

OPERATION WAR

Taking Down the Poachers from Down

By Idaho District Conservation Officer Marshall Haynes

I read your article regarding the Tasmanian guys getting busted for poaching. I am so pleased.

We ran onto these guys years ago in Unit 39. Their story just didn't add up. I always thought there was something fishy about how much game they killed.

Please pass this onto the arresting officers. We are very thankful they have ridden Idaho of these thugs.

*Best regards,
J.K. Kimberly, Idaho*

Just wanted to drop you a note to let you know we appreciate the work you guys do in protecting our critters. The Tasmanian group arrest was good work. Thank you. I place you guys

on the same level as those who go overseas in the US uniform and you never get much credit for the work and hours you put in.

K.J.

Hello Virgil and Jon;

Just want to drop you a note and say "Well Done" by your officers in capturing and seeing brought to justice the three Australian/New Zealand hunters who so blatantly abused Idaho's hunting laws and our wildlife! The three officers exhibited true dedication and professionalism in the patient and persistent way

they watched and followed these bozo "hunters", building such an airtight case that the three had little choice but to plead guilty.

With so many honest and hardworking hunters in Idaho, who follow the rules and treat our wildlife with respect, it is particularly galling to see people from another country try to take unfair advantage of our wildlife by ignoring both the laws and all basic rules of fair and responsible hunting. While the court apparently imposed some pretty severe (and well deserved) sanctions on these bozos, I would have loved to see them stuck in an Idaho jail for four or five years, perhaps cleaning elk and deer carcasses. But I guess we're a bit too civilized for that.

Anyway, my point in writing is to say thanks so much to you and your officers for doing a great job of enforcing our hunting laws!

P.H., Stanley, ID



WARRIOR'S REVENGE:

Under

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HE THANK YOU LETTERS and comments of appreciation kept coming in from all over. The letters above are just a sample of the people expressing their gratitude that the poaching by a small group of individuals from the other side of the world was over and they would not be ravaging Idaho's wildlife anymore. Most meaningful perhaps were the direct comments from the hunters who witnessed the takedown at the trailhead. "I can't believe that you finally caught these guys! They have been doing this for years. Great job, thank you!"

Indeed, those words were unfortunately very true. I first heard about "the Aussies" who hunted in the upper Boise River drainage early in my game warden career; in the mid 1990's. Information would trickle in that a group of very hard core Australian hunters would kill elk before the season started, leave most of the meat on the hill to waste, and then come out of the woods after opening day, claiming the animals were killed lawfully. This group was thought to hunt in some of the most remote and rugged country bordering the Sawtooth Wilderness area.

We heard stories from other hunters who reported "Aussies" sleeping under tarps at 8,000 feet and running all over the mountains wearing shorts in late October and November. Several attempts were made by game wardens before me to learn more or catch the Aussies, but documenting enough evidence to take to court in a wilderness environment is a difficult task.

Each time a piece of information came in about who these guys were and how they illegally hunted, we filed it away in our memory banks. In 2010, I finally had enough intelligence information to justify a lengthy and manpower-intensive investigation. Operation Warrior's Revenge turned out to be just that.

Officer Flatter
keeping watch

BY LATE OCTOBER, 2010 we thought we were ready to catch the Aussies when they returned to illegally kill elk in the Idaho backcountry. We had located their primary camp location, over 10 miles from the nearest road and we knew the names of the group leaders, who returned each year, along with the new guys who would be hunting that fall. We had made several scouting trips into the area to familiarize ourselves with how they operated and what to expect. As it turned out, we were much tougher than the Aussies who we had heard so much about. Several large snowstorms dumped over a foot of snow on their remote camp site and several feet on the trails crossing the high passes. Officer Brian Marek and I had planned to conduct surveillance on the group. Instead we found ourselves on top of a high, cold mountain in a couple feet of snow watching an empty camp and elk on the hillsides. The Aussies had pulled out and moved because of too much snow.

In 2011, we had a much better idea of the commitment that it was going to take to catch this group of poachers who operated deep in the backcountry. One of the individuals who provided me with information about the Aussies said, "What you need is a group of Navy SEALs, who can live undetected out there for a week and watch everything that these poachers do." I had just the team in mind, but just like in the military it would take lots of time and support from others as well. In total 11 Idaho conservation officers and a number of others, who know who they are, contributed in many ways to this investigation.

In late October 2011, Senior Conservation Officers Brian Flatter, Brian Marek, and I rode Rocon motorcycles 10 miles in to where we set up a base camp for ourselves to watch and document what happened. Other officers supported us by packing gear in and out on horseback that we would need to live and remain operationally effective in the mountains of the late fall. The trail



Above: Anton Kapeller and Darren Tubb pose with their illegally killed elk antlers
Left: Officers Marek, Haynes, and Flatter loaded for a week in the backcountry



is one of the rockiest and most brush covered trails I've ever seen, with many sections traveling straight up the bottom of the stream. On a previous trip,

I was very thankful for my helmet when I tipped over my motorcycle, hit my head, and received a slight concussion.

We set up a small camp, organized our gear and located several observation locations where we could watch the valley. The next morning when we woke

two hours before daylight it was 12 degrees outside our tent. But, we were in business! The Aussie hunters were in camp and we were prepared to stay for the duration of their hunt.

Each day started the same: wake up, eat a breakfast of oatmeal, protein powder and coffee. Then well before daylight we'd load our packs, strip down to our lightest layers and make the 1,600 foot climb off trail, up the mountain to what we were calling our "eagle's nest." From here we had a pretty commanding view



Officers Haynes and Flatter with a wasted bull elk



Above: Officers Haynes, Flatter, and Marek in "The Eagle's Nest"
Left: Officer Haynes in rugged Sawtooth Mountains



of the majority of the poacher's operating area. Once on top, we had to layer back up and continue to consume food and drink to stay warm and maintain our energy levels. Physically this was exhausting,

but that was NOT the hard part. Mentally, surveillance takes a great deal of patience. It was a constant battle to remain alert and pay attention to the task at hand. After all, we were hunting other hunters who were using optics just like ours to look for elk and deer. They could be watching where we were hiding at any moment. We made a huge effort to stay in the shadows, walk on the backsides of ridges, and not skyline ourselves. We also had to make sure we were not spooking game ourselves or leaving boot tracks in areas that would cause alarm. This could give us away or run all the animals out of the country making it impossible for the poachers to kill anything illegally.

On the second day we began getting glimpses of where the Aussies were hunting. We watched and videoed sev-

eral of them hunting before dark. We also watched and videoed the other half of their group set up a spike camp high on an adjacent ridge. They indeed were sleeping

under a tarp. After dark, we returned down the mountain to our base camp, compared notes and prepared for the next day. Each day we watched and waited.

On October 28, four days before the elk hunting season was to begin, Officer Flatter and I were packing up our gear at the eagle's nest and preparing to head down the mountain just before dark when gun shots erupted from our surveillance valley. Immediately we saw elk running through a small meadow about a mile and a half away.

A large bull elk paused in a small opening on the hillside and then it crumpled, falling dead out of our sight. A half a second later the report of the gunshot reached our ears. We watched and video recorded as the distant poacher made his way through the trees

to where the elk lay. The Aussies did not know it yet, but they had finally been caught by Idaho game wardens at the other end of a spotting scope.

Officers Flatter, Marek and I continued to watch and see if the group of five hunters could kill any more illegal elk. They certainly continued to try. We would watch them spot and hike long distances, but the other elk outsmarted them. At one point we had a huge seven-point bull elk within range of us, but for some reason the Aussies never saw him.

We knew we could prove they had killed an elk out of season, but we also wanted to document if there was any waste of meat on the elk. We had to visit the elk kill site without the Aussies knowing we had been there to collect evidence. Chances were the illegal elk antlers were stashed close by and not in their camp, so they would return to the site. Starting before daylight on October 30, with Officer Marek acting as our spotter, Officer Flatter and I made our way to where we thought the elk carcass would be. We estimated on our GPS units where we thought the dead elk lay

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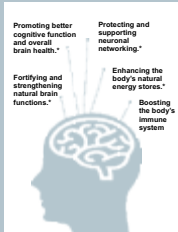
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so we could find it quickly. We wore felt soled boots and boot liners to prevent leaving any boot tracks that would give us away. When we found the dead bull we were within 200 feet of our estimate and there was obvious waste of meat. Part of the bull had been skinned, but only one hind leg and one front shoulder had been removed from the area, in addition to the elk head and antlers. Another hind leg had been dragged down the hill and left in a clearing for what we later learned was wolf bait.

After nine days of performing surveillance from daylight to dark we were exhausted, ready for a shower, and glad to see the truck and eat a meal that wasn't dehydrated. Not to mention the fact two of us had wives at home with new babies we were ready to return home to. Officers Rob Brazie and Dave McGonigal rode in and packed out our camp gear on horses. The takedown team gathered that night for a briefing.

The following day when the suspects returned to the trailhead we wanted to ensure the leader of the group, Anton Kapeller, would not have the opportunity to coach the others when he knew they were going to be interviewed by conservation officers. It was very satisfying to walk up to him and identify myself and ask him to follow me. We separated each of the hunters and interviewed them in order to get their stories. After each man claimed that the bull elk had been killed on opening day of the season, we broke the news to them we had seen it all and knew differently. We also learned they had killed two wolves near the elk carcass when they went to retrieve the antlers. They committed further violations by transferring wolf tags on the two wolves that were killed. Photos taken from their seized cameras were additional evidence against them.

The Department of Fish and Game news release stated: Anton Kapeller (58), Darren Tubb (43) and Samuel Henley (18), all from Tasmania, Australia were arrested on Thursday, November 3 near Atlanta, Idaho. Eleven charges were filed against the trio; most serious were the charges of killing a six-point bull elk four days before the November 1 opener, then leaving the animal to waste. Two men in the hunting group were not charged and were released



Elk quarters left to waste for wolf bait

after being interviewed.

In an expedited process, because of their wish to settle the charges and return home, the three bonded out of jail six days later and appeared before Magistrate Judge David Epis for sentencing on Tuesday, November 15.

Kapeller faced six misdemeanor counts including possession of unlawfully taken elk and aid/counsel the killing of elk during closed season. He received \$5,792 in fines and restitution and a lifetime hunting and fishing revocation. He also forfeited a hunting rifle used during the trip.

Tubb was charged with three misdemeanors, including killing a bull elk during a closed season, wasteful destruction of elk, and transfer of a big game tag. He received \$5,268 in fines and restitution, loss of a hunting rifle and a lifetime hunting and fishing license revocation.

Henley faced two charges including attempting to kill elk during closed season and use of a tag of another. He received \$2,333 in fines and restitution and a four-year hunting and fishing license revocation. More than \$16,000 in bond money was also forfeited.

After the arrests became public, the case received enormous attention from the media in Australia, across the U.S. and locally in Idaho. An Australian news reporter stationed in New York flew to Idaho before the court sentencing

I still believe the greatest compliment we received was from that hunter watching us put handcuffs on three poachers who were stealing elk he hunted by following all the rules. “I can’t believe that you finally caught these guys! They have been doing this for years. Great job, thank you!” 🐾

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