

An Overview of Lease Hunting in Kansas
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Alternative sources of income from natural resources are being looked at more frequently as producers continue diversification. One increasingly popular enterprise is lease hunting. Lease hunting is defined as the practice of selling property access rights to harvest wild game populations on private land during established seasons. This type of operation differs from the hunting preserve concept or controlled shooting area as it is called in Kansas. A controlled shooting area is defined as acreage owned or leased upon which pen raised birds are released for hunting with extended seasons. A permit is required to operate a controlled shooting area from the Kansas Department of Wildlife and Parks.

The rest of this discussion will deal with lease hunting. There is a growing market for lease hunting. Although hunting has declined somewhat over the last decade, it is still tremendously popular. Increasing human populations and decreasing work time are two logical reasons hunting is still popular. Private land in Kansas produces about 95 percent of the game taken by hunting and contains 85% of the wildlife habitat that is economically feasible to improve. Since two-thirds of all hunters do not own land there is increasing use of public lands. Hunters may be dissatisfied with activity on public lands and prefer to hunt private lands, primarily due to overcrowding on public areas.

There are many types of lease hunting arrangements. The simplest type of lease hunting is a fee agreement with no services provided. This type of arrangement requires minimal work but may not maximize income. Some producers prefer to lease directly to an outfitter who then finds clients to hunt. This type arrangement avoids some of the people problems that some lease hunting operators dislike. Again, this type arrangement is easy to begin but does not maximize income. More elaborate lease hunting operations may include such services as providing guides, lodging, meals and game preparation for many different species throughout the year. This arrangement is more work, requires more beginning capital but provides the highest returns. Lease arrangements can generally be summarized as day leases, season leases, yearlong leases or leases to outfitters.

Kansans also have the opportunity to lease land for hunting to the Department of Wildlife and Parks. Their Walk-in Hunter Access Program is very popular with both hunters and participating landowners. Landowners receive a varying fee based on habitat conditions, amount of acreage enrolled and the length of the lease. The statewide average fee paid to landowners is about \$1.30. Participation in that particular program does not allow the landowner to control hunter numbers but his capital outlay is almost nothing. The state does the signage and tries to increase enforcement efforts on leased properties.

Successful lease hunting enterprises have several things in common. Perhaps, most importantly is to deliver what the sportsmen want. Sportsmen want less competition from other hunters and abundant game densities. Sportsmen want to recreate in an atmosphere in which they feel welcome and safe. In these days of increasing

commitments on time, they want convenience and locations to hunt that are close to home. If they are staying overnight, sportsmen want comfortable and dependable lodging. And finally, most sportsmen want the opportunity to see and perhaps harvest potential trophies. Space and hunter density are easy to control on private land. Convenience and comfort are personal value judgments and may require good public relations skills to match your facilities with the needs of your clients.

A landowner must answer several difficult questions before developing a successful lease hunting operation. Two important questions are: 1) is the goal increased profits and 2) what do you have to offer? Assessing your farm or ranch potential is relatively easy but determining how to generate more income without greatly increasing costs can be more difficult. Review your resources. Use a prepared checklist to insure all resources are considered. Do not overlook species that you may consider unimportant or nuisance species. Consider all enterprises available. Economic returns from wildlife are the main reason people get involved in lease hunting. Other returns are the protection or improvement of property and personal satisfaction. Remember to use more intensively and efficiently what you already have before committing additional resources to the project.

Your location and amount of land available can be a critical factor in developing a lease hunting operation. Land close to major population centers with good road access generally meets the convenience needs of many hunters. However, remote locations can be marketed to appeal to a particular kind of guest. Usually the larger tract of land available the more desirable it is to hunters. Remember hunters may be thinking the hunting is always better just across the fence. The facilities you provide may not need to be elaborate, but they should be clean, comfortable and convenient. The services that will be provided are largely a function of time and capital available but many producers already have such things as dogs, horses, deer-stands or vehicles for transportation to the hunting location. The personnel needed to operate the enterprise will depend upon the facilities and services you provide. Remember lease hunting is a people oriented business. Your success can depend how well you and your personnel interact with people. Your privacy and independence will be challenged when you deal with the public. Do a market analysis before investing any large amount of funds into a lease hunting enterprise. Are there enough clients to provide capital funds for startup, operating and most importantly, cash flow for the new enterprise?

All relevant federal, state, and county legal constraints must be considered. These include things such as fish and game laws, zoning and land use and health standards. Involve an attorney early on in this enterprise. Local customs may have as much influence on the success of a recreational operation such as lease hunting as legal constraints. If "free" hunting is the tradition in a certain community and one person starts charging, disruption of community relations and bad feelings among neighbors and friends may result. Game management and local cooperation may be improved if several neighboring farms and ranches are involved in the leasing enterprise. Small tracts of land can be over harvested if hunting pressure is intense.

The disadvantages of lease hunting can be grouped into 3 broad categories: 1) costs, 2) liability, and 3) people problems. Costs will vary tremendously depending upon the services offered. Advertising should be targeted to your potential clients and all ads should include the species available, location, length of lease, services available, quality of animals, price and your phone number. However, a successful recreational experience is the best advertisement.

Liability insurance rates and property taxes may increase if land use is changed from agricultural to recreational. Other costs may include posting the property, clean up of the area after the guests leave and advertising expenses. Liability has been a major deterrent to landowners who want to start a lease hunting enterprise. Kansas has a recreational user statute that relieves the landowner from any extra duty of care when the property is used for recreational purposes and no fee or benefit is received by the landowner. That statute was modified in 1988 to exempt landowners of agricultural land from liability even though they charge a fee for the recreational use of their land. The purpose of this law is to encourage landowners to open their land to public recreation. This law has yet to be tested in the courts but should be a major deterrent to any liability lawsuits by recreationalists on private land.

A landowner can protect himself from liability loss by purchasing insurance. The liability insurance for lease hunting operations is available and the rate is based upon if it is leased to groups on a daily, weekly or seasonal basis. The cost is fairly moderate but it can be obtained through specialty insurance carriers. Involve your attorney and local insurance agent when discussing manners to reduce your liabilities. Anyone who leases land will have to deal with people problems. In addition to meeting with hunters to arrange leases and collect fees, a landowner may have to contend with hunters on the land at odd hours, and frequent calls to request information about prices and game populations. Occasionally personality conflicts will result with hunters.

Good business practices suggest all types of hunting leases should have written agreements signed by both the lessors and the lessees. A written agreement delineates the rules of the lease and helps protect the interests of both the landowner and the hunters. A well written lease will avoid most misunderstandings that could develop. Although there are numerous sample written leases, we suggest that each agreement be reviewed by legal counsel. Perhaps the most important and best liability insurance is the careful selection of good lessees.

A major question asked by most landowners is how much to charge for a lease. The landowner must find a price that will produce acceptable income yet remain acceptable to an adequate number of hunters. The price will depend on a variety of factors, including but not limited to the size and location of the property, the type of game, quality of hunting, reputation of the operation, how many people are involved in the lease, the length of the lease and any services and facilities provided by the landowner. Leases with the poorest quality of game habitat tend to make the least amount of money, while good quality hunting can generate the highest prices. Waterfowl leases tend to bring the highest amount of money per acre followed by deer, quail and turkey leases. It's

generally thought that income from hunting leases should be comparable to the property taxes but a majority of leases gross less than \$2.50 per acre.

Hunters want a recreational experience. Don't use your values when describing trophies. What you consider trophy deer may be entirely different than your clients. Remember that there is a market for hunting of some species such as prairie dogs, crows and predators.

Set goals for the property. Goals must be realistic and based on the capabilities of the land and an inventory of the wildlife. Wildlife populations should be monitored and landowners need to keep records of game harvested. Accurate records are necessary to detect changes in populations when compared to hunter effort. When populations seem to be declining it is time to consider habitat enhancements in order to stabilize or improve populations. Enhancing habitat will improve populations but it may be a slow process. Small acreages in particular can be over harvested and number and quality of wildlife can be reduced.

Hunting leases are becoming more common. It must be acceptable to both hunters and landowners because it is increasing. It is not necessarily easy to properly manage a hunting lease. It will require work and inputs from the landowner to solve challenges presented. Make sure you evaluate all the pros and cons before committing to this new enterprise.

In summary generally:

- Highest quality of wildlife habitat makes the most amount of money.
- Waterfowl tends to return the highest amount per acre.
- Majority of deer, turkey and quail leases are under \$2.50 per acre.
- Working hard is not enough. You must be able to deal with the public!
- You MUST have a detailed written contract!
- You should approach the enterprise in a business-like manner.
- Use all resources available to you to learn about lease hunting and what it takes to be successful.
- Deliver what you promised!