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THE NEVADA TRAVERSE

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2015



**Desert Humanist Charles Irish Surveyor General of
Nevada Part II...See Page 5**

Legislative Report: The Nevada Legislature 78TH Session... See Page 17

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The Nevada Traverse

This publication is issued quarterly by the **Nevada Association of Land Surveyors (NALS)** and is published as a service to the Land Surveying profession of the state of Nevada. *The Nevada Traverse* is an open forum for all surveyors, with an editorial policy predicated on the objective of NALS Constitution and Bylaws, Article II, which reads:

"The purpose of this association shall be to promote the common good and welfare of its members in their activities in the profession of Land Surveying; to promote and maintain the highest possible standards of professional ethics and practice; to promote professional uniformity; to promote public awareness and trust in Professional Land Surveyors and their work.

This organization, in its activities and in its membership, shall be non-political, non-partisan, non-sectarian, and non-discriminatory."

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The Editor's Corner

by **Carl C.de Baca, PLS**

As I rush to get this to press, the summer doldrums are upon us. The weather is warm and when we aren't working, we are all pursuing a variety of leisure activities. School is out. The good TV shows have wrapped up their seasons. The NBA finals are over and the baseball playoffs haven't heated up yet. There's no football to be seen anywhere. The legislature is mercifully done subjecting us to the whims of their (and their lobbyists) law-making ardor. There are more hours of daylight yet less time for NALS-related activities with everyone finding themselves busy, as our economy heats up like the weather. While the board decided this spring to forego the usual July meeting, NALS work still goes on. For proof of that, see the three chapter reports included herein, as well as Paul Burn's report on the April NSPS meetings in Virginia, and Matt Gingerich's report on WFPS activities.

Surveying faces many threats, we all know that. It's still a vibrant and vital profession with much opportunity to

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carve your own niche, be happy doing what you're doing and make good money. I'm sure you've seen the latest annual salary survey in POB with detailed statistics developed from those who responded to their poll. It is worth noting that only 5% of those solicited actually responded, but that is a topic for another day. With our heads down, dealing with our workloads, we tend not to focus on issues regarding our profession unless they affect us directly. Threats to our profession come from within and without. Some are obvious and some are not.

The traditional practice of surveying is being rapidly swept away in an avalanche of advancing technologies where having a license isn't relevant, or at least not expressly required by law. Going back a few years, GIS was the first boulder to roll down the hill to much debate but little action. Machine guidance broke out of the slope and started rolling next. Many firms specializing in construction layout were devastated by this suite of instruments and software, but we still never mustered much in the way of response or an action plan. Various remote control technologies are now raveling out of the landslide, with drones and boats poised to take hydrographic and topographic surveys away from us. Firms that don't even employ surveyors are lining up to offer these "remote sensing" services to our clients. I must pose the question to you, is it time to start thinking about updating the NRS definition of Land Surveying? Just a thought. That kind of legislative effort gives most of us the willys but sometimes you have to take the hard road. See Matt's WFPS report for some ideas along those lines.

And speaking of legislation, another source of threat to our profession comes in the form of legislation. Generally, we are not important enough to see much direct legislative threat. We therefore need to carefully read between the lines with respect to proposed legislation, Supreme Court rulings and agency policy revisions. At the national level, NSPS uses their very active and very effective government affairs committee and consultant to keep an eye on congress and a panoply of government agencies who from time to time decide to change the rules on who can perform surveying services, how agencies can solicit for work, whether prisoners can offer GIS services (at obscenely low rates), etc. I'm sure you all recall the time the FCC almost permitted the obliteration of the GPS radio spectrum in favor of an upstart company headed by a huge presidential campaign donor with an eye toward obscene profits.

At the state level, legislators tend to be, shall we say, goal-oriented. Everyone there has an agenda and a corporate sponsor and every other year those corporate entities: gambling, mining, developers, et al let their dogs loose. NALS has a short period of time to get a handle on a huge number of bills before the horse trading and voting begins. Many are poorly conceived, poorly written and contain toxic side effects for us. Our legislative committee and our new lobbyist/consultant work like madmen (and women) to identify both the patent and latent threats contained in these legaleze mudbogs. They then have to strategize on how to combat them. They do all this for you and for me and for the good of the profession and they do it under-manned because very few of us seem to want to roll up our sleeves and help out. That's gotta change folks, we need more from you than just your dues. Keep that in mind when you read the Leg. Committee wrap-up, put together by committee chair Brett Lane and our consultant, Neena Laxalt.

Sorry if that took a dark turn, it kind of comes with the territory. As always, The Nevada Traverse welcomes commentary,

photographs and suggestions from NALS members at large. We want your feedback and participation. The next edition of The Nevada Traverse will focus on some of the recent developments in Remote Sensing and how we fit into the puzzle.

Inside this issue you will find Part two of Paul Pace's engaging, informative and well-written piece on Nevada Surveyor of yore, Charles Irish. I wonder, has anyone suggested to Paul that all his work be compiled into a great book on the history of surveying in Nevada?

Happy reading!



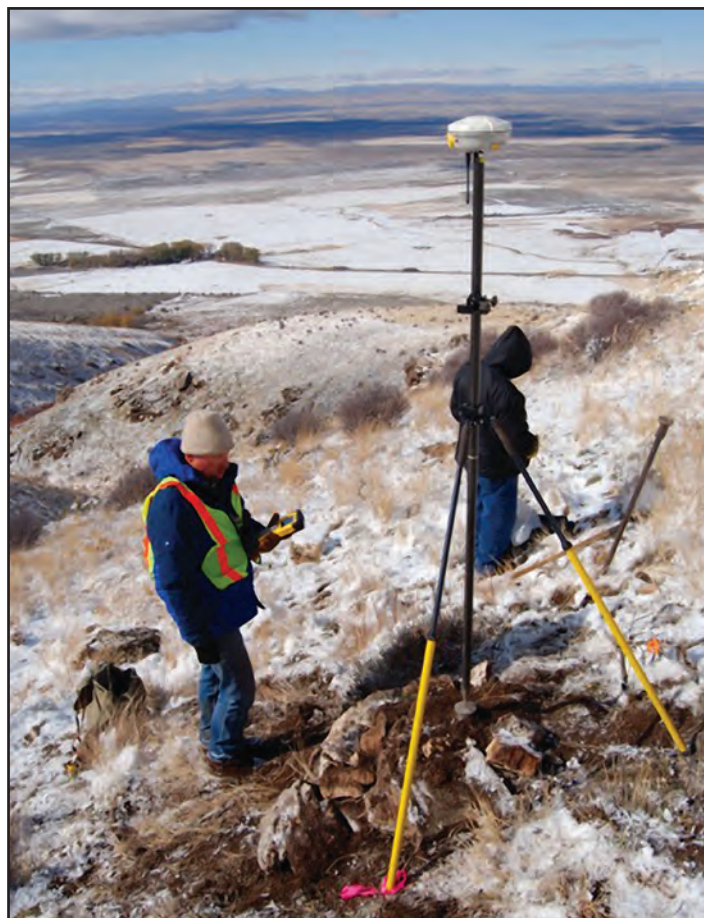
About the Cover

by Paul S. Pace, PLS

On a sunny but very chilly October morning, Mark Morberg, PLS, from Stantec Consulting and his assistant J. Wiedemann, have just remonumented the SW corner of Section 36 in T. 37 N., R. 60 E., M.D.M. Located on the western slope of the East Humboldt Mountains, this monument and numerous others were part of the delineation of the East Humboldt Wilderness Area for the U.S. Forest Service. The view is west, overlooking Starr Valley, southwest of Wells, Nevada.



Photo by Paul S. Pace



The President's Report

by Trent Keenan, PLS



It's almost Fall... Hope you all had great summer vacations with the kids and made it through the heat of the summer ok... I know I had a busy summer with both vacations and work. It's always a great time of the year, with long days you sure can get a lot done. As far as NALS, we have been very quiet. There is never much going on after the conference. We did not have a summer board meeting, but everyone still got their reports in.

I hope you are still enjoying the content of the Traverse? Carl has done a great job so far putting everything together and coming up with some great content/theme for each one.

Here is a quick update for some of the committees:

Membership: Our numbers are looking better but we still need your help. If you know of a surveyor who is not a member, please whisper in their ear and tell them all the great things that are happening and the changes being made to this great association. If you don't want to talk to them, send me their contact information and I will talk to them. NO change from last meeting! We always need NEW members!

Continuing Education: The Lahontan Chapter had a seminar in June about the Principle of Boundary Retracement, it was taught by Dan Church which was well attended.

Advanced Education: UNLV is looking for someone to take over the teaching of the CEE 121- Elementary Surveying Class. If anyone is interested and wants to follow up, could they please contact the UNLV Civil, Environmental and Construction Department Chair, Dr. Don Hayes, at donald.hayes@unlv.edu or at his phone number 702-895-4723.

Scholarships: There has been no new scholarship applications submitted. If you know someone that is interested, please have them contact a board member or visit the website to submit an application.

Legislative: The 2015 session is over Brett and Neena did a great job this year! THANK YOU for all your hard work. You can find the full wrap up in Brett's report within this Traverse.

Publications: If there is anything you want to see added to the website please do not hesitate to call me. I will add anything you feel can benefit your membership!

Conference: The 2016 conference is coming fast. Nancy, Carl and I will be working hard over the next months trying to secure a venue here in Las Vegas. It will be a Nevada ONLY conference this year and we would like any input you can provide. We will be looking for speakers, topics, volunteers, etc. Please contact Nancy, Carl or myself.

That is a quick look into the happening's around the state board. I hope you feel like you are update with everything that is going on with this association. Should you have any questions or concerns, or you would just like your voice to be heard you can call me at 702.823.3257 or email me at tkeenan@diamondbacklandsurveying.com



NALS Historic Committee Search

The Historic Committee is searching for pictures and narratives on past presidents and prominent contributive members. The presidents are known, but a list of contributive members needs to be developed. This year we hope to collect an overview of recollections, contributions and photos for both categories for future use. Respondents need not worry that two or more reply; information and photos received will be compiled by the committee.

Please respond to:

NalsHistory@GMail.com

Thank you!



Electronic BLM Manual The Manual of Surveying Instructions, 2009

Currently available on the
BLM website:

http://www.blm.gov/pgdata/content/w/en/prog/more/cadastralsurvey/2009_edition.html

NGS Announces New Geoid Model (GEOID12B)

The National Geodetic Survey (NGS) has produced a new geoid model GEOID12B to replace the previous GEOID12A model.

GEOID12B is identical to GEOID12A everywhere, except in Puerto Rico and the Virgin islands. GEOID12B supersedes previous models GEOID12 and GEOID12A.

GEOID12B, available on NGS' website, is implemented in GPS manufacturer software. In combination with GPS technology, more accurate heights are now obtainable anywhere in the United States.

Desert Humanist

Charles Irish

Surveyor General of Nevada Part II

by Paul S. Pace, PLS

On The Public Lands

The year 1888-89 was a busy one for General Irish and his staff. In his annual report to the G.L.O., he noted that the office was still shorthanded and underfunded. While completing only 17 township plats for the year, they churned out a hefty 323 mineral plats. And, there was the backlog of fraudulent or poorly executed surveys to be dealt with, in addition to new work. Irish listed the year's labors: 6 miles of new meridians surveyed, with 32 miles of poorly done meridians resurveyed; 321 miles of township lines surveyed, with 167 miles resurveyed; 43 miles of standard parallels surveyed, with 18 miles resurveyed, and 2169 miles of section lines surveyed, with 84 miles resurveyed. He also reported that gross errors in T6N, R35E, M.D.B. & M. were clouding land titles in the township, adding, "No part of the state is free from...deliberate fraud upon the government and the public."¹

Still shorthanded, Irish hired his daughter Elizabeth to the position of Chief Clerk in his Reno office. A graduate of McClain's College and Moran's School of Shorthand, Elizabeth, whom everyone called Lizzie, had been business manager for the *Iowa State Press* for a number of years. Later, when Charley's brother John moved to California, Lizzie had gone with him. She had worked for the *Oakland Times* and later, the *Alta California* newspapers. She was working at the U. S. Mint in San Francisco when her father asked her to come to Reno. Her sister Ruth, now a school principal in Iowa City, was married in 1887; Lizzie remained unmarried.

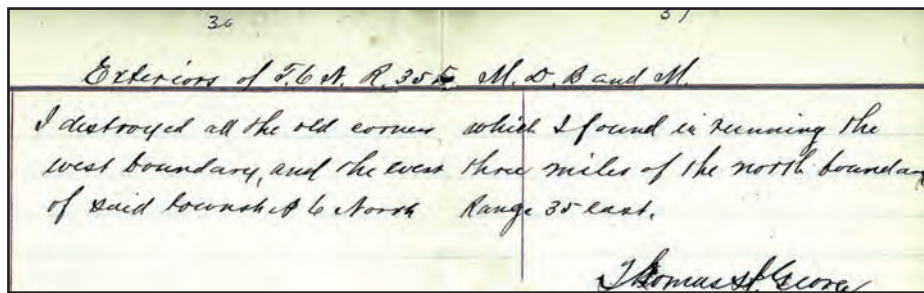
The work piled up in the Nevada Surveyor General's office, despite all efforts to mitigate it. By the time he left office, Irish too was in arrears with surveys, mapping, assessments of the public lands and the 60 mineral districts in the state, together with the other demands of the office.

In 1888 the political winds shifted as Benjamin Harrison defeated incumbent Grover Cleveland for president. In the spring of 1890, Harrison nominated George F. Turrnttin of Winnemucca to replace Irish as Surveyor General. The Senate immediately approved the nomination and Turrnttin took charge of the office. He was well known in northern Nevada, active in mining and the Wool Growers Association in

Winnemucca. The *Weekly Gazette and Stockman* for April 10, 1890, announced, "The appointment of George Turrnttin as Surveyor General gives very general satisfaction in the western part of the State, and it is hoped he will prove a worthy successor to General Irish." Turrnttin, for his part, began his first report to the Commissioner of the G.L.O. much the same way Irish did, with a plea for a bigger appropriation.

Soon after he left office, Irish took an appointment as a U.S. Mineral Surveyor. He opened an office in Reno and was soon in the field surveying mineral patents. By the end of 1890, notices of his patent applications were appearing in the *Reno Evening Gazette*. His daughter Lizzie started a small business college in Reno.

In early May of 1891 Irish observed another transit of Mercury, his second in 8 years.² A week later Irish submitted a full report to Professor Holden at the Lick Observatory, who published it in the papers of the Astronomical Society of the Pacific. In April of 1892, Irish submitted a report on the April 19, 1892 (6.5 magnitude) earthquake that rattled northern California and much of western Nevada.



A portion of Thomas George's resurvey of the north and west exterior lines of Township 6 North, Range 35 East From the B.L.M. website

Water and Silver

By the end of the 19th Century, irrigating farmlands in the arid West had become an issue of national attention. Various agencies undertook analysis of the problems involved, and to widen the discussion among

stakeholders, convened a National Irrigation Congress. In September of 1891, Nevada Governor Roswell Colcord appointed Irish as a delegate to the first Congress, held in Salt Lake City. He was a delegate again in 1893, for the Congress held in Los Angeles. His daughter Lizzie went with him;³ his brother John was the keynote speaker. Irish became a regular contributor to *Irrigation Age* magazine, the journal of the American Irrigation Federation, and the Department of Agriculture *Year Book*. He was later involved with several water projects, including the Humboldt River Drainage Basin and Canal Survey⁴, and work along the Truckee River near Reno.

In March of 1895, the Secretary of Agriculture, together with the Secretary of the Interior, established the Board of Irrigation to coordinate the government's efforts to provide irrigation water for the western states. Irish was named to the Board, together with the Director of the USGS and numerous other bureau chiefs. Irish spent time in Washington, D.C, but was often on the road to investigate conditions in Nevada, Utah and other states where the irrigation of farmlands was increasing.⁵ When his yearlong tenure on the Board of Irrigation was over in 1896, he returned to Reno.

Another issue of importance to the West was expanding the use of silver in U.S. currency. The Sherman Silver Purchase Act of 1890 increased the amount of silver purchased by the government for coinage, and promoted "bimetallism", or the exchange of silver for gold at a fixed ratio of 16 to 1. Opponents of this measure wanted the sole use of the less inflationary gold standard.

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Economists generally agreed that advocating the free coinage of silver was inflationary, but because deflation was eroding prices for mined silver and farm crops, those interests in the West and Midwest favored it, hoping to bolster prices. The pro-gold interests in the East, including the large financial houses, together with the railroads and big industry, naturally opposed "free silver". Nevada's U.S. Senator William Stewart felt strongly enough about the issue to leave the Republican Party and join the Silver Party, a faction promoting free silver. Irish too favored free silver. The debate would become the central issue of the 1896 presidential election, which pitted Republican William McKinley against Democrat and free silver advocate, William Jennings Bryan.

Meanwhile, General Turrintin ended his tenure with the General Land Office. Clayton Belknap, a former mine superintendent from Virginia City, assumed the Surveyor General's role for Nevada in August of 1894. However, by December of 1896, the Reno newspapers were speculating that Charles Irish might be returning as Surveyor General. The December 11, 1896 edition of the *Nevada State Journal* ran the headline, "The Surveyor-Generalship - General Irish Will Probably Get the Office". The article reported that, "News has reached here that General Irish will be appointed United States Surveyor General of Nevada at the expiration of General Belknap's term... That would be disappointing to some of our local statesmen who advocated the gold standard in the hope of getting office in the event of McKinley's election, but General Irish will not care for that much."

McKinley, the last Civil War veteran to serve as president, defeated Bryant in the election of 1896. Among the bills he later signed into law was the Gold Standard Act, which fixed the value of the U.S. Dollar at 25.80 grains of gold, 90% "fine", or 23.22 grains of pure gold. It established gold as the only metal for the redemption of paper money, ending bimetallism and the free silver movement.

As always, the presidential election brought changes. Clayton Belknap was not invited to return as Surveyor General, nor was Charlie Irish. Instead, Matthew Kyle got the job and was sworn in on July 21, 1898. Kyle held the office until 1914. Irish meanwhile continued his practice as a mineral surveyor.

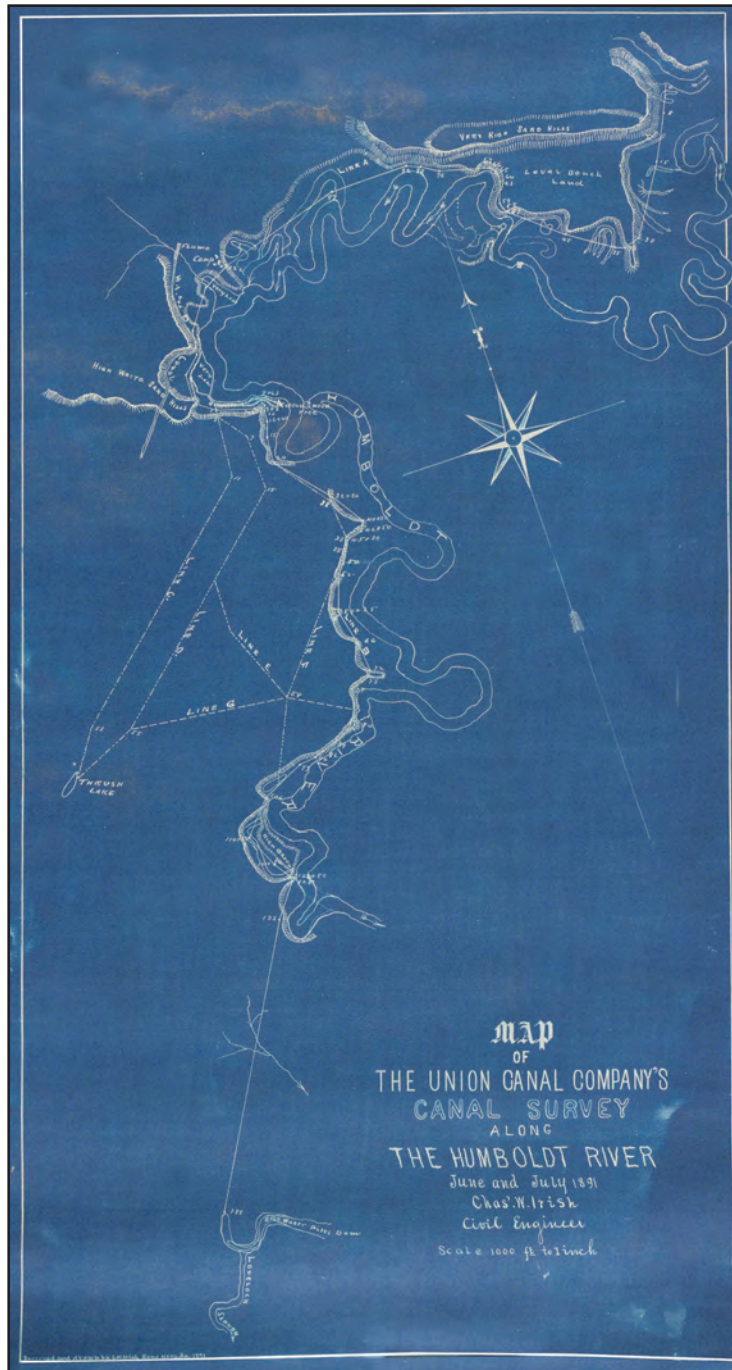
The Road East

Initial discoveries in the Island Mountain Mining District, 75 miles north of Elko, Nevada, had come in 1873. Placer gold operations lasted until 1890, when the district was abandoned. But in 1896, new placer deposits were found in the district, and a new rush to the area got underway. Irish was interested in the possibilities and began boxing up for a move to the little mining camp of Gold Creek, the district's hub. Even a partial look at his packing list offers much insight into the man's interests. In addition to all the usual household items, he boxed all his surveying instruments, tripods, drafting and photographic gear, 14 boxes of books, 6 boxes of mineral specimens, photo collections, saddles and tack, and his considerable amount of astronomic equipment. He also packed his violin, botanical collection, assaying equipment, his Remington and Winchester rifles, 2 cases of ammunition, and six jars of jelly.⁶

The 1896 boom brought in eager new investors with capital. The Gold Creek Mining Company's surveyors staked out a new town site as hundreds of people arrived. The mining camp soon sported graded streets, permanent buildings, including a three story hotel, the Li Brothers Chinese Store which served the substantial Asian population, laundries, mercantile companies, lodging houses, a dozen saloons, a post office, stage line and a

newspaper, the *Gold Creek News*. A telephone line was built from Elko in 1897. Gold Creek Mining Company's payroll listed 240 employees, each paid \$3 per 10-hour shift. But despite the amenities, Gold Creek was remote. Irish noted in his diary that Mr. Baker, who operated a freighting business, needed 51/2

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Irish's 1891 map of the Union Canal Company's canal along the Humboldt River, From the Charles Wood Irish Papers, University of Iowa Libraries, Iowa City, Iowa

days to make a round trip to Elko and back, 75 miles distant.⁷

The 1900 U.S. Census showed Charley Irish still living in the small mining camp of Gold Creek, together with 109 other souls. He was residing there with two men shown in the census data as his “servants”: Henly, a Chinese miner, and Theodore Lee, a carpenter from New York. He listed his profession as “mining engineer”. The same census showed Abby living alone in Iowa City, Iowa, rather than roughing it in Gold Creek with her husband.

The Sunflower Reservoir was constructed at the north end of Hammond Canyon, a few miles north of Gold Creek and a twelve-mile canal to bring water for hydraulic placer mining was begun. But production slowed and in 1898, the Gold Creek Water Supply and Storage Company faced bankruptcy. The situation worsened in 1902 when the Gold Creek Nevada Consolidated-Lodes Company, the Gold Creek Improvement Company, the Gold Creek Mining Company and the Gold Creek Town-Site Company were dissolved or went into receivership.

Nevertheless, Charley Irish stayed on at Gold Creek, even as the camp’s fortunes declined. Dr. Heinrich Matthey, wealthy physician from Davenport, Iowa, continued to channel money into Gold Creek.⁸ Irish managed an underground operation, named the Hilda Mine, for Dr. Matthey’s wife.



Gold Creek, Nevada, adapted from The Desert Magazine, February, 1957

In August of 1903, Matthey and his family paid a visit to Gold Creek. Henly, Charley’s employee, acted as tour guide, escorting the Mattheys around the town and surrounding area. Mrs. Matthey made numerous photographs in the vicinity, which survive today and give a vivid picture of life at Gold Creek and the rustic conditions there at the time.⁹

The Last Chapter

Irish’s diaries indicate that he was recording meteorological conditions daily, along with his usual business and personal matters. They also describe debilitating attacks of neuralgia, afflicting him more and more frequently, becoming so painful they often forced him to remain bedridden.

In 1904, Lizzie returned to Reno and her arrival was reported in the *Reno Evening Gazette* for May 19. “A Former Renoite”, the headline read, adding, “Miss Elizabeth Irish, proprietor and manager of Irish’s University Business College at Iowa City, Iowa, is in town visiting old-time friends. Miss Irish at one time was chief clerk in the U.S. Surveyor General’s office. After her visit in this city, she will go to Gold Creek, to visit her father, General Charles W. Irish.”

Lizzie’s springtime visit to see her father would be the last time anyone in the family would see Charley Irish alive. He was suffering kidney failure, in addition to the increasingly debilitating neuralgia attacks. He knew he was in trouble, so on September 24th, Irish dictated his Last Will to an associate, who together with another friend, witnessed his signature. He soon lapsed into a coma. On September 27th, 1904, Irish died.

Two days later the *Reno Evening Gazette* reported, “Charles W. Irish Dies Near Elko – Former Surveyor General of Nevada – Remains Taken to His Old Home in Iowa for Burial”. The article noted that Irish had been a resident of Gold Creek for years and recapped some of his career, “Charles W. Irish was one of the celebrated engineers in the entire country. He surveyed Iowa for the Northwestern and the Burlington railroads, the Santa Fe’s Colorado and Arizona routes, built the Royal Gorge bridges, the bridge over the Missouri and Omaha and laid out the early roads in both Dakotas.” Charles Wood Irish did all those things, and much more.

Irish’s remains were taken to Elko. His brother John arrived by rail from Oakland, California, and escorted Charlie to Iowa City, where he was interred. His wife Abby still resided in Iowa City at the time of his death, but she eventually relocated to Davenport, Iowa, where she remained the rest of her life. Abby passed away in 1925, at the age of 87. She was buried next to Charley in Iowa City.

Irish’s successor, George F. Turrinttin, served until 1903. That same year, he was elected mayor of Reno. He later became president of the Bank of Nevada in Reno. The outspoken Turrinttin, an immigrant from Ireland, made headlines frequently. The *San Francisco Call* reported that, “Mayor of Reno Uses His Fists” and quoted a dispatch to the newspaper from Reno, saying, “Mayor George F. Turrinttin figured in a disgraceful barroom fight here this evening. He attacked T. K. Hymers, chairman of the County Commissioners. Hymers, who is nearly 80, is suffering from nervous shock of the encounter. Arrests were made and sensations are looked for, as the feeling against Turrinttin is intense in some quarters.”¹⁰

It was no surprise when Turrinttin was defeated in his re-election bid for mayor, and lost a subsequent election for state comptroller. He passed away in Reno in 1909, at the age of 65. He is buried in the Masonic Cemetery there.

General Turrinttin’s successor, Matthew Kyle, another Irish immigrant, resigned his office in

CONTINUED ON NEXT PAGE ►

1914 due to poor health, after 16 years as Surveyor General. He passed away in 1919, at the age of 71, and he too is buried in the Masonic Cemetery in Reno.

Charles Irish's extensive papers, including survey field books, maps, mining claims, engineering and surveying texts and hydrographic surveys, alone number over 50 boxes. They are kept in the Special Collections Library at the University of Iowa, in Iowa City. But his presence in western Nevada lingers on. An altimeter-barometer that Irish owned remains in Sparks, Nevada. His name and other data are written in ink on the tattered silk lining of the wooden case. J. S. Hawkins' sighting tube, so essential for photographing the 1889 eclipse at Liegan, remains in Sparks, as well.

**CHARLES W. IRISH
DIES NEAR ELKO**

FORMER SURVEYOR-GENERAL
OF NEVADA

Remains Taken to His Old
Home in Iowa for
Burial

Charles W. Irish a former resident of Reno and one of the most prominent residents of Nevada, died Tuesday evening at Gold Creek, Elko county, where he had been engaged for some time in the mining business. He was about 70 years of age and was known to all the older residents of the city, where he lived for a number of years.

Mr. Irish was appointed Surveyor General of Nevada by President Cleveland and held the office during Cleveland's first administration. Seven or eight years ago he became interested in mines at Gold Creek and made that place his home. He was taken sick about two weeks ago and when a physician reached his bedside he was unconscious and he remained in that condition until his death. His death was caused by uraemic poison.

The deceased leaves a widow and daughter, Lizzie, residing at Iowa City, Iowa, a married daughter living in Davenport, Iowa and a brother, John P., living in San Francisco.

The remains were taken to Elko, from which place they were shipped to Iowa City, Iowa, his old home, for interment.

Charles W. Irish was one of the celebrated engineers in the entire country. He surveyed Iowa for the Northwestern and the Burlington railroads, the Santa Fe's Colorado and Arizona routes, built the Royal Gorge and Grand Canyon bridges, the bridge over the Missouri and Omaha and laid out the early roads in both Dakotas.

September 29, 1904 issue of the *Reno Evening Gazette*

Charles Wood Irish was one of many interesting Surveyors General who served Nevada. He was a beloved husband and

father, a notable land surveyor, civil and mining engineer, serious astronomer and scientist. Charley was a self-educated Renaissance man who was equally at home in Nevada's wilderness or the halls of power, and always, completely in tune with the music of the universe.



C. W. Irish's altimeter-barometer dated 1879. Author's photo



Sighting tube by J. S. Hawkins, for use during the solar eclipse of 1889, presented to his daughter Flossie by C. W. Irish in 1899. Author's photo.

(Endnotes)

- 1 *Report of the Commissioner of the General Land Office* (Washington, D.C. 1889) pg 358
- 2 Transits of Mercury occur much more frequently than those of Venus. There was one more transit of Mercury after the 1891 event, before the end of the 19th Century.
- 3 Ever the gypsy, Elizabeth left Reno and moved to Skaggs Hot Springs, near Healdsburg, California. She hired on as a bookkeeper, assistant post-mistress, and Wells-Fargo agent. She next returned to Iowa City, where she founded the School of Shorthand and Typing and offered classes in shorthand, bookkeeping, spelling, business arithmetic and typewriting. The school prospered and she changed the name to Irish's University Business College.
- 4 The ongoing reclamation efforts in the Humboldt River Basin finally brought the construction of the Rye Patch Dam and Reservoir, built by the U.S. Reclamation Service in 1935-36.
- 5 *Report of the Secretary of Agriculture to Congress* (Washington, D.C. 1895)
- 6 From Irish's diary, which carefully noted all the household goods and personal effects for the move to Gold Creek
- 7 From Irish's diaries, which are housed, together with his maps, files, etc., with the Charles Wood Irish Papers, University of Iowa Libraries, Iowa City, Iowa
- 8 No record of a prior acquaintance between Irish and Matthey exists. Why Matthey chose to invest in mining at Gold Creek is unknown. Matthey's house still stands in Davenport, and is listed on the city's Register of Historic Places. Irish had friends in Davenport, among them Dr. C. H. Preston, MD who with Irish belonged to the Davenport Academy of Natural Science.
- 9 See many of Hilda Matthey's photos, together with the story of the Chinese mines, merchants and tradesmen in Nevada, *In Pursuit of Gold*, by Sue Fong Chung, University of Illinois, 2011
- 10 *San Francisco Call*, May 25, 1905, page 4



Safety Bulletin: Public Lands

According to a story posted in the Las Vegas Review Journal on June 11, 2015*:

“The Bureau of Land Management has told its employees and contractors to stay out of a disputed swath of public land in northeastern Clark County after shots were fired near a survey crew’s camp last week.”

“The FBI and Metro police are said to be investigating the June 5 incident, which unfolded in a remote area at the northern tip of Lake Mead where Bunkerville rancher Cliven Bundy continues to graze cattle in defiance of federal authorities.”

“No one was injured, but the three surveyors from the Nevada-based Great Basin Institute** packed their gear in the dark and quickly left the area after they said someone fired three shots from a nearby road and then returned an hour later to fire three more.”

“The agency later directed that “all personnel and contractors are not to work in the Gold Butte area at this time,” said Great Basin Institute co-founder and executive director Jerry Keir.”

While these GBI folks are not ‘surveyors’ in the classical sense, they are out there on public lands doing their job and in that sense, are no different from us. These are increasingly dangerous times to work in the wild, as the debate intensifies over who can use the public lands and in what ways. Here is some advice if you find yourself, or your crew finds themselves on the front line (literally) of ongoing conflicts regarding public lands:

- Be conspicuous – these days it’s not a good idea to be perceived as sneaking around in the hills.
- Be open about what you are doing and for whom you are doing it. Make sure you come across as a fact-finder and not an advocate for any particular ideology.
- If you are advised to leave an area, leave it. You can always come back with a sheriff escort. Better that than risking your life.
- Report any threats or suspicious activities to the authorities.

**Taken from the Great Basin Institute website:

The Great Basin Institute is an interdisciplinary field studies organization that promotes environmental research, education, and conservation throughout the West. The Institute advances ecological literacy and habitat restoration through educational outreach and direct service programs.

GBI is a member of the Great Basin Landscape Conservation Cooperative (LCC), which brings together researchers, tribes, universities, federal, state and local governments, and non-governmental organizations to address and protect the natural and cultural resources essential to sustaining our health and quality of life.

*Thanks to Paul Burn for bringing this story to our attention.



GBC Lambda Sigma Ceremony

by Byron Calkins, PLS



Lambda Sigma Ceremonial Stake

On May 15, 2015 at 6:30 P.M. Pacific Time at the Star Hotel restaurant in Elko NV, GBC Lambda Sigma nominees took a ceremonial oath to support and enhance professional and student surveying/geomatics organizations and to encourage understanding and cooperation between surveying and other professions.

The Lambda Sigma Honor Society recognizes high scholastic achievement in Great

Basin College’s Land Surveying and Geomatics Program and also recognizes the fundamental characteristics of the successful surveyor/geomatics professional and aids in the development of these characteristics.

A ceremonial stake is created by the nominee; this stake is made by cutting, sanding, facing, and turning a wooden stake into a right pyramid point, which produces a tip for which the apex lies directly above the centroid of the base. Other attending members sign the ceremonial surveying stakes.

The GBC Lambda Sigma inductees for 2015 were Dane Meade (ID), Kurt Luebke (MT), Christopher Noah (TX), Clifford Wagner (NC), Joseph McNichols (MA), and Alex Kelsner (CA).

Inductee Ceremonial Oath

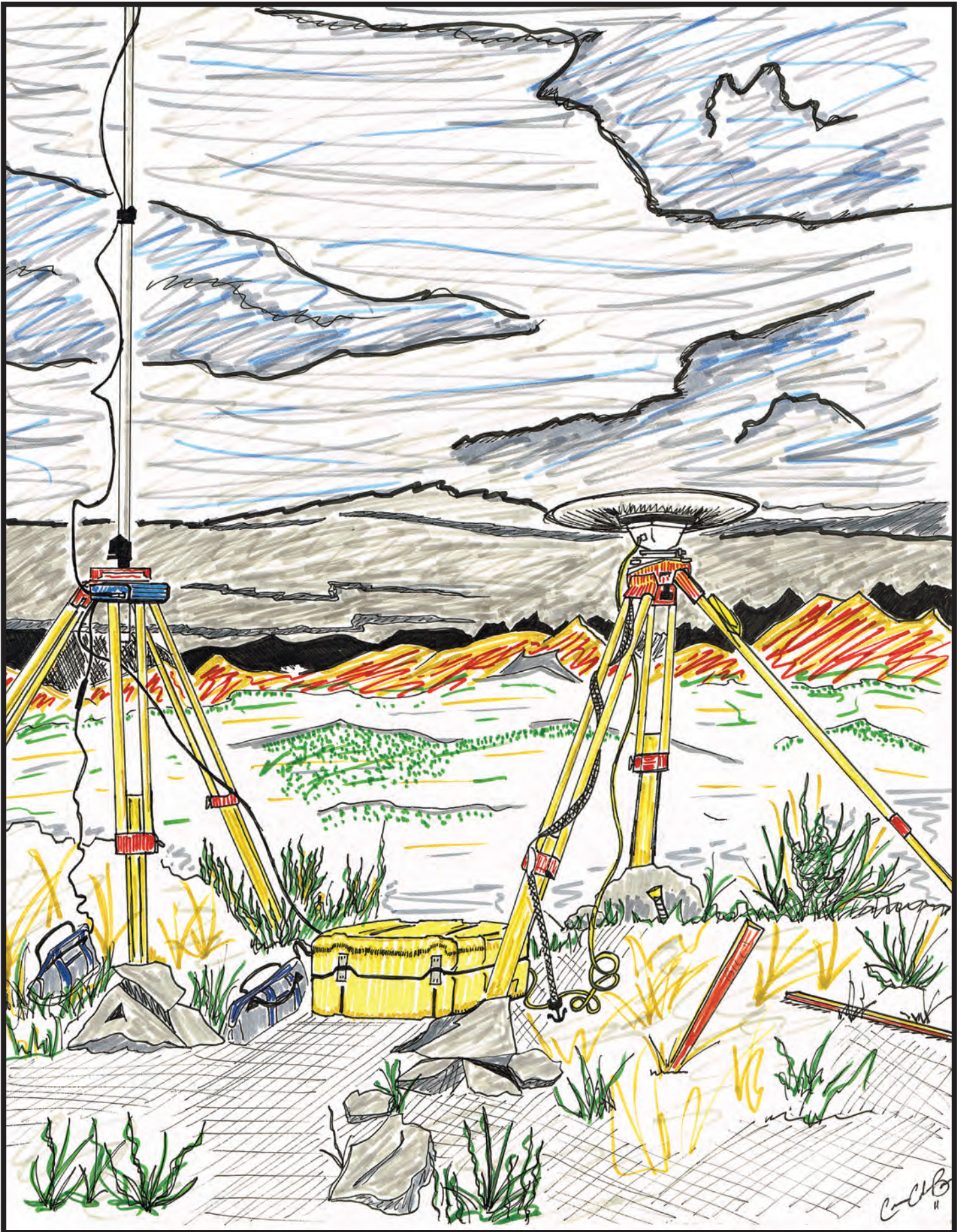
1. I must be technically competent.
2. I must have personal integrity.
3. I must communicate effectively.
4. I must be willing to accept responsibility.
5. I must have the ability to get along with people.
6. I must remember that I am a citizen--a citizen of my country and a citizen of the world.
7. I must formulate and continue a self-education program.
8. I must recognize that I have a responsibility to my profession.
9. I must recognize and assume my responsibilities to my family.

None of these nine ingredients are worth much unless we have the self-discipline to follow a rather rigid routine. This takes eternal vigilance. A genuine belief and enthusiasm in our profession is the necessary catalytic agent in the development of a competent professional. ~ Ceremonial Closing 2015

Respectfully submitted, Professor Byron Calkins



Stormy Creek drawing by Conor C. de Baca



The National Society of Professional Surveyors Foundation, Inc.

by Robert Dahn, PLS

The land surveying profession is fortunate to have a rich history of selfless dedication to improving the quality of the profession and the communities we serve. Every day of my professional career I have been blessed to see this first hand. I thank each of you for your hard work and generosity.

The National Society of Professional Surveyors Foundation, Inc. (NSPSF) is not only dedicated to helping fund the education of each new generation of survey professionals through various scholarships and programs, it also maintains funds and programs to assist members of our profession in times of unexpected need. Among these is the Disaster Relief Fund.

Through the Disaster Relief Fund, NSPSF assists surveyors from all parts of the country affected by disasters of all kinds. Disaster Relief is funded solely by contributions from the professional community. Over the years NSPSF has repeatedly distributed these funds to surveyors in need and repeatedly the profession, from Washington to Florida, Wisconsin to New Mexico, has responded by replenishing the fund each time.

In recent years we have been in the midst of an unprecedented run of extreme weather. From coast to coast we have seen disasters of all varieties. NSPSF has been fortunate to have funds in place as need arises. Please help make this good fortune to continue. If you have already renewed your NSPSF membership please consider making a donation of any amount specifically to the Disaster Relief Fund. If you have not yet renewed your NSPSF membership or are not yet a NSPSF member you can make a donation to this Fund or any of the numerous other NSPSF funds with your membership application. Please remember NSPSF membership is separate from NSPS membership and requires your individual effort to belong. NSPSF is a 501c3, your donations are tax deductible and I know we can all agree the rewards are worth so much more. Again thank you to all of you!

Bob Dahn is a past-president of NSPS and a current member of the NSPS Foundation



In case you were wondering...

110,552 square miles:
Area of Nevada

94,060 square miles:
Area of UK (England, Scotland, No. Ireland)

31 miles:
Length of "Chunnel" (below English channel)

35 miles:
Distance from Fernley to Reno

6,037 square miles:
Area of Pershing County

6,418 square miles:
Area of Hawaii (all islands)

6,767:
Population of Pershing County

1.4 million:
Population of Hawaii

Anniversaries!

The Battle of New Orleans took place 200 years ago. (Two weeks after the war had technically been concluded).

Babe Ruth hit his 1st home run 100 years ago.

The Grateful Dead played their first concert 50 years ago.

The Magna Carta was signed 800 years ago.

Lincoln was assassinated 150 years ago.

World War II ended 70 Years ago.

Napoleon was defeated at Waterloo 200 years ago.

The Voting Rights Act was passed into law 50 years ago.

If you have first-hand memories of more than two of these, it's probably time to consider retirement.

Final NALS Legislative Report The 78TH Session (2015) Of The Nevada State Legislature

by **Brett N. Lane, PLS/WRS, Chairman, NALS
State Legislative Committee**

SUMMARY:

From this past Summer (2014) Neena Laxalt and I have been discussing strategy for the upcoming Session; On into December, when the "Pre-Filed" Bills started being listed on the Nevada State Legislative Counsel Bureau's website, through the start of this 2015 Legislative Session; And on behalf of NALS and all licensed professional land surveyors; Our contracted Lobbyist Neena Laxalt and I have been working together and reviewed over 1000 pieces of proposed legislation.

We identified 85 separate of pieces of proposed legislation that made, or could have made an impact upon the Land Surveying Profession. Of the 85 items, many were BDRs (Bill Draft Requests lacking proposed language specificity) together with several Senate Joint Resolutions. The rest obviously, were Senate and Assembly Bills.

So we started with 85 Tracking Items. The culling process included Neena's work and that of her assistant, tracking the evolution of BDRs (Bill drafts) into Bill form (e.g. Assembly Bills/Senate Bills) through her specialized software; And of course monitoring meetings, hearings and the rest of the buzz activity at the legislature. Of the 85 original tracking items, 50 were deleted either after the BDR (bill draft request) language was provided to us in bill form, or after amendments were introduced that rendered the Bill no longer of interest, or innocuous.

Of the remaining 35 items, 21 failed and 14 passed. The 21 failed bills included the 3 Bills this session dealing with Water Rights that were the most important pieces of legislation NALS was following. (SB 65; SB 81; and SB 485)

Although NALS OPPOSED THESE BILLS, several individuals (NALS Members) on behalf of the rest of us (including non-members), put in a Hell of a lot of work in an attempt to refine them; all of which was requested by the Department of Water Resources. The Bills, as written were very complex, with too many interpretations affecting existing laws, together with numerous unforeseen and unanticipated negative consequences. While many of our water experts did their best through extensive workshops with the State Engineer's Staff to put together workable legislation, in the end, the problems were simply too extensive to overcome in a short legislative session.

These State Water Rights issues will most likely remain on the table. There is an obvious interest in the method by which the State asserts it's authority over this precious natural resource

in Nevada. Hopefully the State Engineer's office will be able to work with NALS and other stakeholders to craft acceptable language between legislative sessions before bringing these back.

The legislative process in Nevada is biennial. That means we get a year off to lick our wounds and marshall our forces. When the cycle hits again in 2017, we are going to need to have more involvement from you, the membership, if we want to adequately evaluate the impact of all those bills and work out the best way to deal with them.

NALS 2015 TRACKING BILLS WHICH PASSED

AB 106

Assembly Bill 106 eliminates the authority of a public body to include in a contract with a design professional a provision requiring that the design professional defend the public body in any lawsuit alleging negligence, errors or omissions, recklessness, or intentional misconduct on the part of the design professional or his or her employees or agents that are based upon or arising out of the professional services of the design professional. In such circumstances, this bill provides that if the design professionals held to be liable as a result of a lawsuit, the judge or jury shall order the design professional to reimburse the public body for a proportionate share of the attorney's fees and costs the public body incurred in defending the action. This bill retains the public body's authority to include a provision in a contract with a design professional requiring that the design professional defend the public body in any lawsuit alleging negligence, errors or omissions, recklessness, or intentional misconduct of the design professional or his or her employees or agents that are not based upon or arising out of the professional services of the design professional.

Amendment 379

The amendment sought to include both general and professional negligence within the design professional's duty to indemnify and hold harmless language. Further, it separates the design professional's duty to defend such that it is not permitted in a contract based upon professional negligence claims, but is permitted in a contract for all other types of claims. *NALS POSITION: NEUTRAL*

AB 125

Assembly Bill 125 revises the construction defect laws as set forth in Chapter 40 of the Nevada Revised Statutes. This measure amends the definition of "constructional defect". The bill provides that a contract is considered void and unenforceable if the contract requires a subcontractor to indemnify, defend, or hold harmless the controlling party for the negligence or omissions of the controlling party. Further, the bill enacts provisions governing the manner in which the controlling party may pursue indemnification from a subcontractor. The bill provides provisions that govern wrap-up insurance policies and consolidated insurance programs. Procedures are established for notice of a constructional defect and prohibit awarding costs or attorney fees to parties in certain circumstances. The bill revises provisions regarding notices being sent to similarly situated owners of residences within a single development. In addition, the bill amends the requirements for the notice of constructional defects that claimant is required to send to a contractor. The measure revises the statutes of limitation and repose. The provisions relating to the damages the claimant

CONTINUED NEXT PAGE ►

may recover in a construction defect action are also revised. Lastly, the bill revises the statute of repose retroactively, but establishes a one-year grace period.

Amendment 7

The amendment removes penalties relating to perjury for signed notices by the claimant or owner of the property to be given to returned to the defendant against who the claim was made. *NALS POSITION: NEUTRAL*

AB 172

THIS BILL AMENDS THIS SESSION'S SENATE BILL 119
Senate Bill No. 119 of this legislative session exempted public works of school districts and the Nevada System of Higher Education from the requirement to pay prevailing wage. Section 6.7 of this bill repeals those provisions of Senate Bill No. 119, thereby making school districts and the Nevada System of Higher Education subject to that requirement. Section 2.3 of this bill provides that the Labor Commissioner must set the prevailing wage on these public works at 90 percent of the rate of prevailing wage on other public works.

Under existing law, any contract for a public work whose cost is \$100,000 or more is subject to the prevailing wage requirements. (NRS 338.080) Section 3 of this bill raises the threshold for the applicability of prevailing wage requirements from \$100,000 to \$250,000. Section 3 also exempts charter schools from prevailing wage requirements.

Section 5 of this bill provides that the amendatory provisions of this bill do not apply to a public work awarded before the effective date of this bill.

Amendment 426

The amendment removed provisions of the bill as introduced relating to the federal E-Verify system. Additionally, the amendment raised the prevailing wage threshold from to \$350,000 (instead of \$5,000,000 in the original bill) and allows the Labor Commissioner to adjust the rate every 5 years in accordance with the Consumer Price Index to account for inflation. The amendment also raised the bidder's preference for companies who hire Nevada workers from 5 percent to 7.5 percent.

Amendment 763

The amendment raised the prevailing wage threshold from \$350,000 proposed in the bill to \$500,000.

Amendment 1056

The amendment, proposed by Senator Kieckhefer, amends Senate Bill 119 to provide the prevailing wages on K-12 and higher education projects to be 90 percent of the prevailing wage. Additionally, the amendment: makes changes to the survey distributed by the Labor Commissioner by providing if 50 percent of the returned surveys for a certain craft are the same, that rate will become the established prevailing wage for that county; raises the threshold for a prevailing wage project from the current statutory \$100,000 to \$250,000; exempts charter schools from paying prevailing wage; and removes sections of the amended bill relating to the bidders preference. *NALS POSITION: NEUTRAL*

AB 202

Assembly Bill 202 authorizes a board of county commissioners to apply for and accept grants of rights-of-way, permits, leases, and patents over, upon, under, or through any land or interest

in land owned by the United States pursuant to any applicable federal law or regulation. The bill also authorizes the State Land Registrar to transfer property that was formerly the site of the National Guard Armory in Hawthorne to Mineral County, without consideration, and requires Mineral County to pay the costs relating to the transfer. *NALS POSITION: NEUTRAL*

SB 59

Senate Bill 59 requires the Secretary of State to establish common business registration information that is used by State and local agencies and health districts and to cause the State business portal to make that information available to these same entities that conduct necessary transactions with businesses in the State. It also allows these entities, to the extent practicable, to integrate their electronic application systems with the State business portal; to use the portal to accept and disseminate information necessary for the issuance of business licenses, registrations, permits, or similar authorizations; to make related applications available on the Internet; and to integrate those applications with the business portal. The bill also clarifies that any information that is deemed confidential under State or federal law need not be disseminated and, similarly, that records and files collected as common business registration information are confidential, unless an exception applies.

The bill requires the Secretary of State to issue a unique business identification number to any entity or person doing business in the State, whether they are required to have a business license or are exempt from the requirement, and the system for issuing these identification numbers must interface with the business portal. Any applicant who applies to any State or local agency or health district for any license, permit, or similar authorization must include the business identification number with the application.

Certain provisions governing city and county business licenses are amended to reflect that industrial insurance information is now provided through the State business portal. Additionally, the Department of Employment, Training, and Rehabilitation will now make certain information that is necessary for operating and maintaining the business portal available to the Secretary of State. Finally, the bill repeals obsolete provisions relating to the collection and filing of certain business information by State and local entities.

Amendment 132

The Secretary of State has proposed a friendly amendment, supported by Chairman Brower, which does the following:

- Removes the mandating language of "shall" and replaces it with the permissive "may" relating to the participation of State and local agencies and health districts.
- Allows for approval of participation by a local governing board.
- Clarifies that the provisions of Section 4, subsection 3, do not require a local agency or health district to upgrade its systems to accommodate any requirement to participate.

Amendment 691

The amendment replaces the term "state business license" with "state business registration" to conform with other bills relating to similar matters. *NALS POSITION: NEUTRAL*

SB 66

Senate Bill 66 revises provisions allowing for a local governing body to amend or terminate an agreement for land development.

LSG PROGRAM HIGHLIGHTS



Program Statement

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- **2015 LSG graduate survey ranked the quality of this program as “excellent”**




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The Nevada Association of Land Surveyors (NALS) was incorporated and chartered on November 2, 1973. As an Association of Professional Land Surveyors, our purpose is to promote the common good and welfare of our members in their activities in the profession of Land Surveying; to promote and maintain the highest possible standards of professional ethics and practice; to promote professional uniformity and to promote public awareness and trust in Professional Land Surveyors and their work.

Today, NALS membership is 200 strong and is comprised of Professional Land Surveyors, Land Surveying Interns, Associate Members, Corresponding Members, Sustaining Members and Student Members. There are 3 active chapters within the State of Nevada: The Great Basin Chapter in Elko, the Lahontan Chapter in the Reno/Sparks/Carson City area and the Southern Nevada Chapter in the Las Vegas/Henderson area.

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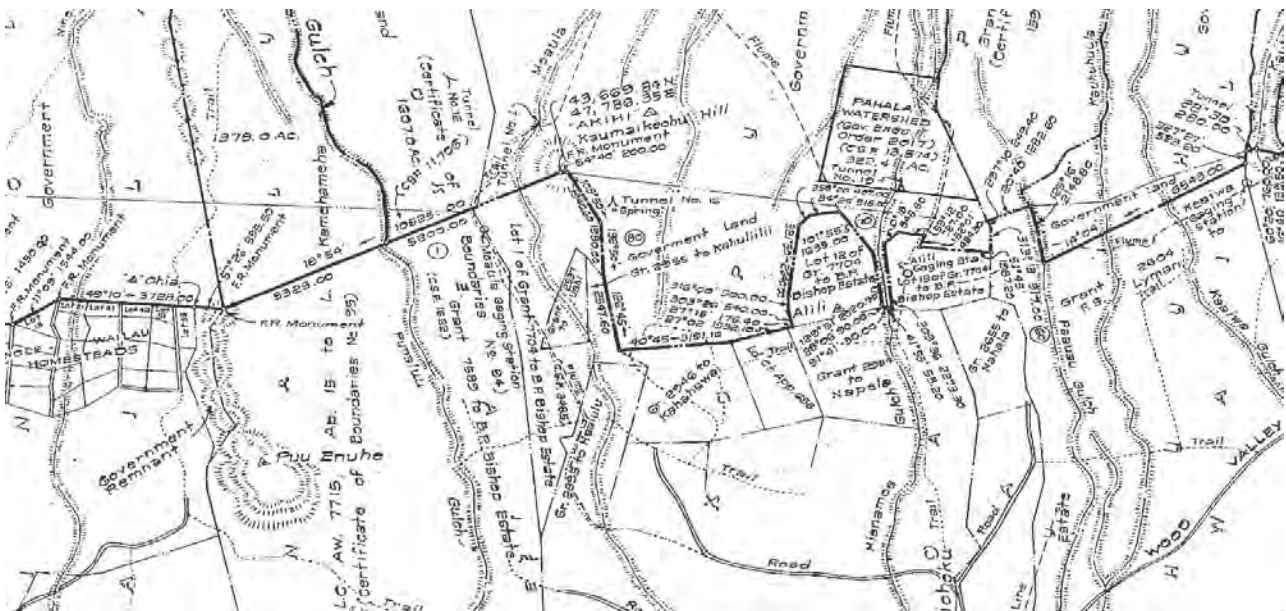
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WFPS Report

by **Matt Gingerich, PLS, WFPS Nevada Delegate**

14.4 Western Federation of Professional Surveyors

The Western Federation of Professional Surveyors Board of Directors meeting was held on May 30, 2015 in Denver Colorado. The meeting was held in conjunction with a memorial service for Wyoming Delegate Paul Reid who recently passed away. On Sunday delegates attended a Final Point dedication for Paul in Cheyenne, Wyoming. Paul was a bin proponent of education and the driver behind the WFPS scholarship.

Highlights from the meeting follow:

Teaching with Spatial Technologies (TwiST) will be held June 22-26, 2015 at Clark College in Vancouver, Washington. Matching funds, up to \$25,000, have been funded by NCEES to support the TwiST program. Nevada will be represented by two teachers, one from Reno and the other from Las Vegas. Teachers are attending from six western states.

CALIFORNIA

The CLSA Monument Conservation Committee has developed a series of PowerPoint presentations as well as speaker's kits for the membership to use in educating agencies regarding the importance of preserving monuments. The Committee is currently developing a webinar which will be archived on the CLSA website. DVDs are available and more information can be found on the CLSA website at <http://www.californiasurveyors.org/moncon.html>

In addition to CLSA's proposed legislation, the Legislative Committee is currently monitoring over 40 bills and has taken a position on 3 bills. Many of the bills this year relate to UAVs. The Legislative Committee is monitoring these bills to make sure they do not affect the surveyor's right of entry. CLSA has testified regarding the BPELSG board sunset legislation

COLORADO

The PLSC Legislative Committee has been actively working to influence Colorado Board Rule revisions. A proposed new PLSC supported Board Rule is intended to curb multiple monuments intended to represent the same corner location. When surveyors set new monuments intended to represent the same corner of an existent monument an explanation on their land survey plat detailing why the existing monument was not accepted will be required.

Improvement Location Certificates (ILC) have historically been miss-used in Colorado for construction purposes. PLSC has petitioned the State Board to remove the ILC requirement for showing improvement dimensions to calculated property lines.

The PLSC Legislative Committee worked with Peg Ackerman (PLSC lobbyist) to defeat proposed legislation to remove the requirements for Colorado County's to designate a County Surveyor.

MONTANA

The Montana Board of Registration is proposing that an easement exhibit include a map as well as the legal description. They have provided details as to what needs to be shown, such as scale bar, north arrow, monuments, purpose.

OREGON

Two issues are keeping PLSO hopping: a request to the Oregon Bureau of labor & Industries (BOLI) by the International Union of Operating Engineers to revise the Party Chief designation for prevailing wage, and an amendment to Oregon Senate Bill SB297 requiring all topographic and hydrographic mapping to be done under the direction of a Licensed Surveyor. The amendment was initially supported by the PLSO Legislative committee, but discussions are ongoing between the new committee chair and the hydrographic community, which community is in discussions with the Oregon licensing board (OSBEELS) concerning certification and regulation.

Young Surveyors Program: This new program is up and running. The group has come up with some initiatives: Create a mentorship, modernize outreach by highlighting new technology, coordinating efforts with ASCE, APWA and IRWA, incorporating social media, and creating a page on the PLSO website.

WASHINGTON

The Board of Registration has been moving forward with the "Practice of Surveying" Washington Administrative Code (WAC) update and has prepared a preliminary draft of the new WAC for our review and support. Stakeholders are encouraged to attend the upcoming public meeting and provide feedback.

Proposed changes to funding Monument Preservation efforts are continuing at the State level. The Washington Council of County Surveyors (WCCS) is requesting all stakeholders to participate and agree to language supporting Monument Preservation and still attempting to work through funding issues.

NEXT MEETING

October 10, 2015 in Seattle, Washington



NSPS Report - Spring Meeting 2015

by Paul Burn, Nevada NSPS Director

The Spring meetings were held at the Hilton Hotel in Crystal City, Virginia the week of April 13, 2015. It was with greater anticipation than normal that I, and the other Directors, attended, for two main reasons, among others. First, these meetings, serving as a pseudo- national conference, were the inaugural event of a type of co-conference with the Management Association of Private Photogrammetric surveyors (MAPPS), and second, these meetings would be the initial event for NSPS without a Board of Governors. MAPPS is one of the national organizations of the photogrammetry field, and has grown over the years to represent firms in the surveying, photogrammetry, and remote sensing disciplines. A good group, they've been working more and more with NSPS the last few years toward some common goals, including Lobby Day. More on that later in this report.

The elimination of the Board of Governors has been foreseen for more than two years, and as the 100% Membership cause has now taken in 47 of the 50 states, it became inevitable. Since the General Membership meeting was scheduled to open the Thursday agenda for the Board of Directors (BOD), the bylaw changes and revisions would be voted upon there, effectively setting up the BOD as the path forward. Although we have been moving in this direction for some time, the advent of this actually taking place was on everyone's mind. With the dropping of the Board of Governors, it immediately becomes incumbent to find a way to effectively create, discuss, and present for vote any motion for BOD consideration. This function fell this session to an informal level at the various area groups' meetings, and will continue to evolve.

So, with an agenda that was so full that one could not attend all sessions, we began. For me, the ALTA/NSPS Survey committee meeting was first up. As most of you know, I've been serving on this committee for more than ten years, and it's one of my favorite functions of NSPS. The committee has considered many suggestions for revising the standards over the last few years. I believe the standards proposed for February of 2016 will be quite a stride forward in clarity of implementation in ALTA

surveys. The final draft was discussed and tweaked a bit at this meeting, and is now ready for ALTA review. (Note: Chairman Gary Kent has once again chosen four committee-member surveyors from across the nation to join him in an August meeting with the American Land Title Association (ALTA) for a one day review of every word in the new document. I was part of this group in 2010 for the 2011 Standards, and have been asked again to serve as one of the members of this meeting. NALS has approved, and I'll be participating again.)

During the meeting of the Western States Governors Council (WSGC), discussions were held on many issues expected to



ALTA Committee hard at work

Moving on with other major events, The Geospatial Summit Sessions by NGS were very enlightening for surveyors with regards to the new datums proposed in 2022. Admittedly, it is a way off - but the resources provided by NGS to roll out NAD83 and NAVD88 are no longer available. NSPS and AAGS are teaming up to do our part. We're helping develop the model law for implementing the datums in state statutes and have had a committee in place to reach out to the surveying community and help them understand and implement the new datums. Now that we have a better understanding of the significant changes with these new datums, it appears that the Geodetic Certification program that NSPS has agreed to develop and implement makes even more sense to offer to our membership.

Also, President Warren has been serving as NSPS representative to the 3DEP coalition: USGS, NOAA, NGS, FEMA, NGAC, NGIC, ASPRS, MAPPS, and a few other orgs that I may have omitted. Essentially, 3DEP is a program to create a full digital elevation model/tin for full nationwide coverage, over an 8 year period of time. This is an important coalition for us to be active in, as we have the only nationwide network coverage that will be critical to building

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local, state, and nationwide support. Now that we have nearly 16,000 members, we are being recognized. And note- that it is not by accident that the only statewide successful program to be used as a nationwide example is headed by a Surveyor, past president of NSPS, Gary Thompson of North Carolina. We can all be very proud of what Gary has accomplished in his state. Here is a link to the program that you will be hearing more about and will be going to need to begin to promote to our state membership and legislators:

<http://www.3dep4america.com/links.html>

The NSPS Foundation has an intriguing fund raiser in place for a 1 in 300 chance at \$100 each to win a cruise for two to Alaska, The Danube River, or Mediterranean. It will raise funds for the foundation to use for disaster relief and scholarships. See the NSPS home page for more details.

The student competition was another success, won by Puerto Rico (4 year program) and New Mexico Community College (2 year program). I believe their posters on Topographic Mapping Error Analysis will provide some interesting reading material for my NV membership and look forward to sharing them when they are available in digital form.

Lobby day was by all accounts a success. Teaming up with MAPPs allowed us to send over 100 people to Capitol Hill, and over 80 senators and congressmen were called upon! The four planks that were the subjects of discussion for these meetings were 1) 3 DEP funding, 2) FLAIR Act, 3) Safe Corridor Utility, and 4) Unfair Competition Issue. Further information on these four issues is available on the NALS website.

The by-laws continue to be updated to reflect initiatives generated as a result of our 100% state program. As previously noted, the Board of Governors has ceased to exist and in a related move, we no longer have area directors. The board will now have full and separate positions for secretary and treasurer, and an At-Large Director will be elected by the general membership to represent those members who do not have representation on the board through the 100% program.

We passed a number of motions such as : every director serving on a committee, setting up webinars for committee meetings, revising a new directors' manual, generating progress reports from committees, developing or enhancing our nomination process, removing references to ACSM in our handouts and documentation, etc. These were generally housekeeping items

and probably do not overly concern any NALS members reading this. BUT (please notice the caps), we all know they are important to help NSPS function and I'm committed to doing whatever it takes to help everyone be comfortable with our operating procedures. If you have any questions or want more detail please contact me.

During the week we had the opportunity to recognize some real stalwarts in the organization who are stepping down after many years of hard work and dedication, so as to allow others to take the reins: John Matonich (Past Pres, Chair Joint Government Affairs), John Fenn (Past Pres, Treasurer) and Malcolm Shaw (Governor, Director of many years for NY) who have served NSPS with distinction. And speaking of dedication - we had 11 NSPS past -presidents actively participating in the 4 day meeting and at one point we had them stand at the front of the room for a group picture! Thank you gentlemen, for your years of service to the profession and organization.



Still-active past-presidents in a rare moment of inactivity

Young Surveyors - The chair of the emerging Young Surveyors group is still seeking a contact in each state. This group consists of surveyors 35 years and younger, and Nevada remains one of the states that still doesn't have a contact. If you are in this group and would consider being the state contact, please email me and I'll coordinate that with you.

The Professional Land Surveyors of Ohio will be welcoming NSPS with open arms for our fall meeting in October, which will be held in Sandusky. I'm looking forward to meeting our fellow surveyors in the Buckeye state.

Respectfully submitted,

Paul Burn, Nevada Governor and Director

⊕

The bill requires a governing body that proposes unilaterally to amend or cancel an agreement for the development of land to hold a public hearing before taking such action and to provide notice no less than 60 days prior to the public hearing. The bill deletes outdated provisions allowing the extension of construction for a residential or commercial development agreement converted to a renewable energy generation project if applied for by July 1, 2013.

Amendment 107

The amendment removes multiple sections of the bill as introduced, as well as: eliminate the provisions relating to the authority to extend a deadline; and allows the opportunity for the party in breach of the agreement to rectify the breach.
NALS POSITION: NEUTRAL

SB 119

PARTS OF THIS BILL ARE SUPERCEDED BY THIS SESSION'S ASSEMBLY BILL 172

Senate Bill 119 exempts from the State prevailing wage law projects involving construction, alteration, repair, remodeling, or reconstruction of an improvement or property to which a school district, a charter school, or the Nevada System of Higher Education (NSHE) is a party. The bill also eliminates a provision that currently requires NSHE to pay prevailing wages on construction work for which the estimated cost exceeds \$100,000 even if the construction work does not qualify as a public work.

Existing statute (Nevada Revised Statutes 387.335) authorizes the board of trustees of a school district to issue general obligation bonds to raise money for certain specified purposes related to school facilities, including: (1) the construction, design, or purchase of new buildings for schools; (2) enlarging, remodeling, or repairing existing buildings or grounds for schools; and (3) acquiring sites for building schools. If the voters approved a proposal submitted by the board of trustees of a school district to issue general obligation bonds, regardless of whether such approval occurred more than ten years before the effective date of this bill, the board of trustees may: Issue general obligation bonds for one additional period of ten years without any further approval of the voters. The additional ten-year period commences on the effective date of this bill for any such bond proposal approved by the voters more than ten years before the effective date of this bill, and on the date of the expiration of the original ten-year period approved by the voters for any other voter-approved bond proposals; and During the additional ten-year period in which a board of trustees is authorized to issue bonds, use excess revenue generated from the property tax for debt service of the school district for funding of certain capital projects even though such authorization was not specifically included in the original bond proposal approved by the voters. *NALS POSITION: NEUTRAL*

SB 271

Senate Bill 271 provides that: (1) the Virgin Valley Water District may issue a letter that commits the District to supply water service to a particular property subject to certain conditions precedent; and (2) such a letter must be renewed on an annual basis, subject to a reasonable fee, or the letter will expire. The District will not refund any fees paid by, return any water rights dedicated to, or pay any expenses of the holder associated with the construction and dedication of any infrastructure if the holder of such a letter fails to meet any condition precedent included in the letter or if the letter expires.

The bill makes the requirement for the renewal of such letters applies retroactively to any letter issued before July 1, 2015. Further, the bill deletes a provision in current law prohibiting the District from requiring the holder of such a letter to pay an annual renewal fee or be subject to any other condition unless the fee or condition is expressly stated in the letter.

Amendment 194

The amendment clarifies the Virgin Valley Water District may not require the holder of a letter to pay annual renewal fees unless the fees are expressly stated in the letter.

Amendment 653

The amendment changes “or” to “and” on page 3, line 2, of the bill concerning the development status of a project.
NALS POSITION: NEUTRAL

SB 389

Senate Bill 389 revises various provisions governing condominium hotels. Among other provisions, the bill:

- Allows for the use of electronic mail to deliver certain notices to a unit owner;
- Provides that an officer of an association or a member of an executive board is subject to provisions governing the behavior of an officer or director of a nonprofit organization in Nevada;
- Revises the means by which a declarant may end the period of control over an association;
- Provides that, unless an association’s bylaws call for a lower number, an election for the removal of a member of an executive board may be called by at least 10 percent of the voting members of the association;
- Establishes that the members of an executive board are not personally liable to victims of crimes occurring on the premises of a condominium hotel; and
- Provides that punitive damages may not be awarded against an association, or against the members of an executive board or officers of an association for acts or omissions that are taken in that capacity. *NALS POSITION: NEUTRAL*

SB 456

Senate Bill 456 urges the Attorney General to take a leadership role in pursuing actions on behalf of the State and counties in formalizing and finalizing title to accessory roads and public roads. The bill authorizes the Attorney General to participate as a party in a quiet title action regarding such roads under certain circumstances and in cooperation with or on behalf of the county or counties in which the road lies. Finally, the Attorney General, the Land Use Planning Advisory Council, and the Nevada Association of Counties must work together to develop and implement a legal protocol that a county may use to perfect its rights to and finalize title to an accessory or public road.
NALS POSITION: NEUTRAL

SJR 1

Senate Joint Resolution No. 1 urges Congress to enact legislation transferring title to certain public lands to the State of Nevada in accordance with the report prepared by the Nevada Land Management Task Force. Lands requested to be transferred include: (1) federal lands administered by the Bureau of Land Management (BLM) previously identified as being suitable for disposal or currently in the process of being disposed; (2) BLM lands under an existing lease pursuant to the Recreation and Public Purposes Act; (3) certain BLM rights-of-way authorized for use by the State of Nevada or its political subdivisions; (4) geothermal areas leased by the

CONTINUED ON PAGE 28 ►

Southern Nevada Chapter Report

by Steve L. Deveny PLS, President

Monthly Meetings

April: There was no meeting due to the Southern Nevada Association of Land Surveyor's annual picnic. Our picnic was held on April 25, 2015 at a local park in the Las Vegas Valley. We had a great turn out from our members. Several survey games were partaken which were setup up by VTN the day prior to our event and the SNALS Board would like to thank them for their participation. The winners of said games were:

Distance Estimation: Jase Wonders
Hammer Toss: Phillip Dwyer, Dwyer Engineering, Inc.
Pacing: Pamela Wolf, Artisan Surveying Group
Wing-Ding: Craig Morris, Wallace Morris Kline Surveying

A big thanks to Brett Lane for getting the music handled, the band sounded better than ever and was a big hit with everyone! Monsen Engineering helped sponsor the event and our SNALS Board would like to say thank you. The weather was cooperative until approximately 4:00 PM when the winds and rain decided it was time to close our celebration for this year, we did not charge anyone for the cold shower.

May 21, 2015: Matthew Lachniet, Professor of Geoscience, UNLV presented a program titled Landforms of Southern Nevada. The presentation was geared towards identifying the land features in the Las Vegas Valley and surrounding areas with explanations on how they formed. This gave insight on how to describe the local areas we survey. The presentation was very informative and initiated audience participation with many questions about specific land forms that they have seen over the years. The climax to this presentation took place the following day when a 4.8 magnitude earthquake shook Nevada and closed several freeway ramps in the Las Vegas Valley amid reports of damage. The quake struck at 11:47 a.m. about 60 miles west-northwest of St. George, Utah, according to the U.S. Geological Survey (USGS). The USGS gave the nearest town as Caliente, about 24 miles north-northeast of the epicenter, which was in a remote mountainous region about 100 miles driving distance from Las Vegas. Those attending the meeting are still inquiring into how Mr. Lachniet managed such a grand ending to an excellent presentation.

June: There was no meeting held in June since this time period is when most of our members are on vacation. We had planned to hold a social event during this month but our plans to conduct a public land survey presentation at Mt. Charleston visitor center was never approved by those who requested it.

Professional Development Hours

At the beginning of the year I had stated that my priority was to supply as many PDH opportunities as possible to our members. As of the date of this report we have successfully supplied 8.5 hours to our members. I am hoping we can provide additional opportunities before the end of this year.



Great Basin Chapter Report

Norman Rockwell PE, PLS, WRS,

PAST ACTIVITIES

April Meeting: April 16, 2015 at the Gold Dust West Casino; Elko, NV. 8 members and guests present.

President' Report: Carl C.de Baca

- Currently 10 paid members of the NALS Great Basin Chapter.

- Attendance at the CSLA/NALS conference was up from last year.

- Total attendees: approximately 500, including 104 NALS members.

- The live auction brought in approximately \$25,000 for scholarship funds.

- The LS review classes received great comments.
- The Western Federation of Professional Surveyors is looking to develop SkillsUSA programs in member states.

Other Items:

- Byron Calkins – Great Basin College's Land Surveying and Geomatics program review went very well – more details coming later.

- An Associate of Science in Land Surveying and Geomatics will be added starting this fall.

- GBS has received approval to purchase a drone.

- CADD 121 (for surveyors) will be taught with Carlson software.

- Survey 455 – Mine Surveying class is being rebuilt.

- UNLV is entertaining a minor in Land Surveying which might involve GBC classes and therefore increase enrollment in the GBC Geomatics program.

May Meeting: May 11, 2015 at the Great Basin College; Elko, NV. 11 members and guests present.

President's Report:- Carl C.de Baca

- Great Basin College recently underwent their five-year program review for the Land Surveying/Geomatics program.

- Dr. Steve Frank from New Mexico State University and ABET past chair of the Applied Science Accreditation Commission, gave a favorable review of the program upon his visit to the college, encouraging ABET accreditation which would require hiring an additional professor.

- Enrollment is steady and increasing.

- Dr. Donald Hayes, UNLV Professor of Civil Engineering and Environmental Engineering and Construction, visited GBC and is interested in creating a Land Surveying minor using GBC's program.

- Dr. Mike McFarlane, GBC Department of Academic Affairs, stated that the Land Surveying program is here to stay.

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- The 2016 NALS Conference location will likely be in southern Nevada; the exact location is not yet determined.
- The Trimble Business Center – Field to Finish Class will be held at Great Basin College, May 14 – 15, 2015. The cost is \$500/person.

Other Items:

- Speaker – Shane Gardner, Carlson Software, Western Regional Sales Director. He gave an informative presentation on the state of CADD software, the latest options and application of Carlson Software as well as the line of Carlson survey equipment.

June Meeting: 6/08/2015 at the Gold Dust West Casino; Elko, NV 8 members and guests present.

President's Report: Carl CdeBaca

- Carl welcomed the newest chapter member – Chris Konakis.
- Conference:
 - NALS will receive approximately \$30,000 in proceeds from this year's conference, which will help offset the expense of holding a Nevada only conference in 2016. Location is still to be determined; 3 locations are being considered in southern Nevada.
 - The Western Federation of Professional Surveyors (WFPS) may join NALS for the 2016 conference.

Other Items:

- Great Basin College:
 - Byron Calkins reportedly is expecting 30 – 50 students for this fall semester.
 - The NSPS Student Competition was won by Puerto Rico this year.
- The fall NSPS meetings will be held in Ohio.
- Feedback from Monsen's TBC Field-to-Finish class has been positive and considered to be well worth it to combine field and office experience in one class.
- The chapter is looking for a museum-type location for a display of old surveying equipment. Suggested locations include the new California Trail Center and the Northeastern Nevada Museum.
- There will be no regular July meeting as the annual picnic will be held at the Nisbet cabin in Lamoille on July 11.
- The chapter meeting schedule for the rest of 2015, at 6:00 p.m. in the Gold Dust West Casino, is:
 - August 10
 - September 14
 - October 19 (as the 12th is the Columbus Day holiday)
 - November 9
 - December 14

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Lahontan Chapter Report

Prepared by Halana Salazar

PAST ACTIVITY

On the morning of June 26th Dan Church gave a great presentation on Boundary Determination. It was well attended by 35 people.

In the afternoon of June 26th we held our picnic at Bower's Mansion in Washoe Valley. Although there was a moderate turn out, fun was had by all as the pool was open. It was a great venue and great food. Thanks Dave Crook and Bob LaRiviere for doing all the cooking!

PLANNED ACTIVITY

Membership Meetings

These will pick up again in September. Still looking for speakers, so if you know of anyone please contact Greg Phillips at Lumos and Associates.

Continuing Education

The LH chapter will be putting together another seminar in the Fall. Possible topics will be writing legal descriptions or ALTA surveys. If anyone wants to volunteer to be a presenter, please contact one of the Board members.

Golf Tournament

We will be at Red Hawk this year on August 14th. This is a great venue and we will have Golf shirts for all who sign up this year. So mark your calendars and look for the Evite very soon.



Has Your Contact Information Changed?

Change in your address, email address, or telephone? Please contact NALS with your updated information.

You may log onto the NALS Website at:
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Help your NALS Board to keep you current.

Thank you!

TrigStar Report

by Jerry Jaurez, PLS

Nevada TrigStar News

It is my pleasure to announce the 2014/2015 NALS Trig-Star winners!

The Southern Chapter took all honors this year with multiple 100% scores! When we started testing this year, Sean Corkill asked if it was ok to include middle school students in the contest. I informed him we could certainly include them on the State level but NSPS rules state a high school student must be selected to participate and take the National exam. Well... wouldn't you know it, the actual winner is an 8th grader. Jason Lin scored 100% in just over 28 minutes!

Below is a list of the official winners from high school. Vincent Pan will be taking the NSPS National exam. Good Luck Vincent!

| PLACE | NAME | SCORE | TIME | SCHOOL |
|-------|-----------------|-------|-------|-----------------|
| 1ST | Vincent Pan | 100% | 37:46 | E.W. Clark H.S. |
| 2ND | Sabrina Ho | 100% | 45:46 | E.W. Clark H.S. |
| 3RD | Benjamin Lither | 100% | 53:27 | WCTA |

Sean and I discussed how we can recognize Jason and we would like to ask the board to or the local sponsor of that school (Sean will send that info) to present to him the same or reduced amount the official state winner gets along with the same plaque the winner gets.

With the approval of the motion I submitted in January 2015 the budget would include... the state winner receives \$200, second \$100 and third place \$50 along with either a \$50 cash prize for the teacher or an award plaque. My request or motion would be to also include either \$200 for Jason and an award to the teacher or, because he's an 8th grader to give him \$100 cash and an award for his teacher.

Respectfully Submitted, Jerry Jaurez



BLM; (5) BLM lands within the “checkerboard” lands of the original Central Pacific Railroad corridor; and (6) BLM lands that have already been authorized for disposal in enacted and introduced federal land legislation.

The resolution, further, requests that such legislation exclude from the transfer wilderness lands, designated National Conservation Areas, and lands designated by the BLM as Areas of Critical Environmental Concern established to protect the desert tortoise. In addition, lands administered by the United States Departments of Energy and Defense and certain agencies of the Department of the Interior are requested to be excluded from such a transfer. Finally, the resolution notes that any transferred land must become State public land and that any revenue generated from the management of such lands must be deposited into a permanent trust and held for the benefit of education, mental health services, senior and veteran services, and other public programs.

Amendment 580

The following conceptual amendments were adopted by the Senate Committee on Legislative Operations and Elections:

Amend the first “resolved” clause on page 4, lines 1 through 3, as follows:

RESOLVED, That the public lands subsequently transferred *shall become state public lands to be managed in accordance with state and local plans and for multiple-uses as well as* on-going net revenue generation and environmental health, function, productivity and sustainability; and be (Proposed by Demar Dahl, Elko County Commissioner and Chairman, Nevada Lands Management Task Force) Amend the second “resolved” clause on page 2, lines 20 and 21, to specify an exception,—“except

as otherwise directed by Congress”—relating to the lands considered for transfer:

RESOLVED, That any such legislation should exclude the following lands from consideration for transfer, *except as otherwise directed by Congress*: (Proposed by Clark County) **NALS POSITION: NEUTRAL**

SJR 2

Senate Joint Resolution No. 2 urges Congress to enact legislation requiring the sharing of federal receipts from all commercial activity occurring on Nevada’s public lands with the State and its counties. **NALS POSITION: NEUTRAL**

SJR 5

Senate Joint Resolution No. 5 expresses the Nevada Legislature’s support of the 2014 Nevada Greater Sage-Grouse Conservation Plan prepared by the Sagebrush Ecosystem Council and confirms the Legislature’s confidence in the ability of the State of Nevada to conserve the greater sage-grouse and the sagebrush ecosystem. The resolution requests the Bureau of Land Management (BLM) and the United States Forest Service (USFS) to adopt the Conservation Plan as the preferred management alternative for greater sage-grouse in Nevada. Moreover, the resolution urges Congress to intervene if the BLM and USFS do not follow the guidance of the resolution and, if so, urges Congress to enact legislation to extend, for a period of ten years, a decision on a sage-grouse listing to allow the implementation of the Conservation Plan. Finally, S.J.R. 5 urges the U.S. Fish and Wildlife Service not to list the greater sage-grouse as endangered or threatened under the Endangered Species Act of 1973.

CONTINUED ON NEXT PAGE ►



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Amendment 572

The amendment was submitted by Eureka County. The amendment adds language to the resolution regarding: lack of regulatory mechanisms contributing to the potential listing of the greater sage-grouse; BLM and USFS attempts to amend land use planning documents to incorporate conservation measures; background relating to the 2014 Nevada Greater Sage-Grouse Conservation Plan developed by the Sagebrush Ecosystem Council; a request from the Legislature to the BLM and USFS to adopt the Conservation Plan as the management alternative; to allow the State to adopt the Conservation Plan as the mechanism to combat a listing of the greater sage-grouse; and requests if the Plan is not adopted by the appropriate federal agencies the US Congress intervene by enacting legislation to allow the Conservation Plan to be implemented. *NALS POSITION: NEUTRAL*

NALS 2015 TRACKING BILLS WHICH FAILED

AB72

Revises provisions governing state professional licensing boards. (BDR 54-161)

AB84

Authorizes the State Contractors' Board to issue a written administrative citation to a person who acts as a contractor without an active license of the proper classification. (BDR 54-386)

AB95

Exempts certain persons and entities who operate home-based businesses from the requirement to obtain a state business license. (BDR 7-34)

AB215

Revises provisions governing public works. (BDR 28-540)

AB233

Revises provisions relating to common-interest communities. (BDR 18-1025)

AB269

Revises provisions governing professional licensing. (BDR 54-899)

AB288

Revises provisions relating to residential mortgage loans. (BDR 9-896)

AB347

Revises provisions relating to domestic wells. (BDR 48-253)

AB398

Ensures protection of public access to public lands. (BDR 35-580)

AB408

Enacts provisions relating to certain uses of land and

the exercise of law enforcement authority in this State. (BDR 26-1060)

AB455

Directs the Legislative Commission to appoint a committee to conduct an interim study regarding the present and future supplies of water and allocation levels in this State. (BDR S-481)

SB28

Clarifies provisions governing the fees that may be charged for providing copies of certain public records. (BDR 19-464)

SB65

Revises provisions relating to the use of water. (BDR 48-366)

SB81

Revises provisions relating to the management and appropriation of water. (BDR 48-367)

B108

Revises provisions relating to public works projects. (BDR 28-598)

SB173

Revises provisions governing mining reclamation. (BDR 46-482)

SB202

Revises provisions relating to hydraulic fracturing in this State. (BDR 46-438)

SB252

Revises provisions governing the state business license fee. (BDR 32-1185)

SB392

Revises provisions relating to prevailing wage. (BDR 28-828)

SB485

Revises provisions relating to water. (BDR 48-708)

SJR10

Requests the National Research Council of the National Academy of Sciences to conduct an independent scientific and economic analysis of the management of the Colorado River. (BDR R-70)

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Image from backstageeol.com

National Clown Shortage Looms In U.S.

What's happening is attrition," the president of Clowns of America International said. "The older clowns are passing away." Meanwhile, he explained, younger potential clowns are being put off taking it up professionally. "They go on to high school and college and clowning isn't cool anymore," he said.

The largest clown organization in the US has seen membership fall some 30% since 2004. Most of its members are over 40. "The challenge is getting younger people involved in clowning," the president of the organization said. With the number of large-scale circuses also in decline, there are fewer opportunities for aspiring clowns to make a living.

Excerpted from NPR story Feb. 18, 2014

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| STATE ASSOCIATION MEMBERSHIP: Add your Initiation Fee amount to the Annual Dues amount and enter the sum in the TOTAL AMOUNT column. | Annual Dues | Total Amount |
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| <input type="checkbox"/> ASSOCIATE MEMBER: Any person who, in their profession, relies upon the fundamentals of land surveying and is sponsored by a Regular Member of the Association.** | \$60.00 | \$ _____ |
| <input type="checkbox"/> CORRESPONDING MEMBER: Any person holding registration as a professional land surveyor in another state, and who desires to receive correspondence from the Association, including <i>The Nevada Traverse</i> . | \$60.00 | \$ _____ |
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| | Associate and L.S.I Members | \$15.00 |
| <input type="checkbox"/> GREAT BASIN CHAPTER: Northeastern Nevada (Elko) (no charge for Student Members) | Regular Members | \$30.00 |
| | Associate and L.S.I Members | \$20.00 |
| <input type="checkbox"/> SOUTHERN NEVADA CHAPTER: (no charge for Student Members) | Regular Members | \$35.00 |
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| Please Note: Shipping Charge is \$3.00 per item | Total Shipping Chrg | | |
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