



Fort Berthold Reservation
Mandan, Hidatsa and Arikara Tribes
Fish and Wildlife Division
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2023 DEER GUN PROCLAMATION

Pursuant to Chapter 18 of Title 9 of the Code of Laws of the Three Affiliated Tribes of the Fort Berthold Reservation and the authority of the Three Affiliated Tribes Business Council: The Director of the Three Affiliated Tribes Fish & Wildlife Division hereby declares an open season on Mule Deer (ZILLA SHABISHA) and the White-tailed Deer (ZILLA DAGI) as described in the following proclamation.

Except as provided hereafter or otherwise by law, no person shall hunt, trap, kill, harass, take, and attempt to take, or possess any deer or parts thereof.

DEFINITIONS. As hereinafter used, unless the content or subject matter otherwise requires: "Hunt" or "hunting" means shooting, shooting at, pursuing, taking, attempting to take, or killing any game; searching for or attempting to locate or flush any game; luring, calling, or attempting to attract game; hiding for the purpose of taking or attempting to take game; and walking, crawling, or advancing toward wildlife while possessing implements or equipment useful in the taking of game. "Edible flesh" (big game animals) shall be both front quarters, both hind quarters, and back straps but does not include meat ruined by bullet or natural causes. "Common Carriers" are shipping companies, commercial meat processors and taxidermists. "Processed and Packaged Meat" is meat which has been cut/ground and wrapped. Quartered or boned out pieces of meat are not considered "processed."

1. SEASON:

The season for taking Deer with a gun shall be from one-half (½) hour before sunrise to one half (½) hour after sunset each day from November 3, 2023 through November 26, 2023. Hunters must cease any hunting activity and must be in the process of leaving the field at the close of shooting hours.

2. LIMIT:

Deer Gun License Holders may take and possess one deer as prescribed on their license.

3. LICENSES AND PERMITS:

Persons eligible to partake in the 2023 Deer Gun Season are: TAT Tribal members, Spouses of Enrolled Members, and Non-Member Residents and Non-Member Non-Residents.

Hunters must be in good standing and in compliance with all Fish & Wildlife rules and regulations. They must be current with all questionnaires, etc. to be eligible for the 2023 Deer Gun Season.

Licenses and special permits shall be issued in a manner and form prescribed by the Fish & Wildlife Director and in accordance with applicable laws. Such permits shall be in the form of tags that must be endorsed in ink with the licensee's signature, and licenses shall be in the form of a computer-generated page. The computer-generated license printout must be signed in ink at the bottom where indicated.

Licenses and tags issued on a first come, first serve basis.

In addition to the Deer Gun license, each applicant will be issued a tag indicating the sex and unit that he/she may legally hunt.

A license only allows you the opportunity to hunt. It is not a guarantee to harvest a deer, or of the quality of the animal.

NORTH DAKOTA STATE LICENSES ARE NOT VALID ON THE FORT BERTHOLD INDIAN RESERVATION. ANYONE HUNTING ON TRUST OR ALLOTTED LANDS WITHIN THE EXTERIOR BOUNDARIES OF THE RESERVATION WITH A STATE DEER GUN LICENSE AND NOT A TRIBAL LICENSE WILL BE CITED FOR HUNTING WITHOUT A PROPER LICENSE.

4. UNIT DESCRIPTIONS:

- Unit 1 – Four Bears/ Mandaree
- Unit 2 – New Town/ Shell Creek
- Unit 3 – Parshall/ White Shield
- Unit 4 – Twin Buttes

5. FEES:

The following fees below are for a Deer Gun permit:

Enrolled TAT Tribal Member.....	\$25.00 Antlered \$10.00 Antlerless
Elder TAT Member (55+).....	No Charge Antlered or Antlerless
Spouses of Enrolled Members.....	\$100.00 Antlered \$50.00 Antlerless
Non-Member Residents.....	\$150.00 Antlered

Members and Non-Members may use cash, credit/debit card, certified checks, or money orders. Personal checks may be accepted through mail-in applications only. If an insufficient fund check is issued, the applicant shall be ineligible for 2023 and 2024 Deer Gun License.

Duplicate tags/licenses will be charged at the price of the original license.

Elder tribal members will be issued an antlerless tag, unless they are able to go afield themselves then they may request an antlered tag.

Elder tribal members who obtain a Deer Gun hunting license may have it assigned to a designated hunter of their choice if they do not wish to hunt or are unable to go afield themselves. Request for assignment of a designated hunter must be made on the application form. Seniors requesting a designated hunter will receive antlerless tags only. Only the designated hunter may fill a permit issued in such a manner.

Designated hunters must be current on and must meet the requirements within the 2023 Deer Gun proclamation. Designated hunters must possess a 2023-2024 general license. Designated hunters may only be assigned to one elder. Each designated hunter will be responsible for handing in a 2023 Designated Shooter Hunter Questionnaire.

It is illegal for anyone other than an elder TAT member to assign a designated hunter, and illegal for anyone other than the assigned designated shooter to harvest an elder deer.

6. WEAPONS RESTRICTIONS:

Deer may only be taken with the following weapons:

A) Rifles:

- 1) Having a barrel length of 16 inches or greater.
- 2) Firing a center fire cartridge of .22 or larger.

B) Muzzleloaders or Black Powder Rifles:

- 1) Having a barrel length of 18 inches or greater.
- 2) .45 caliber or larger

C) Shotguns or muzzleloading shotguns:

- 1) Having barrel length of 18 inches or greater
- 2) Rifled slugs or patched round balls of 20 gauge or larger

D) Handguns:

- 1) Having a barrel length of 4 inches or greater
- 2) .35 caliber or larger
- 3) Any centerfire handguns designed to fire a legal rifle cartridge shall be legal
- 4) Muzzleloading handguns must be .50 caliber or larger.

E) RESTRICTIONS:

- 1) Fully automatic firearms, full metal jacketed bullets, which are non-expanding, as well as altered projectiles are prohibited.
- 2) Centerfire rifles of .50 or larger using smokeless powder with a case length of greater than 3.5 inches are prohibited.

F) Pre-charged pneumatic air guns, charged from an external high compression source such as an air compressor, air tank or an external hand pump are legal for deer but must fire a projectile (excluding air bolts) of at least .35 caliber in diameter and at least 150 grains in weight with a minimum muzzle velocity of 600 feet per second.

G) All legal bow equipment as listed in the Deer Bow season proclamation – except for crossbows (unless you have a special permit from the TAT Fish & Wildlife Director) – shall be legal during the Deer Gun season. If using legal bow equipment with the Deer Gun tag, you will be required to wear orange clothing. Please be mindful of other archery hunters as the regular Deer Bow Season will be in progress at this time and some bow hunters may not be wearing the required orange.

H) Use of Crossbows and airbows are illegal. Crossbows are legal for disabled or handicapped (i.e. paraplegics and/or having lost the use of one or both arms) persons with a permit from the TAT Fish and Wildlife Department Director. When permitted, crossbows must: a) have a peak draw weight of at least 75 pounds, b) be equipped with a working safety to prevent accidental firing, c) use arrows or bolts at least 14 inches in length. Crossbows equipped with pistol grips and designed to be fired with one hand are illegal. Crossbow hunters may use telescopic, battery powered, or electronically lighted reticle not exceeding a maximum power of eight, but must comply with all other archery equipment regulations listed above.

I) Other Firearm and Archery Equipment Restrictions – it is illegal to go afield with a firearm or bow and arrow while intoxicated or under the influence of alcohol or any narcotic drug, barbiturate or marijuana.

J) The use of suppressors are legal and must have proper, legible documentation on person when afield hunting during the 2023 Deer Gun season.

7. HUNTING AREA RESTRICTIONS:

Hunters will only be allowed to fill their permit within the unit designated on their license.

It is unlawful to leave any open gates, bars or other devices used to enclose any lands, upon entry or exit.

It is unlawful in any way to cut, remove, or lay down any fence to gain entry to any land for the purpose of hunting.

It is unlawful to shoot, destroy, molest, mutilate or remove any signs.

It is unlawful to hunt or discharge a firearm within 440 yards of any occupied buildings, schools, medical facilities or residence.

It is unlawful to shoot from roads and/or roadway ditches.

It is illegal to hunt in unharvested cereal and oilseed crops. Crops also include alfalfa, clover, and other grasses grown for seed.

POSTING: It is unlawful to hunt on lands legally posted without first obtaining written permission from the owner or tenant. It is unlawful for anyone but the owner or tenant to post land. Legal signs shall give notice that no hunting is permitted and shall display: NAME, ADDRESS OF OWNER OR TENANT, and DATE OF POSTING. Signs must be every eighty (80) rods on unfenced lands and at every access point on fenced areas.

PLEASE OBTAIN WRITTEN PERMISSION FROM THE LAND OWNER OR TENANT EVEN IF LAND IS NOT POSTED.

8. HUNTING BIG GAME OVER BAIT:

Hunting big game over bait on TAT public tribal land or ND Game and Fish Department's Wildlife Management Areas (WMAs) is prohibited. Hunting big game over bait is defined as the placement and or use of bait(s) for attracting big game and other wildlife to a specific location for the purpose of hunting. Baits include but are not limited to grains, minerals, salts, fruits, vegetables, hay or any other natural or manufactured foods. The designation does not apply to the use of scents and lures, water, food plots, standing crops, or livestock feeds being used in standard practices.

9. AREAS CLOSED TO HUNTING:

It shall be unlawful to hunt or pursue game in the following areas:

- 1) The buffalo pasture located in Unit #1 (Mandaree Area) known as Range Unit 904 in the Skunk Creek Bay Area—this unit is designated as a Wildlife Reserve Area and no hunting is allowed.
- 2) The MHA Tribal Ranch/Buffalo Project and MHA Tribal Park.

10. AGE REQUIREMENTS:

To purchase a Deer Gun license, persons must be 14 years of age or older on the opening day of the season. Persons under age 15 afield with firearms must be under direct supervision of a hunter's education certified parent, guardian or adult authorized by their parent or guardian.

Hunter's Education Requirement: Persons born after December 31, 1961 must complete a certified Tribal or state hunter education course and PRESENT the certification card earned to the license vendor in order to purchase a Fort Berthold hunting license. EXCEPTIONS: Veterans of the United States Armed Forces that have been honorably discharged – persons applying for this exemption MUST present a copy of form DD214 to the TAT Game and Fish office to be eligible.

11. YOUTH DEER SEASON

Individuals age 14 and 15 are eligible to receive one deer license valid for the youth deer season (September 15-24, 2023). This includes youth who are age 13 providing they will be age 14 before the opening day of the regular gun season. If a 14 or 15-year-old is unsuccessful in harvesting a deer during the youth deer season, the license also will be valid during the regular deer gun season (November 3, 2023 - November 26, 2023). Anyone applying for these licenses is not eligible to apply for a license for the regular deer gun season. If interested inquire at the main office for an application and more information.

All firearms and archery equipment allowed during the regular deer gun season are legal during the youth deer season. In addition, each youth licensed hunter must be accompanied (able to have unaided verbal contact) by at least one unarmed parent, guardian, or adult authorized by her/his parent or guardian. (A licensed hunter in the field during the dates of the youth deer season cannot be accompanied by a person carrying a firearm or bow and arrow, unless that person is another licensed youth season hunter.)

12. AIRCRAFT, MOTOR-DRIVEN VEHICLES, & LIGHTS

It is illegal to use all types of aircraft, manned or unmanned (i.e. drones), for spotting game 72 hours prior to and during the hunting season. A licensee cannot hunt the same day he/she is airborne over his/her hunting unit, except on a scheduled passenger airline flight. It is illegal to drive, concentrate, rally, raise, stir up, spot or disturb game with all types of aircraft, manned or unmanned, and any motorized vehicle.

Motor-driven vehicles may not be used to pursue game. Motorized vehicles may not be used to retrieve a big game animal until the animal has been taken into possession and legally tagged.

It is illegal to shoot with bow and arrow or firearm while in or on a motor-driven vehicle.

It is illegal to use a boat to get to & from hunting spot/area.

No person may carry a firearm with a cartridge in the chamber in or on a motor-driven vehicle while hunting big game animals. The entire cylinder of a revolver is considered the chamber, requiring the revolver to be completely unloaded. Handguns with removable magazines must have the magazine removed from the firearm if the magazine contains any loaded shells. It is illegal to carry any muzzleloading firearm in or on a motor-driven vehicle with a percussion cap or primer on the nipple or powder in the flash pan.

Motor-driven vehicles may be used only on established roads or trails. "Established Road or Trail" means any public highway or road, improved or otherwise, dedicated for public ingress or egress. This does not include temporary trails across cultivated land used for agricultural purposes. Exception: After a deer has been killed and properly tagged, a motor-driven vehicle may be used to make the retrieval by leaving the established road or trail and proceeding to the carcass by the shortest accessible route, and returning to the road or trail immediately by the same route. Except for persons having a special disability permit from Fish & Wildlife Director, no person may use a motor-driven vehicle while in the process of hunting deer or aid another in the process of hunting deer including travel to and from the hunting location unless the

motor-driven vehicle is on an established road or trail. Persons with a disability permit may not have any other passenger within the vehicle nor the driver, if someone other than the permittee, may be the hunter, unless such other person is also a permittee with her/his own permit.

ESTABLISHED ROADS OR TRAILS DO NOT INCLUDE TEMPORARY TRAILS MADE FOR AGRICULTURAL PURPOSES.

It is illegal to engage in shining for big game with any artificial light for the purpose of locating or observing big game between sunset of one day and sunrise of the next.

The use of night vision equipment, electronically enhanced light gathering optics or thermal imaging equipment for locating or hunting game is illegal. (Exception: Lighted nocks on arrows are allowed for big game.)

13. CLOTHING REQUIREMENTS:

All deer gun hunters are required to wear orange clothing while the Deer Gun season is in progress. **Legal orange clothing is a head covering and outer garment above the waistline of solid daylight fluorescent orange color totaling at least 400 square inches.**

Please keep in mind the 2023 Deer Bow Season will be in progress during the 2023 Deer Gun Season, so please be mindful of archery hunters as they may not be wearing the required orange. Remember, identify your target and what is beyond it.

14. MANNER OF TAKING:

It is legal to use a horse in the process of hunting deer.

It is illegal to use a dog as an aid to hunting deer.

It is illegal to take or attempt to take a deer by dragging a wire, rope or other contrivance.

15. TAGGING

IMMEDIATELY after an animal has been killed and before moving the animal, the hunter must indicate the date of kill by cutting out the appropriate month and day from the tag provided with the license and attach it to the base of the antler on antlered deer or in a slit in the ear on antlerless deer as illustrated on the tag backing to prevent its removal. In no case is it legal to possess or transport an animal unless it is properly tagged. The meat (carcass) tag must remain with the edible flesh (carcass) during transportation and until it is cut up and packaged as food. No person may re-use or attempt to re-use any tag issued. When any part of an animal is mounted, if the tag is removed from the antlers or ear, the tag must be securely fastened to the back or bottom of the mount and remain there. Tags are not transferable.

16. TRANSPORTATION AND STORAGE

License holders must accompany their game animal, or parts thereof (excluding hide), during transportation. Except that a permit for the transportation of game may be issued by the TAT Fish & Wildlife Department upon request. Game may be shipped by public carrier in receipt of a proper bill of lading.

A deer carcass or boned out meat must be accompanied by the head to the final place of storage. Exception: Tag as currently required, then take two pictures, using a cellphone with location and date and time stamp turned on. One picture of the entire animal at the kill site with tag attached, and a second picture of a closeup of the tag so that tag information is readable. Drop off the head at a CWD collection site properly tagged or

if you leave the deer head in the field at the kill site, after taking pictures and saving them, the ear or antler with the tag attached must be cut off and accompany the meat or carcass while in transport. The photographs of the tagged deer must be shown to any game warden or other law enforcement officer upon request.

It is illegal to possess or transport another's game animal or parts thereof (excluding hides) without the license holder accompanying or as otherwise permitted. Processed and packaged meat of legally harvested game may only be gifted to another (but not sold, traded or bartered). Un-processed, un-packaged meat of legally harvested game may be gifted (but not sold, traded or bartered) as follows: 1) Prior to reaching the licensee's permanent residence, a transportation permit must be obtained and accompany the game meat. 2) After reaching the licensee's permanent residence if accompanied by the carcass tag of the person who harvested the game.

Commercial processors and common carriers may possess any person's legally taken possession limit of game. The meat (carcass) tag from the individuals license shall accompany the edible flesh (carcass) through processing and be returned to the individual to be kept until the meat is consumed or until March 31, 2024.

17. WANTON WASTE

No person shall kill or cripple any big game animal without making a reasonable effort to retrieve and retain the big game animal in his/her actual custody. No person shall waste, destroy, spoil or abandon the edible flesh of any big game animal at the place where taken or between that place or either (a) his/her permanent residence, (b) a taxidermist, (c) a common carrier, or (d) a commercial processor.

18. HUNTER QUESTIONNAIRES

Complete and accurate information on the Hunter Questionnaires will greatly assist the Fish & Wildlife Division in determining the number of deer harvested and the optimum number of permits that can be issued to maintain a stable, healthy deer population on the Reservation lands for future generations. Hunters are required to hand them in or send them to the Three Affiliated Tribes Fish & Wildlife Division.

This is mandatory and must be submitted within 30 days of the end of 2023 Deer Gun season. Failure to comply with this statute will result in an extra fee and must be paid before a hunter will be eligible to participate in any subsequent hunting and/or fishing seasons.

19. GENERAL REQUIREMENTS:

- 1) Possess a valid general game license.
- 2) Possess a hunter's safety certificate if born after 12/31/1961. (See Sect. 10 for exemptions.)
- 3) Complete your 2023 Deer Gun Application and make payment in full.
- 4) All Non-TAT enrolled members who do not reside in North Dakota must possess a Tribal Conservation Permit.
- 5) Receive Deer Gun license via computer-generated page and endorse in ink at the bottom where indicated.
- 6) Maintain your Deer Gun tag and license at all times while you hunt.
- 7) Hunt only in the unit for which the tag is issued.
- 8) Follow all weapons, vehicle and other hunting restrictions.
- 9) Abstain from hunting in closed areas.
- 10) Wear the appropriate amount of hunter orange while in the field.
- 11) Fill out and return a 2023 Deer Gun Hunter Questionnaire within 30 days of end of the 2023 Deer Gun Season.

Pursuant to Section 18-6-1 of Chapter 18-6 of Title 9, Tribal Proclamations Have Force of Law— Penalty: Any Tribal proclamation issued at the request of the Natural Resources Board or the Director of the Tribal Fish & Wildlife Division shall have the force of law. Any persons violating a provision of such order or proclamation is guilty of a misdemeanor and shall be fined for not more than five hundred (\$500.00). In addition to any fine imposed in this Chapter, the person shall be subject to forfeiture of her/his license, the privilege to hunt and fish for a period of one year, and confiscation of her/his vehicle, guns, boat, fishing equipment or anything used in connection with the violation.

**PLEASE NOTIFY THE FORT BERTHOLD FISH & WILDLIFE DIVISION OF ANY VIOLATIONS.
CALL 627-4760 BETWEEN 8 AM AND 4:30 PM MONDAY THRU FRIDAY.
After hours please call that TAT Police Department 627-3617**

**NOTIFY THE TAT FISH & WILDLIFE DIVISION OF ANY VIOLATIONS
“All information is confidential.”**