

SUMMARY STATEMENT

Podsaid v. State of Idaho Outfitters and Guides Licensing Bd., Docket No. 41397

On appeal of two consolidated cases from the Shoshone County District Court, the Idaho Supreme Court dismissed as moot the first case—A.T. “Sandy” Podsaid’s appeal of the termination of his guide license; in the second case, the Court affirmed the district court’s decision that the Board had properly treated Podsaid’s 2009–10 license application as a new application, and remanded for final agency action. The first case arose from the Idaho Outfitters and Guides Licensing Board’s decision to terminate Podsaid’s guide license on December 31, 2008, under the terms of a settlement agreement between Podsaid and the Board. Podsaid had originally appealed the Board’s decision, claiming the license was valid through the end of March 2009. Pending the outcome of that appeal, the district court had stayed his license termination. As a result of the stay, Podsaid’s guide license was valid beyond its originally scheduled March 31, 2009, termination date. Because Podsaid had thereby already received the remedy he sought, the Court dismissed the appeal of the first case as moot. The second case arose from the Board’s decision to treat Podsaid’s 2009 guide license renewal application as a new license application. Finding that a guide’s license is not a continuing license, and that Podsaid was not seeking an identical license, the Court affirmed the district court’s decision to affirm the Board’s treatment of the license application as one for a new license. The case was remanded to the Board, as Podsaid had not completed his appeal process on that issue. The Court awarded costs on appeal to the State.