMMISSION
CHAPTER 4. CONSERVATION PROJECTS AND FEDERAL COOPERATION
ARTICLE 3. WILDLIFE HABITAT PROTECTION

17-457. Enforcement of article

All peace officers of the state, counties and municipalities and other duly authorized state employees may enforce the provisions of this article. **2013**

TITLE 17. GAME AND FISH DEPARTMENT AND GAME AND FISH COMMISSION
CHAPTER 4. CONSERVATION PROJECTS AND FEDERAL COOPERATION
ARTICLE 5. USE OF AQUATIC POISONS

17-481. Application of aquatic poisons; analysis; notice; exceptions

A. The department shall not apply rotenone or antimycin A for any purpose to any spring, seep, watershed, stream, river, stockpond, irrigation water delivery system, lake or other body of standing or running water in this state until conducting and submitting to the commission a full impact analysis of any risks posed to the environment and to downstream potable water supplies and livestock water sources. On receipt and review of the analysis, the commission shall issue either:
   1. A written approval if the commission finds the application will not endanger the health of the environment, humans or livestock.
   2. A written disapproval of the analysis.

B. The department must:
   1. Provide at least ten days' advance written notice to all owners, lessees and permittees of real property, including federal and state public lands that are contiguous with the treatment area as defined in the impact analysis, and publish general notice in two publications in a daily or weekly newspaper of general circulation in the general area in which the rotenone or antimycin a will be applied.
   2. Conduct soil and water analyses:
      (a) Before applying rotenone or antimycin A to establish baseline levels.
      (b) After application to monitor downstream levels in soil, potable water supplies and livestock water sources. The department shall continue to monitor the downstream levels until they return to pretreatment baseline levels.

C. This article does not apply if the application is both:
   1. To a reservoir, or to a water body for purposes of operating a reservoir or delivering water from a reservoir or system of reservoirs, that has a capacity of at least ten thousand acre feet, or to the Colorado river below and including lake mead.
   2. Pursuant to a federally issued incidental take permit pursuant to the federal endangered species act. **2013**

TITLE 28. TRANSPORTATION
CHAPTER 3. TRAFFIC AND VEHICLE REGULATION
ARTICLE 16. EQUIPMENT

28-921. Applicability of equipment requirements

A. A person shall not:
   1. Drive or move and the owner shall not knowingly cause or permit to be driven or moved on a highway a vehicle or combination of vehicles that:
      (a) Is in an unsafe condition that endangers a person.
      (b) Does not contain those parts or is not at all times equipped with lamps and other equipment in proper condition and adjustment as required in this article.
      (c) Is equipped in any manner in violation of this article.
   2. Do an act forbidden or fail to perform an act required under this article.

B. This article does not prohibit the use of additional parts and accessories on a vehicle if the use is not inconsistent with this article.

C. The provisions of this article with respect to equipment on vehicles do not apply to:
   1. Implements of husbandry, trailers used solely in the operation of a farm for the transportation of the unprocessed fiber products on the farm or from the farm to a cotton gin, road machinery, road rollers or farm tractors except as made applicable by this article. Notwithstanding this paragraph, a farm tractor equipped with an electric lighting system shall display at all times mentioned in section 28-922 a red tail lamp and either multiple beam or single beam head lamps meeting the requirements of sections 28-925, 28-941 and 28-943.
   2. Vehicles driven by enforcement officers of the Arizona game and fish department in conducting night patrols and investigating night poaching activities. **2012**

TITLE 28. TRANSPORTATION
CHAPTER 3. TRAFFIC AND VEHICLE REGULATION
ARTICLE 20. OFF-HIGHWAY VEHICLES
28-1173. Enforcement

All peace officers of this state and counties or municipalities of this state and other duly authorized state employees shall only enforce this article on land that is either of the following:

1. Solely under the jurisdiction of this state or a county or municipality of this state.
2. Open as indicated by federal law. **2013**

TITLE 28. TRANSPORTATION
CHAPTER 16. TAXES
ARTICLE 5. TAX ADMINISTRATION
28-5926. Transfer; state lake improvement fund; costs

A. Except as provided in subsection B of this section, on a monthly basis, the director shall deposit, pursuant to sections 35-146 and 35-147, one and six-tenths of one per cent of motor vehicle fuel tax monies collected pursuant to section 28-5606 in the state lake improvement fund established by section 5-382.
B. The director shall retain one per cent of the monies specified in subsection A of this section to defray administrative expenses. **2013**

TITLE 17. STATE GOVERNMENT
CHAPTER 3. ADMINISTRATIVE BOARDS AND COMMISSIONS
ARTICLE 12. BOARD OF FINGERPRINTING

41-619.51. Definitions

In this article, unless the context otherwise requires:

1. "Agency" means the supreme court, the department of economic security, the department of education, the department of health services, the department of juvenile corrections, the department of emergency and military affairs, the department of transportation, the state real estate department or the board of examiners of nursing care institution administrators and assisted living facility managers.
2. "Board" means the board of fingerprinting.
3. "Central registry exception" means notification to the department of economic security or the department of health services, as appropriate, pursuant to section 41-619.57 that the person is not disqualified because of a central registry check conducted pursuant to section 8-804.
4. "Expedited review" means an examination, in accordance with board rule, of the documents an applicant submits by the board or its hearing officer without the applicant being present.
5. "Good cause exception" means the issuance of a fingerprint clearance card to an employee pursuant to section 41-619.55.
6. "Person" means a person who is required to be fingerprinted pursuant to this article or who is subject to a central registry check and any of the following:
   (a) Section 8-105.
   (b) Section 8-322.
   (c) Section 8-509.
   (d) Section 8-802.
   (e) Section 8-804.
   (f) Section 8-804.01.
   (g) Section 15-183.
   (h) Section 15-534.
   (i) Section 15-782.02.
   (j) Section 15-1330.
   (k) Section 15-1881.
   (l) Section 17-215.
   (m) Section 26-103.
   (n) Section 32-2108.01.
   (o) Section 32-2123.
   (p) Section 32-2371.
   (q) Section 36-207.
   (r) Section 36-411.
   (s) Section 36-425.03.
   (t) Section 36-446.04.
   (u) Section 36-594.01.
   (v) Section 36-594.02.
   (w) Section 36-882.
   (x) Section 36-883.02.
   (y) Section 36-897.01.
   (z) Section 36-897.03.

(aa) Section 36-3008.
(bb) Section 41-619.53.
(cc) Section 41-1964.
(dd) Section 41-1967.01.
(ee) Section 41-1968.
(ff) Section 41-1969.
(gg) Section 41-2814.
(hh) Section 46-141, subsection A.
(ii) Section 46-321. **2012**

TITLE 41. STATE GOVERNMENT
CHAPTER 6. ADMINISTRATIVE PROCEDURE
ARTICLE 1. GENERAL PROVISIONS

41-1005. Exemptions

A. This chapter does not apply to any:
1. Rule that relates to the use of public works, including streets and highways, under the jurisdiction of an agency if the effect of the order is indicated to the public by means of signs or signals.
2. Order or rule of the Arizona game and fish commission that does the following:
(a) Opens, closes or alters seasons or establishes bag or possession limits for wildlife.
(b) Establishes a fee pursuant to section 5-321, 5-322 or 5-327.
(c) Establishes a license classification, fee or application fee pursuant to title 17, chapter 3, article 2.
3. Rule relating to section 28-641 or to any rule regulating motor vehicle operation that relates to speed, parking, standing, stopping or passing enacted pursuant to title 28, chapter 3.
4. Rule concerning only the internal management of an agency that does not directly and substantially affect the procedural or substantive rights or duties of any segment of the public.
5. Rule that only establishes specific prices to be charged for particular goods or services sold by an agency.
6. Rule concerning only the physical servicing, maintenance or care of agency owned or operated facilities or property.
7. Rule or substantive policy statement concerning inmates or committed youths of a correctional or detention facility in secure custody or patients admitted to a hospital, if made by the state department of corrections, the department of juvenile corrections, the board of executive clemency or the department of health services or a facility or hospital under the jurisdiction of the state department of corrections, the department of juvenile corrections or the department of health services.
8. Form whose contents or substantive requirements are prescribed by rule or statute, and instructions for the execution or use of the form.
9. Capped fee-for-service schedule adopted by the Arizona health care cost containment system administration pursuant to title 36, chapter 29.
10. Fees prescribed by section 6-125.
11. Order of the director of water resources adopting or modifying a management plan pursuant to title 45, chapter 2, article 9.
12. Fees established under section 3-1086.
13. Fee-for-service schedule adopted by the department of economic security pursuant to section 8-512.
14. Fees established under sections 41-2144 and 41-2189.
15. Rule or other matter relating to agency contracts.
16. Fees established under section 32-2067 or 32-2132.
17. Rules made pursuant to section 5-111, subsection A.
18. Rules made by the Arizona state parks board concerning the operation of the Tonto natural bridge state park, the facilities located in the Tonto natural bridge state park and the entrance fees to the Tonto natural bridge state park.
19. Fees or charges established under section 41-511.05.
20. Emergency medical services protocols except as provided in section 36-2205, subsection B.
21. Fee schedules established pursuant to section 36-3409.
22. Procedures of the state transportation board as prescribed in section 28-7048.
23. Rules made by the state department of corrections.
24. Fees prescribed pursuant to section 32-1527.
25. Rules made by the department of economic security pursuant to section 46-805.

26. Schedule of fees prescribed by section 23-908.
27. Procedure that is established pursuant to title 23, chapter 6, article 5 or 6.
28. Rules, administrative policies, procedures and guidelines adopted for any purpose by the Arizona commerce authority pursuant to chapter 10 of this title if the authority provides, as appropriate under the circumstances, for notice of an opportunity for comment on the proposed rules, administrative policies, procedures and guidelines.
29. Rules made by a marketing commission or marketing committee pursuant to section 3-414.
30. Administration of public assistance program monies authorized for liabilities that are incurred for disasters declared pursuant to sections 26-303 and 35-192.
31. User charges, tolls, fares, rents, advertising and sponsorship charges, services charges or similar charges established pursuant to section 28-7705.

B. Notwithstanding subsection A, paragraph 22 of this section, at such time as the federal highway administration authorizes the privatization of rest areas, the state transportation board shall make rules governing the lease or license by the department of transportation to a private entity for the purposes of privatization of a rest area.

C. Coincident with the making of a final rule pursuant to an exemption from the applicability of this chapter under this section, another statute or session law, the agency shall file a copy of the rule with the secretary of state for publication pursuant to section 41-1012 and provide a copy to the council.

D. Unless otherwise required by law, articles 2, 3, 4 and 5 of this chapter do not apply to the Arizona board of regents and the institutions under its jurisdiction, except that the Arizona board of regents shall make policies or rules for the board and the institutions under its jurisdiction that provide, as appropriate under the circumstances, for notice of and opportunity for comment on the policies or rules proposed.

E. Unless otherwise required by law, articles 2, 3, 4 and 5 of this chapter do not apply to the Arizona state schools for the deaf and the blind, except that the board of directors of all the state schools for the deaf and the blind shall adopt policies for the board and the schools under its jurisdiction that provide, as appropriate under the circumstances, for notice of and opportunity for comment on the policies proposed for adoption.

F. Unless otherwise required by law, articles 2, 3, 4 and 5 of this chapter do not apply to the state board of education, except that the state board of education shall adopt policies or rules for the board and the institutions under its jurisdiction that provide, as appropriate under the circumstances, for notice of and opportunity for comment on the policies or rules proposed for adoption. In order to implement or change any rule, the state board of education shall provide at least two opportunities for public comment. **2013**

TITLE 17. STATE GOVERNMENT
CHAPTER 25. STATE GOVERNMENT COMPETITION WITH PRIVATE ENTERPRISE
ARTICLE 1. GENERAL PROVISIONS

41-2752. State competition with private enterprise prohibited; exceptions

A. A state agency shall not engage in the manufacturing, processing, sale, offering for sale, rental, leasing, delivery, dispensing, distributing or advertising of goods or services to the public that are also offered by private enterprise unless specifically authorized by law other than administrative law and executive orders.

B. A state agency shall not offer or provide goods or services to the public for or through another state agency or a local agency, including by intergovernmental or interagency agreement, in violation of this section or section 41-2753.

C. The restrictions on activities that compete with private enterprise contained in this section do not apply to:
1. The development, operation and management of state parks, historical monuments and hiking or equestrian trails.
2. Correctional industries established and operated by the state department of corrections if the prices charged for products sold by the correctional industries are not less than the actual cost of producing and marketing the product plus a reasonable allowance for overhead and administrative costs.

3. The Arizona office of tourism.
4. The Arizona highways magazine, operated by the department of transportation.
5. Printing and distributing information to the public if the agency is otherwise authorized to do so, and printing or copying public records or other material relating to the public agency's public business and recovering through fees and charges the costs of such printing, copying and distributing.
6. The department of public safety.
7. The construction, maintenance and operation of state transportation facilities.
8. The development, distribution, maintenance, support, licensing, leasing or sale of computer software by the department of transportation.
9. Agreements executed by the Arizona health care cost containment system administration with other states to design, develop, install and operate information technology systems and related services or other administrative services pursuant to section 36-2925.
10. Agreements executed by the department of economic security with other states to design, develop, install and operate support collection technology systems and related services. The department shall deposit, pursuant to sections 35-146 and 35-147, monies received pursuant to this paragraph in the public assistance collections fund established by section 46-295.
11. Educational, vocational, treatment, training or work programs of the department of juvenile corrections and contracts between the department of juvenile corrections and this state, a political subdivision of this state or a private entity in order to provide employment or vocational educational experience.
12. The aflatoxin control technologies of the cotton research and protection council.
13. The lease or sublease of lands or buildings by the department of economic security pursuant to section 41-1958.
14. The Arizona commerce authority.
15. The Arizona game and fish commission, but only for the sale of goods or services and not firearms.

D. The restrictions on activities that compete with private enterprise contained in subsection A of this section do not apply to community colleges and universities under the jurisdiction of a governing board. **2012**

TITLE 12. NATURAL RESOURCES
CHAPTER 4. GAME AND FISH COMMISSION

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ARTICLE 2. MISCELLANEOUS LICENSES AND PERMITS

Section

R12-4-202. Disabled Veteran's License

ARTICLE 3. TAKING AND HANDLING OF WILDLIFE

Section

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R12-4-302. Use of Tags
R12-4-303. Unlawful Devices, Methods, and Ammunition
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R12-4-305. Possessing, Transporting, Importing, Exporting, and Selling Carcasses or Parts of Wildlife
R12-4-306. Buffalo Hunt Requirements
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R12-4-308. Wildlife Inspections, Check Stations, and Roadblocks
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R12-4-315. Possession of Live Fish; Unattended Live Boxes and Stringers
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R12-4-317. Seasons for Lawfully Taking Fish, Mollusks, Crustaceans, Amphibians, and Aquatic Reptiles
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ARTICLE 11. AQUATIC INVASIVE SPECIES

Section

R12-4-1101. Definitions
R12-4-1102. Aquatic Invasive Species; Prohibitions; Inspection, Decontamination Protocols

ARTICLE 1. DEFINITIONS AND GENERAL PROVISIONS

R12-4-101. Definitions

A. In addition to the definitions provided under A.R.S. § 17-101, R12-4-301, R12-4-401, and R12-4-501, the following definitions apply to this Chapter, unless otherwise specified:

"Bonus point" means a credit that authorizes the Department to issue an applicant an additional computer-generated random number.

"Commission Order" means a document adopted by the Commission that does one or more of the following:

Open, close, or alter seasons,
Open areas for taking wildlife,
Set bag or possession limits for wildlife,
Set the number of permits available for limited hunts, or
Specify wildlife that may or may not be taken.

"Day-long" means the 24-hour period from midnight to midnight.

"Firearm" means any loaded or unloaded handgun, pistol, revolver, rifle, shotgun or other weapon that will discharge, is designed to discharge or may readily be converted to discharge a projectile by the action of an explosion caused by the burning of smokeless powder, black powder, or black powder substitute.

"Hunt area" means a game management unit, portion of a unit, or group of units, or any portion of Arizona described in a Commission Order and not included in a game management unit, opened to hunting by a particular hunt number.

"Hunt number" means the number assigned by Commission Order to any hunt area where a limited number of hunt permits are available.

"Hunt permits" means the number of hunt permit-tags made available to the public as a result of a Commission Order.

"Hunt permit-tag" means a tag for a hunt for which a Commission Order has assigned a hunt number.

"Identification number" means the number assigned to each applicant or license holder by the Department, as established under R12-4-111.

"License dealer" means a business authorized to sell hunting, fishing, and other licenses as established under to R12-4-105.

"Live baitfish" means any species of live freshwater fish designated by Commission Order as lawful for use in taking aquatic wildlife under R12-4-317.

"Management unit" means an area established by the Commission for management purposes.

"Nonpermit-tag" means a tag for a hunt for which a Commission Order does not assign a hunt number and the number of tags is not limited.

"Restricted nonpermit-tag" means a tag issued for a supplemental hunt as established under R12-4-115.

"Stamp" means a form of authorization in addition to a license that allows the license holder to take wildlife specified by the stamp.

"Tag" means the Department authorization that an individual is required to obtain before taking certain wildlife as established under A.R.S. Title 17 and 12 A.A.C. 4.

"Waterdog" means the larval or metamorphosing stage of salamanders.

"Wildlife area" means an area established under 12 A.A.C. 4, Article 8.

B. If the following terms are used in a Commission Order, the following definitions apply:

"Antlered" means having an antler fully erupted through the skin and capable of being shed.

"Antlerless" means not having an antler, antlers, or any part of an antler erupted through the skin.

"Bearded turkey" means a turkey with a beard that extends beyond the contour feathers of the breast.
"Buck antelope" means a male pronghorn antelope.
"Bull elk" means an antlered elk.
"Designated" means the gender, age, or species of an animal or the specifically identified animal the Department authorizes to be taken and possessed with a valid tag.
"Ram" means any male bighorn sheep, excluding male lambs.

Authorizing Statute

General: A.R.S. § 17-231(A)(1)
Specific: A.R.S. §§ 17-102, 17-231(A)(1)

Historical Note

Amended effective May 3, 1976 (Supp. 76-3). Amended effective October 22, 1976 (Supp. 76-5). Amended effective June 29, 1978 (Supp. 78-3). Amended effective April 22, 1980 (Supp. 80-2). Former Section R12-4-01 renumbered as Section R12-4-101 without change effective August 13, 1981 (Supp. 81-4). Amended effective April 22, 1982 (Supp. 82-2). Amended subsection (A), paragraph (10) effective April 7, 1983 (Supp. 83-2). Amended effective June 4, 1987 (Supp. 87-2). Amended subsection (A) effective December 30, 1988 (Supp. 88-4). Correction, former Historical Note should read "Amended subsection (A) effective January 1, 1989, filed December 30, 1988" (Supp. 89-2). Amended effective May 27, 1992 (Supp. 92-2). Amended effective January 1, 1993; filed December 18, 1992 (Supp. 92-4). Amended effective January 1, 1995; filed in the Office of the Secretary of State December 9, 1994 (Supp. 94-4). Amended effective January 1, 1996; filed in the Office of the Secretary of State December 18, 1995 (Supp. 95-4). Amended by final rulemaking at 6 A.A.R. 211, effective January 1, 2000 (Supp. 99-4). Amended by final rulemaking at 9 A.A.R. 610, effective April 6, 2003 (Supp. 03-1). Amended by final rulemaking at 10 A.A.R. 845, effective April 3, 2004 (Supp. 04-1). Amended by final rulemaking at 11 A.A.R. 991, effective April 2, 2005 (Supp. 05-1). Amended by final rulemaking at 12 A.A.R. 291, effective March 11, 2006 (Supp. 06-1). Amended by final rulemaking at 19 A.A.R. 826, effective July 1, 2013.

R12-4-108. Management Unit Boundaries

A. For the purpose of this Section, parentheses mean "also known as," and the following definitions shall apply:
1. "FH" means "forest highway," a paved road.
2. "FR" means "forest road," an unpaved road.
3. "Hwy" means "Highway."
4. "mp" means "milepost."

B. The state is divided into units for the purpose of managing wildlife. Each unit is identified by a number~~,~~ or a number and letter. For the purpose of this Section, Indian reservation land contained within any management unit is not under the jurisdiction of the Arizona Game and Fish Commission or the Arizona Game and Fish Department.

C. Management unit descriptions are as follows:

Unit 1 -- Beginning at the New Mexico state line and U.S. Hwy 60; west on U.S. Hwy 60 to Vernon Junction; southerly on the Vernon-McNary road (FR 224) to the White Mountain Apache Indian Reservation boundary; east and south along the reservation boundary to Black River; east and north along Black River to the east fork of Black River; north along the east fork to Three Forks; and continuing north and east on the Three Forks-Williams Valley-Alpine Rd. (FR 249) to U.S. Hwy 180; east on U.S. Hwy 180 to the New Mexico state line; north along the state line to U.S. Hwy 60.

Unit 2A -- Beginning at St. Johns on U.S. Hwy 191 (AZ Hwy 61); north on U.S. Hwy 191 (AZ Hwy 61) to the Navajo Indian Reservation boundary; westerly along the reservation boundary to AZ Hwy 77; south on AZ Hwy 77 to Exit 292 on I-40; west on the westbound lane of I-40 to Exit 286; south on AZ Hwy 77 to U.S. Hwy 180; southeast on U.S. Hwy 180 to AZ Hwy 180A; south on AZ Hwy 180A to AZ Hwy 61; east on AZ Hwy 61 to U.S. Hwy 180 (AZ Hwy 61); east to U.S. Hwy 191 at St. Johns; except those portions that are sovereign tribal lands of the Zuni Tribe.

Unit 2B -- Beginning at Springerville; east on U.S. Hwy 60 to the New Mexico state line; north along the state line to the Navajo Indian

Reservation boundary; westerly along the reservation boundary to U.S. Hwy 191 (AZ Hwy 61); south on U.S. Hwy 191 (U.S. Hwy 180) to Springerville.

Unit 2C -- Beginning at St. Johns on U.S. Hwy 191 (AZ Hwy 61); west on to AZ Hwy 61 Concho; southwest on AZ Hwy 61 to U.S. Hwy 60; east on U.S. Hwy 60 to U.S. Hwy 191 (U.S. Hwy 180); north on U.S. Hwy 191 (U.S. Hwy 180) to St. Johns.

Unit 3A -- Beginning at the junction of U.S. Hwy 180 and AZ Hwy 77; south on AZ Hwy 77 to AZ Hwy 377; southwesterly on AZ Hwy 377 to AZ Hwy 277; easterly on AZ Hwy 277 to Snowflake; easterly on the Snowflake-Concho Rd. to U.S. Hwy 180A; north on U.S. Hwy 180A to U.S. Hwy 180; northwesterly on U.S. Hwy 180 to AZ Hwy 77.

Unit 3B -- Beginning at Snowflake; southerly along AZ Hwy 77 to U.S. Hwy 60; southwesterly along U.S. Hwy 60 to the White Mountain Apache Indian Reservation boundary; easterly along the reservation boundary to the Vernon-McNary Rd. (FR 224); northerly along the Vernon-McNary Rd. to U.S. Hwy 60; west on U.S. Hwy 60 to AZ Hwy 61; northeasterly on AZ Hwy 61 to AZ Hwy 180A; northerly on AZ Hwy 180A to Concho-Snowflake Rd.; westerly on the Concho-Snowflake Rd. to Snowflake.

Unit 3C -- Beginning at Snowflake; westerly on AZ Hwy 277 to AZ Hwy 260; westerly on AZ Hwy 260 to the Sitgreaves National Forest boundary with the Tonto National Forest; easterly along the Apache-Sitgreaves National Forest boundary to U.S. Hwy 60 (AZ Hwy 77); northeasterly on U.S. Hwy 60 (AZ Hwy 77) to Showlow; northerly along AZ Hwy 77 to Snowflake.

Unit 4A -- Beginning on the boundary of the Apache-Sitgreaves National Forest with the Coconino National Forest at the Mogollon Rim; north along this boundary (Leonard Canyon) to East Clear Creek; northerly along East Clear Creek to AZ Hwy 99; north on AZ Hwy 99 to AZ Hwy 87; north on AZ Hwy 87 to Business I-40 (3rd St.); west on Business I-40 (3rd St.) to Hipkoe Dr.; northerly on Hipkoe Dr. to I-40; west on I-40 to mp 221.4; north to the southwest corner of the Navajo Indian Reservation boundary; east along the Navajo Indian Reservation boundary to the Little Colorado River; southerly along the Little Colorado River to Chevelon Creek; southerly along Chevelon Creek to Woods Canyon; westerly along Woods Canyon to Woods Canyon Lake Rd; westerly and southerly along the Woods Canyon Lake Rd. to the Mogollon Rim; westerly along the Mogollon Rim to the boundary of the Apache-Sitgreaves National Forest with the Coconino National Forest.

Unit 4B -- Beginning at AZ Hwy 260 and the Sitgreaves National Forest boundary with the Tonto National Forest; northeasterly on AZ Hwy 260 to AZ Hwy 277; northeasterly on AZ Hwy 277 to Hwy 377; northeasterly on AZ Hwy 377 to AZ Hwy 77; northeasterly on AZ Hwy 77 to I-40 Exit 286; northeasterly along the westbound lane of I-40 to Exit 292; north on AZ Hwy 77 to the Navajo Indian Reservation boundary; west along the reservation boundary to the Little Colorado River; southerly along the Little Colorado River to Chevelon Creek; southerly along Chevelon Creek to Woods Canyon; westerly along Woods Canyon to Woods Canyon Lake Rd.; westerly and southerly along the Woods Canyon Lake Rd. to the Mogollon Rim; easterly along the Mogollon Rim to AZ Hwy 260.

Unit 5A -- Beginning at the junction of the Sitgreaves National Forest boundary with the Coconino National Forest boundary at the Mogollon Rim; northerly along this boundary (Leonard Canyon) to East Clear Creek; northeasterly along East Clear Creek to AZ Hwy 99; north on AZ Hwy 99 to AZ Hwy 87; north on AZ Hwy 87 to Business I-40 (3rd St.); west on Business I-40 (3rd St.) to Hipkoe Dr.; north on Hipkoe Dr. to I-40; west on I-40 to the Meteor Crater Rd. (Exit 233); southerly on the Meteor Crater-Chavez Pass-Jack's Canyon Rd. (FR 69) to AZ Hwy 87; southwesterly along AZ Hwy 87 to the Coconino-Tonto National Forest boundary; easterly along the Coconino-Tonto National Forest boundary (Mogollon Rim) to the Sitgreaves National Forest boundary with the Coconino National Forest.

Unit 5B -- Beginning at Lake Mary-Clint's Well Rd. (FH3) and Walnut Canyon (mp 337.5 on FH3); southeasterly on FH3 to AZ Hwy 87; northeasterly on AZ Hwy 87 to FR 69; westerly and northerly on FR 69 to I-40 (Exit 233); west on I-40 to Walnut Canyon (mp 210.2); southwesterly along Walnut Canyon to Walnut Canyon

National Monument; southwesterly along the northern boundary of the Walnut Canyon National Monument to Walnut Canyon; southwesterly along Walnut Canyon to FH3 (mp 337.5).

Unit 6A -- Beginning at the junction of U.S. Hwy 89A and FR 237; southwesterly on U.S. Hwy 89A to the Verde River; southeasterly along the Verde River to Childs; easterly on the Childs-Strawberry Rd. to Fossil Creek north on the creek to Fossil Springs; southeasterly on FS trail 18 (Fossil Spring Trail) to the top of the rim; northeasterly on the rim to Nash Point on the Tonto-Coconino National Forest boundary; easterly along this boundary to AZ Hwy 87; northeasterly on AZ Hwy 87 to Lake Mary-Clint's Well Rd. (FH3); northwesterly on FH3 to FR 132; southwesterly on FR 132 to FR 296; southwesterly on FR 296 to FR 296A; southwesterly on FR 296A to FR 132; northwesterly on FR 132 to FR 235; westerly on FR 235 to Priest Draw; southwesterly along the bottom of Priest Draw to FR 235; westerly on FR 235 to FR 235A; westerly on FR 235A to FR 235; southerly on FR 235 to FR 235K; northwesterly on FR 235K to FR 700; northerly on FR 700 to Mountainaire Rd.; west on Mountainaire Rd. to FR 237; westerly on FR 237 to U.S. Hwy 89A except those portions that are sovereign tribal lands of the Yavapai-Apache Nation.

Unit 6B -- Beginning at mp 188.5 on I-40 at a point just north of the east boundary of Camp Navajo; south along the eastern boundary of Camp Navajo to the southeastern corner of Camp Navajo; southeast approximately 1/3 mile through the forest to the forest road in section 33; southeast on the forest road to FR 231 (Woody Mountain Rd.); easterly on FR 231 to FR 533; southerly on FR 533 to U.S. Hwy 89A; southerly on U.S. Hwy 89A to the Verde River; northerly along the Verde River to Sycamore Creek; northeasterly along Sycamore Creek and Volunteer Canyon to the southwest corner of the Camp Navajo boundary; northerly along the western boundary of Camp Navajo to the northwest corner of Camp Navajo; continuing north to I-40 (mp 180.0); easterly along I-40 to mp 188.5.

Unit 7 -- Beginning at the junction of AZ Hwy 64 and I-40 (in Williams); easterly on I-40 to FR 171 (mp 184.4 on I-40); northerly on FR 171 to the Transwestern Gas Pipeline; easterly along the Transwestern Gas Pipeline to FR 420 (Schultz Pass Rd.); northeasterly on FR 420 to U.S. Hwy 89; across U.S. Hwy 89 to FR 545; east on FR 545 to the Sunset Crater National Monument; easterly along the southern boundary of the Sunset Crater National Monument to FR 545; east on FR 545 to the 345 KV transmission lines 1 and 2; southeasterly along the power lines to I-40 (mp 212 on I-40); east on I-40 to mp 221.4; north to the southwest corner of the Navajo Indian Reservation boundary; northerly and westerly along the reservation boundary to the Four Corners Gas Line; southwesterly along the Four Corners Gas Line to U.S. Hwy 180; west on U.S. Hwy 180 to AZ Hwy 64; south on AZ Hwy 64 to I-40.

Unit 8 -- Beginning at the junction of I-40 and U.S. Hwy 89 (in Ash Fork, Exit 146); south on U.S. Hwy 89 to the Verde River; easterly along the Verde River to Sycamore Creek; northerly along Sycamore Creek to Volunteer Canyon; northeasterly along Volunteer Canyon to the west boundary of Camp Navajo; north along the boundary to a point directly north of I-40; west on I-40 to U.S. Hwy 89.

Unit 9 -- Beginning where Cataract Creek enters the Havasupai Reservation; easterly and northerly along the Havasupai Reservation boundary to Grand Canyon National Park; easterly along the Grand Canyon National Park boundary to the Navajo Indian Reservation boundary; southerly along the reservation boundary to the Four Corners Gas Line; southwesterly along the Four Corners Gas Line to U.S. Hwy 180; westerly along U.S. Hwy 180 to AZ Hwy 64; south along AZ Hwy 64 to Airpark Rd.; west and north along Airpark Rd. to the Valle-Cataract Creek Rd.; westerly along the Valle-Cataract Creek Rd. to Cataract Creek at Island Tank; northwesterly along Cataract Creek to the Havasupai Reservation Boundary.

Unit 10 -- Beginning at the junction of AZ Hwy 64 and I-40; westerly on I-40 to Crookton Rd. (AZ Hwy 66, Exit 139); westerly on AZ Hwy 66 to the Hualapai Indian Reservation boundary; northeasterly along the reservation boundary to Grand Canyon National Park; east along the park boundary to the Havasupai Indian Reservation; easterly and southerly along the reservation

boundary to where Cataract Creek enters the reservation; southeasterly along Cataract Creek in Cataract Canyon to Island Tank; easterly on the Cataract Creek-Valle Rd. to Airpark Rd.; south and east along Airpark Rd. to AZ Hwy 64; south on AZ Hwy 64 to I-40.

Unit 11M -- Beginning at the junction of Lake Mary-Clint's Well Rd. (FH3) and Walnut Canyon (mp 337.5 on FH3); northeasterly along Walnut Canyon to the Walnut Canyon National Monument boundary; northeasterly along the northern boundary of the Walnut Canyon National Monument to Walnut Canyon; northeasterly along Walnut Canyon to I-40 (mp 210.2); east on I-40 to the 345 KV transmission lines 1 and 2 (mp 212 on I-40); north and northeasterly along the power line to FR 545 (Sunset Crater Rd.); west along FR 545 to the Sunset Crater National Monument boundary; westerly along the southern boundary of the Sunset Crater National Monument to FR 545; west on FR 545 to U.S. Hwy 89; across U.S. Hwy 89 to FR 420 (Schultz Pass Rd.); southwesterly on FR 420 to the Transwestern Gas Pipeline; westerly along the Transwestern Gas Pipeline to FR 171; south on FR 171 to I-40 (mp 184.4 on I-40); east on I-40 to a point just north of the eastern boundary of Camp Navajo (mp 188.5 on I-40); south along the eastern boundary of Camp Navajo to the southeast corner of Camp Navajo; southeast approximately 1/3 mile to the forest road in section 33; southeasterly along the forest road to FR 231 (Woody Mountain Rd.); easterly on FR 231 to FR 533; southerly on FR 533 to U.S. Hwy 89A; southerly on U.S. Hwy 89A to FR 237; northeasterly on FR 237 to Mountainaire Rd.; easterly on Mountainaire Rd. to FR 700; southerly on FR 700 to FR 235K; southeasterly on FR 235K to FR 235; northerly on FR 235 to FR 235A; easterly on FR 235A to FR 235; easterly on FR 235 to Priest Draw; northeasterly along the bottom of Priest Draw to FR 235; easterly on FR 235 to FR 132; southeasterly on FR 132 to FR 296A; northeasterly on FR 296A to FR 296; northeasterly on FR 296 to FR 132; northeasterly on FR 132 to FH3; southeasterly on FH3 to Walnut Canyon (mp 337.5 on FH3).

Unit 12A -- Beginning at U.S. Hwy 89A and the Kaibab National Forest boundary near mp 566; southerly and easterly along the forest boundary to Grand Canyon National Park; southerly and westerly along the park boundary to Kanab Creek; northerly along Kanab Creek to Snake Gulch; northerly, easterly and southerly around the Kaibab National Forest boundary to U.S. Hwy 89A near mp 566.

Unit 12B -- Beginning at U.S. Hwy 89A and the Kaibab National Forest boundary near mp 566; southerly and easterly along the forest boundary to Grand Canyon National Park; northeasterly along the park boundary to Glen Canyon National Recreation area; easterly along the recreation area boundary to the Colorado River; northeasterly along the Colorado River to the Arizona-Utah state line; westerly along the state line to Kanab Creek; southerly along Kanab Creek to the Kaibab National Forest boundary; northerly, easterly, and southerly along this boundary to U.S. Hwy 89A near mp 566; except those portions that are sovereign tribal lands of the Kaibab Band of Paiute Indians.

Unit 13A -- Beginning on the western edge of the Hurricane Rim at the Utah state line; southerly along the western edge of the Hurricane Rim to Mohave County Rd. 5 (the Mt. Trumbull Rd.); west along Mohave County Rd. 5 to the town of Mt. Trumbull (Bundyville); south from the town of Mt. Trumbull (Bundyville) on Mohave County Rd. 257 to BLM Rd. 1045; south on BLM Rd. 1045 to where it crosses Cold Spring Wash near Cold Spring Wash Pond; south along the bottom of Cold Spring Wash to Whitmore Wash; southerly along the bottom of Whitmore Wash to the Colorado River; easterly along the Colorado River to Kanab Creek; northerly along Kanab Creek to the Utah state line; west along the Utah state line to the western edge of the Hurricane Rim; except those portions that are sovereign tribal lands of the Kaibab Band of Paiute Indians.

Unit 13B -- Beginning on the western edge of the Hurricane Rim at the Utah state line; southerly along the western edge of the Hurricane Rim to Mohave County Rd. 5 (the Mt. Trumbull Rd.); west along Mohave County Rd. 5 to the town of Mt. Trumbull (Bundyville); south from the town of Mt. Trumbull (Bundyville) on Mohave County Rd. 257 to BLM Rd. 1045; south on BLM Rd. 1045 to where it crosses Cold Spring Wash near Cold Spring Wash Pond;

south along the bottom of Cold Spring Wash to Whitmore Wash; southerly along the bottom of Whitmore Wash to the Colorado River; westerly along the Colorado River to the Nevada state line; north along the Nevada state line to the Utah state line; east along the Utah state line to the western edge of the Hurricane Rim.

Unit 15A -- Beginning at Pearce Ferry on the Colorado River; southerly on the Pearce Ferry Rd. to Antares Rd.; southeasterly on Antares Rd. to AZ Hwy 66; easterly on AZ Hwy 66 to the Hualapai Indian Reservation; west and north along the west boundary of the reservation to the Colorado River; westerly along the Colorado River to Pearce Ferry; except those portions that are sovereign tribal lands of the Hualapai Indian Tribe.

Unit 15B -- Beginning at Kingman on I-40 (Exit 48); northwesterly on U.S. Hwy 93 to Hoover Dam; north and east along the Colorado River to Pearce Ferry; southerly on the Pearce Ferry Rd. to Antares Rd.; southeasterly on Antares Rd. to AZ Hwy 66; easterly on AZ Hwy 66 to Hackberry; southerly on the Hackberry Rd. to its junction with U.S. Hwy 93; north and west on U.S. Hwy 93 and I-40 (Exit 71) to Kingman.

Unit 15C -- Beginning at Hoover Dam; southerly along the Colorado River to AZ Hwy 68 and Davis Dam; easterly on AZ Hwy 68 to U.S. Hwy 93; northwesterly on U.S. Hwy 93 to Hoover Dam.

Unit 15D -- Beginning at AZ Hwy 68 and Davis Dam; southerly along the Colorado River to I-40; east and north on I-40 to Kingman (Exit 48); northwest on U.S. Hwy 93 to AZ Hwy 68; west on AZ Hwy 68 to Davis Dam; except those portions that are sovereign tribal lands of the Fort Mohave Indian Tribe.

Unit 16A -- Beginning at Kingman Exit 48 on I-40; south and west on I-40 to U.S. Hwy 95 (Exit 9); southerly on U.S. Hwy 95 to the Bill Williams River; easterly along the Bill Williams and Santa Maria rivers to U.S. Hwy 93; north and west on U.S. Hwy 93 and I-40 to Kingman (Exit 48).

Unit 16B -- Beginning at I-40 on the Colorado River; southerly along the Arizona-California state line to the Bill Williams River; east along the Bill Williams River to U.S. Hwy 95; north on U.S. Hwy 95 to I-40 (Exit 9); west on I-40 to the Colorado River.

Unit 17A -- Beginning at the junction of the Williamson Valley Rd. (County Road 5) and the Camp Wood Rd. (FR 21); westerly on the Camp Wood road to the west boundary of the Prescott National Forest; north along this boundary to the Baca Grant; east, north and west around the grant to the west boundary of the Prescott National Forest; north and east along this boundary to the Williamson Valley Rd. (County Rd. 5, FR 6); southerly on Williamson Valley Rd. (County Rd. 5, FR 6) to the Camp Wood Rd.

Unit 17B -- Beginning in Prescott; at the junction of Iron Springs Rd. and Williamson Valley Rd. westerly on the Prescott-Skull Valley-Hillside-Bagdad Rd. to Bagdad; northeast on the Bagdad-Camp Wood Rd. (FR 21) to the Williamson Valley Rd. (County Rd. 5, FR 6); south on the Williamson Valley Rd. (County Rd. 5, FR 6) to the Iron Springs Rd.

Unit 18A -- Beginning at Seligman; westerly on AZ Hwy 66 to the Hualapai Indian Reservation; southwest and west along the reservation boundary to AZ Hwy 66; southwest on AZ Hwy 66 to the Hackberry Rd.; south on the Hackberry Rd. to U.S. Hwy 93; south on U.S. Hwy 93 to Cane Springs Wash; easterly along Cane Springs Wash to the Big Sandy River; northerly along the Big Sandy River to Trout Creek; northeast along Trout Creek to the Davis Dam-Prescott power line; southeasterly along the power line to the west boundary of the Prescott National Forest; north and east along the forest boundary to the Williamson Valley Rd. (County Rd. 5, FR 6); northerly on the Williamson Valley Rd. (County Rd. 5, FR 6) to Seligman and AZ Hwy 66; except those portions that are sovereign tribal lands of the Hualapai Indian Tribe.

Unit 18B -- Beginning at Bagdad; southeast on AZ Hwy 96 to the Santa Maria River; southwest along the Santa Maria River to U.S. Hwy 93; northerly on U.S. Hwy 93 to Cane Springs Wash; easterly along Cane Springs Wash to the Big Sandy River; northerly along the Big Sandy River to Trout Creek; northeasterly along Trout Creek to the Davis Dam-Prescott power line; southeasterly along the power line to the west boundary of the Prescott National Forest; south along the forest boundary to the Baca Grant; east, south and west along the joint Baca Grant Prescott Forest Boundary. Continuing south along the west boundary of the

Prescott National Forest; to the Camp Wood-Bagdad Rd.; southwesterly on the Camp Wood-Bagdad Rd. to Bagdad; except those portions that are sovereign tribal lands of the Hualapai Indian Tribe.

Unit 19A -- Beginning at AZ Hwy 69 and U.S. Hwy 89 (in Prescott); northerly on U.S. Hwy 89 to the Verde River; easterly along the Verde River to I-17; southwesterly on the southbound lane of I-17 to AZ Hwy 69; northwesterly on AZ Hwy 69 to U.S. Hwy 89; except those portions that are sovereign tribal lands of the Yavapai-Prescott Tribe and the Yavapai-Apache Nation.

Unit 19B -- Beginning at the intersection of U.S. Hwy 89 and AZ Hwy 69, west on Gurley St. to Grove Ave.; north on the Grove Ave. to Miller Valley Rd.; northwest on the Miller Valley Rd. to Iron Springs Rd.; northwest on the Iron Springs Rd. to the junction of Williamson Valley Rd. and Iron Springs Rd.; northerly on the Williamson Valley-Prescott-Seligman Rd. (FR 6, Williamson Valley Rd.) to AZ Hwy 66 at Seligman; east on Crookton Rd. (AZ Hwy 66) to I-40 (Exit 139); east on I-40 to U.S. Hwy 89; south on U.S. Hwy 89 to the junction with AZ Hwy 69; except those portions that are sovereign tribal lands of the Yavapai-Prescott Tribe.

Unit 20A -- Beginning at the intersection of U.S. Hwy 89 and AZ Hwy 69; west on Gurley St. to Grove Ave.; north on the Grove Ave. to Miller Valley Rd., northwest on the Miller Valley Rd. to Iron Springs Rd., west and south on the Iron Springs-Skull Valley-Kirkland Junction Rd. to U.S. Hwy 89; continue south and easterly on the Kirkland Junction-Wagoner-Crown King-Cordes Rd. to Cordes, from Cordes southeast to I-17 (Exit 259); north on the southbound lane of I-17 to AZ Hwy 69; northwest on AZ Hwy 69 to junction of U.S. Hwy 89 at Prescott; except those portions that are sovereign tribal lands of the Yavapai-Prescott Tribe.

Unit 20B -- Beginning at the Hassayampa River and U.S. Hwy 93 (in Wickenburg); northeasterly along the Hassayampa River to the Kirkland Junction-Wagoner- Crown King-Cordes road (at Wagoner); southerly and northeasterly along the Kirkland Junction-Wagoner-Crown King-Cordes Rd. (at Wagoner) to I-17 (Exit 259); south on the southbound lane of I-17 to the New River Road (Exit 232); west on the New River Road to State Highway 74; west on AZ Hwy 74 to the junction of AZ Hwy 74 and U.S. Hwy 93; northwesterly on U.S. Hwy 93 to the Hassayampa River.

Unit 20C -- Beginning at U.S. Hwy 93 and the Santa Maria River; northeasterly along the Santa Maria River to AZ Hwy 96; easterly on AZ Hwy 96 to Kirkland Junction; southeasterly along the Kirkland Junction-Wagoner- Crown King-Cordes road to the Hassayampa River (at Wagoner); southwesterly along the Hassayampa River to U.S. Hwy 93; northwesterly on U.S. Hwy 93 to the Santa Maria River.

Unit 21 -- Beginning on I-17 at the Verde River; southerly on the southbound lane of I-17 to the New River Road (Exit 232); east on New River Road to Fig Springs Road; northeasterly on Fig Springs Road to the Tonto National Forest boundary; southeasterly along this boundary to the Verde River; north along the Verde River to I-17.

Unit 22 -- Beginning at the junction of the Salt and Verde Rivers; north along the Verde River to Childs; easterly on the Childs-Strawberry Rd. to Fossil Creek; north on the creek to Fossil Springs; southeasterly on FS trail 18 (Fossil Spring Trail) to the top of the rim; northeasterly on the rim to Nash Point on the Tonto-Coconino National Forest boundary along the Mogollon Rim; easterly along this boundary to Tonto Creek; southerly along the east fork of Tonto Creek to the spring box, north of the Tonto Creek Hatchery, and continuing southerly along Tonto Creek to the Salt River; westerly along the Salt River to the Verde River; except those portions that are sovereign tribal lands of the Tonto Apache Tribe and the Fort McDowell Mohave-Apache Community.

Unit 23 -- Beginning at the confluence of Tonto Creek and the Salt River; northerly along Tonto Creek to the spring box, north of the Tonto Creek Hatchery, on Tonto Creek; northeasterly along the east fork of Tonto Creek to the Tonto-Sitgreaves National Forest boundary along the Mogollon Rim; east along this boundary to the White Mountain Apache Indian Reservation boundary; southerly along the reservation boundary to the Salt River; westerly along the Salt River to Tonto Creek.

Unit 24A -- Beginning on AZ Hwy 177 in Superior; southeasterly on AZ Hwy 177 to the Gila River; northeasterly along the Gila River to the San Carlos Indian Reservation boundary; easterly, westerly and northerly along the reservation boundary to the Salt River; southwesterly along the Salt River to AZ Hwy 288; southerly on AZ Hwys 288 and 188 to U.S. Hwy 60; southwesterly on U.S. Hwy 60 to AZ Hwy 177.

Unit 24B -- Beginning on U.S. Hwy 60 in Superior; northeasterly on U.S. Hwy 60 to AZ Hwy 188; northerly on AZ Hwys 188 and 288 to the Salt River; westerly along the Salt River to the Tonto National Forest boundary near Granite Reef Dam; southeasterly along Forest boundary to Forest Route 77 (Peralta Rd.); southwesterly on Forest Route 77 (Peralta Rd.) to U.S. Hwy 60; easterly on U.S. Hwy 60 to Superior.

Unit 25M -- Beginning at the junction of 51st Ave. and I-10; west on I-10 to AZ Loop 303, northeasterly on AZ Loop 303 to I-17; north on I-17 to Carefree Hwy; east on Carefree Hwy to Cave Creek Rd.; northeasterly on Cave Creek Rd. to the Tonto National Forest boundary; easterly and southerly along the Tonto National Forest boundary to Fort McDowell Yavapai Nation boundary; northeasterly along the Fort McDowell Yavapai Nation boundary to the Verde River; southerly along the Verde River to the Salt River; southwesterly along the Salt River to the Tonto National Forest boundary; southerly along the Tonto National Forest boundary to Bush Hwy/Power Rd.; southerly on Bush Hwy/Power Rd to AZ Loop 202; easterly, southerly, and westerly on AZ Loop 202 to the intersection of Pecos Rd. at I-10; west on Pecos Rd. to the Gila River Indian Community boundary; northwesterly along the Gila River Indian Community boundary to 51st Ave; northerly on 51st Ave to I-10; except those portions that are sovereign tribal lands.

Unit 26M -- Beginning at the junction of I-17 and New River Rd. (Exit 232); southwesterly on New River Rd. to AZ Hwy 74; westerly on AZ Hwy 74 to U.S. Hwy 93; southeasterly on U.S. Hwy 93 to the Beardsley Canal; southwesterly on the Beardsley Canal to Indian School Rd; west on Indian School Rd. to Jackrabbit Trail; south on Jackrabbit Trail to I-10 (Exit 121); west on I-10 to Oglesby Rd (Exit 112); south on Oglesby Rd. to AZ Hwy 85; south on AZ Hwy 85 to the Gila River; northeasterly along the Gila River to the Gila River Indian Community boundary; southeasterly along the Gila River Indian Community boundary to AZ Hwy 347 (John Wayne Parkway); south on AZ Hwy 347 (John Wayne Parkway) to AZ Hwy 84; east on AZ Hwy 84 to Stanfield; south on the Stanfield-Cocklebur Rd. to the Tohono O'odham Nation boundary; easterly along the Tohono O'odham Nation boundary to Battaglia Rd.; east on Battaglia Rd. to Toltec Rd.; north on Toltec Rd. to I-10 (Exit 203); southeasterly on I-10 to AZ Hwy 87 (Exit 211); north on AZ Hwy 87 to AZ Hwy 287 north of Coolidge; east on AZ Hwy 287 to AZ Hwy 79; north on AZ Hwy 79 to U.S. Hwy 60; northwesterly on U.S. Highway 60 to Peralta Rd.; northeasterly along Peralta Rd. to the Tonto National Forest boundary; northwesterly along the Tonto National Forest boundary to the Salt River; northeasterly along the Salt River to the Verde River; northerly along the Verde River to the Tonto National Forest boundary; northwesterly along the Tonto National Forest boundary to Fig Springs Rd.; southwesterly on Fig Springs Rd. to New River Road; west on New River Road to I-17 (Exit 232); except Unit 25M and those portions that are sovereign tribal lands.

Unit 27 -- Beginning at the New Mexico state line and AZ Hwy 78; southwest on AZ Hwy 78 to U.S. Hwy 191; north on U.S. Hwy 191 to Lower Eagle Creek Rd. (Pump Station Rd.); west on the Lower Eagle Creek Rd. (Pump Station Rd.) to Eagle Creek; north along Eagle Creek to the San Carlos Apache Indian Reservation boundary; north along the San Carlos Apache Indian Reservation boundary to Black River; northeast along Black River to the East Fork of Black River; northeast along the East Fork of Black River to Three Forks-Williams Valley-Alpine Rd. (FR 249); easterly along Three Forks-Williams Valley-Alpine Rd. to U.S. Hwy 180; southeast on U.S. Hwy 180 to the New Mexico state line; south along the New Mexico state line to AZ Hwy 78.

Unit 28 -- Beginning at I-10 and the New Mexico state line; north along the state line to AZ Hwy 78; southwest on AZ Hwy 78 to U.S. Hwy 191; northwest on U.S. Hwy 191 to Clifton; westerly on the Lower Eagle Creek Rd. (Pump Station Rd.) to Eagle Creek;

northerly along Eagle Creek to the San Carlos Indian Reservation boundary; southerly and west along the reservation boundary to U.S. Hwy 70; southeast on U.S. Hwy 70 to U.S. Hwy 191; south on U.S. Hwy 191 to I-10 Exit 352; easterly on I-10 to the New Mexico state line.

Unit 29 -- Beginning on I-10 at the New Mexico state line; westerly on I-10 to the Bowie-Apache Pass Rd.; southerly on the Bowie-Apache Pass Rd. to AZ Hwy 186; southeast on AZ Hwy 186 to AZ Hwy 181; south on AZ Hwy 181 to the West Turkey Creek-Kuykendall cutoff road; southerly on the Kuykendall cutoff road to Rucker Canyon Rd.; easterly on the Rucker Canyon Rd. to Tex Canyon Rd.; southerly on Tex Canyon Rd. to U.S. Hwy 80; northeast on U.S. Hwy 80 to the New Mexico state line; north along the state line to I-10.

Unit 30A -- Beginning at the junction of the New Mexico state line and U.S. Hwy 80; south along the state line to the U.S.-Mexico border; west along the border to U.S. Hwy 191; northerly on U.S. Hwy 191 to I-10 Exit 331; northeasterly on I-10 to the Bowie-Apache Pass Rd.; southerly on the Bowie-Apache Pass Rd. to AZ Hwy 186; southeasterly on AZ Hwy 186 to AZ Hwy 181; south on AZ Hwy 181 to the West Turkey Creek - Kuykendall cutoff road; southerly on the Kuykendall cutoff road to Rucker Canyon Rd.; easterly on Rucker Canyon Rd. to the Tex Canyon Rd.; southerly on Tex Canyon Rd. to U.S. Hwy 80; northeast on U.S. Hwy 80 to the New Mexico state line.

Unit 30B -- Beginning at U.S. Hwy 191 and the U.S.-Mexico border; west along the border to the San Pedro River; north along the San Pedro River to I-10; northeasterly on I-10 to U.S. Hwy 191; southerly on U.S. Hwy 191 to the U.S.-Mexico border.

Unit 31 -- Beginning at Willcox Exit 340 on I-10; north on Fort Grant Rd. to Brookerson Rd.; north on Brookerson Rd. to Ash Creek Rd.; west on Ash Creek Rd. to Fort Grant Rd.; north on Fort Grant Rd. to Bonita; northerly on the Bonita-Klondyke Rd. to the junction with Aravaipa Creek; west along Aravaipa Creek to AZ Hwy 77; northerly along AZ Hwy 77 to the Gila River; northeast along the Gila River to the San Carlos Indian Reservation boundary; south then east and north along the reservation boundary to U.S. Hwy 70; southeast on U.S. Hwy 70 to U.S. Hwy 191; south on U.S. Hwy 191 to the 352 exit on I-10; southwest on I-10 to Exit 340.

Unit 32 -- Beginning at Willcox Exit 340 on I-10; north on Fort Grant Rd. to Brookerson Rd.; north on Brookerson Rd. to Ash Creek Rd.; west on Ash Creek Rd. to Fort Grant Rd.; north on Fort Grant Rd. to Bonita; northerly on the Bonita-Klondyke Rd. to the junction with Aravaipa Creek; west along Aravaipa Creek to AZ Hwy 77; southerly along AZ Hwy 77 to the San Pedro River; southerly along the San Pedro River to I-10; northeast on I-10 to Willcox Exit 340.

Unit 33 -- Beginning at Tangerine Rd. and AZ Hwy 77; north and northeast on AZ Hwy 77 to the San Pedro River; southeast along the San Pedro River to I-10 at Benson; west on I-10 to Marsh Station Rd. (Exit 289); northwest on the Marsh Station Rd. to the Agua Verde Rd.; north on the Agua Verde Rd. to its terminus then north 1/2 mile to the Coronado National Forest boundary; north and west along the National Forest boundary; then west, north, and east along the Saguaro National Park boundary; continuing north and west along the Coronado National Forest boundary to the southern boundary of Catalina State Park; west along the southern boundary of Catalina State Park to AZ Hwy 77; north on AZ Hwy 77 to Tangerine Rd.

Unit 34A -- Beginning in Nogales at I-19 and Grand Avenue (U.S. Highway 89); northeast on Grand Avenue (U.S. Hwy. 89) to AZ Hwy 82; northeast on AZ Hwy 82 to AZ Hwy 83; northerly on AZ Hwy 83 to the Sahuarita road alignment; west along the Sahuarita road alignment to I-19 Exit 75; south on I-19 to Grand Avenue (U.S. Hwy 89).

Unit 34B -- Beginning at AZ Hwy 83 and I-10 Exit 281; easterly on I-10 to the San Pedro River; south along the San Pedro River to AZ Hwy 82; westerly on AZ Hwy 82 to AZ Hwy 83; northerly on AZ Hwy 83 to I-10 Exit 281.

Unit 35A -- Beginning on the U.S.-Mexico border at the San Pedro River; west along the border to Lochiel Rd.; north on Lochiel Rd. to Patagonia San Rafael Rd.; north on the Patagonia San Rafael Rd. to San Rafael Valley-FS 58 Rd.; north on the San Rafael Valley-FS 58 Rd. to Christian Ln.; north on the Christian Ln. to

Ranch Rd.; east and north on the Ranch Rd. to FR 799-Canelo Pass Rd.; northeasterly on the FR 799-Canelo Pass Rd. to AZ Hwy 83; northwesterly on the AZ Hwy 83 to Elgin Canelo Rd.; northeasterly on the Elgin-Canelo Rd. to Upper Elgin Rd.; north on the Upper Elgin Rd. to AZ Hwy 82; easterly on AZ Hwy 82 to the San Pedro River; south along the San Pedro River to the U.S.-Mexico border.

Unit 35B -- Beginning at Grand Avenue (U.S. Hwy 89) at the U.S.-Mexico border in Nogales; east along the U.S.-Mexico border to Lochiel Rd.; north on the Lochiel Rd. to Patagonia San Rafael Rd.; north on the Patagonia San Rafael Rd. to San Rafael Valley-FS 58 Rd.; north on the San Rafael Valley-FS 58 Rd. to Christian Ln.; north on the Christian Ln. to Ranch Rd.; east and north on the Ranch Rd. to FR 799-Canelo Pass Rd.; northeasterly on FR 799-Canelo Pass Rd. to AZ Hwy 83; northwesterly on the AZ Hwy 83 to Elgin Canelo Rd.; north on the Elgin Canelo Rd. to Upper Elgin Rd.; north on the Upper Elgin Rd. to AZ Hwy 82; southwest on AZ Hwy 82 to Grand Avenue; southwest on Grand Avenue to the U.S.-Mexico border.

Unit 36A -- Beginning at the junction of Sandario Rd. and AZ Hwy 86; southwesterly on AZ Hwy 86 to AZ Hwy 286; southerly on AZ Hwy 286 to the Arivaca-Sasabe Rd.; southeasterly on the Arivaca-Sasabe Rd. to the town of Arivaca; from the town of Arivaca northeasterly on the Arivaca Rd. to I-19; north on I-19 to the southern boundary of the San Xavier Indian Reservation boundary; westerly and northerly along the reservation boundary to the Sandario road alignment; north on Sandario Rd. to AZ Hwy 86.

Unit 36B -- Beginning at I-19 and Grand Avenue (U.S. Hwy 89) in Nogales; southwest on Grand Avenue to the U.S.-Mexico border; west along the U.S.-Mexico border to AZ Hwy 286; north on AZ Hwy 286 to the Arivaca-Sasabe Rd.; southeasterly on the Arivaca-Sasabe Rd. to the town of Arivaca; from the town of Arivaca northeasterly on the Arivaca Rd. to I-19; south on I-19 to Grand Avenue (U.S. Hwy 89).

Unit 36C -- Beginning at the junction of AZ Hwy 86 and AZ Hwy 286; southerly on AZ Hwy 286 to the U.S.- Mexico border; westerly along the border to the east boundary of the Tohono O'odham (Papago) Indian Reservation; northerly along the reservation boundary to AZ Hwy 86; easterly on AZ Hwy 86 to AZ Hwy 286.

Unit 37A -- Beginning at the junction of I-10 and Tangerine Rd. (Exit 240); southeast on I-10 to Avra Valley Rd. (Exit 242); west on Avra Valley Rd. to Sandario Rd.; south on Sandario Rd. to AZ Hwy 86; southwest on AZ Hwy 86 to the Tohono O'odham (Papago) Indian Reservation boundary; north, east, and west along the reservation boundary to Battaglia Rd.; east on Battaglia Rd. to Toltec Rd.; north on Toltec Rd. to I-10 (Exit 203); southeast on I-10 to AZ Hwy 87 (Exit 211); north on AZ Hwy 87 to AZ Hwy 287; east on AZ Hwy 287 to AZ Hwy 79 at Florence; southeast on AZ Hwy 79 to its junction with AZ Hwy 77; south on AZ Hwy 77 to Tangerine Rd.; west on Tangerine Rd. to I-10.

Unit 37B -- Beginning at the junction of AZ Hwy 79 and AZ Hwy 77; northwest on AZ Hwy 79 to U.S. Hwy 60; east on U.S. Hwy 60 to AZ Hwy 177; southeast on AZ Hwy 177 to AZ Hwy 77; southeast and southwest on AZ Hwy 77 to AZ Hwy 79.

Unit 38M -- Beginning at the junction of I-10 and Tangerine Rd. (Exit 240); southeast on I-10 to Avra Valley Rd. (Exit 242); west on Avra Valley Rd. to Sandario Rd.; south on Sandario Rd. to the San Xavier Indian Reservation boundary; south and east along the reservation boundary to I-19; south on I-19 to Sahuarita Rd. (Exit 75); east on Sahuarita Rd. to AZ Hwy 83; north on AZ Hwy 83 to I-10 (Exit 281); east on I-10 to Marsh Station Rd. (Exit 289); northwest on Marsh Station Rd. to the Agua Verde Rd.; north on the Agua Verde Rd. to its terminus, then north 1/2 mile to the Coronado National Forest boundary; north and west along the National Forest boundary, then west, north, and east along the Saguaro National Park boundary; continuing north and west along the Coronado National Forest boundary to the southern boundary of Catalina State Park; west along the southern boundary of Catalina State Park to AZ Hwy 77; north on AZ Hwy 77 to Tangerine Rd.; west on Tangerine Rd. to I-10.

Unit 39 -- Beginning at AZ Hwy 85 and the Gila River; east along the Gila River to the western boundary of the Gila River Indian Reservation; southeasterly along the reservation boundary to AZ Hwy 347 (John Wayne Parkway); south on AZ Hwy 347 (John

Wayne Parkway) to AZ Hwy 84; east on AZ Hwy 84 to Stanfield; south on the Stanfield-Cocklebur Rd. to I-8; westerly on I-8 to Exit 87; northerly on the Agua Caliente Rd. to the Hyder Rd.; northeasterly on Hyder Rd. to 555th Ave.; north on 555th Ave. to Lahman Rd.; east on Lahman Rd., which becomes Agua Caliente Rd.; northeasterly on Agua Caliente Rd. to Old Hwy 80; northeasterly on Old Hwy 80 to Arizona Hwy 85; southerly on AZ Hwy 85 to the Gila River; except those portions that are sovereign tribal lands of the Tohono O'odham Nation and the Ak-Chin Indian Community.

Unit 40A -- Beginning at Ajo; southeasterly on AZ Hwy 85 to Why; southeasterly on AZ Hwy 86 to the Tohono O'odham (Papago) Indian Reservation; northerly and easterly along the reservation boundary to the Cocklebur-Stanfield Rd.; north on the Cocklebur-Stanfield Rd. to I-8; westerly on I-8 to AZ Hwy 85; southerly on AZ Hwy 85 to Ajo.

Unit 40B -- Beginning at Gila Bend; westerly on I-8 to the Colorado River; southerly along the Colorado River to the Mexican border at San Luis; southeasterly along the border to the Cabeza Prieta National Wildlife Refuge; northerly, easterly and southerly around the refuge boundary to the Mexican border; southeast along the border to the Tohono O'odham (Papago) Indian Reservation; northerly along the reservation boundary to AZ Hwy 86; northwesterly on AZ Hwy 86 to AZ Hwy 85; north on AZ Hwy 85 to Gila Bend; except those portions that are sovereign tribal lands of the Cocopah Tribe.

Unit 41 -- Beginning at I-8 and U.S. Hwy 95 (in Yuma); easterly on I-8 to exit 87; northerly on the Agua Caliente Rd. to the Hyder Rd.; northeasterly on Hyder Rd. to 555th Ave.; north on 555th Ave. to Lahman Rd.; east on Lahman Rd., which becomes Agua Caliente Rd.; northeasterly on Agua Caliente Rd. to Old Hwy 80; northeasterly on Old Hwy 80 to Arizona Hwy 85; northerly on AZ Hwy 85 to Oglesby Rd.; north on Oglesby Rd. to I-10; westerly on I-10 to Exit 45; southerly on Vicksburg-Kofa National Wildlife Refuge Rd. to the Refuge boundary; easterly, southerly, westerly, and northerly along the boundary to the Castle Dome Rd.; southwesterly on the Castle Dome Rd. to U.S. Hwy 95; southerly on U.S. Hwy 95 to I-8.

Unit 42 -- Beginning at the junction of the Beardsley Canal and U.S. Hwy 93 (U.S. 89, U.S. 60); northwesterly on U.S. Hwy 93 to AZ Hwy 71; southwesterly on AZ Hwy 71 to U.S. Hwy 60; westerly on U.S. Hwy 60 to Aguila; south on the Eagle Eye Rd. to the Salome-Hassayampa Rd.; southeasterly on the Salome-Hassayampa Rd. to I-10 (Exit 81); easterly on I-10 to Jackrabbit Trail (Exit 121); north along Jackrabbit Trail to the Indian School road; east along Indian School Rd. to the Beardsley Canal; northeasterly along the Beardsley Canal to U.S. Hwy 93.

Unit 43A -- Beginning at U.S. Hwy 95 and the Bill Williams River; west along the Bill Williams River to the Arizona-California state line; southerly to the south end of Cibola Lake; northerly and easterly on the Cibola Lake Rd. to U.S. Hwy 95; south on U.S. Hwy 95 to the Stone Cabin-King Valley Rd. (King Rd.); east along the Stone Cabin-King Valley Rd. (King Rd.) to the west boundary of the Kofa National Wildlife Refuge; northerly along the refuge boundary to the Crystal Hill Rd. (Blevens Rd.); northwesterly on the Crystal Hill Rd. (Blevens Rd.) to U.S. Hwy 95; northerly on U.S. Hwy 95 to the Bill Williams River; except those portions that are sovereign tribal lands of the Colorado River Indian Tribes.

Unit 43B -- Beginning at the south end of Cibola Lake; southerly along the Arizona-California state line to I-8; southeasterly on I-8 to U.S. Hwy 95; easterly and northerly on U.S. Hwy 95 to the Castle Dome road; northeast on the Castle Dome Rd. to the Kofa National Wildlife Refuge boundary; north along the refuge boundary to the Stone Cabin-King Valley Rd. (King Rd.); west along the Stone Cabin-King Valley Rd. (King Rd.) to U.S. Hwy 95; north on U.S. Hwy 95 to the Cibola Lake Rd.; west and south on the Cibola Lake Rd. to the south end of Cibola Lake; except those portions that are sovereign tribal lands of the Quechan Tribe.

Unit 44A -- Beginning at U.S. Hwy 95 and the Bill Williams River; south along U.S. Hwy 95 to AZ Hwy 72; southeasterly on AZ Hwy 72 to Vicksburg; south on the Vicksburg-Kofa National Wildlife Refuge Rd. to I-10; easterly on I-10 to the Salome-Hassayampa Rd. (Exit 81); northwesterly on the Salome-Hassayampa Rd. to

Eagle Eye Rd.; northeasterly on Eagle Eye Rd. to Aguila; east on U.S. Hwy 60 to AZ Hwy 71; northeasterly on AZ Hwy 71 to U.S. Hwy 93; northwesterly on U.S. Hwy 93 to the Santa Maria River; westerly along the Santa Maria and Bill Williams rivers to U.S. Hwy 95; except those portions that are sovereign tribal lands of the Colorado River Indian Tribes.

Unit 44B -- Beginning at Quartzsite; south on U.S. Hwy 95 to the Crystal Hill Rd. (Blevens Rd.); east on the Crystal Hill Rd. (Blevens Rd.) to the Kofa National Wildlife Refuge; north and east along the refuge boundary to the Vicksburg-Kofa National Wildlife Refuge Rd.; north on the Vicksburg-Kofa National Wildlife Refuge Rd. to AZ Hwy 72; northwest on AZ Hwy 72 to U.S. Hwy 95; south on U.S. Hwy 95 to Quartzsite.

Unit 45A -- Beginning at the junction of the Stone Cabin-King Valley Rd. (King Rd.) and Kofa National Wildlife Refuge boundary; east on the Stone Cabin-King Valley Rd. (King Rd.) to O-O Junction; north from O-O Junction on the Kofa Mine Rd. to the Evening Star Mine; north on a line over Polaris Mountain to Midwell-Alamo Spring-Kofa Cabin Rd. (Wilbanks Rd.); north on the Midwell-Alamo Spring-Kofa Cabin Rd. (Wilbanks Rd.) to the El Paso Natural Gas Pipeline Rd.; north on a line from the junction to the north boundary of the Kofa National Wildlife Refuge; west and south on the boundary line to Stone Cabin-King Valley Rd. (King Rd.).

Unit 45B -- Beginning at O-O Junction; north from O-O Junction on the Kofa Mine Rd. to the Evening Star Mine; north on a line over Polaris Mountain to Midwell-Alamo Spring-Kofa Cabin Rd. (Wilbanks Rd.); north on the Midwell-Alamo Spring-Kofa Cabin Rd. (Wilbanks Rd.) to the El Paso Natural Gas Pipeline Rd.; north on a line from the junction to the north Kofa National Wildlife Refuge boundary; east to the east refuge boundary; south and west along the Kofa National Wildlife Refuge boundary to the Stone Cabin-King Valley Rd. (Wellton-Kofa Rd./Ave 40E); north and west on the Stone Cabin-King Valley Rd. (Wellton-Kofa Rd./Ave 40E) to O-O Junction.

Unit 45C -- Beginning at the junction of the Stone Cabin-King Valley Rd. (King Rd.) and Kofa National Wildlife Refuge; south, east, and north along the refuge boundary to the Stone Cabin-King Valley Rd. (King Rd.); north and west on the Stone Cabin-King Valley Rd. (King Rd.) to the junction of the Stone Cabin-King Valley Rd. (King Rd.) and Kofa National Wildlife Refuge boundary.

Unit 46A -- That portion of the Cabeza Prieta National Wildlife Refuge east of the Yuma-Pima County line.

Unit 46B -- That portion of the Cabeza Prieta National Wildlife Refuge west of the Yuma-Pima County line.

Authorizing Statute

General: A.R.S. § 17-231(A)(1)
Specific: A.R.S. §§ 17-102, 17-231(B)(2) and 17-234

Historical Note

Amended as an emergency effective April 10, 1975 (Supp. 75-1). Amended effective March 5, 1976 (Supp. 76-2). Amended effective May 17, 1977 (Supp. 77-3). Amended effective September 7, 1978 (Supp. 78-5). Amended effective June 4, 1979 (Supp. 79-3). Former Section R12-4-10 renumbered as Section R12-4-108 without change effective August 13, 1981 (Supp. 81-4). Amended effective March 1, 1991; filed February 28, 1991 (Supp. 91-1). Amended effective February 4, 1993 (Supp. 93-1). Amended effective January 1, 1996; filed in the Office of the Secretary of State December 18, 1995 (Supp. 95-4). Amended by final rulemaking at 6 A.A.R. 1146, effective July 1, 2000 (Supp. 00-1). Amended by final rulemaking at 7 A.A.R. 865, effective July 1, 2001 (Supp. 01-1). Amended by final rulemaking at 12 A.A.R. 291, effective March 11, 2006 (Supp. 06-1). Amended by final rulemaking at 18 A.A.R. 1458, effective January 1, 2013.

R12-4-121. Big Game Permit or Tag Transfer

A. For the purposes of this Section, “unused tag” means a big game hunt permit-tag, non-permit tag, or special license tag that has not been attached to any animal.

B. A parent, grandparent, or guardian issued a big game hunt permit-tag, non-permit tag, or special license tag may transfer the unused tag to the parent's, grandparent’s, or guardian's minor child or grandchild.

1. A parent, grandparent, or guardian issued a tag may transfer the unused to a minor child or grandchild at any time prior to the end of the season for which the unused tag was issued.
2. A parent, grandparent, or guardian may transfer the unused tag by providing all of the following documentation in person at any Department office:
   a. Proof of ownership of the unused tag to be transferred,
   b. The unused tag, and
   c. The minor's valid hunting license.
3. If a parent, grandparent, or legal guardian is deceased, the personal representative of the individual's estate may transfer an unused tag to an eligible minor. The individual acting as the personal representative shall present:
   a. The deceased individual's death certificate, and
   b. Proof of the individual's authority to act as the personal representative of the deceased individual's estate.
4. To be eligible to receive an unused tag from a parent, grandparent, or legal guardian, the minor child shall meet the criteria established under subsection (D).
5. A minor child or grandchild receiving an unused tag from a parent, grandparent, or legal guardian shall be accompanied into the field by any grandparent, parent, or legal guardian of the minor child.

C. An individual issued a tag or the individual's legal representative may donate the unused tag to a non-profit organization for use by a minor child who has a life threatening medical condition or permanent physical disability.
1. A qualifying organization:
   a. Is exempt from federal taxation under Section 501(c) of the Internal Revenue Code; and
   b. Provides hunting opportunities and experiences to children with life-threatening medical conditions or permanent physical disabilities.
2. The individual or legal representative that donates the unused tag shall provide the non-profit organization with a written statement indicating the unused tag is voluntarily donated to the organization.
3. The non-profit organization receiving a donated tag under this subsection may transfer the unused tag to an eligible minor child by contacting any Department office.
   a. To obtain a transfer, the non-profit organization shall:
      i. Provide proof of donation of the unused tag to be transferred;
      ii. Provide the unused tag;
      iii. Provide proof of the minor child's valid hunting license; and
   b. To be eligible to receive a donated unused tag from a qualifying organization, the minor child shall meet the criteria established under subsection (D).

D. To receive an unused tag authorized under subsections (B) or (C), an eligible minor child shall meet the following criteria:
1. Possess a valid hunting license, and
2. Is 10 to 17 years of age on the date of the transfer. A minor child under the age of 14 shall have satisfactorily completed a Department-approved hunter education course before the beginning date of the hunt.

Authorizing Statute

General: A.R.S. § 17-231(A)(1)

Specific: A.R.S. §§ 17-102, 17-231(A)(2), 17-231(A)(3), 17-231(A)(7), 17-231(A)(8), 17-331(A), 17-332, 17-333, and 17-346

Historical Note

Adopted effective October 10, 1986, filed September 25, 1986 (Supp. 86-5). Rule expired one year from effective date of October 10, 1986. Rule readopted without change for one year effective January 22, 1988, filed January 7, 1988 (Supp. 88-1). Rule expired effective January 22, 1989 (Supp. 89-1). New Section R12-4-121 adopted effective March 1, 1991; filed February 28, 1991 (Supp. 91-1). Repealed effective January 1, 1993; filed December 18, 1992 (Supp. 92-4). New Section made by final rulemaking at 7 A.A.R. 2732, effective July 1, 2001 (Supp. 01-2). Amended by final rulemaking at 12 A.A.R. 291, effective March 11, 2006 (Supp. 06-1). Amended by final rulemaking at 18 A.A.R. 1195, effective June 30, 2012.

ARTICLE 2. MISCELLANEOUS LICENSES AND PERMITS

R12-4-202. Disabled Veteran's License

A. A disabled veteran's license grants all of the hunting and fishing privileges of a Class F combination hunting and fishing license and an urban fishing license.

B. An individual meeting the criteria prescribed under A.R.S. § 17-336(A)(2) may apply for a disabled veteran's license. Eligibility for the disabled veteran's license is based on 100% disability, not on the percentage of compensation received by the veteran.

1. An applicant desiring a disabled veteran's license shall apply on an application form furnished by the Department and available at any Department office. The applicant shall provide all of the following information on the application form:
   a. The applicant's:
      i. Name;
      ii. Date of birth;
      iii Department identification number;
      iv. Physical description;
   b. All physical addresses for the calendar year immediately preceding application;
   c. Mailing address; and
   d. The applicant's signature, acknowledged before a Notary Public or witnessed by a Department employee.
2. An applicant shall submit with the application form an original certification from the Department of Veterans' Services. The certification shall include all of the following information:
   a. The applicant's full name,
   b. Certification that the applicant is receiving compensation for permanent service-connected disabilities rated as 100% disabling,
   c. Certification that the 100% rating is permanent and:
      i. Will not require reevaluation or
      ii. Will be reevaluated in three years, and
   d. The signature and title of an agent of the Department of Veterans' Services who issued or approved the certification.

C. If the certification required under subsection (B)(2)(c) indicates that the applicant's disability rating of 100% is permanent and:

1. Will not be reevaluated, the disabled veteran's license will not expire.
2. Will be reevaluated in three years, the disabled veteran's license will expire three years from the date of issuance.

D. The Department shall deny a disabled veteran's license to an applicant who:

1. Is not eligible for the license,
2. Fails to comply with the requirements of this Section, or
3. Provides false information during the application process.

E. The Department shall provide written notice to the applicant if the disabled veteran's license is denied. The applicant may appeal the denial to the Commission as prescribed under A.R.S. Title 41, Chapter 6, Article 10.

F. A disabled veteran's license holder may request a duplicate license if:

1. The license has been lost or destroyed,
2. The license holder submits a written request to the Department for a duplicate license, and
3. The Department has a record that shows a disabled veteran's license was previously issued to that individual.

Authorizing Statute

General: A.R.S. § 17-231(A)(1)
Specific: A.R.S. §§ 17-332(F), 17-333(A)(9), and 17-336(A)(2)

Historical Note

Former Section R12-4-66 renumbered, then repealed and readopted as Section R12-4-43 effective February 20, 1981 (Supp. 81-1). Former Section R12-4-43 renumbered as Section R12-4-202 without change effective August 13, 1981 (Supp. 81-4). Amended effective December 31, 1984 (Supp. 84-6). Repealed effective April 28, 1989 (Supp. 89-2). New Section R12-4-202 adopted effective December 22, 1989 (Supp. 89-4). Amended by final rulemaking at 6 A.A.R. 211, effective December 14, 1999 (Supp. 99-4). Amended by final rulemaking at 12 A.A.R. 212, effective March 11, 2006 (Supp. 06-1). Amended by final rulemaking at 18 A.A.R. 1199, effective June 30, 2012.

ARTICLE 3. TAKING AND HANDLING OF WILDLIFE

R12-4-301. Definitions

In addition to the definitions provided under A.R.S. § 17-101, the following definitions apply to this Article unless otherwise specified:

"Administer" means to pursue, capture, or otherwise restrain wildlife in order to directly apply a drug to wildlife by injection, inhalation, ingestion or any other means.

"Aircraft" means any contrivance used for flight in the air or any lighter-than-air contrivance.

"Artificial lures and flies" means man-made devices intended as visual attractants for fish and does not include living or dead organisms or edible parts of those organisms, natural or prepared food stuffs, artificial salmon eggs, artificial corn, or artificial marshmallows.

"Barbless hook" means any fishhook manufactured without barbs or on which the barbs have been completely closed or removed.

"Body-gripping trap" means a device designed to capture an animal by gripping the animal's body.

"Cervid" means any member of the deer family (*Cervidae*); which includes caribou, elk, moose, mule deer, reindeer, wapiti, and whitetail deer.

"Confinement trap" means a device designed to capture wildlife alive and hold it without harm.

"Crayfish net" means a net that does not exceed 36 inches on a side or in diameter and is retrieved by means of a hand-held line.

"Dip net" means any net, excluding the handle, that is no greater than 3 feet in the greatest dimension, that is hand-held, non-motorized, and the motion of the net is caused by the physical effort of the individual.

'Drug" means any chemical substance, other than food or mineral supplements, which affects the structure or biological function of wildlife.

"Evidence of legality" means the wildlife is accompanied by the applicable license, tag, stamp, or permit required by law and is identifiable as the “legal wildlife” prescribed by Commission Order, which may include evidence of species, gender, antler or horn growth, maturity and size.

"Foothold trap" means a device designed to capture an animal by the leg or foot.

"Instant kill trap" means a device designed to render an animal unconscious and insensitive to pain quickly with inevitable subsidence into death without recovery of consciousness.

"Land set" means any trap used on land rather than in water.

"Minnow trap" means a trap with dimensions that do not exceed 12 inches in depth, 12 inches in width and 24 inches in length.

"Muzzleloading handgun" means a firearm intended to be fired from the hand, incapable of firing fixed ammunition, having a single barrel, and loaded through the muzzle with black powder or synthetic black powder and a single projectile.

"Muzzleloading rifle" means a firearm intended to be fired from the shoulder, incapable of firing fixed ammunition, having a single barrel and single chamber, and loaded through the muzzle with black powder or synthetic black powder and a single projectile.

"Nonprofit organization" means an organization that is recognized as nonprofit under Section 501(c) of the U.S. Internal Revenue Code.

"Paste-type bait" means a partially liquefied substance used as a lure for animals.

"Person" means any individual, corporation, partnership, limited liability company, non-governmental organization or club, licensed animal shelter, government entity other than the Department, and any officer, employee, volunteer, member, or agent of a person.

"Pre-charged pneumatic weapon" means an air gun or pneumatic weapon that is charged from an external high compression source such as an air compressor, air tank, or external hand pump.

"Sight-exposed bait" means a carcass or parts of a carcass lying openly on the ground or suspended in a manner so that it can be seen from above by a bird. This does not include a trap flag, dried or bleached bone with no attached tissue, or less than two ounces of paste-type bait.

"Simultaneous fishing" means taking fish by using two lines and not more than two hooks or two artificial lures or flies per line.

"Sinkbox" means a low floating device with a depression that affords a hunter a means of concealment beneath the surface of the water.

"Trap flag" means an attractant made from materials other than animal parts that is suspended at least three feet above the ground.

"Water set" means any trap used and anchored in water rather than on land.

Authorizing Statute
General: A.R.S. § 17-231(A)(1)
Specific: A.R.S. § 17-231(A)(1)

Historical Note
Amended as an emergency effective April 10, 1975 (Supp. 75-1). Amended effective May 3, 1976, Amended effective June 7, 1976 (Supp. 76-3). Amended effective May 26, 1978 (Supp. 78-3). Editorial correction subsection (D) (Supp. 78-5). Amended effective June 4, 1979 (Supp. 79-3). Former Section R12-4-50 renumbered as Section R12-4-301 without change effective August 13, 1981 (Supp. 81-4). Amended subsection (A) effective May 12, 1982 (Supp. 82-3). Amended effective July 3, 1984 (Supp. 84-4). Amended effective December 30, 1988 (Supp. 88-4). Correction, former Historical Note should read "Amended effective January 1, 1989, filed December 30, 1988" (Supp. 89-2). Amended effective February 9, 1998 (Supp. 98-1). Amended by final rulemaking at 10 A.A.R. 850, effective April 3, 2004 (Supp. 04-1). Amended by final rulemaking at 19 A.A.R. 826, effective July 1, 2013.

R12-4-302. Use of Tags

A. In addition to meeting requirements prescribed under A.R.S. § 17-331, an individual who takes wildlife shall have in possession any tag required for the particular season or hunt area.

B. A tag obtained in violation of statute or rule is invalid and shall not be used to take, transport, or possess wildlife.

C. An individual who lawfully possesses both a nonpermit-tag and a hunt permit-tag shall not take a genus or species in excess of the bag limit established by Commission Order for that genus or species.

D. An individual shall:
1. Take and tag only the wildlife identified on the tag; and
2. Use a tag only in the season and hunt for which the tag is valid, as specified by Commission Order.

E. Except as permitted under R12-4-217, an individual shall not:
1. Allow their tag to be attached to wildlife killed by another individual,
2. Allow their tag to be possessed by another individual who is in a hunt area,
3. Attach their tag to wildlife killed by another individual,
4. Attach a tag issued to another individual to wildlife, or
5. Possess a tag issued to another individual while in a hunt area.

F. Except as permitted under R12-4-217, immediately after an individual kills wildlife, the individual shall attach the tag to the wildlife carcass in the following manner:
1. Remove all of the detachable paper covering from the adhesive back of the tag;
2. Seal the exposed adhesive portions of the tag around the wildlife so the tag cannot be removed or reused and all printing on the face of the tag is visible, and
   a. For antelope, deer, or elk: seal the tag around the antler or horn, or through the gambrel of a hind leg;
   b. For bear, bighorn sheep, buffalo, javelina, or mountain lion: seal the tag through the gambrel of a hind leg; and
   c. For pheasant, sandhill crane, or turkey: seal the tag around the neck or a leg.

G. An individual who lawfully takes wildlife with a valid tag and authorizes another individual to possess, transport, or ship the tagged portion of the carcass shall complete the Transportation and Shipping Permit portion of the original tag authorizing the take of that animal.

H. If a tag is sealed or mutilated or the Transportation and Shipping Permit portion of the tag is signed or filled out, the tag is no longer valid for the take of wildlife.

Authorizing Statute
General: A.R.S. § 17-231(A)(1)
Specific: A.R.S. §§ 17-102, 17-231(A)(2), 17-231(A)(3), 17-231(B)(8), 17-234, 17-301, 17-331, and 17-332(D)

Historical Note
Former Section R12-4-51 renumbered as Section R12-4-302 without change effective August 13, 1981 (Supp. 81-4). Amended subsections

(A), (D), (E), and repealed subsection (G) effective May 12, 1982 (Supp. 82-3). Amended effective March 23, 1983 (Supp. 83-2). Amended subsection (F) effective October 31, 1984 (Supp. 84-5). Amended subsections (A), (D), (F) and (G) and added a new Section (H) effective June 4, 1987 (Supp. 87-2). Amended effective December 30, 1988 (Supp. 88-4). Correction, former Historical Note should read "Amended effective January 1, 1989, filed December 30, 1988" (Supp. 89-2). Section R12-4-302 repealed, new Section R12-4-302 adopted effective March 1, 1991; filed February 28, 1991 (Supp. 91-1). Amended effective January 1, 1993; filed December 18, 1992 (Supp. 92-4). Section repealed, new Section adopted effective January 1, 1996; filed in the Office of the Secretary of State December 18, 1995 (Supp. 95-4). Amended by final rulemaking at 10 A.A.R. 850, effective April 3, 2004 (Supp. 04-1). Amended by final rulemaking at 12 A.A.R. 683, effective April 8, 2006 (Supp. 06-1). Amended by final rulemaking at 19 A.A.R. 826, effective July 1, 2013.

R12-4-303. Unlawful Devices, Methods, and Ammunition

A. In addition to the prohibitions prescribed under A.R.S. §§ 17-301 and 17-309, the following devices, methods, and ammunition are unlawful for taking any wildlife in this state:

1. An individual shall not use any of the following to take wildlife:
   a. Fully automatic firearms, including firearms capable of selective automatic fire; or
   b. Tracer, armor-piercing, or full-jacketed ammunition designed for military use.
2. An individual shall not use or possess any of the following while taking wildlife:
   a. Poisoned projectiles or projectiles that contain explosives;
   b. Pitfalls of greater than 5-gallon size, explosives, poisons, or stupefying substances, except as permitted under A.R.S. § 17-239 or as allowed by a scientific collecting permit issued under A.R.S. § 17-238;
   c. Any lure, attractant, or cover scent containing any cervid urine; or
   d. Electronic night vision equipment, electronically enhanced light-gathering devices, thermal imaging devices or laser sights; except for devices such as laser range finders, scopes with self-illuminating reticles, and fiber optic sights with self-illuminating sights or pins that do not project a visible light onto an animal.
3. An individual shall not:
   a. Hold wildlife at bay other than during daylight hours, unless authorized by Commission Order.
   b. Injure, confine, or place a tracking device in or on wildlife for the purpose of aiding another individual to take wildlife.
   c. Place any substance, device, or object in, on, or by any water source to prevent wildlife from using that water source.
   d. Place any substance in a manner intended to attract bears.
   e. Use a manual or powered jacking or prying device to take reptiles or amphibians.
   f. Use dogs to pursue, tree, corner or hold at bay any wildlife for a hunter unless that hunter is present for the entire hunt.
   g. Take migratory game birds, except Eurasian Collared-doves, using a shotgun larger than 10 gauge, a shotgun of any description capable of holding more than three shells unless it is plugged with a one-piece filler that cannot be removed without disassembling the shotgun so that its total capacity does not exceed three shells, electronically amplified bird calls, or baits, as prohibited under 50 C.F.R. 20.21, revised October 1, 2009. The material incorporated by reference in this Section does not include any later amendments or editions. The incorporated material is available at any Department office, online from the Government Printing Office web site www.gpoaccess.gov, or may be ordered from the Superintendent of Documents, U.S. Government Printing Office, 732 N. Capitol St. N.W., Stop IDCC, Washington, D.C. 20401.
   h. Discharge a pneumatic weapon .30 caliber or larger while taking wildlife within one-fourth mile of an occupied farmhouse or other residence, cabin, lodge or building without permission of the owner or resident.

4. An individual shall not use edible or ingestible substances to aid in taking big game. The use of edible or ingestible substances to aid in taking big game is unlawful when:
   a. An individual places edible or ingestible substances for the purpose of attracting or taking big game, or
   b. An individual knowingly takes big game with the aid of edible or ingestible substances placed for the purpose of attracting wildlife to a specific location.
5. Subsection (A)(4) does not limit Department employees or Department agents in the performance of their official duties.
6. For the purposes of subsection (A)(4), edible or ingestible substances do not include any of the following:
   a. Water.
   b. Salt.
   c. Salt-based materials produced and manufactured for the livestock industry.
   d. Nutritional supplements produced and manufactured for the livestock industry and placed during the course of livestock or agricultural operations.

B. Wildlife taken in violation of this Section is unlawfully taken.

C. This Section does not apply to any activity allowed under A.R.S. § 17-302, to an individual acting within the scope of their official duties as an employee of the state or United States, or as authorized by the Department.

Authorizing Statute

General: A.R.S. § 17-231(A)(1)
Specific: A.R.S. §§ 17-102, 17-231(A)(3), 17-251, 17-305, and 17-309

Historical Note

Amended effective May 3, 1976 (Supp. 76-3). Amended effective April 29, 1977 (Supp. 77-2). Amended effective September 7, 1978 (Supp. 78-5). Former Section R12-4-52 renumbered as Section R12-4-303 without change effective August 13, 1981 (Supp. 81-4). Amended effective March 28, 1983 (Supp. 83-2). Amended subsections (A) and (C) effective October 31, 1984 (Supp. 84-5). Amended effective June 4, 1987 (Supp. 87-2). Former Section R12-4-303 repealed, new Section R12-4-303 adopted effective December 30, 1988 (Supp. 88-4). Correction, former Historical Note should read "Former Section R12-4-303 repealed, new Section R12-4-303 adopted effective January 1, 1989, filed December 30, 1988" (Supp. 89-2). Amended effective February 9, 1998 (Supp. 98-1). Amended by final rulemaking at 10 A.A.R. 850, effective April 3, 2004 (Supp. 04-1). Amended by final rulemaking at 19 A.A.R. 826, effective July 1, 2013.

R12-4-304. Lawful Methods for Taking Wild Mammals, Birds, and Reptiles

A. An individual may only use the following methods to take big game when authorized by Commission Order and subject to the restrictions under R12-4-303 and R12-4-318.
1. To take antelope:
   a. Centerfire rifles;
   b. Muzzleloading rifles;
   c. All other rifles using black powder or synthetic black powder;
   d. Centerfire handguns;
   e. Handguns using black powder or synthetic black powder;
   f. Shotguns shooting slugs, only;
   g. Pre-charged pneumatic weapons .35 caliber or larger;
   h. Bows with a standard pull of 30 or more lbs, using arrows with broadheads no less than 7/8 inch in width with metal cutting edges; and
   i. Crossbows with a minimum draw weight of 125 lbs, using bolts with a minimum length of 16 inches and broadheads no less than 7/8 inch in width with metal cutting edges or bows as described in subsection (A)(1)(h) to be drawn and held with an assisting device.
2. To take bear:
   a. Centerfire rifles;
   b. Muzzleloading rifles;
   c. All other rifles using black powder or synthetic black powder;
   d. Centerfire handguns;
   e. Handguns using black powder or synthetic black powder;
   f. Shotguns shooting slugs, only;
   g. Pre-charged pneumatic weapons .35 caliber or larger;

h. Bows with a standard pull of 30 or more lbs, using arrows with broadheads no less than 7/8 inch in width with metal cutting edges;
i. Crossbows with a minimum draw weight of 125 lbs, using bolts with a minimum length of 16 inches and broadheads no less than 7/8 inch in width with metal cutting edges or bows as described in subsection (A)(2)(h) to be drawn and held with an assisting device; and
j. Pursuit with dogs only between August 1 and December 31, provided the individual shall immediately kill or release the bear after it is treed, cornered, or held at bay. For the purpose of this subsection, "release" means the individual removes the dogs from the area so the bear can escape on its own after it is treed, cornered, or held at bay.

3. To take bighorn sheep:
   a. Centerfire rifles;
   b. Muzzleloading rifles;
   c. All other rifles using black powder or synthetic black powder;
   d. Centerfire handguns;
   e. Handguns using black powder or synthetic black powder;
   f. Shotguns shooting slugs, only;
   g. Pre-charged pneumatic weapons .35 caliber or larger;
   h. Bows with a standard pull of 30 or more lbs, using arrows with broadheads no less than 7/8 inch in width with metal cutting edges; and
   i. Crossbows with a minimum draw weight of 125 lbs, using bolts with a minimum length of 16 inches and broadheads no less than 7/8 inch in width with metal cutting edges or bows as described in subsection (A)(3)(h) to be drawn and held with an assisting device.
4. To take buffalo:
   a. State-wide, except for the game management units identified under subsection (A)(4)(b):
      i. Centerfire rifles;
      ii. Muzzleloading rifles;
      iii. All other rifles using black powder or synthetic black powder;
      iv. Centerfire handguns no less than .41 Magnum or centerfire handguns with an overall cartridge length of no less than two inches;
      v. Bows with a standard pull of 40 or more lbs, using arrows with broadheads of no less than 7/8 inch in width with metal cutting edges; and
      vi. Crossbows with a minimum draw weight of 125 lbs, using bolts with a minimum length of 16 inches and broadheads no less than 7/8 inch in width with metal cutting edges or bows as described in subsection (A)(4)(a)(v) to be drawn and held with an assisting device.
   b. In game management units 5A and 5B:
      i. Centerfire rifles,
      ii. Muzzleloading rifles, and
      iii. All other rifles using black powder or synthetic black powder.
5. To take deer:
   a. Centerfire rifles;
   b. Muzzleloading rifles;
   c. All other rifles using black powder or synthetic black powder;
   d. Centerfire handguns;
   e. Handguns using black powder or synthetic black powder;
   f. Shotguns shooting slugs, only;
   g. Pre-charged pneumatic weapons .35 caliber or larger;
   h. Bows with a standard pull of 30 or more lbs, using arrows with broadheads no less than 7/8 inch in width with metal cutting edges; and
   i. Crossbows with a minimum draw weight of 125 lbs, using bolts with a minimum length of 16 inches and broadheads no less than 7/8 inch in width with metal cutting edges or bows as described in subsection (A)(5)(h) to be drawn and held with an assisting device.
6. To take elk:
   a. Centerfire rifles;
   b. Muzzleloading rifles;
   c. All other rifles using black powder or synthetic black powder;
   d. Centerfire handguns;

e. Handguns using black powder or synthetic black powder;
f. Shotguns shooting slugs, only;
g. Bows with a standard pull of 30 or more lbs, using arrows with broadheads no less than 7/8 inch in width with metal cutting edges; and
h. Crossbows with a minimum draw weight of 125 lbs, using bolts with a minimum length of 16 inches and broadheads no less than 7/8 inch in width with metal cutting edges or bows as described in subsection (A)(6)(g) to be drawn and held with an assisting device.

7. To take javelina:
   a. Centerfire rifles;
   b. Muzzleloading rifles;
   c. All other rifles using black powder or synthetic black powder;
   d. Centerfire handguns;
   e. Handguns using black powder or synthetic black powder;
   f. Shotguns shooting slugs, only;
   g. Pre-charged pneumatic weapons .35 caliber or larger;
   h. Bows with a standard pull of 30 or more lbs, using arrows with broadheads no less than 7/8 inch in width with metal cutting edges;
   i. Crossbows with a minimum draw weight of 125 lbs, using bolts with a minimum length of 16 inches and broadheads no less than 7/8 inch in width with metal cutting edges or bows as described in subsection (A)(7)(h) to be drawn and held with an assisting device;
   j. .22 rimfire magnum rifles; and
   k. 5 mm rimfire magnum rifles.
8. To take mountain lion:
   a. Centerfire rifles;
   b. Muzzleloading rifles;
   c. All other rifles using black powder or synthetic black powder;
   d. Centerfire handguns;
   e. Handguns using black powder or synthetic black powder;
   f. Shotguns shooting slugs or shot;
   g. Pre-charged pneumatic weapons .35 caliber or larger;
   h. Bows with a standard pull of 30 or more lbs, using arrows with broadheads no less than 7/8 inch in width with metal cutting edges;
   i. Crossbows with a minimum draw weight of 125 lbs, using bolts with a minimum length of 16 inches and broadheads no less than 7/8 inch in width with metal cutting edges or bows as described in subsection (A)(8)(h) to be drawn and held with an assisting device;
   j. Artificial light, during seasons with day-long hours, provided the light is not attached to or operated from a motor vehicle, motorized watercraft, watercraft under sail, or floating object towed by a motorized watercraft or a watercraft under sail; and
   k. Pursuit with dogs, provided the individual shall immediately kill or release the mountain lion after it is treed, cornered, or held at bay. For the purpose of this subsection, “release” means the individual removes the dogs from the area so the mountain lion can escape on its own after it is treed, cornered, or held at bay.
9. To take turkey:
   a. Shotguns shooting shot;
   b. Bows with a standard pull of 30 or more lbs, using arrows with broadheads no less than 7/8 inch in width with metal cutting edges; and
   c. Crossbows with a minimum draw weight of 125 lbs, using bolts with a minimum length of 16 inches and broadheads no less than 7/8 inch in width with metal cutting edges or bows as described in subsection (A)(9)(b) to be drawn and held with an assisting device.

B. An individual may only use the following methods to take small game, when authorized by Commission Order and subject to the restrictions under R12-4-303 and R12-4-318.

1. To take cottontail rabbits and tree squirrels:
   a. Firearms,
   b. Bow and arrow,
   c. Crossbow,
   d. Pneumatic weapons,

e. Slingshots,
f. Hand-held projectiles,
g. Falconry, and
h. Dogs.

2. To take all upland game birds and Eurasian Collared-doves:
   a. Bow and arrow;
   b. Falconry;
   c. Pneumatic weapons;
   d. Shotguns shooting shot, only;
   e. Handguns shooting shot, only;
   f. Crossbow;
   g. Slingshot;
   h. Hand-held projectiles; and
   i. Dogs.
3. To take migratory game birds, except Eurasian Collared-doves:
   a. Bow and arrow;
   b. Crossbow;
   c. Falconry;
   d. Dogs;
   e. Shotguns shooting shot:
      i. Ten gauge or smaller, except that lead shot shall not be used or possessed while taking ducks, geese, swans, mergansers, common moorhens, or coots; and
      ii. Incapable of holding more than a total of three shells, as prescribed under 50 C.F.R. 20.21, published October 1, 2009. The material incorporated by reference in this subsection does not include any later amendments or editions. The material is available at any Department office, online from the Government Printing Office web site www.gpoaccess.gov, or may be ordered from the Superintendent of Documents, U.S. Government Printing Office, 732 N. Capitol St. N.W., Stop: IDCC, Washington, D.C. 20401.

C. An individual may take waterfowl from any watercraft, except a sinkbox, subject to the following conditions:
1. The motor is shut off, the sail is furled, as applicable, and any progress from a motor or sail has ceased;
2. The watercraft may be:
   a. Adrift as a result of current or wind action;
   b. Beached;
   c. Moored;
   d. Resting at anchor; or
   e. Propelled by paddle, oars, or pole; and
3. The individual may only use the watercraft under power to retrieve dead or crippled waterfowl; shooting is prohibited while the watercraft is underway.

D. An individual may take predatory and furbearing animals by using the following methods, when authorized by Commission Order and subject to the restrictions under R12-4-303 and R12-4-318:
1. Firearms;
2. Pre-charged pneumatic weapons .22 caliber or larger;
3. Bow and arrow;
4. Crossbow;
5. Traps not prohibited under R12-4-307;
6. Artificial light while taking raccoon provided the light is not attached to or operated from a motor vehicle, motorized watercraft, watercraft under sail, or floating object towed by a motorized watercraft or a watercraft under sail;
7. Artificial light while taking coyote during seasons with day-long hours, provided the light is not attached to or operated from a motor vehicle, motorized watercraft, watercraft under sail, or floating object towed by a motorized watercraft or a watercraft under sail; and
8. Dogs.

E. An individual may take nongame mammals and birds by any method authorized by Commission Order and not prohibited under R12-4-303 or R12-4-318, subject to the following restrictions. An individual:
1. Shall not take nongame mammals and birds using foothold traps;
2. Shall check pitfall traps of any size daily, release non-target species, remove pitfalls when no longer in use, and fill any holes;
3. Shall not use firearms at night; and
4. May use artificial light while taking nongame mammals and birds, if the light is not attached to or operated from a motor vehicle,

motorized watercraft, watercraft under sail, or floating object towed by a motorized watercraft or a watercraft under sail.

F. An individual may take reptiles by any method not prohibited under R12-4-303 or R12-4-318 subject to the following restrictions. An individual:
1. Shall check pitfall traps of any size daily, release non-target species, remove pitfalls when no longer in use, and fill any holes;
2. Shall not use firearms at night; and
3. May use artificial light while taking reptiles provided the light is not attached to or operated from a motor vehicle, motorized watercraft, watercraft under sail, or floating object towed by a motorized watercraft or a watercraft under sail.

Authorizing Statute

General: A.R.S. § 17-231(A)(1)
Specific: A.R.S. §§ 17-102, 17-231(A)(3), 17-235, 17-251, 17-301, and 17-305

Historical Note

Amended effective May 21, 1975 (Supp. 75-1). Amended effective May 3, 1976 (Supp. 76-3). Amended effective October 20, 1977 (Supp. 77-5). Amended effective January 11, 1978 (Supp. 78-1). Amended effective September 7, 1978 (Supp. 78-5). Amended effective November 14, 1979 (Supp. 79-6). Amended effective July 22, 1980 (Supp. 80-4). Former Section R12-4-53 renumbered as Section R12-4-304 without change effective August 13, 1981 (Supp. 81-4). Amended effective May 12, 1982 (Supp. 82-3). Amended effective April 7, 1983 (Supp. 83-2). Amended subsection (I) effective June 7, 1984 (Supp. 84-3). Amended effective February 28, 1985 (Supp. 85-1). Amended effective September 16, 1985 (Supp. 85-5). Amended effective June 4, 1987 (Supp. 87-2). Former Section R12-4-304 repealed, new Section R12-4-304 adopted effective December 30, 1988 (Supp. 88-4). Correction, former Historical Note should read "Former Section R12-4-304 repealed, new Section R12-4-304 adopted effective January 1, 1989, filed December 30, 1988" (Supp. 89-2). Amended effective January 1, 1993; filed December 18, 1992 (Supp. 92-4). Former Section R12-4-304 repealed, new Section R12-4-304 adopted effective February 9, 1998 (Supp. 98-1). Amended by final rulemaking at 8 A.A.R. 1702, effective March 11, 2002 (Supp. 02-1). Amended by final rulemaking at 10 A.A.R. 850, effective April 3, 2004 (Supp. 04-1). Amended by exempt rulemaking at 17 A.A.R. 2629, effective December 9, 2011 (Supp. 11-4). Amended by final rulemaking at 19 A.A.R. 826, effective July 1, 2013.

R12-4-305. Possessing, Transporting, Importing, Exporting, and Selling Carcasses or Parts of Wildlife

A. An individual shall ensure that evidence of legality remains with the carcass or parts of a carcass of any wild mammal, bird, or reptile that the individual possesses, transports, or imports until arrival at the individual's permanent abode, a commercial processing plant, or the place where the wildlife is to be consumed.

B. In addition to the requirement in subsection (A), an individual possessing or transporting the following wildlife shall ensure each:
1. Big game animal, sandhill crane, and pheasant has the required valid tag attached as prescribed under R12-4-302;
2. Migratory game bird, except sandhill cranes, has one fully feathered wing attached;
3. Sandhill crane has either the fully feathered head or one fully feathered wing attached; and
4. Quail has attached a fully feathered head, or a fully feathered wing, or a leg with foot attached, when the current Commission Order has established separate bag or possession limits for any species of quail.

C. An individual who has lawfully taken wildlife that requires a valid tag when prescribed by the Commission may authorize its transportation or shipment by completing and signing the Transportation and Shipping Permit portion of the valid tag for that animal. A separate Transportation and Shipping Permit issued by the Department is necessary to transport or ship to another state or country any big game taken with a resident license. Under A.R.S. § 17-372(B), an individual may ship other lawfully taken wildlife by common carrier after obtaining a valid Transportation and Shipping Permit issued by the Department. The individual shall provide the following information on the permit form:

1. Number and description of the wildlife to be transported or shipped;
2. Name, address, license number, and license class of the individual who took the wildlife;
3. Tag number;
4. Name and address of the individual receiving a portion of the carcass of the wildlife as authorized under subsection (D), if applicable;
5. Address of destination where the wildlife is to be transported or shipped; and
6. Name and address of transporter or shipper.

D. An individual who lawfully takes wildlife under a tag may authorize another individual to possess the head or carcass of the wildlife by separating and attaching the tag as prescribed under R12-4-302.

E. An individual who receives a portion of the wildlife shall provide the identity of the individual who took and gave the portion of the wildlife.

F. An individual shall not possess the horns of a bighorn sheep, taken by a hunter in this state, unless the horns are marked or sealed as prescribed under R12-4-308.

G. Except as provided under R12-4-307, before an individual may sell, offer for sale, or export the raw pelt or unskinned carcass of a bobcat taken in this state the individual shall:

1. Present the bobcat for inspection at any Department office, and
2. Purchase a bobcat seal by paying the fee established under R12-4-102 at any Department office or other location as determined and published by the Department. Department personnel or an authorized agent shall attach and lock the bobcat seal only to a pelt or unskinned carcass presented with a validated transportation tag.

H. An individual who takes bear or mountain lion under A.R.S. § 17-302 during a closed season may retain the carcass of the wildlife if the individual has a valid hunting license and the carcass is immediately tagged with a nonpermit-tag as required under R12-4-114 and R12-4-302, unless the individual has already taken the applicable bag limit for that big game animal. An animal retained under this subsection shall count towards the applicable bag limit for bear or mountain lion as authorized by Commission Order. The individual shall comply with inspection and reporting requirements established under R12-4-308.

I. An individual may possess, transport, or import only the following portions of a cervid lawfully taken in another state or country:

1. Boneless portions of meat, or meat that has been cut and packaged;
2. Clean hides and capes with no skull or soft tissue attached, except as required for proof of legality;
3. Clean skulls with antlers, clean skull plates, or antlers with no meat or soft tissue attached;
4. Finished taxidermy mounts or products; and
5. Upper canine teeth with no meat or tissue attached.

J. A private game farm license holder may transport a cervid lawfully killed or slaughtered at the license holder's game farm to a licensed meat processor.

K. An individual may possess or transport only the following portions of a cervid lawfully killed or slaughtered at a private game farm authorized under R12-4-413:

1. Boneless portions of meat, or meat that has been cut and packaged;
2. Clean hides and capes with no skull or soft tissue attached;
3. Clean skulls with antlers, clean skull plates, or antlers with no meat or soft tissue attached;
4. Finished taxidermy mounts or products; and
5. Upper canine teeth with no meat or tissue attached.

L. An individual who obtains buffalo meat as authorized under R12-4-306 may sell the meat.

M. Except for cervids, which are subject to requirements established under subsections (I), (J), and (K), an individual may import into this state the carcasses or parts of wildlife, including aquatic wildlife, lawfully taken in another state or country if transported and exported in accordance with the laws of the state or country of origin.

N. An individual in possession of or transporting the carcass of any freshwater fish taken within this state shall ensure that the head, tail, or skin is attached so that the species can be identified, numbers counted, and any required length determined.

O. An individual shall not transport live crayfish from the site where taken, except as permitted under R12-4-316.

P. An individual in possession of a carp (*Cyprinus carpio*), buffalofish (*Ictiobus* spp.), or crayfish (families *Astacidae*, *Cambaridae*, and

Parastacidae) carcass taken under Commission Order may sell the carcass.

Authorizing Statute
General: A.R.S. § 17-231(A)(1)
Specific: A.R.S. §§ 17-102, 17-231(A)(3), 17-231(B)(8), 17-307, 17-331, and 17-371

Historical Note
Amended effective May 3, 1976 (Supp. 76-3). Former Section R12-4-54 renumbered as Section R12-4-305 without change effective August 13, 1981 (Supp. 81-4). Amended effective May 12, 1982 (Supp. 82-3). Amended effective June 14, 1983 (Supp. 83-3). Amended effective December 30, 1988 (Supp. 88-4). Correction, former Historical Note should read "Amended effective January 1, 1989, filed December 30, 1988" (Supp. 89-2). Section repealed, new Section adopted effective April 1, 1997; filed in the Office of the Secretary of State July 12, 1996 (Supp. 96-3). Amended by final rulemaking at 10 A.A.R. 850, effective April 3, 2004 (Supp. 04-1). Amended by final rulemaking at 12 A.A.R. 683, effective April 8, 2006 (Supp. 06-1). Amended by final rulemaking at 19 A.A.R. 826, effective July 1, 2013.

R12-4-306. Buffalo Hunt Requirements

A. When authorized by Commission Order, the Department shall conduct a hunt to harvest buffalo from the state's buffalo herds.

B. A hunter with a buffalo permit-tag or nonpermit-tag shall:
1. Provide a signed written acknowledgment that the hunter received, read, understands, and agrees to comply with the requirements of this Section.
2. Be accompanied by an authorized Department employee, when required, and
3. Take only the buffalo designated by the Department employee, when required.

C. For the House Rock Herd (Units 12A, 12B, and 13A): when required by the Department, a hunter with a nonpermit-tag shall:
1. Hunt in the order scheduled.
2. Be accompanied by a Department employee who:
   a. Shall designate the buffalo to be harvested, and
   b. May assist in taking the buffalo if the hunter fails to dispatch a wounded buffalo within a reasonable period.

D. For the Raymond Herd (Units 5A and 5B):
1. A hunter with a permit-tag shall:
   a. Hunt in the order scheduled, and
   b. Be accompanied by an authorized Department employee who:
      i. Shall designate the buffalo to be harvested, and
      ii. May assist in taking the buffalo if the hunter fails to dispatch a wounded buffalo within a reasonable period.
2. When required by the Department, a hunter with a nonpermit-tag shall:
   a. Hunt in the order scheduled,
   b. Be accompanied by a Department employee who:
      i. Shall designate the buffalo to be harvested.
      ii. May assist in taking the buffalo if the hunter fails to dispatch a wounded buffalo within a reasonable period.

E. A hunter issued a buffalo permit-tag or non-permit tag shall check out no more than three days after the end of the hunt, regardless of whether the hunter was successful, unsuccessful, or did not participate in a buffalo hunt.
1. House Rock Herd (Units 12A, 12B, and 13A): a hunter may check out either in person or by telephone at the House Rock Wildlife Area headquarters, the Jacob Lake Check station when open during deer season, or the Department's Flagstaff regional office.
2. Raymond Herd (Units 5A and 5B):
   a. A successful hunter shall check out in person at the Raymond Wildlife Area headquarters or the Department's Flagstaff regional office. The hunter shall present the buffalo to the Department for the purpose of gathering biological data.
   b. An unsuccessful hunter shall check out by telephone at the Raymond Wildlife Area headquarters or the Department's Flagstaff regional office.
3. At the time of check-out, the hunter shall provide all of the following information:
   a. Hunter's name,
   b. Hunter's contact number,

c. Tag number,
d. Sex of buffalo taken,
e. Age of the buffalo taken: adult or yearling,
f. Number of days hunted, and
g. Number of buffalo seen while hunting.

4. When accompanied by an authorized Department employee, the employee shall conduct the check-out at the end of the hunt.

F. Failure to comply with the requirements of this Section shall result in the invalidation of the hunter's permit-tag or nonpermit-tag, consistent with the written acknowledgment signed and agreed to by the hunter.

Authorizing Statute

General: A.R.S. § 17-231(A)(1)
Specific: A.R.S. §§ 17-102, 17-231(A)(3), and 17-233

Historical Note

Former Section R12-4-55 renumbered as Section R12-4-306 without change effective August 13, 1981 (Supp. 81-4). Amended subsections (A), (B), and (D) effective May 12, 1982 (Supp. 82-3). Amended effective December 30, 1988 (Supp. 88-4). Correction, former Historical Note should read "Amended effective January 1, 1989, filed December 30, 1988" (Supp. 89-2). Amended by final rulemaking at 10 A.A.R. 850, effective April 3, 2004 (Supp. 04-1). Amended by final rulemaking at 19 A.A.R. 826, effective July 1, 2013.

R12-4-307. Trapping Regulations: Licensing; Methods; Tagging of Bobcat Pelts

A. An Arizona trapping license permits an individual to trap predatory and fur-bearing animals. The Department shall issue a registration number to a trapper and enter the number on the trapping license at the time the trapper purchases the license. The trapper registration number is not transferable.

B. A trapping license is required for any individual 14 years of age and older. An individual under the age of 14 is not required to purchase a trapping license, but shall apply for and obtain a registration number.

C. An individual born on or after January 1, 1967 shall successfully complete a Department-approved trapping education course before applying for a trapping license.

D. An individual applying for a trapping registration number or trapping license shall pay the applicable fees established under R12-4-102.

E. An individual applying for a trapping registration number or trapping license shall apply using a form furnished by the Department. The form is available at any Department office and online at www.azgfd.gov. The individual shall provide all of the following information on the form:

1. Applicant's:
   a. Full name, address, and telephone number;
   b. Date of birth and physical description;
2. Identification number assigned by the Department;
3. Category of license:
   a. Resident,
   b. Nonresident, or
   c. Juvenile, and
4. The applicant's signature.

F. A trapper may only trap predatory and fur-bearing animals during trapping seasons established by Commission Order.

G. A trapper shall:

1. Inspect traps daily;
2. Kill or release all predatory and fur-bearing animals;
3. Possess a choke restraint device that enables the trapper to release a javelina from a trap when trapping in a javelina hunt unit, as designated by Commission Order;
4. Possess a device that is designed or manufactured to restrain a trapped animal while it is being removed from a trap when its release is required by this Section; and
5. Release, without additional injury, all animals that cannot lawfully be taken by trap.
6. Subsections (G)(3) and (G)(4) do not apply when the trapper is using a confinement trap.

H. A trapper shall not:

1. Bait a confinement trap with:
   a. A live animal;

b. Any edible parts of small game, big game, or game fish; or
c. Any part of any game bird or nongame bird.

2. Set any trap within:
   a. One-half mile of any of the following areas developed for public use:
      i. Boat launching area,
      ii. Camping area,
      iii. Picnic area, or
      iv. Roadside rest area.
   b. One-half mile of any occupied residence or building without permission of the owner or resident.
   c. One-hundred yards of an interstate highway or any other highway maintained by the Arizona Department of Transportation.
   d. Fifty feet of any trail maintained for public use by a government agency.
   e. Seventy-five feet of any other road as defined under A.R.S. § 17-101.
   f. Subsections (H)(2)(b), (H)(2)(c), (H)(2)(d), and (H)(2)(e) do not apply when the trapper is using a confinement trap.
3. Set a foothold trap within 30 feet of sight-exposed bait.
4. Use any:
   a. Body-gripping or other instant kill trap with an open jaw spread that exceeds 5 inches for any land set or 10 inches for any water set;
   b. Foothold trap with an open jaw spread that exceeds 7 1/2 inches for any water set;
   c. Snare, unless authorized under subsection (I);
   d. Trap with an open jaw spread that exceeds 6 1/2 inches for any land set; or
   e. Trap with teeth.

I. A trapper who uses a foothold trap to take wildlife with a land set shall use commercially manufactured traps that meet the following specifications:
1. A padded or rubber-jawed trap or an unpadded trap with jaws permanently offset to a minimum of 3/16 inch and a device that allows for pan tension adjustment;
2. A foothold trap that captures wildlife by means of an enclosed bar or spring designed to prevent the capture of non-targeted wildlife or domestic animals; or
3. A powered cable device with an inside frame hinge width no wider than 6 inches, a cable loop stop size of at least 2 inches in diameter to prevent capture of small non-target species, and a device that allows for a pan tension adjustment.

J. A trapper who uses a foothold trap to take wildlife with a land set shall ensure that the trap has an anchor chain equipped with at least two swivels as follows:
1. An anchor chain 12 inches or less in length shall have a swivel attached at each end.
2. An anchor chain greater than 12 inches in length shall have one swivel attached at the trap and one swivel attached within 12 inches of the trap. The anchor chain shall be equipped with a shock-absorbing spring that requires less than 40 pounds of force to extend or open the spring.

K. A trapper shall ensure that each trap has either the name and address or the registration number of the trapper marked on a metal tag attached to the trap. The number assigned by the Department is the only acceptable registration number.

L. A trapper shall immediately attach a valid bobcat transportation tag to the pelt or unskinned carcass of a bobcat taken in this state. The trapper shall validate the transportation tag by providing all of the following information on the bobcat transportation tag:
1. Current trapping license number,
2. Game management unit where the bobcat was taken,
3. Sex of the bobcat, and
4. Method by which the bobcat was taken.

M. The Department shall provide transportation tags with each trapping license. Additional transportation tags are available at any Department office at no charge.

N. A trapper shall ensure that all bobcats taken in this state have a bobcat seal attached and locked either through the mouth and an eye opening or through both eye openings no later than 10 days after the close of trapping season.

1. When available, bobcat seals are issued on a first-come, first-served basis at Department offices and other locations at those times and places as determined and published by the Department.
2. The trapper shall pay the bobcat seal fee established under R12-4-102.
3. Department personnel or an authorized agent shall attach and lock a bobcat seal only to a pelt or unskinned carcass presented with a validated transportation tag and a complete lower jaw identified with labels provided with the transportation tag. Department personnel or authorized agents shall collect the transportation tags and jaws before attaching the bobcat seal.

O. Department personnel shall attach a bobcat seal to a bobcat pelt seized under A.R.S. § 17-211(E)(4) before disposal by the Department to the public.

P. A licensed trapper shall file the annual report prescribed under A.R.S. § 17-361(D).

1. The trapper shall submit the report to Arizona Game and Fish Department, Game Branch, 5000 W. Carefree Highway, Phoenix, AZ 85086 by April 1 of each year.
2. A report is required even when trapping activities were not conducted. The report form is available at any Department office and online at www.azgfd.gov.
3. The Department shall deny a trapping license to any trapper who fails to submit an annual report until the trapper complies with reporting requirements.

Q. Persons suffering property loss or damage due to wildlife and who take responsive measures as permitted under A.R.S. §§ 17-239 and 17-302 are exempt from this Section. This exemption does not authorize any form of trapping prohibited under A.R.S. § 17-301.

Authorizing Statute

General: A.R.S. § 17-231(A)(1)
Specific: A.R.S. §§ 17-102, 17-231(A)(3), 17-239, 17-301, 17-333(35), 17-333.02, 17-361, and 17-371

Historical Note

Repealed effective May 3, 1976 (Supp. 76-3). New Section R12-4-56 adopted effective September 2, 1977 (Supp. 77-5). Amended effective December 27, 1979 (Supp. 79-6). Former Section R12-4-56 renumbered as Section R12-4-307 without change effective August 13, 1981. New Section R12-4-307 amended effective August 31, 1981 (Supp. 81-4). Amended effective August 4, 1982 (Supp. 82-4). Correction, Former Section R12-4-56 renumbered as Section R12-4-307 without change effective August 13, 1981 should read "effective August 31, 1981." Amended as an emergency effective March 29, 1983 pursuant to A.R.S. § 41-1003, valid for only 90 days (Supp. 83-2). Amended subsections (B), (C)(6), (7), and (8) and added subsection (I)(5) as a permanent rule effective August 27, 1984 (Supp. 84-4). Amended subsection (C), paragraph (4), subsection (D), subsection (H), paragraph (1), subsection (I), paragraphs (3), (4) and (5) effective September 12, 1986 (Supp. 86-5). Amended effective March 1, 1994; filed in the Office of the Secretary of State November 23, 1993; Exhibit A - "Trapping Report" Form 2050, repealed from Section R12-4-307 (Supp. 93-4). Amended effective January 1, 1996; filed in the Office of the Secretary of State December 18, 1995 (Supp. 95-4). Corrected mislabeled subsection "C" to subsection "D" as per the Commission's request July 22, 1997 (Supp. 97-2). Amended effective February 9, 1998 (Supp. 98-1). Amended by final rulemaking at 8 A.A.R. 1702, effective March 11, 2002 (Supp. 02-1). Amended by final rulemaking at 10 A.A.R. 850, effective April 3, 2004 (Supp. 04-1). Amended by final rulemaking at 19 A.A.R. 826, effective July 1, 2013.

R12-4-308. Wildlife Inspections, Check Stations, and Roadblocks

A. The Department has the authority to establish mandatory wildlife check stations.

1. The Department shall publish in the Commission Order establishing the season the:
   a. Location,
   b. Check in requirements, and
   c. Check-out requirements for that specific season.
2. The Department shall ensure a wildlife check station with a published:

a. Check in requirement is open:
   i. 8:00 a.m. the day before the season until 8:00 p.m. the first day of the season, and
   ii. 8:00 a.m. to 8:00 p.m. during each day of the season.
b. Check-out requirement is open:
   i. 8:00 a.m. to 8:00 p.m. during each day of the season, and
   ii. Until 12:00 noon on the day after the close of the season.

3. A hunter shall:
   a. Check in at a wildlife check station in person before hunting when the Department includes a check in requirement in the Commission Order for that season;
   b. Check out at a wildlife check station in person after hunting when the Department includes a check-out requirement in the Commission Order for that season and shall:
      i. Present for inspection any wildlife taken;
      ii. Display any license, tag, or permit required for taking or transporting wildlife.

B. The Department may conduct inspections of lawfully taken wildlife at the Department's Phoenix and regional offices or designated locations during the posted business hours

1. A bighorn sheep hunter shall check out either in person or by designee within three days after the close of the season. The hunter or designee shall submit the intact horns and skull for inspection and photographing. A Department representative shall affix a mark or seal to one horn of each bighorn sheep lawfully taken under Commission Order. It is unlawful for any person to remove, alter, or obliterate the mark or seal.
2. A successful bear or mountain lion hunter shall:
   a. Report information about the kill to the Department either in person or by telephone within 48 hours of taking the wildlife. The report shall include the:
      i. Name of the hunter,
      ii. Hunter's hunting license number,
      iii. Sex of the wildlife taken,
      iv. Management unit where the wildlife was taken,
      v. Telephone number where the hunter can be reached for additional information, and
      vi. Any additional information required by the Department.
   b. Present either in person or by designee the skull, hide, and attached proof of sex for inspection within 10 days of taking the wildlife. If a hunter freezes the skull or hide before presenting it for inspection, the hunter shall prop the jaw open to allow access to the teeth and ensure that the attached proof of sex is identifiable and accessible.
3. For seasons other than bear, bighorn sheep, or mountain lion, where a harvest objective is established, a successful hunter shall report information about the kill either in person or by telephone within 48 hours of taking the wildlife. The report shall include the information required under subsection (B)(2)(a).

C. The Director may establish vehicle roadblocks at specific locations when necessary to ensure compliance with applicable wildlife laws. Any occupant of a vehicle at a roadblock shall, upon request, present for inspection all wildlife in possession, and produce and display any license, tag, stamp, or permit required for taking or transporting wildlife.

D. This Section does not limit the game ranger or wildlife manager's authority to conduct stops, searches, and inspections authorized under A.R.S. §§ 17-211(E), 17-250(A)(4), and 17-331, or to establish voluntary wildlife survey stations to gather biological information.

Authorizing Statute

General: A.R.S. § 17-231(A)(1)
Specific: A.R.S. §§ 17-102, 17-211(D), 17-211(E)(4), 17-231(A)(3), 17-231(A)(4), 17-250(A)(4), 17-301, 17-307, 17-331, and 17-333

Historical Note

Amended effective June 29, 1978 (Supp. 78-3). Former Section R12-4-57 renumbered as Section R12-4-308 without change effective August 13, 1981 (Supp. 81-4). Former Section R12-4-308 repealed, new Section R12-4-308 adopted effective May 12, 1982 (Supp. 82-3). Amended subsections (B), (D), and (F), and added subsection (G) effective July 3, 1984 (Supp. 84-4). Former Section R12-4-308 repealed, new Section R12-4-308 adopted effective December 30, 1988 (Supp. 88-4). Correction, former Historical Note should read "Former Section R12-4-

308 repealed, new Section R12-4-308 adopted effective January 1, 1989, filed December 30, 1988" (Supp. 89-2). Amended effective January 1, 1993; filed December 18, 1992 (Supp. 92-4). Amended effective July 12, 1996 (Supp. 96-3). Amended effective November 10, 1997 (Supp. 97-4). Amended by final rulemaking at 10 A.A.R. 850, effective April 3, 2004 (Supp. 04-1). Amended by final rulemaking at 12 A.A.R. 683, effective April 8, 2006 (Supp. 06-1). Amended by final rulemaking at 19 A.A.R. 826, effective July 1, 2013.

R12-4-309. Authorization for Use of Drugs on Wildlife

A. A person shall not administer any drug to any wildlife under the jurisdiction of the state, including but not limited to drugs used for fertility control, disease prevention or treatment, immobilization, or growth stimulation without written authorization from the Department or as otherwise provided under subsection (E).

B. A person requesting written authorization for the use of drugs on wildlife shall submit the request in writing to the Department at 5000 W. Carefree Hwy, Phoenix, AZ 85086 and at least 120 days before the anticipated start date of the activity and provide all of the following:

1. A plan that includes:
   a. The purpose and need for the proposed activity;
   b. A clear statement of the objectives; for fertility control the statement shall include the target wildlife population goals or densities and the anticipated time-frame for meeting these objectives;
   c. A description of the agent, drug, or method including federal approvals or permits obtained, as applicable, and any mandated labeling restrictions or limitations designed to reduce or minimize detrimental effects to wildlife and humans;
   d. Required approvals, including, but not limited to, any federal or state agency approvals for specific use;
   e. Citations of published scientific literature documenting field studies on the efficacy and safety for both target and non-target species, including predators, scavengers, and humans;
   f. A description of the activity area;
   g. A description of the target species population and current status;
   h. A description of the field methodology for delivery that includes the following, as applicable:
      i. Timing,
      ii. Sex and number of animals to be treated,
      iii. Percentage of the population to be treated,
      iv. Calculated population effect, and
      v. Short and long term monitoring and evaluation procedures.
2. Documentation regarding the experience and credentials of the applicant or the applicant's agents as it applies to the requested activity;
3. Written endorsement from the agency or institution; required when the applicant is a government agency, university, or other institution; and
4. Written permission from landowners or lessees in all locations where the drug will be administered.

C. The Department shall notify the applicant of the Department's decision to grant or deny the request within 90 days. The Department has the authority to place conditions on the written authorization regarding:

1. Locations and time-frames,
2. Drugs and methodology,
3. Limitations,
4. Reporting requirements, and
5. Any other conditions deemed necessary by the Department.

D. A person with authorization shall:

1. Carry written authorization while engaged in the activity and exhibit it upon request to any peace officer;
2. Allow Department personnel to be present to monitor activities for compliance, public safety, and proper treatment of animals;
3. Adhere to all drug label restrictions and precautions;
4. Provide an annual and final report:
   a. The annual report must include the number of animals treated, the level of treatment effect obtained to date, and any problems including mortalities or morbidities of target animals.

b. The final report must include the end results, including the number of wildlife treated and treatment effects on target and non-target wildlife, including mortalities, morbidities, and reproductive rate changes.

5. Comply with all conditions and requirements set forth in the written authorization.

E. This Section does not prohibit the treatment of wildlife by a licensed veterinarian or holder of a special license in accordance with R12-4-407(A)(2) and (8), R12-4-428(B)(13), activities as authorized under R12-4-418, R12-4-420, R12-4-421, and R12-4-423, an individual exempt from special licensing under R12-4-407(A)(4) and (5), or reasonable lethal removal activities for wildlife control as authorized under A.R.S. § 17-239(A).

F. This Section does not limit:

1. Department employees or Department agents in the performance of their official duties related to wildlife management,
2. The practices of aquaculture facilities administered by the US Fish and Wildlife Service, and commercial aquaculture facilities operating under a valid license from the Arizona Department of Agriculture, or
3. The use of supplements or drugs as a part of conventional livestock operations where those supplements may incidentally be consumed by wildlife.

G. The Department shall take possession of and dispose of any remaining wildlife drugs administered in violation of this Section and any devices and paraphernalia used to administer those drugs, as authorized under A.R.S. §§ 17-211(E), 17-231(A), and 17-240(B).

Authorizing Statute

General: A.R.S. § 17-231(A)(1)
Specific: A.R.S. §§ 17-102, 17-231(A)(2), and 17-231(A)(3), 17-306, 17-331(A)

Historical Note

Amended effective May 21, 1975 (Supp. 75-1). Amended effective May 3, 1976 (Supp. 76-3). Amended effective March 7, 1979 (Supp. 79-2). Former Section R12-4-58 renumbered as Section R12-4-309 without change effective August 13, 1981 (Supp. 81-4). Former Section R12-4-309 repealed, new Section R12-4-309 adopted effective May 12, 1982 (Supp. 82-3). Amended subsection (A) effective July 3, 1984 (Supp. 84-4). Former Section R12-4-309 repealed, new Section R12-4-309 adopted effective December 30, 1988 (Supp. 88-4). Correction, former Historical Note should read "Former Section R12-4-309 repealed, new Section R12-4-309 adopted effective January 1, 1989, filed December 30, 1988" (Supp. 89-2). Amended effective March 1, 1991; filed February 28, 1991 (Supp. 91-1). Amended effective January 1, 1993; filed December 18, 1992 (Supp. 92-4). Amended effective January 1, 1997; filed with the Office of the Secretary of State November 7, 1996 (Supp. 96-4). Amended effective January 1, 1999; filed with the Office of the Secretary of State December 4, 1998 (Supp. 98-4). Section repealed by final rulemaking at 8 A.A.R. 1702, effective March 11, 2002 (Supp. 02-1). Amended by final rulemaking at 16 A.A.R. 1460, effective September 11, 2010. Amended by final rulemaking at 19 A.A.R. 826, effective July 1, 2013.

R12-4-310. Fishing Permits

A. The Department may issue a fishing permit to state, county, or municipal agencies or departments and to nonprofit organizations licensed by or contracted with the Department of Economic Security or Department of Health Services, whose primary purpose is to provide physical or mental rehabilitation or training for individuals with physical, developmental, or mental disabilities.

B. The permit:

1. Is valid for the two days specified on the permit;
2. Authorizes up to 20 individuals with physical, developmental, or mental disabilities to fish without a fishing license upon any public waters except that fishing in the waters of the Colorado River is restricted to fishing from the Arizona shoreline only, unless the persons fishing under the authority of the permit also possess a valid Colorado River stamp from the adjacent state; and
3. Does not exempt individuals fishing under the authority of the permit from compliance with other statutes, Commission Orders, and rules not contained in this Section.

C. An applicant for a fishing permit shall submit a properly completed application to the Department. The application is furnished by the Department and is available from any Department office and online at www.azgfd.gov.
1. The applicant shall provide all of the following information:
   a. The name, address, and telephone number of the agency, department, or nonprofit organization requesting the permit;
   b. The name, position title, and telephone number of the individual responsible for supervising the individuals fishing under the authority of the permit;
   c. The total number of individuals who will be fishing under the authority of the permit;
   d. The dates of the two days for which the permit will be valid; and
   e. The location for which the permit will be valid.
2. In addition to the information required under subsection (C)(1), nonprofit organizations shall also submit documentation that they are licensed by or have a contract with the Department of Economic Security or the Department of Health Services for the purpose of providing rehabilitation or treatment services to individuals or groups with physical, developmental, or mental disabilities.

D. The Department shall issue or deny the fishing permit to an applicant within 30 calendar days of receiving an application.

E. The fishing permit holder shall provide instruction on fish identification, fishing ethics, safety, and techniques to the individuals who will be fishing under authority of the permit. The Department shall provide the lesson plan for this instruction to the permit holder.

F. Each individual fishing without a license under the authority of the fishing permit may take only one-half the regular bag limit established by Commission Order for any species, unless the regular bag limit is one, in which case the permit authorizes the regular limit.

G. The permit holder shall submit a report to the Department not later than 30 days after the end of the authorized fishing dates. The report form is furnished by the Department and is available at any Department office. The permit holder shall report all of the following information on the form:
1. The fishing permit number and the information contained in the permit;
2. The total number of individuals who fished and total hours fished;
3. The total number of fish caught, kept, and released, by species.

H. The Department may deny future fishing permits to a permit holder who failed to submit the report until the permit holder complies with reporting requirements.

Authorizing Statute

General: A.R.S. § 17-231(A)(1)
Specific: A.R.S. §§ 17-102, 17-231(A)(3), 17-301, 17-331, and 17-333(6)

Historical Note

Adopted effective October 9, 1980 (Supp. 80-5). Former Section R12-4-59 renumbered as Section R12-4-310 without change effective August 13, 1981 (Supp. 81-4). Former Section R12-4-310 renumbered as R12-4-217 and amended effective December 30, 1988 (Supp. 88-4). Correction, former Historical Note should read "Former Section R12-4-310 renumbered as R12-4-217 and amended effective January 1, 1989, filed December 30, 1988" (Supp. 89-2). New Section adopted November 7, 1996 (Supp. 96-4). Amended by final rulemaking at 10 A.A.R. 850, effective April 3, 2004 (Supp. 04-1). Amended by final rulemaking at 19 A.A.R. 826, effective July 1, 2013.

R12-4-311. Exemptions from Requirement to Possess an Arizona Fishing License or Hunting License While Taking Wildlife

In addition to the exemptions prescribed under A.R.S. § 17-335, and provided the individual's fishing and hunting license privileges are not currently revoked by the Commission:
1. A fishing license is not required when an individual is:
   a. Fishing from artificial ponds, tanks, and lakes contained entirely on private lands that are not:
      i. Open to the public, and
      ii. Managed by the Department.
   b. Taking terrestrial mollusks or crustaceans from private property.
   c. Fishing in Arizona on any designated Saturday occurring during National Fishing and Boating Week, except in waters of the

Colorado River forming the common boundaries between Arizona and California, Nevada, or Utah where fishing without a license is limited to the shoreline, unless the state with concurrent jurisdiction removes licensing requirements on the same day.

d. Participating in an introductory fishing education program sanctioned by the Department, during scheduled program hours, only. A sanctioned program shall have a Department employee, sport fishing contractor, or authorized volunteer instructor present during scheduled program hours. For the purposes of this subsection, "authorized volunteer instructor" means an individual who has successfully passed the Department's required background check and sport fishing education workshop.

2. A hunting license is not required when an individual is participating in an introductory hunting event organized, sanctioned, or sponsored by the Department. The individual may hunt small game, furbearing, predator, and designated mammals during scheduled event hours, only. To hunt migratory birds, the individual shall have any stamps required by federal regulation. The introductory hunting event shall have a Department employee, certified hunter education instructor, or authorized volunteer present during scheduled hunting hours. For the purposes of this subsection, "authorized volunteer" means an individual who has successfully passed the Department's required background check and Department event best practices training. This subsection does not apply to any event that requires participants to obtain a permit-tag or nonpermit-tag.

Authorizing Statute

General: A.R.S. § 17-231(A)(1)
Specific: A.R.S. §§ 17-102, 17-231(A)(3), 17-301, and 17-331

Historical Note

Amended as an emergency effective April 10, 1975 (Supp. 75-1). Amended effective May 3, 1976 (Supp. 76-3). Amended effective May 26, 1978 (Supp. 78-3). Amended effective May 31, 1979. Amended effective June 4, 1979 (Supp. 79-3). Amended effective April 22, 1980 (Supp. 80-2). Former Section R12-4-60 renumbered as Section R12-4-311 without change effective August 13, 1981 (Supp. 81-4). Amended subsections (A), (B), and (D) and added subsections (F) and (G) effective December 17, 1981 (Supp. 81-6). Amended as an emergency effective May 12, 1982, pursuant to A.R.S. § 41-1003, valid for 90 days (Supp. 82-3). Emergency certification expired. Amended subsections (A) through (E) effective December 7, 1982 (Supp. 82-6). Amended subsections (C) and (D) effective February 9, 1984 (Supp. 84-1). Amended effective December 13, 1985 (Supp. 85-6). Amended subsections (A) and (D) effective December 16, 1986 (Supp. 86-6). Former Section R12-4-311 repealed, new Section R12-4-311 adopted effective December 30, 1988 (Supp. 88-4). Correction, former Historical Note should read "Former Section R12-4-322 repealed, new Section R12-4-311 adopted effective January 1, 1989, filed effective December 30, 1988" (Supp. 89-2). Amended by final rulemaking at 10 A.A.R. 850, effective April 3, 2004 (Supp. 04-1). Amended by final rulemaking at 19 A.A.R. 826, effective July 1, 2013.

R12-4-312. Special Use Permits and Stamps for Fishing on Waters with Shared Jurisdiction

A. Any individual fishing from a watercraft or other floating device or object on the waters of Lake Mead, Lake Mohave, or that portion of the Colorado River that forms the common boundary between Arizona and Nevada shall have in possession:
1. A valid Arizona-Colorado River special use stamp and a valid Arizona fishing license, or
2. A valid Nevada-Colorado River special use stamp and a valid Nevada fishing license.

B. Any individual fishing from the Arizona shorelines of the waters named in subsection (A), unless exempt under A.R.S. § 17-335, R12-4-310, or R12-4-311, shall have in possession either:
1. A valid Arizona fishing license, or
2. A valid Nevada-Colorado River special use stamp and a valid Nevada fishing license.

C. Any individual fishing in the waters of Mittry Lake or Topock Marsh, unless exempt under A.R.S. § 17-335, R12-4-310, or R12-4-311, shall have in possession either:
1. A valid Arizona fishing license, or

2. A valid Arizona-Colorado River special use permit stamp and a valid California fishing license.

D. Any individual fishing in the Arizona portion of Lake Powell, unless exempt under A.R.S. § 17-335, R12-4-310, or R12-4-311, shall have in possession either:
1. A valid Arizona fishing license, or
2. A valid Arizona-Lake Powell stamp and a valid Utah resident fishing license.

E. The requirements of this Section are in addition to those prescribed under A.R.S. §§ 17-342, 17-343, and 17-344.

Authorizing Statute

General: A.R.S. § 17-231(A)(1)
Specific: A.R.S. §§ 17-102, 17-231(A)(2), 17-231(A)(3), 17-231(D), 17-342, 17-343, and 17-344

Historical Note

Amended effective June 4, 1979 (Supp. 79-3). Amended effective April 22, 1980 (Supp. 80-2). Former Section R12-4-61 renumbered as Section R12-4-312 without change effective August 13, 1981 (Supp. 81-4). Amended subsections (B), (E) and (F) effective December 17, 1981 (Supp. 81-6). Amended subsections (A), (C), (D), (E), and added subsection (G) effective December 9, 1982 (Supp. 82-6). Amended subsection (A), paragraph (1) effective November 27, 1984 (Supp. 84-6). Amended effective December 13, 1985 (Supp. 85-6). Former Section R12-4-312 repealed, new Section R12-4-312 adopted effective December 30, 1988 (Supp. 88-4). Correction, former Historical Note should read "Former Section R12-4-312 repealed, new Section R12-4-312 adopted effective January 1, 1989, filed December 30, 1988 (Supp. 89-2). Amended by final rulemaking at 10 A.A.R. 850, effective April 3, 2004 (Supp. 04-1). Amended by final rulemaking at 19 A.A.R. 826, effective July 1, 2013.

R12-4-313. Lawful Methods of Taking Aquatic Wildlife

A. An individual may take aquatic wildlife as defined under A.R.S. § 17-101, subject to the restrictions prescribed under R12-4-303, R12-4-317, and this Section. Aquatic wildlife may be taken during the day or night and may be taken using artificial light as prescribed under A.R.S. § 17-301.

B. The Commission may, through Commission Order, prescribe legal sizes for possession of aquatic wildlife.

C. An individual may take aquatic wildlife by angling or simultaneous fishing as defined under R12-4-301 with any bait, artificial lure, or fly subject to the following restrictions, an individual:
1. Shall not possess aquatic wildlife other than aquatic wildlife prescribed by Commission Order;
2. Shall not use the flesh of game fish as bait, except sunfish of the genus *Lepomis*;
3. May use live baitfish, as defined under R12-4-101, only in areas designated by Commission Order; and
4. Shall not use waterdogs as live bait in that portion of Santa Cruz County lying east and south of State Highway 82 or that portion of Cochise County lying west of the San Pedro River and south of State Highway 82.

D. In addition to angling, an individual may also take the following aquatic wildlife using the following methods, subject to the restrictions established under R12-4-303, R12-4-317, and this Section:
1. Carp (*Cyprinus carpio*), buffalofish, mullet, tilapia, goldfish, and shad may be taken by:
   a. Bow and arrow,
   b. Crossbow,
   c. Snare,
   d. Gig,
   e. Spear or spear gun, or
   f. Snagging,
2. Except for snagging, an individual shall not use any of the methods of take listed under subsection (D)(1) within 200 yards of any boat dock or designated swimming area.
3. Striped bass may be taken by spear or spear gun in waters designated by Commission Order.
4. Live baitfish may be taken for personal use as bait by:
   a. A cast net not to exceed a radius of 4 feet measured from the horn to the leadline;
   b. A minnow trap, as defined under R12-4-301;

c. A seine net not to exceed 10 feet in length and 4 feet in width; or
d. A dip net.

5. Catfish may be taken by bow and arrow or crossbow in waters designated by Commission Order.
6. Amphibians, soft-shelled turtles, mollusks, and crustaceans may be taken by minnow trap, crayfish net, hand, or with any hand-held, non-motorized implement that does not discharge a projectile, unless otherwise permitted under this Section.
7. In addition to the methods described under subsection (D)(6), bullfrogs may be taken by:
   a. Bow and arrow,
   b. Crossbow,
   c. Pneumatic weapon, or
   d. Slingshot.
8. In addition to the methods described under subsection (D)(6), crayfish may be taken with the following devices:
   a. A trap not more than 3 feet in the greatest dimension,
   b. A dip net as defined under R12-4-301, or
   c. A seine net not larger than 10 feet in length and 4 feet in width.

E. An individual who uses a crayfish net and minnow trap shall:
1. Attach a water-resistant identification tag to the trap when it is unattended. The tag shall include the individual's:
   a. Name,
   b. Address, and
   c. Fishing license number.
2. Raise and empty the trap daily.

Authorizing Statute
General: A.R.S. § 17-231(A)(1)
Specific: A.R.S. §§ 17-102, 17-231(A)(3), 17-231(B)(5), 17-232, and 17-301

Historical Note
Amended as an emergency effective April 10, 1975 (Supp. 75-1). Amended effective May 17, 1977 (Supp. 77-3). Amended effective June 29, 1978 (Supp. 78-3). Amended effective April 22, 1980 (Supp. 80-2). Former Section R12-4-62 renumbered as Section R12-4-313 without change effective August 13, 1981 (Supp. 81-4). Amended effective December 7, 1982 (Supp. 82-6). Amended subsection (A)(7) and added subsection (E)(3) effective November 27, 1984 (Supp. 84-6). Amended subsections (A) and (E) effective December 9, 1985 (Supp. 85-6). Amended subsections (A) and (E). effective December 16, 1986 (Supp. 86-6). Former Section R12-4-313 repealed, new Section R12-4-313 adopted effective December 30, 1988 (Supp. 88-4). Correction, former Historical Note should read "Former Section R12-4-313 repealed, new Section R12-4-313 adopted effective January 1, 1989, filed December 30, 1988" (Supp. 89-2). Amended effective January 1, 1993; filed December 18, 1992 (Supp. 92-4). Amended effective October 14, 1993 (Supp. 93-4). Amended by final rulemaking at 7 A.A.R. 2220, effective May 25, 2001 (Supp. 01-2). Amended by final rulemaking at 10 A.A.R. 850, effective April 3, 2004 (Supp. 04-1). Amended by final rulemaking at 19 A.A.R. 826, effective July 1, 2013.

R12-4-315. Possession of Live Fish; Unattended Live Boxes and Stringers

A. An individual may possess fish taken alive as provided under R12-4-313 on the waters where taken, except when the take or possession is expressly prohibited under R12-4-313 or R12-4-317, but the individual shall not transport the fish alive from the waters where taken except as authorized under R12-4-316.

B. An individual shall attach water resistant identification to any unattended live boxes or stringers holding fish and ensure the identification bears the individual's:
1. Name,
2. Address, and
3. Fishing license number.

Authorizing Statute
General: A.R.S. § 17-231(A)(1)
Specific: A.R.S. §§ 17-102, 17-231(A)(3), 17-301, and 17-306

Historical Note

Former Section R12-4-64 renumbered as Section R12-4-315 without change effective August 13, 1981 (Supp. 81-4). Amended effective December 30, 1988 (Supp. 88-4). Correction, former Historical Note should read "Amended effective January 1, 1989, filed December 30, 1988" (Supp. 89-2). Amended by final rulemaking at 10 A.A.R. 850, effective April 3, 2004 (Supp. 04-1). Amended by final rulemaking at 19 A.A.R. 826, effective July 1, 2013.

R12-4-316. Possession, Transportation, or Importation of Live Baitfish, Crayfish, or Waterdogs

A. An individual may possess live baitfish, crayfish, or waterdogs for use as live bait only as established under R12-4-317 and this Section.

B. An individual may possess or transport the following live baitfish for personal use as live bait as established under R12-4-317:
1. Fathead minnow (*Pimephales promelas*),
2. Mosquitofish (*Gambusia affinis*),
3. Threadfin shad (*Dorosoma petenense*),
4. Golden shiners (*Notemigonus crysoleucas*), and
5. Goldfish (*Carassius auratus*).

C. An individual who possesses a valid Arizona fishing license may:
1. Import, transport, or possess live waterdogs for personal use as bait, except in the portion of Santa Cruz County lying east and south of State Highway 82 or the portion of Cochise County lying west of the San Pedro River and south of State Highway 82.
2. Import live baitfish listed under subsection (B) from California or Nevada without accompanying documentation certifying the fish are free of disease.
3. Import live baitfish listed under subsection (B) from any other state with accompanying documentation certifying that the fish are free of Furunculosis.

D. An individual may:
1. Trap or capture live crayfish as provided under R12-4-313.
2. Use live crayfish as bait only in the body of water where trapped or captured, not in an adjacent body of water, except for the portion of La Paz County west of Highway 95 and south of Interstate 10, Yuma County, and on the Colorado River from the Palo Verde Diversion Dam downstream to the Southern international boundary with Mexico.

E. An individual shall not:
1. Import, transport, move between waters, or possess live crayfish for personal use as live bait except as allowed in 12 A.A.C. 4, Article 4, and except for the portion of La Paz County west of Highway 95 and south of Interstate 10, Yuma County, and on the Colorado River from the Palo Verde Diversion Dam downstream to the southern international boundary with Mexico.
2. Transport crayfish alive from the site where taken except for the portion of La Paz County west of Highway 95 and south of Interstate 10, Yuma County, and on the Colorado River from the Palo Verde Diversion Dam downstream to the southern international boundary with Mexico.
3. Import, transport, move between waters, or possess live red shiner (*Cyprinella lutrensis*) for personal use.

Authorizing Statute

General: A.R.S. § 17-231(A)(1)
Specific: A.R.S. §§ 17-102, 17-231(A)(3), 17-301, and 17-306

Historical Note

Amended effective May 3, 1976 (Supp. 76-3). Amended effective June 4, 1979 (Supp. 79-3). Amended subsections (A), (B), (C), and (D) effective December 29, 1980 (Supp. 80-6). Former Section R12-4-65 renumbered as Section R12-4-316 without change effective August 13, 1981 (Supp. 81-4). Amended subsections (B), (C) and (F) effective February 9, 1984 (Supp. 84-1). Amended effective December 31, 1984 (Supp. 84-6). Former Section R12-4-316 repealed, new Section R12-4-316 adopted effective December 30, 1988 (Supp. 88-4). Correction, former Historical Note should read "Former Section R12-4-316 repealed, new Section R12-4-316 adopted effective January 1, 1989, filed December 30, 1988" (Supp. 89-2). Amended by final rulemaking at 7 A.A.R. 2147, effective May 25, 2001 (Supp. 01-2). Amended by final rulemaking at 10 A.A.R. 850, effective April 3, 2004 (Supp. 04-1). Amended by final rulemaking at 19 A.A.R. 826, effective July 1, 2013.

R12-4-317. Seasons for Lawfully Taking Fish, Mollusks, Crustaceans, Amphibians, and Aquatic Reptiles

A. Methods of lawfully taking aquatic wildlife during seasons designated by Commission Order as "general" seasons are designated under R12-4-313.

B. Other seasons designated by Commission Order have specific requirements and lawful methods of take more restrictive than those for general seasons, as prescribed under this Section. While taking aquatic wildlife under R12-4-313 an individual participating in:

1. An "artificial lures and flies only" season shall use only artificial lures and flies as defined under R12-4-301. The Commission may further restrict "artificial lures and flies only" season to the use of barbless or single barbless hooks as defined under R12-4-301.
2. A "live baitfish" season shall not possess or use any species of fish as live bait at, in, or upon any waters unless that species is specified as a live baitfish for those waters by Commission Order. Live baitfish shall not be transported from the waters where taken except as authorized under R12-4-316.
3. An "immediate kill or release" season shall kill and retain the designated species as part of the bag limit or immediately release the wildlife. Further fishing is prohibited after the legal bag limit is killed.
4. A "catch and immediate release" season shall immediately release the designated species.
5. An "immediate kill" season shall immediately kill and retain the designated species as part of the bag limit.
6. A "snagging" season shall use this method only at times and locations designated by Commission Order.
7. A "spear or spear gun" season shall use this method only at times and locations designated by Commission Order.

C. A "special" season may be designated by Commission Order to allow fish to be taken by hand or by any hand-held, non-motorized implement that does not discharge a projectile. The "special" season may apply to any waters where a fish die-off is imminent due either to poor or low water conditions, Department fish renovation activities, or as designated by Commission Order.

Authorizing Statute

General: A.R.S. § 17-231(A)(1)
Specific: A.R.S. §§ 17-102, 17-231(A)(3), 17-234, and 17-301

Historical Note

Renumbered, then repealed and readopted as Section R12-4-43 effective February 20, 1981 (Supp. 81-1). Former Section R12-4-66 renumbered as Section R12-4-317 without change effective August 13, 1981 (Supp. 81-4). Correction, Section R12-4-317 formerly shown as repealed should have read reserved. Former Historical Note erroneous, see R12-4-202. Section R12-4-317 adopted effective June 20, 1984 (Supp. 84-3). Repealed effective December 30, 1988 (Supp. 88-4). Correction, former Historical Note should read "Repealed effective January 1, 1989, filed December 30, 1988" (Supp. 89-2). New Section made by final rulemaking at 10 A.A.R. 850, effective April 3, 2004 (Supp. 04-1). Amended by final rulemaking at 19 A.A.R. 826, effective July 1, 2013.

R12-4-318. Seasons for Lawfully Taking Wild Mammals, Birds, and Reptiles

A. Methods of lawfully taking wild mammals, birds, and reptiles during seasons designated by Commission Order as “general” seasons are designated under R12-4-304.

B. Methods of lawfully taking big game during seasons designated by Commission Order as “special” are designated under R12-4-304. “Special” seasons are open only to individuals who possess a special big game license tag authorized under A.R.S. § 17-346 and R12-4-120.

C. When designated by Commission Order, the following seasons have specific requirements and lawful methods of take more restrictive than those for general and special seasons, as prescribed under this Section. While taking the species authorized by the season, an individual participating in:

1. A “CHAMP” season shall be a challenged hunter access/mobility permit holder as established under R12-4-217.
2. A "junior's-only hunt" shall be under the age of 18 and meet the requirements prescribed under A.R.S. § 17-335. A youth hunter whose 18th birthday occurs during a “juniors-only hunt” for which

the youth hunter has a valid permit or tag may continue to participate for the duration of that "juniors-only hunt."

3. A "pursuit-only" season may use dogs to pursue bears, mountain lions, or raccoons as designated by Commission Order, but shall not kill or capture the quarry. An individual participating in a "pursuit-only" season shall possess and, at the request of Department personnel, produce a valid hunting license and any required tag for taking the animal pursued, even though there shall be no kill.
4. A "restricted season" may use any lawful method authorized for a specific species under R12-4-304, except dogs may not be used to pursue the wildlife for which the season was established.
5. An "archery-only" season shall not use any other weapons, including crossbows or bows with a device that holds the bow in a drawn position except as authorized under R12-4-216. An individual participating in an "archery-only" season may ~~only~~ use one or more the following methods or devices if authorized under R12-4-304 as lawful for the species hunted:
   a. Bows and arrows, and
   b. Falconry.
6. A "handgun, archery, and muzzleloader (HAM)" season may use one or more of the following methods or devices if authorized under R12-4-304 as lawful for the species hunted:
   a. Bows and arrows,
   b. Crossbows or bows to be drawn and held with an assisting device,
   c. Handguns, and
   d. Muzzle-loading rifles as defined under R12-4-301.
7. A "muzzleloader" season may use one or more of the following methods or devices if authorized under R12-4-304 as lawful for the species hunted:
   a. Bows and arrows;
   b. Crossbows or bows to be drawn and held with an assisting device; and
   c. Muzzleloading rifles or handguns, as defined under R12-4-301.
8. A "limited weapon" season may use one or more of the following methods or devices for taking wildlife, if authorized under R12-4-304 as lawful for the species hunted:
   a. Any trap except foothold traps,
   b. Bows and arrows,
   c. Capture by hand,
   d. Crossbows or bows to be drawn and held with an assisting device,
   e. Dogs,
   f. Falconry,
   g. Hand-propelled projectiles,
   h. Nets,
   i. Pneumatic weapons discharging a single projectile .25 caliber or smaller, or
   j. Slingshots.
9. A "limited weapon hand or hand-held implement" season may use one or more of the following methods or devices for taking wildlife, if authorized under R12-4-304 as lawful for the species hunted:
   a. Catch-pole,
   b. Hand,
   c. Snake hook, or
   d. Snake tongs.
10. A "limited weapon-pneumatic" season may use one or more of the following methods or devices for taking wildlife, if authorized under R12-4-304 as lawful for the species hunted:
    a. Capture by hand,
    b. Dogs,
    c. Falconry,
    d. Hand-propelled projectiles,
    e. Nets,
    f. Pneumatic weapons discharging a single projectile .25 caliber or smaller, or
    g. Slingshots.
11. A "limited weapon-rimfire" season may ~~only~~ use one or more of the following methods or devices for taking wildlife, if authorized under R12-4-304 as lawful for the species hunted:

a. Any trap except foothold traps,
b. Bows and arrows,
c. Capture by hand,
d. Crossbows or bows to be drawn and held with an assisting device,
e. Dogs,
f. Falconry,
g. Hand-propelled projectiles,
h. Nets,
i. Pneumatic weapons,
j. Rifled firearms using rimfire cartridges,
k. Shotgun shooting shot or slug, or
l. Slingshots.

12. A "limited weapon-shotgun" season may use one or more of the following methods or devices for taking wildlife, if authorized under R12-4-304 as lawful for the species hunted:
    a. Any trap except foothold traps,
    b. Bows and arrows,
    c. Capture by hand,
    d. Crossbows or bows to be drawn and held with an assisting device,
    e. Dogs,
    f. Falconry,
    g. Hand-propelled projectiles,
    h. Nets,
    i. Pneumatic weapons,
    j. Shotgun shooting shot or slug, or
    k. Slingshots.
13. A "limited weapon-shotgun shooting shot" season may use one or more of the following methods or devices for taking wildlife, if authorized under R12-4-304 as lawful for the species hunted:
    a. Any trap except foothold traps,
    b. Bows and arrows,
    c. Capture by hand,
    d. Crossbows or bows to be drawn and held with an assisting device,
    e. Dogs,
    f. Falconry,
    g. Hand-propelled projectiles,
    h. Nets,
    i. Pneumatic weapons,
    j. Shotgun shooting shot, or
    k. Slingshots.
14. A "falconry-only" season shall be a falconer licensed under R12-4-422 unless exempt under A.R.S. § 17-236(C) or R12-4-407. A falconer participating in a "falconry-only" season shall use no other method of take except falconry.
15. A "raptor capture" season shall be a falconer licensed under R12-4-422 unless exempt under R12-4-407.

Authorizing Statute

General: A.R.S. § 17-231(A)(1)
Specific: A.R.S. §§ 17-102, 17-231(A)(2), 17-231(A)(3), 17-234, 17-235, 17-251, 17-301, 17-305, 17-307, 17-333, 17-346, and 17-371(D)

Historical Note

Adopted effective June 4, 1987 (Supp. 87-2). Amended effective December 30, 1988 (Supp. 88-4). Correction, former Historical Note should read "Amended effective January 1, 1989, filed December 30, 1988" (Supp. 89-2). Amended effective March 1, 1991; filed February 28, 1991 (Supp. 91-1). Amended effective January 1, 1993; filed December 18, 1992 (Supp. 92-4). Amended effective January 1, 1995; filed in the Office of the Secretary of State December 9, 1994 (Supp. 94-4). Amended effective January 1, 1996; filed in the Office of the Secretary of State December 18, 1995 (Supp. 95-4). Amended effective January 1, 1997; filed in the Office of the Secretary of State July 12, 1996 (Supp. 96-3). Amended effective January 1, 1998; filed in the Office of the Secretary of State November 10, 1997 (Supp. 97-4). Amended by final rulemaking at 6 A.A.R. 211, effective January 1, 2000 (Supp. 99-4). Amended by final rulemaking at 10 A.A.R. 850, effective April 3, 2004 (Supp. 04-1). Amended by final rulemaking at 16 A.A.R. 1460, effective September 11, 2010. Amended by final rulemaking at 19 A.A.R. 826, effective July 1, 2013.

R12-4-319. Use of Aircraft to Take Wildlife

A. For the purposes of this Section, "locate" means any act or activity that does not take or harass wildlife and is directed at locating or finding wildlife in a hunt area.

B. An individual shall not take or assist in taking wildlife from or with the aid of aircraft.

C. Except in hunt units with Commission-ordered special seasons under R12-4-115 and R12-4-120 and hunt units with seasons only for mountain lion and no other concurrent big game season, an individual shall not locate or assist in locating wildlife from or with the aid of an aircraft in a hunt unit with an open big game season. This restriction begins 48 hours before the opening of a big game season in a hunt unit and extends until the close of the big game season for that hunt unit.

D. An individual who possesses a special big game license tag for a special season under R12-4-115 or R12-4-120 or an individual who assists or will assist such a licensee shall not use an aircraft to locate wildlife beginning 48 hours before and during a Commission-ordered special season.

E. This Section does not apply to any individual acting within the scope of official duties as an employee or authorized agent of the state or the United States to manage or protect or aid in the management or protection of land, water, wildlife, livestock, domesticated animals, human life, or crops.

Authorizing Statute

General: A.R.S. § 17-231(A)(1)
Specific: A.R.S. §§ 17-102, 17-231(A)(2), 17-231(A)(3), 17-231(A)(4), and 17-301(B)

Historical Note

Amended effective May 21, 1975 (Supp. 75-1). Amended effective May 3, 1976 (Supp. 76-3). Amended effective June 12, 1979 (Supp. 79-3). Amended effective April 22, 1980 (Supp. 80-2). Former Section R12-4-68 renumbered as Section R12-4-319 without change effective August 13, 1981 (Supp. 81-4). Repealed effective April 28, 1989 (Supp. 89-2). New Section R12-4-319 adopted an as emergency effective October 18, 1990, pursuant to A.R.S. § 41-1026, valid for only 90 days (Supp. 90-4). Emergency expired. New Section adopted by final rulemaking at 6 A.A.R. 211, effective December 14, 1999 (Supp. 99-4). Amended by final rulemaking at 10 A.A.R. 850, effective April 3, 2004 (Supp. 04-1). Amended by final rulemaking at 19 A.A.R. 826, effective July 1, 2013.

R12-4-320. Harassment of Wildlife

A. In addition to the provisions established under A.R.S. § 17-301, it is unlawful to harass, molest, chase, rally, concentrate, herd, intercept, torment, or drive wildlife with or from any aircraft as defined under R12-4-301, or with or from any motorized terrestrial or aquatic vehicle.

B. This Section does not apply to individuals acting:

1. In accordance with the provisions established under A.R.S. § 17-239; or
2. Within the scope of official duties as an employee or authorized agent of the state or the United States to manage or protect or aid in the management or protection of land, water, wildlife, livestock, domesticated animals, human life, or crops.

Authorizing Statute

General: A.R.S. § 17-231(A)(1)
Specific: A.R.S. §§ 17-102, 17-231(A)(2), 17-231(A)(3), and 17-236

Historical Note

New Section made by final rulemaking at 10 A.A.R. 850, effective April 3, 2004 (Supp. 04-1). Amended by final rulemaking at 19 A.A.R. 826, effective July 1, 2013.

R12-4-321. Restrictions for Taking Wildlife in City, County, or Town Parks and Preserves

A. All city, county, and town parks and preserves are closed to hunting, unless open by Commission Order.

B. Unless otherwise provided under Commission Order or rule, a city, county, or town may:

1. Limit or prohibit any individual from hunting or trapping within 1/4 mile of any:
   a. Developed picnic area,

b. Developed campground,
c. Boat ramp,
d. Shooting range,
e. Occupied structure, or
f. Golf course.

2. Require an individual entering a city, county, or town park or preserve, for the purpose of hunting, to declare the individual's intent to hunt when entering the park or preserve, if the park or preserve has an entry station in operation.
3. Allow an individual to take wildlife in a city, county, or town park or preserve only during the posted park or preserve hours.

Authorizing Statute

General: A.R.S. § 17-231(A)(1)
Specific: A.R.S. §§ 13-3107, 13-310817-102, 17-231(A)(3), 17-234, and 17-301(D)

Historical Note

Amended as an emergency effective April 10, 1975 (Supp. 75-1). Amended effective May 3, 1976, Amended effective June 7, 1976 (Supp. 76-3). Amended effective May 26, 1978 (Supp. 78-3). Editorial correction subsection (D) (Supp. 78-5). Amended effective June 4, 1979 (Supp. 79-3). Former Section R12-4-50 renumbered as Section R12-4-301 without change effective August 13, 1981 (Supp. 81-4). Amended subsection (A) effective May 12, 1982 (Supp. 82-3). Amended effective July 3, 1984 (Supp. 84-4). Amended effective December 30, 1988 (Supp. 88-4). Correction, former Historical Note should read "Amended effective January 1, 1989, filed December 30, 1988" (Supp. 89-2). Amended effective February 9, 1998 (Supp. 98-1). Amended by final rulemaking at 10 A.A.R. 850, effective April 3, 2004 (Supp. 04-1). Adopted as Section R17-4-301 and renumbered and amended as Section R17-4-321, effective January 1, 2013. Amended by final rulemaking at 19 A.A.R. 826, effective July 1, 2013.

R12-4-322. Pickup and Possession of Wildlife Carcasses or Parts

A. For the purposes of this Section, the following definitions apply:

1. "Fresh" means the majority of the wildlife carcass or part is not exposed dry bone and is comprised mainly of hair, hide, or flesh.
2. "Not fresh" means the majority of the wildlife carcass or part is exposed dry bone due to natural processes such as scavenging, decomposition, or weathering.

B. If not contrary to federal law or regulation, an individual may pick up and possess naturally shed antlers or horns or other wildlife parts that are not fresh without a permit or inspection by a Department officer.

C. If not contrary to federal law or regulation, an individual may only pick up and possess a fresh wildlife carcass or its parts under this Section if the individual notifies the Department prior to pick up and possession and:

1. The Department's first report or knowledge of the carcass or its parts is voluntarily provided by the individual wanting to possess the carcass or its parts;
2. A Department law enforcement officer is able to observe the carcass or its parts at the site where the animal was found in the same condition and location as when the animal was originally found by the individual wanting to possess the carcass or its parts; and
3. A Department law enforcement officer, using the officer's education, training, and experience, determines the animal died from natural causes. The Department may require the individual to take the officer to the site where the animal carcass or parts were found when an adequate description or location cannot be provided to the officer.

D. If a Department law enforcement officer determines that the individual wanting to possess the carcass or its parts is authorized to do so under subsection (C), the officer may authorize possession of the carcass or its parts.

E. Wildlife parts picked up and possessed from areas under control of jurisdictions that prohibit such activity, such as other states, reservations, or national parks, are illegal to possess in this state.

F. This Section does not authorize the pickup and possession of a threatened or endangered species carcass or its parts.

Authorizing Statute
General: A.R.S. § 17-231(A)(1)
Specific: A.R.S. §§ 17-102, 17-231(B)(8), 17-307, and 17-371

Historical Note

New Section made by final rulemaking at 19 A.A.R. 826, effective July 1, 2013.

ARTICLE 4. LIVE WILDLIFE

R12-4-406. Restricted Live Wildlife

A. For the purposes of this Section, "transgenic species" means any organism that has had genes from another organism put into its genome through direct human manipulation of that genome. Transgenic species do not include natural hybrids nor individuals that have had their chromosome number altered to induce sterility. A transgenic animal is considered wildlife if the animal is an offspring of a wildlife species.

B. In addition to any applicable federal license or permit an individual shall possess the appropriate special license listed under R12-4-409(A) or act under a lawful exemption from the requirements of this Article in order to possess wildlife listed under this Section for any activity prohibited under A.R.S. §§ 17-255.02, 17-306, R12-4-402, or R12-4-1102. Exemptions from these requirements are listed under A.R.S. § 17-255.04, R12-4-316, R12-4-404, R12-4-405, R12-4-407, R12-4-425, R12-4-427, and R12-4-430.

C. Requirements for the use of wildlife that occurs in the wild in this state and that has been taken alive under the authority of a valid state hunting and fishing license are prescribed in R12-4-404 and R12-4-405.

D. Domestic animals, as defined in R12-4-401, are not subject to restrictions under A.R.S. Title 17, this Chapter, or Commission Orders.

E. Hybrid wildlife, as defined in R12-4-401, that result from the interbreeding of at least one parent species of wildlife that is listed under this Section are regulated by this Section.

F. Unless specified otherwise in this Article, all transgenic species are restricted live wildlife.

G. Unless specified otherwise, mammals listed below are restricted live wildlife as defined in R12-4-401. The taxonomic classification from Volumes I and II of Walker's Mammals of the World, Sixth Edition, 1999, and not including any later edition, is the authority in the following designations. A copy is available for inspection at any Department office and from the Johns Hopkins University Press, 2715 N. Charles St., Baltimore, MD 21218-4363.

1. All species of the genus Didelphis. Common name: American opossums;
2. All species of the order Insectivora. Common names include: Insectivores, shrews, hedgehogs, tenrecs, solenodonts, and moles;
3. All species of the order Chiroptera. Common name: bats;
4. All species of the family Pongidae of the order Primates. Common names include: orangutans, chimpanzees, gorillas;
5. All species of the order Xenarthra. Common names include: edentates; or sloths, anteaters, and armadillos;
6. All species of the order Lagomorpha, except the genus Oryctolagus. Common names include: pikas, rabbits, and hares. Genus Oryctolagus, containing domestic rabbits, is not wildlife;
7. All species of the following families of the order Rodentia. Common name: rodents.
   a. The family Sciuridae. Common names: squirrels, chipmunks, marmots, woodchucks, and prairie dogs;
   b. The family Geomyidae. Common name: pocket gophers;
   c. The family Castoridae. Common name: beavers;
   d. The family Erethizontidae. Common name: New World porcupines; and
   e. The family Capromyidae. Common names include: hutias, coypus, or nutrias;
8. All species of the order Carnivora. Common names include: carnivores, skunks, raccoons, bears, foxes, and weasels; and
9. All species of the following families of the order Artiodactyla. Common name: even-toed ungulates.
   a. The family Tayassuidae. Common name: peccaries;
   b. The family Cervidae. Common names include: cervid; or deer, elk, moose, wapiti, and red deer;
   c. The family Antilocapridae. Common name: pronghorn; and
   d. The family Bovidae. Common names include: cattle, buffalo,

bison, oxen, duikers, antelopes, gazelles, goats, and sheep, except that the following are not restricted:
i. The genus Bubalus. Common name: water buffalo; and
ii. The genus Bison. Common name: bison, American bison or buffalo.

H. Birds listed below are restricted live wildlife as defined in R12-4-401.
1. The following species within the family Phasianidae. Common names: partridges, grouse, turkeys, quail, and pheasants.
   a. Callipepla gambelii. Common name: Gambel's quail;
   b. Callipepla squamata. Common name: scaled quail;
   c. Colinus virginianus. Common name: northern bobwhite. Restricted only in game management units 34A, 36A, 36B, and 36C as prescribed in R12-4-108;
   d. Cyrtonyx montezumae. Common name: Montezuma, harlequin or Mearn's quail; and
   e. Dendragapus obscurus. Common name: blue grouse; and
2. The species Rhynchopsitta pachyrhyncha. Common name: thick-billed parrot.

I. Reptiles listed below are restricted live wildlife as defined in R12-4-401.
1. All species of the order Crocodylia. Common names include: gavials, caimans, crocodiles, and alligators;
2. The following species of the order Testudines. Common names include: turtles and tortoises;
   a. All species of the family Chelydridae. Common name: snapping turtles; and
   b. All species of the genus Gopherus. Common name: gopher tortoises, including the desert tortoise; and
3. All species of the following families or genera of the order Squamata.
   a. The family Helodermatidae. Common names include: Gila monster and Mexican beaded lizard;
   b. The family Elapidae. Common names include: cobras, mambas, coral snakes, kraits, and Australian elapids;
   c. The family Hydrophiidae. Common name: sea snakes;
   d. The family Viperidae. Common names include: true vipers and pit vipers, including rattlesnakes;
   e. The family Atractaspidae. Common name: burrowing asps; and
   f. The following species and genera of the family Colubridae:
      i. Dispholidus typus. Common name: boomslang;
      ii. Thelotornis kirtlandii. Common names include: bird snake or twig snake;
      iii. Rhabdophis. Common name: keelback; and
      iv. Boiga irregularis. Common name: brown tree snake.

J. Amphibians listed below are restricted live wildlife as defined in R12-4-401. The following species within the order Anura, common names frogs and toads.
1. All species of the genus Xenopus. Common name: clawed frogs;
2. The species Bufo horribilis, Bufo marinus, Bufo paracnemis. Common names include: giant or marine toads; and
3. All species of the genus Rana. Common names include: leopard frogs and bullfrogs. Bullfrogs possessed under A.R.S. § 17-102 are exempt.

K. Fish listed below are restricted live wildlife as defined in R12-4-401.
1. Arctic grayling, the species Thymallus arctius;
2. Bass, all species of the family Serranidae;
3. Bighead carp, the species Aristichthys nobilis;
4. Black carp, the species Mylopharyngodon piceus;
5. Bony tongue, the species Arapaima gigas;
6. Bowfin, the species Amia calva;
7. Catfish, all species of the family Ictaluridae;
8. Crucian carp, the species Carassius carassius;
9. Electric catfish, the species Malapterurus electricus;
10. Electric eel, the species Electrophorus electricus;
11 European whitefish or ide, the species Leuciscus idus and Idus idus;
12. Freshwater drum, the species Aplodinotus grunniens;
13. Freshwater stingrays, all species of the family Potamotrygonidae;
14. Gars, all species of the family Lepisosteidae;
15. Goldeye, mooneye, and all species of the family Hiodontidae;
16. Herring, all species of the family Clupeidae;
17. Indian carp, all of the species Catla catla, Cirrhina mrigala, and Labeo rohita;

18. Lampreys, all species of the family Petromyzontidae;
19. Nile perch, all species of the genus Lates and Luciolates;
20. Pike or pickerels, all species of the family Esocidae;
21. Pike topminnow, the species Belonesox belizanus;
22. Piranha, all species of the genera Serrasalmus, Serrasalmo, Phygocentrus, Teddyella, Rooseveltiella, and Pygopristis;
23. Rudd, the species Scardinius erythrophthalmus;
24. Shad, all species of the family Clupeidae except threadfin shad, species Dorosoma petenense;
25. Sharks, all species, both marine and freshwater, of the orders Hexanchiformes, Heterodontiformes, Squaliformes, Pristiophoriformes, Squatiniformes, Orectolobiformes, Lamniformes, and Carcharhiniformes, except for all species of the families Hemiscilliidiae, Orectolobidae, Brachaeluridae, and Triakidae; genera of the family Scylirhinidae, including Aulohalaerlusrus, Halaelurus, Haploblepharus, Poroderma, and Scyliorhinus; and genera of the family Parascylliidae, including Cirroscyllium and Parascyllium;
26. Silver carp, the species Hypophthalmichthys molitrix;
27. Snakehead, all species of the family Channidae;
28. South American parasitic catfish, all species of the family Trichomycteridae and Cetopsidae;
29. Sunfish, all species of the family Centrarchidae;
30. Temperate basses of the family Moronidae;
31. Tetras, all species of the genus Astyanyx;
32. Tiger fish, the species Hoplias malabaricus;
33. Trout, all species of the family Salmonidae;
34. White amur or grass carp, the species Ctenopharyngodon idella;
35. Walking or airbreathing catfish, all species of the family Clariidae; and
36. Walleye, and pike perches, all species of the family Percida.

L. Crustaceans listed below are restricted live wildlife as defined in R12-4-401.
1. Asiatic mitten crab, the species Eriocheir sinensis; and
2. Australian crayfish and all freshwater species within the families Astacidae, Cambaridae, and Parastacidae.

M. Mollusks listed below are restricted live wildlife as defined in R12-4-401:
1. Asian clam, the species Corbicula fluminea;
2. New Zealand mud snail, the species Potamopyrgus antipodarum;
3. Quagga mussel, the species Dressena bugensis;
4. Rosy wolfsnail, the species Euglandina rosea; and
5. Zebra mussel, the species Dreissena plymorpha.

Authorizing Statute

General: A.R.S. § 17-231(A)(1)
Specific: A.R.S. §§ 17-231(A)(2), 17-231(B)(8), and 17-306

Historical Note

Adopted effective April 28, 1989 (Supp. 89-2). Amended effective January 1, 1995; filed in the Office of the Secretary of State December 9, 1994 (Supp. 94-4). Amended by final rulemaking at 7 A.A.R. 2220, effective May 25, 2001 (Supp. 01-2). Amended by final rulemaking at 9 A.A.R. 3186, effective August 30, 2003 (Supp. 03-3). Amended by final rulemaking at 12 A.A.R. 980, effective May 6, 2006 (Supp. 06-1). Amended by final rulemaking at 18 A.A.R. 196, effective January 10, 2012 (Supp. 12-1).

R12-4-422. Sport Falconry License

A. In addition to the definitions provided under A.R.S. § 17-101, R12-4-101, and R12-4-401, and for the purposes of this Section, the following definitions apply:

"Abatement services" means the use of raptors possessed under a falconry permit for the control of nuisance species.

"Captive-bred raptor" means a raptor hatched in captivity.

"Hack" means the temporary release of a raptor into the wild to condition the raptor for use in falconry

"Health certificate" means a certification issued by an accredited veterinarian.

"Imping" means using a molted feather to replace or repair a damaged or broken feather.

"Retrices" means a raptor's tail feathers.

"Sponsor" means a licensed General or Master falconer with a valid Arizona Sport Falconry license who has committed to mentoring an

Apprentice falconer.

"Suitable perch" means a perch that is of the appropriate size and texture for the species of raptor using the perch.

"USFWS" means the U.S. Fish and Wildlife Service.

"Wild raptor" means a raptor taken from the wild, regardless of how long the raptor is held in captivity or whether the raptor is transferred to another licensed falconer or other permit type.

B. An Arizona Sport Falconry license permits an individual to possess and train a raptor for the purpose of sport falconry in compliance with the Migratory Bird Treaty Act and the Endangered Species Act of 1973. A resident who possesses or intends to possess a raptor for the purpose of sport falconry shall hold an Arizona Sport Falconry license, unless the individual is exempt under A.R.S. § 17-236(C) or possesses only raptors not listed under 50 C.F.R. 10.13, revised October 1, 2010, and no later amendments or editions. The incorporated material is available from the U.S. Government Printing Office, Superintendent of Documents, P.O. Box 979050, St. Louis, MO 63197-9000, and is on file with the Department.

C. The Department shall comply with the licensing time-frame established under R12-4-106 to issue a Sport Falconry license and collect the fee established under R12-4-102.

D. A licensed falconer may possess and train wild, captive-bred, or hybrid raptors, subject to the limitations established under subsections (H)(1), (H)(2), and (H)(3), as applicable.

E. In addition to the requirements established under this Section, a licensed falconer shall also comply with special license requirements established under R12-4-409.

F. A Sport Falconry license does not authorize a licensed falconer to capture or release a raptor or practice falconry on public lands where prohibited or on private property without permission from the landowner or land management agency.

G. The Department shall deny a license to an individual who fails to meet the requirements established under R12-4-409, R12-4-428, or this Section. The Department shall provide a written notice to an applicant stating the reason for the denial. The individual may appeal the denial to the Commission as prescribed under A.R.S. Title 41, Chapter 6, Article 10.

H. The Department may issue a Sport Falconry license for the following levels to an eligible individual:

1. Apprentice level license:
   a. An Apprentice falconer shall:
      i. Be at least 12 years of age; and
      ii. Have a sponsor while practicing falconry as an apprentice. When a sponsorship is terminated, the apprentice is prohibited from practicing falconry until a new sponsor is acquired. After acquiring a new sponsor, an apprentice shall submit a written statement from the new sponsor to the Department within 30 days. The written statement shall meet the requirements established under subsection (K)(3)(a)(v).
   b. An Apprentice falconer may possess only one raptor at a time for use in falconry.
   c. An Apprentice falconer is prohibited from possessing any:
      i. Federally listed threatened or endangered species,
      ii. Raptor taken from the wild as a nestling,
      iii. Raptor that has imprinted on humans,
      iv. Bald eagle (*Haliaeetus leucocephalus*),
      v. White-tailed eagle (*Haliaeetus albicilla*),
      vi. Steller's sea-eagle (*Haliaeetus pelagicus*), or
      vii. Golden eagle (*Aquila chrysaetos*).
2. General level license:
   a. A General falconer shall:
      i. Be at least 16 years of age; and
      ii. Have practiced falconry as an apprentice falconer for at least two years, including maintaining, training, flying, and hunting with a raptor for at least four months in each year. An applicant cannot substitute any falconry school or educational program to shorten the two-year Apprentice period.
   b. A General falconer may possess up to three raptors at a time for use in falconry.
   c. A General falconer is prohibited from possessing a:
      i. Bald eagle,
      ii. White-tailed eagle,

iii. Steller's sea-eagle, or
iv. Golden eagle.

3. Master level license:
   a. A Master falconer shall have practiced falconry as a General falconer for at least five years using raptors possessed by that falconer.
   b. A Master falconer may possess:
      i. Any species of wild, captive-bred, or hybrid raptor.
      ii. Any number of captive-bred raptors provided they are trained and used in the pursuit of wild game; and
      iii. Up to three of the following species, provided the requirements established under subsection (H)(3)(d) are met: Golden eagle, White-tailed eagle, or Steller's Sea eagle.
   c. A Master falconer is prohibited from possessing:
      i. More than three eagles
      ii. A bald eagle, or
      iii. More than five wild caught raptors.
   d. A Master falconer who wishes to possess an eagle shall apply for and receive approval from the Department before possessing an eagle for use in falconry. The licensed falconer shall submit the following documentation to the Department before a request may be considered:
      i. Proof the licensed falconer has experience in handling large raptors such as, but not limited to, ferruginous hawks (*Buteo regalis*) and goshawks (*Accipter gentilis*);
      ii. Information regarding the raptor species, to include the type and duration of the activity in which the experience was gained; and
      iii. Written statements of reference from two individuals who have experience handling or flying large raptors such as, but not limited to, eagles, ferruginous hawks, and goshawks. Each written statement shall contain a concise history of the author's experience with large raptors, and an assessment of the applicant's ability to care for and fly an eagle.

I. A sponsor shall:
1. Be at least 18 years of age;
2. Have practiced falconry as a General falconer for at least two years;
3. Sponsor no more than three apprentices during the same period of time;
4. Notify the Department within 30 consecutive days after a sponsorship is terminated;
5. Determine the appropriate species of raptor for possession by an apprentice; and
6. Provide instruction pertaining to the:
   a. Husbandry, training, and trapping of raptors held for falconry;
   b. Hunting with a raptor; and
   c. Relevant wildlife laws and regulations.

J. A falconer licensed in another state or country is exempt from obtaining an Arizona Sport Falconry license under R12-4-407(A)(7), unless remaining in Arizona for more than 180 consecutive days. A falconer licensed in another state or country and who remains in this State for more than the 180-day period shall apply for an Arizona Sport Falconry license in order to continue practicing sport falconry in this state. The falconer licensed in another state or country shall present a copy of the out-of-state or out-of-country falconry license, or its equivalent, to the Department upon request.
1. A falconer licensed in another state shall:
   a. Comply with all applicable state and federal falconry regulations,
   b. Possess only those raptors authorized under the out-of-state sport falconry license, and
   c. Provide a health certificate for each raptor possessed under the out-of-state sport falconry license when the raptor is present in this state for more than 30 consecutive days. The health certificate may be issued after the date of the interstate importation, but shall have been issued no more than 30 consecutive days prior to the interstate importation.
2. A falconer licensed in another country may possess, train, and use for falconry only those raptors authorized under the out-of-country sport falconry license, provided the import of that species into the

U.S. is not prohibited. This subsection does not prohibit the falconer from flying or training a raptor lawfully possessed by any other licensed falconer.

3. A falconer licensed in another country is prohibited from leaving an imported raptor in this state, unless authorized under federal permit. The falconer shall report the death or escape of a raptor possessed by that falconer to the Department as established under subsection (O)(1) or prior to leaving the State, whichever occurs first.
4. A falconer licensed in another country shall:
   a. Comply with all applicable state and federal falconry regulations;
   b. Comply with falconry licensing requirements prescribed by the country of licensure not in conflict with federal or state law;
   c. Notify the Department no less than 30 consecutive days prior to importing a raptor into this State;
   d. Provide a health certificate, issued no earlier than 30 consecutive days prior to the date of importation, for each raptor imported into this State; and
   e. Attach two functioning radio transmitters to any raptor imported into this country by the falconer while flown free in this state by any falconer.

K. An applicant for a Sport Falconry license shall submit a completed application to any Department office. The application is furnished by the Department and available at any Department office or online at www.azgfd.gov.

1. An applicant shall provide all of the following information on the application:
   a. Falconry level desired;
   b. Name;
   c. Date of birth;
   d. Telephone number, when available;
   e. Mailing address;
   f. Department I.D. number or Social Security number;
   g. E-mail address, when available;
   h. Applicant's physical description:
      i. Gender;
      ii. Weight;
      iii. Eye color;
      iv Hair color;
   i. Arizona Hunting license number;
   j. Number of years of experience as a falconer;
   k. Current Falconry license level;
   l. Physical address of a facility when the raptor is kept at another location, when applicable;
   m. Information documenting all raptors possessed by the applicant at the time of application, to include:
      i. Species;
      ii. Subspecies, when applicable;
      iii. Age;
      iv. Sex;
      v. Band or microchip number, as applicable;
      vi. Date and source of acquisition; and
   n. Applicant's signature;
   o. Parent or legal guardian's signature, when the applicant is under the age of 18;
   p. Date of application; and
   q. Any other information required by the Department.
2. An applicant shall certify that the applicant has read and is familiar with the regulations under 50 C.F.R. Part 13 and the other applicable parts in 50 C.F.R. Chapter I, Subchapter B and that the information submitted is complete and accurate to the best of their knowledge and belief.
3. In addition to the information required under subsection (K)(1), an individual applying for:
   a. An Apprentice level license shall also provide the sponsor's:
      i. Name,
      ii. Date of birth,
      iii. Mailing address,
      iv. Department I.D. number, and
      v. A written statement from the sponsor stating that the falconer agrees to sponsor the applicant.
   b. A General level license shall also provide:

i. Information documenting the applicant's experience in maintaining falconry raptors, to include the species and period of time each raptor was possessed while licensed as an Apprentice falconer; and
ii. A written statement from the sponsor certifying that the applicant has practiced falconry at the Apprentice falconer level for at least two years, and maintained, trained, flown, and hunted with a raptor for at least four months in each year.

c. A Master level license shall certify that the falconer has practiced falconry as a General falconer for at least five years.

L. An applicant for any level Sport Falconry license shall pay all applicable fees established under R12-4-102.

M. The Department shall inspect the applicant's raptor facilities, materials, and equipment to verify compliance with requirements established under R12-4-409(G), R12-4-428, and this Section before issuing a Sport Falconry license. The applicant or licensed falconer shall ensure all raptors currently possessed by the falconer and kept in the facility are present at the time of inspection.

1. Department may re-inspect a facility:
   a. After a change of location, when the Department cannot verify the facility is the same facility as the one approved by a previous inspection, or
   b. Prior to the acquisition of a new species or addition of another raptor when the previous inspection does not indicate the facilities can accommodate a new species or additional raptor.
2. A licensed falconer shall notify the Department no more than five business days after changing the location of a facility.
3. When a facility is located on property not owned by the licensed falconer, the falconer shall provide a written statement signed and dated by the property owner at the time of inspection. The written statement shall specify that the licensed falconer has permission to keep a raptor on the property and the property owner permits the Department to inspect the falconry facility at any reasonable time of day and in the presence of the licensed falconer.
4. A licensed falconer shall ensure the facility:
   a. Provides a healthy and safe environment,
   b. Is designed to keep predators out,
   c. Is designed to avoid injury to the raptor,
   d. Is easy to access,
   e. Is easy to clean, and
   f. Provides access to fresh water and sunlight.
5. In addition to the requirements established under R12-4-409(G) and R12-4-428:
   a. A licensed falconer shall ensure facilities where raptors are held have:
      i. A suitable perch that is protected from extreme temperatures, wind, and excessive disturbance for each raptor;
      ii. At least one opening for sunlight; and
      iii. Walls that are solid, constructed of vertical bars spaced narrower than the width of the body of the smallest raptor housed therein, or any other suitable materials approved by the Department.
   b. A licensed falconer shall possess all of the following equipment:
      i. At least one flexible, weather-resistant leash;
      ii. One swivel appropriate to the raptor being flown;
      iii. At least one water container, available to each raptor kept in the facility, that is at least two inches deep and wider than the length of the largest raptor using the container;
      iv. A reliable scale or balance suitable for weighing raptors, graduated in increments of not more than 15 grams;
      v. Suitable equipment that protects the raptor from extreme temperatures, wind, and excessive disturbance while transporting or housing a raptor when away from the permanent facility where the raptor is kept, and
      vi. At least one pair of jesses constructed of suitable material or Alymeri jesses consisting of an anklet, grommet, and removable strap that attaches the anklet and grommet to a swivel. The falconer may use a one-piece jess only when the raptor is not being flown.
6. A licensed falconer may keep a falconry raptor inside the falconer's residence provided a suitable perch is supplied. The

falconer shall ensure all flighted raptors kept inside a residence are tethered or otherwise restrained at all times, unless the falconer is moving the raptor into or out of the residence. This subsection does not apply to unflighted eyas, which do not need to be tethered or otherwise restrained.

7. A licensed falconer may keep multiple raptors together in one enclosure untethered only when the raptors are compatible with each other.
8. A licensed falconer may keep a raptor temporarily outdoors in the open provided the raptor is continually under observation by the falconer or an individual designated by the falconer.
9. A licensed falconer may keep a raptor in a temporary facility that the Department has inspected and approved for no more than 120 consecutive days.
10. A licensed falconer may keep a raptor in a temporary facility that the Department has not inspected or approved for no more than 30 consecutive days. The falconer shall notify the Department of the temporary facility prior to the end of the 30-day period. The Department may inspect a temporary facility as established under R12-4-409(G).

N. Prior to the issuance of a Sport Falconry license, an applicant shall:

1. Present proof of a previously held state-issued sport falconry license, or
2. Correctly answer at least 80% of the questions on the Department administered written examination.
   a. An individual whose Sport Falconry license is expired more than five years shall take the examination. The Department shall issue to an eligible applicant a license for the sport falconry license type previously held by the applicant after the applicant correctly answers at least 80% of the questions on the written examination and presents proof of the previous Sport Falconry license.
   b. An individual who holds a falconry license issued in another country shall correctly answer at least 80% of the questions on the written examination. The Department shall determine the level of license issued based upon the applicant's documentation.

O. A licensed falconer shall submit electronically a 3-186A form to report:

1. Any of the following raptor possession changes to the Department no more than 10 business days after the occurrence:
   a. Acquisition,
   b. Banding,
   c. Escape into the wild without recovery after 30 consecutive days have passed,
   d. Death,
   e. Microchipping,
   f. Rebanding,
   g. Release,
   h. Take, or
   i. Transfer.
2. A falconer shall immediately report to the Department and USFWS upon discovering the theft of a raptor.

P. A licensed falconer shall print and maintain copies of all required electronic database submissions for each falconry raptor possessed by the falconer. The falconer shall retain copies of all submissions for a period of five years from the date on which the raptor left the falconer's possession.

Q. A licensed falconer or an individual with a valid falconry license, or its equivalent, issued by any state meeting federal falconry standards may capture a raptor for the purpose of falconry only when authorized by Commission Order.

1. A falconer attempting to capture a raptor shall possess:
   a. A valid Arizona Sport Falconry license or valid falconry license, or its equivalent, issued by another state, and
   b. Any required Arizona hunt permit-tag issued to the licensed falconer for take of the authorized raptor, and
   c. A valid Arizona hunting or combination license. A Three-Day Class H Hunting license is not valid for capturing a raptor under this subsection.
2. An Apprentice falconer may take from the wild:
   a. Any raptor not prohibited under subsection (H)(1)(c) that is less than one year of age, except nestlings or
   b. An adult raptor.
3. A General or Master falconer may take from the wild:

a. A raptor of any age, including nestlings, provided at least one nestling remains in the nest; or
b. An adult raptor.

4. A licensed falconer shall take no more than two raptors from the wild for use in falconry each calendar year. For the purpose of take limits, a raptor is counted towards the licensed falconer's take limit by the falconer who originally captured the raptor.
5. A falconer attempting to capture a raptor shall:
   a. Not use stupefying substances;
   b. Use a trap or bird net that is not likely to cause injury to the raptor;
   c. Ensure that each trap or net the falconer is using is continually attended; and
   d. Ensure that each trap used for the purpose of capturing a raptor is marked with the falconer's name, address, and license number.
6. A licensed falconer shall report the injury of any raptor injured due to capture techniques to the Department. The falconer shall transport the injured raptor to a veterinarian or licensed rehabilitator and pay for the cost of the injured raptor's care and rehabilitation. After the initial medical treatment is completed, the licensed falconer shall either:
   a. Keep the raptor and the raptor shall count towards the falconer's take and possession limit, or
   b. Transfer the raptor to a permitted wildlife rehabilitator and the raptor shall not count against the falconer's take or possession limit.
7. When a licensed falconer takes a raptor from the wild and transfers the raptor to another falconer who is present at a capture site, the falconer receiving the raptor is responsible for reporting the take of the raptor.
8. A General or Master falconer may capture a raptor that will be transferred to another licensed falconer who is not present at the capture site. The falconer who captured the raptor shall report the take of the raptor and the capture shall count towards the General or Master falconer's take limit. The General or Master falconer may then transfer the raptor to another falconer.
9. A General or Master falconer may capture a raptor for another licensed falconer who cannot attend the capture due to a long-term or permanent physical impairment. The licensed falconer with the physical impairment is responsible for reporting the take of the raptor and the raptor shall count against their take and possession limits.
10. A licensed falconer may capture any raptor displaying a seamless metal band, or any other item identifying it as a falconry raptor, regardless of whether the falconer is prohibited from possessing the raptor. The falconer shall return the recaptured raptor to the falconer of record. The raptor shall not count towards the falconer's take or possession limits, provided the falconer reports the temporary possession of the raptor to the Department no more than five consecutive days after capturing the raptor.
    a. When the falconer of record cannot or does not wish to possess the raptor, the falconer who captured the raptor may keep the raptor, provided the falconer is eligible to possess the species and may do so without violating any provisions established under this Section.
    b. When the falconer of record cannot be located, the Department shall determine the disposition of the recaptured raptor.
11. A licensed falconer may capture and shall report the capture of any raptor wearing a transmitter to the Department no more than five business days after the capture. The falconer shall attempt to contact the researcher or licensed falconer who applied the transmitter and facilitate the replacement or retrieval of the transmitter and raptor. The falconer may possess the raptor for no more than 30 consecutive days while waiting for the researcher or falconer to retrieve the transmitter and raptor. The raptor shall not count towards the falconer's take or possession limits, provided the falconer reports the temporary possession of the raptor to the Department no more than five consecutive days after capturing the raptor. The Department shall determine the disposition of a raptor when the researcher or falconer does not replace the transmitter or retrieve the raptor within the initial 30-day period.

12. A licensed falconer may capture any raptor displaying a federal Bird Banding Laboratory (BBL) aluminum research band or tag, except a peregrine falcon (*Falco peregrinus*). A licensed falconer who captures a raptor wearing a research band or tag shall report the following information to BBL, by calling 1(800) 327-2263, and the Department:
    a. Species,
    b. Band or tag number,
    c. Location of the capture, and
    d. Date of capture.
13. A licensed falconer may recapture a falconer's lost or any escaped falconry raptor at any time. The Department does not consider the recapture of a wild falconry raptor as taking a raptor from the wild.
14. When attempting to trap a raptor in Cochise, Graham, Pima, Pinal, or Santa Cruz. counties, a licensed falconer shall:
    a. Not begin trapping while a northern aplomado falcon (*Falco femoralis septentrionalis*) is observed in the vicinity of the trapping location.
    b. Suspend trapping when a northern aplomado falcon arrives in the vicinity of the trapping location.
15. In addition to the requirements in subsection (Q)(14), an apprentice falconer shall be accompanied by a General or Master falconer when attempting to capture a raptor in Cochise, Graham, Pima, Pinal, or Santa Cruz counties.
16. A licensed Master falconer may take up to two golden eagles from the wild only as authorized under 50 C.F.R. Part 22. The Master falconer may:
    a. Capture an immature or sub-adult golden eagle, or
    b. Take a nestling from its nest or a nesting adult golden eagle in a livestock depredation area if a biologist representing the agency responsible for declaring the depredation area determines the adult eagle is preying on livestock or wildlife and that any nestling of the adult will be taken by a falconer authorized to possess it.
    c. The falconer shall inform the Department of the capture plans in person, in writing, or by telephone at least three business days before trapping is initiated. The falconer may send written notification to the Arizona Game and Fish Department's Law Enforcement Programs Coordinator at 5000 West Carefree Highway, Phoenix, Arizona 85086.
17. A licensed falconer shall ensure any falconry activities the falconer is conducting do not cause unlawful take under the Endangered Species Act of 1973, 16 U.S.C. §§ 1531 through 1534, or the Bald and Golden Eagle Protection Act, 16 U.S.C. §§ 668 through 668d. The Department or USFWS may provide information regarding where take is likely to occur. The falconer shall report the take of any federally listed threatened or endangered species or bald or golden eagle to the USFWS Arizona Ecological Services Field Office.

R. A licensed falconer shall comply with all of the following banding requirements:
1. A licensed falconer shall ensure the following raptors are banded after capture:
    a. Northern Goshawk,
    b. Harris's hawk (*Parabuteo unicinctus*), and
    c. Peregrine falcon.
2. The falconer shall request a band no more than five consecutive days after the capture of a raptor by contacting the Department. A Department representative or a General or Master licensed falconer may attach the USFWS leg band to the raptor.
3. A licensed falconer shall not use a counterfeit, altered, or defaced band.
4. A falconer holding a federal propagation permit shall ensure a raptor bred in captivity wears a seamless metal band furnished by USFWS, as prescribed under 50 C.F.R. 21.30.
5. A licensed falconer may remove the rear tab on a band and smooth any imperfections on the surface, provided doing so does not affect the band's integrity or numbering.
6. A licensed falconer shall report the loss of a band to the Department no more than five business days after discovering the loss. The falconer shall reband the raptor with a new USFWS leg band furnished by the Department.

S. A licensed falconer may request Department authorization to implant an ISO-compliant [134.2 kHz] microchip in lieu of a band into a

captive-bred raptor or raptor listed under subsection (R)(1) when the band is causing the raptor injury or health issues.

1. The falconer shall submit a written request and a statement from a licensed veterinarian indicating the band is causing the raptor injury or health issues.
2. The falconer shall retain a copy of the Department's written authorization and any associated documentation for a period of five years from the date the raptor permanently leaves the falconer's possession.
3. The falconer is responsible for the cost of implanting the microchip and any associated veterinary fees.

T. A licensed falconer may allow a falconry raptor to feed on any species of wildlife incidentally killed by the raptor for which there is no open season or for which the season is closed, but shall not take such wildlife into possession.

U. A General or Master falconer may hack a falconry raptor. Any raptor the falconer is hacking shall count towards the falconer's possession limit during hacking.

1. A falconer is prohibited from hacking a raptor near the nesting area of a federally threatened or endangered species or in any other location where the raptor is likely to disturb or harm a federally listed threatened or endangered species. The Department may provide information regarding where this is likely to occur.
2. A licensed falconer shall ensure any hybrid raptor flown free or hacked by the falconer is equipped with at least two functioning radio transmitters.

V. A licensed falconer may release:

1. A wild-caught raptor permanently into the wild under the following circumstances:
   a. The raptor is native to Arizona,
   b. The falconer removes the raptor's falconry band prior to release, and
   c. The falconer releases the raptor in a suitable habitat and under suitable seasonal conditions.
2. A captive-bred raptor permanently into the wild only when the raptor is native to Arizona and the Department approves the release of the raptor. The falconer shall request permission to release the captive-bred raptor by contacting the Department. When permitted by the Department and before releasing the captive-bred raptor, the General or Master falconer shall hack the captive-bred raptor in a suitable habitat and the appropriate season.
3. A licensed falconer is prohibited from intentionally releasing any hybrid or non-native raptor permanently into the wild.

W. A Master falconer may conduct and receive payment for any abatement services conducted with a falconry raptor. The falconer shall apply for and obtain all required federal permits prior to conducting any abatement activities. A General falconer may conduct abatement services only when authorized under the federal permit held by the Master falconer.

X. A person other than a licensed falconer may temporarily care for a falconry raptor for no more than 45 consecutive days, unless approved by the Department. The raptor under temporary care shall remain in the falconer's facility. The raptor shall continue to count towards the falconer's possession limit. An unlicensed caretaker shall not fly the raptor. The falconer may request an extension from the Department to the temporary possession period if extenuating circumstances occur. The Department shall evaluate extension requests on a case-by-case basis.

Y. A licensed falconer may serve as a caretaker for another licensed falconer's raptor for no more than 120 consecutive days, unless approved by the Department. The falconer shall provide the temporary caretaker with a signed and dated statement authorizing the temporary possession of each raptor. The statement shall also include the temporary possession period and activities the caretaker may conduct with the raptor. The raptor under temporary care shall not count toward the caretakers possession limit. The temporary caretaker may fly or train the raptor when permitted by the falconer in writing. The falconer may request an extension from the Department to the temporary possession period if extenuating circumstances occur. The Department shall evaluate extension requests on a case-by-case basis.

Z. A licensed falconer may assist a wildlife rehabilitator in conditioning a raptor in preparation for the raptor's release to the wild. The falconer may temporarily remove the raptor from the rehabilitation facilities while conditioning the raptor. The raptor shall remain under the

rehabilitator's license and shall not count towards the falconer's possession limit. The rehabilitator shall provide the licensed falconer with a written statement authorizing the falconer to assist the rehabilitator. The written statement shall also identify the raptor by species, type of injury, and band number, when available. The licensed falconer shall return the raptor to the rehabilitator within the 180–day period established under R-12-4-423(N), unless the raptor is:

1. Released into the wild in coordination with the rehabilitator and as authorized under this subsection,
2. Allowed to remain with the rehabilitator for a longer period of time as authorized under R12-4-423(N), or
3. Transferred permanently to the falconer, provided the falconer may legally possess the raptor and the Department approves the transfer. The raptor shall count towards the falconer's possession limit.

AA. A licensed falconer may use a raptor possessed for falconry in captive propagation, when permitted by USFWS. A licensed falconer is not required to transfer a raptor from a Sport Falconry license to another license when the raptor is used for captive propagation less than eight months in a year.

BB. A General or Master licensed falconer may use a lawfully possessed raptor in a conservation education program presented in a public venue. An Apprentice falconer, under the direct supervision of a General or Master falconer, may use a lawfully possessed raptor in a conservation education program presented in a public venue. The primary use for a raptor in a conservation education program is falconry. The falconer shall ensure the focus of the conservation education program is to provide information about the biology, ecological roles, and conservation needs of raptors and other migratory birds. The falconer may charge a fee for presenting a conservation education program; however, the fee shall not exceed the amount required to recoup the falconer's costs for providing the program. As a condition of the Sport Falconry License, the licensed falconer agrees to indemnify the Department, its officers, and employees. The falconer is liable for any damages associated with the conservation education activities.

CC. A licensed falconer may allow the photography, filming, or similar uses of a falconry raptor possessed by the licensed falconer, provided:

1. The falconer is not compensated for these activities; and
2. The final product from these activities:
   a. Promotes the practice of falconry;
   b. Provides information about the biology, ecological roles, and conservation needs of raptors and other migratory birds;
   c. Endorses a nonprofit falconry organization or association, products, or other endeavors related to falconry; or
   d. Is used in scientific research or science publications.

DD. A licensed falconer may use or dispose of lawfully possessed falconry raptor feathers. A falconer shall not buy, sell, or barter falconry raptor feathers. A falconer may possess feathers for imping from each species of raptor that the falconer currently and previously possessed.

1. The licensed falconer may transfer or receive feathers for imping from:
   a. Another licensed falconer,
   b. A licensed wildlife rehabilitator, or
   c. Any licensed propagator located in the U.S.
2. A licensed falconer may donate falconry raptor feathers, except bald and golden eagle feathers, to:
   a. Any person or institution permitted to possess falconry raptor feathers,
   b. Any person or institution exempt from the permit requirement under 50 C.F.R. 21.12, or
   c. A non-eagle feather repository. The Department may provide information regarding the submittal of falconry raptor feathers to a non-eagle feather repository.
3. A licensed falconer shall gather primary and secondary flight feathers or retrices that are molted or otherwise lost from a golden eagle and either retain the feathers for imping purposes or submit the feathers to the U.S. Fish and Wildlife Service, National Eagle Repository, Rocky Mountain Arsenal, Building 128, Commerce City, Colorado 80022.
4. A falconer whose license is either revoked or expired shall dispose of all falconry raptor feathers in the falconer's possession.

EE. Arizona licensed falconers importing raptors into Arizona shall have a certificate of health issued no more than 30 consecutive days:

1. Prior to the international importation, or

2. Prior to or after the inter-state importation.

FF. A licensed falconer may conduct any of the following activities with any captive-bred raptor provided the raptor is wearing a seamless band:
1. Barter,
2. Offer for barter,
3. Gift,
4. Purchase,
5. Sell,
6. Offer for sale, or
7. Transfer.

GG. A licensed falconer is prohibited from conducting any of the following activities with any wild-caught raptor protected under the Migratory Bird Treaty Act:
1. Barter,
2. Offer for barter,
3. Purchase,
4. Sell, or
5. Offer for sale.

HH. A licensed falconer may transfer:
1. Any wild-caught falconry raptor captured in Arizona with or without a permit tag to another Arizona Sport Falconry License holder at any time.
   a. The raptor shall count towards the take limit for that calendar year for the falconer taking the raptor from the wild.
   b. The raptor shall not count against the take limit of the falconer receiving the raptor.
2. Any wild-caught falconry raptor to another license or permit type under this Article or federal law, provided the raptor has been used in the sport of falconry for at least two years preceding the transfer.
3. A wild-caught falconry sharp-shinned hawk (*Accipiter striatus*), Cooper's hawk (*Accipiter cooperii)*, merlin (*Falco columbarius*), or American kestrel (*Falco sparverius*) to another license or permit type under this Article or federal law, provided the raptor has been used in the sport of falconry for at least one-year preceding the transfer.
4. Any hybrid or captive-bred raptor to another licensed falconer or permit type under this Article or federal law at any time.
5. Any falconry raptor that is no longer capable of being flown, as determined by a veterinarian or licensed rehabilitator, to another permit type at any time. The licensed falconer shall provide a copy of the documentation from the veterinarian or rehabilitator stating that the raptor is not useable in falconry to the Federal Migratory Bird Permits office that administers the other permit type.

II. A licensed falconer shall not transfer a wild-caught raptor captured in Arizona under a permit tag to a licensed falconer in another state for at least one year from the date of capture. However, a licensed falconer may transfer a wild-caught raptor captured in Arizona without a permit tag to a licensed falconer in another state at any time.

JJ. A surviving spouse, executor, administrator, or other legal representative of a deceased licensed falconer shall transfer any raptor held by the licensed falconer to another licensed falconer no more than 90 consecutive days after the death of the falconer. The Department shall determine the disposition of any raptor not transferred prior to the end of the 90-day period.

KK. A licensed falconer shall conduct the following activities, as applicable, no more than 10 business days after either the death of a falconry raptor or the final examination of a deceased raptor by a veterinarian:
1. For a bald or golden eagle, send the entire body, including all feathers, talons, and other parts, to the National Eagle Repository;
2. For any euthanized non-eagle raptor, to prevent secondary poisoning of other wildlife, the falconer shall either submit the carcass to a non-eagle repository or burn, bury, or otherwise destroy the carcass;
3. For all other species:
   a. Submit the carcass to a non-eagle repository;
   b. Submit the carcass to the Department for submission to a non-eagle repository;
   c. Donate the body or feathers to any person or institution exempt under 50 C.F.R. 21.12 or authorized by USFWS to acquire and possess such parts or feathers;
   d. Retain the carcass or feathers for imping purposes as established under subsection (DD);
   e. Burn, bury, or otherwise destroy the carcass; or

f. Mount the raptor carcass. The falconer shall ensure any microchip implanted in the raptor is not removed and any band attached to the raptor remains on the mount. The falconer may use the mount for a conservation education program. The falconer shall ensure copies of the license and all relevant 3-186A forms are retained with the mount. The mount shall not count towards the falconer's possession limit.

Authorizing Statute

General: A.R.S. §§ 5-302 and 5-311(A)(1)
Specific: A.R.S. §§ 17-102, 17-231(A)(2), 17-231(A)(3), 17-231(B)(8), 17-234, 17-235, 17-236(B), 17-238(A), 17-306, 17-307, 17-331, 17-333(A)(44), 17-371(D), and 25-320(P)

Historical Note

Adopted effective April 28, 1989 (Supp. 89-2). Amended effective January 1, 1995; filed in the Office of the Secretary of State December 9, 1994 (Supp. 94-4). Amended effective April 4, 1997 (Supp. 97-2). Amended by final rulemaking at 6 A.A.R. 211, effective December 14, 1999 (Supp. 99-4). Amended by final rulemaking at 18 A.A.R. 958, effective January 1, 2013.

ARTICLE 5. BOATING AND WATER SPORTS

R12-4-501. Boating and Water Sports Definitions

In addition to the definitions provided under A.R.S. § 5-301, the following definitions apply to this Article unless otherwise specified:

"Abandoned watercraft" means any watercraft that has remained:

On private property without the consent of the private property owner;

Unattended for more than 48 hours on a highway, public street, or other public property;

Unattended for more than 72 hours on state or federal lands; or

Unattended for more than 14 days on state or federal waterways.

"Aids to navigation" means buoys, beacons, or other fixed objects placed on, in, or near the water to mark obstructions to navigation or to direct navigation through channels or on a safe course.

"AZ number" means the Department-assigned identification number with the prefix “AZ.”

"Bill of sale" means a written agreement transferring ownership of a watercraft that includes all of the following information:

Name of buyer;

Name of seller;

Manufacturer of the watercraft, when known;

Hull identification number, unless exempt under R12-4-505;

Purchase price and sales tax paid, when applicable; and

Signature of seller.

"Boats keep out" in reference to a regulatory marker means the operator or user of a watercraft, or a person being towed by a watercraft on water skis, a surfboard, or similar device or equipment shall not enter.

"Certificate of number" means the Department-issued document that is proof that a motorized watercraft is registered in the name of the owner.

"Certificate of origin" means a document provided by the manufacturer of a new watercraft or its distributor, its franchised new watercraft dealer, or the original purchaser establishing the initial chain of ownership for a watercraft, such as but not limited to:

Manufacturer’s certificate of origin (MCO);

Manufacturer’s statement of origin (MSO):

Importer’s certificate of origin (ICO);

Importer’s statement of origin (ISO); or

Builder’s certification (Form CG-1261).

"Controlled-use marker" means an anchored or fixed marker on the water, shore, or a bridge that controls the operation of watercraft, water skis, surfboards, or similar devices or equipment.

"Dealer" means any person who engages in whole or in part in the business of buying, selling, or exchanging new or used watercraft, or both, either outright or on conditional sale, consignment, or lease.

"Homemade watercraft" means a watercraft that is not fabricated or manufactured for resale and to which a manufacturer has not attached a hull identification number. A watercraft that is assembled from a kit or constructed from an unfinished manufactured hull and does not have a manufacturer assigned hull identification number it is a "homemade watercraft."

"Hull identification number" means a number assigned to a specific watercraft by the manufacturer or by a government jurisdiction as prescribed by the U.S. Coast Guard.
"Junk watercraft" means any hulk, derelict, wreck, or parts of any watercraft in an unseaworthy or dilapidated condition that cannot be profitably dismantled or salvaged for parts or profitably restored.
"Letter of gift" means a document transferring ownership of a watercraft that includes all of the following information:
Name of previous owner;
Name of new owner;
Name of manufacturer of the watercraft, when known;
Hull identification number, unless exempt under R12-4-505;
A statement that the watercraft is a gift; and
Signature of previous owner.
"Livery" means a business authorized to rent watercraft without an operator as prescribed under A.R.S. § 5-371.
"Manufacturer" means any person engaged in the business of manufacturing or importing new watercraft for the purpose of sale or trade.
"Motorized watercraft" means any watercraft propelled by machinery and powered by electricity, fossil fuel, or steam.
"No ski" in reference to a regulatory marker means a person shall not be towed on water skis, an inflatable device, or similar equipment.
"Nonresident Boating Safety Infrastructure Decal" means the Department-issued decal that is proof of payment of the fee required under A.R.S. § 5-327.
"No wake" in reference to a regulatory marker has the same meaning as "wakeless speed" as defined under A.R.S. § 5-301.
"Operate" in reference to a watercraft means use, navigate, or employ.
"Owner" in reference to a watercraft means a person who claims lawful possession of a watercraft by virtue of legal title or equitable interest that entitles the person to possession.
"Personal flotation device" means a U.S. Coast Guard approved Type I, II, III, or V wearable, or Type IV throwable device for use on any watercraft, as prescribed under A.R.S. §§ 5-331, 5-350(A), and R12-4-511.
"Regatta" means an organized water event of limited duration affecting the public use of waterways, for which a lawful jurisdiction has issued a permit.
"Registered owner" means the person or persons to whom a watercraft is currently registered by any jurisdiction.
"Registration decal" means the Department-issued decal that is proof of watercraft registration.
"Regulatory marker" means a waterway marker placed on, in, or near the water to indicate the presence of:
A danger,
A restricted or controlled-use area, or
To convey general information and directions.
"Release of interest" means a statement surrendering or abandoning unconditionally any claim or right of ownership or use in a watercraft.
"Sound level" means the noise level measured in decibels on the A-weighted scale of a sound level instrument that conforms to recognized industry standards and is maintained according to the manufacturer's instructions.
"Staggered registration" means the system of renewing watercraft registrations in accordance with the schedule provided under R12-4-504.
"State of principal operation" means the state in whose waters the watercraft is used or will be operated most during the calendar year.
"Unreleased watercraft" means a watercraft for which there is no written release of interest from the registered owner.
"Watercraft" means a boat or other floating device of rigid or inflatable construction designed to carry people or cargo on the water and propelled by machinery, oars, paddles, or wind action on a sail. Exceptions are sea-planes, makeshift contrivances constructed of inner tubes or other floatable materials that are not propelled by machinery, personal flotation devices worn or held in hand, and other objects used as floating or swimming aids.
"Watercraft agent" means a person authorized by the Department to collect applicable fees for the registration and numbering of watercraft.
"Watercraft registration" means the validated certificate of number and validating decals issued by the Department.

Authorizing Statute
General: A.R.S. §§ 5-302 and 5-311(A)(1)
Specific: A.R.S. §§ 5-302 and 5-311(A)(1)

Historical Note
Editorial correction subsection (A) (Supp. 78-5). Former Section R12-4-83 renumbered as Section R12-4-501 without change effective August 13, 1981 (Supp. 81-4). Former Section R12-4-501 renumbered to R12-4-515, new Section R12-4-501 adopted effective May 27, 1992 (Supp. 92-2). Amended effective November 7, 1996 (Supp. 96-4). Amended by final rulemaking at 8 A.A.R. 3025, effective July 10, 2002 (Supp. 02-3). Amended by final rulemaking at 13 A.A.R. 4511, effective February 2, 2008 (Supp. 07-4). Amended by final rulemaking at 19 A.A.R. 931, effective July 1, 2013.

R12-4-502. Application for Watercraft Registration

A. Only motorized watercraft as defined under R12-4-501 are subject to watercraft registration.

B. A person shall apply for watercraft registration under A.R.S. § 5-321 using a form furnished by the Department and available at any Department office or online at www.azgfd.gov. The applicant shall provide the following information for registration of all motorized watercraft except homemade watercraft, which are addressed under subsection (C):

1. Type of watercraft;
2. Propulsion type;
3. Engine drive type;
4. Overall length of watercraft;
5. Make and model of watercraft, if known;
6. Year built or model year, if known;
7. Hull identification number;
8. Hull material;
9. Fuel type;
10. Category of use;
11. Watercraft or AZ number previously issued for the watercraft, if any;
12. State of principal operation; and
13. For watercraft:
    a. Owned by an individual:
        i. Name,
        ii. Mailing address, and
        ii. Date of birth.
    b. Owned by a business:
        i. Name of business
        ii. Business address, and
        iii. Tax Identification Number
    c. Held in a trust:
        i. Name of trust,
        ii. Primary trustee's address, and
        iii. Date of trust.
14. When ownership of the watercraft is in more than one name, the applicant shall indicate ownership designation by use of one of the following methods:
    a. Where ownership is joint tenancy with right of survivorship, the applicant shall use "and/or" between the names of the owners. To transfer registration of the watercraft, each owner shall provide a signature. Upon legal proof of the death or incompetency of either owner, the remaining owner may transfer registration of the watercraft.
    b. Where ownership is a tenancy in common the applicant shall use "and" between the names of the owners. To transfer registration of the watercraft, each owner shall provide a signature. In the event of the death or incompetency of any owner, the disposition of the watercraft shall be handled through appropriate legal proceedings.
    c. Where the ownership is joint tenancy or is community property with an express intent that either of the owners has full authority to transfer registration, the applicant shall use "or" between the names of the owners. Each owner shall sign the application for registration. To transfer registration, either owner's signature is sufficient for transfer.

C. The builder, owner, or owners of a homemade watercraft shall present the watercraft for inspection at a Department office. The applicant shall provide the following information for registration of homemade

watercraft, using the same ownership designations specified in subsection (A)(14):

1. Type of watercraft;
2. Propulsion type;
3. Engine drive type;
4. Overall length of watercraft;
5. Year built;
6. Hull material;
7. Fuel type;
8. Category of use;
9. Each owner's:
   a. Name,
   b. Mailing address, and
   c. Date of birth;
10. State of principal operation;
11. Whether the watercraft was assembled from a kit or rebuilt from a factory or manufacturer's hull;
12. Hull identification number, if assigned; and
13. Signature of the applicant, acknowledged before a Notary Public or witnessed by a Department employee.

D. As prescribed under A.R.S. § 5-321, the applicant shall submit a use tax receipt issued by the Arizona Department of Revenue with the application for registration unless any one of the following conditions apply:

1. The applicant is exempt from use tax as provided under A.A.C. Title 15, Chapter 5,
2. The applicant is transferring the watercraft from another jurisdiction to Arizona without changing ownership,
3. The applicant submits a bill of sale or receipt showing the sales or use tax was paid at the time of purchase, or
4. The applicant submits a notarized affidavit of exemption stating that the acquisition of the watercraft was for rental or resale purposes.

E. An applicant for a watercraft dealer registration authorized under A.R.S. § 5-322(F), shall be a business offering watercraft for sale or a watercraft manufacturer registered by the U.S. Coast Guard. A person shall display dealer registration for demonstration purposes only. For the purposes of this Section, "demonstration" means to operate a watercraft on the water for the purpose of selling, trading, negotiating, or attempting to negotiate the sale or exchange of interest in new watercraft, which includes operation by a manufacturer for purposes of testing a watercraft. Demonstration does not include operation of a watercraft for personal purposes by a dealer or manufacturer~~,~~ or an employee, family member, or an associate of a dealer or manufacturer. A watercraft dealer registration applicant shall submit an application to the Department. The application is furnished by the Department and is available at any Department office. The applicant shall provide the following information on the application:

1. All business names used for the sale or manufacture of watercraft in Arizona;
2. Mailing address and telephone number for each business for which a watercraft dealer registration is requested;
3. Tax privilege license number;
4. U.S. Coast Guard manufacturer identification code, when applicable;
5. Total number of certificates of number and decals requested; and
6. The business owner's or manager's:
   a. Name.
   b. Business address,
   c. Telephone number, and
   d. Signature.

F. In addition to submitting the application form and any other information required under this Section, the applicant for watercraft registration shall submit one of the following additional forms of documentation:

1. Original title if the watercraft is titled in another state,
2. Original registration if the watercraft is from a non-titling state,
3. Bill of sale as defined under R12-4-501 if the watercraft has never been registered or titled in any state,
4. Letter of gift as defined under R12-4-501 if the watercraft was received as a gift and was never registered or titled in another state,
5. Court order or other legal documentation establishing lawful transfer of ownership, or

6. Statement of facts form furnished by the Department and available from any Department office when none of the documentation identified under subsections (F)(1) through (F)(5) exists either in the possession of the watercraft owner or in the records of any jurisdiction responsible for registering or titling watercraft. An applicant for watercraft registration under a statement of facts shall present the watercraft for inspection at a Department office. The statement of facts form shall include the following information:
   a. Hull identification number,
   b. Certification that the watercraft meets one of the following conditions:
      i. The watercraft was manufactured prior to 1972, is 12 feet in length or less, and is not propelled by an inboard engine;
      ii. The watercraft is owned by the applicant and has never been registered or titled;
      iii. The watercraft was owned in a state that required registration, but was never registered or titled; or
      iv. The watercraft was purchased, received as a gift, or received as a trade and has not been registered, titled, or otherwise documented in the past five years.
   c. Signature of the applicant, acknowledged before a Notary Public or witnessed by a Department employee.
7. An original certificate of origin when all of the following conditions apply:
   a. The watercraft was purchased as new,
   b. The applicant is applying for watercraft registration within a year of purchasing the watercraft, and
   c. The certificate of origin is not held by a lien holder.

G. If the watercraft is being transferred to a person other than the original listed owner, the applicant for a watercraft registration shall submit a release of interest.

H. If the original title is held by a lien holder, the applicant for a watercraft registration shall submit a form furnished by the Department and available from any Department office along with a copy of the title. The applicant shall comply with the following requirements when submitting the form:

1. The applicant shall provide the following information on the form:
   a. Applicant's name,
   b. Applicant's mailing address,
   c. Watercraft make, and
   d. Watercraft hull identification number.
2. The applicant shall ensure the lien holder provides the following information on the form:
   a. Lien holder's name,
   b. Lien holder's mailing address,
   c. Name of person completing the form for the lien holder,
   d. Title of person completing the form for the lien holder, and
   e. Signature of the person completing the form for the lien holder, acknowledged before a Notary Public or witnessed by a Department employee.

I. The Department shall issue a watercraft registration within 30 calendar days of receiving a valid application and documentation required by this Section, whether from the applicant or from a watercraft agent authorized under R12-4-509.

J. The Department shall register a watercraft, if the watercraft's original title or registration is lost, upon receipt of one of the following:
1. A letter or printout from any jurisdiction responsible for registering or titling watercraft that verifies the owner of record for that specific watercraft;
2. A printout of the Vessel Identification System from the U.S. Coast Guard and verification from the appropriate state agency that the information regarding the owner of record for that specific watercraft is correct and current;
3. A statement of facts by the applicant as described under subsection (F)(6) if the watercraft has not been registered, titled, or otherwise documented in the past five years; or
4. The abandoned or unreleased watercraft approval letter issued by the Department, as established under R12-4-507(I).

K. All watercraft registrations and supporting documentation are subject to verification by the Department and to the requirements established under R12-4-505. The Department shall require a watercraft to be presented for inspection to verify the information provided by an applicant if the Department has reason to believe the information

provided by the applicant is inaccurate.

L. The Department shall deem an application invalid if the Department receives legal documentation of any legal action that may affect ownership of the watercraft.

M. The Department shall invalidate a watercraft registration if the registration is obtained by an applicant who makes a false statement or provides false information on any application, statement of facts, or written instrument submitted to the Department.

Authorizing Statute

General: A.R.S. §§ 5-302 and 5-311(A)(1)
Specific: A.R.S. §§ 5-311(A)(5), 5-321, 5-326, and 5-327

Historical Note

Former Section R12-4-84 renumbered as Section R12-4-502 without change effective August 13, 1981 (Supp. 81-4). Amended effective January 2, 1985 (Supp. 85-1). Former Section R12-4-502 repealed, new Section R12-4-502 adopted effective May 27, 1992 (Supp. 92-2). Amended effective November 7, 1996 (Supp. 96-4). Amended by final rulemaking at 8 A.A.R. 3025, effective July 10, 2002 (Supp. 02-3). Amended by final rulemaking at 13 A.A.R. 4511, effective February 2, 2008 (Supp. 07-4). Amended by final rulemaking at 19 A.A.R. 931, effective July 1, 2013.

R12-4-503. Renewal of Watercraft Registration

A. The owner of a registered watercraft shall ensure the watercraft's registration is renewed no later than the day before the prior registration period expires.

B. To renew a watercraft's registration in person or by mail, an applicant shall submit the registration fee required under A.R.S. § 5-321 and present one of the following:
1. Current or prior certificate of number,
2. Valid driver's license,
3. Valid Arizona Motor Vehicle Division identification card,
4. Valid passport, or
5. Department-issued renewal notice.

C. To renew a watercraft's registration online, an applicant shall electronically submit the registration fee required under A.R.S. § 5-321, provide the assigned Arizona watercraft AZ number of the watercraft being renewed, and one of the following to the Department or its agent:
1. Department-assigned authorization number,
2. Applicant's date of birth, or
3. Applicant's password.

D. When a watercraft registration is renewed by mail or online, the Department shall mail the renewal to the address of record, unless the Department receives a notarized request from the registered owner instructing the Department to mail the renewal to another address.

Authorizing Statute

General: A.R.S. §§ 5-302 and 5-311(A)(1)
Specific: A.R.S. §§ 5-311(A)(5) , 5-321, 5-326, and 5-327

Historical Note

Former Section R12-4-85 renumbered as Section R12-4-503 without change effective August 13, 1981 (Supp. 81-4). Former Section R12-4-503 renumbered to R12-4-519, new Section R12-4-503 adopted effective May 27, 1992 (Supp. 92-2). Amended effective November 7, 1996 (Supp. 96-4). Amended by final rulemaking at 8 A.A.R. 3025, effective July 10, 2002 (Supp. 02-3). Amended by final rulemaking at 13 A.A.R. 4511, effective February 2, 2008 (Supp. 07-4). Amended by final rulemaking at 19 A.A.R. 931, effective July 1, 2013.

R12-4-504. Staggered Watercraft Registration Schedule; Penalty for Late Registration

A. All new watercraft registrations expire 12 months after they are issued.

B. Resident and nonresident watercraft registration renewals expire on the last day of the month indicated by the last two numeric digits of the AZ number, as shown in the following table:

Last two numeric digits of AZ number									Expiration month
00	12	24	36	48	60	72	84	96	December
01	13	25	37	49	61	73	85	97	January
02	14	26	38	50	62	74	86	98	February

03	15	27	39	51	63	75	87	99	March
04	16	28	40	52	64	76	88		April
05	17	29	41	53	65	77	89		May
06	18	30	42	54	66	78	90		June
07	19	31	43	55	67	79	91		July
08	20	32	44	56	68	80	92		August
09	21	33	45	57	69	81	93		September
10	22	34	46	58	70	82	94		October
11	23	35	47	59	71	83	95		November

C. Watercraft dealer, manufacturer, and governmental use registration renewals expire on October 31 of each year.

D. Livery and all other commercial use registration renewals expire on November 30 of each year.

E. The Department or its agent shall collect the entire registration fee for a late registration renewal~~,~~ and a penalty fee of $5, unless exempt under A.R.S. § 5-321(L), or unless the expiration date falls on a Saturday, Sunday, or state holiday, and the registration is renewed before the close of business on the next working day. The Department or its agent shall not assess a penalty fee when a renewal is mailed before the expiration date, as evidenced by the postmark.

Authorizing Statute

General: A.R.S. §§ 5-302 and 5-311(A)(1)
Specific: A.R.S. §§ 5-311(A)(5), 5-321(H),5-321(K), and 5-321.01

Historical Note

Amended effective December 5, 1978 (Supp. 78-6). Amended effective March 6, 1980 (Supp. 80-2). Former Section R12-4-86 renumbered as Section R12-4-504 without change effective August 13, 1981 (Supp. 81-4). Former Section R12-4-504 repealed, new Section R12-4-504 adopted effective May 27, 1992 (Supp. 92-2). Amended by final rulemaking at 9 A.A.R. 1613, effective July 5, 2003 (Sup. 03-2). Amended by final rulemaking at 19 A.A.R. 931, effective July 1, 2013.

R12-4-505. Hull Identification Numbers

A. The Department shall not register a watercraft without a hull identification number.

B. The Department shall verify watercraft manufactured after November 1, 1972 have a primary hull identification number that complies with the requirements established under 33 C.F.R. 181, Subpart C. The Department shall assign a hull identification number when the watercraft hull identification number does not meet the requirements established under 33 C.F.R. 181, Subpart C.

C. The hull identification number shall be fully visible and unobstructed at all times. Watercraft manufactured prior to August 1, 1984 are exempt from this requirement provided the obstruction is original equipment and was attached by the manufacturer.

D. The Department shall assign a hull identification number to a watercraft with a missing hull identification number only if the Department determines:

1. The hull identification number was not illegally removed or altered, unless the application is accompanied by an order of forfeiture, order of seizure, or other civil process; or
2. The missing hull identification number was caused by error of the manufacturer or a government jurisdiction or failure of a previous owner of a watercraft to comply with this rule, or because the watercraft is a homemade watercraft as defined under R12-4-501.

E. The Department may assign a hull identification number within 30 days of receipt of a valid application, as described under R12-4-502.

F. The Department may accept a bill of sale presented with a missing or improper hull identification number for registration purposes only if:

1. It matches the improper hull identification number or there is no hull identification number on the watercraft; or
2. A hull identification number is issued by the Department under subsection (D).

G. Within 30 days of issuance, the applicant or registered owner shall:

1. Burn, carve, stamp, emboss, mold, bond, or otherwise permanently affix each hull identification number to a non-removable part of the watercraft in a manner that ensures any alteration, removal, or replacement will be obvious.

2. Ensure the characters of each hull identification number affixed to the watercraft are no less than 1/4 inch in height.
3. Permanently affix the hull identification number as follows:
   a. On watercraft with transoms, affix the hull identification number to the right or starboard side of the transom within two inches of the top of the transom or hull/deck joint, whichever is lower.
   b. On watercraft without a transom, affix the hull identification number to the starboard outboard side of the hull, back or aft within one foot of the stern and within two inches of the top of the hull, gunwale, or hull/deck joint, whichever is lowest.
   c. On a catamaran or pontoon boat, affix the hull identification number on the aft crossbeam within one foot of the starboard hull attachment.
   d. As close as possible to the applicable location established under subsections (a), (b), or (c) when rails, fittings, or other accessories obscure the visibility of the hull identification number.
   e. Affix a duplicate of the visibly affixed hull identification number in an unexposed location on a permanent part of the hull.
4. Certify to the Department that the hull identification number was permanently affixed to the watercraft as required under subsection (G). The certification statement is furnished by the Department when the hull identification number is issued. The certification statement shall include the location of the permanently affixed hull identification number.

Authorizing Statute

General: A.R.S. §§ 5-302 and 5-311(A)(1)
Specific: A.R.S. §§ 5-311(A)(5) and 5-321

Historical Note

Amended effective January 1, 1980 (Supp. 79-6). Former Section R12-4-87 renumbered as Section R12-4-505 without change effective August 13, 1981 (Supp. 81-4). Former Section R12-4-505 repealed, new Section R12-4-505 adopted effective May 27, 1992 (Supp. 92-2). Amended effective November 7, 1996 (Supp. 96-4). Amended by final rulemaking at 8 A.A.R. 3025, effective July 10, 2002 (Supp. 02-3). Amended by final rulemaking at 13 A.A.R. 4511, effective February 2, 2008 (Supp. 07-4). Amended by final rulemaking at 19 A.A.R. 931, effective July 1, 2013.

R12-4-506. Invalidation of Watercraft Registration and Decals

A. Any watercraft registration obtained by fraud or misrepresentation is invalid from the date of issuance.

B. A certificate of number and any decals issued by the Department under R12-4-502 and R12-4-529 are invalid if any of the following occurs:
   1. Any check, money order, or other currency certificate presented to the Department for payment of watercraft registration or renewal is found to be non-negotiable;
   2. Any person whose name appears on the certificate of number loses ownership of the watercraft by legal process;
   3. Arizona is no longer the state of principal operation;
   4. The watercraft is documented by the U.S. Coast Guard;
   5. An applicant provides incomplete or incorrect information to the Department and fails to provide the correct information within 30 days after a request by the Department;
   6. The Department revokes the certificate of number, AZ numbers, and decals as provided under A.R.S. § 5-391(I); or
   7. The Department erroneously issued a certificate of number or any decals.

C. A person shall surrender the invalid certificate of number and decals to the Department within 15 calendar days of receiving written notification from the Department.

D. The Department shall not validate or renew an invalid watercraft registration or decals until the reason for invalidity is corrected or no longer exists.

Authorizing Statute

General: A.R.S. §§ 5-302 and 5-311(A)(1)
Specific: A.R.S. §§ 5-311(A)(5) , 5-321, 5-326, 5-327, and 5-391(I)

Historical Note

Adopted effective December 4, 1984 (Supp. 84-6). Amended subsection (B) effective December 30, 1988 (Supp. 88-4). Correction, former Historical Note should read "Amended subsection (B) effective January 1, 1989, filed December 30, 1988" (Supp. 89-2). Former Section R12-4-506 repealed, new Section R12-4-506 adopted effective May 27, 1992 (Supp. 92-2). Amended by final rulemaking at 8 A.A.R. 3025, effective July 10, 2002 (Supp. 02-3). Amended by final rulemaking at 13 A.A.R. 4511, effective February 2, 2008 (Supp. 07-4). Amended by final rulemaking at 19 A.A.R. 931, effective July 1, 2013.

R12-4-507. Transfer of Ownership of an Abandoned or Unreleased Watercraft

A. A person who has knowledge and custody of a watercraft abandoned on private property owned by that person may attempt to obtain ownership of the watercraft by way of the abandoned watercraft transfer process.

B. The last registered owner of an abandoned or unreleased watercraft is presumed to be responsible for the watercraft, unless the watercraft is reported stolen.

C. The operator of a self-storage facility located in this state and having a possessory lien shall comply with the requirements prescribed under A.R.S. Title 33, Chapter 15, Article 1 when attempting to obtain ownership of a watercraft abandoned while in storage.

D. A person having a possessory lien under a written rental agreement shall comply with the requirements prescribed under A.R.S. Title 33, Chapter 7, Article 6 when attempting to obtain ownership of a watercraft for which repairs or service fees remain unpaid.

E. Only a person acting within the scope of official duties as an employee or authorized agent of a government agency may order the removal of a watercraft abandoned on public property or a public waterway.

F. A person seeking ownership of an abandoned or unreleased watercraft shall submit an application to the Department. The application is furnished by the Department and available at any Department office. The application shall include the following information, if available:

1. Hull identification number, unless exempt under R12-4-505;
2. Registration number;
3. Decal number;
4. State of registration;
5. Year of registration;
6. Name, address, and daytime telephone number of the person who found the watercraft;
7. For abandoned watercraft:
   a. Address or description of the location where the watercraft was found,
   b. Whether the watercraft was abandoned on private or public property, and
   c. When applicable, for watercraft abandoned on private property, whether the applicant is the legal owner of the property;
8. Condition of the watercraft: wrecked, stripped, or intact;
9. State in which the watercraft will be operated;
10. Length of time the watercraft was abandoned;
11. Reason why the applicant believes the watercraft is abandoned; and
12. Signature of the applicant, acknowledged before a Notary Public or witnessed by a Department employee.

G. This state and its agencies, employees, and agents are not liable for relying in good faith on the contents of the application.

H. The Department shall attempt to determine the name and address of the registered owner by:

1. Conducting a search of its watercraft database when documentation indicates the watercraft was previously registered in this state, or
2. Requesting the watercraft record from the other state when documentation indicates the watercraft was previously registered in another state.

I. If the Department is able to determine the name and address of the registered owner, the Department shall send written notice of the applicant's attempt to register the watercraft to the owner by certified mail, return receipt requested.

1. If service is successful or upon receipt of a response from the registered owner, the Department shall send the following written notification to the applicant, as appropriate:

a. If the registered owner provides a written release of interest in the watercraft, the Department shall mail the release of interest and an abandoned or unreleased watercraft approval letter to the applicant. The applicant shall apply for watercraft registration in compliance with the requirements established under R12-4-502.
b. If the registered owner provides written notice to the Department refusing to release interest in the watercraft, the Department shall notify the applicant of the owner's refusal. The Department shall not register the watercraft to the applicant unless the applicant provides proof of ownership and complies with the requirements established under R12-4-502.
c. If the registered owner does not respond to the notice in writing within 30 days from the date of receipt, the Department shall notify the applicant of the owner's failure to respond. The Department shall not register the watercraft to the applicant unless the applicant provides proof of ownership and complies with the requirements established under R12-4-502;
d. If the registered owner does not respond to the notice within 180 days from the date of receipt of the notice, this failure to act shall constitute a waiver of interest in the watercraft by any person having an interest in the watercraft, and the watercraft shall be deemed abandoned for all purposes. The Department shall mail an abandoned or unreleased watercraft approval letter to the applicant. The applicant shall apply for watercraft registration in compliance with the requirements established under R12-4-502.

2. If the written notice is returned unclaimed or refused, the Department shall notify the applicant within 15 days of the notice being returned that the attempt to contact the registered owner was unsuccessful.

J. If the Department is unable to identify or serve the registered owner, the Department shall publish a notice of intent once in a newspaper or other publication of general circulation in this state within 45 days of the Department's notification to the applicant as provided in subsection (I)(2).

1. The published notice shall include a statement of the Department's intent to transfer ownership of the watercraft ten days after the date of publication, unless the Department receives notice from the registered owner refusing to release interest in the watercraft within that ten day period following publication.
2. Upon request, the Department shall make available to the public a description of the abandoned or unreleased watercraft subject to transfer of ownership.
3. If the watercraft remains unclaimed after the ten day period, the Department shall mail an abandoned or unreleased watercraft approval letter to the applicant. The applicant shall apply for watercraft registration in compliance with the requirements established under R12-4-502.

K. A government agency may submit an application for authorization to dispose of a junk watercraft abandoned on state or federal lands or waterways. The application is furnished by the Department and is available at any Department Office. Upon receipt of the application, the Department shall attempt to determine the name and address of the registered owner. If the Department is unable to identify and serve the registered owner, the Department shall publish a notice of intent to authorize the disposal of the junk watercraft as described in subsection (J).

1. The published notice shall include a statement of the Department's intent to authorize the disposal of the watercraft ten days after the date of publication, unless the Department receives notice from the registered owner refusing to release interest in the watercraft within that ten day period following publication.
2. If the watercraft remains unclaimed after the ten day period, the Department shall mail an authorization to dispose of the junk watercraft to the government agency. The government agency may dispose of the abandoned watercraft and all indicia for that watercraft in any manner the agency determines expedient or convenient.

Authorizing Statute

General: A.R.S. §§ 5-302 and 5-311(A)(1)
Specific: A.R.S. §§ 5-311(A)(1) and 5-311(A)(5)

Historical Note

Adopted effective May 27, 1992 (Supp. 92-2). Amended by final rulemaking at 8 A.A.R. 3025, effective July 10, 2002 (Supp. 02-3). Amended by final rulemaking at 9 A.A.R. 1613, effective July 5, 2003 (Supp. 03-2). Amended by final rulemaking at 13 A.A.R. 4511, effective February 2, 2008 (Supp. 07-4). Amended by final rulemaking at 19 A.A.R. 931, effective July 1, 2013.

R12-4-508. New Watercraft Exchanges

A. A person may request a no-fee replacement registration for a new watercraft, provided all of the following conditions apply:
1. The person purchased the newly registered watercraft from a new watercraft dealer,
2. The person returned the watercraft to the new watercraft dealer within 30 days of purchase, and
3. The new watercraft dealer exchanged the returned watercraft for a watercraft of the same year, make, and model within the same 30 day period.

B. To obtain a no-fee replacement registration, the person shall submit the original watercraft registration and a letter from the new watercraft dealer to the Department. The letter shall include all of the following information:
1. A statement that the original watercraft was replaced,
2. The hull identification number for the original watercraft,
3. The hull identification number for the replacement watercraft,
4. The buyer's name, and
5. The new watercraft dealer's name.

Authorizing Statute

General: A.R.S. §§ 5-302 and 5-311(A)(1)
Specific: A.R.S. §§ 5-311(A)(5), 5-321, and 5-322

Historical Note

Adopted effective May 27, 1992 (Supp. 92-2). Amended by final rulemaking at 19 A.A.R. 931, effective July 1, 2013.

R12-4-509. Watercraft Agents

A. The Department has the authority to authorize a watercraft dealer to act as an agent on behalf of the Department for the purpose of issuing temporary certificates of number valid for 30 days for new watercraft, provided:
1. The applicant's previous authority to act as a watercraft agent under A.R.S. § 5-321(I) has not been cancelled by the Department within the preceding 24 months, and
2. The applicant is a business located and operating within this state and sells watercraft for an identified manufacturer.

B. An applicant seeking watercraft dealer authorization shall submit an application to the Department. The application is furnished by the Department and available at the Arizona Game and Fish Department, 5000 W. Carefree Highway, Phoenix, AZ 85086. The applicant shall provide the following information on the application:
1. Principal business or corporation name, address, and telephone number or if not a corporation, the full name, address, and telephone number of all owners or partners;
2. Name, address, and telephone number of the owner or manager responsible for compliance with this Section;
3. Whether the applicant has previously issued temporary certificates of number under A.R.S. § 5-321(I);
4. All of the following information specific to the location from which new watercraft are to be sold and temporary certificates of number issued:
   a. Name of owner or manager;
   b. Business hours;
   c. Business telephone number;
   d. Business type;
   e. Storefront name; and
   f. Street address;
5. Manufacturers of the watercraft to be distributed; and
6. Signature of person named under subsection (B)(2).

C. The Department shall either approve or deny the application within the licensing time-frame established under R12-4-106.

D. The watercraft dealer shall:

1. Use the assigned watercraft dealer number when issuing a temporary certificate of number,
2. Use the online application system or forms supplied by the Department; and
3. Collect the appropriate fee as prescribed under A.R.S. §§ 5-321 and 5-327.

E. Authorization to act as a watercraft agent is specific to the dealer's business location designated on the application and approved by the Department, unless the dealer is participating in a scheduled, advertised boat show for the purpose of selling watercraft.

F. A watercraft dealer shall not destroy prenumbered temporary certificate of number applications provided by the Department. The watercraft dealer shall mark the unused prenumbered application "void" and return the application to the Department with the monthly report required under subsection (J).

G. The Department shall provide supplies within 30 calendar days after receipt of the watercraft dealer's request form. The watercraft dealer shall verify supplies were received within seven days of receipt.

H. A watercraft dealer issuing a temporary certificate of number to the purchaser of a new watercraft shall comply with all the following:

1. The watercraft dealer shall obtain an application if the watercraft is purchased from the dealer or the applicant's bill of sale containing the following information:
   a. Statement that the watercraft is new;
   b. Names and addresses of the buyer and seller;
   c. Date of purchase;
   d. Amount of sales tax paid;
   e. Purchase price;
   f. Make and model of watercraft, if known;
   g. Engine drive type;
   h. Length of the watercraft;
   i. Year of manufacture; and
   j. Hull identification number.
2. The watercraft dealer shall identify to the applicant the state registration fee and the nonresident boating safety infrastructure fee, when applicable, separately from any other costs.
3. Within 72 hours after issuing a temporary certificate of number, a watercraft dealer shall deliver or mail the legible original application, a legible original or copy of the bill of sale, the original certificate of origin, and the state's fees to the Arizona Game and Fish Department, Watercraft Agent Representative, 5000 W. Carefree Highway, Phoenix, AZ 85086.
4. The state's fees shall be submitted by check or money order with the required documentation or electronically prior to the submission of the required documentation.

I. The Department shall accept online applications or prenumbered temporary certificate of number application forms provided to the watercraft dealer by the Department, as established under R12-4-502.

J. By the 10th day of each month, a watercraft dealer shall submit a report of activity for the previous month to the Department on a form furnished by the Department and available at the Department office listed under subsection (H)(3). The watercraft dealer shall submit the report whether or not any activity occurred during the reporting period. The report shall include all of the following:

1. Name and address of the watercraft dealer;
2. Department assigned watercraft agent number;
3. For each temporary certificate of number issued:
   a. Application number;
   b. Name of the purchaser;
   c. Hull identification number; and
   d. Date of issuance; and
4. A list of any voided or missing application numbers, with explanation.
5. A watercraft dealer who processes all transactions using the Department's online application system is exempt from subsection (J).

K. The Department may cancel the watercraft dealer's authorization and demand the return of or collect all supplies issued to the agent if the dealer does any one of the following:

1. Fails to comply with the requirements established under this Section;

2. Submits more than one check, draft, order, or electronic payment dishonored because of insufficient funds, payments stopped, or closed accounts to the Department within a calendar year;
3. Predates, postdates, alters, or provides or knowingly allows false information to be provided on or with an application for a temporary certificate of number;
4. Issues a temporary certificate of number for a used watercraft;
5. Falsifies the application for authorization as a watercraft agent; or
6. Falsifies the monthly report required by subsection (J).

L. Denial of a dealer's application to become a watercraft agent, or cancellation of watercraft agent status by the Department may be appealed to the Commission as prescribed under A.R.S. Title 41, Chapter 6, Article 10.

Authorizing Statute
General: A.R.S. §§ 5-302 and 5-311(A)(1)
Specific: A.R.S. §§ 5-311(A)(5) , 5-321, 5-326, and 5-327

Historical Note
Adopted effective May 27, 1992 (Supp. 92-2). Amended by final rulemaking at 9 A.A.R. 1613, effective July 5, 2003 (Supp. 03-2). Amended by final rulemaking at 13 A.A.R. 4511, effective February 2, 2008 (Supp. 07-4). Amended by final rulemaking at 19 A.A.R. 931, effective July 1, 2013.

R12-4-510. Refund of Fees Paid in Error

A. The Department shall issue a refund for watercraft fees paid in error under the following circumstances:
1. The Department shall issue a refund for the watercraft registration renewal fee and, when applicable, the Nonresident Boating Safety Infrastructure fee when the registered owner has erroneously paid those fees twice for the same watercraft.
2. The Department shall issue a refund for the watercraft registration renewal fee and, when applicable, the Nonresident Boating Safety Infrastructure fee when the registered owner has erroneously paid those fees for a watercraft that has already been sold to another individual.

B. To request a refund of fees paid in error, the person applying for the refund shall surrender all of the following to the Department:
1. Original certificate of number;
2. Registration decals, and
3. Nonresident Boating Safety Infrastructure Decal, when applicable.

C. A person requesting a refund of fees under subsections (A)(1) or (A)(2) shall submit the request to the Department within 30 calendar days of the date the payment was received by the Department.

D. The Department shall not refund any late registration penalty fee.

Authorizing Statute
General: A.R.S. §§ 5-302 and 5-311(A)(1)
Specific: A.R.S. § 5-311(A)(5)

Historical Note
Adopted effective May 27, 1992 (Supp. 92-2). Amended effective November 7, 1996 (Supp. 96-4). Amended by final rulemaking at 19 A.A.R. 931, effective July 1, 2013.

R12-4-511. Personal Flotation Devices

A. For the purpose of this Section, "wear" means:
1. The personal flotation device is worn according to the manufacturer's design or recommended use;
2. All of the device's closures are fastened, snapped, tied, zipped, or secured according to the manufacturer's design or recommended use; and
3. The device is adjusted for a snug fit.

B. The operator of a canoe, kayak, or other watercraft shall ensure the canoe, kayak, or other watercraft is equipped with at least one appropriately-sized, U.S. Coast Guard-approved, wearable personal flotation device that is in good and serviceable condition for each person on board the canoe, kayak, or other watercraft. The operator of a canoe, kayak, or other watercraft shall also ensure the wearable personal flotation devices on board the canoe, kayak, or other watercraft are readily accessible and available for immediate use. The following wearable personal flotation devices are approved by the U.S. Coast Guard:

1. Type I Personal Flotation Device: off-shore life jacket,
2. Type II Personal Flotation Device: near-shore buoyancy vest,
3. Type III Personal Flotation Device: flotation aid, and
4. Type V Special Use Device.

C. In addition to the personal flotation devices described under subsection (B), the operator of a watercraft that is 16 feet or more in length shall ensure the watercraft is also equipped with a U.S. Coast Guard-approved Type IV Personal Flotation Device: buoyant cushion, ring buoy, or horseshoe buoy. Canoes and kayaks are not subject to this subsection.

D. The operator of a watercraft shall ensure an individual twelve years of age or under on board a watercraft shall wear a U.S. Coast Guard approved type I, II or III personal flotation device whenever the watercraft is underway.

E. The operator of a personal watercraft shall ensure each individual aboard the personal watercraft is wearing a wearable personal flotation device approved by the U.S. Coast Guard whenever the personal watercraft is underway.

F. Subsections (B), (C), and (D) do not apply to the operation of a racing shell or rowing skull during competitive racing or supervised training, if the racing shell or rowing skull is manually propelled, recognized by a national or international association for use in competitive racing, and designed to carry and does carry only equipment used solely for competitive racing.

Authorizing Statute

General: A.R.S. §§ 5-302 and 5-311(A)(1)
Specific: A.R.S. §§ 5-311(A)(5), 5-331, and 5-350(A)

Historical Note

Amended effective May 26, 1978 (Supp. 78-3). Former Section R12-4-80 renumbered as Section R12-4-511 without change effective August 13, 1981 (Supp. 81-4). Amended effective May 27, 1992 (Supp. 92-2). Amended effective January 1, 1996; filed in the Office of the Secretary of State December 18, 1995 (Supp. 95-4). Amended by final rulemaking at 8 A.A.R. 3025, effective July 10, 2002 (Supp. 02-3). Amended by final rulemaking at 13 A.A.R. 4511, effective February 2, 2008 (Supp. 07-4). Amended by final rulemaking at 19 A.A.R. 931, effective July 1, 2013.

R12-4-512. Fire Extinguishers Required for Watercraft

A. The operator of watercraft shall ensure all required fire extinguishers are readily accessible and available for immediate use.

B. As prescribed under A.R.S. § 5-332, an operator of a:

1. Watercraft less than 26 feet in length shall carry one U.S. Coast Guard-approved B-I type fire extinguisher on board if the watercraft has one or more of the following:
   a. An inboard engine,
   b. Closed compartments where portable fuel tanks may be stored,
   c. Double bottoms not sealed to the hull or which are not completely filled with flotation materials,
   d. Closed living spaces,
   e. Closed stowage compartments in which combustible or flammable materials are stored,
   f. Permanently installed fuel tanks (fuel tanks that cannot be moved in case of a fire or other emergency are considered permanently installed), and
   g. A fixed fire extinguishing system installed in the engine compartment.
2. Watercraft ~~(~~26 feet to less than 40 feet~~)~~ shall carry on board the following equipment as designated and approved by the U.S. Coast Guard:
   a. At least two B-I type hand-portable fire extinguishers or at least one B-II type hand-portable fire extinguisher, or
   b. At least one B-I type approved hand-portable fire extinguisher if a fixed fire extinguishing system is installed in the engine compartment.
3. Watercraft ~~(~~40 feet to not more than 65 feet~~)~~ shall carry on board the following equipment as designated and approved by the U.S. Coast Guard:
   a. At least three B-I type hand-portable fire extinguishers or at least one B-I and one B-II type hand-portable fire extinguishers, or

b. At least two B-I type hand-portable fire extinguishers or at least one B-II type hand-portable fire extinguisher when a fixed fire extinguishing system is installed in the engine compartment.

Authorizing Statute

General: A.R.S. §§ 5-302 and 5-311(A)(1)
Specific: A.R.S. §§ 5-311(A)(2), 5-311(A)(5) and 5-332

Historical Note

Former Section R12-4-81 renumbered as Section R12-4-512 without change effective August 13, 1981 (Supp. 81-4). Amended effective June 14, 1990 (Supp. 90-2). Amended by final rulemaking at 8 A.A.R. 3025, effective July 10, 2002 (Supp. 02-3). Amended by final rulemaking at 19 A.A.R. 931, effective July 1, 2013.

R12-4-513. Watercraft Accident and Casualty Reports

A. The operator or owner of a watercraft involved in any collision, accident or other casualty resulting in injury, death, or property damage exceeding $500 shall submit the report required under A.R.S. § 5-349 to the Department. The report shall be made on a form furnished by the Department and provided by the law enforcement officer investigating the collision, incident, or other casualty. The operator or owner of the watercraft shall complete the form in full and clearly identify on the form any information that is either not applicable or unknown. The operator or owner of the watercraft submitting the report shall provide the following information:

1. The operator's personal information;
2. The owner's personal information;
3. The operator's hours of experience in operating watercraft;
4. The operator's amount of boating safety instruction;
5. Information on the watercraft involved;
6. Information on the accident;
7. Estimated cost of damage to the watercraft;
8. Whether the watercraft sank, and if so, information regarding the recovery of the watercraft;
9. Information regarding U.S. Coast Guard-approved personal flotation devices;
10. Information regarding fire extinguishers;
11. Personal information for operators and owners of each of the other watercraft involved in the accident
12. Personal information for persons killed or injured in the accident;
13. Personal information for all passengers in the watercraft;
14. The location of passengers, skiers, and swimmers at the time of the accident;
15. Information regarding damage to property other than any of the watercraft involved;
16. Contact information for any witnesses other than passengers;
17. A diagram and narrative explaining the accident;
18. Contact information for the person completing the form;
19. The signature of the person completing the form;
20. The date the person completing the form submits the form to the Department; and
21. Any other information required by the Department to ensure compliance with 33 C.F.R. 173.57.

B. The person completing the form shall deliver or mail the form to the Arizona Game and Fish Department, Law Enforcement Branch at 5000 W. Carefree Hwy, Phoenix, AZ 85086.

C. The operator or owner of a watercraft involved in any collision, accident or other casualty resulting in injury or death shall submit the report to the Department no later than 48 hours after the incident.

D. The operator or owner of a watercraft involved in any collision, accident or other casualty resulting only in property damage exceeding $500 shall submit the report to the Department no later than five days after the incident.

Authorizing Statute

General: A.R.S. §§ 5-302 and 5-311(A)(1)
Specific: A.R.S. §§ 5-311(A)(5), 5-311(A)(7), and 5-349

Historical Note

Adopted effective May 27, 1992 (Supp. 92-2). Amended by final rulemaking at 8 A.A.R. 3025, effective July 10, 2002 (Supp. 02-3). Amended by final rulemaking at 19 A.A.R. 931, effective July 1, 2013.

R12-4-514. Liveries

A. As prescribed under A.R.S. § 5-371, a watercraft owned by a boat livery that requires registration and does not have the certificate of number on board shall be identified while in use by means of a receipt provided by the livery to the person operating the rented watercraft. The receipt shall contain the following information:
1. Business name and address of the livery as shown on the certificate of number,
2. Watercraft registration number as issued by the Department,
3. Beginning date and time of the rental period, and
4. Written acknowledgement on the receipt of compliance with the requirements prescribed under A.R.S. § 5-371, signed by both the livery operator or the livery's agent and the renter.

B. The person operating the rented watercraft shall carry the receipt and produce it upon request to any peace officer.

Authorizing Statute

General: A.R.S. §§ 5-302 and 5-311(A)(1)
Specific: A.R.S. §§ 5-311(A)(5) and 5-371

Historical Note

Adopted effective May 27, 1992 (Supp. 92-2). Amended by final rulemaking at 13 A.A.R. 4511, effective February 2, 2008 (Supp. 07-4). Amended by final rulemaking at 19 A.A.R. 931, effective July 1, 2013.

R12-4-515. Display of AZ Numbers and Registration Decals

A. A person shall not use or operate, or grant permission to use or operate, a watercraft on the waters within the boundaries of this state unless such watercraft displays a valid number and current registration decal in the manner as established under subsection (B). This Section does not apply to undocumented watercraft displaying a valid temporary numbering certificate authorized under R12-4-509 or exempt under A.R.S. § 5-322.

B. The owner of a watercraft shall ensure the AZ number and registration decals are displayed as follows:
1. The AZ numbers shall:
   a. Be clearly visible and painted on or attached to each exterior side of the forward half of a non-removable portion of the watercraft;
   b. Be in a color that contrasts with the watercraft's background color so as to be easily read from a distance;
   c. Include the letters "AZ" and the suffix, separated by a hyphen or equivalent space between the letters "AZ" and the suffix; and
   d. Read from left to right in well-proportioned block letters that are not less than three inches in height, excluding outline.
2. The registration decals shall be affixed three inches in front of "AZ" on both sides of the forward half of a non-removable portion of the watercraft.

C. On watercraft so constructed that it is impractical or impossible to display the AZ numbers in a prominent position on the forward half of the hull or permanent superstructure, the AZ numbers may be displayed on brackets or fixtures securely attached to the forward half of the watercraft.

D. Persons possessing a dealer watercraft certificate of number issued under A.R.S. § 5-322(F) shall visibly display the AZ numbers and validating registration decals as established under this Section, except that the numbers and decals may be printed or attached to temporary, removable signs that are securely attached to the watercraft being demonstrated.

E. Expired registration decals issued by any jurisdiction shall be covered or removed from the watercraft, so that only the current registration decals are visible.

F. Invalid watercraft AZ numbers ~~or~~ and registration decals shall not be displayed on any watercraft. The owner of the watercraft shall surrender the AZ numbers and registration decals to the Department in compliance with R12-4-506(C).

Authorizing Statute

General: A.R.S. §§ 5-302 and 5-311(A)(1)
Specific: A.R.S. §§ 5-311(A)(5), 5-321(A), 5-322, 5-321, 5-326, and 5-327

Historical Note

Section R12-4-515 renumbered from R12-4-501 and amended effective May 27, 1992 (Supp. 92-2). Amended by final rulemaking at 19 A.A.R. 931, effective July 1, 2013.

R12-4-516. Watercraft Sound Level Restriction

A. A person shall not operate a watercraft upon the waters of this state if the watercraft emits a noise level that exceeds any of the following.

1. A noise level of 86 dB(A), measured at a distance of 50 feet or more from the watercraft on the "A" weighted scale of a sound level instrument that conforms to recognized industry standards and is maintained according to the manufacturer's instructions.
2. For engines manufactured:
   a. Before January 1, 1993, a noise level of 90 dB(A) when subjected to the Society of Automotive Engineers Recommended Practice stationary sound level test SAEJ2005, revised July 2004 containing no later editions or amendments; and
   b. On or after January 1, 1993, a noise level of 88 dB(A) when subjected to the Society of Automotive Engineers Recommended Practice stationary sound level test SAEJ2005, revised July 2004 and containing no later editions or amendments; or
3. A noise level of 75 dB(A) measured as specified in the Society of Automotive Engineers Recommended Practice shoreline sound test SAEJ1970, revised September 2003 and containing no later editions or amendments.

B. The materials incorporated by reference in subsection (A) may be viewed at any Department office and are available for purchase from SAE International, 400 Commonwealth Dr, Warrendale, PA 15096-0001 or online at www.sae.org.

C. A measurement of noise level that is in compliance with this Section does not preclude the conducting of a test or multiple tests of noise levels.

D. A peace officer authorized to enforce the provisions of this Section who has reason to believe a watercraft is being operated in violation of the noise levels established in this Section may direct the operator of the watercraft to submit the watercraft to an onsite test to measure noise level.

E. An operator of a watercraft who receives a request from a peace officer to test the noise level of the watercraft under subsection (D) shall allow the watercraft to be tested. If, based on a measurement or test to determine the noise level of a watercraft administered under this Section, the noise level of the watercraft exceeds one or more of the decibel level standards in subsection (A), the operator of the watercraft shall take immediate measures to correct the violation as prescribed ~~by~~ under A.R.S. § 5-391(C).

F. This Section shall not apply to watercraft operated under permits issued in accordance with A.R.S. § 5-336(C).

Authorizing Statute

General: A.R.S. §§ 5-302 and 5-311(A)(1)
Specific: A.R.S. §§ 5-311(A)(2), 5-311(A)(3), 5-311(A)(5), and 5-336

Historical Note

Former Section R12-4-82 renumbered as Section R12-4-516 without change effective August 13, 1981 (Supp. 81-4). Amended by final rulemaking at 13 A.A.R. 4511, effective February 2, 2008 (Supp. 07-4). Amended by final rulemaking at 19 A.A.R. 931, effective July 1, 2013.

R12-4-518. Regattas

A. When a regatta permit is issued by the Coast Guard, the person in control of the regatta shall at all times be responsible for compliance with the stipulations as prescribed within the regatta permit. Such stipulations may include but not be limited to:

1. A specified number of patrol or committee boats and identified as such.
2. Availability of emergency medical services.
3. Spectator control if there exists a danger that life or property is in jeopardy.

B. Non-compliance with any stipulation of an authorized permit which jeopardizes the public welfare shall be cause to terminate the regatta until the person in control or a person designated by the one in control satisfactorily restores compliance.

C. When a regatta applicant is informed in writing by the Coast Guard that a permit is not required, such regatta may take place, but shall not relieve the regatta sponsor of any responsibility for the public welfare or confer any exemption from state boating and watersports laws and rules.

D. The regatta sponsor and all participants shall comply with aquatic invasive species requirements established under A.R.S Title 17, Chapter 2, Article 3.1 and 12 A.

A.C. 4, Article 11.

Authorizing Statute

General: A.R.S. §§ 5-302 and 5-311(A)(1)
Specific: A.R.S. §§ 5-311(A)(5), 5-311(A)(6), 5-336(C), and 5-350(G)

Historical Note

Adopted effective March 5, 1982 (Supp. 82-2). Amended by final rulemaking at 18 A.A.R. 196, effective January 10, 2012 (Supp. 12-1).

R12-4-519. Reciprocity

As authorized under A.R.S. § 5-322(E), all watercraft currently numbered or exempt from numbering under the provisions of their state of principal operation are exempt from numbering for a period of 90 days after entering this state.

Authorizing Statute

General: A.R.S. §§ 5-302 and 5-311(A)(1)
Specific: A.R.S. §§ 5-311(A)(5) 5-321(A)(2), 5-322(C), and 5-322(F)

Historical Note

Section R12-4-519 renumbered from R12-4-503 and amended effective May 27, 1992 (Supp. 92-2). Amended by final rulemaking at 19 A.A.R. 931, effective July 1, 2013.

R12-4-520. Arizona Uniform State Waterway Marking System

The Arizona uniform state waterway marking system is the same as that prescribed under 33 C.F.R. 62, revised July 1, 2004, which is incorporated by reference in this Section. The incorporated material is available at any Department office, online at www.gpoaccess.gov, or it may be ordered from the U.S. Government Printing Office, Stop: IDCC, Washington, D.C. 20401. This Section does not include any later amendments or editions of the incorporated material.

Authorizing Statute

General: A.R.S. §§ 5-302 and 5-311(A)(1)
Specific: A.R.S. §§ 5-311(A)(4), 5-311(A)(5), 5-311(A)(7), and 5-361

Historical Note

Section R12-4-520 adopted effective May 27, 1992 (Supp. 92-2). Amended by final rulemaking at 19 A.A.R. 931, effective July 1, 2013.

R12-4-521. Placing or Tampering with Regulatory Markers or Aids to Navigation

A. A person shall not mark the waterways or their shorelines in this state with mooring buoys, regulatory markers, aids to navigation, or other types of permitted waterway marking devices as established under R12-4-520, without authorization from the governmental agency or the private interest having jurisdiction on such waters.

B. A person shall not moor or fasten a watercraft to any marker not intended for mooring, or willfully damage, tamper with, remove, obstruct, or interfere with any aid to navigation, regulatory marker or other type of permitted waterway marking devices as established under R12-4-520, except in the performance of authorized maintenance responsibilities or as authorized under R12-4-518 or R12-4-522.

Authorizing Statute

General: A.R.S. §§ 5-302 and 5-311(A)(1)
Specific: A.R.S. §§ 5-311(A)(4), 5-311(A)(5) , 5-311(A)(7), and 5-361

Historical Note

Section R12-4-520 adopted effective May 27, 1992 (Supp. 92-2). Amended by final rulemaking at 8 A.A.R. 3025, effective July 10, 2002 (Supp. 02-3). Amended by final rulemaking at 19 A.A.R. 931, effective July 1, 2013.

R12-4-522. Establishment of Controlled-Use Markers

A. If a lawful jurisdiction has not exercised its authority to control watercraft under A.R.S. § 5-361, or if waters are directly under the jurisdiction of the Commission, the Department has the authority to control watercraft within that jurisdiction in accordance with the following requirements:
1. The Department shall place controlled-use markers only where controlled operation of watercraft is necessary to protect life, property, or habitat, and shall move or remove the markers only if the need for the protection changes.
2. The Department shall ensure ~~that~~ restrictions imposed are clearly communicated to the public as prescribed by rule or by wording on the markers.

B. A governmental agency, excluding federal agencies with jurisdiction over federal navigable waterways, shall report to the Department when controlled-use markers have been placed or removed, unless the establishment or removal of markers is for a period of less than 30 days. The report shall be made within 30 days of establishment or removal of any controlled-use markers and shall include the:
1. Report type,
2. Purpose of markers,
3. Placement of markers, and
4. Whether the markers are expected to be permanent or temporary.

C. Any person or government agency may request establishment, change, or removal of controlled-use markers on waters under the jurisdiction of the Commission or on waters not under the jurisdiction of another agency by submitting a written request providing the reasons for the request to the Arizona Game and Fish Department, 5000 W. Carefree Hwy, Phoenix, AZ 85086. The Department shall either approve or deny the request within 60 days of receipt.

D. A person may appeal the Department's denial of a request to the Commission as an appealable agency action under A.R.S. Title 41, Chapter 6, Article 10.

Authorizing Statute

General: A.R.S. §§ 5-302 and 5-311(A)(1)
Specific: A.R.S. §§ 5-311(A)(4), 5-311(A)(5) , 5-311(A)(7), and 5-361

Historical Note

Section R12-4-520 adopted effective May 27, 1992 (Supp. 92-2). Amended by final rulemaking at 8 A.A.R. 3025, effective July 10, 2002 (Supp. 02-3). Amended by final rulemaking at 19 A.A.R. 931, effective July 1, 2013.

R12-4-523. Controlled Operation of Watercraft

A. A person shall not operate any watercraft, or use any watercraft to tow a person on water skis, a surfboard, inflatable device, or similar object, device or equipment in a manner contrary to the area restrictions imposed by lawfully placed controlled-use markers, except for:
1. Law enforcement officers acting within the scope of their lawful duties;
2. Persons involved in rescue operations;
3. Persons engaged in government-authorized activities; and
4. Persons participating in a regatta, during the time limits of the event only.

B. The exemptions listed under subsection (A) do not authorize any person to operate a watercraft in a careless, negligent, or reckless manner as prescribed under A.R.S. § 5-341.

Authorizing Statute

General: A.R.S. §§ 5-302 and 5-311(A)(1)
Specific: A.R.S. §§ 5-311(A)(4), 5-311(A)(5), and 5-361

Historical Note

Section R12-4-520 adopted effective May 27, 1992 (Supp. 92-2). Amended by final rulemaking at 8 A.A.R. 3025, effective July 10, 2002 (Supp. 02-3). Amended by final rulemaking at 19 A.A.R. 931, effective July 1, 2013.

R12-4-525. Revocation of Watercraft Certificate of Number, AZ Numbers, and Decals

A. For the purposes of this Section, "person" has same meaning as prescribed under A.R.S. § 5-301.

B. Upon notice of conviction of a person under A.R.S. § 5-391(G), the Department shall revoke for a period not to exceed two years the

certificates of number, AZ numbers, registration decals, and Nonresident Boating Safety Infrastructure decals of any Arizona registered watercraft owned by that person and involved in the violation.

C. Upon notice of conviction of a person under A.R.S. § 5-391(H), the Department shall revoke for a period not to exceed one year the certificates of number, AZ numbers, registration decals, and Nonresident Boating Safety Infrastructure decals for any Arizona registered watercraft owned by that person and involved in the violation.

D. Upon receiving notice of conviction, the Department shall serve notice under A.R.S. §§ 41-1092.03 and 41-1092.04 on the person convicted that the certificates of number, AZ numbers, registration decals, and Nonresident Boating Safety Infrastructure decals of watercraft the person owns are subject to revocation.

E. A person whose certificates of number, AZ numbers, registration decals, and Nonresident Boating Safety Infrastructure decals are subject to revocation may request a hearing. The person shall submit a written request to the Arizona Game and Fish Department, Director's Office, 5000 W. Carefree Hwy, Phoenix, AZ 85086, within 30 calendar days of receiving the notice described under subsection (D).

F. If the person requests a hearing, the Department shall, within 60 days of receiving the request, schedule a hearing as prescribed under A.R.S. § 41-1092.05.

G. After a final decision to revoke the person's certificates of number, AZ numbers, registration decals, and Nonresident Boating Safety Infrastructure decals, the Department shall serve upon the person an Order of Revocation. Within 15 calendar days of receipt of the notice, the person shall surrender to the Department the revoked certificates of number and decals.

H. The revocation of the certificates of number, AZ numbers, registration decals, and Nonresident Boating Safety Infrastructure decals does not affect the legal title to or any property rights in the watercraft. Upon receipt of an application to transfer watercraft registration by the new watercraft owner, the Department shall terminate the revocation and allow the owner to transfer the owner's entire interest in the watercraft if the Department is satisfied the transfer is proposed in good faith and not for the purpose of defeating the revocation.

Authorizing Statute

General: A.R.S. §§ 5-302 and 5-311(A)(1)
Specific: A.R.S. §§ 5-311(A)(5), 5-311(A)(7), and 5-346

Historical Note

New Section made by final rulemaking at 8 A.A.R. 3025, effective July 10, 2002 (Supp. 02-3). Amended by final rulemaking at 19 A.A.R. 931, effective July 1, 2013.

R12-4-526. Unlawful Mooring

A. A person, as defined under A.R.S. § 5-301, shall not moor, anchor, fasten to the shore, or otherwise secure a watercraft in any public body of water for more than 14 days within any period of 28 consecutive days unless:

1. The person moves the watercraft at least 25 nautical miles from its previous location,
2. The waters are a special anchorage area as defined under A.R.S. § 5-301,
3. Authorized for private dock or moorage, or
4. Authorized by the government agency or private interest having jurisdiction over the waters.

B. The 14 day limit may be reached through either a number of separate moorings or 14 days of continuous overnight occupation during the 28 day period.

Authorizing Statute

General: A.R.S. §§ 5-302 and 5-311(A)(1)
Specific: A.R.S. §§ 5-311(A)(5),5-391(I), 41-1092, 41-1092.02, 41-1092.04, 41-1092.06, and 41-1092.11

Historical Note

New Section made by emergency rulemaking under A.R.S. § 41-1026 at 9 A.A.R. 1241, effective May 26, 2003 for a period of 180 days (Supp. 03-1). Emergency rulemaking repealed under A.R.S. § 41-

1026(E) and permanent new Section made by final rulemaking at 9 A.A.R. 1613, effective July 5, 2003 (Supp. 03-2). Amended by final rulemaking at 19 A.A.R. 931, effective July 1, 2013.

R12-4-527. Transfer of Ownership of a Towed Watercraft

A. For the purpose of this Section, "towed watercraft" means a watercraft that has been impounded by and is in the possession of a towing company located in this state.

B. At the time a towing company requests watercraft registration information prescribed under A.R.S. § 5-324 for a towed watercraft, the towing company shall present the towed watercraft to the closest Department office for identification if there is no discernible hull identification number or state-issued registration number.

C. A towing company seeking to transfer the ownership of a towed watercraft shall submit all of the following to the Director of the Department:

1. Evidence of compliance with notification requirements prescribed under A.R.S. § 5-399;
2. A report on a form furnished by the Department and available at any Department office. The form shall include all of the following information:
   a. Name of towing company;
   b. Towing company's business address;
   c. Towing company's business telephone number;
   d. Towing company's Arizona Department of Public Safety tow truck permit number;
   e. Towed watercraft's hull identification number, if known;
   f. Towed watercraft's state-issued registration number, registration decal, and year of expiration, if known;
   g. Towed watercraft's trailer license number, if available;
   h. State and year of trailer registration, if available;
   i. Towed watercraft's color and manufacturer, if known;
   j. Towed watercraft's condition, whether intact, stripped, damaged, or burned, along with a description of any damage;
   k. Date the watercraft was towed;
   l. Location from which the towed watercraft was removed;
   m. Entity that ordered the removal of the towed watercraft, and if a law enforcement agency, include officer badge number, jurisdiction, and copy of report or towing invoice;
   n. Location where the towed watercraft is stored; and
   o. Name and signature of towing company's authorized representative; and
3. Twenty-five dollar application fee authorized under A.R.S. § 5-399.03(2).

D. If the Department is unsuccessful in its attempt to identify or contact the registered owner or lienholder of the towed watercraft and has determined the towed watercraft is not stolen, the towing company shall follow the application procedures established under A.R.S. § 5-399.02(B) and R12-4-502 to register the towed watercraft.

Authorizing Statute

General: A.R.S. §§ 5-302 and 5-311(A)(1)
Specific: A.R.S. §§ 5-311(A)(1), 5-324(E)(9), 5-399, 5-399.01, 5-399.02, and 5-399.03

Historical Note

New Section made by emergency rulemaking under A.R.S. § 41-1026 at 9 A.A.R. 1241, effective May 26, 2003 for a period of 180 days (Supp. 03-1). Emergency rulemaking repealed under A.R.S. § 41-1026(E) and permanent new Section made by final rulemaking at 9 A.A.R. 1613, effective July 5, 2003 (Supp. 03-2). Amended by final rulemaking at 19 A.A.R. 931, effective July 1, 2013.

R12-4-528. Watercraft Checkpoints

A. A law enforcement agency may establish a watercraft checkpoint to ensure public safety on state waterways, to screen for unsafe or impaired watercraft operators, or to gather demographic, statistical, and compliance information related to watercraft activities.

B. An individual may be required to perform the following during a watercraft stop or at a watercraft checkpoint:

1. Stop or halt as directed when being hailed by a peace officer or entering the established checkpoint boundary as prescribed under A.R.S. § 5-391, and

2. Provide evidence of required safety equipment and registration documentation prescribed under A.R.S. Title 5, Chapter 3, Boating and Water Sports.

C. This Section does not limit any state peace officer's authority to conduct routine watercraft patrol efforts prescribed under A.R.S. Title 5, Chapter 3, Boating and Water Sports.

Authorizing Statute
General: A.R.S. §§ 5-302 and 5-311(A)(1)
Specific: A.R.S. §§ 5-311(A)(5), 5-311(A)(7), 5-391(B), and 5-391(C)

Historical Note
New Section made by final rulemaking at 13 A.A.R. 4511, effective February 2, 2008 (Supp. 07-4). Amended by final rulemaking at 19 A.A.R. 931, effective July 1, 2013.

R12-4-529. Nonresident Boating Safety Infrastructure Fee; Proof of Payment; Decal

A. A nonresident owner of a recreational watercraft who establishes this State as the state of principal operation shall pay the Nonresident Boating Safety Infrastructure Fee (NBSIF) established under A.R.S. § 5-327 before placing that watercraft on the waterways of this State.

B. The nonresident recreational watercraft owner shall carry and display proof of payment of the fee while the watercraft is underway, moored, or anchored on the waterways of this State. Acceptable proof of payment means any one of the following:

1. A current Arizona Watercraft Certificate of Number indicating the NBSIF was paid,
2. A current Arizona Watercraft Temporary Certificate of Number indicating the NBSIF was paid,
3. A current Arizona Watercraft Registration Decal indicating the NBSIF was paid, or
4. A current Arizona Nonresident Boating Safety Infrastructure Decal.

C. The Nonresident Boating Safety Infrastructure Decal shall be affixed in front of the Arizona Watercraft Registration Decal on both sides of the forward half of the watercraft.

Authorizing Statute
General: A.R.S. §§ 5-302 and 5-311(A)(1)
Specific: A.R.S. §§ 5-311(A)(5), 5-321, 5-326, and 5-327

Historical Note
New section adopted by final rulemaking at 19 A.A.R. 931, effective July 1, 2013.

ARTICLE 7. HERITAGE GRANTS

R12-4-701. Heritage Grant Definitions

In addition to the definitions provided under A.R.S. §§ 17-101 and 17-296, the following definitions apply to this Article:

"Administrative subunit" means a branch, chapter, department, division, section, school, or other similar divisional entity of an eligible applicant. For example, an individual:

School, but not an entire school district;
Field office or project office, but not an entire agency; or
Administrative department, but not an entire city government.

"Eligible applicant" means any public agency or non-profit organization sponsored by a public agency that meets the applicable requirements of this Article and does not have a Heritage Fund Grant in extension as authorized under R12-4-707(B).

"Facilities" means any structure or site improvements.

"Fund" means the Arizona Game and Fish Commission Heritage Fund, established under A.R.S. § 17-297.

"Grant agreement" means a document that details the terms and conditions of a grant project.

"Grant effective date" means the date the Department Director signs the Grant Agreement.

"In-kind" means contributions other than cash, which include individual and material resources that the applicant makes available to the project, e.g. a permanent public employee's' salary, volunteer time, materials, supplies, space, or other donated goods and services.

"Participant" means an eligible applicant who has been awarded a grant from the Heritage Fund.

"Project" means an activity, or series of related activities, or services described in the specific project scope of work and results in specific end products.

"Project period" means the time during which a participant shall complete all approved work and related expenditures associated with an approved project.

"Public agency" means the federal government or any federal department or agency, an Indian tribe, this state, all state departments, agencies, boards, and commissions, counties, school districts, public charter schools, cities, towns, all municipal corporations, and any other political subdivision.

"Publicly held land~~s~~" means federal, public, and reserved land, State Trust Land, and other lands within Arizona that are owned, controlled, or managed by the federal government, a state agency or political subdivision.

"Sensitive elements" means the specific areas within the geographical area, historically or currently occupied by a species or community of species, which comprise those physical or biological features essential to the establishment or continued existence of the species. These 'sensitive elements' may require special management, conservation or protection considerations.

"Term of public use" means the time period during which the project or facility is expected to be maintained for public use.

Authorizing Statute

General: A.R.S. §§ 17-231(A)(1) and 17-231(A)(2)
Specific: A.R.S. §§ 17-231(A)(7) and 17-231(A)(8)

Historical Note

Adopted effective July 12, 1996 (Supp. 96-3). Amended by final rulemaking at 8 A.A.R. 2692, effective June 6, 2002 (Supp. 02-2). Amended by final rulemaking at 13 A.A.R. 4587, effective February 2, 2008 (Supp. 07-4). Amended by final rulemaking at 19 A.A.R. 768, effective June 1, 2013.

R12-4-702. General Provisions

A. An applicant shall submit to the Department a Heritage Fund Grant application according to a schedule of due dates determined by the Director. In compliance with A.R.S. § 41-2702, the Department shall:
1. Provide public notice of the time, location, and due date for application submission; and
2. Furnish materials necessary to complete the application.

B. An eligible applicant, seeking Heritage Grant funding shall submit a Heritage Grant Application as established under this Article and in compliance with the Heritage Grant application materials.

C. An applicant shall demonstrate ownership or control of the project. Ownership or control may be demonstrated through fee title, lease, easement, or agreement. For all other project types related to sites not controlled by an applicant, an applicant shall provide written permission from the property owner authorizing the project activities and access. The applicant's proof of ownership or control or written permission shall demonstrate:
1. Permission for access is not revocable at will by the property owner, and
2. Public access will be granted to the project site for the life of the project, unless the purpose of the project proposal is to limit access.

D. The Department shall notify an applicant in writing of the results of the applicant's submission and announce Heritage Grant awards at a regularly scheduled open meeting of the Commission.

E. A participant shall not begin a project described in an application until after the grant effective date.

F. A participant shall complete the project as specified under the terms and conditions of the Grant Agreement.

G. A participant shall deposit transferred Heritage Grant Funds in a dedicated non-interest bearing account carrying the name and number of the project.

H. A participant shall use awarded Heritage Grant Funds solely for eligible purposes of the funding program as defined by law and as approved by the Department.

I. A participant shall not use Heritage Grant Funds for the purpose of producing income unless authorized by the Department. A participant

shall use income generated to further the purpose of the approved project or surrender the income to the original funding source.

J. If a balance of awarded Heritage Grant funds remain, upon completion of approved project elements, the participant may, with Department approval, use those unexpended funds for an additional project consistent with the original scope of work or surrender those unexpended funds to the Department.

K. A participant shall use equipment purchased with Heritage Grant funds in a manner consistent with the purposes of the Grant Agreement, and surrender the equipment to the Department upon completion of the project, if the equipment has an acquisition cost of more than $500.

L. A participant shall not use Heritage Grant funds to pay the salary of any permanent public employee. A participant may use a permanent employee's time as in-kind match for the project specified in the Grant Agreement.

M. A participant shall allow Department employees or agents to conduct inspections and reviews:

1. To ensure compliance with all terms and conditions established under the Grant Agreement.
2. Before release of the final payment.

N. A participant shall submit records that substantiate the expenditure of Heritage Grant funds.

O. A participant shall bear full responsibility for performance by subcontractors to ensure compliance with the Grant Agreement.

P. A participant shall pay all costs associated with the operation and maintenance of properties, facilities, equipment, services, publications, and other media funded by a Heritage Grant for the term of public use as specified in the Grant Agreement.

Q. A participant shall give public acknowledgment of Heritage Fund grant assistance for the term of public use of a project. If a project involves acquisition of property, development of public access, or renovation of a habitat site, the participant shall install a permanent sign describing the funding sources. The participant may include the cost of this signage as part of the original project. The participant is responsible for maintenance or replacement of the sign as required. For other project types, the participant shall include Heritage Fund grant funding acknowledgment on any publicly available or accessible products resulting from the project.

R. An administrative subunit that failed to comply with the terms and conditions of a Grant Agreement shall not apply for, nor be considered for, further Heritage Grants until the administrative subunit's project is brought into compliance.

S. An administrative subunit that has a Heritage Grant funded project in extension shall not apply for, nor be considered for, further Heritage Grants until the administrative subunit's project under extension is completed.

Authorizing Statute

General: A.R.S. §§ 17-231(A)(1) and 17-231(A)(7)
Specific: A.R.S. §§ 17-297 and 17-298

Historical Note

Adopted effective July 12, 1996 (Supp. 96-3). Amended by final rulemaking at 8 A.A.R. 2692, effective June 6, 2002 (Supp. 02-2). Amended by final rulemaking at 13 A.A.R. 4587, effective February 2, 2008 (Supp. 07-4). Amended by final rulemaking at 19 A.A.R. 768, effective June 1, 2013.

R12-4-703. Heritage Grant Program Funds

A. Environmental Education Grant. An eligible applicant shall ensure a proposed project is designed to:

1. Develop awareness, appreciation, and understanding of Arizona's wildlife and its environment and increase responsible actions toward wildlife;
2. Use Arizona wildlife as its focus and present wildlife issues in a balanced and fair manner; and
3. Benefit Arizona public schools, public charter schools, and students.

B. IIAPM Grant: Identification, Inventory, Acquisition, Protection, and Management of Sensitive Elements. An eligible applicant shall ensure a proposed project is designed to:

1. Preserve and enhance Arizona's natural biological diversity; and

2. Incorporate identification, inventory, acquisition, protection, or management of sensitive elements.

C. Outdoor Education Grant: An eligible applicant shall ensure a proposed project is designed to:
1. Provide a meaningful outdoor educational experience;
2. Develop awareness, appreciation, and stewardship of Arizona's wildlife and wildlife habitats; and
3. Benefit Arizona public schools, public charter schools, and students.

D. Public Access Grant: An eligible applicant shall ensure a proposed project:
1. Is designed to increase or maintain public access for recreational use related to wildlife;
2. Is in cooperation with federal land managers, local and state governments, private landowners, or public users, as applicable; and
3. Is designed to inform and educate the public about recreational use of publicly held lands and public access to those lands.

E. Schoolyard Habitat Grant: An eligible applicant shall ensure a proposed project is designed to:
1. Develop awareness, appreciation, and understanding of Arizona's wildlife and its environment;
2. Encourage wildlife educational activities on Arizona school sites or adjacent areas;
3. Encourage native wildlife species, utilize native plant materials, and demonstrate water conservation techniques;
4. Allow Arizona students to actively participate in the planning, development, and construction process;
5. Be integrated into the school curriculum; and
6. Benefit Arizona public schools, public charter schools, and students.

F. Urban Wildlife and Urban Wildlife Habitat Grant. An eligible applicant shall ensure a proposed project:
1. Is designed to conserve, enhance, and establish wildlife habitats and populations consistent with urban environments, and increase public awareness and support for urban wildlife resources; and
2. Meets one of the following criteria:
   a. Is within the incorporated limits of a city or town;
   b. Is within five miles, in straight distance, of the boundary of an incorporated area; or
   c. Is an area that receives significant impact from residential development, as determined by the Department.

Authorizing Statute

General: A.R.S. §§ 17-231(A)(1) and 17-231(A)(7)
Specific: A.R.S. §§ 17-297 and 17-298

Historical Note

Adopted effective July 12, 1996 (Supp. 96-3). Amended by final rulemaking at 8 A.A.R. 2692, effective June 6, 2002 (Supp. 02-2). Amended by final rulemaking at 13 A.A.R. 4587, effective February 2, 2008 (Supp. 07-4).Amended by final rulemaking at 19 A.A.R. 768, effective June 1, 2013.

R12-4-704. Grant Application

A. To be considered for a Heritage Grant, an eligible applicant shall submit a grant application as established under this Article and in compliance with the Heritage Grant Application materials.

B. An applicant who is applying for multiple projects shall submit a separate application for each project.

C. An applicant shall provide the following information on the Heritage Grant application form:
1. The name of the applicant;
2. Any county and legislative district where the project will be developed or upon which the project will have a direct impact;
3. The name, title, mailing address, e-mail address, and telephone number of the individual responsible for the day-to-day management of the proposed project;
4. Identification of the specific Heritage Grant program fund;
5. A descriptive project title;
6. The name of the site, primary location, and any other locations of the project;
7. Description of the:

a. Scope of work and the objective of the proposed project,
b. Methods for achieving the objective, and
c. Desired result of the project;

8. The beginning and ending dates for the project;
9. The resources needed to accomplish the project, including grant monies requested, and, if applicable, evidence of secured matching funds or contributions;
10. If the eligible applicant is a non-profit organization exempt from federal income taxation under Section 501(c) of the Internal Revenue Code, documentation or other evidence of the exemption; and
11. Any additional supporting information required by the Department.

D. The person signing the grant application form shall have the authority to enter into agreements, accept funding, and fulfill the terms of the Grant Agreement on behalf of the applicant.

Authorizing Statute
General: A.R.S. §§ 17-231(A)(1) and 17-231(A)(7)
Specific: A.R.S. §§ 17-297 and 17-298

Historical Note
Adopted effective July 12, 1996 (Supp. 96-3). Amended by final rulemaking at 8 A.A.R. 2692, effective June 6, 2002 (Supp. 02-2). Amended by final rulemaking at 13 A.A.R. 4587, effective February 2, 2008 (Supp. 07-4). Amended by final rulemaking at 19 A.A.R. 768, effective June 1, 2013.

R12-4-705. Review of Proposals

A. Heritage Grant proposals are competitive and the Department shall make awards based on a proposed project's compatibility with the priorities of the Department, as approved by the Commission.

B. The Department may require an applicant to modify the application prior to awarding a Heritage Grant, if the Department determines that the modification is necessary for the successful completion of the project.

Authorizing Statute
General: A.R.S. §§ 17-231(A)(1) and 17-231(A)(7)
Specific: A.R.S. §§ 17-297 and 17-298

Historical Note
Adopted effective July 12, 1996 (Supp. 96-3). Amended by final rulemaking at 8 A.A.R. 2692, effective June 6, 2002 (Supp. 02-2). Amended by final rulemaking at 13 A.A.R. 4587, effective February 2, 2008 (Supp. 07-4). Amended by final rulemaking at 19 A.A.R. 768, effective June 1, 2013.

R12-4-706. State Historic Preservation Office Review

When applicable, the Department shall not release Heritage Grant Funds until after the Department has consulted with the State Historic Preservation Office regarding the proposed project's potential impact on historic and archeological properties and resources.

Authorizing Statute
General: A.R.S. §§ 17-231(A)(1) and 17-231(A)(7)
Specific: A.R.S. §§ 17-297 and 17-298

Historical Note
Adopted effective July 12, 1996 (Supp. 96-3). Amended by final rulemaking at 13 A.A.R. 4587, effective February 2, 2008 (Supp. 07-4). Amended by final rulemaking at 19 A.A.R. 768, effective June 1, 2013.

R12-4-707. Grant Agreement

A. Before the Department transfers any grant funds, the applicant shall sign the Grant Agreement.

B. A participant may request an extension beyond the approved project period by writing to the Department. Requests for an extension shall be submitted by the participant no later than 30 days before the end of the project period. If approved, an extension shall be signed by both the participant and the Department.

C. Notwithstanding subsection (B), the Department may extend the project period for good cause such as, but not limited to, inclement weather or internal personnel changes.

D. The Department and the participant may amend the Grant Agreement during the project period. A participant seeking to amend the Grant Agreement shall submit a written request that includes justification to amend the Grant Agreement. The Department shall prepare any approved amendment in writing and both the Department and the participant shall sign the amendment.

E. If a participant is in default of the Grant Agreement, the Department may:
1. Terminate the Grant Agreement,
2. Seek recovery of grant monies awarded, and
3. Classify the participant as ineligible for Heritage Fund Grants for a period of up to five years.

F. The Department, at its sole discretion, has the authority to include additional conditions in the Grant Agreement prior to signing the Agreement and through Amendment.

Authorizing Statute
General: A.R.S. §§ 17-231(A)(1) and 17-231(A)(7)
Specific: A.R.S. §§ 17-297 and 17-298

Historical Note
Adopted effective July 12, 1996 (Supp. 96-3). Amended by final rulemaking at 8 A.A.R. 2692, effective June 6, 2002 (Supp. 02-2). Amended by final rulemaking at 13 A.A.R. 4587, effective February 2, 2008 (Supp. 07-4). Amended by final rulemaking at 19 A.A.R. 768, effective June 1, 2013.

R12-4-708. Reporting and Recordkeeping Requirements

A. A participant shall submit project status reports to the Department Grant Agreement. The project status report shall include the following information, as applicable:
1. Progress in completing approved work;
2. Itemized, cumulative project expenditures;
3. A financial accounting of:
   a. Heritage Grant Funds,
   b. Matching funds,
   c. Donations, and
   d. Income derived from project funds;
4. Any delays or problems that may prevent the on-time completion of the project; and
5. Any other information required by the Department.

B. At the end of the project period and for each year until the end of the term of public use, a participant shall:
1. Certify compliance with the Grant Agreement, and
2. Complete a post-completion report form furnished by the Department.

C. A participant shall submit project status reports, as required in the grant materials. If a participant fails to submit a project status report, the Department may not release any remaining grant monies until the participant has submitted all past due project status reports.

D. Each participant shall retain and shall contractually require each subcontractor to retain all books, accounts, reports, files, and any other records relating to the acquisition and performance of the contract for a period of five years from the end date of the project period. The Department may inspect and audit participant and subcontractor records as prescribed under A.R.S. § 35-214. Upon the Department's request, a participant or subcontractor shall produce a legible copy of these records.

Authorizing Statute
General: A.R.S. §§ 17-231(A)(1) and 17-231(A)(7)
Specific: A.R.S. §§ 17-297, 17-298, 17-298.01, and 35-214

Historical Note
Adopted effective July 12, 1996 (Supp. 96-3). Amended by final rulemaking at 8 A.A.R. 2692, effective June 6, 2002 (Supp. 02-2). Amended by final rulemaking at 13 A.A.R. 4587, effective February 2, 2008 (Supp. 07-4). Amended by final rulemaking at 19 A.A.R. 768, effective June 1, 2013.

ARTICLE 8. WILDLIFE AREAS AND DEPARTMENT PROPERTY

R12-4-801. General Provisions

A. Wildlife areas shall be established to:

1. Provide protective measures for wildlife, habitat, or both;
2. Allow for special management or research practices; and
3. Enhance wildlife and habitat conservation.

B. Wildlife areas shall be:
1. Lands owned or leased by the Commission and managed by the Department;
2. Federally-owned lands of unique wildlife habitat where cooperative agreements provide wildlife management and research implementation; or
3. Any lands with property interest conveyed to the Commission by any entity, through approved land use agreement, including but not limited to deeds, patents, leases, conservation easements, special use permits, licenses, agreement, management agreement, inter-agency agreements, letter agreements, and right-of-entry, where said property interest is sufficient for management of the lands consistent with the objectives of the wildlife area.

D. Land qualified for wildlife areas shall be:
1. Lands with unique topographic or vegetative characteristics that contribute to wildlife,
2. Lands where certain wildlife species are confined because of habitat demands,
3. Lands that can be physically managed and modified to attract wildlife, or
4. Lands that are identified as critical habitat for certain wildlife species during critical periods of their life cycles.

E. The Department may restrict public access to and public use of wildlife areas and the resources of wildlife areas for up to 90 days when necessary to protect property, ensure public safety, or to ensure maximum benefits to wildlife. Closures or restrictions exceeding 90 days shall require Commission approval.

F. Closures of all or any part of a wildlife area to public entry, and any restriction to public use of a wildlife area, shall be listed in this Article or shall be clearly posted at each entrance to the wildlife area. No person shall conduct an activity restricted by this Article or by such posting.

G. When a wildlife area is posted against travel except on existing roads, no person shall drive a motor-operated vehicle over the countryside except by road.

H. The Department may take action to manage the access and use of any Commission real property or facilities. Such actions may include restrictions for the timing, type, or duration of certain activities, including the prohibition of access or type of use.

I. No person shall access or use any Commission real property or facilities in violation of any Department actions authorized under subsection (H), if signs are posted providing notice of the restrictions.

Authorizing Statute

General: A.R.S. § 17-231(A)(1)
Specific: A.R.S. §§17-231(B)(2) and 41-1005(A)

Historical Note

New Section adopted by exempt rulemaking at 6 A.A.R. 1731, effective May 1, 2000 (Supp. 00-2). Amended by exempt rulemaking at 17 A.A.R. 800, effective June 20, 2011 (Supp. 11-2). Amended by exempt rulemaking at 18 A.A.R. 1070, effective June 15, 2012

R12-4-802. Wildlife Area and Other Department Managed Property Restrictions

A. No person shall violate the following restrictions on Wildlife Areas:
1. Alamo Wildlife Area (located in Units 16A and 44A):
   a. Wood collecting limited to dead and down material, for onsite noncommercial use only.
   b. Overnight public camping in the wildlife area outside of Alamo State Park allowed for no more than 14 days within a 45-day period.
   c. Motorized vehicle travel permitted on designated roads or areas only, except an individual may use a vehicle on or off road to pick up lawfully taken big game animals. This subsection does not apply to Department authorized vehicles or law enforcement, fire response, or other emergency vehicles.
   d. Open to all hunting as permitted under R12-4-304 and R12-4-318.
2. Allen Severson Wildlife Area (located in Unit 3B):
   a. No open fires.

b. No firewood cutting or gathering.
c. No overnight public camping.
d. Motorized vehicle travel permitted on designated roads or areas only. This subsection does not apply to Department authorized vehicles or law enforcement, fire response, or other emergency vehicles.
e. Posted portions closed to discharge of all firearms from April 1 through July 31 annually.
f. Open to all hunting as permitted under R12-4-304 and R12-4-318, except posted portions closed to hunting from April 1 through July 31 annually.

3. Aravaipa Canyon Wildlife Area (located in Units 31 and 32):
   a. Access to Aravaipa Canyon Wilderness Area is by permit only, available through the Safford Office of the Bureau of Land Management.
   b. Motorized vehicle travel permitted on designated roads or areas only. This subsection does not apply to Department authorized vehicles or law enforcement, fire response, or other emergency vehicles.
   c. Open to all hunting as permitted under R12-4-304 and R12-4-318, except the wildlife area is closed to the discharge of all firearms.
4. Arlington Wildlife Area (located in Unit 39):
   a. No open fires.
   b. No firewood cutting or gathering.
   c. No overnight public camping.
   d. Motorized vehicle travel permitted on designated roads, trails, or areas only. This subsection does not apply to Department authorized vehicles or law enforcement, fire response, or other emergency vehicles.
   e. Target or clay bird shooting permitted in designated areas only.
   f. Open to all hunting as permitted under R12-4-304 and R12-4-318, except the wildlife area is closed to the discharge of rifled firearms.
5. Base and Meridian Wildlife Area (located in Units 39, 26M, and 47M):
   a. No open fires.
   b. No firewood cutting or gathering.
   c. No overnight public camping.
   d. Motorized vehicle travel permitted on designated roads, trails, or areas only. This subsection does not apply to Department authorized vehicles or law enforcement, fire response, or other emergency vehicles.
   e. No target or clay bird shooting.
   f. Open to all hunting in season as permitted under R12-4-304 and R12-4-318, except the wildlife area–is closed to the discharge of rifled firearms.
6. Becker Lake Wildlife Area (located in Unit 1):
   a. No open fires.
   b. No overnight public camping.
   c. Motorized vehicle travel permitted on designated roads, trails, or areas only. This subsection does not apply to Department authorized vehicles or law enforcement, fire response, or other emergency vehicles.
   d. The Becker Lake boat launch access road and parking areas along with any other posted portions of the wildlife area will be closed to all public entry from one hour after sunset to one hour before sunrise daily.
   e. Posted portions closed to public entry from December through July 31 annually.
   f. Posted portions closed to hunting.
   g. Open to all hunting in season as permitted under R12-4-304 and R12-4-318, except the wildlife area is closed to the discharge of rifled firearms.
7. Bog Hole Wildlife Area (located in Unit 35B):
   a. No open fires.
   b. No firewood cutting or gathering.
   c. No overnight public camping.
   d. Motorized vehicle travel permitted on designated roads, trails, or areas only. This subsection does not apply to Department authorized vehicles or law enforcement, fire response or other emergency vehicles.
   e. Open to all hunting in season as permitted under R12-4-304

and R12-4-318.

8. Chevelon Canyon Ranches Wildlife Area (located in Unit 4A):
   a. No open fires.
   b. No firewood cutting or gathering.
   c. No overnight public camping.
   d. Motorized vehicle travel permitted on designated roads and areas only, except as permitted under R12-4-110(G). This subsection does not apply to Department authorized vehicles or law enforcement, fire response, or other emergency vehicles.
   e. Open to all hunting in season as permitted under R12-4-304 and R12-4-318.
9. Chevelon Creek Wildlife Area (located in Unit 4B):
   a. No open fires.
   b. No firewood cutting or gathering.
   c. No overnight public camping.
   d. Motorized vehicle travel permitted on designated roads and areas only, except as permitted under R12-4-110(G). This subsection does not apply to Department authorized vehicles or law enforcement, fire response, or other emergency vehicles.
   e. Posted portions closed to all public entry.
   f. Additional posted portions closed to public entry from October 1 through February 1 annually.
   g. Open to all hunting in season as permitted under R12-4-304 and R12-4-318, except posted portions closed to hunting from October 1 through February 1 annually.
10. Cibola Valley Conservation and Wildlife Area (located in unit 43A):
   a. No open fires.
   b. No firewood cutting or gathering.
   c. No overnight public camping.
   d. Motorized vehicle travel permitted on designated and administrative roads and areas only for the purpose of retrieving lawfully taken big game animals. This subsection does not apply to Department authorized vehicles or law enforcement, fire response, or other emergency vehicles.
   e. Posted portions closed to public entry.
   f. Open to all hunting in season as permitted under R12-4-304 and R12-4-318, except legal weapons restricted to shotguns shooting shot and bow and arrow.
11. Clarence May and C.H.M. May Memorial Wildlife Area (located in Unit 29):
   a. Closed to discharge of all firearms.
   b. Closed to hunting.
12. Cluff Ranch Wildlife Area (located in Unit 31):
   a. Open fires allowed in designated areas only.
   b. Wood collecting limited to dead and down material, for onsite noncommercial use only.
   c. Overnight public camping allowed in designated areas only, for no more than five days within a 14-day period.
   d. Motorized vehicle travel permitted on designated roads, trails, or areas only. This subsection does not apply to Department authorized vehicles or law enforcement, fire response, or other emergency vehicles.
   e. Posted portions around Department housing and Pond Three are closed to discharge of all firearms.
   f. Open to all hunting in season as permitted under R12-4-304 and R12-4-318, except the wildlife area is closed to the discharge of centerfire rifled firearms.
13. Colorado River Nature Center Wildlife Area (located in Unit 15D):
   a. No open fires.
   b. No firewood cutting or gathering.
   c. No overnight public camping.
   d. Motorized vehicle travel permitted on designated roads or areas only. This subsection does not apply to Department authorized vehicles, law enforcement, fire response, or other emergency vehicles.
   e. Closed to hunting.
14. Fool Hollow Lake Wildlife Area (located in Unit 3C):
   a. No open fires.
   b. No firewood cutting or gathering.
   c. No overnight public camping.
   d. Motorized vehicle travel permitted on designated roads, trails,

or areas only. This subsection does not apply to Department authorized vehicles or law enforcement, fire response, or other emergency vehicles.

e. The parking area adjacent to Sixteenth Avenue and other posted portions of the wildlife area will be closed to all public entry daily from one hour after sunset to one hour before sunrise, except for anglers possessing a valid fishing license accessing Fool Hollow Lake/Show Low Creek.

f. Open to hunting in season as permitted under R12-4-304 and R12-4-318.

15. House Rock Wildlife Area (located in Unit 12A):
    a. Motorized vehicle travel permitted on designated roads, trails, or areas only. This subsection does not apply to Department authorized vehicles, law enforcement, fire response, or other emergency vehicles.
    b. Open to all hunting in season as permitted under R12-4-304 and R12-4-318.
16. Jacques Marsh Wildlife Area (located in Unit 3B):
    a. No open fires.
    b. No firewood cutting or gathering.
    c. No overnight public camping.
    d. Motorized vehicle travel permitted on designated roads or areas only. This subsection does not apply to Department authorized vehicles or law enforcement, fire response, or other emergency vehicles.
    e. Open to all hunting in season as permitted under R12-4-304 and R12-4-318, except the wildlife area is closed to the discharge of rifled firearms.
17. Lamar Haines Wildlife Area (located in Unit 7):
    a. No open fires.
    b. No firewood cutting or gathering.
    c. No overnight public camping.
    d. Motorized vehicle travel permitted on designated roads or areas only, except as permitted under R12-4-110(G). This subsection does not apply to Department authorized vehicles or law enforcement, fire response, or other emergency vehicles.
    e. Open to all hunting in season as permitted under R12-4-304 and R12-4-318.
18. Luna Lake Wildlife Area (located in Unit 1):
    a. Posted portions closed to public entry from February 15 through July 31 annually.
    b. Open to all hunting in season as permitted under R12-4-304 and R12-4-318, except when closed to hunting from April 1 through July 31 annually.
    c. Motorized vehicle travel permitted on designated roads or areas only. This subsection does not apply to Department authorized vehicles or law enforcement, fire response, or other emergency vehicles.
19. Mittry Lake Wildlife Area (located in Unit 43B):
    a. Open fires allowed in designated areas only.
    b. Overnight public camping allowed in designated areas only, for no more than 10 days per calendar year.
    c. Motorized vehicle travel permitted on designated roads, trails, or areas only. This subsection does not apply to Department authorized vehicles or law enforcement, fire response, or other emergency vehicles.
    d. Posted portions closed to public entry from November 15 through February 15 annually.
    e. Open to all hunting in season as permitted under R12-4-304 and R12-4-318, except posted portions closed to hunting from November 15 through February 15 annually.
20. Powers Butte (Mumme Farm) Wildlife Area (located in Unit 39):
    a. No open fires.
    b. No firewood cutting or gathering.
    c. No overnight public camping.
    d. Motorized vehicle travel permitted on posted designated roads, trails, or areas only. This subsection does not apply to Department authorized vehicles or law enforcement, fire response, or other emergency vehicles.
    e. If conducted during an event approved under R12-4-804, target or clay bird shooting is permitted in designated areas only.
    f. Open to all hunting in season as permitted under R12-4-304

and R12-4-318, except the wildlife area is closed to the discharge of centerfire rifled firearms.

21. Quigley Wildlife Area (located in Unit 41):
    a. No open fires.
    b. No overnight public camping.
    c. Motorized vehicle travel permitted on designated roads, trails, or areas only. This subsection does not apply to Department authorized vehicles or law enforcement, fire response, or other emergency vehicles.
    d. Posted portions closed to public entry from September 1 through March 31 annually.
    e. Open to all hunting in season as permitted under R12-4-304 and R12-4-318, except posted portions closed to hunting from September 1 through March 31 annually.
22. Raymond Wildlife Area (located in Unit 5B):
    a. Overnight public camping permitted in designated sites only, for no more than 14 consecutive days.
    b. Motorized vehicle travel permitted on designated roads, trails, or areas only, except as permitted under R12-4-110 (G). All-terrain and utility type vehicles are prohibited. For the purpose of this subsection, all-terrain and utility type vehicle means a motor vehicle having three or more wheels fitted with large tires and is designed chiefly for recreational use over roadless, rugged terrain. This subsection does not apply to Department authorized vehicles or law enforcement, fire response, or other emergency vehicles.
    c. Open to all hunting in season as permitted under R12-4-304 and R12-4-318 except posted portions closed to hunting periodically during hunting seasons.
    d. Members of the public are prohibited from being within 1/4 mile of the Raymond Wildlife Area buffalo herd while on Raymond Wildlife Area, except when taking buffalo or accompanied by Department personnel.
    e. Prior to entering Raymond Wildlife Area, members of the public shall sign in at a posted sign-in kiosk and by doing so acknowledge they have read and shall comply with the posted Raymond Wildlife Areas restrictions.
23. Robbins Butte Wildlife Area (located in Unit 39):
    a. No open fires.
    b. No firewood cutting or gathering.
    c. No overnight public camping.
    d. Motorized vehicle travel permitted on designated roads, trails, or areas only from one hour before sunrise to one hour after sunset daily. This subsection does not apply to Department authorized vehicles or law enforcement, fire response, or other emergency vehicles.
    e. Parking in designated areas only.
    f. If conducted during an event approved under R12-4-804, target or clay bird shooting is permitted in designated areas only.
    g. Open to all hunting in season as permitted under R12-4-304 and R12-4-318 except:
        i. Posted portions around Department housing closed to the discharge of all firearms; and
        ii. Wildlife area is closed to the discharge of centerfire rifled firearms.
24. Roosevelt Lake Wildlife Area (located in Units 22, 23, and 24B):
    a. Posted portions closed to public entry from November 15 through February 15 annually.
    b. Motorized vehicle travel permitted on designated roads, trails, or areas only. This subsection does not apply to Department authorized vehicles or law enforcement, fire response, or other emergency vehicles.
    c. Open to all hunting in season as permitted under R12-4-304 and R12-4-318, except posted portions closed to hunting from November 15 through February 15 annually.
25. Santa Rita Wildlife Area (located in Unit 34A):
    a. Motorized vehicle travel permitted on designated roads or areas only, except as permitted under R12-4-110(G). This subsection does not apply to Department authorized vehicles or law enforcement, fire response, or other emergency vehicles.
    b. Open to all hunting as permitted under R12-4-304 and R12-4-318, except that the take of wildlife with firearms is prohibited

from March 1 through August 31.

26. Sipe White Mountain Wildlife Area (located in Unit 1):
    a. No open fires.
    b. No firewood cutting or gathering.
    c. No overnight public camping.
    d. Motorized vehicle travel permitted on designated roads or areas only, except as permitted under R12-4-110(G). This subsection does not apply to Department authorized vehicles or law enforcement, fire response, or other emergency vehicles.
    e. Open to all hunting in season as permitted under R12-4-304 and R12-4-318, except posted portions around Department housing is closed to the discharge of all firearms.
27. Springerville Marsh Wildlife Area (located in Unit 2B):
    a. No open fires.
    b. No firewood cutting or gathering.
    c. No overnight public camping.
    d. Motorized vehicle travel permitted on designated roads or areas only. This subsection does not apply to Department authorized vehicles or law enforcement, fire response, or other emergency vehicles.
    e. Closed to discharge of all firearms.
    f. Closed to hunting.
28. Sunflower Flat Wildlife Area (located in Unit 8):
    a. No open fires.
    b. No overnight public camping.
    c. Motorized vehicle travel permitted on designated roads or areas only, except as permitted under R12-4-110(G). This subsection does not apply to Department authorized vehicles or law enforcement, fire response, or other emergency vehicles.
    d. Open to all hunting in season as permitted under R12-4-304 and R12-4-318.
29. Three Bar Wildlife Area (located in Unit 22):
    a. Motorized vehicle travel permitted on designated roads, trails, or areas only. This subsection does not apply to Department authorized vehicles or law enforcement, fire response, or other emergency vehicles.
    b. Open to hunting in season, as permitted under R12-4-304 and R12-4-318, except the area within the fenced enclosure inside the loop formed by Tonto National Forest Road 647, also known as the Walnut Canyon Enclosure, which is closed to hunting, unless otherwise provided under Commission Order.
30. Tucson Mountain Wildlife Area (located in Unit 38M):
    a. Motorized vehicle travel permitted on designated roads or areas only. This subsection does not apply to Department authorized vehicles or law enforcement, fire response, or other emergency vehicles.
    b. Open to all hunting in season as permitted under R12-4-304 and R12-4-318, except:
        i. Portions posted as closed to hunting, and
        ii. Wildlife area is closed to the discharge of all firearms.
    c. Archery deer and archery javelina hunters must check in with the Arizona Game and Fish Tucson Regional Office prior to going afield.
31. Upper Verde River Wildlife Area (located in Unit 8 and 19A):
    a. No open fires.
    b. No firewood cutting or gathering.
    c. Overnight public camping allowed in designated areas only.
    d. Motorized vehicle travel permitted on designated roads or areas only. This subsection does not apply to Department authorized vehicles or law enforcement, fire department, or other emergency vehicles.
    e. Open to all hunting in season as permitted under R12-4-304 and R12-4-318, except the wildlife area is closed to the discharge of firearms within a one mile radius of visitor parking area.
    f. All dogs must remain on leash except for hunting dogs during a legal open season.
32. Wenima Wildlife Area (located in Unit 2B):
    a. No open fires.
    b. No firewood cutting or gathering.
    c. No overnight public camping.
    d. Motorized vehicle travel permitted on designated roads or

areas only, except as permitted under R12-4-110(G). This subsection does not apply to Department authorized vehicles or law enforcement, fire response, or other emergency vehicles.

e. Open to all hunting in season as permitted under R12-4-304 and R12-4-318, except posted portions closed to the discharge of all firearms.

33. White Mountain Grasslands Wildlife Area (located in Unit 1):
    a. No open fires.
    b. No overnight public camping.
    c. Motorized vehicle travel permitted on designated roads or areas only, except as permitted under R12-4-110(G). This subsection does not apply to Department authorized vehicles or law enforcement, fire response, or other emergency vehicles.
    d. Posted portions closed to public entry.
    e. Open to all hunting in season as permitted under R12-4-304 and R12-4-318.
34. Whitewater Draw Wildlife Area (located in Unit 30B):
    a. Open fires allowed in designated areas only.
    b. Overnight public camping allowed in designated areas only, for no more than three days within a seven-day period.
    c. Motorized vehicle travel permitted on designated roads, trails, or areas only. This subsection does not apply to Department authorized vehicles or law enforcement, fire response, or other emergency vehicles.
    d. Posted portions closed to public entry from October 15 through March 15 annually.
    e. Open to all hunting in season as permitted under R12-4-304 and R12-4-318, except the wildlife area is closed to the discharge of centerfire rifled firearms.
35. Willcox Playa Wildlife Area (located in Unit 30A):
    a. Open fires allowed in designated areas only.
    b. No firewood cutting or gathering.
    c. Overnight public camping allowed in designated areas only, for no more than five days within a 14-day period.
    d. Motorized vehicle travel permitted on designated roads, trails, or areas only. This subsection does not apply to Department authorized vehicles or law enforcement, fire response, or other emergency vehicles.
    e. Posted portions closed to public entry from October 15 through March 15 annually.
    f. Open to all hunting in season as permitted under R12-4-304 and R12-4-318, except posted portions closed to hunting from October 15 through March 15 annually.

B. Notwithstanding Commission Order 40, public access and use of the Hirsch Conservation Education Area and Biscuit Tank is limited to activities conducted and offered by the Department and in accordance with the Department's special management objectives for the property, which include, but are not limited to, flexible harvest, season, and methods that:

1. Allow for a variety of fishing techniques, fish harvest, fish consumption, and catch and release educational experiences;
2. Maintain healthy, productive, and balanced fish grouping; and
3. Provide public education activities and training courses that are compatible with the management of aquatic wildlife.

Authorizing Statute

General: A.R.S. § 17-231(A)(1)
Specific: A.R.S. §§17-231(B)(2) and 41-1005(A)

Historical Note

New Section adopted by exempt rulemaking at 6 A.A.R. 1731, effective May 1, 2000 (Supp. 00-2). Amended by exempt rulemaking at 8 A.A.R. 2107, effective May 1, 2002 (Supp. 02-2). Amended by exempt rulemaking at 9 A.A.R. 3141, effective August 23, 2003 (Supp. 03-2). Amended by exempt rulemaking at 10 A.A.R. 1976, effective May 14, 2004 (Supp. 04-2). Amended by exempt rulemaking at 11 A.A.R. 1927, effective May 20, 2005 (Supp. 05-2). Amended by exempt rulemaking at 12 A.A.R. 1698, effective May 19, 2006 (Supp. 06-2). Amended by exempt rulemaking at 13 A.A.R. 1741, effective May 18, 2007 (Supp. 07-2). Amended by exempt rulemaking at 14 A.A.R. 1841, effective April 22, 2008 (Supp. 08-2). Amended by exempt rulemaking at 16 A.A.R. 397, effective March 5, 2010 (Supp. 10-1). Amended by exempt rulemaking at 17 A.A.R. 800, effective

June 20, 2011 (Supp. 11-2). Amended by exempt rulemaking at 18 A.A.R. 1070, effective June 15, 2012. Amended by exempt rulemaking at 19 A.A.R. 931, effective June 17, 2013.

R12-4-803. Wildlife Area and Other Department Managed Property Boundary Descriptions

A. Wildlife Areas are described as follows:

1. Alamo Wildlife Area: The Alamo Wildlife Area shall be those areas described as:
   T10N, R13W
   Section 1, W1/2NW1/4, NW1/4SW1/4;
   Section 2 and Section 3;
   Section 4, E1/2SW1/4, SE1/4;
   Section 9, NE1/4, E1/2NW1/4;
   Section 10, N1/2NW1/4, NW1/4NE1/4.
   T11N, R11W
   Section 7, S1/2SW1/4;
   Section 18, N1/2 NW1/4.
   T11N, R12W
   Section 4, Lots 2, 3 and 4, SW1/4NE1/4, S1/2NW1/4, SW1/4, W1/2SE1/4;
   Section 5, Lot 1, SE1/4NE1/4, E1/2SE1/4;
   Section 7, S1/2, SE1/4 NE1/4;
   Section 8, NE1/4, S1/2NW1/4, S1/2;
   Section 9;
   Section 10, S1/2NW1/4, S1/2;
   Section 11, S1/2S1/2;
   Section 12, S1/2S1/2;
   Section 13, N1/2, N1/2SW1/4, NW1/4SE1/4;
   Section 14, N1/2, E1/2SE1/4;
   Section 15, N1/2, SW1/4SW1/4, SW1/4SE1/4;
   Section 16, 17, 18 and 19;
   Section 20, N1/2, N1/2SW1/4;
   Section 21, NW1/4;
   Section 29, SW1/4, SW1/4SE1/4;
   Section 30;
   Section 31, N1/2, N1/2S1/2;
   Section 32, NW1/4, N1/2SW1/4.
   T11N, R13W
   Section 12, SE1/4SW1/4, SW1/4SE1/4, E1/2SE1/4;
   Section 13;
   Section 14, S1/2NE1/4, SE1/4SW1/4, SE1/4;
   Section 22, S1/2SW1/4, SE1/4;
   Section 23, E1/2, E1/2NW1/4, SW1/4NW1/4, SW1/4;
   Section 24, 25 and 26;
   Section 27, E1/2, E1/2W1/2;
   Section 34, E1/2, E1/2NW1/4, SW1/4;
   Sections 35 and 36.
   T12N, R12W
   Section 19, E1/2, SE1/4SW1/4;
   Section 20, NW1/4NW1/4, SW1/4SW1/4;
   Section 28, W1/2SW1/4;
   Section 29, W1/2NW1/4, S1/2, SE1/4NW1/4;
   Section 30, E1/2, E1/2NW1/4, NE1/4SW1/4;
   Section 31, NE1/4NE1/4;
   Section 32, N1/2, N1/2SE1/4, SE1/4SE1/4;
   Section 33, W1/2E1/2, W1/2.
   All in G&SRB&M, Mohave and La Paz Counties, Arizona.
2. Allen Severson Memorial Wildlife Area: The Allen Severson Memorial Wildlife Area shall be that area including Pintail Lake and South Marsh lying within the fenced and posted portions of:
   T11N, R22E
   Section 32, SE1/4;
   Section 33, S1/2SW1/4.
   T10N, R22E
   Section 4, N1/2NW1/4.
   T10N, R22E
   Section 4: the posted portion of the NW1/4SW1/4.
   All in G&SRB&M, Navajo County, Arizona, consisting of approximately 300 acres.
3. Aravaipa Canyon Wildlife Area: The Aravaipa Canyon Wildlife Area shall be that area within the flood plain of Aravaipa Creek and the first 50 vertical feet above the streambed within the boundaries of the Aravaipa Canyon Wilderness Area administered

by the Bureau of Land Management, Graham and Pinal Counties, Arizona.

4. Arlington Wildlife Area: The Arlington Wildlife Area shall be those areas described as:
T1S, R5W
Section 33, E½SE¼.
T2S, R5W
Section 3, W½W½;
Section 4, E½, and Parcel 401-58-001A as described by the Maricopa County Assessor's Office;
A parcel of land lying within Section 4, T2S, R5W, more particularly described as follows: commencing at the southwest corner of said Section 4, 2-inch aluminum cap (A.C.) in pothole stamped "RLS 36562", from
which the northwest corner of said section, a 1 ½-inch brass cap (B.C.) stamped "T1S R5W S32 S33 S5 S4 1968", bears North 00°09'36" East (basis of bearing), a distance of 4130.10 feet, said southwest corner being
the point of beginning; thence along the west line of said section, North 00°09'36" East, a distance of 16.65 feet; thence leaving said west line, South 89°48'28" East, a distance of 986.79 feet; thence North 00°47'35" East, a distance of 2002.16 feet; thence North 01°07'35" East, a distance of 2102.65 feet, to the north line of said section; thence along said north line, South 89°18'45" East, a distance of 1603.61 feet, to the north quarter corner of said section, a ½ inch metal rod; thence leaving said north line, along the north-south mid-section line of said section, South 00°08'44" East, a distance of 4608.75 feet, to the south quarter comer of said section, a 3-inch brass cap flush (B.C.F.) stamped "T2S R5W ¼S4 S9 RLS 46118 2008"; thence leaving said north-south mid-section line, along the south line of said section, North 79°10'54" West, a distance of 2719.41 feet, to the point of beginning. Subject to existing rights-of-way and easements. This parcel description is based on the Record of Survey for Alma Richardson Property, recorded in Book 996, page 25, Maricopa County Records (M.C.R.) and other client provided information. This parcel description is located within an area surveyed by Wood, Patel & Associates, Inc. during the month of April, 2008 and October, 2009 and any monumentation noted in this parcel description is within acceptable tolerance (as defined in Arizona Boundary Survey Minimum Standards dated 02/14/2002) of said positions based on said survey.
All in G&SRB&M, Maricopa County, Arizona.
Section 9;
Section 15, those portions of S½N½ and NW½SW¼ lying west of the primary through road;
Section 16;
Section 21, E½, E½SW¼, SE¼NW¼ and Parcel 401-61-008D as described by the Maricopa County Assessor's Office.
All in G&SRB&M, Maricopa County, Arizona.

5. Base and Meridian Wildlife Area: The Base and Meridian Wildlife Area shall be those areas described as:
T1N, R1E
Section 31;
Lots 3, 5, 6, 7, 8 and NE¼SW¼, S½S½S½SW¼NW¼ EXCEPT S½SE¼SE¼SW¼NW¼, SE¼SE¼SW¼NW¼, and that portion of the north half of the southeast quarter of Section 31, T1N, R1E, described as follows: commencing at the aluminum cap set at the east quarter corner of said Section 31, from which the 3" iron pipe set at the southeast corner of said Section 31 bears South 00°20'56" West 2768.49 feet; thence South 00°20'56" West along the east line of said southeast quarter of Section 31, 1384.25 feet to the southeast corner of said north half of the southeast quarter; thence South 89°25'13" West along the south line of said north half of the southeast quarter, 2,644.35 feet to the southwest corner of said north half of the southeast quarter and the point of beginning; thence North 00°03'37" West along the west line of said southeast quarter, 746.86 feet to the south line of the north 607.00 feet of said north half of the southeast quarter; thence North 88°46' 12" East along said south line of the north 607.00 feet of the north half of the southeast quarter, 656.09 feet; thence South 00°03'37" East parallel with said west line of the southeast quarter, 754.31 feet to said south line of the north half of the southeast quarter; thence

south 89°25'13" West along said south line of the north half of the southeast quarter, 655.98 feet to the point of beginning.
T1N, R1W
Section 34, N1/2SE1/4;
Section 35, S1/2;
Section 36;
The W½SE¼NE¼ EXCEPT any portion of said W½SE¼NE¼ of Section 36 lying within the following described four parcels: EXCEPTION NO. 1: commencing at the Northeast corner of said W½SE¼NE¼ of section 36; thence along the East line thereof South 00°10’ East 846.16 feet to the point of beginning; thence continuing South 00°18’ East, a distance of 141.17 feet; thence South 87°51’15” West, a distance of 570.53 feet; thence South 00°29’ East, a distance of 310.00 feet to the South line of said W½SE¼NE¼ of Section 36; thence North 89°29’ West along the West line of said W½SE¼NE¼ of Section 36, a distance of 425.93 feet; said point bears South 00°29’ East, a distance of 895.93 feet from the Northwest corner of said W½SE¼NE¼ of Section 36; thence North 85°54’33” East, a distance of 647.01 feet to the point of beginning. EXCEPTION NO. 2: commencing at the Northeast corner of said W½SE¼NE¼ of Section 36; thence along the East line thereof South 00°18’ East, a distance of 846.16 feet to the point of beginning; said point being on the Northerly line of the Flood Control District of Maricopa County parcel as shown in Document No. 84-26119, Maricopa County Records; thence South 85°54’33” West, a distance of 647.01 feet to the West line of said W½SE¼NE¼ of Section 36; thence North 00°29’ West along said West line, a distance of 30 feet; thence North 84°23’15” East, a distance of 228.19 feet; thence North 87°17’06” East, a distance of 418.85 feet to the East line of the W½SE¼NE¼ of Section 36; thence South 00°18’ East along said East line, a distance of 26.00 feet to the point of beginning. EXCEPTION NO. 3: The South 37.6 feet of said W½SE¼NE¼ of Section 36. EXCEPT all oil, gas and other hydrocarbon substances, helium or other substance of gaseous nature, coal, metals, minerals, fossils, fertilizer of every name and description and except all materials which may be essential to the production of fissionable material as reserved in Arizona Revised Statutes. EXCEPTION NO. 4: That part of the West half of the Southeast quarter of the Northeast quarter (W½SE¼NE¼) of Section 36, T1N, R1W lying North of the following described line: commencing at the Northeast corner of said W½SE¼NE¼¼ of Section 36; thence along the East line thereof South 00°18’00” East, a distance of 820.16 feet, to the point of beginning; said point being on the Northerly line of the Flood District of Maricopa County parcel as shown in Document 85-357813, Maricopa County Records; thence South 87°17’06” West, a distance of 418.85 feet; thence South 84°23’15” West, a distance of 228.19 feet to the West line of said W½SE¼NE1/4 of Section 36 and the point of terminus. The above described parcel contains 162,550 sq. ft. or 3.7316 acres. The Southeast quarter of the Southeast quarter of the Northeast quarter (SE¼SE¼NE¼) of Section 36, T1N, R1W, EXCEPT the South 37.6 feet of said SE¼SE¼NE¼, and EXCEPT the East 55 feet of said SE¼SE¼NE¼, and EXCEPT that part of said SE¼SE¼NE¼ lying North of the most Southerly line of the parcel described in Record No. 84-026119, Maricopa County Records, said Southerly line being described as follows: beginning at the Northeast corner of the South half of the Northeast quarter of the Southeast quarter of the Northeast quarter (NE¼S½NE¼SE¼NE¼) of said Section 36; thence South 00°07' East along the East line of Section 36, a distance of 50.70 feet; thence South 89°53' West, a distance of 55.00 feet to a point on the West line of the East 55.00 feet of said Section 36; thence South 00°07' East along said line, a distance of 510.00 feet; thence South 81°4'43" West, a distance of 597.37 feet to a terminus point on the West line of said SE¼SE¼NE¼ of Section 36, and EXCEPT that part of said SE¼SE¼NE¼ described as follows: commencing at the East quarter corner of said Section 36; thence North 89°37'23" West along the South line of said SE¼SE¼NE¼ of Section 36, a distance of 241.25 feet; thence North 18°53'04" East, a distance of 39.65 feet to the point of beginning; thence continuing North 18°53'04" East, a distance of 408.90 feet; thence South 81°04'43" West, a distance of 222.55 feet; thence South 18°53'04" West, a distance of 370.98 feet;

thence South 89°37'23" East, a distance of 207.58 feet to the point of beginning. That portion of land lying within the Southeast quarter of the Southeast quarter of the Northeast quarter (SE¼SE¼NE¼) of Section 36, T1N, R1W, and the South half of the Southwest quarter of the Northwest quarter (S½SW¼NW¼) of Section 31, T1N, R1E, as described in Document Number 99-1109246. EXCEPT the West 22 feet of the property described in Recorder Number 97-0425420, also known as Assessor Parcel No. 101-44-003G; and EXCEPT the West 22 feet of the property described in Recorder Number 97-566498, also known as Assessor Parcel No. 101-44-013.

All in the G&SRB&M, Maricopa County, Arizona.

6. Becker Lake Wildlife Area: The Becker Lake Wildlife Area shall be that area including Becker Lake lying within the fenced and posted portions of:

T9N, R29E
Section 19, SE1/4SW1/4;
Section 20, SW1/4SW1/4, W1/2NW1/4, and NW1/4SW1/4;
Section 29, E1/2NE1/4;
Section 30, NE1/4SE1/4;
Section 32, as it is described in parcels in this Section.

All in the G&SRB&M, Apache County, Arizona, consisting of approximately 325 acres.

Parcel 1. Parcel 1 is located in section 30, T9N, R29E, G&SRB&M, Apache County, Arizona, and is adjacent to the western boundary of the Becker Lake Wildlife Area. The preliminary ALTA survey for the Enders property indicates that Parcel 1 is approximately 83 acres in size. Parcel 1 is also bounded by lands owned by The Hopi Tribe (26 Bar Ranch) and Arizona State Trust lands. The property is composed of Plains and Great Basin grassland habitat, and has historically been used for livestock grazing. This parcel is described by Apache County Assessor's Office parcel number 105-16-002.

Parcel 2. This parcel is located in the northeast quarter of section 32 T9N, R29E, G&SRB&M, Apache County, Arizona. The preliminary ALTA survey for the Enders property indicates that Parcel 2 is approximately 61 acres in size. Parcel 2 includes the southernmost portion of the subject property. The Becker Lake Ditch and a short reach of the Little Colorado River are located within Parcel 2. Parcel 2 is bounded by Parcel 3 to the west and Parcel 4 to the north. Privately owned lands are located to the east and south of Parcel 2. This parcel is described by Apache County Assessor's Office parcel number 105-18-008A.

Parcel 3. This parcel is located in the northwest quarter of section 32 T9N, R29E, G&SRB&M, Apache County, Arizona. The preliminary ALTA survey for the Enders property indicates that Parcel 3 is approximately 17 acres in size. The Becker Lake Ditch also is located within Parcel 3. Parcel 3 is bounded by Parcel 2 to the east, and Parcel 5 to the north. The Becker Lake Road comprises approximately half of the western boundary of Parcel 3, with a two-acre residential property located between Becker Lake Road and Becker Ditch owned by Mr. Jack Husted comprising the remainder of the western boundary of Parcel 3. Parcel 3 is described by Apache County Assessor's Office parcel number 105-18-012B.

Parcel 4. Parcel 4 is located in the southern half of section 29 T9N, R29E, G&SRB&M, Apache County, Arizona. The preliminary ALTA survey for the Enders property indicates that Parcel 4 is approximately 56 acres in size. Both the Becker Lake Ditch and an approximately 3/4 mile reach of the LCR are located within Parcel 4. Parcel 4 is bounded by Parcel 2 to the south and Parcel 5 as well as privately owned lands to the west. Private lands are also located to the north and east of Parcel 4. Highway 60 constitutes the northeast boundary of this irregularly shaped parcel. This parcel is described by Apache County Assessor's Office parcel number 105-15-014E.

Parcel 5. Parcel 5 is located in the southern half of the southwest quarter of section 29 T9N, R29E, G&SRB&M, Apache County, Arizona. The preliminary ALTA survey for the Enders property indicates that Parcel 5 is approximately 79 acres in size. The Becker Lake Ditch is also located within Parcel 5. Parcel 5 is bounded by Parcel 4 to the east and Parcel

3 to the south. The Becker Lake Wildlife Area bounds the western half of the northern boundary of this parcel. Privately owned lands are also located to the north of Parcel 5. The Springerville Airport as well as State Trust lands are located to the south of Parcel 5. Hopi Tribal Land (26 Bar Ranch) abuts the entire western boundary of this parcel. The Becker Lake Road and Becker Ditch bisect Parcel 5. This parcel is described by Apache County Assessor's Office parcel number 105-15-014F.

7. Bog Hole Wildlife Area: The Bog Hole Wildlife Area lying in Sections 29, 32 and 33, T22S, R17E shall be the fenced and posted area described as follows: Beginning at the southeast corner of Section 32, Township 22 South, Range 17 East, G&SRB&M, Santa Cruz County, Arizona; thence North 21°42'20" West 1394.86 feet to the true point of beginning; thence North 9°15'26" West 1014.82 feet; thence North 14°30'58" West 1088.82 feet; thence North 36°12'57" West 20.93 feet; thence North 50°16'38" West 1341.30 feet; thence North 57°51'08" West 1320.68 feet; thence N39°03'53" East 1044.90 feet; thence North 39°07'43" East 1232.32 feet; thence South 36°38'48" East 1322.93 feet; thence South 43°03'17" East 1312.11 feet; thence South 38°19'38" East 1315.69 feet; thence South 13°11'59" West 2083.31 feet; thence South 69°42'45" West 920.49 feet to the true point of beginning.
8. Chevelon Canyon Ranches Wildlife Area: The Chevelon Canyon Ranches Wildlife Area shall be those areas described as:

Duran Ranch: T12N, R14E

Sections 6 and 7, more particularly bounded and described as follows: Beginning at Corner No. 1, from which the Standard Corner to Section 31 in T13N, R14E and Section 36 T13N, R13E, bears North 11°41' West 21.53 chains distant; thence South 26°5' East 6.80 chains to Corner No. 2; thence South 66° West 12.74 chains to Corner No. 3; thence South 19°16' West 13.72 chains to Corner No. 4; thence South 29°1' West 50.02 chains to Corner No. 5; thence North 64°15' West five chains to Corner No. 6; thence North 28°54' East 67.97 chains to Corner No. 7; thence North 55°36' East 11.02 to Corner No. 1; the place of beginning, all in G&SRB&M, Coconino County, Arizona.

Dye Ranch: T12N, R14E

Sections 9 and 16, more particularly described as follows: Beginning at Corner No. 1 from which the Standard corner to Sections 32 and 33 in T13N, R14E, bears North 2° 24' East 127.19 chains distant; thence South 50°20' East 4.96 chains to corner No. 2; thence South 29°48' West 21.97 chains to Corner No. 3; thence South 14°45' West 21.00 chains to Corner No. 4; thence North 76°23' West 3.49 chains to Corner No. 5; thence North 10°13' West 14.02 chains to Corner No. 6; thence North 19°41' East 8.92 chains to Corner No. 7; thence North 38°2' East 24.79 chains to Corner No. 1, the place of beginning, all in G&SRB&M, Coconino County, Arizona.

Tillman Ranch: T12N, R14E

Land included in H.E. Survey No. 200 embracing a portion of approximately Sections 9 and 10 in T12N R14E of the Gila and Salt River Base and Meridian.

All in G&SRB&M, Coconino County, Arizona.

Vincent Ranch: T12N, R13E

Sections 3 and 4, more particularly described as follows: Begin at corner No. 1, from which the South 1/4 corner to Sec. 33, T13N, R13E, bears North 40°53' West 16.94 chains distance; thence South 53° 08' East 2.98 chains to corner No. 2; thence South 11°26' West 6.19 chains to corner No. 3; thence South 49°43' West 22.41 chains to corner No. 4; thence South 22°45' West 30.03 chains to corner No. 5; thence North 67°35' West 6.00 chains to corner No. 6; thence North 23° East 30.03 chains to corner No. 7; thence North 42°18' East 21.19 chains to corner No. 8; thence North 57°52' East 8.40 chains to corner No. 1, the place of beginning, all in G&SRB&M, Coconino County, Arizona.

Wolf Ranch: T12N, R14E

Sections 18 and 19, more particularly bounded and described as follows: Beginning at Corner No. 1, from which the U.S. Location Monument No. 184 H. E. S. bears South 88°53' East 4.41 chains distant; thence South 34°4' East 11.19 chains to Corner No. 2; thence South 40°31' West 31.7 chains to Corner

No. 3; thence South 63°3' West 7.97 chains to Corner No. 4; thence South 23°15' West 10.69 chains to Corner No. 5; thence North 59° West 2.60 chains to Corner No. 6; thence North 18°45' East 10.80 chains to Corner No. 7; thence North 51°26' East 8.95 chains to Corner No. 8; thence North 30°19' East 34.37 chains to Corner No. 1; the place of beginning, all in G&SRB&M, Coconino County, Arizona.

9. Chevelon Creek Wildlife Area: The Chevelon Creek Wildlife Area shall be those areas described as:

Parcel 1: The South half of the South half of the Northwest quarter and the Southwest quarter of Section 23, Township 18 North, Range 17 East of the Gila and Salt River Base and Meridian;

Parcel 2: Lots 1, 2, 3 and 4 of Section 26, Township 18 North, Range 17 East of the Gila and Salt River Base and Meridian;

Parcel 1: That portion of the Northeast Quarter of Section 26 lying Northerly of Chevelon Creek Estates East Side No. 1 Amended, according to the plat of record in Book 5 of Plats, page 35, records of Navajo County, Arizona, all in Township 18 North, Range 17 East of the Gila and Salt River Base and Meridian, Navajo County, Arizona.

Parcel 2: That part of Tract A, CHEVELON CREEK ESTATES EAST SIDE NO. I AMENDED, according to the plat of record in Book 5 of Plats, page 35, records of Navajo County, Arizona lying Northerly of the following described line: BEGINNING at the Southwest corner of Lot 3 of said subdivision; thence Southwesterly in a straight line to the Southwest corner of Lot 6 of said subdivision.

10. Cibola Valley Conservation and Wildlife Area: The Cibola Valley Conservation and Wildlife Area shall be those areas described as:

Parcel 1. This parcel is located in the Northwest quarter of Section 36, T1N, R24W of the Gila and Salt River Base and Meridian, La Paz County, Arizona, lying East of the right of way line of the "Cibola Channelization Project of the United States Bureau of Reclamation Colorado River Front Work and Levee System," as indicated on Bureau of Reclamation Drawing 423-300-438, dated March 31, 1964, and more particularly described as follows: beginning at the Northeast corner of the Northwest quarter of said Section 36; thence South and along the East line of the Northwest quarter of said Section 36, a distance of 2,646.00 feet to a point being the Southeast corner of the Northwest quarter of said Section 36; thence Westerly and along the South line of the Northwest quarter, a distance of 1,711.87 feet to a point of intersection with the East line of the aforementioned right of way; thence Northerly and along said East line of the aforementioned right of way, a distance of 2,657.20 feet along a curve concave Easterly, having a radius of 9,260.00 feet to a point of intersection with the North line of the Northwest quarter of said Section 36; thence Easterly and along the North line of the Northwest quarter of said Section 36, a distance of 1,919.74 feet to the point of beginning.

Parcel 2. This parcel is located in the United States Government Survey of Lot 1 and the East half of the Southwest quarter of Section 36, T1N, R24W of the Gila and Salt River Base and Meridian, La Paz County, Arizona, lying East of the right of way line of the "Cibola Channelization Project of the United States Bureau of Reclamation Colorado River Front Work and Levee System," as indicated on Bureau of Reclamation Drawing 423-300-438, dated March 31, 1964, and more particularly described as follows: Beginning at the South quarter corner of said Section 36; thence Westerly and along the South line of said Section 36, a distance of 610.44 feet to a point of intersection with the East line of the aforementioned right of way; thence Northerly along said East line of the of the aforementioned right of way and along a curve concave Southwesterly, having a radius of 17,350.00 feet, a distance of 125.12 feet to a point; thence continuing along said right of way line and along a reverse curve having a radius of 9,260.00 feet, a distance of 2,697.10 feet to a point of intersection with the East-West midsection line of said Section 36; thence Easterly along said East-West midsection line, a distance of 1,711.87 feet to a point being the center of said Section 36; thence South and along the North-South midsection line, a distance of 2,640.00 feet to the point of beginning.

Parcel 3. This parcel is located in the East half of the Northeast quarter of Section 36, T1N, R24W of the Gila and Salt River Base and Meridian, La Paz County, Arizona.

Parcel 4. This parcel is located in the East half of the Northwest quarter of the Southwest quarter of Section 21, T1N, R23W of the Gila and Salt River Base and Meridian, La Paz County, Arizona, lying South of the South right of way line of U.S. A. Levee; EXCEPT therefrom that portion lying within Cibola Sportsman's Park, according to the plat thereof recorded in Book 4 of Plats, Page 58, records of Yuma (now La Paz) County, Arizona; and FURTHER EXCEPTING the North half of the East half of the Northwest quarter of the Southwest quarter.

Parcel 5. This parcel is located in the South half of the Southwest quarter of Section 21, T1N, R23W of the Gila and Salt River Base and Meridian, La Paz County, Arizona. EXCEPT the West 33.00 feet thereof; and further EXCEPTING that portion more particularly described as follows: the North half of the Northwest quarter of the Southwest quarter of the Southwest quarter of said Section, EXCEPTING the North 33.00 feet and the East 33.00 feet thereof.

Parcel 6. This parcel is located in the Southwest quarter of the Southeast quarter of Section 21, T1N, R23W of the Gila and Salt River Base and Meridian, La Paz County, Arizona.

Parcel 7. This parcel is located in Sections 24 and 25, T1N, R24W of the Gila and Salt River Base and Meridian, La Paz County, Arizona, lying South of the Colorado River and East of Meander line per BLM Plat 2647C.

Parcel 8. This parcel is located in the West half of Section 19, T1N, R23W of the Gila and Salt River Base and Meridian, La Paz County, Arizona, lying South of the Colorado River. EXCEPT that portion in condemnation suit Civil No. 5188PHX filed in District Court of Arizona entitled USA -vs- 527.93 Acres of Land; and EXCEPTING therefrom any portion of said land lying within the bed or former bed of the Colorado River waterward of the natural ordinary high water line; and also EXCEPTING any artificial accretions to said line of ordinary high water.

Parcel 9. This parcel is located in the North half of the Northeast quarter of the Southeast quarter; and the West half of the Southwest quarter of the Northeast quarter of the Southeast quarter; and that portion of the Southeast quarter of the Northeast quarter of Section 20, T1N, R23W of the Gila and Salt River Base and Meridian, La Paz County, Arizona, lying South of the South right of way line of the U.S.B.R. Levee; EXCEPT the East 33.00 feet thereof; and further EXCEPTING that portion more particularly described as follows: Commencing at the Northeast corner of the Southeast quarter of said Section 20; thence South 0º24'00" East along the East line, a distance of 380.27 feet; thence South 89º36'00" West, a distance of 50.00 feet to the true point of beginning; thence continuing South 89º36'00" West, a distance of 193.00 feet; thence North 0º24'00" West, a distance of 261.25 feet; thence South 70º11'00" East, a distance of 205.67 feet to the West line of the East 50.00 feet of said Southeast quarter of Section 20; thence South 0º24'00" East, a distance of 190.18 feet to the true point of beginning; EXCEPTING therefrom any portion of said land lying within the bed or former bed of the Colorado River waterward of the natural ordinary high water line; and also EXCEPTING any artificial accretions to said line of ordinary high water.

Parcel 10. This parcel is located in the South half of the Southeast quarter of Section 20, T1N, R23W of the Gila and Salt River Base and Meridian, La Paz County, Arizona; EXCEPT the East 33.00 feet thereof.

Parcel 11. This parcel is located in the Southwest quarter of the Northeast quarter; and the Northwest quarter of the Southeast quarter of Section 20, T1N, R23W of the Gila and Salt River Base and Meridian, La Paz County, Arizona, lying South of the Colorado River and West of the Meander line per BLM Plat 2546B; EXCEPT any portion thereof lying within U.S. A. Lots 5 and 6 of said Section 20, as set forth on BLM Plat 2546B; and EXCEPTING therefrom any portion of said land lying within the bed or former bed of the Colorado River

waterward of the natural ordinary high water line; and also EXCEPTING any artificial accretions to said line of ordinary high water.

Parcel 12. This parcel is located in the Southeast quarter of the Northeast quarter of the Southeast quarter; and the East half of the Southwest quarter of the Northeast quarter of the Southeast quarter of Section 20, T1N, R23W of the Gila and Salt River Base and Meridian, La Paz County, Arizona.

Parcel 13. This parcel is located in the East half of Section 19, T1N, R23W of the Gila and Salt River Base and Meridian, La Paz County, Arizona, lying South of the Colorado River; EXCEPT the West half of the West half of the Southeast quarter of the Southwest quarter of the Southeast quarter; EXCEPT the East half of the East half of the Southwest quarter of the Southwest quarter of the Southeast quarter; EXCEPT the Southwest quarter of the Southwest quarter of the Northeast quarter; EXCEPT the West half of the Southeast quarter of the Southwest quarter of the Northeast quarter; and EXCEPTING therefrom any portion of said land lying within the bed or former bed of the Colorado River waterward of the natural ordinary high water line; and also EXCEPTING any artificial accretions to said line of ordinary high water.

Parcel 14. This parcel is located in the Southwest quarter of the Southwest quarter of the Northeast quarter; and the West half of the Southeast quarter of the Southwest quarter of the Northeast quarter of Section 19, T1N, R23W of the Gila and Salt River Base and Meridian, La Paz County, Arizona, lying South of the Colorado River and protection levees and front work, EXCEPTING therefrom any portion of said land lying within the bed or former bed of the Colorado River waterward of the natural ordinary high water line; and also EXCEPTING any artificial accretions to said line of ordinary high water.

Parcel 15. This parcel is located in the West half of Section 20, T1N, R23W of the Gila and Salt River Base and Meridian, La Paz County, Arizona; EXCEPT the West 133.00 feet thereof; EXCEPT any portion lying within the U.S. Levee or Channel right of way or any portion claimed by the United States for Levee purposes or related works; and EXCEPT the Southeast quarter of the Southeast quarter of the Southwest quarter of said Section 20.

Parcel 16. This parcel is located in the Southeast quarter of the Southeast quarter of the Southwest quarter of Section 20, T1N, R23W of the Gila and Salt River Base and Meridian, La Paz County, Arizona.

11. Clarence May and C.M.H. May Memorial Wildlife Area: Clarence May and C.M.H. May Memorial Wildlife Area shall be the SE1/4 of Section 8 and N1/2NE1/4 of Section 17, Township 17 South, Range 31 East, and the W1/2SE1/4, S1/2NW1/4, SW1/4 of Section 9, T17S, R31E, G&SRB&M, Cochise County, Arizona, consisting of approximately 560 acres.
12. Cluff Ranch Wildlife Area: The Cluff Ranch Wildlife Area is that area within the fenced and posted portions of Sections 13, 14, 23, 24, and 26, T7S, R24E, G&SRB&M, Graham County, Arizona; consisting of approximately 788 acres.
13. Colorado River Nature Center Wildlife Area: The Colorado River Nature Center Wildlife Area is Section 10 of T19N, R22W, that is bordered by the Fort Mojave Indian Reservation to the West, the Colorado River to the North, and residential areas of Bullhead City to the South and East, G&SRB&M, Mohave County, Arizona.
14. Fool Hollow Lake Wildlife Area: The Fool Hollow Lake Wildlife Area shall be that area lying in those portions of the South half of Section 7 and of the North half of the North half of Section 18, T10N, R22E, G&SRB&M, described as follows: Beginning at a point on the west line of the said Section 7, a distance of 990 feet South of the West quarter corner thereof; running thence South 86 degrees 12 minutes East 2533.9 feet; thence South 41 degrees 02 minutes East 634.7 feet; thence East 800 feet; thence south 837.5 feet, more or less to the South line of the said Section 7; thence south 89 degrees 53 minutes West along the South line of Section 7 a distance of 660 feet; thence South 0 degrees 07 minutes East 164.3 feet; thence North 89 degrees 32 minutes West 804.2 feet; thence North 20 degrees 46 minutes West 670 feet; thence South 88 degrees 12 minutes West 400 feet; thence North 68 degrees 04 minutes West 692 feet; thence South 2 degrees 50 minutes West

581 feet; thence North 89 degrees 32 minutes West 400 feet; thence North 12 degrees 40 minutes West 370.1 feet, more or less, the North line of the Southwest quarter of the Southwest quarter of the Southwest quarter of said Section 7; thence West 483.2 feet, more or less, along said line to the West line of Section 7; thence North to the point of beginning.

15. House Rock Wildlife Area: House Rock Wildlife Area is that area described as: Beginning at the common one-quarter corner of Sections 17 and 20, T36N, R4E; thence east along the south section lines of Sections 17, 16, 15, 14, 13 T36N, R4E, and Section 18, T36N, R5E, to the intersection with the top of the southerly escarpment of Bedrock Canyon; thence meandering southeasterly along the top of said escarpment to the top of the northerly escarpment of Fence Canyon; thence meandering along the top of said north escarpment to its intersection with the top of the southerly escarpment of Fence Canyon; thence meandering northeasterly along the top of said southerly escarpment to its intersection with the top of the escarpment of the Colorado River; thence meandering southerly along top of said Colorado River escarpment to its intersection with Boundary Ridge in Section 29, T34N, R5E; thence meandering westerly along Boundary Ridge to its intersection with the top of the escarpment at the head of Saddle Canyon; thence northerly along the top of the westerly escarpment to its intersection with a line beginning approximately at the intersection of the Cockscomb and the east fork of South Canyon extending southeast to a point approximately midway between Buck Farm Canyon and Saddle Canyon; thence northwest to the bottom of the east fork of South Canyon in the SW1/4SW1/4 of Section 16, T34N, R4E; thence meandering northerly along the west side of the Cockscomb to the bottom of North Canyon in the SE1/4 of Section 12, T35N, R3E; thence meandering northeasterly along the bottom of North Canyon to a point where the slope of the land becomes nearly flat; thence northerly along the westerly edge of House Rock Valley to the point of beginning; all in G&SRB&M, Coconino County, Arizona.
16. Jacques Marsh Wildlife Area: The Jacques Marsh Wildlife Area is that area within the fenced and posted portions of the SE1/4SW1/4, NE/4SW1/4, NE1/4SW1/4SW1/4, NW1/4SW1/4, N1/2NW1/4SE1/4, SW1/4SW1/4NE1/4, S1/2SE1/4NW1/4, SE1/4SE1/4NW1/4, Section 11; and N1/2NE1/4NW1/4 Section 14; T9N, R22E, G&SRB&M, Navajo County, Arizona.
17. Lamar Haines Wildlife Area: The Lamar Haines Wildlife Area is that area described as: T22N, R6E, Section 12 NW1/4, G&SRB&M, Coconino County, Arizona; together with all improvements thereon, and that certain water right on "Hudsonian Spring" as evidenced by certificate of Water Right from the State Water Commissioner of the State of Arizona, dated December 13, 1935 and recorded in Book 5 of Water Rights, pages 374-375, records of Coconino County, Arizona, and being Certificate #624.
18. Luna Lake Wildlife Area: The Luna Lake Wildlife Area shall be the fenced, buoyed, and posted area lying north of U.S. Highway 180 T5N, R31E, Section 17 N1/2, G&SRB&M, Apache County, Arizona.
19. Mittry Lake Wildlife Area: The Mittry Lake Wildlife Area shall be those areas described as:

    T6S, R21W

    Section 31: All of Lots 1, 2, 3, 4, E1/2W1/2, and that portion of E1/2 lying westerly of Gila Gravity Main Canal Right-of-Way.

    T7S, R21W

    Section 5: that portion of SW1/4SW1/4 lying westerly of Gila Gravity Main Canal Right-of-Way;

    Section 6: all of Lots 2, 3, 4, 5, 6, 7 and that portion of Lot 1, S1/2NE1/4, SE1/4 lying westerly of Gila Gravity Main Canal R/W;

    Section 7: all of Lots 1, 2, 3, 4, E1/2W1/2, S1/2E1/2, and that portion of E1/2E1/2 lying westerly of Gila Gravity Main Canal R/W;

    Section 8: that portion of W1/2W1/2 lying westerly of Gila Gravity Main Canal R/W;

    Section 18: all of Lots 1, 2, 3, E1/2NW1/4, and that portion of Lot 4, NE1/4, E1/2 SW1/4, NW1/4SE1/4 lying westerly of Gila Gravity Main Canal R/W.

    T6S, R22W

Section 36: all of Lots 1, 2.
T7S, R22W
Section 1: all of Lot 1;
Section 12: all of Lots 1, 2, SE1/4SE1/4;
Section 13: all of Lots 1, 2, 3, 4, 5, 6, 7, 8, NE1/4, N1/2SE1/4, and that portion of S1/2SE1/4 lying northerly of Gila Gravity Main Canal R/W, all in G&SRB&M, Yuma County, Arizona.

20. Powers Butte (Mumme Farm) Wildlife Area: The Powers Butte Wildlife Area shall be that area described as:
T1S, R5W
Section 25, N1/2SW1/4, SW1/4SW1/4;
Section 26, S1/2;
Section 27, E1/2SE1/4;
Section 34.
T2S, R5W
Section 3, E1/2W1/2, W1/2SE1/4, NE1/4SE1/4, NE1/4;
Section 10, NW1/4, NW1/4NE1/4;
Section 15, SE1/4SW1/4;
Section 22, E1/2NW1/4, NW1/4NW1/4.
All in G&SRB&M, Maricopa County, Arizona.

21. Quigley Wildlife Area: The Quigley Wildlife Area shall be those areas described as:
T8S, R17W
Section 13, W1/2SE1/4, SW1/4NE1/4, and a portion of land in the West half of Section 13, more particularly described as follows: Beginning at the South Quarter corner, thence South 89º17'09" West along the south line of said Section 13, a distance of 2627.50 feet to the southwest corner of said Section 13; thence North 41º49'46" East, a distance of 3026.74 feet to a point; thence North 0º13'30" West, a distance of 1730.00 feet to a point on the north 1/16th line of said Section 13; thence North 89º17'36" East along said north 1/16th line, a distance of 600.00 feet to the Center of said Section 13; thence South 0º13'30" E. along the north-south mid-section line, a distance of 3959.99 feet to the point of beginning.
Section 23, SE1/4NE1/4, and a portion of land in the NE1/4NE1/4 of Section 23, more particularly described as follows: Beginning at the Northeast Corner, thence South 0º10'19" East along the east line of said Section 23, a distance of 1326.74 feet to a point on the south line of the NE1/4NE1/4 of said Section 23; thence South 89º29'58" West along said south line, a distance of 1309.64 feet to a point; thence North 44º17'39" East, a distance of 1869.58 feet to the point of beginning.
Section 24, NW1/4, N1/2SW1/4, W1/2NE1/4 all in G&SRB&M, Yuma County, Arizona.

22. Raymond Wildlife Area: The Raymond Wildlife Area is that area described as: All of Sections 24, 25, 26, 34, 35, 36, and the portions of Sections 27, 28, and 33 lying east of the following described line: Beginning at the west one-quarter corner of Section 33; thence northeasterly through the one-quarter corner common to Sections 28 and 33, one-quarter corner common to Sections 27 and 28 to the north one-quarter corner of Section 27 all in T19N, R11E. All of Sections 15, 16, 17, 19, 20, 21, 22, 27, 28, 29, 30, 31, 32, 33, and 34 all in T19N, R12E, all in G&SRB&M, Coconino County, Arizona.

23. Robbins Butte Wildlife Area: The Robbins Butte Wildlife Area shall be those areas described as:
T1S, R3W
Section 17, S1/2NE1/4, SE1/4, NW1/4SW1/4;
Section 18, Lots 3, 4, and E1/2SW1/4, S1/2NE1/4, W1/2SE1/4, NE1/4SE1/4.
T1S, R4W
Section 13, all EXCEPT that portion of W1/2SW1/4SW1/4 lying west of State Route 85;
Section 14, all EXCEPT the W1/2NW1/4 and that portion of the SW1/4 lying north of the Arlington Canal;
Section 19, S1/2SE1/4;
Section 20, S1/2S1/2, NE1/4SE1/4;
Section 21, S1/2, S1/2NE1/4, SE1/4NW1/4;
Section 22, all EXCEPT for NW1/4NW1/4;
Section 23;
Section 24, that portion of SW1/4, W1/2SW1/4NW1/4 lying west of State Route 85;
Section 25, that portion of the NW1/4NW1/4 lying west of State

Route 85;
Section 26, NW1/4, W1/2NE1/4, NE1/4NE1/4;
Section 27, N1/2, SW1/4;
Section 28;
Section 29, N1/2N1/2, SE1/4NE1/4;
Section 30, Lots 1,2, and E1/2NW1/4, NE1/4, SE1/4SE1/4.
All in G&SRB&M, Maricopa County, Arizona.

24. Roosevelt Lake Wildlife Area: The Roosevelt Lake Wildlife Area is that area described as: Beginning at the junction of A-Cross Road and AZ. Hwy. 188; south on AZ. Hwy. 188 to junction of AZ. Hwy. 88; east on AZ. Hwy. 88 to Carson's Landing; northeast across Roosevelt Lake to the south tip of Bass Point; directly north to the Long Gulch Road; northeast on this road to the A-Cross Road; northwest on the A-Cross Road to the point of beginning; all in G&SRB&M, Gila County, Arizona.
25. Santa Rita Wildlife Area: The Santa Rita Experimental Range is that area described as: Concurrent with the Santa Rita Experimental Range boundary and includes the posted portion of the following sections: Sections 33 through 36, T17S, R14E, Section 25, Section 35 and Section 36, T18S, R13E, Sections 1 through 4, Sections 9 through 16, and Sections 21 through 36, T18S, R14E, Sections 3 through 9, Sections 16 through 21, Sections 26 through 34, T18S, R15E, Sections 1 through 6, Sections 9 through 16, Section 23, T19S, R14E, Sections 3 through 10, Sections 16 through 18, T19S, R15E; all in G&SRB&M, Pima County, Arizona, and all being coincidental with the Santa Rita Experimental Range Area.
26. Sipe White Mountain Wildlife Area: The Sipe White Mountain Wildlife Area shall be those areas described as:
T7N, R29E
Section 1, SE1/4, SE1/4NE1/4, S1/2NE1/4NE1/4, SE1/4SW1/4NE1/4, NE1/4SE1/4SW1/4, and the SE1/4NE1/4SW1/4.
T7N, R30E
Section 5, W1/2W1/2SE1/4SW1/4, and the SW1/4SW1/4;
Section 6, Lots 1, 2, 3, 7 and 8, SW1/4NW1/4NW1/4, SW1/4NW1/4, S1/2NW1/4NE1/4SE1/4, S1/2NE1/4SE1/4, S1/2NE1/4SE1/4, N1/2SE1/4SE1/4, E1/2SE1/4SE1/4SE1/4, SW1/4SE1/4 and the SE1/4SW1/4;
Section 7, Parcel 10: Lots 1 and 2, E1/2NW1/4, E1/2E1/2NE1/4NE1/4, W1/2SW1/4NE1/4, NW1/4SE1/4, W1/2NE1/4SE1/4, NE1/4SW1/4, E1/2NW1/4SW1/4, and the NW1/4NE1/4;
Section 8, NW1/4NW1/4, and the W1/2W1/2NE1/4NW1/4.
T8N, R30E
Section 31, SE1/4NE1/4, SE1/4, and the SE1/4SW1/4, all in G&SRB&M, Apache County, Arizona.
27. Springerville Marsh Wildlife Area: The Springerville Marsh Wildlife Area shall be those areas described as: S1/2 SE1/4 Section 27 and N1/2 NE1/4 Section 34, T9N, R29E, G&SRB&M, Apache County, Arizona.
28. Sunflower Flat Wildlife Area: The Sunflower Flat Wildlife Area shall be those areas described as:
T20N, R3E
Section 11, NE1/4SE1/4, N1/2NW1/4SE1/4, SE1/4NW1/4SE1/4, NE1/4SE1/4SE1/4, W1/2SE1/4NE1/4, S1/2SE1/4SE1/4NE1/4, E1/2SW1/4NE1/4;
Section 12, NW1/4SW1/4SW1/4, NW1/4NE1/4SW1/4SW1/4, SW1/4NW1/4SW1/4, S1/2NW1/4NW1/4SW1/4, W1/2SE1/4NW1/4SW1/4, SW1/4NE1/4NW1/4 SW1/4 all in the G&SRB&M, Coconino County, Arizona.
29. Three Bar Wildlife Area: The Three Bar Wildlife Area shall be that area lying within the following described boundary: Beginning at Roosevelt Dam, northwesterly on AZ. Hwy. 188 to milepost 252 (Bumble Bee Wash); westerly along the boundary fence for approximately 7 1/2 miles to the boundary of Gila and Maricopa counties; southerly along this boundary through Four Peaks to a fence line south of Buckhorn Mountain; southerly along the barbed wire drift fence at Ash Creek to Apache Lake; northeasterly along Apache Lake to Roosevelt Dam.
30. Tucson Mountain Wildlife Area: The Tucson Mountain Wildlife Area shall be that area lying within the following described boundary: Beginning at the northwest corner of Section 33; T13S, R11E on the Saguaro National Monument boundary; due south

approximately one mile to the El Paso Natural Gas Pipeline; southeast along this pipeline to Sandario Road; south on Sandario Road approximately two miles to the southwest corner of Section 15; T14S, R11E, east along the section line to the El Paso Natural Gas Pipeline; southeast along this pipeline to its junction with State Route 86, also known as the Ajo Highway; easterly along this highway to the Tucson city limits; north along the city limits to Silverbell Road; northwest along this road to Twin Peaks Road; west along this road to Sandario Road; south along this road to the Saguaro National Monument boundary; west and south along the monument boundary to the point of beginning, all in G&SRB&M, Pima County, Arizona.

31. Upper Verde River Wildlife Area: The Upper Verde River Wildlife Area consists of eight parcels totaling 1102.54 acres located eight miles north of Chino Valley in Yavapai County, Arizona, along the upper Verde River and lower Granite Creek described as:

    Sullivan Lake: Located immediately downstream of Sullivan Lake, the headwaters of the Verde River: the NE¼NE¼ lying east of the California, Arizona, and Santa Fe Railway Company right-of-way in Section 15, T17N, R2W; and also the NW¼NE¼ of Sec. 15 consisting of approximately 80 acres.

    Granite Creek Parcel: Includes one mile of Granite Creek to its confluence with the Verde River: The SE¼SE¼ of Section 11; the NW¼SW¼ and SW¼NW¼ of Section 13; the E½NE¼ of Section 14; all in T17N, R1W consisting of approximately 239 acres. E½SW¼SW¼, SE¼SW¼, NE¼SW¼ and NW¼SE¼ of Section 12, NW¼NW¼ of Section 13, T17N, R2W consisting of approximately 182.26 acres.

    Campbell Place Parcel: Tracts 40 and 41 in Section 7, T17N, R1W and Section 7, T17N, R1W and Section 12, T17N, R2W consisting of 315 acres. All that portion of Government Lots 9 and 10 of Section 7, T17N, R1W consisting of approximately 70.87 acres.

    Tract 39 Parcel: The east half of Tract 39 within the Prescott National Forest boundary, SE½SW¼ and SW¼SE¼ of Section 5, T18N, R1W; and the W½ of Tract 39 outside the Forest boundary, SW¼SW¼ of Section 5 and NW¼NW¼ of Section 8, T18N, R1W consisting of approximately 163 acres. Lot 3 and SW¼NW¼ of Section 8, T17N, R1W consisting of approximately 40.238 acres.

    Wells Parcels: Parcel No. 1 and Parcel No. 2: All that portion of Government Lots 9 and 10, Section 7, along with Lot 3 and the Southwest quarter of the Northwest quarter, Section 8, located in Township 17 North, Range 1 West, of the Gila and Salt River base and Meridian, Yavapai County, Arizona, further described as follows: Beginning at the Northwest corner of above said Lot 9, Section 7, which is common with the Southwest corner of Tract 41, (Corner No. 3) and common with the Southeast corner of Section 12, Township 17 North, Range 2 West, being marked with a found scribed stone as shown on that plat of record found in Book 35 of land surveys, pages 98-99, records of Yavapai County, from which a found one and one-quarter inch pipe with cap marking the Southwest corner of Section 12 bears South 87 º 37’09” West 5485.60 feet (basis of bearing); thence South 85 º 56’23” East 3421.35 feet along the Northerly line of said Lots 9 and 10, also being the Southerly line of Tract 41, to a set one-half inch rebar with plastic cap stamped l.s. 27738; thence South 01 º 23’14” East 86.70 feet to a set one-half inch rebar with a plastic cap stamped l.s. 27738; thence South 53 º 08’05” East 133.31 feet to a set one-half inch rebar with plastic cap stamped l.s, 27738 on the South line of Section 7; thence South 89 º 59’19” West 935.04 feet along the South line of Section 7 to the South quarter corner thereof; marked with a found scribed stone; thence North 89 º 57’37” West 2588.11 feet along the South line of Section 7 to the Southwest corner thereof, marked with a found scribed stone; thence North 00 º 13’48” East 407.30 feet along the West line of Section 7 to the point of beginning. Containing 22.62 acres more or less. Including all that portion of Government Lots 9 and 10, Section 7, along with Lot 3 and the Southwest quarter of the Northwest quarter Section 8, located in Township 17 North, Range 1 West, of the Gila and Salt River base and Meridian, Yavapai County, Arizona, further described as follows; Commencing at the Northwest corner of above said Lot 9, Section 7, which is common with the Southwest corner of Tract 41, (Corner No. 3) and common with the Southeast corner Section 12, Township 17

North, Range 2 West, being marked with a found scribed stone as shown on that plat of record found in Book 35 of land surveys, pages 98-99, records of Yavapai County, from which a found one and one-quarter inch pipe with cap marking the Southwest corner of Section 12 bears South 87 º 37'09" West 5485.60 feet (basis of bearing); thence South 85 º 56'23" East 3471.35 feet along the Northerly line of said Lots 9 and 10, also being the Southerly line of Tract 41, to a set one-half inch rebar with a plastic cap stamped l.s. 27738 and the point of beginning for this parcel; thence South 85 º 56'23" East 353.84 feet along the Northerly line of said Lots 9 and 10, also being the Southerly line of Tract 41, to Corner No. 4 of Tract 41 marked with a found scribed stone; thence North 00 º 13'26" East 1306.85 feet along the Westerly line of Lot 10, also being the Easterly line of Tract 41, to Corner No. 1 of Tract 41, marked with a found scribed stone; thence South 85 º 59'32" East 1331.42 feet along the Northwesterly line of Lot 10, also being the Southerly line of Tract 40, Section 7, to Corner No. 4 of Tract 40, marked with a found scribed stone; thence North 00 º 54'53" East 2613.54 feet along the Westerly line of Lot 10, also being the Easterly line of Tract 40, to the Northwest corner of Lot 10, said point being common with Corner No. 1, of Tract 40 and Corner No. 3, of Tract 39, and marked with a found one-half inch rebar r.l.s. 19353; thence South 89 º 36'10" East 1332.34 feet along the Northerly lines of Lot 10, and Lot 3, of Section 8, also being the Southerly line of Tract 39, to Corner No. 4 of Tract 39 marked with a found scribed stone; thence North 00 º 52'40" East 480.75 feet along the Westerly line of Lot 3 and the Easterly line of Tract 39, to the point of intersection with the Westerly line of the East half of the Northwest quarter Section 8, said point being the Northerly most corner of said Lot 3; thence South 00 º 01'53" East 486.44 feet along the Easterly line of the West half of the Northwest quarter of Section 8, to the Southeasterly corner of Lot 3, which is also the Northeast corner of the Southwest quarter of the Northwest quarter of Section 8, and from which a one-half inch rebar with plastic cap r.l.s. 27738, set as a witness corner bears North 89º 50'31" West 3.00 feet; thence continuing from above said Northeasterly corner, South 00º 01'53" East 1317.89 feet to the Southeast corner of the Southwest quarter of the Northwest quarter of Section 8, marked with a found one-half inch rebar r.l.s. 27738; thence North 89º50'52" West 1320.53 feet along the East-West midsection line of Section 8, to the West quarter corner thereof, marked with a found scribed stone; thence South 00º03'59" East 2635.36 feet to the Southwest corner of Section 8, marked with a found scribed stone; thence South 89º59'19" West 1642.26 feet along the South line of Section 7, to a set one-half inch rebar with a plastic cap stamped l.s. 27738; thence North 45º14'48" West 74.01 feet to a set one-half inch rebar with a plastic cap stamped l.s. 27738; thence North 26º54'11" West 124.47 feet to the point of beginning. Containing 88.488 acres more or less. Parcel No. 3 and Parcel No. 4: All that portion of the South half of Section 12 and the Northwest quarter of the Northwest quarter of Section 13, Township 17 North, Range 2 West, of the Gila and Salt River Base and Meridian, Yavapai County, Arizona, described as follows: BEGINNING at the Southwest corner of Section 12, marked with a found one and one-quarter inch pipe with cap as shown in Book 35, of land surveys, pages 98-99, records of Yavapai County, from which a found scribed stone marking the Southeast corner of Section 12 bears North 87°37'09" East 5485.60 feet (basis of bearing); thence North 02°06'55" East 1305.61 feet along the Westerly line of Section 12 to the Northwest corner of the Southwest quarter of the Southwest quarter of Section 12 marked with a found nail in rock tagged rls 19353; thence North 87°48'37" East 1356.91 feet to the Northeast corner of the Southwest quarter of the Southwest quarter Section 12, marked with a found one-half inch rebar with plastic cap rls 27738; thence North 01°29'39" East 1300.03 feet to the Northwest corner of the Northeast quarter of the Southwest quarter Section 12, marked with a found one-half inch rebar with plastic cap rls 27738; thence North 88°00'24" East 2677.55 feet to the Northeast corner of the Northwest quarter of the Southeast quarter Section 12, from which a found one-half inch rebar set as a witness corner bears South 00°04'23" West 183.13 feet; thence South 00°04'23" West 1289.18 feet to the Southeast corner of the Northwest quarter of the Southeast quarter Section 12, marked with a found one-half

inch rebar with plastic cap rls 19353; thence South 87°48'37" West 1353.25 feet to the Southwest corner of the Northwest quarter of the Southeast quarter Section 12, marked with a found one-half inch rebar with plastic cap rls 27738; thence South 00°52'03" West 1294.59 feet to the Southeast corner of the Southeast quarter of the Southwest quarter Section 12, marked with a found one-half inch rebar with plastic cap rls 27738; thence South 87°37'09" West 1371.40 feet to the Northeast corner of the Northwest quarter of the Northwest quarter Section 13, marked with a found one-half inch rebar with plastic cap rls 27738; thence South 00°42'41" East 1308.78 feet to the Southeast corner of the Northwest quarter of the Northwest quarter Section 13, marked with a found one-half inch rebar with plastic cap rls 19353; thence South 87°46'38" West 1366.74 feet to the Southwest corner of the Northwest quarter of the Northwest quarter Section 13, marked with a found one-half inch rebar with plastic cap rls 19353; thence North 00°54'41" West 1304.89 feet to the Northwest corner of Section 13 and the point of beginning. EXCEPT for the West half of the Southwest quarter of the Southwest quarter of Section 12. Containing 181.89 acres more or less.

32. Wenima Wildlife Area: The Wenima Wildlife Area shall be those areas described as:

T9N, R29E

Section 5, SE1/4 SW1/4, and SW1/4 SE1/4 EXCEPT E1/2 E1/2 SW1/4 SE1/4

Section 8, NE1/4 NW1/4, and NW1/4 NE1/4

Sections 8, 17 and 18, within the following boundary: From the quarter corner of Sections 17 and 18, the true point of beginning; thence North 00°12'56" East 1302.64 feet along the Section line between Sections 17 and 18 to the North 1/16 corner; then North 89°24'24" West 1331.22 feet to the Northeast 1/16 corner of Section 18; thence North 00°18'02" East 1310.57 feet to the East 1/16 corner of Sections 7 and 18; thence South 89°03'51" East 1329.25 feet to the Northeast Section corner of said Section 18; thence North 01°49'10" East 1520.28 feet to a point on the Section line between Sections 7 and 8; thence North 38°21'18" East 370.87 feet to a point; thence North 22°04'51" East 590.96 feet to a point; thence North 57°24'55" East 468.86 feet to a point on the East West mid-section line of said Section 8; thence North 89°38'03" East 525.43 feet along said mid-section line to the center West 1/16 corner; thence South 02°01'25" West 55.04 feet to a point; thence South 87°27'17" East 231.65 feet to a point; thence South 70°21'28" East 81.59 feet to a point; thence North 89°28'36" East 111.27 feet to a point; thence North 37°32'54" East 310.00 feet to a point; thence North 43°58'37" West 550.00 feet to a point; thence North 27°25'53" West 416.98 feet to the North South 1/16 line of said Section 8; thence North 02°01'25" East 380.04 feet along said 1/16 line to the Northwest 1/16 corner of said Section 8; thence North 89°45'28" East 1315.07 feet along the East West mid-sixteenth line to a point; thence South 45°14'41" East 67.69 feet to a point; thence South 49°28'18" East 1099.72 feet to a point; thence South 08°04'43" West 810.00 feet to a point; thence South 58°54'47" West 341.78 feet to a point; thence South 50°14'53" West 680.93 feet to a point in the center of that cul-de-sac at the end of Jeremy's Point Road; thence North 80°02'20" West 724.76 feet to a point, said point lying North 42°15'10" West 220.12 feet from the Northwest corner of Lot 72; thence North 34°19'23" East 80.64 feet to a point; thence North 15°54'25" East 51.54 feet to a point; thence North 29°09'53" East 45.37 feet to a point; thence North 40°09'33" East 69.21 feet to a point; thence North 25°48'58" East 43.28 feet to a point; thence North 13°24'51" East 63.12 feet to a point; thence North 16°03'10" West 30.98 feet to a point; thence North 57°55'25" West 35.50 feet to a point; thence North 80°47'38" West 48.08 feet to a point; thence South 87°28'53" West 82.84 feet to a point; thence South 72°07'06" West 131.85 feet to a point; thence South 43°32'45" West 118.71 feet to a point; thence South 02°37'48" East 59.34 feet to a point; thence South 33°03'29" East 57.28 feet to a point; thence South 28°30'29" East 54.75 feet to a point; thence South 36°39'47" East 105.08 feet to a point; thence South 24°55'07" West 394.78 feet to a point; thence South 61°32'16"

West 642.77 feet to the Northwest corner of Lot 23; thence North 04°35'23" West 90.62 feet to a point; thence South 85°24'37" West 26.00 feet to a point; thence North 64°21'36" West 120.76 feet to a point; thence South 61°07'57" West 44.52 feet to a point; thence South 39°55'58" West 80.59 feet to a point; thence South 11°33'07" West 47.21 feet to a point; thence South 19°53'19" East 27.06 feet to a point; thence South 54°26'36" East 62.82 feet to a point; thence South 24°56'25" West 23.92 feet to a point; thence South 48°10'38" West 542.79 feet to a point; thence South 17°13'48" West 427.83 feet to the Northwest corner of Lot 130; thence South 29°10'58" West 104.45 feet to the Southwest corner of Lot 130; thence Southwesterly along a curve having a radius of 931.52 feet, and arc length of 417.52 feet to the Southwest corner of Lot 134; thence South 15°04'25" West 91.10 feet to a point; thence South 04º29'15" West 109.17 feet to a point; thence South 01°41'24" West 60.45 feet to a point, thence South 29°16'05" West 187.12 feet to a point; thence South 14°44'00" West 252.94 feet to a point; thence South 15°42'24" East 290.09 feet to a point; thence South 89°13'25" East 162.59 feet to a point; thence South 37°19'54" East 123.03 feet to the Southeast corner of Lot 169; thence South 20°36'30" East 706.78 feet to the Northwest corner of Lot 189; thence South 04°07'31" West 147.32 feet to a point; thence South 29°11'19" East 445.64 feet to a point; thence South 00°31'40" East 169.24 feet to the East West mid-section line of Section 17 and the Southwest corner of Lot 194; thence South 89°28'20" West 891.84 feet along said East West mid-section line to the true point of beginning. All in G&SRB&M, Apache County, Arizona.

33. White Mountain Grasslands Wildlife Area: The White Mountain Grasslands Wildlife Area shall be those areas described as:

Parcel No. 1: (CL1)

The South half of Section 24; the North half of the Northwest quarter of Section 25; the Northeast quarter and the North half of the Southeast quarter of Section 26; all in Township 9 North, Range 27 East of the Gila and Salt River Base and Meridian, Apache County, Arizona; EXCEPT all coal and other minerals as reserved to the United States in the Patent of said land.

Parcel No. 2: (CL2)

The Southeast quarter and the Southeast quarter of the Southwest quarter of Section 31, Township 9 North, Range 28 East of the Gila and Salt River Base and Meridian, Apache County, Arizona.

Parcel No. 3: (CL3)

The Northwest quarter of the Southwest quarter of Section 28; and the Southwest quarter, the South half of the Southeast quarter and the Northeast quarter of the Southeast quarter of Section 29, Township 9 North, Range 28 East of the Gila and Salt River Base and Meridian, Apache County, Arizona.

Parcel No. 4: (CL4)

The Southwest quarter of the Southwest quarter of Section 5; the Southeast quarter of the Southeast quarter of Section 6; the Northeast quarter of the Northeast quarter of Section 7; the Northwest quarter of the Northwest quarter, the East half of the Southwest quarter of the Northwest quarter, the West half of the Northeast quarter, the Southeast quarter of the Northwest quarter, and that portion of the South half which lies North of Highway 260, EXCEPT the West half of the Southwest quarter of Section 8; All in Township 8 North, Range 28 East of the Gila and Salt River Base and Meridian, Apache County, Arizona.

Parcel No. 1: (O1)

The South half of the North half of Section 10, Township 8 North, Range 28 East, of the Gila and Salt River Base and Meridian, Apache County, Arizona; EXCEPT that Parcel of land lying within the South one-half of the Northeast quarter of Section 10, Township 8 North, Range 28 East, of the Gila and Salt River Base and Meridian, Apache County, Arizona, more particularly described as follows:

From the North 1/16 corner of Sections 10 and 11, monumented with a 5/8 inch rebar with a cap marked LS 13014, said point being the TRUE POINT OF BEGINNING; thence North

89°44'54" West 1874.70 feet along the East-West 1/16 line to a point monumented with a half-inch rebar with a tag marked LS 13014; thence South 02°26'17" West 932.00 feet to a point monumented with a half-inch rebar with a tag marked LS 13014; thence South 89°44'54" East 1873.69 feet to a point monumented with a half-inch rebar with a tag marked LS 13014, said point being on the East line of Section 10; thence North 02°30'00" East 932.00 feet along said Section line to the TRUE POINT OF BEGINNING.

Parcel No.2: (O2)

The North half of the South half of Section 10, Township 8 North, Range 28 East, of the Gila and Salt River Base and Meridian, Apache County, Arizona.

Parcel No.3: (O3)

The Southeast quarter of Section 25, Township 9 North, Range 27 East, of the Gila and Salt River Base and Meridian, Apache County, Arizona; EXCEPT all coal and other minerals as reserved to the United States in the Patent of said land.

Parcel No.4: (O4)

Lots 3 and 4; the East half of the Southwest quarter; the West half of the Southeast quarter; and the Northeast quarter of the Southeast quarter of Section 30, Township 9 North, Range 28 East, of the Gila and Salt River Base and Meridian, Apache County, Arizona; EXCEPT all coal and other minerals as reserved to the United States in the Patent of said land.

Parcel No.5: (O5)

Lots 1, 2 and 3; the South half of the Northeast quarter; the Northwest quarter of the Northeast quarter; the East half of the Northwest quarter; and the Northeast quarter of the Southwest quarter of Section 31, Township 9 North, Range 28 East, of the Gila and Salt River Base and Meridian, Apache County, Arizona; EXCEPT all coal and other minerals as reserved to the United States in the Patent of said land.

Parcel No.6: (O6)

Beginning at the Northwest corner of the Southeast quarter of Section 27, Township 9 North, Range 28 East, of the Gila and Salt River Base and Meridian, Apache County, Arizona; thence East 1320.00 feet; thence South 925.00 feet: thence West 320.00 feet to the center of a stock watering tub; thence North 83° West 1000.00 feet; thence North 740.00 feet to the point of beginning; EXCEPT all gas, oil, metals and mineral rights as reserved to the State of Arizona in the Patent to said land.

34. White Water Draw Wildlife Area: The White Water Draw Wildlife Area shall be those areas described as:
    T21S, R26E
    Section 19, S1/2 SE1/4
    Section 29, W1/2 NE1/4, and E1/2 NE1/4
    Section 30, N1/2 NE1/4
    Section 32
    T22S, R26E
    Section 4, Lots 3 and 4
    T22S, R26E
    Section 5, Lots 1 to 4, EXCEPT an undivided 1/2 interest in all minerals, oil, and/or gas as reserved in Deed recorded in Docket 209, page 117, records of Cochise County, Arizona.
35. Willcox Playa Wildlife Area: The Willcox Playa Wildlife Area shall be that area within the posted Arizona Game and Fish Department fences enclosing the following described area: Beginning at the section corner common to Sections 2, 3, 10 and 11, T15S, R25E, G&SRB&M, Cochise County, Arizona; thence, South 0°15'57" West 2645.53 feet to the east 1/4 corner of Section 10; thence South 89°47'15" West 2578.59 feet to the center 1/4 corner of Section 10; thence, North 1°45'24" East 2647.85 feet to the center 1/4 corner of Section 3; thence, North 1°02'42" West 2647.58 feet to the center 1f4 corner of said Section 3; thence North 89°41'37" East to the common 1/4 corner of Section 2 and Section 3; thence, South 0°00'03" West 1323.68 feet to the south 1/16 corner of said Sections 2 and 3; thence South 44°46'30" East 1867.80 feet to a point on the common section line of Section 2 and Section 11; thence South 44°41'13" East 1862.94 feet to a point; thence South 44°42'35" East 1863.13 feet to a point; thence North 0°13'23" East 1322.06 feet to a point; thence South 89°54'40" East 1276.24 Feet to a point on the west right-of-way

fence line of Kansas Settlement Road; thence South 0°12'32" West 2643.71 feet along said fence line to a point; thence North 89°55'43" West 2591.30 feet to a point; thence North 0°14'14" East 661.13 feet to a point; thence North 89D°55'27" West 658.20 feet to a point; thence North 0°14'39" East 1322.36 feet to a point; thence North 44°41'19" West 931.44 feet to a point; thence North 44°40'31" West 1862.85 feet to the point of beginning. Said wildlife area contains 543.10 acres approximately.

B. Department Controlled Properties are described as follows:

Hirsch Conservation Education Area and Biscuit Tank: The Hirsch Conservation Education Area and Biscuit Tank shall be that area lying in Section 3 T5N R2E. Beginning at the North East corner of Section 3,T5N, R2E, G&SRB&M, Maricopa County, Arizona; thence South 35d33'23.43" West 2938.12 feet; to the point of true beginning; thence South 81d31'35.45" West 147.25 feet; thence South 45d46'21.90" West 552.25 feet; thence South 21d28'21.59" West 56.77 feet; thence South 16d19'49.19" East 384.44 feet; thence South 5d27'54.02" West 73.43 feet; thence South 89d50'44.45" East 431.99 feet; thence North 4d53'57.68" West 81.99 feet; thence North 46d49'53.27" West 47.22 feet; thence North 43d3'3.68" East 83.74 feet; thence South 47d30'40.79" East 47.71 feet; thence North 76d2'59.67" East 105.91 feet; thence North 15d45'0.24" West 95.87 feet; thence North 68d48'27.79" East 69.79 feet; thence North 8d31'53.39" West 69.79 feet; thence North 30d5'32.34" East 39.8 feet; thence North 46d17'32.32" East 63.77 feet; thence North 22d17'26.17" West 517.05 feet to the point of true beginning.

Authorizing Statute

General: A.R.S. § 17-231(A)(1)
Specific: A.R.S. §§ 17-231(B)(2) and 41-1005(A)

Historical Note

New Section adopted by exempt rulemaking at 6 A.A.R. 1731, effective May 1, 2000 (Supp. 00-2). Amended by exempt rulemaking at 9 A.A.R. 3141, effective August 23, 2003 (Supp. 03-2). Amended by exempt rulemaking at 11 A.A.R. 1927, effective May 20, 2005 (Supp. 05-2). Amended by exempt rulemaking at 16 A.A.R. 397, effective March 5, 2010 (Supp. 10-1). Amended by exempt rulemaking at 17 A.A.R. 800, effective June 20, 2011 (Supp. 11-2). Amended by exempt rulemaking at 18 A.A.R. 1070, effective June 15, 2012. Amended by exempt rulemaking at 19 A.A.R. 931, effective June 17, 2013.

ARTICLE 9. ARIZONA WILDLIFE CONSERVATION FUND GRANTS

R12-4-901. Definitions

In addition to the definitions provided under A.R.S. §§ 17-101 and 41-2701, the following definitions apply to this Article, unless otherwise specified:

"Administrative subunit" means a branch, chapter, department, division, section, school, or other similar divisional entity of an eligible applicant. For example, an individual:

School, but not an entire school district;
Field office or project office, but not an entire agency; or
Administrative department, but not an entire city government.

"Eligible applicant" means any state agency, political subdivision, Indian tribe, or non-profit organization that has met the applicable requirements of this Article and does not have an Arizona Wildlife Conservation Fund Grant in extension as authorized under R12-4-905(B).

"Facilities" means any structure or site improvements.

"Fund" means the Arizona Wildlife Conservation Fund, established under A.R.S. § 17-299.

"Grant Agreement" means the document that details the terms and conditions of a grant project that are binding on the participant and the Commission.

"Grant effective date" means the date the Department Director signs the Grant Agreement.

"Participant" means an eligible applicant who has been awarded a grant from the Arizona Wildlife Conservation Fund Grant.

"Project" means an activity, series of related activities, or services described in the scope of work and result in a specific end product.

"Project period" means the time during which a participant shall complete all approved work and related expenditures associated with an approved project.
"Representative" means an individual who is authorized to represent an eligible applicant or an administrative subunit and is responsible for administering a project.
"Term of public use" means the time period during which the project or facility is expected to be maintained for public use.

Authorizing Statute
General: A.R.S. § 17-231(A)(1)
Specific: A.R.S. §§ A.R.S. §§ 17-231(A)(7) 17-231(A)(8), 17-231(B)(6), and 17-299

Historical Note
New Section made by final rulemaking at 11 A.A.R. 1109, effective April 30, 2005 (Supp. 05-1). Amended by final rulemaking at 19 A.A.R. 768, effective June 1, 2013.

R12-4-902. General Provisions

A. An applicant shall submit to the Department an Arizona Wildlife Conservation Fund grant application according to a schedule of due dates determined by the Director as prescribed under A.R.S. Title 41, Chapter 24, Article 1. In compliance with A.R.S. § 41-2702, the Department shall:
1. Provide public notice of the time, location, and due date for application submission; and
2. Furnish materials necessary to complete the application.

B. An eligible applicant may apply for a grant from the Arizona Wildlife Conservation Fund as prescribed under A.R.S. § 17-299 and this Article.

C. The Department shall notify an applicant in writing of the results of the applicant's submission and announce Arizona Wildlife Conservation Fund Grant awards at a regularly scheduled open meeting of the Commission.

D. The Department shall distribute awarded Arizona Wildlife Conservation Fund Grant funds at its sole discretion, dependent on the proposed project scope of work. The Department may perform inspections and reviews before releasing final payment.

E. A participant shall not begin a project described in an application until after the grant effective date.

F. A participant shall complete the project as specified under the terms and conditions of the Grant Agreement.

G. An applicant shall demonstrate ownership or control of the project. Ownership or control may be demonstrated through fee title, lease, easement, or agreement. For all other project types related to sites not controlled by an applicant, an applicant shall provide written permission from the property owner authorizing the project activities and access. To be eligible for an Arizona Wildlife Conservation Fund Grant, the applicant's ownership or control or written permission shall demonstrate:
1. Permission for access is not revocable at will by the property owner, and
2. Public access will be granted to the project site for the life of the project, unless the purpose of the project proposal is to limit access.

H. A non-profit participant shall provide public access to any land that is wholly or partly purchased with grant monies, unless specified otherwise.

I. A participant shall deposit transferred Arizona Wildlife Conservation Fund Grant funds in a separate non-interest bearing account, carrying the name and number of the project.

J. A participant shall use awarded Arizona Wildlife Conservation Fund grant monies solely for the purposes defined under A.R.S. § 17-299, as approved by the Department. The participant shall not exceed the grant allocation unless both parties agree to amend the Grant Agreement.

K. If applicable, a participant shall operate and maintain grant-assisted project facility improvements, provide reasonable protection of any project improvements, and ensure that public access is maintained as specified in the Grant Agreement.

L. A participant shall pay all costs associated with the operation and maintenance of properties, facilities, equipment, ~~and~~ services, publications and other media funded by a grant for the term of the public use as specified in the Grant Agreement.

M. A participant shall give public acknowledgment of Arizona Wildlife Conservation Fund grant assistance for the term of public use. If a project involves acquisition of property or improvements, development of public access, or renovation of a habitat site, the participant shall install a permanent sign describing the funding sources. The participant may include the cost of the signage as part of the project. The participant is responsible for maintenance or replacement of the sign as required. For other project types, ~~a~~ the participant shall include Arizona Wildlife Conservation Fund grant funding acknowledgement on any publicly available or accessible products resulting from the project.

N. A participant shall not use grant monies to replace monies already budgeted for the project

O. A participant shall ensure that real property purchased with grant assistance is appraised by a state certified appraiser within six months before the acquisition, in accordance with the Uniform Standards of Professional Appraisal Practice. The Department has the authority to select an appraiser for an independent evaluation if the Department determines the participant's appraised value of the real property is not accurate.

P. If a balance of awarded Arizona Wildlife Conservation Grant funds remain upon completion of approved project elements, the participant may, with Department approval, use those unexpended funds for an additional project consistent with the original scope of work, or surrender those unexpended funds to the Department.

Q. A participant shall use equipment purchased with Arizona Wildlife Conservation Grant funds in a manner consistent with the purposes of the Grant Agreement and surrender the equipment to the Department upon completion of the project if the equipment has an acquisition cost of more than $500.

R. A participant is responsible for ensuring compliance with all applicable local, state and federal laws before the release of Arizona Wildlife Conservation Grant Funds and during project implementation.

S. In accordance with A.R.S. Title 41, Chapter 24, an unsuccessful applicant may submit an appeal.

T. A participant shall bear full responsibility for compliance by subcontractors of the terms and conditions of the Grant Agreement.

U. The Department may inspect or audit participant and subcontractor records. Upon the Department's request, a participant or subcontractor shall produce a legible copy of these records. The participant is responsible for the acceptable performance of a subcontractor under each subcontract.

V. A participant who fails to comply with the terms or conditions of a Grant Agreement is not eligible to apply for other grants until the applicant's project is brought into compliance.

W. If a representative has a grant-funded project that has been extended under R12-4-905, an administrative subunit that employs the representative is not eligible to apply for other grants until the project is completed.

X. When applicable, the Department shall comply with A.R.S. Title 41, Chapter 4.2 and the applicant shall provide evidence to the Department that the applicant has satisfied all the necessary requirements of these statutes established under this rule, including the proposed project's potential impact on historical and archaeological properties and resources.

Authorizing Statute

General: A.R.S. § 17-231(A)(1)
Specific: A.R.S. §§ A.R.S. §§ 17-231(A)(7) 17-231(A)(8), 17-231(B)(6), and 17-299

Historical Note

New Section made by final rulemaking at 11 A.A.R. 1109, effective April 30, 2005 (Supp. 05-1). Amended by final rulemaking at 19 A.A.R. 768, effective June 1, 2013.

R12-4-903. Grant Application

A. To be considered for an Arizona Wildlife Conservation Fund grant, an eligible applicant shall submit a grant application as established under this Article and in compliance with the Arizona Wildlife Conservation Fund Grant application materials.

B. An applicant shall provide the following information on the Arizona Wildlife Conservation Fund grant application form:

1. The name of the applicant;

2. The name, title, mailing address, e-mail address, and telephone number of the applicant's representative or individual responsible for the day-to-day management of the proposed project;
3. Any county and legislative district where the project will be developed or upon which the project will have a direct impact;
4. A descriptive project title;
5. The name of the site, primary location, and any other locations of the project;
6. Description of the:
   a. Scope of work and the objective of the proposed project;
   b. Methods for achieving the objective; and
   c. Desired result of the project;
7. The beginning and ending dates for the project;
8. The resources that will be needed to accomplish the project, including the grant monies requested, and if applicable, evidence of secured matching funds or contributions; and
9. Any additional supporting information that may be required by the Department.

C. If the applicant is a non-profit organization exempt from federal income taxation under Section 501(c) of the Internal Revenue Code, the applicant shall also submit documentation or other evidence of its exemption.

D. Upon request, an applicant or the applicant's representative shall provide documentation to the Department of the representative's authority to sign an application and execute a Grant Agreement.

E. An applicant shall submit an estimated cost sheet for the scope of work that contains the following information, if applicable:
1. The project title, as designated on the application form;
2. A list of all land parcels to be acquired, in priority order, with the acreage involved and anticipated dates of acquisition;
3. The hourly rate, title, and name of personnel who will accomplish the project objectives; and
4. The total cost for the entire project proposal with each of the following amounts listed separately:
   a. Grant monies requested;
   b. Applicant match for the project, if applicable; and
   c. Any other sources of funding.

Authorizing Statute
General: A.R.S. § 17-231(A)(1)
Specific: A.R.S. §§ A.R.S. §§ 17-231(A)(7) 17-231(A)(8), 17-231(B)(6), and 17-299

Historical Note
New Section made by final rulemaking at 11 A.A.R. 1109, effective April 30, 2005 (Supp. 05-1). Amended by final rulemaking at 19 A.A.R. 768, effective June 1, 2013.

R12-4-904. Review of Proposals

A. Grant proposals are competitive and the Department shall recommend awards based on a proposed project's compatibility with the priorities of the Department, as approved by the Commission, and to the extent that these priorities and factors are consistent with A.R.S. § 17-299.

B. If applicable, the Department may require an applicant to modify the application prior to awarding an Arizona Wildlife Conservation Fund grant, if the Department determines that the modification is necessary for the successful completion of the project. In these cases, the applicant shall provide the information requested within 10 working days from the date on the notification provided by the Department.

Authorizing Statute
General: A.R.S. § 17-231(A)(1)
Specific: A.R.S. §§ A.R.S. §§ 17-231(A)(7) 17-231(A)(8), 17-231(B)(6), and 17-299

Historical Note
New Section made by final rulemaking at 11 A.A.R. 1109, effective April 30, 2005 (Supp. 05-1). Amended by final rulemaking at 19 A.A.R. 768, effective June 1, 2013.

R12-4-905. Grant Agreement

A. Before the Department transfers any funds, the applicant shall sign the Grant Agreement

B. A participant may request an extension beyond the approved project period by writing to the Department. Requests for an extension shall be submitted by the participant no later than 30 days before the end of the project period. If approved, an extension shall be signed by both the participant and the Department.

C. Notwithstanding subsection (B), the Department may extend the project period for good cause such as, but not limited to, inclement weather or internal personnel changes.

D. The Department and the participant may amend the Grant Agreement during the project period. A participant seeking to amend the Grant Agreement shall submit a written request that includes justification to amend the Grant Agreement. The Department shall prepare any approved amendment in writing and both the Department and the participant shall sign the amendment.

E. If a participant is in default of the Grant Agreement, the Department may:
1. Terminate the Grant Agreement,
2. Seek recovery of grant monies awarded, and
3. Classify the participant as ineligible for Arizona Wildlife Conservation Fund Grants for a period of up to five years.

F. The Department, at its sole discretion, has the authority to include additional conditions in the Grant Agreement prior to signing the Agreement and through Amendment.

Authorizing Statute

General: A.R.S. § 17-231(A)(1)
Specific: A.R.S. §§ A.R.S. §§ 17-231(A)(7) 17-231(A)(8), 17-231(B)(6), and 17-299

Historical Note

New Section made by final rulemaking at 11 A.A.R. 1109, effective April 30, 2005 (Supp. 05-1). Amended by final rulemaking at 19 A.A.R. 768, effective June 1, 2013.

R12-4-906. Reporting and Recordkeeping Requirements

A. A participant shall submit project status reports to the Department as specified in the Grant Agreement. The project status report shall include the following, when applicable:
1. Progress in completing approved work;
2. Itemized, cumulative project expenditures;
3. A financial accounting of:
   a. Arizona Wildlife Conservation Fund Grants;
   b. Matching funds~~;~~
   c. Donations; and
   d. Income derived from project funds;
4. Any delays or problems that may prevent the on-time completion of the project; and
5. Any other information required by the Department.

B. Each participant shall retain and shall contractually require each subcontractor to retain all books, accounts, bank statements, reports, files, and other records that pertain to the acquisition and performance of the contract for a period of five years from the end date of the project period. The Department may inspect and audit participant and subcontractor records as prescribed under A.R.S. § 35-214. Upon the Department's request, a participant or subcontractor shall produce a legible copy of these records.

C. At the end of the project period and for each year until the end of the term of public use, a participant shall:
1. Certify compliance with the Grant Agreement; and
2. Complete a post-completion report form, furnished by the Department.

D. A participant shall submit project status reports, as required under this subsection. If a participant fails to submit a project status report, the Department may not release any remaining grant monies until the participant has submitted all past due project status reports.

Authorizing Statute

General: A.R.S. § 17-231(A)(1)
Specific: A.R.S. §§ A.R.S. §§ 17-231(A)(7) 17-231(A)(8), 17-231(B)(6), 17-299, and 35-214

Historical Note

New Section made by final rulemaking at 11 A.A.R. 1109, effective April 30, 2005 (Supp. 05-1). Amended by final rulemaking at 19 A.A.R. 768, effective June 1, 2013.

ARTICLE 11. AQUATIC INVASIVE SPECIES

R12-4-1101. Definitions

In addition to the definitions provided under A.R.S. §§ 5-301 and 17-255, the following definitions apply to this Article, unless otherwise specified:

"Aquatic invasive species" means those species listed in Director's Order 1.

"Certified agent" means a person who meets Department standards to conduct inspections authorized under A.R.S. § 17-255.01(C)(1).

"Conveyance" means a device designed to carry or transport water. Conveyance includes, but is not limited to, dip buckets, water hauling tanks, and water bladders.

"Equipment" means an item used either in or on water; or to carry water. Equipment includes, but is not limited to, trailers used to launch or retrieve watercraft, rafts, inner tubes, kick boards, anchors and anchor lines, docks, dock cables and floats, buoys, beacons, wading boots, fishing tackle, bait buckets, skin diving and scuba diving equipment, submersibles, pumps, sea planes, and heavy construction equipment used in aquatic environments.

"Operator" means a person who operates or is in actual physical control of a watercraft, vehicle, conveyance or equipment.

"Owner" means a person who claims lawful possession of a watercraft, vehicle, conveyance, or equipment.

"Person" has the same meaning as defined under A.R.S. § 1-215.

"Release" means to place, plant, or cause to be placed or planted in waters.

"Transporter" means a person responsible for the overland movement of a watercraft, vehicle, conveyance, or equipment.

"Waters" means surface water of all sources, whether perennial or intermittent, in streams, canyons, ravines, drainage systems, canals, springs, lakes, marshes, reservoirs, ponds, and other bodies or accumulations of natural, artificial, public or private waters situated wholly or partly in or bordering this State.

Authorizing Statute

General: A.R.S. § 17-231(A)(1)
Specific: A.R.S. §§ 17-231(B)(2), 17-255, 17-255.01, 17-255.02, 17-255.03, and 17-255.04

Historical Note

New Section made by final rulemaking at 18 A.A.R. 196, effective January 10, 2012 (Supp. 12-1).

R12-4-1102. Aquatic Invasive Species; Prohibitions; Inspection, Decontamination Protocols

A. A person shall not, unless authorized under Article 4:
1. Possess, import, ship, or transport into or within this State an aquatic invasive species, unless authorized by the Director.
2. Sell, purchase, barter, or exchange in this State an aquatic invasive species.
3. Release an aquatic invasive species into waters or into any water treatment facility, water supply or water transportation facility, device or mechanism in this State.

B. Upon removing a watercraft, vehicle, conveyance, or equipment from any waters listed in Director's Order 2 and before leaving that location, a person shall:
1. Remove all clinging materials such as plants, animals, and mud.
2. Remove any plug or other barrier that prevents water drainage or, where none exists, take reasonable measures to drain or dry all compartments or spaces that hold water. Reasonable measures include, but are not limited to, emptying bilges, application of absorbents, or ventilation.

C. Before transporting a watercraft, vehicle, conveyance, or equipment to any waters located within or bordering this State from waters or locations where aquatic invasive species are suspected or known to be present, as listed in Director's Order 2, a person shall comply with the mandatory conditions and protocols identified in Director's Order 3 for decontamination of watercraft, vehicles, conveyances, and equipment.

D. Department employees, certified agents, and Arizona peace officers

authorized under A.R.S. § 17-104 may inspect a watercraft, vehicle, conveyance, or equipment for the purposes of determining compliance with A.R.S. § Title 17, Chapter 2, Article 3.1 and this Section.

E. If the presence of an aquatic invasive species is documented or suspected on or in a watercraft, vehicle, conveyance, or equipment, a Department employee or any Arizona peace officer may order the person to decontaminate or cause to be decontaminated such watercraft, vehicles, conveyances, and equipment using the mandatory protocols described in Director's Order 3.

F. The following Director's orders are available at any Department office and online at azgfd.gov:

1. Director's Order 1 - Listing of Aquatic Invasive Species for Arizona,
2. Director's Order 2 - Designation of Waters or Locations Where Listed Aquatic Invasive Species are Present, and
3. Director's Order 3 - Mandatory Conditions on the Movement of Watercraft, Vehicles, Conveyances, or Other Equipment from Listed Waters Where Aquatic Invasive Species are Present.

G. This Section does not apply to owners and operators exempt under A.R.S. § 17-255.04.

Authorizing Statute

General: A.R.S. § 17-231(A)(1)
Specific: A.R.S. §§ 17-231(B)(2), 17-255, 17-255.01, 17-255.02, 17-255.03, and 17-255.04

Historical Note

New Section made by final rulemaking at 18 A.A.R. 196, effective January 10, 2012 (Supp. 12-1).