



SIGHT UP A HUNTING LEASE

Hunting leases offer opportunity to capture more value of land, but come with challenges.

by Troy Smith, field editor

It was a first for this writer’s family. Through the years, plenty of people have asked to hunt on our patch of dirt, and we’ve run off a few who never bothered to ask. But a recent visitor was the first person to ask about leasing the right to hunt our ragged stretch of river frontage.

That might be surprising to farmers and ranchers who long ago recognized the potential for increasing income from their ag lands by granting fee-based access for recreational purposes. It can afford a steady and predictable income stream.

Many landowners pocket pretty good money for recreational leases that accommodate camping, hiking, bird-watching, photography and other activities. More often, though, it’s about access for fishing and especially hunting.

A hard line

Scott Chapman says his father recognized the earning potential of hunting leases some 40 years ago. Along with their ag pursuits,

Scott and his brother, Ian, have continued to lease hunting rights on their properties in Marshall and Johnston counties of Oklahoma, and in Red River County, Texas. A number of their lessees have been harvesting deer, turkeys and waterfowl from Chapman land for decades.

“We want those long-term relationships with hunters that are committed to helping us manage the wildlife and take care of the land,” says Scott.

Still, the Chapmans utilize one-year leases, granting access to specific parcels of land, to harvest

specific game species. Some leases are held by individuals; other leases involve groups of as many as 40 hunters.

“I’ve got primary responsibility for managing our hunting lease enterprise, and I run it like a dictatorship,” grins Scott, himself an avid hunter. “We make the rules, and I expect compliance from lessees. If a group holds the lease, I deal with one

representative of the group, and I expect that person to enforce the rules.”

Lease renewal is denied to individuals or groups demonstrating a lack of commitment to resource stewardship. However, long-lasting friendships have been forged with lessees who understand that Chapman’s hard line is in everyone’s best interest. Through the years, an uncompromising approach has worked well.



Population management

Rich and Sara Grim are not hunters, but their ranch in Gregory County, S.D., borders the Missouri River where the rough river breaks shelter deer in abundance. They saw lease-hunting as a way to increase ranch revenue while managing the deer population.

Through the years they have tried different approaches, including leasing to individuals and to an outfitter. For a time, they participated in a program whereby the state leases private land for public hunting access. Results were mixed.

“Some hunters were good as gold and genuinely grateful for a good place to hunt,” says Rich. “But there were problems, too. Some hunters were disrespectful to the land and to us. The most frequent problem was garbage left behind. We could tell where they stopped for lunch and what they ate.”

Other issues included deer shot, but left where they dropped. Some hunters also ventured outside designated hunting areas. There were complaints that “trophy” animals were too hard to find, that crop fields weren’t harvested early enough, and that the Grims should

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plant more food plots. Another complaint was that the presence of cattle spoiled the hunting experience.

On one occasion, hunters came into a set of corrals and spooked a pen of just-weaned calves, running them through a fence. The hunters then fled without saying a word.

It wasn't uncommon for city-bred hunters unfamiliar with South Dakota gumbo to get stuck. After a rain, the Grims would have to pull out mired vehicles. Some hunters avoided the mud, but wanted downed deer hauled to the road.

The Grims admit that lease-hunting required more work than they first expected.

"You hear that it's easy income, and you can make some decent money, but it takes some work. It definitely takes management," states Rich.

Professional management

He and Sara have found it more satisfactory to lease hunting rights to a limited liability company (LLC) formed by their grown children. In turn, the LLC manages hunting activities by working with a faith-based organization that plans group trips that combine hunting experiences with Christian fellowship.

Taking advantage of a separate, professional management entity can be a suitable alternative for landowners who don't have the time or inclination to deal directly with hunters. Even with professional help, landowners should devote some time and thought toward the structure of hunting leases, with consideration for who is allowed to hunt, which game species can be harvested, when hunting will be allowed, and what fees will be charged.

"Depending on the interest of the lessee and your willingness, leases can be customized to the satisfaction of both parties," University of Nebraska Extension Educator Randy Saner tells

landowners. "Written hunting leases are key to how your enterprise will be run and how profitable it may be."

Pricing it out

Perhaps the most frequent question posed by landowners contemplating lease hunting relates to lease fees. Important factors in determining lease value are the abundance and quality of sought-after game species. Saner says habitat valuation is rather subjective. However, if wildlife management has provided for high populations and/or better-than-average opportunities to bag trophy animals, a lease may have added value.

The amount of time a lessee has access to the land matters. Does the lessee have the right to hunt for the entire season, a week, a weekend or just a day?

Another consideration is whether the lessee has exclusive use of the

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resource for hunting. Exclusivity may warrant a premium. Ease of access may be a factor; and the availability and quality of guides, lodging or other amenities also influences lease price.

Saner's research of lease fees for 2019 suggested a wide variation in fees, but most were priced on a per-acre basis. Season-long leases ranged from 0.85 per acre, mainly for deer hunting to about \$65 per acre for a resource offering deer, turkey and waterfowl. Some short-term leases cost \$225 per day for a turkey hunt.

When landowners provided more hospitality, fees naturally ran higher. Saner found that when



Rich and Sara Grim ranch along the Missouri River near Bonesteel, S.D.

meals and lodging were included, prices started at \$550 per day.

Deciding how much to charge for hunting may be the easiest part. Saner says many landowners have found that drafting a lease that limits liability exposure is more difficult. It's not a do-it-yourself job. He recommends landowners seek the advice of an insurance professional and attorney. To get started, they can find information and a sample hunting lease at <https://www.reynwoodforest.com/docs/SampleHuntingLease.pdf>. Also, a checklist to aid in drafting a lease

is available at nationalaglawcenter.org/wp-content/uploads/2014/03/Hunting-Lease-Checklist-Dowell.pdf.

According to Saner, landowners preferring not to get so deeply involved in the details may prefer to lease hunting rights to their state wildlife conservation agencies. In many cases, state agencies pay landowners a respectable per-acre fee for the right to include their privately owned land in areas designated as open to the public for licensed hunting.

Landowners should fully understand that "open to the public" means any legally licensed hunter can have access to the land. The landowner has given up the right to refuse access for the duration of the lease. Often, they are multiyear leases.

Using the services of an outfitting service or hunting management company may be a

better option for some landowners. In many cases, evaluation of property for hunting value is part of the service. Typically, the service provider advertises or recruits hunters, and collects hunting fees.

Such a management entity may lease hunting rights from the landowner and then charge hunter-clients according to its

own fee schedule, based on total services provided to those clients.

In other cases the management entity may receive a percentage of fees established in cooperation with the landowner.

"This is a way for a landowner to turn administrative duties and risk of liability over to a management service. The landowner must give up part of the income, of course, because the management service is doing most of the work and accepting most of the risk," explains Saner, noting that landowners should have a written contract or agreement with the management entity. "And it's a good idea to have a lawyer look at the fine print."

Scott Chapman says lease hunting can be profitable and contribute to the long-term sustainability of a farming and ranching operation. He thinks his family's lease hunting enterprise may have worked as well as it has because they encourage their hunters to adopt stewardship as a philosophy of life.

"We have a barbecue for our hunters every year, and invite a wildlife biologist or conservationist to speak. It's a way to reinforce our focus on stewardship," adds Scott. "Yeah, lease hunting requires management, and it's probably more about people management than anything else." ■