#### MINUTES

ENVIRONMENT AND PUBLIC RESOURCES COMMITTEE March 15, 1977

Members Present: Chairman Moody

Mr. Coulter
Mr. Chaney
Mr. Jeffrey
Mr. Kissam
Mr. Polish
Mr. Ross
Mr. Serpa
Mr. Rhoads

Guests Present:

Lori Larson, WNCC Patti Barron, WNCC

M. Douglas Miller, State Advisory Mining Board

Howard Winn, Nevada Mining Association

Nash Sena, Assemblyman

Roland D. Westergard, State Engineer

Ruby Ruedy

Fred Wright, Nevada Fish and Game Department Bill Parsons, Nevada Fish and Game Department Glen Griffith, Nevada Fish and Game Department

Richard Heap, Nevada Wardens Association

Bob Weise, Assemblyman

Keith J. Remikson

Don S. York

Bob Alkire, Kennecott Copper Company

The meeting was called to order by Chairman Moody. He stated that this meeting was called for the purpose of taking testimony on A.B. 94, A.B. 185 and S.J.R. 11. Mr. Moody said that the first order of business was A.B. 94, which had been heard before this committee on January 27, and the decision of the committee was that no action be taken on the bill and that it be referred to the Assistant Attorney General and the Division of Water Resources to make any changes in the bill. He called for testimony from Mr. Weise regarding A.B. 94.

ASSEMBLY BILL 94 - Prevents expiration of water use rights under certain circumstances.

Assemblyman Bob Weise, sponsor of A.B. 94, explained that there are subdivisions in the state where people are approved for water and the permits, that they don't have direct control over, can expire before they are able to build the 1900 particularly

retirement homes and investment properties, and that was the reason he had originally asked for the bill. The single problem that has been identified is that the subdivision is approved for a central water system, probably non-municipal, where the lots are less than one acre in size. rights expire and they have less than one acre, the health department won't let them drill a well. Mr. Weist feels that to preserve that original water right so that if the developer or the property owners association falls down on the job and doesn't get the property developed in time, these people could still come back on their own and build their homes and still He submitted to the committee have a water right to build. a list of names, a copy of which is attached hereto and marked Exhibit A, of subdivisions in Carson City, Churchill, Clark, Douglas,, Elko, Lander, Lincoln, Lyon, Mineral, Nye and Washoe Counties where this situation exists, where lots have been approved by subdivisions around central water supplies, in other words, there is one well to handle the subdivision, and if those homes aren't built in time that well permit can expire or only handle those homes that were just built and not the homes to be built later. Those are the people he is trying to Mr. Weise is amenable to any kind of compromise or amendment if the Attorney General comes up with one. He feels that if these people are not protected, they could come here a few years later and find that the water has been used up and they are not able to get a permit for a well.

Mr. Westergard, State Engineer, testified that he had no new facts to present, but he would be glad to answer any questions of the committee. He had expressed his concern about this approach at the last hearing, and this bill is essentially to preserve water for the future for someone who wants to build in the future. The concern to him is that there are people who want to go forward immediately and they could be precluded by the reservation of water for the future.

Mr. Polish asked if Mr. Westergard had the authority to extend the time limit now. Mr. Westergard responded that they do have that authority. They have had to curtail some extensions of time, but the reason for the curtailment was because the development had reached the point where there was no more water available for additional development. The question is, whether to set some water aside for those to develop in ten years or let it be developed by the people who are prepared and ready to do it at that time.

Mr. Kissam asked Mr. Weise if it were possible that a ten year period would not be more amenable to his situation. Mr. Weise said yes. He is open to about anything. He said the extension is fine if someone knows he should go down and

file for an extension. A good safeguard to prevent accumulation of water rights and prevent profiteering from that accumulation would be to say that whoever is involved with the developer originally would have to expend a certain amount of money to develop the property so that he is not just trying to tie up water rights. He feels that something should be done because of the water shortages.

M. Douglas Miller, State Advisory Mining Board, expressed concern over the probate matters under jurisdiction of the courts. There have been estates that have been unable to proceed due to water right problems. He feels that extensions should be granted to estates so that they can be settled expeditiously.

The hearing was concluded on A.B. 94.

Chairman Moody called for testimony on A.B. 185.

ASSEMBLY BILL 185 - Provides for expiration of fishing licenses 1 year after the date of issuance.

Assemblyman Nash Sena, sponsor of A.B. 185, stated that the idea for this bill was presented to him from a number of people from his district. They felt that a fishing license should run for one year from the date of purchase rather than from July 1, to June 30. Most of the surrounding states are on a calendar He feels that it is a hardship on people to have to purchase a license for the whole year when there is only a short time before it would expire and they would have to get a new one, paying the full amount both times, when a two or five day permit would not be practical. He feels that there would be a potential of increased sale of fishing licenses in the State of Nevada and increase the revenues. Mr. Ed Shore, the Fiscal Analyst, gave him a report on how much it would cost to adopt this program and he said for 1977-78, expenses of printing would be \$3,400, and CDP charges would be \$2,800, for a total of \$6,200 to go over to this method of printing, and for 1978-79 it would drop down to \$3,600. He said the creation of different expiration periods for fishing licenses would require that these licenses be issued separately from hunting licenses and combination hunting and fishing licenses. This would result in separate printing and would about double the annual license printing costs. The computer system handling licenses would have to be modified to relate the date issued to create income for the proper fiscal year.

Mr. Chaney asked if the increase in sales would offset the price of printing. Mr. Sena said that would be hard to predict. But there would be more people buying licenses toward the end of the present season who would normally hold off so that

they wouldn't have to buy two so close together.

Mr. Ross asked if there was any objections to this concept. Mr. Sena said that he had not had a chance to correspond with the Nevada Fish and Game Department, but he felt there must be some opposition to this bill. He noticed that on the research that was done by Mary Lou Cooper that she stated there would be an initial cost of around \$50,000, while Mr. Shore felt it would be around \$6,200. Mr. Ross asked about the five day permit. Mr. Serpa said that by the time you paid \$7.50, plus the Arizona Sticker for southern Nevada, it would come to almost as much as a regular license. An Arizona permit is required to fish on Lake Mead and the Colorado River.

Mr. Kissam asked hw those who estimated the costs of the program arrived at their figures. Mr. Sena explained that Mary Lou Cooper said that she talked to the Fish and Game Department regarding the changeover in the accounting system, and they told her the changeover would cause them an initial loss of \$50,000. Mr. Kissam asked about the employment impact of issuing licenses over the year instead of at the same time, and would this affect the costs.

Fred Wright, of the Fish and Game Department, gave copies of a statement prepared by the Fish and Game Department and a copy of the facsimile of their present license structure to the members of the Committee. Copies of both these documents are attached hereto and marked Exhibit B. This facsimile is of the three types of licenses that are issued by license agents who are private business establishments all the way from mom and pop grocery stores to large establishments in Las Vegas. The clerks issue the documents. The Department has reservations about the bill rather than opposition. statutes presently permit the State Board of Fish and Game Commissioners to do what A.B. 185 is asking. They also received permissive authority to create a permanent licensing system that, if it could be implemented, they could get into staggered periods in which licenses would expire like motor Then they could advise a license holder that his license was due for renewal by sending him a renewal he could take to a license agent to have validated. There are combination hunting and fishing licenses so it would leave them in a quandry as to how they would administer licenses that were bought to hunt and fish versus those that were bought to fish If fishing licenses were valid for one year from date of issuance, they would have to be put up in a separate book both for resident and non-residents, and the cost would be approximately \$3,000 for producing the additional book of They have to print close to 50% more documents documents. than they actually issue in order to get distribution and backup supply in the hands of 175-180 license agents around

the state. Regarding the \$2,500 for central data processing costs, they have since determined that there are alternatives to that, and while they would have some costs in altering their cost accounting computer system, the cost would not be that They are apprehensive over the public relations because people would not relate to renewing their fishing license within a certain time and would forget and, therefore, be much more likely to forget to renew the license and would be more likely to be cited for fishing with an expired license. enforcement problems, as now each year the licenses are color coded and the enforcement people don't physically have to have the licenses in hand; they can tell it is current because of the color. Also, there is the problem of the Arizona special use stamp for fishing in the Colorado River and Lake Mead supplied by Arizona and which is on a fiscal year basis, and they are already printed for this year. Also, if the date of expiration is hand written on the new license system, it is very easy for that to be altered. Another problem is a person going into an agent to get a duplicate for a lost license. It would probably be impossible for the licensee to remember exactly when he originally purchased his license, because the duplicate would have to be predicated on that same original The license agents can contact the department for that information and hold off issuance of the duplicate for 48 hours, but this has never been done. This would probably have to be a necessity for the new type of licenses. there is always a time lag as the licenses are submitted to the department at the end of the month and they might not even have a record of the issuance if a new one were requested within that month as it could not be verified.

The commission does have the authority to go into this new system, but hasn't as yet because of the complications and when they do go into it they want to go into it with a system whereby all licenses would be issued based on application and get into a motor vehicle type of approach.

Mr. Kissam asked if the sellers of the licenses make money on them. Mr. Wright replied that they receive 25 cents per written document that they issue on a credit process. They submit the monthly reports, they are billed for the recorded sales and they are credited the 25 cents per written document and 10 cents for every stamp or boat decal. Mr. Kissam asked if this is not an inconvenience to the dealer. Mr. Wright answered that it is, because it is a complex system, but it is adjunct to their business and they are afraid to give it up because it draws business. Mr. Kissam asked why the department hasn't gotten to a new type of registration system like the motor vehicle and boat registrations. Mr. Wright answered that their physical ability to do that, because

they have been working the application hunting licenses and everything else, has had to be set aside until they have developed and refined the system for the hunting licenses. There are staff limitations also. They also have to do a good selling job before they do this because one of the premises of a permanent licensing system is to weed out the ineligibles. From some surveys in the Las Vegas area taking samples of licenses with names and address, they found that from 12% to 15% were fictitious addresses. If the fishing licenses were on an application basis, this would be taken care of as a correct address would have to be furnished for But residents are prone to wait until the day before a season opens to get a license and on an application basis they couldn't get it then. The residents must be sold on the new procedure. As soon as they get the hunting application procedure under control this year they are going to look into a system for the fishing. They are basically in favor of the bill when they are physically able to implement it. Kissam asked if they had estimated the cost of the changeover. Mr. Wright said they have not because they haven't got a definite system down yet. It would probably be a license issued by application. The renewal license would be mailed and then taken to an agent for validation with the proper stamp and paid for at that time.

Chairman Moody asked about the altering of the licenses by changing the dates. He asked if there were not some sort of stamp that could be used or couldn't it be run through some sort of credit card type of machine where it couldn't be altered. Mr. Wright said that could be done, but it would be a considerable investment to provide each agent with some dating machinery of some type. The agents now have such a large amount of paper work and equipment, and when they used to use the punch system they would lose the punches, and this would add another problem There would have to be a physical change in for the agents. the licenses for the machines and there would have to be a copy for the department as they would have to have the date on It would be costly to Arizona to supply Nevada with that too. stamps that expire each month.

Mr. Ross asked why can't a stamp just expire a year from the same date it is affixed to the license. Mr. Wright answered that when they issue documents to a license agent they are accountable. They have a value and they have to have a stale date on them. Now they call in all documents at the end of the expiration period and do a final accounting on them and bill or credit them and close them out for that year. They would have to go around and physically audit them if there was no stale date on the documents. They do not have the work force to do that type of thing. An alternative would be not having the stamps stale dated and they would only be valid on the license for the period of time they were issued. One

of the reasons for modifying the estimate of cost downward in regard to costs was that they would issue the licenses with a stale date on them and they would be recalled and they would have to be issued prior to a certain date and then they would be called in and replenished. Mr. Ross asked if more licenses would be sold if this concept went into effect. Mr. Wright answered that would be likely, but did not think the increase would be significant. There are too many other factors that affect fishing license sales. For instance, the fishing license income is going to be down in the next fiscal year because of the water conditions. Many of the fishing spots are not going to be very good, both stream and lake.

Mr. Kissam asked how long the department has had the present system. Mr. Wright said they have had the license agent system since around 1947. He asked how long Mr. Wright anticipates it will be before they have the new system into effect. Mr. Wright answered that if they can handle their application processing this year for hunting, that it could be within three to four years, if it is approved by the Commission. Mr. Kissam asked if a bill were passed mandating this, could it be done within one year. Mr. Wright answered no, not without supplemental funding.

The hearing was concluded on A.B. 185.

SENATE JOINT RESOLUTION 11 - Requests United States Bureau of Land Management consider the will of the people in imposing new regulations on mining and grazing.

Chairman Moody explained that this Resolution was introduced by Senator Glaser and Senator Blakemore, neither of whom were present.

Mr. Rhoads, Assemblyman from Elko, testified that this last year in the mining and livestock industry has been pretty hectic trying to live with some of the rules and regulations of the BLM and other government agencies. Early in January they made an announcement that there will be two months restrictions on grazing lands in the State of Nevada and it will affect 90% of the people in the state. Shortly after that announcement was made there was a meeting in Elko and over 800 people came. There have been meetings with government agencies; the governor has intervened in some limited ways that he could and he thinks they have moved back off to some degree. However, he feels that a resolution such as this would certainly encourage the BLM and other agencies to come to the people and let them comment on some of their decisions befoere they try to shove them down their throats.

Mr. Ross asked how productive these kinds of resolutions are in accomplishing what they set out to do. He wondered about the wording of "harassment". Mr. Rhoads stated that he is on the National Advisory Board and the State Advisory Board to the BLM, appointed by the Director and the National Director to advise the BLM on issues they are going to do. In both cases they did it and then they came back and told the advisory board this is what we did, and we're trying to get the point across to them that we would appreciate it if they would come and talk to the people that are affected by the decisions of the boards. The resolutions might help in this line.

M. Douglas Miller, Chairman of the State Advisory Mining Board, doesn't think that SJR is put strongly enough, because the The BLM and the Department of mining people are up in arms. Interior have listened to the urgings of the environmentalists to the extent that it now involves our national economy. referred to the Organic Act which gives the government far too much power to control minerals, to the detriment of the economy. He stated that there are many families in this state producing minerals valuable to the state. The BLM is passing rules that the mining and cattle people can't live with. Mining is the second largest industry in the state and needs protection. The incentive is being taken away from the mining industry. He recommends passage of S.J.R. 11, even though he feels that it should be more strongly worded.

Mr. Kissam asked if Mr. Miller thought these resolutions have any effect on federal bureaucracy. Mr. Miller said he doesn't even know if they read them or not, but he thinks it does portray the legislative position on the policies of the governmental agencies and gives the industry moral support.

Mr. Rhoads, in answer to Mr. Kissam's question, stated that the resolution he introduced regarding the Ruby Marshes already has prompted a call from the governor to set up a meeting and he is vitally interested in the resolution. Senator Laxalt and Congressman Santini are urging the Congress to have an investigation on the activities of the BLM, so some of the resolutions are needed by the representatives back in Washington for support and direction from the state.

Mr. Howard Winn, representing the Nevada Mining Association, said the Organic Act of 1976 is important to the State of Nevada because 90% of Nevada is public lands, and he wishes the language in <u>S.J.R. 11</u> had been broader in some areas and more specific in others and not have limited itself to just miners and ranchers because the problem is much broader than those two areas. The Organic Act gives directives for the BLM to manage a lot of things; land use, law enforcement,

mining, ranching, grazing and whatever else is done on public lands. Everyone is affected by this act. He recommends approval of  $S.J.R.\ 11$ .

Bob Alkire of the Kennecott Copper Corporation, stated that he feels that perhaps resolutions of this type don't shake Washington right down to the ground, but he feels that it is important for small ranchers and miners and other people in the state to know that at least the Legislature cares about what is happening. It has value from that standpoint. He feels, however, that it should be addressed to more agencies, such as the Defense Department and others who administer federal lands. He stated that in 1964 in Las Vegas, Rep. John Saylor of Pennsylvania said the "we in the East are not going to permit you people in the West to handle your lands the way we did." In other words, he didn't think we were smart enough to handle our lands. Mr. Alkire feels that people in some federal agencies are carrying on that attitude. He recommends approval of S.J.R. 11.

The hearing was concluded on S.J.R. 11.

It was moved by Mr. Coulter and seconded by Mr. Ross that the committee approve <u>S.J.R. 11</u>. The motion was carried unanimously.

Chairman Moody announced that there will be a meeting on Thursday afternoon, March 17, 1977, immediately upon adjournment to take action on A.B. 94, A.B. 126, A.B. 189 and A.B. 190.

Mr. Coulter moved for adjournment, was seconded by Mr. Ross, and the motion passed unanimously.

Respectfully submitted,

Ruth Olguin

Assembly Attache

# Carson City

Morningside Estates - - - - - 1/2 acre lots
Septic tanks
Carson City municipal water
system

# Churchill County

Country Club Estates- - - - - Many lots less than one acre Septic tanks Central water

Ponte Estates - - - - - - - 1/2 acre lots
Septic tanks
Central water

# Clark County

Cal-Neva-Ari - - - - - - - - 1/4 acre lots
Septic tanks
Central water

#### Douglas County

Gardnerville Ranchos- - - - - - - 1/2 acre lots
Septic tanks
Central water

Topaz Lodge Estates - - - - - - - 1/4 acre lots
Septic tanks
Central water
Expired water permit and building stopped

Topaz Sunrise Estates - - - - - - 1/2 acre lots
Septic tanks
Central water
Water permit had expired and
building was stopped until
permit was reissued

### Elko County

Spring Creek- - - - - - - - - - - Some lots less than one acre Septic tanks & community sewage Central water

## Esmeralda County

None Recorded

#### Eureka County

None Recorded

## Humboldt County

None Recorded

#### Lander County

Kingston Canyon Stream Sites- - - - 1/4 acre lots
Septic tanks
Central water

## Lincoln County

Lincoln Estates - - - - - - - - 1/2 acre lots
Septic tanks
Central water

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#### Lyon County

South View Mobile Home Estates- - - 1/4 acre lots Septic tanks

Central water

El Rancho Estates - - - - - - 1/4 acre lots

Septic tanks Central water

### Mineral County

Lakeshore Heights - - - - - - - 1/4 acre lots Septic tanks

Central water

Mallet Subdivision- - - - - - 1/2 acre lots

Septic tanks Central water

#### Nye County

Allen Estates - - - - - - - - 1/2 acre lots

Septic tanks Central water

Cal Vada- - - - - - - - - - Many lots less than one acre

Septic tanks Central water

#### Pershing County

None Recorded

#### Storey County

None Recorded

#### Washoe County

Cold Springs- - - - - - - - 1/3 acre lots

Septic tanks Central water

Ocheran Water

Barker Subdivision- - - - - - - 1/3 acre lots
Septic tanks
Central water

### White Pine County

None Recorded

# STATE OF NEVADA DEPARTMENT OF FISH AND GAME

Statement Re: AB 185

Under NRS 502.240 and 502.280 the Department issues 21 different classes of licenses including the 10-day and 2-day fishing permits. Presently, all but the 10-day and 2-day permits are issued on a July 1 - June 30 basis.

AB 185 states that "Each fishing license is valid for one (1) full year from the date of its issuance." The Department interprets that to mean that resident fishing licenses, Class 41 - Regular, Class 43 - Serviceman and Class 46 - Junior would be included plus nonresident fishing licenses, Class 51 - Regular, Class 52 - Junior and Class 53 - Colorado River only -- a total of six licenses. The three (3) combination licenses to hunt and fish would not change nor would the special fishing permits for use by certain institutions.

During the 1965 Legislative Session the following changes were requested and passed to, in effect, give the State Board of Fish and Game Commissioners the authority to do what AB 185 requires.

- NRS 502.240 was amended to read "Annual licenses for the term of one (1) year" instead of "Annual licenses for the term of one (1) year from July 1 to June 30"....
- 2. NRS 502.030 was amended to permit the Commission to establish a permanent license system based upon an application and automatic renewal and validation of an annual license. Further NRS 502.030 was amended to permit establishing by regulation the method of applying for and the term of expiration for any free license.

  We hope to establish, through regulations, the application process for issuance of free Indian and Disabled Veterans' Licenses.

A variable ending period for licenses is not recommended under the present license agent system, which includes approximately 170 private business establishment around the state, for the following reasons:

#### A. PUBLIC RELATIONS

- 1. Fishing without a valid license is already a significant violation. A variable expiration date would be easily overlooked by the fishermam compounding their problem and would become a greater public relations problem than the fishing license period not necessarily coinciding with fishing seasons.
- 2. Each license year is now color coded for ready field identification to assist in law enforcement. With a different termination date on any license this would not be possible, thereby, increasing handling licenses in the field which is a public inconvenience and a hazardous problem on waters such as Lake Mead.
- 3. Fishing on the Lakes Mead and Mohave and the Colorado River between Nevada and Arizona requires that an Arizona Colorado River Special Use Stamp also be purchased. That stamp is valid for a fiscal year, therefore, would not coincide with licenses purchased throughout the year requiring two (2) stamps for one license.

#### B. DEPARTMENT/LICENSE AGENT PROBLEMS

1. AB 185 will double the printing costs as the six (6) classes of fishing licenses will have to be booked separately from all others, The present system includes three (3) different license books, one for residents, one for nonresidents and one for Affidavit/Duplicate License. AB185 would add one or two books depending upon whether resident and nonresident classes were combined. This decreases agent efficiency and further burdens them. It increases handling costs - distribution and recall - for the Department,

- 2. The Department would have to recommend the establishment of a Commission Regulation that, as permitted under NRS 502.110, all duplicate license requests for the fishing classes under AB 185 would have to be verified before issuing as the licensee would, in all probability, not remember the month and day of initial issuance. This becomes a public inconvenience and a burden upon both the license agent and the Department. Better still would be the elimination of duplicate license provisions all classes.
- 3. The issue date would be hand written establishing the expiration date. That entry could be altered in the field, thereby automatically extending the expiration date.
- 4. Other departmental problems and costs involve maintaining accountability of the documents in the hands of license agents and modifying the computer programs to handle variable expiration dates and modifying the random selector program for the post season fisheries questionnaires. Also it would disrupt income projections until several years of experience has been gained and would initially alter certification of license sales for federal aid apportionment.

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June 30, 1977.

HEIGHT WEIGHT

License Value	License Class	MARK ONE (X) ONLY IN PROPER BOX BELOT	V
\$4.00	1	Henting Age 16	R
\$4.00	41	Flating Sand	
\$4.00	35	Hunting and Fishing	<b>∟</b> E
\$2.50	4	Junior Hunting Age 12	
\$2.50	46	Junior Plaking () through	S
\$4.00	37	Junior Hunting and Fishing	
		Age 65	
\$2.50	36	Senior Hunting and Fishing 10 years	
		Nevada reid	U
\$2.00	3	Servicemen Hanting Nevada resid	- E
\$2.00	43	Servicemen Fishing on leave	-
FREE	39	Indian Fishing Resident Ind	
FREE	38	Indian Heating and Fishing Registration	
\$4.00	6	Trapping Age 16 and	over
\$4.00	20	Harting Age 12 and	
\$4.00	51	Feding Age 16 and	O E L
\$4.00	52	Junior Fishing See Current Fishing Season	
\$4.00	53	Colorado River Fishing Only and Regulati	E E
\$4.00	26	Trapping Required, all	ages T

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THIS LICENSE MUST BE IN LICENSEE POSSESSION TO HUNT, FISH, OR TRAP.

Porm 23XX

Agent	copy,	picase	retnin