

provision of this title.

The only other changes made are in style.

4-622. PRIVATELY OWNED ARTIFICIAL PONDS OR LAKES.

(A) APPLICATION; PERMIT FEE. - THE DEPARTMENT MAY ISSUE A PERMIT AUTHORIZING A PERSON TO ESTABLISH AND OPERATE AN ARTIFICIAL OR MAN-MADE POND OR LAKE WHICH HE OWNS, LEASES, OR CONTROLS, WHERE FISHING IS PERMITTED FOR PAYMENT OF A FEE, AND IN [[WHCIH]] WHICH FISH STOCKED ARE ARTIFICIALLY PROPAGATED BY COMMERCIAL HATCHERIES, OR PURCHASED FROM PERSONS LICENSED TO SELL FISH. THE DEPARTMENT MAY ISSUE THE PERMIT IF IT DETERMINES THE LAKE OR POND DOES NOT CONFLICT WITH ANY REASONABLE PRIOR PUBLIC INTEREST. THE PERMIT FEE SHALL BE \$25 A YEAR. THE PERMIT EXPIRES ON DECEMBER 31 FOLLOWING THE DATE OF ISSUANCE.

(B) AUTHORITY OF DEPARTMENT TO REGULATE PRIVATELY OWNED ARTIFICIAL LAKES. - THE DEPARTMENT SHALL PRESCRIBE BY RULE OR REGULATION THE SIZE OF THE AREA, METHOD OF FISHING, OPEN AND CLOSED SEASONS, AND THE CATCHING OF FISH BY FURNISHING TAGS FOR A REASONABLE FEE. THE DEPARTMENT ALSO SHALL REGULATE THE RELEASE, POSSESSION, AND USE OF LEGALLY PROPAGATED GAME AND FRESHWATER FISH, AND MAY REQUIRE ANY REPORT NECESSARY CONCERNING THE OPERATION OF THESE AREAS.

(C) REVOCATION OF PERMITS; OPERATION OF FEE FISHING LAKE WITHOUT A LICENSE. - ANY PERMIT ISSUED UNDER THE PROVISION OF THIS SECTION MAY BE REVOKED FOR VIOLATION OF ANY PROVISION OF THIS SECTION OR ANY RULE OR REGULATION OF THE DEPARTMENT RELATING TO FEE-FISHING LAKES. THE OWNER OR OPERATOR OF A FEE-FISHING LAKE OR POND MAY NOT OPERATE IT WITHOUT A PERMIT.

(D) PRIVATELY-OWNED AREA.

(1) THE PROVISIONS OF THIS TITLE DO NOT APPLY TO ANY PRIVATELY-OWNED RECREATIONAL AREA IF THE FOLLOWING FACTORS ARE PRESENT:

(I) THE PAYMENT OF A FEE TO THE OWNER OF THE AREA IS NOT EXCLUSIVELY FOR THE PRIVILEGE OF FISHING IN ANY PONDS OR LAKE ON THE PROPERTY;

(II) THE LAKES OR PONDS ARE STOCKED PRIVATELY BY THE OWNER WITH PRIVATELY-OWNED FISH; AND