

April 11, 2022

Petition to the Cannabis Compliance Board

Mr. Tyler Klimas  
Executive Director  
Cannabis Compliance Board  
700 E. Warm Springs Rd., Suite 100  
Las Vegas, NV 89119

From:  
High Sierra Holistics, LLC  
2521 Edgerock Road  
Reno, NV 89519  
775-240-3352

Dear Mr. Klimas,

Pursuant to Nevada Cannabis Compliance Regulation ("NCCR") 4.145, please accept this correspondence as High Sierra Holistic's petition to the Board to request an adoption, amendment or repeal of Nevada Cannabis Compliance Regulations ("NCCR"), Regulation 5.

On or about April 10, 2018, High Sierra Holistics, LLC received the below email:

**From:** "Nevada Department of Taxation, Marijuana Enforcement Division"  
<[kplaskon@TAX.STATE.NV.US](mailto:kplaskon@TAX.STATE.NV.US)>

**Date:** April 10, 2018 at 3:16:52 PM PDT

**To:** [STATEMME@LISTSERV.STATE.NV.US](mailto:STATEMME@LISTSERV.STATE.NV.US)

**Subject:** Notice of Intent to Accept Applications for Marijuana Licenses

**Reply-To:** StateMME <[STATEMME@LISTSERV.STATE.NV.US](mailto:STATEMME@LISTSERV.STATE.NV.US)>

**Date:** April 10, 2018

**NOTICE OF INTENT TO ACCEPT APPLICATIONS FOR MARIJUANA LICENSES**  
NOTICE IS HEREBY GIVEN that the Nevada Department of Taxation is seeking applications from qualified existing medical marijuana establishment certificate owner(s) to be awarded recreational marijuana establishment licenses of the same type and at the same location. This application period is also open to the NRS 369 liquor wholesalers to apply for a distribution license.

Pursuant to LCB File No R092-17A, the Department will accept applications for cultivation, production, laboratory and retail store licenses. The Department will be accepting applications for ten (10) business days.

**Application period opens: June 13, 2018, 8:00 AM**

**Application period closes: June 26, 2018, 5:00 PM**

Applications may be submitted at any Department of Taxation office.

The following establishments may apply:

- Existing Nevada medical marijuana establishments that hold a registration certificate(s).
- Nevada medical marijuana establishments that hold a provisional registration certificate(s). Provisional establishments must be fully operational by August 31, 2018 as detailed in the MME Provisional Certificate letter dated April 2, 2018.

All applicants are required to be in compliance with the following:

- Do not already hold a retail marijuana establishment license; and
- All licenses, certificates, and fees are current and paid; and
- No registration certificate suspension within 6 months of the effective date of the marijuana establishment license for enforcement violations including but not limited to

provisions NRS 453A.352, NRS 453A.362, NAC 453A.406, NAC 453A.414, NAC 453A.658, NAC 453A.668, and NAC 453A.672.

· Applicant is not delinquent in the payment of any tax administered by the Department or is not in default on payment required pursuant to a written agreement with the Department; or is not otherwise liable to the Department for the payment of money.

· No citations for illegal activity or criminal conduct; and

· Plans of correction are complete and on time, or are in progress.

The application form can be found on the Nevada Department of Taxation's web page:

[https://tax.nv.gov/FAQs/Marijuana\\_License\\_Applications/](https://tax.nv.gov/FAQs/Marijuana_License_Applications/)

Applicants should follow all instructions listed on the packet and include all the required supplemental forms.

Completed applications must include:

· \$5,000 application fee, and

· The amount for the license fee:

o \$20,000 for Retail Store

o \$30,000 for Cultivation

o \$10,000 for Production

o \$15,000 for Testing Lab

o \$15,000 for Distribution (For NRS 369 Distributor Applicants Only)

If your application is denied, the Department will refund the license fee(s) you paid. The \$5,000 application fee is non-refundable.

A copy of this notice has been posted at the following locations:

1. Nevada Department of Taxation, 1550 College Parkway, Suite 115, Carson City, NV
2. Nevada Department of Taxation, 4600 Kietzke Lane, Building L, Suite 235, Reno, NV
3. Nevada Department of Taxation, 2550 Paseo Verde Parkway, Suite 180, Henderson, NV
4. Nevada Department of Taxation, Grant Sawyer Office Building, Suite 1300, 555 E. Washington Ave., Las Vegas, NV

5. Nevada Department of Taxation Marijuana Enforcement Division Listserv

Copies of this notice may be obtained in person, by mail, or by calling (775) 684-3487. For more information, e-mail [marijuana@tax.state.nv.us](mailto:marijuana@tax.state.nv.us)

In compliance with this directive, High Sierra Holistics submitted its application to be awarded recreational marijuana establishment licenses for its existing medical marijuana cultivation and production licenses in Reno.

This change was approved without incident.

At that time, High Sierra Holistics also asked the State of Nevada if it should similarly apply to be awarded recreational marijuana cultivation and production licenses for the existing medical marijuana cultivation and production licenses that it possessed in Lyon County.

In response to this inquiry, an auditor from the State of Nevada told High Sierra Holistics representatives that since Lyon County had a license moratorium in place and no licenses could be issued that an application was not required at that time. High Sierra Holistics was told that once the county moratorium was lifted that it should apply for its recreational cultivation and production licenses at that time.

Now that the moratorium has been lifted, High Sierra Holistic respectfully requests that the Lyon County medical cultivation and production licenses that it holds be changed to include recreational.

Unfortunately, NCCR 5 provides no mechanism for High Sierra Holistics, LLC to now apply for its recreational cultivation and production licenses. As such, High Sierra Holistics, LLC is unable to become a "dual licensee" as a medical cannabis establishment and a cannabis establishment through no fault of its own. To rectify this situation, High Sierra Holistics, LLC met with Steve Gilbert and Michael Myers to discuss the situation. It was recommended that a petition be filed with the CCB.

This inability for High Sierra Holistics, LLC to not apply to be awarded recreational marijuana establishment licenses for its existing medical marijuana cultivation and production licenses in Lyon County creates a direct and tangible harm, not only to High Sierra Holistics, but to Lyon County and the State of Nevada as well in the form of lost tax revenue. The state of the cannabis industry currently does not make it economically feasible to construct cultivation and production facilities for medical marijuana only and therefore a tax revenue stream will not occur.

High Sierra Holistics, LLC therefore formally requests the CCB to consider this petition at its April 26, 2022 Board Meeting and adopt, amend or repeal of Nevada Cannabis Compliance Regulations ("NCCR"), Regulation 5 as follows:

**5.151 Request by existing medical cannabis establishment to apply for cannabis establishment license after lifting of County moratorium.**

Upon request to the Cannabis Compliance Board by an existing medical cannabis establishment to apply for a cannabis license of the same type to be operated at the same location after a county has lifted its licensing moratorium, the Cannabis Compliance Board shall open an application period for the applicant for 10 business days. All provisions contained in LCB File No R092-17A shall apply to the application.

It is respectfully requested that High Sierra Holistics, LLC be allowed to apply "to be awarded recreational marijuana establishment licenses of the same type and at the same location" as were contemplated in the above referenced **NOTICE OF INTENT TO ACCEPT APPLICATIONS FOR MARIJUANA LICENSES** dated April 10, 2018.

Thank you for your consideration and High Sierra Holistics is willing to answer any questions you may have in conjunction with this request.

Respectfully,



Ashlee Ernst

High Sierra Holistics, LLC