

This is an amendment to 19.31.17 NMAC, Sections 7, 9, 11 and 12 effective 7-31-2012.

19.31.17.7 DEFINITIONS:

- A. **“Arrows”** shall mean only those arrows or bolts having broadheads with steel cutting edges.
 - B. **“Baiting”** shall mean the placing, exposing, depositing, distributing, or scattering of any salt, grain, scent or other feed on or over areas where hunters are attempting to take bighorn sheep.
 - C. **“Bighorn enhancement program”** as used herein, shall mean the department activity that allows the issuance of not more than ~~two~~ four permits for the taking of one bighorn ram per permit with the purpose of raising funds for programs and projects to benefit bighorn sheep.
 - D. **“Bighorn ewe”** shall mean any adult female bighorn sheep.
 - E. **“Bighorn ram”** shall mean any male bighorn sheep.
 - F. **“Bighorn sheep license”** shall mean a valid official document that is issued or approved by the director that each person hunting bighorn sheep in New Mexico must have or obtain prior to hunting.
 - G. **“Bow”** shall mean compound, recurve, or long bow. Sights on bows shall not project light nor magnify.
 - H. **“Crossbow”** shall mean a device with a bow limb or band of flexible material that is attached horizontally to a stock and has a mechanism to hold the string in a cocked position. Sights on crossbows shall not project light nor magnify.
 - I. **“Department”** shall mean the New Mexico department of game and fish.
 - J. **“Director”** shall mean the director of the New Mexico department of game and fish.
 - K. **“Game management unit” or “GMU”** shall mean those areas as described in the state game commission’s rule 19.30.4 NMAC Boundary Descriptions for Wildlife Management Areas.
 - L. **“License year”** shall mean the period from April 1 through March 31.
 - M. **“Modern firearms”** shall mean center-fire firearms, not to include any fully automatic firearms. Legal shotguns shall be only those shotguns capable of being fired from the shoulder.
 - N. **“Muzzle-loader or muzzle-loading firearms”** shall mean those rifles and shotguns in which the charge and projectile are loaded through the muzzle. Only blackpowder, Pyrodex or equivalent blackpowder substitute may be used. Use of smokeless powder is prohibited. Legal muzzle-loader shotguns shall be only those shotguns capable of being fired from the shoulder.
 - O. **“Wildlife management areas” or “WMAs”** shall mean those areas as described in the state game commission’s rule 19.30.4 NMAC Boundary Descriptions for Wildlife Management Areas.
- [19.31.17.7 NMAC - Rp, 19.31.17.7 NMAC, 4-1-11; A, 7-31-12]

19.31.17.9 BIGHORN SHEEP LICENSE APPLICATION REQUIREMENTS AND RESTRICTIONS:

- A. **One bighorn sheep license per year:** It shall be unlawful for anyone to hold more than one permit or license for any bighorn sheep during a license year unless otherwise allowed by rule.
- B. **Validity of license or permit:** All permits or licenses shall be valid only for the specified dates, eligibility requirements or restrictions, legal sporting arms, bag limit and area specified by the hunt code printed on the permit, license, or carcass tag.
- C. **Rocky mountain bighorn sheep ram once-in-a-lifetime hunts:** It shall be unlawful for anyone to apply for a Rocky mountain bighorn sheep ram license if one has previously held a license to hunt a Rocky mountain bighorn sheep ram in New Mexico, excluding the youth-only, private land, auction, and raffle bighorn ram licenses. A person that has received the youth-only ram license is eligible for this hunt only once as a youth (under age 18), but may apply for the other Rocky mountain and desert bighorn once-in-a lifetime hunts as long as they are eligible. Exception: An applicant is eligible to submit a bid for the special bighorn auction and raffle licenses whether or not he or she has previously held a license to hunt Rocky mountain or desert bighorn sheep in New Mexico.
- D. **Desert bighorn sheep once-in-a-lifetime hunts:** It shall be unlawful for anyone to apply for a desert bighorn sheep license if one has previously held a license to hunt desert bighorn sheep in New Mexico, excluding the youth-only, private land, auction, and raffle bighorn ram licenses. A person that has received the youth-only ram license is eligible for this hunt only once as a youth (under age 18), but may apply for the other Rocky mountain and desert bighorn once-in-a lifetime hunts as long as they are eligible. Exception: An applicant is eligible to submit a bid for the special bighorn auction and raffle licenses whether or not he or she has previously held a license to hunt Rocky mountain or desert bighorn sheep in New Mexico.

E. Youth only (YO) bighorn sheep hunts: It shall be unlawful for anyone to apply for a youth only (YO) bighorn sheep license except as allowed by 19.31.3.11 NMAC. Youth hunters must provide their hunter education certificate number on their application.

F. Rocky mountain bighorn sheep ewe hunts: This hunt is not once-in-a-lifetime hunt. A person that has previously held a license to hunt Rocky mountain bighorn rams or ewes is eligible to apply for this hunt. [19.31.17.9 NMAC - Rp, 19.31.17.9 NMAC, 4-1-11; A, 7-31-12]

19.31.17.11 BIGHORN SHEEP HUNTING SEASONS: ~~[Bighorn sheep hunts for 2011-12 through 2014-15 hunting seasons shall be as indicated below, listing the GMUs or areas open, eligibility requirements or restrictions, hunt dates, hunt codes, number of licenses available, and bag limits. Additional eligibility requirements and restrictions are defined in 19.31.17.9 NMAC above. The hunter with the auction license must declare and hunt any one of the open hunt areas below. The hunter with the raffle license must declare and may hunt any one open hunt area below not chosen by the hunter of the auction tag. The Wheeler peak area is closed 8/11 to 8/31 annually to all bighorn sheep hunters. All desert bighorn sheep hunts, except the BHS 1-100 Peloneillo mountain hunt, shall be contingent upon the de-listing of desert bighorn sheep following the procedures set forth in the Wildlife Conservation Act (17-2-40, NMSA 1978). All bighorn hunts on private deeded lands, including the Culebra and Fra Cristobal mountains, and hunts on the San Andres national wildlife refuge and White Sands missile range shall be contingent on agreements established between the department and the respective land owners, including the dates of the hunting season. The hunt areas as set forth in the following table shall be open for the auction (BHS 1-500) and raffle (BHS 1-600) hunters. The Wheeler peak, Pecos, and Latir mountain ewe hunts shall be offered to address department management needs.] Bighorn sheep hunts for 2011-12 through 2014-15 hunting seasons shall be as indicated below, listing the GMUs or areas open, eligibility requirements or restrictions, hunt dates, hunt codes, number of licenses available, and bag limits. Additional eligibility requirements and restrictions are defined in 19.31.17.9 NMAC above. The hunters with the auction licenses must declare by June 1 annually to hunt the designated subspecies in one of the open hunt areas listed below. The hunters with the raffle licenses must declare to hunt the designated subspecies in one of the open hunt areas listed below not chosen by the hunter of the auction license. By July 20 annually, the raffle hunters must declare if they are choosing the Fra Cristobals or Culebras hunt. If the raffle hunters choose any other hunt they must declare at the time of obtaining the hunting license. The Wheeler peak area is closed 8/11 to 8/31 annually to all bighorn sheep hunters. The hunt areas as set forth in the following table shall be open for the designated subspecies auction (BHS-1-500) and raffle (BHS-1-600) hunters. Auction and raffle licenses and licenses issued through private land authorizations are not 'once-in-a lifetime'. The Wheeler peak, Pecos, and Latir mountain ewe hunts shall be offered to address department management needs.~~

open GMUs or areas	2011-2012 hunt period	2012-2013 hunt period	2013-2014 hunt period	2014-2015 hunt period	hunt code	lic.	bag limit
<u>Rocky mountain bighorn sheep hunts:</u>							
[27: Peloneillo mountains	11/1-11/30	11/1-11/30	11/1-11/30	11/1-11/30	BHS 1-100	1	1 ram]
45: Pecos mountains	8/20-8/26	8/18-8/24	8/17-8/23	8/16-8/22	BHS-1-101	[3] 2	1 ram
45: Pecos mountains	8/27-9/2	8/25-8/31	8/24-8/30	8/23-8/29	BHS-1-102	[2] 1	1 ram
45: Pecos mountains, YO	8/27-9/2	8/25-8/31	8/24-8/30	8/23-8/29	BHS-1-103	1	1 ram
45: Pecos mountains	9/3-9/9	9/1-9/7	8/31-9/6	8/30-9/5	BHS-1-104	17	1 ewe
45: Pecos mountains, YO	9/3-9/9	9/1-9/7	8/31-9/6	8/30-9/5	BHS-1-105	5	1 ewe
53: Wheeler peak portion south of NM 38	9/10-9/16	9/8-9/14	9/7-9/13	9/6-9/12	BHS-1-106	4	1 ram

New Mexico Register / Volume XXIII, Number 14 / July 31, 2012

53: Wheeler peak portion south of NM 38	9/17-9/23	9/15-9/21	9/14-9/20	9/13-9/19	BHS-1-107	[up to 28] 10	1 ewe
<u>53: Wheeler peak portion south of NM 38</u>	<u>n/a</u>	<u>9/22-9/28</u>	<u>9/21-9/27</u>	<u>9/20-9/26</u>	<u>BHS-1-125</u>	<u>14</u>	<u>1 ewe</u>
53: Wheeler peak, YO - portion south of NM 38	9/17-9/23	9/15-9/21	9/14-9/20	9/13-9/19	BHS-1-108	4	1 ewe
53, 55: Latir mountains	8/13-8/19	8/11-8/17	8/10-8/16	8/9-8/15	BHS-1-109	1	1 ram
53, 55: Latir mountains	9/3-9/9	9/1-9/7	8/31-9/6	8/30-9/5	BHS-1-110	[up to 11]	1 ewe
53, 55: Latir mountains, YO	9/3-9/9	9/1-9/7	8/31-9/6	8/30-9/5	BHS-1-111	1	1 ewe
16B, 22, 23, 24: Turkey creek-San Francisco river	1/7-1/16	1/5-1/14	1/4-1/13	1/3-1/12	BHS-1-112	2	1 ram
55A: Culebras	[8/1-9/30 n/a]	[8/1-9/30 8/15-9/30]	[8/1-9/30 8/15-9/30]	[8/1-9/30 8/15-9/30]	BHS-1-113	1	1 ram
<u>desert bighorn sheep hunts:</u>							
<u>27: Peloncillo mountains</u>	<u>11/1-11/30</u>	<u>11/1-11/30</u>	<u>11/1-11/30</u>	<u>11/1-11/30</u>	<u>BHS-1-100</u>	<u>2</u>	<u>1 ram</u>
26: Hatchet mountains	TBD	TBD	TBD	TBD	BHS-1-114	[2] 3	1 ram
26: Hatchets mountains	TBD	TBD	TBD	TBD	BHS-1-115	[2] 3	1 ram
19: San Andres mountains [(WMSR only)]	TBD	TBD	TBD	TBD	BHS-1-116	TBD	1 ram
[19: San Andres mountains (SANWR only)]	TBD	TBD	TBD	TBD	BHS-1-117	TBD	[1 ram]
20: Caballo mountains	TBD	TBD	TBD	TBD	BHS-1-118	1	1 ram
20: Caballo mountains	TBD	TBD	TBD	TBD	BHS-1-119	1	1 ram
20: Fra Cristobal mountains <u>public draw</u>	TBD	TBD	TBD	TBD	BHS-1-120	TBD	1 ram
20: Fra Cristobal mountains <u>private land</u>	TBD	TBD	TBD	TBD	BHS-1-121	TBD	1 ram

20: Fra Cristobal mountains, <u>YO public draw</u>	TBD	TBD	TBD	TBD	BHS-1-122	TBD	1 ram
<u>20: Fra Cristobal mountains, YO private land</u>	<u>TBD</u>	<u>TBD</u>	<u>TBD</u>	<u>TBD</u>	<u>BHS-1-124</u>	<u>TBD</u>	<u>1 ram</u>
13: Ladron mountain	TBD	TBD	TBD	TBD	BHS-1-123	1	1 ram
auction hunt	8/1-12/31	8/1-12/31	8/1-12/31	8/1-12/31	BHS-1-500	[+] <u>2</u>	1 ram
raffle hunt	8/1-12/31	8/1-12/31	8/1-12/31	8/1-12/31	BHS-1-600	[+] <u>2</u>	1 ram

[19.31.17.11 NMAC - Rp, 19.31.17.11 NMAC, 4-1-11; A, 7-31-12]

19.31.17.12 BIGHORN SHEEP ENHANCEMENT PROGRAM:

A. The director of the department shall collect all proceeds generated through auction and lottery of special bighorn sheep permits, and such monies shall be deposited in the game protection fund. These monies shall be made available for expenditure by the department solely for programs and projects to benefit bighorn sheep and for direct costs incurred in carrying out these programs. These monies shall be used to augment, and not replace, monies appropriated from existing funds available to the department for the preservation, restoration, utilization, and management of bighorn sheep.

B. The state game commission shall authorize the director of the department to issue not more than ~~two~~ four special bighorn sheep permits in any one license year to take one bighorn sheep ram per permit. The director shall allow the sale of ~~one permit~~ two permits through auction to the highest bidders and ~~one permit to a person~~ two permits to persons selected through a random drawing for the holder of a lottery ticket by the department or by an incorporated, nonprofit organization dedicated to the conservation of wild sheep.

C. ~~[Proposals for auctioning one special bighorn sheep permit and the sale of lottery tickets to obtain a second special bighorn sheep permit through a random drawing shall be submitted to the director of the department prior to January 31, preceding the license year when the permit may be legally used.]~~ Proposals for auctioning two special bighorn sheep permits and the sale of lottery tickets to obtain two special bighorn sheep permits through a pair of random drawings shall be submitted to the director of the department prior to January 31, preceding the license year when the permits may be legally used.

D. ~~[The proposals for auctioning one permit, and for the sale of lottery tickets and subsequent selection of a recipient for a second permit through a random draw shall each contain and identify]~~ The proposals for auctioning two permits, and for the sale of lottery tickets and subsequent selection of recipients for two permits through random drawing(s) shall each contain and identify: (1) the name of the organization making the request as well as the names, addresses and telephone numbers of those members of the organization who are coordinating the proposal; (2) the estimated amount of money to be raised and the rationale for that estimate; and (3) a copy of the organization's articles of incorporation with a letter attesting that the organization has tax-exempt status. The letter must also affirm that the proponent agrees to the conditions set forth by the director of the department. The letter must be signed and dated by the president and secretary-treasurer, or their equivalents.

E. The director of the department shall examine all proposals following the close of the application period. The director may reject any application which does not conform with the requirements of this section. In selecting a marketing organization, the director shall consider the qualifications of the organization as a fund raiser; the proposed fund raising plan; the fee charged by the marketing organization for promotional and administrative costs, relative to the funds obtained from auctioning the permit; and the organizations previous involvement with wild sheep management and its conservation objectives. The director may accept any proposals when it is in the best interest of bighorn sheep to do so.

F. After a proposal has been approved, the state game commission shall establish open season dates, open areas, and license requirements.

G. The marketing organization must agree in writing to the following: (1) to transfer all proceeds on or before the tenth day of the month following the auction and drawing for the lottery, and (2) to provide the department with the names, addresses, and the physical descriptions of the individuals to whom the special bighorn

sheep permits are issued.

H. The department and the marketing organization must agree to the arrangements for the deposit of the proceeds, payment for services rendered, the accounting procedures, and final audit.

I. Unless his or her hunting privileges have been revoked pursuant to law, any resident of New Mexico, nonresident, or alien is eligible to submit a bid for the special bighorn auction [~~permit~~] permits or purchase lottery tickets in an attempt to be selected for the special bighorn lottery [~~permit~~] permits.

J. The special bighorn sheep permits issued through auction and lottery may be transferred, through sale, barter or gift by the successful individuals to only other individuals qualified to hunt.

K. Special bighorn sheep permits granted through auction or lottery, as described above, shall not be considered 'once-in-a-lifetime' permits.

[19.31.17.12 NMAC - Rp, 19.31.17.12 NMAC, 4-1-11; A, 7-31-12]