

DIVISION 043  
MISCELLANEOUS PERMITS AND RECORDS

635-043-0150

Burns Paiute Ceremonial Harvest Permits

Ceremonial harvest permits for use by the Burns Paiute Tribe (the "Tribe").

(1) The Commission authorizes the harvest of deer, elk and pronghorn antelope by members of the Tribe for ceremonial and cultural purposes in accordance with these rules.

(2) Authorization for ceremonial harvest permits will be considered only upon written request from the Tribe.

(3) Authorization for harvest shall specify the season dates, times, locations, and numbers of permits authorized for each species.

(a) Permits authorized shall be provided to the Tribe and may be used only by enrolled members of the Tribe. Each permit shall specify the season dates, times, and location where the permit is valid.

(b) Enrolled Burns Paiute Tribal members using authorized ceremonial harvest permits must carry on their person a valid ceremonial harvest permit, and shall present this document, as well as documents identifying said hunter as a member of the Burns Paiute Tribe, to Department employees or law enforcement personnel upon request.

(c) Enrolled Burns Paiute Tribal members designated to harvest animals using ceremonial harvest permits shall not be required to possess a state hunting license or big game tags in addition to the ceremonial harvest permits authorizing harvest.

(d) In recognition of accepted Tribal custom, the Commission acknowledges that Tribal authorities may designate individuals to harvest animals using these ceremonial harvest permits. The Tribe may designate the number of permits used by enrolled Burns Paiute Tribal members, so long as the total harvest does not exceed the number of ceremonial permits authorized under subsection (e) of these rules.

(e) Pursuant to a request received under subsection (2), the Department shall issue up to eight (8) deer permits with a bag limit of "one deer" up to six (6) elk permits with

33 a bag limit of “one elk”, and up to four (4) pronghorn antelope permits with a bag  
34 limit of “one pronghorn”, for ceremonial purposes annually. Season dates are:  
35 January 1 through three days before the first day of general archery deer and elk  
36 season (inclusive) for deer and elk permits, and August 1 through three days before  
37 the first day of the Department pronghorn antelope season (inclusive) in the Silvies  
38 and Malheur River WMUs for pronghorn antelope.

39 (f) Each permit shall be validated immediately upon successful harvest of a designated  
40 animal by blacking out in ink, or removing in its entirety, only the month and day of  
41 the kill. The permit shall be attached securely to the game mammal in plain sight.  
42 The permit shall be kept attached to the carcass, or remain with any parts thereof,  
43 so long as the same are preserved.

44 (g) Ceremonial harvest permits are valid only on federal lands and Burns Paiute Tribal  
45 lands (Tribal trust and fee title) in the Silvies Wildlife Management Unit, that  
46 portion of the Malheur River Wildlife Management Unit (WMU) that is north of  
47 U.S. Highway 20, and the Burns Paiute Tribal property known as the Jonesboro  
48 property south of U.S. Highway 20 in the Malheur River WMU. Ceremonial harvest  
49 permits cannot be used on private lands and do not authorize trespass upon private  
50 lands to access federal or tribal lands where landowner permission has not been  
51 obtained. Ceremonial harvest permits do not authorize entry or use on public lands  
52 where hunting, access, or discharge of firearms is precluded by any other statute,  
53 rule or law.

54 (h) Methods of take, shooting hours, and other restrictions or limits on hunting  
55 methods, weapons and techniques all remain the same as those pertaining to sport  
56 harvest during other Commission authorized big game seasons.

57 (i) If a ceremonial need arises after the end of authorized season dates and a previously  
58 issued ceremonial harvest tag from that year was not validated for harvest, the  
59 Tribe may request a date extension in writing.

60 (A) Written request must include the specific ceremonial need as determined by the  
61 Tribe, the requested new dates for hunt, and the original tag.

62 (B) The species on the ceremonial harvest tag cannot be changed.

63 (C) The Department will consider the request to avoid conflicts with ongoing  
64 hunting seasons and may limit the hunt area from the description in (3)(g).

65 (D) If approved, the local Wildlife District staff from the Department will provide  
66 the revalidated tag to the Tribe.

67 (4) The Tribe shall report all harvest of deer, elk or pronghorn antelope conducted under  
68 ceremonial harvest permit to the Department on an annual basis.

69 (5) Animals harvested under an authorized ceremonial harvest permit may only be used by  
70 Tribal members for ceremonial and cultural purposes. Animals and parts thereof may  
71 not be bartered or sold.

72 (6) Authorization of these ceremonial-hunting permits does not create, convey, modify,  
73 limit, impede or imply any tribal legal or treaty entitlement.

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75 Stat. Auth.: ORS 496

76 Stats Implemented: ORS 496