

TITLE 19 NATURAL RESOURCES AND WILDLIFE
CHAPTER 31 HUNTING AND FISHING
PART 17 BIGHORN SHEEP

19.31.17.1 ISSUING AGENCY: New Mexico Department of Game and Fish.
[19.31.17.1 NMAC - Rp, 19.31.17.1 NMAC, 4-1-09]

19.31.17.2 SCOPE: Sportspersons interested in the management and hunting of bighorn sheep. Additional requirements may be found in Chapter 17, NMSA 1978, and Chapters 30, 31, 32 and 33 of Title 19.
[19.31.17.2 NMAC - Rp, 19.31.17.2 NMAC, 4-1-09]

19.31.17.3 STATUTORY AUTHORITY: 17-1-14 and 17-1-26 NMSA 1978 provide that the New Mexico state game commission has the authority to establish rules and regulations that it may deem necessary to carry out the purpose of Chapter 17 NMSA 1978 and all other acts pertaining to protected mammals, birds, and fish.
[19.31.17.3 NMAC - Rp, 19.31.17.3 NMAC, 4-1-09]

19.31.17.4 DURATION: April 1, 2009 through March 31, 2011.
[19.31.17.4 NMAC - Rp, 19.31.17.4 NMAC, 4-1-09]

19.31.17.5 EFFECTIVE DATE: April 1, 2009 unless a later date is cited at the end of individual sections.
[19.31.17.5 NMAC - Rp, 19.31.17.5 NMAC, 4-1-09]

19.31.17.6 OBJECTIVE: Establishing open hunting seasons and regulation, rules, and procedures governing the distribution and issuance of bighorn sheep licenses by the department.
[19.31.17.6 NMAC - Rp, 19.31.17.6 NMAC, 4-1-09]

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 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.

P. “Web sale” shall refer to accessing the department’s Internet address to initiate the process to purchase specific bighorn ewe hunting licenses as designated by the director annually.
[19.31.17.7 NMAC - Rp, 19.31.17.7 NMAC, 4-1-09]

19.31.17.8 ADJUSTMENT OF LICENSES: The director, with the verbal concurrence of the chairman or his designee, may adjust the number of bighorn licenses to address significant changes in population levels or habitat availability.
[19.31.17.8 NMAC - Rp, 19.31.17.8 NMAC, 4-1-09]

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, 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/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. Exception: An applicant is eligible to submit a bid for the special bighorn auction and raffle licenses whether or not he/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 youth only (YO) bighorn sheep license except as allowed by 19.31.3.11 NMAC. Youth hunters must provide hunter education certificate number on 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, 4-1-09]

19.31.17.10 BIGHORN SHEEP MANNER AND METHOD REQUIREMENTS AND RESTRICTIONS:

A. Season and hours: Bighorn sheep may be hunted or taken only during open seasons and only during the period from one-half hour before sunrise to sunset.

B. Bag limit: It is unlawful for any person to hunt for or take more than one bighorn sheep during a current license year unless otherwise provided by regulation.

C. Tagging

(1) Any license that permits the taking of bighorn sheep shall be issued with a bighorn carcass tag.

(2) It shall be unlawful to possess more than one tag for bighorn sheep except as permitted by regulation.

(3) It shall be unlawful for any licensee to fail to tag the bighorn sheep as prescribed below:

(a) Immediately after killing any bighorn sheep, the licensee killing the bighorn shall notch the proper day and month of kill from the carcass tag.

(b) The tag shall be attached to the bighorn sheep carcass and remain attached while the carcass is in any vehicle, left unattended in the field, or while it is in camp or at a residence or other place of storage. The notched tag may be removed from the carcass while the carcass is being removed from the field to a camp or vehicle. In situations where numerous trips are required to remove the carcass from the field, the tag shall remain attached to that portion of the carcass left in a camp or vehicle.

(4) A bighorn sheep tag, when attached to the carcass of legally taken game, shall authorize possession and storage for the period designated on the tag.

D. Proof of sex: It shall be unlawful for any one to transport or possess the carcass of any bighorn sheep without proof of sex. The horns and external genitalia of any bighorn sheep taken shall remain attached to the skull or pelt, as appropriate, and be readily visible until arriving at a residence, taxidermist, meat processing facility, or place of final storage.

E. Sealing of bighorn sheep horns: A seal shall be affixed to a horn of every bighorn sheep ram head taken in New Mexico, imported into New Mexico, or found in the field in New Mexico subsequent to August 17, 1973. Bighorn sheep heads found in the field within New Mexico shall remain the property of the state until disposed of by permit from the director. The seal shall authorize possession and transportation of the head within New Mexico.

(1) Such sealing shall be done within ten (10) days after the bighorn sheep ram head is taken, imported, or found in the field and before the bighorn sheep head is exported from New Mexico. Bighorn sheep ram heads not so declared shall be seized. Only legally taken and possessed bighorn sheep ram heads shall be sealed.

(2) Bighorn sheep ram heads legally sealed in other countries, states, tribal entities, provinces, and territories, and possessing a valid visible seal attached, are exempted.

F. Seizure: Any conservation officer or other officer authorized to enforce game laws and regulations shall seize the carcasses of bighorn sheep that are improperly tagged.

G. Use of dogs in hunting: It shall be unlawful to use dogs to hunt any bighorn sheep.

H. Use of baits or scents: It shall be unlawful for anyone to take or attempt to take any bighorn sheep by use of baits or scents as defined in 19.31.10.7 NMAC. Scent masking agents on one's person are allowed.

I. Live animals: It shall be unlawful to use live animals as a blind or decoy in taking or attempting to take any bighorn sheep.

J. Use of calling devices: It shall be unlawful to use any electrically or mechanically recorded calling device in taking or attempting to take any bighorn sheep.

K. Killing out-of-season: It shall be unlawful to kill any bighorn sheep out of bighorn sheep season.

L. Bullets: It shall be unlawful to take or attempt to take bighorn sheep by the use of tracer ammunition or any ammunition loaded with a full metal jacketed bullet. Only soft-nosed or hollow-pointed bullets may be used in hunting or taking bighorn sheep.

M. Drugs and explosives: It shall be unlawful to use any form of drug on an arrow or use arrows driven by explosives.

N. Legal sporting arms or weapon types for bighorn sheep are as follows: any center-fire rifle of .24 caliber or larger; any center-fire handgun of .24 caliber or larger; shotguns not smaller than 28 gauge, firing a single slug; muzzle-loading rifles not smaller than .45 caliber; bows and arrows; and crossbows and bolts (as designated by the director for certified mobility impaired hunters or as otherwise allowed in rule).

O. Areas closed to bighorn sheep hunting: The following areas shall remain closed to bighorn sheep hunting, except as permitted by regulation: Sugarite canyon state park; Rio Grande wild and scenic river area, including the Taos valley overlook; all wildlife management areas; the Valle Vidal area; and sub-unit 6B (Valles Caldera national preserve).

[19.31.17.10 NMAC - Rp, 19.31.17.10 NMAC, 4-1-09]

19.31.17.11 BIGHORN SHEEP HUNTING SEASONS: Bighorn sheep hunts for 2009-2010 and 2010-2011 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 1 of the open hunt areas below. The hunter with the raffle license may hunt any 1 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.

Open GMUs or areas	2009-2010 hunt start and end dates		2010-2011 hunt start and end dates		hunt code	lic	bag limit
27 Peloncillo mountains	11/01/2009	11/30/2009	11/01/2010	11/30/2010	BHS-1-100	1	1 ram
45 Pecos mountains	08/22/2009	08/28/2009	08/21/2010	08/27/2010	BHS-1-101	5	1 ram
45 Pecos mountains	08/29/2009	09/04/2009	08/28/2010	09/03/2010	BHS-1-102	4	1 ram
45 Pecos mountains, YO	08/29/2009	09/04/2009	08/28/2010	09/03/2010	BHS-1-103	1	1 ram
45 Pecos mountains web sale only	09/05/2009	09/11/2009	09/4/2010	09/10/2010	BHS-1-104	11	1 ewe
45 Pecos mountains, YO web sale only	09/05/2009	09/11/2009	09/4/2010	09/10/2010	BHS-1-105	4	1 ewe
53 Wheeler peak portion south of NM 38	09/05/2009	09/15/2009	09/05/2010	09/15/2010	BHS-1-106	4	1 ram
53, 55 Latir mountains	No hunt		08/14/2010	08/20/2010	BHS-1-107	1	1 ram
16B, 22, 23, 24 Turkey	01/9/2010	01/17/2010	01/08/2011	01/16/2011	BHS-1-108	2	1 ram

creek and San Francisco river.							
Auction hunt (Wheeler peak area is closed 8/11 to 8/30).	08/01/2009	12/31/2009	08/01/2010	12/31/2010	BHS-1-500	1	1 ram
Raffle hunt (Wheeler peak area is closed 8/11 to 8/30).	08/01/2010	12/31/2010	08/01/2010	12/31/2010	BHS-1-600	1	1 ram

[19.31.17.11 NMAC - Rp, 19.31.17.11 NMAC, 4-1-09]

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 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 through auction to the highest bidder and one permit to a person 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.

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: (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/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 and/or purchase lottery tickets in an attempt to be selected for the special bighorn lottery permit.

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 and/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, 4-1-09]