

IN THE OFFICE OF THE STATE ENGINEER
IN THE STATE OF NEVADA

IN THE MATTER OF APPLICATIONS 50195,)
50196, 50197 AND 50198 FILED TO)
APPROPRIATE THE WATERS OF AN)
UNDERGROUND SOURCE IN THE HONEY LAKE)
VALLEY GROUNDWATER BASIN, WASHOE)
COUNTY, NEVADA. APPLICATIONS 53406,)
53408, 53421 AND 53434 FILED TO CHANGE)
THE PLACE AND MANNER OF USE OF THE)
PUBLIC WATERS OF AN UNDERGROUND SOURCE)
IN THE HONEY LAKE GROUNDWATER BASIN,)
WASHOE COUNTY, NEVADA, UNDER)
APPLICATIONS 50195, 50196, 50197 AND)
50198 RESPECTIVELY. APPLICATION 53407)
FILED TO CHANGE THE PLACE AND MANNER OF)
USE OF A PORTION OF THE PUBLIC WATERS)
OF AN UNDERGROUND SOURCE IN HONEY LAKE)
GROUNDWATER BASIN, WASHOE COUNTY,)
NEVADA, HERETOFORE APPROPRIATED UNDER)
PERMIT 48211. APPLICATIONS 53409,)
53410, 53411, 53412, 53414, 53415,)
53416, 53417, 53418, 53423, 53424,)
53425, 53426, 53427, 53432 AND 53433)
FILED TO CHANGE THE PLACE AND MANNER OF)
USE OF THE PUBLIC WATERS OF AN)
UNDERGROUND SOURCE IN THE HONEY LAKE)
GROUNDWATER BASIN, WASHOE COUNTY,)
NEVADA, HERETOFORE APPROPRIATED UNDER)
PERMITS 49379, 49374, 49375, 49377,)
49268, 49269, 49373, 49376, 49378,)
48380, 48381, 48382, 48383, 45025,)
39899 AND 45024 RESPECTIVELY.)
APPLICATIONS 53413, 53420, 53422 AND)
53428 FILED TO CHANGE THE PLACE AND)
MANNER OF USE OF THE PUBLIC WATERS OF)
AN UNDERGROUND SOURCE IN THE HONEY LAKE)
GROUNDWATER BASIN, WASHOE COUNTY,)
NEVADA, UNDER APPLICATIONS 50089,)
50087, 50088 AND 50090 RESPECTIVELY.)
APPLICATION 53419 FILED TO CHANGE THE)
PLACE AND MANNER OF USE OF THE PUBLIC)
WATERS OF AND UNDERGROUND SOURCE IN THE)
HONEY LAKE GROUNDWATER BASIN, WASHOE)
COUNTY, NEVADA, UNDER APPLICATION 53326)
APPLICATIONS 54134, 54135, 54136,)
54137 AND 54138 FILED TO CHANGE THE)
PLACE AND MANNER OF USE OF THE PUBLIC)
WATERS OF AN UNDERGROUND SOURCE IN THE)
HONEY LAKE GROUNDWATER BASIN, WASHOE)
COUNTY, NEVADA, UNDER APPLICATIONS)
53888, 53889, 53890, 53891 AND 53892)
RESPECTIVELY.)

RULING
#3787

GENERAL

I.

Application 53407 was filed on June 23, 1989 by Washoe County to change the place and manner of use of 2.4 c.f.s., a portion of water from an underground source heretofore appropriated under Permit 48211. The proposed use is for municipal purposes within the T.15N., R.18E.; that portion of Section 1 lying outside of the natural drainage basin of Lake Tahoe. T.15N., R.19E.; Section 4 excluding the SE1/4. Sections 5 and 8. That portion of Sections 6, 7 and the N1/2 of the N1/2 of Section 18 lying outside of the natural drainage basin of Lake Tahoe. T.16N., R.18E.; that portion of Sections 1, 5, 6, 12, 13, 24, 25 and 36 lying outside of the natural drainage basin of Lake Tahoe, and excluding any portion of the W1/2 of the W1/2 and the W1/2 of the E1/2 of the W1/2 of Section 6. T.16N., R.19E.; all, excluding that portion of Sections 6, 7, 18, 19 and 30 lying within the natural drainage basin of Lake Tahoe, and excluding the S1/2 of Section 35 and the NE1/4 and the SE1/4 and the SW1/4 of Section 36. T.16N., R.20E.; Sections 2 through 11 inclusive. Section 15 through 20 inclusive. Section 30. The N1/2 of Section 1. Portions of the SW1/4 of the NW1/4 and the NW1/4 of the SW1/4 of Section 14. T.17N., R.18E.; all excluding the W1/2 of the W1/2 and the W1/2 of the E1/2 of the W1/2 of Sections 6, 7, 18, 19, 30 and 31, and excluding that portion of Sections 22, 23, 26, 27, 32, 33, 34, 35 and 36 lying within the natural drainage basin of Lake Tahoe. T.17N., R.19E.; all, excepting that portion of Section 31 lying within the natural drainage basin of Lake Tahoe. T.17N., R.20E.; all. T.17N., R.21E.; the W1/2 of Section 7. Section 18. T.18N., R.18E.; all, excluding the W1/2 of Sections 6, 7, 18, 19, 30 and 31. T.18N., R.19E.; all. T.18N., R.20E.; all, excluding Section 1 and the E1/2 of Section 36. T.18N., R.21E.; Sections 7, 18 and 19. T.19N., R.18E.; all, excluding the W1/2 of Sections 6, 7, 18, 19, 30 and 31. T.19N., R.19E.; all. T.19N., R.20E.; all, excluding Sections 24, 25 and 36 and the portion of Section 13 south of the

Truckee River. T.19N., R.21E.; Sections 3 through 9 inclusive. The portions of Sections 1, 2, 10, 11, 15, 16, 17 and 18 north of the Truckee River. T.19N., R.22E.; The portion of Section 6 north of the Truckee River. T.20N., R.18E.; all, excluding the W1/2 and the W1/2 of the W1/2 of the E1/2 of Sections 6, 7, 18, 19, 30 and 31. T.20N., R.19-21E.; all. T.20N., R.22E.; all, excluding Section 36 and the portions of Sections 24, 25, 26, 28, 29, 31, 32, 33, 34 and 35 south and/or east of the Truckee River. T.20N., R.23E.; Sections 1 through 12 inclusive. Sections 15, 16, 17 and 18. The portions of Sections 13, 14, 19, 20, 21, 22 and 23 north of the Truckee River. T.20N., R.24E.; Sections 1 through 7 inclusive. The portions of Sections 8, 9, 17 and 18 north of the Truckee River. T.20N., R.25E.; Section 6. The NW1/4 and a portion of the NW1/4 of the NE1/4 and a portion of the NE1/4 of the SW1/4 and the W1/2 of the SW1/4 of Section 5. T.21N., R.18E.; all, excluding the W1/2 and the W1/2 of the E1/2 of Sections 6, 7, 18, 19, 30 and 31. T.21N., R.19-24E.; all. T.21N., R.25E.; Sections 4, 5, 6, 7, 8, 9, 17, 18, 19, 30 and 31. A portion of the SW1/4 of the SW1/4 and a portion of the SW1/4 of the NW1/4 and a portion of the NW1/4 of the SW1/4 of Section 3. A portion of the W1/2 of the W1/2 of Section 10. A portion of the NW1/4 of the NW1/4 of Section 15. The NE1/4 and the NW1/4 and the SW1/4 and the NW1/4 of the SE1/4 and a portion of the SW1/4 of the SE1/4 and a portion of the NE1/4 of the SE1/4 of Section 16. A portion of the N1/2 of the N1/2 and the W1/2 of the SW1/4 and a portion of the SW1/4 of the NW1/4 of Section 20. The W1/2 and the W1/2 of the E1/2 of Sections 29 and 32. T.22N., R.18E.; that portion of Sections 12, 13, 14, 15, 16, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 31, 32, 33, 34, 35 and 36 lying within the natural drainage basin of Cold Spring Valley and Lemmon Valley. T.22N., R.19E.; that portion of Sections 7, 8, 16, 17, 18, 19, 20, 21, 27, 28, 29, 30, 31, 32, 33 and 34 lying within the natural drainage basin of Lemmon Valley. The proposed point of diversion is described as being within the SE1/4 SE1/4 Section 33, T.26N., R.18E., M.D.B.&M.¹

¹ Public record in the office of the State Engineer.

Application 53409 was filed on June 23, 1989 by Washoe County to change the place and manner of use of 1.5 c.f.s. of water from an underground source heretofore appropriated under Permit 49379. The proposed use is for municipal purposes within the T.15N., R.18E.; that portion of Section 1 lying outside of the natural drainage basin of Lake Tahoe. T.15N., R.19E.; Section 4 excluding the SE1/4. Sections 5 and 8. That portion of Sections 6, 7 and the N1/2 of the N1/2 of Section 18 lying outside of the natural drainage basin of Lake Tahoe. T.16N., R.18E.; that portion of Sections 1, 5, 6, 12, 13, 24, 25 and 36 lying outside of the natural drainage basin of Lake Tahoe, and excluding any portion of the W1/2 of the W1/2 and the W1/2 of the E1/2 of the W1/2 of Section 6. T.16N., R.19E.; all, excluding that portion of Sections 6, 7, 18, 19 and 30 lying within the natural drainage basin of Lake Tahoe, and excluding the S1/2 of Section 35 and the NE1/4 and the SE1/4 and the SW1/4 of Section 36. T.16N., R.20E.; Sections 2 through 11 inclusive. Section 15 through 20 inclusive. Section 30. The N1/2 of Section 1. Portions of the SW1/4 of the NW1/4 and the NW1/4 of the SW1/4 of Section 14. T.17N., R.18E.; all excluding the W1/2 of the W1/2 and the W1/2 of the E1/2 of the W1/2 of Sections 6, 7, 18, 19, 30 and 31, and excluding that portion of Sections 22, 23, 26, 27, 32, 33, 34, 35 and 36 lying within the natural drainage basin of Lake Tahoe. T.17N., R.19E.; all, excepting that portion of Section 31 lying within the natural drainage basin of Lake Tahoe. T.17N., R.20E.; all. T.17N., R.21E.; the W1/2 of Section 7. Section 18. T.18N., R.18E.; all, excluding the W1/2 of Sections 6, 7, 18, 19, 30 and 31. T.18N., R.19E.; all. T.18N., R.20E.; all, excluding Section 1 and the E1/2 of Section 36. T.18N., R.21E.; Sections 7, 18 and 19. T.19N., R.18E.; all, excluding the W1/2 of Sections 6, 7, 18, 19, 30 and 31. T.19N., R.19E.; all. T.19N., R.20E.; all, excluding Sections 24, 25 and 36 and the portion of Section 13 south of the Truckee River. T.19N., R.21E.; Sections 3 through 9 inclusive. The portions of Sections 1, 2, 10, 11, 15, 16, 17 and 18 north of the Truckee River.

T.19N., R.22E.; The portion of Section 6 north of the Truckee River. T.20N., R.18E.; all, excluding the W1/2 and the W1/2 of the W1/2 of the E1/2 of Sections 6, 7, 18, 19, 30 and 31. T.20N., R.19-21E.; all. T.20N., R.22E.; all, excluding Section 36 and the portions of Sections 24, 25, 26, 28, 29, 31, 32, 33, 34 and 35 south and/or east of the Truckee River. T.20N., R.23E.; Sections 1 through 12 inclusive. Sections 15, 16, 17 and 18. The portions of Sections 13, 14, 19, 20, 21, 22 and 23 north of the Truckee River. T.20N., R.24E.; Sections 1 through 7 inclusive. The portions of Sections 8, 9, 17 and 18 north of the Truckee River. T.20N., R.25E.; Section 6. The NW1/4 and a portion of the NW1/4 of the NE1/4 and a portion of the NE1/4 of the SW1/4 and the W1/2 of the SW1/4 of Section 5. T.21N., R.18E.; all, excluding the W1/2 and the W1/2 of the E1/2 of Sections 6, 7, 18, 19, 30 and 31. T.21N., R.19-24E.; all. T.21N., R.25E.; Sections 4, 5, 6, 7, 8, 9, 17, 18, 19, 30 and 31. A portion of the SW1/4 of the SW1/4 and a portion of the SW1/4 of the NW1/4 and a portion of the NW1/4 of the SW1/4 of Section 3. A portion of the W1/2 of the W1/2 of Section 10. A portion of the NW1/4 of the NW1/4 of Section 15. The NE1/4 and the NW1/4 and the SW1/4 and the NW1/4 of the SE1/4 and a portion of the SW1/4 of the SE1/4 and a portion of the NE1/4 of the SE1/4 of Section 16. A portion of the N1/2 of the N1/2 and the W1/2 of the SW1/4 and a portion of the SW1/4 of the NW1/4 of Section 20. The W1/2 and the W1/2 of the E1/2 of Sections 29 and 32. T.22N., R.18E.; that portion of Sections 12, 13, 14, 15, 16, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 31, 32, 33, 34, 35 and 36 lying within the natural drainage basin of Cold Spring Valley and Lemmon Valley. T.22N., R.19E.; that portion of Sections 7, 8, 16, 17, 18, 19, 20, 21, 27, 28, 29, 30, 31, 32, 33 and 34 lying within the natural drainage basin of Lemmon Valley. The proposed point of diversion is described as being within the NE1/4 SE1/4 Section 22, T.26N., R.18E., M.D.B.&M.¹

Application 53410 was filed on June 23, 1989 by Washoe County to change the place and manner of use of 3.0 c.f.s. of water from an underground source heretofore appropriated under

Permit 49374. The proposed use is for municipal purposes within the T.15N., R.18E.; that portion of Section 1 lying outside of the natural drainage basin of Lake Tahoe. T.15N., R.19E.; Section 4 excluding the SE1/4. Sections 5 and 8. That portion of Sections 6, 7 and the N1/2 of the N1/2 of Section 18 lying outside of the natural drainage basin of Lake Tahoe. T.16N., R.18E.; that portion of Sections 1, 5, 6, 12, 13, 24, 25 and 36 lying outside of the natural drainage basin of Lake Tahoe, and excluding any portion of the W1/2 of the W1/2 and the W1/2 of the E1/2 of the W1/2 of Section 6. T.16N., R.19E.; all, excluding that portion of Sections 6, 7, 18, 19 and 30 lying within the natural drainage basin of Lake Tahoe, and excluding the S1/2 of Section 35 and the NE1/4 and the SE1/4 and the SW1/4 of Section 36. T.16N., R.20E.; Sections 2 through 11 inclusive. Section 15 through 20 inclusive. Section 30. The N1/2 of Section 1. Portions of the SW1/4 of the NW1/4 and the NW1/4 of the SW1/4 of Section 14. T.17N., R.18E.; all excluding the W1/2 of the W1/2 and the W1/2 of the E1/2 of the W1/2 of Sections 6, 7, 18, 19, 30 and 31, and excluding that portion of Sections 22, 23, 26, 27, 32, 33, 34, 35 and 36 lying within the natural drainage basin of Lake Tahoe. T.17N., R.19E.; all, excepting that portion of Section 31 lying within the natural drainage basin of Lake Tahoe. T.17N., R.20E.; all. T.17N., R.21E.; the W1/2 of Section 7. Section 18. T.18N., R.18E.; all, excluding the W1/2 of Sections 6, 7, 18, 19, 30 and 31. T.18N., R.19E.; all. T.18N., R.20E.; all, excluding Section 1 and the E1/2 of Section 36. T.18N., R.21E.; Sections 7, 18 and 19. T.19N., R.18E.; all, excluding the W1/2 of Sections 6, 7, 18, 19, 30 and 31. T.19N., R.19E.; all. T.19N., R.20E.; all, excluding Sections 24, 25 and 36 and the portion of Section 13 south of the Truckee River. T.19N., R.21E.; Sections 3 through 9 inclusive. The portions of Sections 1, 2, 10, 11, 15, 16, 17 and 18 north of the Truckee River. T.19N., R.22E.; The portion of Section 6 north of the Truckee River. T.20N., R.18E.; all, excluding the W1/2 and the W1/2 of the W1/2 of the E1/2 of Sections 6, 7, 18, 19, 30 and 31. T.20N., R.19-21E.; all. T.20N., R.22E.; all, excluding Section

36 and the portions of Sections 24, 25, 26, 28, 29, 31, 32, 33, 34 and 35 south and/or east of the Truckee River. T.20N., R.23E.; Sections 1 through 12 inclusive. Sections 15, 16, 17 and 18. The portions of Sections 13, 14, 19, 20, 21, 22 and 23 north of the Truckee River. T.20N., R.24E.; Sections 1 through 7 inclusive. The portions of Sections 8, 9, 17 and 18 north of the Truckee River. T.20N., R.25E.; Section 6. The NW1/4 and a portion of the NW1/4 of the NE1/4 and a portion of the NE1/4 of the SW1/4 and the W1/2 of the SW1/4 of Section 5. T.21N., R.18E.; all, excluding the W1/2 and the W1/2 of the E1/2 of Sections 6, 7, 18, 19, 30 and 31. T.21N., R.19-24E.; all. T.21N., R.25E.; Sections 4, 5, 6, 7, 8, 9, 17, 18, 19, 30 and 31. A portion of the SW1/4 of the SW1/4 and a portion of the SW1/4 of the NW1/4 and a portion of the NW1/4 of the SW1/4 of Section 3. A portion of the W1/2 of the W1/2 of Section 10. A portion of the NW1/4 of the NW1/4 of Section 15. The NE1/4 and the NW1/4 and the SW1/4 and the NW1/4 of the SE1/4 and a portion of the SW1/4 of the SE1/4 and a portion of the NE1/4 of the SE1/4 of Section 16. A portion of the N1/2 of the N1/2 and the W1/2 of the SW1/4 and a portion of the SW1/4 of the NW1/4 of Section 20. The W1/2 and the W1/2 of the E1/2 of Sections 29 and 32. T.22N., R.18E.; that portion of Sections 12, 13, 14, 15, 16, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 31, 32, 33, 34, 35 and 36 lying within the natural drainage basin of Cold Spring Valley and Lemmon Valley. T.22N., R.19E.; that portion of Sections 7, 8, 16, 17, 18, 19, 20, 21, 27, 28, 29, 30, 31, 32, 33 and 34 lying within the natural drainage basin of Lemmon Valley. The proposed point of diversion is described as being within the NE1/4 SW1/4 Section 26, T.26N., R.18E., M.D.B.&M.¹

Application 53411 was filed on June 23, 1989 by Washoe County to change the place and manner of use of 1.7 c.f.s. of water from an underground source heretofore appropriated under Permit 49375. The proposed use is for municipal purposes within the T.15N., R.18E.; that portion of Section 1 lying outside of the natural drainage basin of Lake Tahoe. T.15N., R.19E.; Section 4 excluding the SE1/4. Sections 5 and 8. That portion

of Sections 6, 7 and the N1/2 of the N1/2 of Section 18 lying outside of the natural drainage basin of Lake Tahoe. T.16N., R.18E.; that portion of Sections 1, 5, 6, 12, 13, 24, 25 and 36 lying outside of the natural drainage basin of Lake Tahoe, and excluding any portion of the W1/2 of the W1/2 and the W1/2 of the E1/2 of the W1/2 of Section 6. T.16N., R.19E.; all, excluding that portion of Sections 6, 7, 18, 19 and 30 lying within the natural drainage basin of Lake Tahoe, and excluding the S1/2 of Section 35 and the NE1/4 and the SE1/4 and the SW1/4 of Section 36. T.16N., R.20E.; Sections 2 through 11 inclusive. Section 15 through 20 inclusive. Section 30. The N1/2 of Section 1. Portions of the SW1/4 of the NW1/4 and the NW1/4 of the SW1/4 of Section 14. T.17N., R.18E.; all excluding the W1/2 of the W1/2 and the W1/2 of the E1/2 of the W1/2 of Sections 6, 7, 18, 19, 30 and 31, and excluding that portion of Sections 22, 23, 26, 27, 32, 33, 34, 35 and 36 lying within the natural drainage basin of Lake Tahoe. T.17N., R.19E.; all, excepting that portion of Section 31 lying within the natural drainage basin of Lake Tahoe. T.17N., R.20E.; all. T.17N., R.21E.; the W1/2 of Section 7. Section 18. T.18N., R.18E.; all, excluding the W1/2 of Sections 6, 7, 18, 19, 30 and 31. T.18N., R.19E.; all. T.18N., R.20E.; all, excluding Section 1 and the E1/2 of Section 36. T.18N., R.21E.; Sections 7, 18 and 19. T.19N., R.18E.; all, excluding the W1/2 of Sections 6, 7, 18, 19, 30 and 31. T.19N., R.19E.; all. T.19N., R.20E.; all, excluding Sections 24, 25 and 36 and the portion of Section 13 south of the Truckee River. T.19N., R.21E.; Sections 3 through 9 inclusive. The portions of Sections 1, 2, 10, 11, 15, 16, 17 and 18 north of the Truckee River. T.19N., R.22E.; The portion of Section 6 north of the Truckee River. T.20N., R.18E.; all, excluding the W1/2 and the W1/2 of the W1/2 of the E1/2 of Sections 6, 7, 18, 19, 30 and 31. T.20N., R.19-21E.; all. T.20N., R.22E.; all, excluding Section 36 and the portions of Sections 24, 25, 26, 28, 29, 31, 32, 33, 34 and 35 south and/or east of the Truckee River. T.20N., R.23E.; Sections 1 through 12 inclusive. Sections 15, 16, 17 and 18. The portions of Sections 13, 14, 19, 20, 21, 22 and 23 north

of the Truckee River. T.20N., R.24E.; Sections 1 through 7 inclusive. The portions of Sections 8, 9, 17 and 18 north of the Truckee River. T.20N., R.25E.; Section 6. The NW1/4 and a portion of the NW1/4 of the NE1/4 and a portion of the NE1/4 of the SW1/4 and the W1/2 of the SW1/4 of Section 5. T.21N., R.18E.; all, excluding the W1/2 and the W1/2 of the E1/2 of Sections 6, 7, 18, 19, 30 and 31. T.21N., R.19-24E.; all. T.21N., R.25E.; Sections 4, 5, 6, 7, 8, 9, 17, 18, 19, 30 and 31. A portion of the SW1/4 of the SW1/4 and a portion of the SW1/4 of the NW1/4 and a portion of the NW1/4 of the SW1/4 of Section 3. A portion of the W1/2 of the W1/2 of Section 10. A portion of the NW1/4 of the NW1/4 of Section 15. The NE1/4 and the NW1/4 and the SW1/4 and the NW1/4 of the SE1/4 and a portion of the SW1/4 of the SE1/4 and a portion of the NE1/4 of the SE1/4 of Section 16. A portion of the N1/2 of the N1/2 and the W1/2 of the SW1/4 and a portion of the SW1/4 of the NW1/4 of Section 20. The W1/2 and the W1/2 of the E1/2 of Sections 29 and 32. T.22N., R.18E.; that portion of Sections 12, 13, 14, 15, 16, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 31, 32, 33, 34, 35 and 36 lying within the natural drainage basin of Cold Spring Valley and Lemmon Valley. T.22N., R.19E.; that portion of Sections 7, 8, 16, 17, 18, 19, 20, 21, 27, 28, 29, 30, 31, 32, 33 and 34 lying within the natural drainage basin of Lemmon Valley. The proposed point of diversion is described as being within the NE1/4 SW1/4 Section 26, T.26N., R.18E., M.D.B.&M.¹

Application 53412 was filed on June 23, 1989 by Washoe County to change the place and manner of use of 2.4 c.f.s. of water from an underground source heretofore appropriated under Permit 49377. The proposed use is for municipal purposes within the T.15N., R.18E.; that portion of Section 1 lying outside of the natural drainage basin of Lake Tahoe. T.15N., R.19E.; Section 4 excluding the SE1/4. Sections 5 and 8. That portion of Sections 6, 7 and the N1/2 of the N1/2 of Section 18 lying outside of the natural drainage basin of Lake Tahoe. T.16N., R.18E.; that portion of Sections 1, 5, 6, 12, 13, 24, 25 and 36 lying outside of the natural drainage basin of Lake Tahoe, and

excluding any portion of the W1/2 of the W1/2 and the W1/2 of the E1/2 of the W1/2 of Section 6. T.16N., R.19E.; all, excluding that portion of Sections 6, 7, 18, 19 and 30 lying within the natural drainage basin of Lake Tahoe, and excluding the S1/2 of Section 35 and the NE1/4 and the SE1/4 and the SW1/4 of Section 36. T.16N., R.20E.; Sections 2 through 11 inclusive. Section 15 through 20 inclusive. Section 30. The N1/2 of Section 1. Portions of the SW1/4 of the NW1/4 and the NW1/4 of the SW1/4 of Section 14. T.17N., R.18E.; all excluding the W1/2 of the W1/2 and the W1/2 of the E1/2 of the W1/2 of Sections 6, 7, 18, 19, 30 and 31, and excluding that portion of Sections 22, 23, 26, 27, 32, 33, 34, 35 and 36 lying within the natural drainage basin of Lake Tahoe. T.17N., R.19E.; all, excepting that portion of Section 31 lying within the natural drainage basin of Lake Tahoe. T.17N., R.20E.; all. T.17N., R.21E.; the W1/2 of Section 7. Section 18. T.18N., R.18E.; all, excluding the W1/2 of Sections 6, 7, 18, 19, 30 and 31. T.18N., R.19E.; all. T.18N., R.20E.; all, excluding Section 1 and the E1/2 of Section 36. T.18N., R.21E.; Sections 7, 18 and 19. T.19N., R.18E.; all, excluding the W1/2 of Sections 6, 7, 18, 19, 30 and 31. T.19N., R.19E.; all. T.19N., R.20E.; all, excluding Sections 24, 25 and 36 and the portion of Section 13 south of the Truckee River. T.19N., R.21E.; Sections 3 through 9 inclusive. The portions of Sections 1, 2, 10, 11, 15, 16, 17 and 18 north of the Truckee River. T.19N., R.22E.; The portion of Section 6 north of the Truckee River. T.20N., R.18E.; all, excluding the W1/2 and the W1/2 of the W1/2 of the E1/2 of Sections 6, 7, 18, 19, 30 and 31. T.20N., R.19-21E.; all. T.20N., R.22E.; all, excluding Section 36 and the portions of Sections 24, 25, 26, 28, 29, 31, 32, 33, 34 and 35 south and/or east of the Truckee River. T.20N., R.23E.; Sections 1 through 12 inclusive. Sections 15, 16, 17 and 18. The portions of Sections 13, 14, 19, 20, 21, 22 and 23 north of the Truckee River. T.20N., R.24E.; Sections 1 through 7 inclusive. The portions of Sections 8, 9, 17 and 18 north of the Truckee River. T.20N., R.25E.; Section 6. The NW1/4 and a portion of the NW1/4 of the NE1/4 and a portion of the NE1/4 of

the SW1/4 and the W1/2 of the SW1/4 of Section 5. T.21N., R.18E.; all, excluding the W1/2 and the W1/2 of the E1/2 of Sections 6, 7, 18, 19, 30 and 31. T.21N., R.19-24E.; all. T.21N., R.25E.; Sections 4, 5, 6, 7, 8, 9, 17, 18, 19, 30 and 31. A portion of the SW1/4 of the SW1/4 and a portion of the SW1/4 of the NW1/4 and a portion of the NW1/4 of the SW1/4 of Section 3. A portion of the W1/2 of the W1/2 of Section 10. A portion of the NW1/4 of the NW1/4 of Section 15. The NE1/4 and the NW1/4 and the SW1/4 and the NW1/4 of the SE1/4 and a portion of the SW1/4 of the SE1/4 and a portion of the NE1/4 of the SE1/4 of Section 16. A portion of the N1/2 of the N1/2 and the W1/2 of the SW1/4 and a portion of the SW1/4 of the NW1/4 of Section 20. The W1/2 and the W1/2 of the E1/2 of Sections 29 and 32. T.22N., R.18E.; that portion of Sections 12, 13, 14, 15, 16, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 31, 32, 33, 34, 35 and 36 lying within the natural drainage basin of Cold Spring Valley and Lemmon Valley. T.22N., R.19E.; that portion of Sections 7, 8, 16, 17, 18, 19, 20, 21, 27, 28, 29, 30, 31, 32, 33 and 34 lying within the natural drainage basin of Lemmon Valley. The proposed point of diversion is described as being within the NE1/4 SW1/4 Section 26, T.26N., R.18E., M.D.B.&M.¹

Application 53414 was filed on June 23, 1989 by Washoe County to change the place and manner of use of 5.4 c.f.s. of water from an underground source heretofore appropriated under Permit 49268. The proposed use is for municipal purposes within the T.15N., R.18E.; that portion of Section 1 lying outside of the natural drainage basin of Lake Tahoe. T.15N., R.19E.; Section 4 excluding the SE1/4. Sections 5 and 8. That portion of Sections 6, 7 and the N1/2 of the N1/2 of Section 18 lying outside of the natural drainage basin of Lake Tahoe. T.16N., R.18E.; that portion of Sections 1, 5, 6, 12, 13, 24, 25 and 36 lying outside of the natural drainage basin of Lake Tahoe, and excluding any portion of the W1/2 of the W1/2 and the W1/2 of the E1/2 of the W1/2 of Section 6. T.16N., R.19E.; all, excluding that portion of Sections 6, 7, 18, 19 and 30 lying within the natural drainage basin of Lake Tahoe, and excluding the S1/2 of

Section 35 and the NE1/4 and the SE1/4 and the SW1/4 of Section 36. T.16N., R.20E.; Sections 2 through 11 inclusive. Section 15 through 20 inclusive. Section 30. The N1/2 of Section 1. Portions of the SW1/4 of the NW1/4 and the NW1/4 of the SW1/4 of Section 14. T.17N., R.18E.; all excluding the W1/2 of the W1/2 and the W1/2 of the E1/2 of the W1/2 of Sections 6, 7, 18, 19, 30 and 31, and excluding that portion of Sections 22, 23, 26, 27, 32, 33, 34, 35 and 36 lying within the natural drainage basin of Lake Tahoe. T.17N., R.19E.; all, excepting that portion of Section 31 lying within the natural drainage basin of Lake Tahoe. T.17N., R.20E.; all. T.17N., R.21E.; the W1/2 of Section 7. Section 18. T.18N., R.18E.; all, excluding the W1/2 of Sections 6, 7, 18, 19, 30 and 31. T.18N., R.19E.; all. T.18N., R.20E.; all, excluding Section 1 and the E1/2 of Section 36. T.18N., R.21E.; Sections 7, 18 and 19. T.19N., R.18E.; all, excluding the W1/2 of Sections 6, 7, 18, 19, 30 and 31. T.19N., R.19E.; all. T.19N., R.20E.; all, excluding Sections 24, 25 and 36 and the portion of Section 13 south of the Truckee River. T.19N., R.21E.; Sections 3 through 9 inclusive. The portions of Sections 1, 2, 10, 11, 15, 16, 17 and 18 north of the Truckee River. T.19N., R.22E.; The portion of Section 6 north of the Truckee River. T.20N., R.18E.; all, excluding the W1/2 and the W1/2 of the W1/2 of the E1/2 of Sections 6, 7, 18, 19, 30 and 31. T.20N., R.19-21E.; all. T.20N., R.22E.; all, excluding Section 36 and the portions of Sections 24, 25, 26, 28, 29, 31, 32, 33, 34 and 35 south and/or east of the Truckee River. T.20N., R.23E.; Sections 1 through 12 inclusive. Sections 15, 16, 17 and 18. The portions of Sections 13, 14, 19, 20, 21, 22 and 23 north of the Truckee River. T.20N., R.24E.; Sections 1 through 7 inclusive. The portions of Sections 8, 9, 17 and 18 north of the Truckee River. T.20N., R.25E.; Section 6. The NW1/4 and a portion of the NW1/4 of the NE1/4 and a portion of the NE1/4 of the SW1/4 and the W1/2 of the SW1/4 of Section 5. T.21N., R.18E.; all, excluding the W1/2 and the W1/2 of the E1/2 of Sections 6, 7, 18, 19, 30 and 31. T.21N., R.19-24E.; all. T.21N., R.25E.; Sections 4, 5, 6, 7, 8, 9, 17, 18, 19, 30 and 31.

A portion of the SW1/4 of the SW1/4 and a portion of the SW1/4 of the NW1/4 and a portion of the NW1/4 of the SW1/4 of Section 3. A portion of the W1/2 of the W1/2 of Section 10. A portion of the NW1/4 of the NW1/4 of Section 15. The NE1/4 and the NW1/4 and the SW1/4 and the NW1/4 of the SE1/4 and a portion of the SW1/4 of the SE1/4 and a portion of the NE1/4 of the SE1/4 of Section 16. A portion of the N1/2 of the N1/2 and the W1/2 of the SW1/4 and a portion of the SW1/4 of the NW1/4 of Section 20. The W1/2 and the W1/2 of the E1/2 of Sections 29 and 32. T.22N., R.18E.; that portion of Sections 12, 13, 14, 15, 16, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 31, 32, 33, 34, 35 and 36 lying within the natural drainage basin of Cold Spring Valley and Lemmon Valley. T.22N., R.19E.; that portion of Sections 7, 8, 16, 17, 18, 19, 20, 21, 27, 28, 29, 30, 31, 32, 33 and 34 lying within the natural drainage basin of Lemmon Valley. The proposed point of diversion is described as being within the NW1/4 SE1/4 Section 26, T.26N., R.18E., M.D.B.&M.¹

Application 53415 was filed on June 23, 1989 by Washoe County to change the place and manner of use of 1.0 c.f.s. of water from an underground source heretofore appropriated under Permit 49269. The proposed use is for municipal purposes within the T.15N., R.18E.; that portion of Section 1 lying outside of the natural drainage basin of Lake Tahoe. T.15N., R.19E.; Section 4 excluding the SE1/4. Sections 5 and 8. That portion of Sections 6, 7 and the N1/2 of the N1/2 of Section 18 lying outside of the natural drainage basin of Lake Tahoe. T.16N., R.18E.; that portion of Sections 1, 5, 6, 12, 13, 24, 25 and 36 lying outside of the natural drainage basin of Lake Tahoe, and excluding any portion of the W1/2 of the W1/2 and the W1/2 of the E1/2 of the W1/2 of Section 6. T.16N., R.19E.; all, excluding that portion of Sections 6, 7, 18, 19 and 30 lying within the natural drainage basin of Lake Tahoe, and excluding the S1/2 of Section 35 and the NE1/4 and the SE1/4 and the SW1/4 of Section 36. T.16N., R.20E.; Sections 2 through 11 inclusive. Section 15 through 20 inclusive. Section 30. The N1/2 of Section 1. Portions of the SW1/4 of the NW1/4 and the NW1/4 of the SW1/4 of

Section 14. T.17N., R.18E.; all excluding the W1/2 of the W1/2 and the W1/2 of the E1/2 of the W1/2 of Sections 6, 7, 18, 19, 30 and 31, and excluding that portion of Sections 22, 23, 26, 27, 32, 33, 34, 35 and 36 lying within the natural drainage basin of Lake Tahoe. T.17N., R.19E.; all, excepting that portion of Section 31 lying within the natural drainage basin of Lake Tahoe. T.17N., R.20E.; all. T.17N., R.21E.; the W1/2 of Section 7. Section 18. T.18N., R.18E.; all, excluding the W1/2 of Sections 6, 7, 18, 19, 30 and 31. T.18N., R.19E.; all. T.18N., R.20E.; all, excluding Section 1 and the E1/2 of Section 36. T.18N., R.21E.; Sections 7, 18 and 19. T.19N., R.18E.; all, excluding the W1/2 of Sections 6, 7, 18, 19, 30 and 31. T.19N., R.19E.; all. T.19N., R.20E.; all, excluding Sections 24, 25 and 36 and the portion of Section 13 south of the Truckee River. T.19N., R.21E.; Sections 3 through 9 inclusive. The portions of Sections 1, 2, 10, 11, 15, 16, 17 and 18 north of the Truckee River. T.19N., R.22E.; The portion of Section 6 north of the Truckee River. T.20N., R.18E.; all, excluding the W1/2 and the W1/2 of the W1/2 of the E1/2 of Sections 6, 7, 18, 19, 30 and 31. T.20N., R.19-21E.; all. T.20N., R.22E.; all, excluding Section 36 and the portions of Sections 24, 25, 26, 28, 29, 31, 32, 33, 34 and 35 south and/or east of the Truckee River. T.20N., R.23E.; Sections 1 through 12 inclusive. Sections 15, 16, 17 and 18. The portions of Sections 13, 14, 19, 20, 21, 22 and 23 north of the Truckee River. T.20N., R.24E.; Sections 1 through 7 inclusive. The portions of Sections 8, 9, 17 and 18 north of the Truckee River. T.20N., R.25E.; Section 6. The NW1/4 and a portion of the NW1/4 of the NE1/4 and a portion of the NE1/4 of the SW1/4 and the W1/2 of the SW1/4 of Section 5. T.21N., R.18E.; all, excluding the W1/2 and the W1/2 of the E1/2 of Sections 6, 7, 18, 19, 30 and 31. T.21N., R.19-24E.; all. T.21N., R.25E.; Sections 4, 5, 6, 7, 8, 9, 17, 18, 19, 30 and 31. A portion of the SW1/4 of the SW1/4 and a portion of the SW1/4 of the NW1/4 and a portion of the NW1/4 of the SW1/4 of Section 3. A portion of the W1/2 of the W1/2 of Section 10. A portion of the NW1/4 of the NW1/4 of Section 15. The NE1/4 and the NW1/4

and the SW1/4 and the NW1/4 of the SE1/4 and a portion of the SW1/4 of the SE1/4 and a portion of the NE1/4 of the SE1/4 of Section 16. A portion of the N1/2 of the N1/2 and the W1/2 of the SW1/4 and a portion of the SW1/4 of the NW1/4 of Section 20. The W1/2 and the W1/2 of the E1/2 of Sections 29 and 32. T.22N., R.18E.; that portion of Sections 12, 13, 14, 15, 16, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 31, 32, 33, 34, 35 and 36 lying within the natural drainage basin of Cold Spring Valley and Lemmon Valley. T.22N., R.19E.; that portion of Sections 7, 8, 16, 17, 18, 19, 20, 21, 27, 28, 29, 30, 31, 32, 33 and 34 lying within the natural drainage basin of Lemmon Valley. The proposed point of diversion is described as being within the NW1/4 SE1/4 Section 26, T.26N., R.18E., M.D.B.&M.¹

Application 53416 was filed on June 23, 1989 by Washoe County to change the place and manner of use of 1.5 c.f.s. of water from an underground source heretofore appropriated under Permit 49373. The proposed use is for municipal purposes within the T.15N., R.18E.; that portion of Section 1 lying outside of the natural drainage basin of Lake Tahoe. T.15N., R.19E.; Section 4 excluding the SE1/4. Sections 5 and 8. That portion of Sections 6, 7 and the N1/2 of the N1/2 of Section 18 lying outside of the natural drainage basin of Lake Tahoe. T.16N., R.18E.; that portion of Sections 1, 5, 6, 12, 13, 24, 25 and 36 lying outside of the natural drainage basin of Lake Tahoe, and excluding any portion of the W1/2 of the W1/2 and the W1/2 of the E1/2 of the W1/2 of Section 6. T.16N., R.19E.; all, excluding that portion of Sections 6, 7, 18, 19 and 30 lying within the natural drainage basin of Lake Tahoe, and excluding the S1/2 of Section 35 and the NE1/4 and the SE1/4 and the SW1/4 of Section 36. T.16N., R.20E.; Sections 2 through 11 inclusive. Section 15 through 20 inclusive. Section 30. The N1/2 of Section 1. Portions of the SW1/4 of the NW1/4 and the NW1/4 of the SW1/4 of Section 14. T.17N., R.18E.; all excluding the W1/2 of the W1/2 and the W1/2 of the E1/2 of the W1/2 of Sections 6, 7, 18, 19, 30 and 31, and excluding that portion of Sections 22, 23, 26, 27, 32, 33, 34, 35 and 36 lying within the natural drainage basin of

Lake Tahoe. T.17N., R.19E.; all, excepting that portion of Section 31 lying within the natural drainage basin of Lake Tahoe. T.17N., R.20E.; all. T.17N., R.21E.; the W1/2 of Section 7. Section 18. T.18N., R.18E.; all, excluding the W1/2 of Sections 6, 7, 18, 19, 30 and 31. T.18N., R.19E.; all. T.18N., R.20E.; all, excluding Section 1 and the E1/2 of Section 36. T.18N., R.21E.; Sections 7, 18 and 19. T.19N., R.18E.; all, excluding the W1/2 of Sections 6, 7, 18, 19, 30 and 31. T.19N., R.19E.; all. T.19N., R.20E.; all, excluding Sections 24, 25 and 36 and the portion of Section 13 south of the Truckee River. T.19N., R.21E.; Sections 3 through 9 inclusive. The portions of Sections 1, 2, 10, 11, 15, 16, 17 and 18 north of the Truckee River. T.19N., R.22E.; The portion of Section 6 north of the Truckee River. T.20N., R.18E.; all, excluding the W1/2 and the W1/2 of the W1/2 of the E1/2 of Sections 6, 7, 18, 19, 30 and 31. T.20N., R.19-21E.; all. T.20N., R.22E.; all, excluding Section 36 and the portions of Sections 24, 25, 26, 28, 29, 31, 32, 33, 34 and 35 south and/or east of the Truckee River. T.20N., R.23E.; Sections 1 through 12 inclusive. Sections 15, 16, 17 and 18. The portions of Sections 13, 14, 19, 20, 21, 22 and 23 north of the Truckee River. T.20N., R.24E.; Sections 1 through 7 inclusive. The portions of Sections 8, 9, 17 and 18 north of the Truckee River. T.20N., R.25E.; Section 6. The NW1/4 and a portion of the NW1/4 of the NE1/4 and a portion of the NE1/4 of the SW1/4 and the W1/2 of the SW1/4 of Section 5. T.21N., R.18E.; all, excluding the W1/2 and the W1/2 of the E1/2 of Sections 6, 7, 18, 19, 30 and 31. T.21N., R.19-24E.; all. T.21N., R.25E.; Sections 4, 5, 6, 7, 8, 9, 17, 18, 19, 30 and 31. A portion of the SW1/4 of the SW1/4 and a portion of the SW1/4 of the NW1/4 and a portion of the NW1/4 of the SW1/4 of Section 3. A portion of the W1/2 of the W1/2 of Section 10. A portion of the NW1/4 of the NW1/4 of Section 15. The NE1/4 and the NW1/4 and the SW1/4 and the NW1/4 of the SE1/4 and a portion of the SW1/4 of the SE1/4 and a portion of the NE1/4 of the SE1/4 of Section 16. A portion of the N1/2 of the N1/2 and the W1/2 of the SW1/4 and a portion of the SW1/4 of the NW1/4 of Section 20.

The W1/2 and the W1/2 of the E1/2 of Sections 29 and 32. T.22N., R.18E.; that portion of Sections 12, 13, 14, 15, 16, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 31, 32, 33, 34, 35 and 36 lying within the natural drainage basin of Cold Spring Valley and Lemmon Valley. T.22N., R.19E.; that portion of Sections 7, 8, 16, 17, 18, 19, 20, 21, 27, 28, 29, 30, 31, 32, 33 and 34 lying within the natural drainage basin of Lemmon Valley. The proposed point of diversion is described as being within the NE1/4 SW1/4 Section 25, T.26N., R.18E., M.D.B.&M.¹

Application 53417 was filed on June 23, 1989 by Washoe County to change the place and manner of use of 1.5 c.f.s. of water from an underground source heretofore appropriated under Permit 49376. The proposed use is for municipal purposes within the T.15N., R.18E.; that portion of Section 1 lying outside of the natural drainage basin of Lake Tahoe. T.15N., R.19E.; Section 4 excluding the SE1/4. Sections 5 and 8. That portion of Sections 6, 7 and the N1/2 of the N1/2 of Section 18 lying outside of the natural drainage basin of Lake Tahoe. T.16N., R.18E.; that portion of Sections 1, 5, 6, 12, 13, 24, 25 and 36 lying outside of the natural drainage basin of Lake Tahoe, and excluding any portion of the W1/2 of the W1/2 and the W1/2 of the E1/2 of the W1/2 of Section 6. T.16N., R.19E.; all, excluding that portion of Sections 6, 7, 18, 19 and 30 lying within the natural drainage basin of Lake Tahoe, and excluding the S1/2 of Section 35 and the NE1/4 and the SE1/4 and the SW1/4 of Section 36. T.16N., R.20E.; Sections 2 through 11 inclusive. Section 15 through 20 inclusive. Section 30. The N1/2 of Section 1. Portions of the SW1/4 of the NW1/4 and the NW1/4 of the SW1/4 of Section 14. T.17N., R.18E.; all excluding the W1/2 of the W1/2 and the W1/2 of the E1/2 of the W1/2 of Sections 6, 7, 18, 19, 30 and 31, and excluding that portion of Sections 22, 23, 26, 27, 32, 33, 34, 35 and 36 lying within the natural drainage basin of Lake Tahoe. T.17N., R.19E.; all, excepting that portion of Section 31 lying within the natural drainage basin of Lake Tahoe. T.17N., R.20E.; all. T.17N., R.21E.; the W1/2 of Section 7. Section 18. T.18N., R.18E.; all, excluding the W1/2 of Sections

6, 7, 18, 19, 30 and 31. T.18N., R.19E.; all. T.18N., R.20E.; all, excluding Section 1 and the E1/2 of Section 36. T.18N., R.21E.; Sections 7, 18 and 19. T.19N., R.18E.; all, excluding the W1/2 of Sections 6, 7, 18, 19, 30 and 31. T.19N., R.19E.; all. T.19N., R.20E.; all, excluding Sections 24, 25 and 36 and the portion of Section 13 south of the Truckee River. T.19N., R.21E.; Sections 3 through 9 inclusive. The portions of Sections 1, 2, 10, 11, 15, 16, 17 and 18 north of the Truckee River. T.19N., R.22E.; The portion of Section 6 north of the Truckee River. T.20N., R.18E.; all, excluding the W1/2 and the W1/2 of the W1/2 of the E1/2 of Sections 6, 7, 18, 19, 30 and 31. T.20N., R.19-21E.; all. T.20N., R.22E.; all, excluding Section 36 and the portions of Sections 24, 25, 26, 28, 29, 31, 32, 33, 34 and 35 south and/or east of the Truckee River. T.20N., R.23E.; Sections 1 through 12 inclusive. Sections 15, 16, 17 and 18. The portions of Sections 13, 14, 19, 20, 21, 22 and 23 north of the Truckee River. T.20N., R.24E.; Sections 1 through 7 inclusive. The portions of Sections 8, 9, 17 and 18 north of the Truckee River. T.20N., R.25E.; Section 6. The NW1/4 and a portion of the NW1/4 of the NE1/4 and a portion of the NE1/4 of the SW1/4 and the W1/2 of the SW1/4 of Section 5. T.21N., R.18E.; all, excluding the W1/2 and the W1/2 of the E1/2 of Sections 6, 7, 18, 19, 30 and 31. T.21N., R.19-24E.; all. T.21N., R.25E.; Sections 4, 5, 6, 7, 8, 9, 17, 18, 19, 30 and 31. A portion of the SW1/4 of the SW1/4 and a portion of the SW1/4 of the NW1/4 and a portion of the NW1/4 of the SW1/4 of Section 3. A portion of the W1/2 of the W1/2 of Section 10. A portion of the NW1/4 of the NW1/4 of Section 15. The NE1/4 and the NW1/4 and the SW1/4 and the NW1/4 of the SE1/4 and a portion of the SW1/4 of the SE1/4 and a portion of the NE1/4 of the SE1/4 of Section 16. A portion of the N1/2 of the N1/2 and the W1/2 of the SW1/4 and a portion of the SW1/4 of the NW1/4 of Section 20. The W1/2 and the W1/2 of the E1/2 of Sections 29 and 32. T.22N., R.18E.; that portion of Sections 12, 13, 14, 15, 16, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 31, 32, 33, 34, 35 and 36 lying within the natural drainage basin of Cold Spring Valley and

Lemmon Valley. T.22N., R.19E.; that portion of Sections 7, 8, 16, 17, 18, 19, 20, 21, 27, 28, 29, 30, 31, 32, 33 and 34 lying within the natural drainage basin of Lemmon Valley. The proposed point of diversion is described as being within the NE1/4 SW1/4 Section 25, T.26N., R.18E., M.D.B.&M.¹

Application 53418 was filed on June 23, 1989 by Washoe County to change the place and manner of use of 1.0 c.f.s. of water from an underground source heretofore appropriated under Permit 49378. The proposed use is for municipal purposes within the T.15N., R.18E.; that portion of Section 1 lying outside of the natural drainage basin of Lake Tahoe. T.15N., R.19E.; Section 4 excluding the SE1/4. Sections 5 and 8. That portion of Sections 6, 7 and the N1/2 of the N1/2 of Section 18 lying outside of the natural drainage basin of Lake Tahoe. T.16N., R.18E.; that portion of Sections 1, 5, 6, 12, 13, 24, 25 and 36 lying outside of the natural drainage basin of Lake Tahoe, and excluding any portion of the W1/2 of the W1/2 and the W1/2 of the E1/2 of the W1/2 of Section 6. T.16N., R.19E.; all, excluding that portion of Sections 6, 7, 18, 19 and 30 lying within the natural drainage basin of Lake Tahoe, and excluding the S1/2 of Section 35 and the NE1/4 and the SE1/4 and the SW1/4 of Section 36. T.16N., R.20E.; Sections 2 through 11 inclusive. Section 15 through 20 inclusive. Section 30. The N1/2 of Section 1. Portions of the SW1/4 of the NW1/4 and the NW1/4 of the SW1/4 of Section 14. T.17N., R.18E.; all excluding the W1/2 of the W1/2 and the W1/2 of the E1/2 of the W1/2 of Sections 6, 7, 18, 19, 30 and 31, and excluding that portion of Sections 22, 23, 26, 27, 32, 33, 34, 35 and 36 lying within the natural drainage basin of Lake Tahoe. T.17N., R.19E.; all, excepting that portion of Section 31 lying within the natural drainage basin of Lake Tahoe. T.17N., R.20E.; all. T.17N., R.21E.; the W1/2 of Section 7. Section 18. T.18N., R.18E.; all, excluding the W1/2 of Sections 6, 7, 18, 19, 30 and 31. T.18N., R.19E.; all. T.18N., R.20E.; all, excluding Section 1 and the E1/2 of Section 36. T.18N., R.21E.; Sections 7, 18 and 19. T.19N., R.18E.; all, excluding the W1/2 of Sections 6, 7, 18, 19, 30 and 31. T.19N., R.19E.;

all. T.19N., R.20E.; all, excluding Sections 24, 25 and 36 and the portion of Section 13 south of the Truckee River. T.19N., R.21E.; Sections 3 through 9 inclusive. The portions of Sections 1, 2, 10, 11, 15, 16, 17 and 18 north of the Truckee River. T.19N., R.22E.; The portion of Section 6 north of the Truckee River. T.20N., R.18E.; all, excluding the W1/2 and the W1/2 of the W1/2 of the E1/2 of Sections 6, 7, 18, 19, 30 and 31. T.20N., R.19-21E.; all. T.20N., R.22E.; all, excluding Section 36 and the portions of Sections 24, 25, 26, 28, 29, 31, 32, 33, 34 and 35 south and/or east of the Truckee River. T.20N., R.23E.; Sections 1 through 12 inclusive. Sections 15, 16, 17 and 18. The portions of Sections 13, 14, 19, 20, 21, 22 and 23 north of the Truckee River. T.20N., R.24E.; Sections 1 through 7 inclusive. The portions of Sections 8, 9, 17 and 18 north of the Truckee River. T.20N., R.25E.; Section 6. The NW1/4 and a portion of the NW1/4 of the NE1/4 and a portion of the NE1/4 of the SW1/4 and the W1/2 of the SW1/4 of Section 5. T.21N., R.18E.; all, excluding the W1/2 and the W1/2 of the E1/2 of Sections 6, 7, 18, 19, 30 and 31. T.21N., R.19-24E.; all. T.21N., R.25E.; Sections 4, 5, 6, 7, 8, 9, 17, 18, 19, 30 and 31. A portion of the SW1/4 of the SW1/4 and a portion of the SW1/4 of the NW1/4 and a portion of the NW1/4 of the SW1/4 of Section 3. A portion of the W1/2 of the W1/2 of Section 10. A portion of the NW1/4 of the NW1/4 of Section 15. The NE1/4 and the NW1/4 and the SW1/4 and the NW1/4 of the SE1/4 and a portion of the SW1/4 of the SE1/4 and a portion of the NE1/4 of the SE1/4 of Section 16. A portion of the N1/2 of the N1/2 and the W1/2 of the SW1/4 and a portion of the SW1/4 of the NW1/4 of Section 20. The W1/2 and the W1/2 of the E1/2 of Sections 29 and 32. T.22N., R.18E.; that portion of Sections 12, 13, 14, 15, 16, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 31, 32, 33, 34, 35 and 36 lying within the natural drainage basin of Cold Spring Valley and Lemmon Valley. T.22N., R.19E.; that portion of Sections 7, 8, 16, 17, 18, 19, 20, 21, 27, 28, 29, 30, 31, 32, 33 and 34 lying within the natural drainage basin of Lemmon Valley. The proposed point of diversion is described as being within the NE1/4 SW1/4

Section 25, T.26N., R.18E., M.D.B.&M.¹

Application 53423 was filed on June 23, 1989 by Washoe County to change the place and manner of use of 0.5 c.f.s. of water from an underground source heretofore appropriated under Permit 48380. The proposed use is for municipal purposes within the T.15N., R.18E.; that portion of Section 1 lying outside of the natural drainage basin of Lake Tahoe. T.15N., R.19E.; Section 4 excluding the SE1/4. Sections 5 and 8. That portion of Sections 6, 7 and the N1/2 of the N1/2 of Section 18 lying outside of the natural drainage basin of Lake Tahoe. T.16N., R.18E.; that portion of Sections 1, 5, 6, 12, 13, 24, 25 and 36 lying outside of the natural drainage basin of Lake Tahoe, and excluding any portion of the W1/2 of the W1/2 and the W1/2 of the E1/2 of the W1/2 of Section 6. T.16N., R.19E.; all, excluding that portion of Sections 6, 7, 18, 19 and 30 lying within the natural drainage basin of Lake Tahoe, and excluding the S1/2 of Section 35 and the NE1/4 and the SE1/4 and the SW1/4 of Section 36. T.16N., R.20E.; Sections 2 through 11 inclusive. Section 15 through 20 inclusive. Section 30. The N1/2 of Section 1. Portions of the SW1/4 of the NW1/4 and the NW1/4 of the SW1/4 of Section 14. T.17N., R.18E.; all excluding the W1/2 of the W1/2 and the W1/2 of the E1/2 of the W1/2 of Sections 6, 7, 18, 19, 30 and 31, and excluding that portion of Sections 22, 23, 26, 27, 32, 33, 34, 35 and 36 lying within the natural drainage basin of Lake Tahoe. T.17N., R.19E.; all, excepting that portion of Section 31 lying within the natural drainage basin of Lake Tahoe. T.17N., R.20E.; all. T.17N., R.21E.; the W1/2 of Section 7. Section 18. T.18N., R.18E.; all, excluding the W1/2 of Sections 6, 7, 18, 19, 30 and 31. T.18N., R.19E.; all. T.18N., R.20E.; all, excluding Section 1 and the E1/2 of Section 36. T.18N., R.21E.; Sections 7, 18 and 19. T.19N., R.18E.; all, excluding the W1/2 of Sections 6, 7, 18, 19, 30 and 31. T.19N., R.19E.; all. T.19N., R.20E.; all, excluding Sections 24, 25 and 36 and the portion of Section 13 south of the Truckee River. T.19N., R.21E.; Sections 3 through 9 inclusive. The portions of Sections 1, 2, 10, 11, 15, 16, 17 and 18 north of the Truckee River.

T.19N., R.22E.; The portion of Section 6 north of the Truckee River. T.20N., R.18E.; all, excluding the W1/2 and the W1/2 of the W1/2 of the E1/2 of Sections 6, 7, 18, 19, 30 and 31. T.20N., R.19-21E.; all. T.20N., R.22E.; all, excluding Section 36 and the portions of Sections 24, 25, 26, 28, 29, 31, 32, 33, 34 and 35 south and/or east of the Truckee River. T.20N., R.23E.; Sections 1 through 12 inclusive. Sections 15, 16, 17 and 18. The portions of Sections 13, 14, 19, 20, 21, 22 and 23 north of the Truckee River. T.20N., R.24E.; Sections 1 through 7 inclusive. The portions of Sections 8, 9, 17 and 18 north of the Truckee River. T.20N., R.25E.; Section 6. The NW1/4 and a portion of the NW1/4 of the NE1/4 and a portion of the NE1/4 of the SW1/4 and the W1/2 of the SW1/4 of Section 5. T.21N., R.18E.; all, excluding the W1/2 and the W1/2 of the E1/2 of Sections 6, 7, 18, 19, 30 and 31. T.21N., R.19-24E.; all. T.21N., R.25E.; Sections 4, 5, 6, 7, 8, 9, 17, 18, 19, 30 and 31. A portion of the SW1/4 of the SW1/4 and a portion of the SW1/4 of the NW1/4 and a portion of the NW1/4 of the SW1/4 of Section 3. A portion of the W1/2 of the W1/2 of Section 10. A portion of the NW1/4 of the NW1/4 of Section 15. The NE1/4 and the NW1/4 and the SW1/4 and the NW1/4 of the SE1/4 and a portion of the SW1/4 of the SE1/4 and a portion of the NE1/4 of the SE1/4 of Section 16. A portion of the N1/2 of the N1/2 and the W1/2 of the SW1/4 and a portion of the SW1/4 of the NW1/4 of Section 20. The W1/2 and the W1/2 of the E1/2 of Sections 29 and 32. T.22N., R.18E.; that portion of Sections 12, 13, 14, 15, 16, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 31, 32, 33, 34, 35 and 36 lying within the natural drainage basin of Cold Spring Valley and Lemmon Valley. T.22N., R.19E.; that portion of Sections 7, 8, 16, 17, 18, 19, 20, 21, 27, 28, 29, 30, 31, 32, 33 and 34 lying within the natural drainage basin of Lemmon Valley. The proposed point of diversion is described as being within the SE1/4 SE1/4 Section 30, T.26N., R.19E., M.D.B.&M.¹

Application 53424 was filed on June 23, 1989 by Washoe County to change the place and manner of use of 5.0 c.f.s. of water from an underground source heretofore appropriated under

Permit 48381. The proposed use is for municipal purposes within the T.15N., R.18E.; that portion of Section 1 lying outside of the natural drainage basin of Lake Tahoe. T.15N., R.19E.; Section 4 excluding the SE1/4. Sections 5 and 8. That portion of Sections 6, 7 and the N1/2 of the N1/2 of Section 18 lying outside of the natural drainage basin of Lake Tahoe. T.16N., R.18E.; that portion of Sections 1, 5, 6, 12, 13, 24, 25 and 36 lying outside of the natural drainage basin of Lake Tahoe, and excluding any portion of the W1/2 of the W1/2 and the W1/2 of the E1/2 of the W1/2 of Section 6. T.16N., R.19E.; all, excluding that portion of Sections 6, 7, 18, 19 and 30 lying within the natural drainage basin of Lake Tahoe, and excluding the S1/2 of Section 35 and the NE1/4 and the SE1/4 and the SW1/4 of Section 36. T.16N., R.20E.; Sections 2 through 11 inclusive. Section 15 through 20 inclusive. Section 30. The N1/2 of Section 1. Portions of the SW1/4 of the NW1/4 and the NW1/4 of the SW1/4 of Section 14. T.17N., R.18E.; all excluding the W1/2 of the W1/2 and the W1/2 of the E1/2 of the W1/2 of Sections 6, 7, 18, 19, 30 and 31, and excluding that portion of Sections 22, 23, 26, 27, 32, 33, 34, 35 and 36 lying within the natural drainage basin of Lake Tahoe. T.17N., R.19E.; all, excepting that portion of Section 31 lying within the natural drainage basin of Lake Tahoe. T.17N., R.20E.; all. T.17N., R.21E.; the W1/2 of Section 7. Section 18. T.18N., R.18E.; all, excluding the W1/2 of Sections 6, 7, 18, 19, 30 and 31. T.18N., R.19E.; all. T.18N., R.20E.; all, excluding Section 1 and the E1/2 of Section 36. T.18N., R.21E.; Sections 7, 18 and 19. T.19N., R.18E.; all, excluding the W1/2 of Sections 6, 7, 18, 19, 30 and 31. T.19N., R.19E.; all. T.19N., R.20E.; all, excluding Sections 24, 25 and 36 and the portion of Section 13 south of the Truckee River. T.19N., R.21E.; Sections 3 through 9 inclusive. The portions of Sections 1, 2, 10, 11, 15, 16, 17 and 18 north of the Truckee River. T.19N., R.22E.; The portion of Section 6 north of the Truckee River. T.20N., R.18E.; all, excluding the W1/2 and the W1/2 of the W1/2 of the E1/2 of Sections 6, 7, 18, 19, 30 and 31. T.20N., R.19-21E.; all. T.20N., R.22E.; all, excluding Section

36 and the portions of Sections 24, 25, 26, 28, 29, 31, 32, 33, 34 and 35 south and/or east of the Truckee River. T.20N., R.23E.; Sections 1 through 12 inclusive. Sections 15, 16, 17 and 18. The portions of Sections 13, 14, 19, 20, 21, 22 and 23 north of the Truckee River. T.20N., R.24E.; Sections 1 through 7 inclusive. The portions of Sections 8, 9, 17 and 18 north of the Truckee River. T.20N., R.25E.; Section 6. The NW1/4 and a portion of the NW1/4 of the NE1/4 and a portion of the NE1/4 of the SW1/4 and the W1/2 of the SW1/4 of Section 5. T.21N., R.18E.; all, excluding the W1/2 and the W1/2 of the E1/2 of Sections 6, 7, 18, 19, 30 and 31. T.21N., R.19-24E.; all. T.21N., R.25E.; Sections 4, 5, 6, 7, 8, 9, 17, 18, 19, 30 and 31. A portion of the SW1/4 of the SW1/4 and a portion of the SW1/4 of the NW1/4 and a portion of the NW1/4 of the SW1/4 of Section 3. A portion of the W1/2 of the W1/2 of Section 10. A portion of the NW1/4 of the NW1/4 of Section 15. The NE1/4 and the NW1/4 and the SW1/4 and the NW1/4 of the SE1/4 and a portion of the SW1/4 of the SE1/4 and a portion of the NE1/4 of the SE1/4 of Section 16. A portion of the N1/2 of the N1/2 and the W1/2 of the SW1/4 and a portion of the SW1/4 of the NW1/4 of Section 20. The W1/2 and the W1/2 of the E1/2 of Sections 29 and 32. T.22N., R.18E.; that portion of Sections 12, 13, 14, 15, 16, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 31, 32, 33, 34, 35 and 36 lying within the natural drainage basin of Cold Spring Valley and Lemmon Valley. T.22N., R.19E.; that portion of Sections 7, 8, 16, 17, 18, 19, 20, 21, 27, 28, 29, 30, 31, 32, 33 and 34 lying within the natural drainage basin of Lemmon Valley. The proposed point of diversion is described as being within the SE1/4 SE1/4 Section 30, T.26N., R.19E., M.D.B.&M.¹

Application 53425 was filed on June 23, 1989 by Washoe County to change the place and manner of use of 2.34 c.f.s. of water from an underground source heretofore appropriated under Permit 48382. The proposed use is for municipal purposes within the T.15N., R.18E.; that portion of Section 1 lying outside of the natural drainage basin of Lake Tahoe. T.15N., R.19E.; Section 4 excluding the SE1/4. Sections 5 and 8. That portion

of Sections 6, 7 and the N1/2 of the N1/2 of Section 18 lying outside of the natural drainage basin of Lake Tahoe. T.16N., R.18E.; that portion of Sections 1, 5, 6, 12, 13, 24, 25 and 36 lying outside of the natural drainage basin of Lake Tahoe, and excluding any portion of the W1/2 of the W1/2 and the W1/2 of the E1/2 of the W1/2 of Section 6. T.16N., R.19E.; all, excluding that portion of Sections 6, 7, 18, 19 and 30 lying within the natural drainage basin of Lake Tahoe, and excluding the S1/2 of Section 35 and the NE1/4 and the SE1/4 and the SW1/4 of Section 36. T.16N., R.20E.; Sections 2 through 11 inclusive. Section 15 through 20 inclusive. Section 30. The N1/2 of Section 1. Portions of the SW1/4 of the NW1/4 and the NW1/4 of the SW1/4 of Section 14. T.17N., R.18E.; all excluding the W1/2 of the W1/2 and the W1/2 of the E1/2 of the W1/2 of Sections 6, 7, 18, 19, 30 and 31, and excluding that portion of Sections 22, 23, 26, 27, 32, 33, 34, 35 and 36 lying within the natural drainage basin of Lake Tahoe. T.17N., R.19E.; all, excepting that portion of Section 31 lying within the natural drainage basin of Lake Tahoe. T.17N., R.20E.; all. T.17N., R.21E.; the W1/2 of Section 7. Section 18. T.18N., R.18E.; all, excluding the W1/2 of Sections 6, 7, 18, 19, 30 and 31. T.18N., R.19E.; all. T.18N., R.20E.; all, excluding Section 1 and the E1/2 of Section 36. T.18N., R.21E.; Sections 7, 18 and 19. T.19N., R.18E.; all, excluding the W1/2 of Sections 6, 7, 18, 19, 30 and 31. T.19N., R.19E.; all. T.19N., R.20E.; all, excluding Sections 24, 25 and 36 and the portion of Section 13 south of the Truckee River. T.19N., R.21E.; Sections 3 through 9 inclusive. The portions of Sections 1, 2, 10, 11, 15, 16, 17 and 18 north of the Truckee River. T.19N., R.22E.; The portion of Section 6 north of the Truckee River. T.20N., R.18E.; all, excluding the W1/2 and the W1/2 of the W1/2 of the E1/2 of Sections 6, 7, 18, 19, 30 and 31. T.20N., R.19-21E.; all. T.20N., R.22E.; all, excluding Section 36 and the portions of Sections 24, 25, 26, 28, 29, 31, 32, 33, 34 and 35 south and/or east of the Truckee River. T.20N., R.23E.; Sections 1 through 12 inclusive. Sections 15, 16, 17 and 18. The portions of Sections 13, 14, 19, 20, 21, 22 and 23 north

of the Truckee River. T.20N., R.24E.; Sections 1 through 7 inclusive. The portions of Sections 8, 9, 17 and 18 north of the Truckee River. T.20N., R.25E.; Section 6. The NW1/4 and a portion of the NW1/4 of the NE1/4 and a portion of the NE1/4 of the SW1/4 and the W1/2 of the SW1/4 of Section 5. T.21N., R.18E.; all, excluding the W1/2 and the W1/2 of the E1/2 of Sections 6, 7, 18, 19, 30 and 31. T.21N., R.19-24E.; all. T.21N., R.25E.; Sections 4, 5, 6, 7, 8, 9, 17, 18, 19, 30 and 31. A portion of the SW1/4 of the SW1/4 and a portion of the SW1/4 of the NW1/4 and a portion of the NW1/4 of the SW1/4 of Section 3. A portion of the W1/2 of the W1/2 of Section 10. A portion of the NW1/4 of the NW1/4 of Section 15. The NE1/4 and the NW1/4 and the SW1/4 and the NW1/4 of the SE1/4 and a portion of the SW1/4 of the SE1/4 and a portion of the NE1/4 of the SE1/4 of Section 16. A portion of the N1/2 of the N1/2 and the W1/2 of the SW1/4 and a portion of the SW1/4 of the NW1/4 of Section 20. The W1/2 and the W1/2 of the E1/2 of Sections 29 and 32. T.22N., R.18E.; that portion of Sections 12, 13, 14, 15, 16, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 31, 32, 33, 34, 35 and 36 lying within the natural drainage basin of Cold Spring Valley and Lemmon Valley. T.22N., R.19E.; that portion of Sections 7, 8, 16, 17, 18, 19, 20, 21, 27, 28, 29, 30, 31, 32, 33 and 34 lying within the natural drainage basin of Lemmon Valley. The proposed point of diversion is described as being within the NW1/4 NW1/4 Section 29, T.26N., R.19E., M.D.B.&M.¹

Application 53426 was filed on June 23, 1989 by Washoe County to change the place and manner of use of 3.0 c.f.s. of water from an underground source heretofore appropriated under Permit 48383. The proposed use is for municipal purposes within the T.15N., R.18E.; that portion of Section 1 lying outside of the natural drainage basin of Lake Tahoe. T.15N., R.19E.; Section 4 excluding the SE1/4. Sections 5 and 8. That portion of Sections 6, 7 and the N1/2 of the N1/2 of Section 18 lying outside of the natural drainage basin of Lake Tahoe. T.16N., R.18E.; that portion of Sections 1, 5, 6, 12, 13, 24, 25 and 36

lying outside of the natural drainage basin of Lake Tahoe, and excluding any portion of the W1/2 of the W1/2 and the W1/2 of the E1/2 of the W1/2 of Section 6. T.16N., R.19E.; all, excluding that portion of Sections 6, 7, 18, 19 and 30 lying within the natural drainage basin of Lake Tahoe, and excluding the S1/2 of Section 35 and the NE1/4 and the SE1/4 and the SW1/4 of Section 36. T.16N., R.20E.; Sections 2 through 11 inclusive. Section 15 through 20 inclusive. Section 30. The N1/2 of Section 1. Portions of the SW1/4 of the NW1/4 and the NW1/4 of the SW1/4 of Section 14. T.17N., R.18E.; all excluding the W1/2 of the W1/2 and the W1/2 of the E1/2 of the W1/2 of Sections 6, 7, 18, 19, 30 and 31, and excluding that portion of Sections 22, 23, 26, 27, 32, 33, 34, 35 and 36 lying within the natural drainage basin of Lake Tahoe. T.17N., R.19E.; all, excepting that portion of Section 31 lying within the natural drainage basin of Lake Tahoe. T.17N., R.20E.; all. T.17N., R.21E.; the W1/2 of Section 7. Section 18. T.18N., R.18E.; all, excluding the W1/2 of Sections 6, 7, 18, 19, 30 and 31. T.18N., R.19E.; all. T.18N., R.20E.; all, excluding Section 1 and the E1/2 of Section 36. T.18N., R.21E.; Sections 7, 18 and 19. T.19N., R.18E.; all, excluding the W1/2 of Sections 6, 7, 18, 19, 30 and 31. T.19N., R.19E.; all. T.19N., R.20E.; all, excluding Sections 24, 25 and 36 and the portion of Section 13 south of the Truckee River. T.19N., R.21E.; Sections 3 through 9 inclusive. The portions of Sections 1, 2, 10, 11, 15, 16, 17 and 18 north of the Truckee River. T.19N., R.22E.; The portion of Section 6 north of the Truckee River. T.20N., R.18E.; all, excluding the W1/2 and the W1/2 of the W1/2 of the E1/2 of Sections 6, 7, 18, 19, 30 and 31. T.20N., R.19-21E.; all. T.20N., R.22E.; all, excluding Section 36 and the portions of Sections 24, 25, 26, 28, 29, 31, 32, 33, 34 and 35 south and/or east of the Truckee River. T.20N., R.23E.; Sections 1 through 12 inclusive. Sections 15, 16, 17 and 18. The portions of Sections 13, 14, 19, 20, 21, 22 and 23 north of the Truckee River. T.20N., R.24E.; Sections 1 through 7 inclusive. The portions of Sections 8, 9, 17 and 18 north of the Truckee River. T.20N., R.25E.; Section 6. The NW1/4 and a

portion of the NW1/4 of the NE1/4 and a portion of the NE1/4 of the SW1/4 and the W1/2 of the SW1/4 of Section 5. T.21N., R.18E.; all, excluding the W1/2 and the W1/2 of the E1/2 of Sections 6, 7, 18, 19, 30 and 31. T.21N., R.19-24E.; all. T.21N., R.25E.; Sections 4, 5, 6, 7, 8, 9, 17, 18, 19, 30 and 31. A portion of the SW1/4 of the SW1/4 and a portion of the SW1/4 of the NW1/4 and a portion of the NW1/4 of the SW1/4 of Section 3. A portion of the W1/2 of the W1/2 of Section 10. A portion of the NW1/4 of the NW1/4 of Section 15. The NE1/4 and the NW1/4 and the SW1/4 and the NW1/4 of the SE1/4 and a portion of the SW1/4 of the SE1/4 and a portion of the NE1/4 of the SE1/4 of Section 16. A portion of the N1/2 of the N1/2 and the W1/2 of the SW1/4 and a portion of the SW1/4 of the NW1/4 of Section 20. The W1/2 and the W1/2 of the E1/2 of Sections 29 and 32. T.22N., R.18E.; that portion of Sections 12, 13, 14, 15, 16, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 31, 32, 33, 34, 35 and 36 lying within the natural drainage basin of Cold Spring Valley and Lemmon Valley. T.22N., R.19E.; that portion of Sections 7, 8, 16, 17, 18, 19, 20, 21, 27, 28, 29, 30, 31, 32, 33 and 34 lying within the natural drainage basin of Lemmon Valley. The proposed point of diversion is described as being within the NW1/4 NW1/4 Section 29, T.26N., R.19E., M.D.B.&M.¹

Application 53427 was filed on June 23, 1989 by Washoe County to change the place and manner of use of 1.7 c.f.s. of water from an underground source heretofore appropriated under Permit 45025. The proposed use is for municipal purposes within the T.15N., R.18E.; that portion of Section 1 lying outside of the natural drainage basin of Lake Tahoe. T.15N., R.19E.; Section 4 excluding the SE1/4. Sections 5 and 8. That portion of Sections 6, 7 and the N1/2 of the N1/2 of Section 18 lying outside of the natural drainage basin of Lake Tahoe. T.16N., R.18E.; that portion of Sections 1, 5, 6, 12, 13, 24, 25 and 36 lying outside of the natural drainage basin of Lake Tahoe, and excluding any portion of the W1/2 of the W1/2 and the W1/2 of the E1/2 of the W1/2 of Section 6. T.16N., R.19E.; all, excluding that portion of Sections 6, 7, 18, 19 and 30 lying within the

natural drainage basin of Lake Tahoe, and excluding the S1/2 of Section 35 and the NE1/4 and the SE1/4 and the SW1/4 of Section 36. T.16N., R.20E.; Sections 2 through 11 inclusive. Section 15 through 20 inclusive. Section 30. The N1/2 of Section 1. Portions of the SW1/4 of the NW1/4 and the NW1/4 of the SW1/4 of Section 14. T.17N., R.18E.; all excluding the W1/2 of the W1/2 and the W1/2 of the E1/2 of the W1/2 of Sections 6, 7, 18, 19, 30 and 31, and excluding that portion of Sections 22, 23, 26, 27, 32, 33, 34, 35 and 36 lying within the natural drainage basin of Lake Tahoe. T.17N., R.19E.; all, excepting that portion of Section 31 lying within the natural drainage basin of Lake Tahoe. T.17N., R.20E.; all. T.17N., R.21E.; the W1/2 of Section 7. Section 18. T.18N., R.18E.; all, excluding the W1/2 of Sections 6, 7, 18, 19, 30 and 31. T.18N., R.19E.; all. T.18N., R.20E.; all, excluding Section 1 and the E1/2 of Section 36. T.18N., R.21E.; Sections 7, 18 and 19. T.19N., R.18E.; all, excluding the W1/2 of Sections 6, 7, 18, 19, 30 and 31. T.19N., R.19E.; all. T.19N., R.20E.; all, excluding Sections 24, 25 and 36 and the portion of Section 13 south of the Truckee River. T.19N., R.21E.; Sections 3 through 9 inclusive. The portions of Sections 1, 2, 10, 11, 15, 16, 17 and 18 north of the Truckee River. T.19N., R.22E.; The portion of Section 6 north of the Truckee River. T.20N., R.18E.; all, excluding the W1/2 and the W1/2 of the W1/2 of the E1/2 of Sections 6, 7, 18, 19, 30 and 31. T.20N., R.19-21E.; all. T.20N., R.22E.; all, excluding Section 36 and the portions of Sections 24, 25, 26, 28, 29, 31, 32, 33, 34 and 35 south and/or east of the Truckee River. T.20N., R.23E.; Sections 1 through 12 inclusive. Sections 15, 16, 17 and 18. The portions of Sections 13, 14, 19, 20, 21, 22 and 23 north of the Truckee River. T.20N., R.24E.; Sections 1 through 7 inclusive. The portions of Sections 8, 9, 17 and 18 north of the Truckee River. T.20N., R.25E.; Section 6. The NW1/4 and a portion of the NW1/4 of the NE1/4 and a portion of the NE1/4 of the SW1/4 and the W1/2 of the SW1/4 of Section 5. T.21N., R.18E.; all, excluding the W1/2 and the W1/2 of the E1/2 of Sections 6, 7, 18, 19, 30 and 31. T.21N., R.19-24E.; all.

T.21N., R.25E.; Sections 4, 5, 6, 7, 8, 9, 17, 18, 19, 30 and 31. A portion of the SW1/4 of the SW1/4 and a portion of the SW1/4 of the NW1/4 and a portion of the NW1/4 of the SW1/4 of Section 3. A portion of the W1/2 of the W1/2 of Section 10. A portion of the NW1/4 of the NW1/4 of Section 15. The NE1/4 and the NW1/4 and the SW1/4 and the NW1/4 of the SE1/4 and a portion of the SW1/4 of the SE1/4 and a portion of the NE1/4 of the SE1/4 of Section 16. A portion of the N1/2 of the N1/2 and the W1/2 of the SW1/4 and a portion of the SW1/4 of the NW1/4 of Section 20. The W1/2 and the W1/2 of the E1/2 of Sections 29 and 32. T.22N., R.18E.; that portion of Sections 12, 13, 14, 15, 16, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 31, 32, 33, 34, 35 and 36 lying within the natural drainage basin of Cold Spring Valley and Lemmon Valley. T.22N., R.19E.; that portion of Sections 7, 8, 16, 17, 18, 19, 20, 21, 27, 28, 29, 30, 31, 32, 33 and 34 lying within the natural drainage basin of Lemmon Valley. The proposed point of diversion is described as being within the NE1/4 NE1/4 Section 29, T.26N., R.19E., M.D.B.&M.¹

Application 53432 was filed on June 23, 1989 by Washoe County to change the place and manner of use of 1.7 c.f.s. of water from an underground source heretofore appropriated under Permit 39899. The proposed use is for municipal purposes within the T.15N., R.18E.; that portion of Section 1 lying outside of the natural drainage basin of Lake Tahoe. T.15N., R.19E.; Section 4 excluding the SE1/4. Sections 5 and 8. That portion of Sections 6, 7 and the N1/2 of the N1/2 of Section 18 lying outside of the natural drainage basin of Lake Tahoe. T.16N., R.18E.; that portion of Sections 1, 5, 6, 12, 13, 24, 25 and 36 lying outside of the natural drainage basin of Lake Tahoe, and excluding any portion of the W1/2 of the W1/2 and the W1/2 of the E1/2 of the W1/2 of Section 6. T.16N., R.19E.; all, excluding that portion of Sections 6, 7, 18, 19 and 30 lying within the natural drainage basin of Lake Tahoe, and excluding the S1/2 of Section 35 and the NE1/4 and the SE1/4 and the SW1/4 of Section 36. T.16N., R.20E.; Sections 2 through 11 inclusive. Section 15 through 20 inclusive. Section 30. The N1/2 of Section 1.

Portions of the SW1/4 of the NW1/4 and the NW1/4 of the SW1/4 of Section 14. T.17N., R.18E.; all excluding the W1/2 of the W1/2 and the W1/2 of the E1/2 of the W1/2 of Sections 6, 7, 18, 19, 30 and 31, and excluding that portion of Sections 22, 23, 26, 27, 32, 33, 34, 35 and 36 lying within the natural drainage basin of Lake Tahoe. T.17N., R.19E.; all, excepting that portion of Section 31 lying within the natural drainage basin of Lake Tahoe. T.17N., R.20E.; all. T.17N., R.21E.; the W1/2 of Section 7. Section 18. T.18N., R.18E.; all, excluding the W1/2 of Sections 6, 7, 18, 19, 30 and 31. T.18N., R.19E.; all. T.18N., R.20E.; all, excluding Section 1 and the E1/2 of Section 36. T.18N., R.21E.; Sections 7, 18 and 19. T.19N., R.18E.; all, excluding the W1/2 of Sections 6, 7, 18, 19, 30 and 31. T.19N., R.19E.; all. T.19N., R.20E.; all, excluding Sections 24, 25 and 36 and the portion of Section 13 south of the Truckee River. T.19N., R.21E.; Sections 3 through 9 inclusive. The portions of Sections 1, 2, 10, 11, 15, 16, 17 and 18 north of the Truckee River. T.19N., R.22E.; The portion of Section 6 north of the Truckee River. T.20N., R.18E.; all, excluding the W1/2 and the W1/2 of the W1/2 of the E1/2 of Sections 6, 7, 18, 19, 30 and 31. T.20N., R.19-21E.; all. T.20N., R.22E.; all, excluding Section 36 and the portions of Sections 24, 25, 26, 28, 29, 31, 32, 33, 34 and 35 south and/or east of the Truckee River. T.20N., R.23E.; Sections 1 through 12 inclusive. Sections 15, 16, 17 and 18. The portions of Sections 13, 14, 19, 20, 21, 22 and 23 north of the Truckee River. T.20N., R.24E.; Sections 1 through 7 inclusive. The portions of Sections 8, 9, 17 and 18 north of the Truckee River. T.20N., R.25E.; Section 6. The NW1/4 and a portion of the NW1/4 of the NE1/4 and a portion of the NE1/4 of the SW1/4 and the W1/2 of the SW1/4 of Section 5. T.21N., R.18E.; all, excluding the W1/2 and the W1/2 of the E1/2 of Sections 6, 7, 18, 19, 30 and 31. T.21N., R.19-24E.; all. T.21N., R.25E.; Sections 4, 5, 6, 7, 8, 9, 17, 18, 19, 30 and 31. A portion of the SW1/4 of the SW1/4 and a portion of the SW1/4 of the NW1/4 and a portion of the NW1/4 of the SW1/4 of Section 3. A portion of the W1/2 of the W1/2 of Section 10. A portion of

the NW1/4 of the NW1/4 of Section 15. The NE1/4 and the NW1/4 and the SW1/4 and the NW1/4 of the SE1/4 and a portion of the SW1/4 of the SE1/4 and a portion of the NE1/4 of the SE1/4 of Section 16. A portion of the N1/2 of the N1/2 and the W1/2 of the SW1/4 and a portion of the SW1/4 of the NW1/4 of Section 20. The W1/2 and the W1/2 of the E1/2 of Sections 29 and 32. T.22N., R.18E.; that portion of Sections 12, 13, 14, 15, 16, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 31, 32, 33, 34, 35 and 36 lying within the natural drainage basin of Cold Spring Valley and Lemmon Valley. T.22N., R.19E.; that portion of Sections 7, 8, 16, 17, 18, 19, 20, 21, 27, 28, 29, 30, 31, 32, 33 and 34 lying within the natural drainage basin of Lemmon Valley. The proposed point of diversion is described as being within the NW1/4 SW1/4 Section 10, T.26N., R.19E., M.D.B.&M.¹

II.

Application 53407 was timely protested by the Sierra Army Depot on the following grounds:¹

"Application 53,407 requests to change the type of use of the 2.4 c.f.s. under permit 48,211 from Irrigation to Municipal. Sierra Army Depot considers 53,407 to be part of the effort to export Honey Lake Valley groundwater out of the basin and objects to approval of the application based on the following points.

1. Nevada's groundwater extractions in the Honey Lake Basin should not exceed Nevada's recharge, and deliberation by the State Engineer on 53,407 or any other proposal to further develop groundwater resources in the Honey Lake Groundwater Basin should be deferred until the U.S.G.S. Study is completed and considered concurrently with all other pending applications to ensure that overdraft does not occur.

2. Sierra Army Depot's potable wells are located no less than 8.5 miles from the western edge of the proposed municipal water well field. Pumpage and

export of groundwater on the Nevada side of the Honey Lake Valley in excess of the amount of recharge attributable to waters incident upon the Nevada side of the basin could impact the quality of the water in depot potable wells. There exists to the northwest of these potable wells a large body of non-potable groundwater. The proposed municipal water well field is located generally to the southeast of the potable wells. It is likely that the level of extraction that would occur if all of the applications are approved would be of such magnitude as to cause the southeastern migration of the non-potable waters to the area where depot wells are located. This installation has shown beneficial use of the potable groundwater resource for over 40 years. If the quality of the water drops, the entire potable water supply would be lost and the depot would cease to function.

3. The mission at Sierra Army Depot is of a strategic nature and disruption of depot activities could seriously impair the ability of the U.S. Army to support the defense of the United States of America.

4. Much of the surface of Sierra Army Depot is fine grained materials. In the southern portion of the depot, the predominant surface soil is referred to as "blow sand" and the middle and northern lands (except Skedaddle Mountain) are silts from the old lake bottom (alkaline). On 11 July 1989 in Carson City, Nevada, the U.S.G.S. released preliminary findings of the study they have been conducting on the Honey Lake Basin. Under the scenario of 15,000 acre ft/year of exportation out of the basin, very little groundwater will remain to support evapotranspiration, 9% instead of the 42% which is available today. This along with the predicted drop in the static groundwater elevation would eliminate most of the vegetation on the

installation. The loss of the vegetation would allow for the sand dunes to migrate and the silts to contaminate the air. A significant loss in air quality would result. The loss of our vegetative cover due to overdrafting of the groundwater resource is not acceptable.

5. The predicted drop in the static groundwater elevation at 15,000 acre ft per year of exportation was shown by the U.S.G.S. to have a possible impact of up to 100 ft in the area associated with our potable wells. The resulting loss in production would require that the Army construct at least one new well to support our current demands. As it stands today during peak demand periods, depot wells can barely maintain sufficient production.

6. Sierra Army Depot respectfully requests that the permitting of the domestic water well field be deferred until the following things occur.

a. The completion of the U.S.G.S. study that is currently underway.

b. The development of a Honey Lake Valley Groundwater Management District on the California side.

c. Agreement between the Nevada State Engineer, the State of California, and Lassen County, as to a "safe yield" for exportation of groundwaters out of the basin. Safe yield being that amount of extraction that does not adversely impact the quality of our well water, the production capacity of our wells, and the surface vegetation on the Sierra Army Depot.

d. A bi-state study of the water quality and potential impacts of exportation on that quality much like the U.S.G.S. study that is currently underway for water quantity.

Therefore the protestant requests that the application be denied and that an order be entered for such relief as the State Engineer deems just and proper."

Application 53409 was timely protested by the Sierra Army Depot on the following grounds:¹

"Application 53,409 requests to change the type of use of the 1.5 c.f.s. under permit 49,379 from Irrigation to Municipal. Sierra Army Depot considers 53,409 to be part of the effort to export Honey Lake Valley groundwater out of the basin and objects to approval of the application based on the following points.

1. Nevada's groundwater extractions in the Honey Lake Basin should not exceed Nevada's recharge, and deliberation by the State Engineer on 53,409 or any other proposal to further develop groundwater resources in the Honey Lake Groundwater Basin should be deferred until the U.S.G.S. Study is completed and considered concurrently with all other pending applications to ensure that overdraft does not occur.

2. Sierra Army Depot's potable wells are located no less than 8.5 miles from the western edge of the proposed municipal water well field. Pumpage and export of groundwater on the Nevada side of the Honey Lake Valley in excess of the amount of recharge attributable to waters incident upon the Nevada side of the basin could impact the quality of the water in depot potable wells. There exists to the northwest of these potable wells a large body of non-potable groundwater. The proposed municipal water well field is located generally to the southeast of the potable wells. It is likely that the level of extraction that would occur if all of the applications are approved would be of such magnitude as to cause the southeastern migration of the non-potable waters to the area where depot wells are located. This installation has shown

beneficial use of the potable groundwater resource for over 40 years. If the quality of the water drops, the entire potable water supply would be lost and the depot would cease to function.

3. The mission at Sierra Army Depot is of a strategic nature and disruption of depot activities could seriously impair the ability of the U.S. Army to support the defense of the United States of America.

4. Much of the surface of Sierra Army Depot is fine grained materials. In the southern portion of the depot, the predominant surface soil is referred to as "blow sand" and the middle and northern lands (except Skedaddle Mountain) are silts from the old lake bottom (alkaline). On 11 July 1989 in Carson City, Nevada, the U.S.G.S. released preliminary findings of the study they have been conducting on the Honey Lake Basin. Under the scenario of 15,000 acre ft/year of exportation out of the basin, very little groundwater will remain to support evapotranspiration, 9% instead of the 42% which is available today. This along with the predicted drop in the static groundwater elevation would eliminate most of the vegetation on the installation. The loss of the vegetation would allow for the sand dunes to migrate and the silts to contaminate the air. A significant loss in air quality would result. The loss of our vegetative cover due to overdrafting of the groundwater resource is not acceptable.

5. The predicted drop in the static groundwater elevation at 15,000 acre ft per year of exportation was shown by the U.S.G.S. to have a possible impact of up to 100 ft in the area associated with our potable wells. The resulting loss in production would require that the Army construct at least one new well to support our current demands. As it stands today during

peak demand periods, depot wells can barely maintain sufficient production.

6. Sierra Army Depot respectfully requests that the permitting of the domestic water well field be deferred until the following things occur.

a. The completion of the U.S.G.S. study that is currently underway.

b. The development of a Honey Lake Valley Groundwater Management District on the California side.

c. Agreement between the Nevada State Engineer, the State of California, and Lassen County, as to a "safe yield" for exportation of groundwaters out of the basin. Safe yield being that amount of extraction that does not adversely impact the quality of our well water, the production capacity of our wells, and the surface vegetation on the Sierra Army Depot.

d. A bi-state study of the water quality and potential impacts of exportation on that quality much like the U.S.G.S. study that is currently underway for water quantity.

Therefore the protestant requests that the application be denied and that an order be entered for such relief as the State Engineer deems just and proper."

Application 53410 was timely protested by the Sierra Army Depot on the following grounds:¹

"Application 53,410 requests to change the type of use of the 3.0 c.f.s. under permit 49,374 from Irrigation to Municipal. Sierra Army Depot considers 53,410 to be part of the effort to export Honey Lake Valley groundwater out of the basin and objects to approval of the application based on the following points.

1. Nevada's groundwater extractions in the Honey Lake Basin should not exceed Nevada's recharge, and

deliberation by the State Engineer on 53,410 or any other proposal to further develop groundwater resources in the Honey Lake Groundwater Basin should be deferred until the U.S.G.S. Study is completed and considered concurrently with all other pending applications to ensure that overdraft does not occur.

2. Sierra Army Depot's potable wells are located no less than 8.5 miles from the western edge of the proposed municipal water well field. Pumpage and export of groundwater on the Nevada side of the Honey Lake Valley in excess of the amount of recharge attributable to waters incident upon the Nevada side of the basin could impact the quality of the water in depot potable wells. There exists to the northwest of these potable wells a large body of non-potable groundwater. The proposed municipal water well field is located generally to the southeast of the potable wells. It is likely that the level of extraction that would occur if all of the applications are approved would be of such magnitude as to cause the southeastern migration of the non-potable waters to the area where depot wells are located. This installation has shown beneficial use of the potable groundwater resource for over 40 years. If the quality of the water drops, the entire potable water supply would be lost and the depot would cease to function.

3. The mission at Sierra Army Depot is of a strategic nature and disruption of depot activities could seriously impair the ability of the U.S. Army to support the defense of the United States of America.

4. Much of the surface of Sierra Army Depot is fine grained materials. In the southern portion of the depot, the predominant surface soil is referred to as "blow sand" and the middle and northern lands (except Skedaddle Mountain) are silts from the old lake bottom

(alkaline). On 11 July 1989 in Carson City, Nevada, the U.S.G.S. released preliminary findings of the study they have been conducting on the Honey Lake Basin. Under the scenario of 15,000 acre ft/year of exportation out of the basin, very little groundwater will remain to support evapotranspiration, 9% instead of the 42% which is available today. This along with the predicted drop in the static groundwater elevation would eliminate most of the vegetation on the installation. The loss of the vegetation would allow for the sand dunes to migrate and the silts to contaminate the air. A significant loss in air quality would result. The loss of our vegetative cover due to overdrafting of the groundwater resource is not acceptable.

5. The predicted drop in the static groundwater elevation at 15,000 acre ft per year of exportation was shown by the U.S.G.S. to have a possible impact of up to 100 ft in the area associated with our potable wells. The resulting loss in production would require that the Army construct at least one new well to support our current demands. As it stands today during peak demand periods, depot wells can barely maintain sufficient production.

6. Sierra Army Depot respectfully requests that the permitting of the domestic water well field be deferred until the following things occur.

a. The completion of the U.S.G.S. study that is currently underway.

b. The development of a Honey Lake Valley Groundwater Management District on the California side.

c. Agreement between the Nevada State Engineer, the State of California, and Lassen County, as to a "safe yield" for exportation of groundwaters out of the

basin. Safe yield being that amount of extraction that does not adversely impact the quality of our well water, the production capacity of our wells, and the surface vegetation on the Sierra Army Depot.

d. A bi-state study of the water quality and potential impacts of exportation on that quality much like the U.S.G.S. study that is currently underway for water quantity.

Therefore the protestant requests that the application be denied and that an order be entered for such relief as the State Engineer deems just and proper."

Application 53411 was timely protested by the Sierra Army Depot on the following grounds:¹

"Application 53,411 requests to change the type of use of the 1.7 c.f.s. under permit 49,375 from Irrigation to Municipal. Sierra Army Depot considers 53,411 to be part of the effort to export Honey Lake Valley groundwater out of the basin and objects to approval of the application based on the following points.

1. Nevada's groundwater extractions in the Honey Lake Basin should not exceed Nevada's recharge, and deliberation by the State Engineer on 53,411 or any other proposal to further develop groundwater resources in the Honey Lake Groundwater Basin should be deferred until the U.S.G.S. Study is completed and considered concurrently with all other pending applications to ensure that overdraft does not occur.

2. Sierra Army Depot's potable wells are located no less than 8.5 miles from the western edge of the proposed municipal water well field. Pumpage and export of groundwater on the Nevada side of the Honey Lake Valley in excess of the amount of recharge attributable to waters incident upon the Nevada side of the basin could impact the quality of the water in

depot potable wells. There exists to the northwest of these potable wells a large body of non-potable groundwater. The proposed municipal water well field is located generally to the southeast of the potable wells. It is likely that the level of extraction that would occur if all of the applications are approved would be of such magnitude as to cause the southeastern migration of the non-potable waters to the area where depot wells are located. This installation has shown beneficial use of the potable groundwater resource for over 40 years. If the quality of the water drops, the entire potable water supply would be lost and the depot would cease to function.

3. The mission at Sierra Army Depot is of a strategic nature and disruption of depot activities could seriously impair the ability of the U.S. Army to support the defense of the United States of America.

4. Much of the surface of Sierra Army Depot is fine grained materials. In the southern portion of the depot, the predominant surface soil is referred to as "blow sand" and the middle and northern lands (except Skedaddle Mountain) are silts from the old lake bottom (alkaline). On 11 July 1989 in Carson City, Nevada, the U.S.G.S. released preliminary findings of the study they have been conducting on the Honey Lake Basin. Under the scenario of 15,000 acre ft/year of exportation out of the basin, very little groundwater will remain to support evapotranspiration, 9% instead of the 42% which is available today. This along with the predicted drop in the static groundwater elevation would eliminate most of the vegetation on the installation. The loss of the vegetation would allow for the sand dunes to migrate and the silts to contaminate the air. A significant loss in air quality would result. The loss of our vegetative cover due to

overdrafting of the groundwater resource is not acceptable.

5. The predicted drop in the static groundwater elevation at 15,000 acre ft per year of exportation was shown by the U.S.G.S. to have a possible impact of up to 100 ft in the area associated with our potable wells. The resulting loss in production would require that the Army construct at least one new well to support our current demands. As it stands today during peak demand periods, depot wells can barely maintain sufficient production.

6. Sierra Army Depot respectfully requests that the permitting of the domestic water well field be deferred until the following things occur.

a. The completion of the U.S.G.S. study that is currently underway.

b. The development of a Honey Lake Valley Groundwater Management District on the California side.

c. Agreement between the Nevada State Engineer, the State of California, and Lassen County, as to a "safe yield" for exportation of groundwaters out of the basin. Safe yield being that amount of extraction that does not adversely impact the quality of our well water, the production capacity of our wells, and the surface vegetation on the Sierra Army Depot.

d. A bi-state study of the water quality and potential impacts of exportation on that quality much like the U.S.G.S. study that is currently underway for water quantity.

Therefore the protestant requests that the application be denied and that an order be entered for such relief as the State Engineer deems just and proper."

Application 53412 was timely protested by the Sierra Army Depot on the following grounds:¹

"Application 53,412 requests to change the type of use of the 2.4 c.f.s. under permit 49,377 from Irrigation to Municipal. Sierra Army Depot considers 53,412 to be part of the effort to export Honey Lake Valley groundwater out of the basin and objects to approval of the application based on the following points.

1. Nevada's groundwater extractions in the Honey Lake Basin should not exceed Nevada's recharge, and deliberation by the State Engineer on 53,412 or any other proposal to further develop groundwater resources in the Honey Lake Groundwater Basin should be deferred until the U.S.G.S. Study is completed and considered concurrently with all other pending applications to ensure that overdraft does not occur.

2. Sierra Army Depot's potable wells are located no less than 8.5 miles from the western edge of the proposed municipal water well field. Pumpage and export of groundwater on the Nevada side of the Honey Lake Valley in excess of the amount of recharge attributable to waters incident upon the Nevada side of the basin could impact the quality of the water in depot potable wells. There exists to the northwest of these potable wells a large body of non-potable groundwater. The proposed municipal water well field is located generally to the southeast of the potable wells. It is likely that the level of extraction that would occur if all of the applications are approved would be of such magnitude as to cause the southeastern migration of the non-potable waters to the area where depot wells are located. This installation has shown beneficial use of the potable groundwater resource for over 40 years. If the quality of the water drops, the

entire potable water supply would be lost and the depot would cease to function.

3. The mission at Sierra Army Depot is of a strategic nature and disruption of depot activities could seriously impair the ability of the U.S. Army to support the defense of the United States of America.

4. Much of the surface of Sierra Army Depot is fine grained materials. In the southern portion of the depot, the predominant surface soil is referred to as "blow sand" and the middle and northern lands (except Skedaddle Mountain) are silts from the old lake bottom (alkaline). On 11 July 1989 in Carson City, Nevada, the U.S.G.S. released preliminary findings of the study they have been conducting on the Honey Lake Basin. Under the scenario of 15,000 acre ft/year of exportation out of the basin, very little groundwater will remain to support evapotranspiration, 9% instead of the 42% which is available today. This along with the predicted drop in the static groundwater elevation would eliminate most of the vegetation on the installation. The loss of the vegetation would allow for the sand dunes to migrate and the silts to contaminate the air. A significant loss in air quality would result. The loss of our vegetative cover due to overdrafting of the groundwater resource is not acceptable.

5. The predicted drop in the static groundwater elevation at 15,000 acre ft per year of exportation was shown by the U.S.G.S. to have a possible impact of up to 100 ft in the area associated with our potable wells. The resulting loss in production would require that the Army construct at least one new well to support our current demands. As it stands today during peak demand periods, depot wells can barely maintain sufficient production.

6. Sierra Army Depot respectfully requests that the permitting of the domestic water well field be deferred until the following things occur.

a. The completion of the U.S.G.S. study that is currently underway.

b. The development of a Honey Lake Valley Groundwater Management District on the California side.

c. Agreement between the Nevada State Engineer, the State of California, and Lassen County, as to a "safe yield" for exportation of groundwaters out of the basin. Safe yield being that amount of extraction that does not adversely impact the quality of our well water, the production capacity of our wells, and the surface vegetation on the Sierra Army Depot.

d. A bi-state study of the water quality and potential impacts of exportation on that quality much like the U.S.G.S. study that is currently underway for water quantity.

Therefore the protestant requests that the application be denied and that an order be entered for such relief as the State Engineer deems just and proper."

Application 53414 was timely protested by the Sierra Army Depot on the following grounds:¹

"Application 53,414 requests to change the type of use of the 5.4 c.f.s. under permit 49,268 from Irrigation to Municipal. Sierra Army Depot considers 53,414 to be part of the effort to export Honey Lake Valley groundwater out of the basin and objects to approval of the application based on the following points.

1. Nevada's groundwater extractions in the Honey Lake Basin should not exceed Nevada's recharge, and deliberation by the State Engineer on 53,414 or any other proposal to further develop groundwater resources

in the Honey Lake Groundwater Basin should be deferred until the U.S.G.S. Study is completed and considered concurrently with all other pending applications to ensure that overdraft does not occur.

2. Sierra Army Depot's potable wells are located no less than 8.5 miles from the western edge of the proposed municipal water well field. Pumpage and export of groundwater on the Nevada side of the Honey Lake Valley in excess of the amount of recharge attributable to waters incident upon the Nevada side of the basin could impact the quality of the water in depot potable wells. There exists to the northwest of these potable wells a large body of non-potable groundwater. The proposed municipal water well field is located generally to the southeast of the potable wells. It is likely that the level of extraction that would occur if all of the applications are approved would be of such magnitude as to cause the southeastern migration of the non-potable waters to the area where depot wells are located. This installation has shown beneficial use of the potable groundwater resource for over 40 years. If the quality of the water drops, the entire potable water supply would be lost and the depot would cease to function.

3. The mission at Sierra Army Depot is of a strategic nature and disruption of depot activities could seriously impair the ability of the U.S. Army to support the defense of the United States of America.

4. Much of the surface of Sierra Army Depot is fine grained materials. In the southern portion of the depot, the predominant surface soil is referred to as "blow sand" and the middle and northern lands (except Skedaddle Mountain) are silts from the old lake bottom (alkaline). On 11 July 1989 in Carson City, Nevada, the U.S.G.S. released preliminary findings of the study

they have been conducting on the Honey Lake Basin. Under the scenario of 15,000 acre ft/year of exportation out of the basin, very little groundwater will remain to support evapotranspiration, 9% instead of the 42% which is available today. This along with the predicted drop in the static groundwater elevation would eliminate most of the vegetation on the installation. The loss of the vegetation would allow for the sand dunes to migrate and the silts to contaminate the air. A significant loss in air quality would result. The loss of our vegetative cover due to overdrafting of the groundwater resource is not acceptable.

5. The predicted drop in the static groundwater elevation at 15,000 acre ft per year of exportation was shown by the U.S.G.S. to have a possible impact of up to 100 ft in the area associated with our potable wells. The resulting loss in production would require that the Army construct at least one new well to support our current demands. As it stands today during peak demand periods, depot wells can barely maintain sufficient production.

6. Sierra Army Depot respectfully requests that the permitting of the domestic water well field be deferred until the following things occur.

a. The completion of the U.S.G.S. study that is currently underway.

b. The development of a Honey Lake Valley Groundwater Management District on the California side.

c. Agreement between the Nevada State Engineer, the State of California, and Lassen County, as to a "safe yield" for exportation of groundwaters out of the basin. Safe yield being that amount of extraction that does not adversely impact the quality of our well

water, the production capacity of our wells, and the surface vegetation on the Sierra Army Depot.

d. A bi-state study of the water quality and potential impacts of exportation on that quality much like the U.S.G.S. study that is currently underway for water quantity.

Therefore the protestant requests that the application be denied and that an order be entered for such relief as the State Engineer deems just and proper."

Application 53415 was timely protested by the Sierra Army Depot on the following grounds:¹

"Application 53,415 requests to change the type of use of the 1.0 c.f.s. under permit 49,269 from Irrigation to Municipal. Sierra Army Depot considers 53,415 to be part of the effort to export Honey Lake Valley groundwater out of the basin and objects to approval of the application based on the following points.

1. Nevada's groundwater extractions in the Honey Lake Basin should not exceed Nevada's recharge, and deliberation by the State Engineer on 53,415 or any other proposal to further develop groundwater resources in the Honey Lake Groundwater Basin should be deferred until the U.S.G.S. Study is completed and considered concurrently with all other pending applications to ensure that overdraft does not occur.

2. Sierra Army Depot's potable wells are located no less than 8.5 miles from the western edge of the proposed municipal water well field. Pumpage and export of groundwater on the Nevada side of the Honey Lake Valley in excess of the amount of recharge attributable to waters incident upon the Nevada side of the basin could impact the quality of the water in depot potable wells. There exists to the northwest of these potable wells a large body of non-potable

groundwater. The proposed municipal water well field is located generally to the southeast of the potable wells. It is likely that the level of extraction that would occur if all of the applications are approved would be of such magnitude as to cause the southeastern migration of the non-potable waters to the area where depot wells are located. This installation has shown beneficial use of the potable groundwater resource for over 40 years. If the quality of the water drops, the entire potable water supply would be lost and the depot would cease to function.

3. The mission at Sierra Army Depot is of a strategic nature and disruption of depot activities could seriously impair the ability of the U.S. Army to support the defense of the United States of America.

4. Much of the surface of Sierra Army Depot is fine grained materials. In the southern portion of the depot, the predominant surface soil is referred to as "blow sand" and the middle and northern lands (except Skedaddle Mountain) are silts from the old lake bottom (alkaline). On 11 July 1989 in Carson City, Nevada, the U.S.G.S. released preliminary findings of the study they have been conducting on the Honey Lake Basin. Under the scenario of 15,000 acre ft/year of exportation out of the basin, very little groundwater will remain to support evapotranspiration, 9% instead of the 42% which is available today. This along with the predicted drop in the static groundwater elevation would eliminate most of the vegetation on the installation. The loss of the vegetation would allow for the sand dunes to migrate and the silts to contaminate the air. A significant loss in air quality would result. The loss of our vegetative cover due to overdrafting of the groundwater resource is not acceptable.

5. The predicted drop in the static groundwater elevation at 15,000 acre ft per year of exportation was shown by the U.S.G.S. to have a possible impact of up to 100 ft in the area associated with our potable wells. The resulting loss in production would require that the Army construct at least one new well to support our current demands. As it stands today during peak demand periods, depot wells can barely maintain sufficient production.

6. Sierra Army Depot respectfully requests that the permitting of the domestic water well field be deferred until the following things occur.

a. The completion of the U.S.G.S. study that is currently underway.

b. The development of a Honey Lake Valley Groundwater Management District on the California side.

c. Agreement between the Nevada State Engineer, the State of California, and Lassen County, as to a "safe yield" for exportation of groundwaters out of the basin. Safe yield being that amount of extraction that does not adversely impact the quality of our well water, the production capacity of our wells, and the surface vegetation on the Sierra Army Depot.

d. A bi-state study of the water quality and potential impacts of exportation on that quality much like the U.S.G.S. study that is currently underway for water quantity.

Therefore the protestant requests that the application be denied and that an order be entered for such relief as the State Engineer deems just and proper."

Application 53416 was timely protested by the Sierra Army Depot on the following grounds:¹

"Application 53,416 requests to change the type of use of the 1.5 c.f.s. under permit 49,373 from Irrigation to Municipal. Sierra Army Depot considers 53,416 to be part of the effort to export Honey Lake Valley groundwater out of the basin and objects to approval of the application based on the following points.

1. Nevada's groundwater extractions in the Honey Lake Basin should not exceed Nevada's recharge, and deliberation by the State Engineer on 53,416 or any other proposal to further develop groundwater resources in the Honey Lake Groundwater Basin should be deferred until the U.S.G.S. Study is completed and considered concurrently with all other pending applications to ensure that overdraft does not occur.

2. Sierra Army Depot's potable wells are located no less than 8.5 miles from the western edge of the proposed municipal water well field. Pumpage and export of groundwater on the Nevada side of the Honey Lake Valley in excess of the amount of recharge attributable to waters incident upon the Nevada side of the basin could impact the quality of the water in depot potable wells. There exists to the northwest of these potable wells a large body of non-potable groundwater. The proposed municipal water well field is located generally to the southeast of the potable wells. It is likely that the level of extraction that would occur if all of the applications are approved would be of such magnitude as to cause the southeastern migration of the non-potable waters to the area where depot wells are located. This installation has shown beneficial use of the potable groundwater resource for over 40 years. If the quality of the water drops, the entire potable water supply would be lost and the depot would cease to function.

3. The mission at Sierra Army Depot is of a strategic

nature and disruption of depot activities could seriously impair the ability of the U.S. Army to support the defense of the United States of America.

4. Much of the surface of Sierra Army Depot is fine grained materials. In the southern portion of the depot, the predominant surface soil is referred to as "blow sand" and the middle and northern lands (except Skedaddle Mountain) are silts from the old lake bottom (alkaline). On 11 July 1989 in Carson City, Nevada, the U.S.G.S. released preliminary findings of the study they have been conducting on the Honey Lake Basin. Under the scenario of 15,000 acre ft/year of exportation out of the basin, very little groundwater will remain to support evapotranspiration, 9% instead of the 42% which is available today. This along with the predicted drop in the static groundwater elevation would eliminate most of the vegetation on the installation. The loss of the vegetation would allow for the sand dunes to migrate and the silts to contaminate the air. A significant loss in air quality would result. The loss of our vegetative cover due to overdrafting of the groundwater resource is not acceptable.

5. The predicted drop in the static groundwater elevation at 15,000 acre ft per year of exportation was shown by the U.S.G.S. to have a possible impact of up to 100 ft in the area associated with our potable wells. The resulting loss in production would require that the Army construct at least one new well to support our current demands. As it stands today during peak demand periods, depot wells can barely maintain sufficient production.

6. Sierra Army Depot respectfully requests that the permitting of the domestic water well field be deferred until the following things occur.

a. The completion of the U.S.G.S. study that is currently underway.

b. The development of a Honey Lake Valley Groundwater Management District on the California side.

c. Agreement between the Nevada State Engineer, the State of California, and Lassen County, as to a "safe yield" for exportation of groundwaters out of the basin. Safe yield being that amount of extraction that does not adversely impact the quality of our well water, the production capacity of our wells, and the surface vegetation on the Sierra Army Depot.

d. A bi-state study of the water quality and potential impacts of exportation on that quality much like the U.S.G.S. study that is currently underway for water quantity.

Therefore the protestant requests that the application be denied and that an order be entered for such relief as the State Engineer deems just and proper."

Application 53417 was timely protested by the Sierra Army Depot on the following grounds:¹

"Application 53,417 requests to change the type of use of the 1.5 c.f.s. under permit 49,376 from Irrigation to Municipal. Sierra Army Depot considers 53,417 to be part of the effort to export Honey Lake Valley groundwater out of the basin and objects to approval of the application based on the following points.

1. Nevada's groundwater extractions in the Honey Lake Basin should not exceed Nevada's recharge, and deliberation by the State Engineer on 53,417 or any other proposal to further develop groundwater resources in the Honey Lake Groundwater Basin should be deferred until the U.S.G.S. Study is completed and considered concurrently with all other pending applications to

ensure that overdraft does not occur.

2. Sierra Army Depot's potable wells are located no less than 8.5 miles from the western edge of the proposed municipal water well field. Pumpage and export of groundwater on the Nevada side of the Honey Lake Valley in excess of the amount of recharge attributable to waters incident upon the Nevada side of the basin could impact the quality of the water in depot potable wells. There exists to the northwest of these potable wells a large body of non-potable groundwater. The proposed municipal water well field is located generally to the southeast of the potable wells. It is likely that the level of extraction that would occur if all of the applications are approved would be of such magnitude as to cause the southeastern migration of the non-potable waters to the area where depot wells are located. This installation has shown beneficial use of the potable groundwater resource for over 40 years. If the quality of the water drops, the entire potable water supply would be lost and the depot would cease to function.

3. The mission at Sierra Army Depot is of a strategic nature and disruption of depot activities could seriously impair the ability of the U.S. Army to support the defense of the United States of America.

4. Much of the surface of Sierra Army Depot is fine grained materials. In the southern portion of the depot, the predominant surface soil is referred to as "blow sand" and the middle and northern lands (except Skedaddle Mountain) are silts from the old lake bottom (alkaline). On 11 July 1989 in Carson City, Nevada, the U.S.G.S. released preliminary findings of the study they have been conducting on the Honey Lake Basin. Under the scenario of 15,000 acre ft/year of exportation out of the basin, very little groundwater

will remain to support evapotranspiration, 9% instead of the 42% which is available today. This along with the predicted drop in the static groundwater elevation would eliminate most of the vegetation on the installation. The loss of the vegetation would allow for the sand dunes to migrate and the silts to contaminate the air. A significant loss in air quality would result. The loss of our vegetative cover due to overdrafting of the groundwater resource is not acceptable.

5. The predicted drop in the static groundwater elevation at 15,000 acre ft per year of exportation was shown by the U.S.G.S. to have a possible impact of up to 100 ft in the area associated with our potable wells. The resulting loss in production would require that the Army construct at least one new well to support our current demands. As it stands today during peak demand periods, depot wells can barely maintain sufficient production.

6. Sierra Army Depot respectfully requests that the permitting of the domestic water well field be deferred until the following things occur.

a. The completion of the U.S.G.S. study that is currently underway.

b. The development of a Honey Lake Valley Groundwater Management District on the California side.

c. Agreement between the Nevada State Engineer, the State of California, and Lassen County, as to a "safe yield" for exportation of groundwaters out of the basin. Safe yield being that amount of extraction that does not adversely impact the quality of our well water, the production capacity of our wells, and the surface vegetation on the Sierra Army Depot.

d. A bi-state study of the water quality and

potential impacts of exportation on that quality much like the U.S.G.S. study that is currently underway for water quantity.

Therefore the protestant requests that the application be denied and that an order be entered for such relief as the State Engineer deems just and proper."

Application 53418 was timely protested by the Sierra Army Depot on the following grounds:¹

"Application 53,418 requests to change the type of use of the 1.0 c.f.s. under permit 49,378 from Irrigation to Municipal. Sierra Army Depot considers 53,418 to be part of the effort to export Honey Lake Valley groundwater out of the basin and objects to approval of the application based on the following points.

1. Nevada's groundwater extractions in the Honey Lake Basin should not exceed Nevada's recharge, and deliberation by the State Engineer on 53,418 or any other proposal to further develop groundwater resources in the Honey Lake Groundwater Basin should be deferred until the U.S.G.S. Study is completed and considered concurrently with all other pending applications to ensure that overdraft does not occur.

2. Sierra Army Depot's potable wells are located no less than 8.5 miles from the western edge of the proposed municipal water well field. Pumpage and export of groundwater on the Nevada side of the Honey Lake Valley in excess of the amount of recharge attributable to waters incident upon the Nevada side of the basin could impact the quality of the water in depot potable wells. There exists to the northwest of these potable wells a large body of non-potable groundwater. The proposed municipal water well field is located generally to the southeast of the potable wells. It is likely that the level of extraction that

would occur if all of the applications are approved would be of such magnitude as to cause the southeastern migration of the non-potable waters to the area where depot wells are located. This installation has shown beneficial use of the potable groundwater resource for over 40 years. If the quality of the water drops, the entire potable water supply would be lost and the depot would cease to function.

3. The mission at Sierra Army Depot is of a strategic nature and disruption of depot activities could seriously impair the ability of the U.S. Army to support the defense of the United States of America.

4. Much of the surface of Sierra Army Depot is fine grained materials. In the southern portion of the depot, the predominant surface soil is referred to as "blow sand" and the middle and northern lands (except Skedaddle Mountain) are silts from the old lake bottom (alkaline). On 11 July 1989 in Carson City, Nevada, the U.S.G.S. released preliminary findings of the study they have been conducting on the Honey Lake Basin. Under the scenario of 15,000 acre ft/year of exportation out of the basin, very little groundwater will remain to support evapotranspiration, 9% instead of the 42% which is available today. This along with the predicted drop in the static groundwater elevation would eliminate most of the vegetation on the installation. The loss of the vegetation would allow for the sand dunes to migrate and the silts to contaminate the air. A significant loss in air quality would result. The loss of our vegetative cover due to overdrafting of the groundwater resource is not acceptable.

5. The predicted drop in the static groundwater elevation at 15,000 acre ft per year of exportation was shown by the U.S.G.S. to have a possible impact of up

to 100 ft in the area associated with our potable wells. The resulting loss in production would require that the Army construct at least one new well to support our current demands. As it stands today during peak demand periods, depot wells can barely maintain sufficient production.

6. Sierra Army Depot respectfully requests that the permitting of the domestic water well field be deferred until the following things occur.

a. The completion of the U.S.G.S. study that is currently underway.

b. The development of a Honey Lake Valley Groundwater Management District on the California side.

c. Agreement between the Nevada State Engineer, the State of California, and Lassen County, as to a "safe yield" for exportation of groundwaters out of the basin. Safe yield being that amount of extraction that does not adversely impact the quality of our well water, the production capacity of our wells, and the surface vegetation on the Sierra Army Depot.

d. A bi-state study of the water quality and potential impacts of exportation on that quality much like the U.S.G.S. study that is currently underway for water quantity.

Therefore the protestant requests that the application be denied and that an order be entered for such relief as the State Engineer deems just and proper."

Application 53423 was timely protested by the Sierra Army Depot on the following grounds:¹

"Application 53,423 requests to change the type of use of the 0.5 c.f.s. under permit 48,380 from Irrigation to Municipal. Sierra Army Depot considers 53,423 to be

part of the effort to export Honey Lake Valley groundwater out of the basin and objects to approval of the application based on the following points.

1. Nevada's groundwater extractions in the Honey Lake Basin should not exceed Nevada's recharge, and deliberation by the State Engineer on 53,423 or any other proposal to further develop groundwater resources in the Honey Lake Groundwater Basin should be deferred until the U.S.G.S. Study is completed and considered concurrently with all other pending applications to ensure that overdraft does not occur.

2. Sierra Army Depot's potable wells are located no less than 8.5 miles from the western edge of the proposed municipal water well field. Pumpage and export of groundwater on the Nevada side of the Honey Lake Valley in excess of the amount of recharge attributable to waters incident upon the Nevada side of the basin could impact the quality of the water in depot potable wells. There exists to the northwest of these potable wells a large body of non-potable groundwater. The proposed municipal water well field is located generally to the southeast of the potable wells. It is likely that the level of extraction that would occur if all of the applications are approved would be of such magnitude as to cause the southeastern migration of the non-potable waters to the area where depot wells are located. This installation has shown beneficial use of the potable groundwater resource for over 40 years. If the quality of the water drops, the entire potable water supply would be lost and the depot would cease to function.

3. The mission at Sierra Army Depot is of a strategic nature and disruption of depot activities could seriously impair the ability of the U.S. Army to support the defense of the United States of America.

4. Much of the surface of Sierra Army Depot is fine grained materials. In the southern portion of the depot, the predominant surface soil is referred to as "blow sand" and the middle and northern lands (except Skedaddle Mountain) are silts from the old lake bottom (alkaline). On 11 July 1989 in Carson City, Nevada, the U.S.G.S. released preliminary findings of the study they have been conducting on the Honey Lake Basin. Under the scenario of 15,000 acre ft/year of exportation out of the basin, very little groundwater will remain to support evapotranspiration, 9% instead of the 42% which is available today. This along with the predicted drop in the static groundwater elevation would eliminate most of the vegetation on the installation. The loss of the vegetation would allow for the sand dunes to migrate and the silts to contaminate the air. A significant loss in air quality would result. The loss of our vegetative cover due to overdrafting of the groundwater resource is not acceptable.

5. The predicted drop in the static groundwater elevation at 15,000 acre ft per year of exportation was shown by the U.S.G.S. to have a possible impact of up to 100 ft in the area associated with our potable wells. The resulting loss in production would require that the Army construct at least one new well to support our current demands. As it stands today during peak demand periods, depot wells can barely maintain sufficient production.

6. Sierra Army Depot respectfully requests that the permitting of the domestic water well field be deferred until the following things occur.

a. The completion of the U.S.G.S. study that is currently underway.

b. The development of a Honey Lake Valley

Groundwater Management District on the California side.

c. Agreement between the Nevada State Engineer, the State of California, and Lassen County, as to a "safe yield" for exportation of groundwaters out of the basin. Safe yield being that amount of extraction that does not adversely impact the quality of our well water, the production capacity of our wells, and the surface vegetation on the Sierra Army Depot.

d. A bi-state study of the water quality and potential impacts of exportation on that quality much like the U.S.G.S. study that is currently underway for water quantity.

Therefore the protestant requests that the application be denied and that an order be entered for such relief as the State Engineer deems just and proper."

Application 53424 was timely protested by the Sierra Army Depot on the following grounds:¹

"Application 53,424 requests to change the type of use of the 5.0 c.f.s. under permit 48,381 from Irrigation to Municipal. Sierra Army Depot considers 53,424 to be part of the effort to export Honey Lake Valley groundwater out of the basin and objects to approval of the application based on the following points.

1. Nevada's groundwater extractions in the Honey Lake Basin should not exceed Nevada's recharge, and deliberation by the State Engineer on 53,424 or any other proposal to further develop groundwater resources in the Honey Lake Groundwater Basin should be deferred until the U.S.G.S. Study is completed and considered concurrently with all other pending applications to ensure that overdraft does not occur.

2. Sierra Army Depot's potable wells are located no less than 8.5 miles from the western edge of the

proposed municipal water well field. Pumpage and export of groundwater on the Nevada side of the Honey Lake Valley in excess of the amount of recharge attributable to waters incident upon the Nevada side of the basin could impact the quality of the water in depot potable wells. There exists to the northwest of these potable wells a large body of non-potable groundwater. The proposed municipal water well field is located generally to the southeast of the potable wells. It is likely that the level of extraction that would occur if all of the applications are approved would be of such magnitude as to cause the southeastern migration of the non-potable waters to the area where depot wells are located. This installation has shown beneficial use of the potable groundwater resource for over 40 years. If the quality of the water drops, the entire potable water supply would be lost and the depot would cease to function.

3. The mission at Sierra Army Depot is of a strategic nature and disruption of depot activities could seriously impair the ability of the U.S. Army to support the defense of the United States of America.

4. Much of the surface of Sierra Army Depot is fine grained materials. In the southern portion of the depot, the predominant surface soil is referred to as "blow sand" and the middle and northern lands (except Skedaddle Mountain) are silts from the old lake bottom (alkaline). On 11 July 1989 in Carson City, Nevada, the U.S.G.S. released preliminary findings of the study they have been conducting on the Honey Lake Basin. Under the scenario of 15,000 acre ft/year of exportation out of the basin, very little groundwater will remain to support evapotranspiration, 9% instead of the 42% which is available today. This along with the predicted drop in the static groundwater elevation

would eliminate most of the vegetation on the installation. The loss of the vegetation would allow for the sand dunes to migrate and the silts to contaminate the air. A significant loss in air quality would result. The loss of our vegetative cover due to overdrafting of the groundwater resource is not acceptable.

5. The predicted drop in the static groundwater elevation at 15,000 acre ft per year of exportation was shown by the U.S.G.S. to have a possible impact of up to 100 ft in the area associated with our potable wells. The resulting loss in production would require that the Army construct at least one new well to support our current demands. As it stands today during peak demand periods, depot wells can barely maintain sufficient production.

6. Sierra Army Depot respectfully requests that the permitting of the domestic water well field be deferred until the following things occur.

a. The completion of the U.S.G.S. study that is currently underway.

b. The development of a Honey Lake Valley Groundwater Management District on the California side.

c. Agreement between the Nevada State Engineer, the State of California, and Lassen County, as to a "safe yield" for exportation of groundwaters out of the basin. Safe yield being that amount of extraction that does not adversely impact the quality of our well water, the production capacity of our wells, and the surface vegetation on the Sierra Army Depot.

d. A bi-state study of the water quality and potential impacts of exportation on that quality much like the U.S.G.S. study that is currently underway for water quantity.

Therefore the protestant requests that the application be denied and that an order be entered for such relief as the State Engineer deems just and proper."

Application 53425 was timely protested by the Sierra Army Depot on the following grounds:¹

"Application 53,425 requests to change the type of use of the 2.34 c.f.s. under permit 48,382 from Irrigation to Municipal. Sierra Army Depot considers 53,425 to be part of the effort to export Honey Lake Valley groundwater out of the basin and objects to approval of the application based on the following points.

1. Nevada's groundwater extractions in the Honey Lake Basin should not exceed Nevada's recharge, and deliberation by the State Engineer on 53,425 or any other proposal to further develop groundwater resources in the Honey Lake Groundwater Basin should be deferred until the U.S.G.S. Study is completed and considered concurrently with all other pending applications to ensure that overdraft does not occur.

2. Sierra Army Depot's potable wells are located no less than 8.5 miles from the western edge of the proposed municipal water well field. Pumpage and export of groundwater on the Nevada side of the Honey Lake Valley in excess of the amount of recharge attributable to waters incident upon the Nevada side of the basin could impact the quality of the water in depot potable wells. There exists to the northwest of these potable wells a large body of non-potable groundwater. The proposed municipal water well field is located generally to the southeast of the potable wells. It is likely that the level of extraction that would occur if all of the applications are approved would be of such magnitude as to cause the southeastern migration of the non-potable waters to the area where depot wells are located. This installation has shown

beneficial use of the potable groundwater resource for over 40 years. If the quality of the water drops, the entire potable water supply would be lost and the depot would cease to function.

3. The mission at Sierra Army Depot is of a strategic nature and disruption of depot activities could seriously impair the ability of the U.S. Army to support the defense of the United States of America.

4. Much of the surface of Sierra Army Depot is fine grained materials. In the southern portion of the depot, the predominant surface soil is referred to as "blow sand" and the middle and northern lands (except Skedaddle Mountain) are silts from the old lake bottom (alkaline). On 11 July 1989 in Carson City, Nevada, the U.S.G.S. released preliminary findings of the study they have been conducting on the Honey Lake Basin. Under the scenario of 15,000 acre ft/year of exportation out of the basin, very little groundwater will remain to support evapotranspiration, 9% instead of the 42% which is available today. This along with the predicted drop in the static groundwater elevation would eliminate most of the vegetation on the installation. The loss of the vegetation would allow for the sand dunes to migrate and the silts to contaminate the air. A significant loss in air quality would result. The loss of our vegetative cover due to overdrafting of the groundwater resource is not acceptable.

5. The predicted drop in the static groundwater elevation at 15,000 acre ft per year of exportation was shown by the U.S.G.S. to have a possible impact of up to 100 ft in the area associated with our potable wells. The resulting loss in production would require that the Army construct at least one new well to

support our current demands. As it stands today during peak demand periods, depot wells can barely maintain sufficient production.

6. Sierra Army Depot respectfully requests that the permitting of the domestic water well field be deferred until the following things occur.

a. The completion of the U.S.G.S. study that is currently underway.

b. The development of a Honey Lake Valley Groundwater Management District on the California side.

c. Agreement between the Nevada State Engineer, the State of California, and Lassen County, as to a "safe yield" for exportation of groundwaters out of the basin. Safe yield being that amount of extraction that does not adversely impact the quality of our well water, the production capacity of our wells, and the surface vegetation on the Sierra Army Depot.

d. A bi-state study of the water quality and potential impacts of exportation on that quality much like the U.S.G.S. study that is currently underway for water quantity.

Therefore the protestant requests that the application be denied and that an order be entered for such relief as the State Engineer deems just and proper."

Application 53426 was timely protested by the Sierra Army Depot on the following grounds:¹

"Application 53,426 requests to change the type of use of the 3.0 c.f.s. under permit 48,383 from Irrigation to Municipal. Sierra Army Depot considers 53,426 to be part of the effort to export Honey Lake Valley groundwater out of the basin and objects to approval of the application based on the following points.

1. Nevada's groundwater extractions in the Honey Lake

Basin should not exceed Nevada's recharge, and deliberation by the State Engineer on 53,426 or any other proposal to further develop groundwater resources in the Honey Lake Groundwater Basin should be deferred until the U.S.G.S. Study is completed and considered concurrently with all other pending applications to ensure that overdraft does not occur.

2. Sierra Army Depot's potable wells are located no less than 8.5 miles from the western edge of the proposed municipal water well field. Pumpage and export of groundwater on the Nevada side of the Honey Lake Valley in excess of the amount of recharge attributable to waters incident upon the Nevada side of the basin could impact the quality of the water in depot potable wells. There exists to the northwest of these potable wells a large body of non-potable groundwater. The proposed municipal water well field is located generally to the southeast of the potable wells. It is likely that the level of extraction that would occur if all of the applications are approved would be of such magnitude as to cause the southeastern migration of the non-potable waters to the area where depot wells are located. This installation has shown beneficial use of the potable groundwater resource for over 40 years. If the quality of the water drops, the entire potable water supply would be lost and the depot would cease to function.

3. The mission at Sierra Army Depot is of a strategic nature and disruption of depot activities could seriously impair the ability of the U.S. Army to support the defense of the United States of America.

4. Much of the surface of Sierra Army Depot is fine grained materials. In the southern portion of the depot, the predominant surface soil is referred to as "blow sand" and the middle and northern lands (except

Skedaddle Mountain) are silts from the old lake bottom (alkaline). On 11 July 1989 in Carson City, Nevada, the U.S.G.S. released preliminary findings of the study they have been conducting on the Honey Lake Basin. Under the scenario of 15,000 acre ft/year of exportation out of the basin, very little groundwater will remain to support evapotranspiration, 9% instead of the 42% which is available today. This along with the predicted drop in the static groundwater elevation would eliminate most of the vegetation on the installation. The loss of the vegetation would allow for the sand dunes to migrate and the silts to contaminate the air. A significant loss in air quality would result. The loss of our vegetative cover due to overdrafting of the groundwater resource is not acceptable.

5. The predicted drop in the static groundwater elevation at 15,000 acre ft per year of exportation was shown by the U.S.G.S. to have a possible impact of up to 100 ft in the area associated with our potable wells. The resulting loss in production would require that the Army construct at least one new well to support our current demands. As it stands today during peak demand periods, depot wells can barely maintain sufficient production.

6. Sierra Army Depot respectfully requests that the permitting of the domestic water well field be deferred until the following things occur.

a. The completion of the U.S.G.S. study that is currently underway.

b. The development of a Honey Lake Valley Groundwater Management District on the California side.

c. Agreement between the Nevada State Engineer, the State of California, and Lassen County, as to a

"safe yield" for exportation of groundwaters out of the basin. Safe yield being that amount of extraction that does not adversely impact the quality of our well water, the production capacity of our wells, and the surface vegetation on the Sierra Army Depot.

d. A bi-state study of the water quality and potential impacts of exportation on that quality much like the U.S.G.S. study that is currently underway for water quantity.

Therefore the protestant requests that the application be denied and that an order be entered for such relief as the State Engineer deems just and proper."

Application 53427 was timely protested by the Sierra Army Depot on the following grounds:¹

"Application 53,427 requests to change the type of use of the 1.7 c.f.s. under permit 45,025 from Irrigation to Municipal. Sierra Army Depot considers 53,427 to be part of the effort to export Honey Lake Valley groundwater out of the basin and objects to approval of the application based on the following points.

1. Nevada's groundwater extractions in the Honey Lake Basin should not exceed Nevada's recharge, and deliberation by the State Engineer on 53,427 or any other proposal to further develop groundwater resources in the Honey Lake Groundwater Basin should be deferred until the U.S.G.S. Study is completed and considered concurrently with all other pending applications to ensure that overdraft does not occur.

2. Sierra Army Depot's potable wells are located no less than 8.5 miles from the western edge of the proposed municipal water well field. Pumpage and export of groundwater on the Nevada side of the Honey Lake Valley in excess of the amount of recharge attributable to waters incident upon the Nevada side of

the basin could impact the quality of the water in depot potable wells. There exists to the northwest of these potable wells a large body of non-potable groundwater. The proposed municipal water well field is located generally to the southeast of the potable wells. It is likely that the level of extraction that would occur if all of the applications are approved would be of such magnitude as to cause the southeastern migration of the non-potable waters to the area where depot wells are located. This installation has shown beneficial use of the potable groundwater resource for over 40 years. If the quality of the water drops, the entire potable water supply would be lost and the depot would cease to function.

3. The mission at Sierra Army Depot is of a strategic nature and disruption of depot activities could seriously impair the ability of the U.S. Army to support the defense of the United States of America.

4. Much of the surface of Sierra Army Depot is fine grained materials. In the southern portion of the depot, the predominant surface soil is referred to as "blow sand" and the middle and northern lands (except Skedaddle Mountain) are silts from the old lake bottom (alkaline). On 11 July 1989 in Carson City, Nevada, the U.S.G.S. released preliminary findings of the study they have been conducting on the Honey Lake Basin. Under the scenario of 15,000 acre ft/year of exportation out of the basin, very little groundwater will remain to support evapotranspiration, 9% instead of the 42% which is available today. This along with the predicted drop in the static groundwater elevation would eliminate most of the vegetation on the installation. The loss of the vegetation would allow for the sand dunes to migrate and the silts to contaminate the air. A significant loss in air quality

would result. The loss of our vegetative cover due to overdrafting of the groundwater resource is not acceptable.

5. The predicted drop in the static groundwater elevation at 15,000 acre ft per year of exportation was shown by the U.S.G.S. to have a possible impact of up to 100 ft in the area associated with our potable wells. The resulting loss in production would require that the Army construct at least one new well to support our current demands. As it stands today during peak demand periods, depot wells can barely maintain sufficient production.

6. Sierra Army Depot respectfully requests that the permitting of the domestic water well field be deferred until the following things occur.

a. The completion of the U.S.G.S. study that is currently underway.

b. The development of a Honey Lake Valley Groundwater Management District on the California side.

c. Agreement between the Nevada State Engineer, the State of California, and Lassen County, as to a "safe yield" for exportation of groundwaters out of the basin. Safe yield being that amount of extraction that does not adversely impact the quality of our well water, the production capacity of our wells, and the surface vegetation on the Sierra Army Depot.

d. A bi-state study of the water quality and potential impacts of exportation on that quality much like the U.S.G.S. study that is currently underway for water quantity.

Therefore the protestant requests that the application be denied and that an order be entered for such relief as the State

Engineer deems just and proper."

Application 53432 was timely protested by the Sierra Army Depot on the following grounds:¹

"Application 53,432 requests to change the type of use of the 1.7 c.f.s. under permit 39,899 from Irrigation to Municipal. Sierra Army Depot considers 53,432 to be part of the effort to export Honey Lake Valley groundwater out of the basin and objects to approval of the application based on the following points.

1. Nevada's groundwater extractions in the Honey Lake Basin should not exceed Nevada's recharge, and deliberation by the State Engineer on 53,432 or any other proposal to further develop groundwater resources in the Honey Lake Groundwater Basin should be deferred until the U.S.G.S. Study is completed and considered concurrently with all other pending applications to ensure that overdraft does not occur.

2. Sierra Army Depot's potable wells are located no less than 8.5 miles from the western edge of the proposed municipal water well field. Pumpage and export of groundwater on the Nevada side of the Honey Lake Valley in excess of the amount of recharge attributable to waters incident upon the Nevada side of the basin could impact the quality of the water in depot potable wells. There exists to the northwest of these potable wells a large body of non-potable groundwater. The proposed municipal water well field is located generally to the southeast of the potable wells. It is likely that the level of extraction that would occur if all of the applications are approved would be of such magnitude as to cause the southeastern migration of the non-potable waters to the area where depot wells are located. This installation has shown beneficial use of the potable groundwater resource for over 40 years. If the quality of the water drops, the

entire potable water supply would be lost and the depot would cease to function.

3. The mission at Sierra Army Depot is of a strategic nature and disruption of depot activities could seriously impair the ability of the U.S. Army to support the defense of the United States of America.

4. Much of the surface of Sierra Army Depot is fine grained materials. In the southern portion of the depot, the predominant surface soil is referred to as "blow sand" and the middle and northern lands (except Skedaddle Mountain) are silts from the old lake bottom (alkaline). On 11 July 1989 in Carson City, Nevada, the U.S.G.S. released preliminary findings of the study they have been conducting on the Honey Lake Basin. Under the scenario of 15,000 acre ft/year of exportation out of the basin, very little groundwater will remain to support evapotranspiration, 9% instead of the 42% which is available today. This along with the predicted drop in the static groundwater elevation would eliminate most of the vegetation on the installation. The loss of the vegetation would allow for the sand dunes to migrate and the silts to contaminate the air. A significant loss in air quality would result. The loss of our vegetative cover due to overdrafting of the groundwater resource is not acceptable.

5. The predicted drop in the static groundwater elevation at 15,000 acre ft per year of exportation was shown by the U.S.G.S. to have a possible impact of up to 100 ft in the area associated with our potable wells. The resulting loss in production would require that the Army construct at least one new well to support our current demands. As it stands today during peak demand periods, depot wells can barely maintain sufficient production.

6. Sierra Army Depot respectfully requests that the permitting of the domestic water well field be deferred until the following things occur.

a. The completion of the U.S.G.S. study that is currently underway.

b. The development of a Honey Lake Valley Groundwater Management District on the California side.

c. Agreement between the Nevada State Engineer, the State of California, and Lassen County, as to a "safe yield" for exportation of groundwaters out of the basin. Safe yield being that amount of extraction that does not adversely impact the quality of our well water, the production capacity of our wells, and the surface vegetation on the Sierra Army Depot.

d. A bi-state study of the water quality and potential impacts of exportation on that quality much like the U.S.G.S. study that is currently underway for water quantity.

Therefore the protestant requests that the application be denied and that an order be entered for such relief as the State Engineer deems just and proper."

Applications 53407, 53409, 53410, 53411, 53412, 53414, 53415, 53416, 53417, 53418, 53423, 53424, 53425, 53426, 53427 and 53432 were timely protested by the Pyramid Lake Paiute Tribe of Indians on the following grounds:¹

1. Application Numbers 53407, 53409, 53410, 53411, 53412, 53414, 53415, 53416, 53417, 53418, 53423, 53424, 53425, 53426, 53427 and 53432 are deficient and should be denied. On information and belief the alleged water rights have not been exercised, utilized or perfected in accordance with state law and therefore cannot be changed to a different place of use or manner of use. The proper course and procedure is to seek to amend

these applications or these permits for the alleged existing rights.

2. Granting or approving Application Numbers 53407, 53409, 53410, 53411, 53412, 53414, 53415, 53416, 53417, 53418, 53423, 53424, 53425, 53426, 53427 and 53432 would be detrimental to the public welfare in that it would: (i) be likely to jeopardize the continued existence of Pyramid Lake's two principal fish, the endangered cui-ui and the threatened Lahontan cutthroat trout; (ii) prevent or interfere with the conservation of those endangered and threatened species in violation of both federal and state law; (iii) take or harm those threatened and endangered species; (iv) adversely affect the recreational value of Pyramid Lake; (v) interfere with the purposes for which the Pyramid Lake Indian Reservation was established; and (vi) further degrade the water quality of the Truckee River.

3. Granting or approving Application Numbers 53407, 53409, 53410, 53411, 53412, 53414, 53415, 53416, 53417, 53418, 53423, 53424, 53425, 53426, 53427 and 53432 would threaten to prove detrimental to the public interest if the implementation of the Honey Lake Water Importation Project is not coordinated and integrated with the outcome of the Truckee River Settlement negotiations and the implementation of the May 23, 1989 Preliminary Settlement Agreement between the Pyramid Lake Paiute Tribe and the Sierra Pacific Power Company.

4. Granting or approving Application Numbers 53407, 53409, 53410, 53411, 53412, 53414, 53415, 53416, 53417, 53418, 53423, 53424, 53425, 53426, 53427 and 53432 along with other pending applications involving the utilization of groundwater from the Honey Lake Basin in Nevada would exceed the safe yield of the Basin and result in the permanent depletion or mining of groundwater resources in violation of Nevada law.

5. There is not sufficient unappropriated groundwater in the Honey Lake Basin in Nevada to provide the water sought in Application Numbers 53407, 53409, 53410, 53411, 53412, 53414, 53415, 53416, 53417, 53418, 53423, 53424, 53425, 53426, 53427 and 53432 and all other pending applications involving the utilization of surface and groundwater from that Basin.

6. Granting or approving Application Numbers 53407, 53409, 53410, 53411, 53412, 53414, 53415, 53416, 53417, 53418, 53423, 53424, 53425, 53426, 53427 and 53432 would conflict with the prior and paramount reserved water rights of the Pyramid Lake Paiute Tribe to the groundwater underlying the Smoke Creek Desert portion of the Pyramid Lake Indian Reservation.

7. The duty of water sought in Application Numbers 53407, 53409, 53410, 53411, 53412, 53414, 53415, 53416, 53417, 53418, 53423, 53424, 53425, 53426, 53427 and 53432 are excessive and would adversely affect the groundwater underlying the Smoke Creek Desert portion of the Pyramid Lake Indian Reservation.

8. The Pyramid Lake Paiute Tribe of Indians will be adversely affected if Application Numbers 53407, 53409, 53410, 53411, 53412, 53414, 53415, 53416, 53417, 53418, 53423, 53424, 53425, 53426, 53427 and 53432 are granted because: (i) the endangered and threatened species inhabiting Pyramid Lake and the recreational value of Pyramid Lake would be adversely affected; (ii) the Tribe's prior and paramount reserved water rights would be impaired or violated.

Therefore the protestant requests that these above referenced applications be denied and that an order be entered for such relief as the State Engineer deems just and proper.

Applications 53407, 53409, 53410, 53411, 53412, 53414, 53415, 53416, 53417, 53418, 53423, 53424, 53425, 53426, 53427

and 53432 were timely protested by County of Lassen, California on the following grounds:¹

"Lassen County protests, pursuant to Nevada Law, water appropriation applications numbered 53406 to 53434 filed by Washoe County on June 23, 1989 totaling approximately 29,000 acre feet per year. The purpose of these applications are to develop groundwater resources in the Honey Lake Basin with the intent to export water to the Reno area for municipal and industrial uses. Our protest is based on available data that indicates that these applications represent an appropriation that would clearly and substantially be in excess of the safe yield of the Honey Lake Basin. Lassen County bases this position largely in reference to the report, Groundwater Availability in Honey Lake Valley, Washoe County, Nevada; William F. Guyton Associates, Inc., August 1987, and preliminary results of the United States Geological Survey presented at a quarterly meeting on July 18, 1989, in Carson City, Nevada, concerning the uncompleted Honey Lake Basin Study. Lassen County's position on the matter of groundwater exportation continues to be as expressed in our testimony presented before the Nevada Public Service Commission (Docket No. 89-107) with reference to the Sierra Pacific Water Resources Plan.

Exportation of groundwater from the Honey Lake Basin should not be considered until an adequate level of data and analysis of the groundwater resource from a quantity and quality standpoint has been developed that is satisfactory to both states and Lassen County. Such data should be adequate to establish a safe yield amount that could be exported that will not be detrimental and adverse to Lassen County.

Following are specific points of protest relative to potential adverse effects on Lassen County that could

result from the granting of the referenced applications:

- 1) Reduction of groundwater recharge
- 2) Water table drawdown
- 3) Basin-wide reduction of natural evapotranspiration resulting in impacts including: Desiccation of natural vegetation; reduction in livestock forage; reduction in wildlife habitat, species numbers, diversity and population levels; reduction in natural surface flow from springs and streams
- 4) Hydraulic gradient influence
- 5) Change in rate and direction of underflow in consolidated and unconsolidated subsurface material along the entire basin boundary and between the states
- 6) Groundwater quality through interception of natural discharge and groundwater drafting through pumping
- 7) Drawing of poor quality water toward production wells and pulling poor quality water from the Sierra Army Depot, thereby reducing water quality for beneficial uses including the Army Depot and others within Lassen County
- 8) Adverse changes to geothermal reservoirs including Wendel/Amedee KGRA (Known Geothermal Resource Area)

As referenced in Lassen County's testimony filed with the Nevada Public Service Commission on May 16, 1989, specific conclusions in the Guyton report (1987) substantiate Lassen County's concern with the amount of any export from the Honey Lake Basin. Our points of protest refer to the following excerpts from that report:

"Based on data now available, it is estimated that from about 5,000 acre feet per year to possibly 10,000

acre feet per year of water can be obtained from Honey Lake Valley on a long-term basis. While additional data need to be obtained, the results obtained from the additional work that is proposed for Honey Lake Valley would have to be very favorable to show that 10,000 acre feet of water is available on a long-term basis."

"...there is a limit as to how much natural discharge can be intercepted by pumping without causing an unacceptable amount of the poor quality water to move into the area of good quality water around the edge of the basin."

Furthermore, the USGS reported preliminary results of the Honey Lake Basin study at their quarterly meeting on July 18, 1989, which indicate that under a scenario of drafting and exporting 15,000 acre feet of groundwater from the Honey Lake Basin a substantial lowering (approximately 100 feet) of the groundwater table and resulting desiccation of the natural vegetation would result. It was also predicted that such pumping would induce an increase (from approximately 3% to 5%) in the proportion of the total inflow to the Nevada portion of the Honey Lake Basin from Lassen County.

Lassen County recognizes that the USGS study, pursuant to the Tripartite Agreement for the Cooperative Investigation of the Honey Lake Groundwater Basin, has not been completed and the filing for water appropriation applications by Washoe County has not been respective of the target completion of April 1990 nor the results of the study.

The granting of the referenced permit applications, or any portion thereof, prior to full evaluation and understanding of the potential impacts on the groundwater resources of the basin and establishment of

appropriate mechanisms to manage the interstate groundwater resources of the Honey Lake Basin on an equitable apportionment/safe yield basis, will be counterproductive to efforts that have been made by the States of Nevada and California and Lassen County to resolve the very serious conflicts associated with these interstate water matters.

Lassen County respectfully requests that consideration of the referenced applications be held in abeyance pursuant to the moratorium established with the tripartite agreement and that the applications be considered only after an adequate level of technical and environmental analysis has been conducted to evaluate the effects of the proposal and in a public hearing forum.

Therefore the protestant requests that these applications be denied and that an order be entered for such relief as the State Engineer deems just and proper."

Applications 53407, 53409, 53410, 53411, 53412, 53414, 53415, 53416, 53417, 53418, 53423, 53424, 53425, 53426, 53427 and 53432 were timely protested by the Board of Supervisors of the County of Modoc, State of California on the following grounds:¹

"Potential adverse impacts to the water resources, water basins, economy, citizens and environmental resources of Modoc and Lassen Counties, as described in Exhibit "A" attached hereto and incorporated by reference herein.

In 1986 Modoc County filed protests in the matter of sixteen applications filed by Washoe County to appropriate water in interstate ground water basins, in connection with the Silver State Water Project. Although it has been reported (but not confirmed as requested) that Washoe County has withdrawn its appropriation applications within the Surprise Valley

Basin, Modoc County hereby protests, pursuant to Nevada Water Law, appropriation applications numbered 53406 through 53434 filed by Washoe County on June 23, 1989, totalling approximately 29 acre-feet per year.

Modoc County protests the referenced applications for the following reasons:

1. That the appropriation of water in Honey Lake Valley represents a portion of the Silver State Project which has the potential to cause detrimental impacts to the citizens, economy and resources of Modoc County. No appropriation applications which represent any portion of the Silver State project should be approved until the environmental and social impacts of the entire project are analyzed and mitigated. Modoc County continues to maintain that pending applications in Duck Flat and Long Valley may cause adverse impacts due to the interconnection of these basins with the Surprise Valley basin, and the interdependency of citizens of Modoc County on the resources of Surprise Valley and portions of Washoe County which are not constrained by political boundaries, as discussed in the protests on file with the Nevada State Engineers Office for pending applications filed in 1986, incorporated herein by reference.

2. In support of the protection of the resources of Lassen County and the State of California against detrimental impacts as stated in the letter from Hughes deMartimprey, Chairman, Lassen County Board of Supervisors, to Peter G. Morros dated September 27, 1989 attached hereto.

3. To emphasize that no action should be taken until the U.S.G.S. Honey Lake Basin study is complete, all data has been evaluated, and concurrence on a safe yield export amount is reached by the States of California and Nevada and Lassen County.

Therefore the protestant requests that these applications be denied and that an order be entered for such relief as the State Engineer deems just and proper."

Applications 53407, 53409, 53410, 53411, 53412, 53414, 53415, 53416, 53417, 53418, 53423, 53424, 53425, 53426, 53427 and 53432 were timely protested by California Department of Fish and Game on the following grounds:¹

The subject 29 applications by Washoe County (numbers 53406 through 53434) for permission to change the manner and place of use of a total of 37,401.78 acre-feet of water from irrigation and domestic use within Honey Lake Valley to municipal use outside the valley. Export of such a quantity of water would lower the water table in Honey Lake Valley, threatening existing springs which provide water critical to the survival of wildlife in California.

Therefore the protestant requests that these applications be denied and that an order be entered for such relief as the State Engineer deems just and proper.

Applications 53407, 53409, 53410, 53411, 53412, 53414, 53415, 53416, 53417, 53418, 53423, 53424, 53425, 53426, 53427 and 53432 were timely protested by Cities of Reno and Sparks on the following grounds:¹

"In accordance with NRS 533.370(3), upon information and belief, it is the position of the cities of Reno and Sparks, Nevada that granting by the State Engineer of the subject applications together with other similar pending applications, may prove highly detrimental to the public interest, to wit:

1. Introduction to the Truckee Meadows at this time of large quantities of water of unknown quality may seriously threaten and impair the existing and future water quality of the Truckee River, which is the

main source of safe drinking water for residents of the cities of Reno and Sparks.

2. Introduction to the Truckee Meadows at this time of large quantities of water of unknown quality may seriously impact both operations and maintenance at either or both the Reno-Sparks Wastewater Treatment Facility and the Reno-Stead Wastewater Treatment Facility (both of which are municipally owned wastewater treatment facilities costing tens of millions of dollars to construct, operate and maintain.)

3. Introduction to the Truckee Meadows at this time of large quantities of water of unknown quality may seriously increase the risk of NPDES permit discharge violations by the operators of the referenced wastewater treatment facilities and the large financial costs associated with any such violations.

4. Introduction to the Truckee Meadows at this time of large quantities of water of unknown quality may seriously increase the risk of harm to endangered and threatened species in Pyramid Lake or to other fauna, flora or fish dependent upon the water of the Truckee River and therefore lead to a demand for costly modifications and/or additions to one or both of the municipally owned and operated wastewater treatment facilities referenced herein.

5. The proposed place of use described in the subject applications are inconsistent with public media statements attributed to the applicant's agent (Western Water Development Company, Inc.), thus suggesting these applications are either incomplete or in error.

6. The subject applications merely indicates the proposed manner of use for the subject waters will be municipal. Since a large water purveyor already serves

substantial portions of the north and south Truckee Meadows, critical, detailed information on the actual uses to which the subject water will be placed must be made know and carefully evaluated to insure proper coordination with and/or integration into the existing complex water distribution system in the Truckee Meadows. Key questions relating to the introduction of this large quantity of unknown water, as the same may relate to furtherance of the public interest, include will such water be available to meet drought conditions by residents of the cities of Reno and Sparks, will it be available for toxic spill protection, etc.?

The cities of Reno and Sparks believe a public hearing on these subject applications, together with all related, similar pending applications, would be in the public interest.

Therefore the protestant requests that these applications be denied and that an order be entered for such relief as the State Engineer deems just and proper."

III.

Application 53413 was filed on June 23, 1989 by Washoe County to change the place and manner of use of 5.4 c.f.s. of water from an underground source heretofore appropriated under Application 50089. The proposed use is for municipal purposes within the T.15N., R.18E.; that portion of Section 1 lying outside of the natural drainage basin of Lake Tahoe. T.15N., R.19E.; Section 4 excluding the SE1/4. Sections 5 and 8. That portion of Sections 6, 7 and the N1/2 of the N1/2 of Section 18 lying outside of the natural drainage basin of Lake Tahoe. T.16N., R.18E.; that portion of Sections 1, 5, 6, 12, 13, 24, 25 and 36 lying outside of the natural drainage basin of Lake Tahoe, and excluding any portion of the W1/2 of the W1/2 and the W1/2 of the E1/2 of the W1/2 of Section 6. T.16N., R.19E.; all, excluding that portion of Sections 6, 7, 18, 19 and 30 lying

within the natural drainage basin of Lake Tahoe, and excluding the S1/2 of Section 35 and the NE1/4 and the SE1/4 and the SW1/4 of Section 36. T.16N., R.20E.; Sections 2 through 11 inclusive. Section 15 through 20 inclusive. Section 30. The N1/2 of Section 1. Portions of the SW1/4 of the NW1/4 and the NW1/4 of the SW1/4 of Section 14. T.17N., R.18E.; all excluding the W1/2 of the W1/2 and the W1/2 of the E1/2 of the W1/2 of Sections 6, 7, 18, 19, 30 and 31, and excluding that portion of Sections 22, 23, 26, 27, 32, 33, 34, 35 and 36 lying within the natural drainage basin of Lake Tahoe. T.17N., R.19E.; all, excepting that portion of Section 31 lying within the natural drainage basin of Lake Tahoe. T.17N., R.20E.; all. T.17N., R.21E.; the W1/2 of Section 7. Section 18. T.18N., R.18E.; all, excluding the W1/2 of Sections 6, 7, 18, 19, 30 and 31. T.18N., R.19E.; all. T.18N., R.20E.; all, excluding Section 1 and the E1/2 of Section 36. T.18N., R.21E.; Sections 7, 18 and 19. T.19N., R.18E.; all, excluding the W1/2 of Sections 6, 7, 18, 19, 30 and 31. T.19N., R.19E.; all. T.19N., R.20E.; all, excluding Sections 24, 25 and 36 and the portion of Section 13 south of the Truckee River. T.19N., R.21E.; Sections 3 through 9 inclusive. The portions of Sections 1, 2, 10, 11, 15, 16, 17 and 18 north of the Truckee River. T.19N., R.22E.; The portion of Section 6 north of the Truckee River. T.20N., R.18E.; all, excluding the W1/2 and the W1/2 of the W1/2 of the E1/2 of Sections 6, 7, 18, 19, 30 and 31. T.20N., R.19-21E.; all. T.20N., R.22E.; all, excluding Section 36 and the portions of Sections 24, 25, 26, 28, 29, 31, 32, 33, 34 and 35 south and/or east of the Truckee River. T.20N., R.23E.; Sections 1 through 12 inclusive. Sections 15, 16, 17 and 18. The portions of Sections 13, 14, 19, 20, 21, 22 and 23 north of the Truckee River. T.20N., R.24E.; Sections 1 through 7 inclusive. The portions of Sections 8, 9, 17 and 18 north of the Truckee River. T.20N., R.25E.; Section 6. The NW1/4 and a portion of the NW1/4 of the NE1/4 and a portion of the NE1/4 of the SW1/4 and the W1/2 of the SW1/4 of Section 5. T.21N., R.18E.; all, excluding the W1/2 and the W1/2 of the E1/2 of Sections 6, 7, 18, 19, 30 and 31. T.21N., R.19-24E.; all.

T.21N., R.25E.; Sections 4, 5, 6, 7, 8, 9, 17, 18, 19, 30 and 31. A portion of the SW1/4 of the SW1/4 and a portion of the SW1/4 of the NW1/4 and a portion of the NW1/4 of the SW1/4 of Section 3. A portion of the W1/2 of the W1/2 of Section 10. A portion of the NW1/4 of the NW1/4 of Section 15. The NE1/4 and the NW1/4 and the SW1/4 and the NW1/4 of the SE1/4 and a portion of the SW1/4 of the SE1/4 and a portion of the NE1/4 of the SE1/4 of Section 16. A portion of the N1/2 of the N1/2 and the W1/2 of the SW1/4 and a portion of the SW1/4 of the NW1/4 of Section 20. The W1/2 and the W1/2 of the E1/2 of Sections 29 and 32. T.22N., R.18E.; that portion of Sections 12, 13, 14, 15, 16, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 31, 32, 33, 34, 35 and 36 lying within the natural drainage basin of Cold Spring Valley and Lemmon Valley. T.22N., R.19E.; that portion of Sections 7, 8, 16, 17, 18, 19, 20, 21, 27, 28, 29, 30, 31, 32, 33 and 34 lying within the natural drainage basin of Lemmon Valley. The proposed point of diversion is described as being within the NE1/4 NW1/4 Section 35, T.26N., R.18E., M.D.B.&M.¹

Application 53419 was filed on June 23, 1989 by Washoe County to change the place and manner of use of 1.9 c.f.s. of water from an underground source heretofore appropriated under Application 53326. The proposed use is for municipal purposes within the T.15N., R.18E.; that portion of Section 1 lying outside of the natural drainage basin of Lake Tahoe. T.15N., R.19E.; Section 4 excluding the SE1/4. Sections 5 and 8. That portion of Sections 6, 7 and the N1/2 of the N1/2 of Section 18 lying outside of the natural drainage basin of Lake Tahoe. T.16N., R.18E.; that portion of Sections 1, 5, 6, 12, 13, 24, 25 and 36 lying outside of the natural drainage basin of Lake Tahoe, and excluding any portion of the W1/2 of the W1/2 and the W1/2 of the E1/2 of the W1/2 of Section 6. T.16N., R.19E.; all, excluding that portion of Sections 6, 7, 18, 19 and 30 lying within the natural drainage basin of Lake Tahoe, and excluding the S1/2 of Section 35 and the NE1/4 and the SE1/4 and the SW1/4 of Section 36. T.16N., R.20E.; Sections 2 through 11 inclusive. Section 15 through 20 inclusive. Section 30. The N1/2 of

Section 1. Portions of the SW1/4 of the NW1/4 and the NW1/4 of the SW1/4 of Section 14. T.17N., R.18E.; all excluding the W1/2 of the W1/2 and the W1/2 of the E1/2 of the W1/2 of Sections 6, 7, 18, 19, 30 and 31, and excluding that portion of Sections 22, 23, 26, 27, 32, 33, 34, 35 and 36 lying within the natural drainage basin of Lake Tahoe. T.17N., R.19E.; all, excepting that portion of Section 31 lying within the natural drainage basin of Lake Tahoe. T.17N., R.20E.; all. T.17N., R.21E.; the W1/2 of Section 7. Section 18. T.18N., R.18E.; all, excluding the W1/2 of Sections 6, 7, 18, 19, 30 and 31. T.18N., R.19E.; all. T.18N., R.20E.; all, excluding Section 1 and the E1/2 of Section 36. T.18N., R.21E.; Sections 7, 18 and 19. T.19N., R.18E.; all, excluding the W1/2 of Sections 6, 7, 18, 19, 30 and 31. T.19N., R.19E.; all. T.19N., R.20E.; all, excluding Sections 24, 25 and 36 and the portion of Section 13 south of the Truckee River. T.19N., R.21E.; Sections 3 through 9 inclusive. The portions of Sections 1, 2, 10, 11, 15, 16, 17 and 18 north of the Truckee River. T.19N., R.22E.; The portion of Section 6 north of the Truckee River. T.20N., R.18E.; all, excluding the W1/2 and the W1/2 of the W1/2 of the E1/2 of Sections 6, 7, 18, 19, 30 and 31. T.20N., R.19-21E.; all. T.20N., R.22E.; all, excluding Section 36 and the portions of Sections 24, 25, 26, 28, 29, 31, 32, 33, 34 and 35 south and/or east of the Truckee River. T.20N., R.23E.; Sections 1 through 12 inclusive. Sections 15, 16, 17 and 18. The portions of Sections 13, 14, 19, 20, 21, 22 and 23 north of the Truckee River. T.20N., R.24E.; Sections 1 through 7 inclusive. The portions of Sections 8, 9, 17 and 18 north of the Truckee River. T.20N., R.25E.; Section 6. The NW1/4 and a portion of the NW1/4 of the NE1/4 and a portion of the NE1/4 of the SW1/4 and the W1/2 of the SW1/4 of Section 5. T.21N., R.18E.; all, excluding the W1/2 and the W1/2 of the E1/2 of Sections 6, 7, 18, 19, 30 and 31. T.21N., R.19-24E.; all. T.21N., R.25E.; Sections 4, 5, 6, 7, 8, 9, 17, 18, 19, 30 and 31. A portion of the SW1/4 of the SW1/4 and a portion of the SW1/4 of the NW1/4 and a portion of the NW1/4 of the SW1/4 of Section 3. A portion of the W1/2 of the W1/2 of Section 10. A portion of

the NW1/4 of the NW1/4 of Section 15. The NE1/4 and the NW1/4 and the SW1/4 and the NW1/4 of the SE1/4 and a portion of the SW1/4 of the SE1/4 and a portion of the NE1/4 of the SE1/4 of Section 16. A portion of the N1/2 of the N1/2 and the W1/2 of the SW1/4 and a portion of the SW1/4 of the NW1/4 of Section 20. The W1/2 and the W1/2 of the E1/2 of Sections 29 and 32. T.22N., R.18E.; that portion of Sections 12, 13, 14, 15, 16, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 31, 32, 33, 34, 35 and 36 lying within the natural drainage basin of Cold Spring Valley and Lemmon Valley. T.22N., R.19E.; that portion of Sections 7, 8, 16, 17, 18, 19, 20, 21, 27, 28, 29, 30, 31, 32, 33 and 34 lying within the natural drainage basin of Lemmon Valley. The proposed point of diversion is described as being within the NE1/4 SW1/4 Section 25, T.26N., R.18E., M.D.B.&M.¹

Application 53420 was filed on June 23, 1989 by Washoe County to change the place and manner of use of 6.0 c.f.s. of water from an underground source heretofore appropriated under Application 50087. The proposed use is for municipal purposes within the T.15N., R.18E.; that portion of Section 1 lying outside of the natural drainage basin of Lake Tahoe. T.15N., R.19E.; Section 4 excluding the SE1/4. Sections 5 and 8. That portion of Sections 6, 7 and the N1/2 of the N1/2 of Section 18 lying outside of the natural drainage basin of Lake Tahoe. T.16N., R.18E.; that portion of Sections 1, 5, 6, 12, 13, 24, 25 and 36 lying outside of the natural drainage basin of Lake Tahoe, and excluding any portion of the W1/2 of the W1/2 and the W1/2 of the E1/2 of the W1/2 of Section 6. T.16N., R.19E.; all, excluding that portion of Sections 6, 7, 18, 19 and 30 lying within the natural drainage basin of Lake Tahoe, and excluding the S1/2 of Section 35 and the NE1/4 and the SE1/4 and the SW1/4 of Section 36. T.16N., R.20E.; Sections 2 through 11 inclusive. Section 15 through 20 inclusive. Section 30. The N1/2 of Section 1. Portions of the SW1/4 of the NW1/4 and the NW1/4 of the SW1/4 of Section 14. T.17N., R.18E.; all excluding the W1/2 of the W1/2 and the W1/2 of the E1/2 of the W1/2 of Sections 6, 7, 18, 19, 30 and 31, and excluding that portion of Sections 22,

23, 26, 27, 32, 33, 34, 35 and 36 lying within the natural drainage basin of Lake Tahoe. T.17N., R.19E.; all, excepting that portion of Section 31 lying within the natural drainage basin of Lake Tahoe. T.17N., R.20E.; all. T.17N., R.21E.; the W1/2 of Section 7. Section 18. T.18N., R.18E.; all, excluding the W1/2 of Sections 6, 7, 18, 19, 30 and 31. T.18N., R.19E.; all. T.18N., R.20E.; all, excluding Section 1 and the E1/2 of Section 36. T.18N., R.21E.; Sections 7, 18 and 19. T.19N., R.18E.; all, excluding the W1/2 of Sections 6, 7, 18, 19, 30 and 31. T.19N., R.19E.; all. T.19N., R.20E.; all, excluding Sections 24, 25 and 36 and the portion of Section 13 south of the Truckee River. T.19N., R.21E.; Sections 3 through 9 inclusive. The portions of Sections 1, 2, 10, 11, 15, 16, 17 and 18 north of the Truckee River. T.19N., R.22E.; The portion of Section 6 north of the Truckee River. T.20N., R.18E.; all, excluding the W1/2 and the W1/2 of the W1/2 of the E1/2 of Sections 6, 7, 18, 19, 30 and 31. T.20N., R.19-21E.; all. T.20N., R.22E.; all, excluding Section 36 and the portions of Sections 24, 25, 26, 28, 29, 31, 32, 33, 34 and 35 south and/or east of the Truckee River. T.20N., R.23E.; Sections 1 through 12 inclusive. Sections 15, 16, 17 and 18. The portions of Sections 13, 14, 19, 20, 21, 22 and 23 north of the Truckee River. T.20N., R.24E.; Sections 1 through 7 inclusive. The portions of Sections 8, 9, 17 and 18 north of the Truckee River. T.20N., R.25E.; Section 6. The NW1/4 and a portion of the NW1/4 of the NE1/4 and a portion of the NE1/4 of the SW1/4 and the W1/2 of the SW1/4 of Section 5. T.21N., R.18E.; all, excluding the W1/2 and the W1/2 of the E1/2 of Sections 6, 7, 18, 19, 30 and 31. T.21N., R.19-24E.; all. T.21N., R.25E.; Sections 4, 5, 6, 7, 8, 9, 17, 18, 19, 30 and 31. A portion of the SW1/4 of the SW1/4 and a portion of the SW1/4 of the NW1/4 and a portion of the NW1/4 of the SW1/4 of Section 3. A portion of the W1/2 of the W1/2 of Section 10. A portion of the NW1/4 of the NW1/4 of Section 15. The NE1/4 and the NW1/4 and the SW1/4 and the NW1/4 of the SE1/4 and a portion of the SW1/4 of the SE1/4 and a portion of the NE1/4 of the SE1/4 of Section 16. A portion of the N1/2 of the N1/2 and the W1/2 of

the SW1/4 and a portion of the SW1/4 of the NW1/4 of Section 20. The W1/2 and the W1/2 of the E1/2 of Sections 29 and 32. T.22N., R.18E.; that portion of Sections 12, 13, 14, 15, 16, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 31, 32, 33, 34, 35 and 36 lying within the natural drainage basin of Cold Spring Valley and Lemmon Valley. T.22N., R.19E.; that portion of Sections 7, 8, 16, 17, 18, 19, 20, 21, 27, 28, 29, 30, 31, 32, 33 and 34 lying within the natural drainage basin of Lemmon Valley. The proposed point of diversion is described as being within the NW1/4 NW1/4 Section 31, T.26N., R.19E., M.D.B.&M.¹

Application 53422 was filed on June 23, 1989 by Washoe County to change the place and manner of use of 6.0 c.f.s. of water from an underground source heretofore appropriated under Application 50088. The proposed use is for municipal purposes within the T.15N., R.18E.; that portion of Section 1 lying outside of the natural drainage basin of Lake Tahoe. T.15N., R.19E.; Section 4 excluding the SE1/4. Sections 5 and 8. That portion of Sections 6, 7 and the N1/2 of the N1/2 of Section 18 lying outside of the natural drainage basin of Lake Tahoe. T.16N., R.18E.; that portion of Sections 1, 5, 6, 12, 13, 24, 25 and 36 lying outside of the natural drainage basin of Lake Tahoe, and excluding any portion of the W1/2 of the W1/2 and the W1/2 of the E1/2 of the W1/2 of Section 6. T.16N., R.19E.; all, excluding that portion of Sections 6, 7, 18, 19 and 30 lying within the natural drainage basin of Lake Tahoe, and excluding the S1/2 of Section 35 and the NE1/4 and the SE1/4 and the SW1/4 of Section 36. T.16N., R.20E.; Sections 2 through 11 inclusive. Section 15 through 20 inclusive. Section 30. The N1/2 of Section 1. Portions of the SW1/4 of the NW1/4 and the NW1/4 of the SW1/4 of Section 14. T.17N., R.18E.; all excluding the W1/2 of the W1/2 and the W1/2 of the E1/2 of the W1/2 of Sections 6, 7, 18, 19, 30 and 31, and excluding that portion of Sections 22, 23, 26, 27, 32, 33, 34, 35 and 36 lying within the natural drainage basin of Lake Tahoe. T.17N., R.19E.; all, excepting that portion of Section 31 lying within the natural drainage basin of Lake Tahoe. T.17N., R.20E.; all. T.17N., R.21E.; the

W1/2 of Section 7. Section 18. T.18N., R.18E.; all, excluding the W1/2 of Sections 6, 7, 18, 19, 30 and 31. T.18N., R.19E.; all. T.18N., R.20E.; all, excluding Section 1 and the E1/2 of Section 36. T.18N., R.21E.; Sections 7, 18 and 19. T.19N., R.18E.; all, excluding the W1/2 of Sections 6, 7, 18, 19, 30 and 31. T.19N., R.19E.; all. T.19N., R.20E.; all, excluding Sections 24, 25 and 36 and the portion of Section 13 south of the Truckee River. T.19N., R.21E.; Sections 3 through 9 inclusive. The portions of Sections 1, 2, 10, 11, 15, 16, 17 and 18 north of the Truckee River. T.19N., R.22E.; The portion of Section 6 north of the Truckee River. T.20N., R.18E.; all, excluding the W1/2 and the W1/2 of the W1/2 of the E1/2 of Sections 6, 7, 18, 19, 30 and 31. T.20N., R.19-21E.; all. T.20N., R.22E.; all, excluding Section 36 and the portions of Sections 24, 25, 26, 28, 29, 31, 32, 33, 34 and 35 south and/or east of the Truckee River. T.20N., R.23E.; Sections 1 through 12 inclusive. Sections 15, 16, 17 and 18. The portions of Sections 13, 14, 19, 20, 21, 22 and 23 north of the Truckee River. T.20N., R.24E.; Sections 1 through 7 inclusive. The portions of Sections 8, 9, 17 and 18 north of the Truckee River. T.20N., R.25E.; Section 6. The NW1/4 and a portion of the NW1/4 of the NE1/4 and a portion of the NE1/4 of the SW1/4 and the W1/2 of the SW1/4 of Section 5. T.21N., R.18E.; all, excluding the W1/2 and the W1/2 of the E1/2 of Sections 6, 7, 18, 19, 30 and 31. T.21N., R.19-24E.; all. T.21N., R.25E.; Sections 4, 5, 6, 7, 8, 9, 17, 18, 19, 30 and 31. A portion of the SW1/4 of the SW1/4 and a portion of the SW1/4 of the NW1/4 and a portion of the NW1/4 of the SW1/4 of Section 3. A portion of the W1/2 of the W1/2 of Section 10. A portion of the NW1/4 of the NW1/4 of Section 15. The NE1/4 and the NW1/4 and the SW1/4 and the NW1/4 of the SE1/4 and a portion of the SW1/4 of the SE1/4 and a portion of the NE1/4 of the SE1/4 of Section 16. A portion of the N1/2 of the N1/2 and the W1/2 of the SW1/4 and a portion of the SW1/4 of the NW1/4 of Section 20. The W1/2 and the W1/2 of the E1/2 of Sections 29 and 32. T.22N., R.18E.; that portion of Sections 12, 13, 14, 15, 16, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 31, 32, 33, 34, 35 and 36 lying

Lemmon Valley. T.22N., R.19E.; that portion of Sections 7, 8, 16, 17, 18, 19, 20, 21, 27, 28, 29, 30, 31, 32, 33 and 34 lying within the natural drainage basin of Lemmon Valley. The proposed point of diversion is described as being within the NE1/4 NW1/4 Section 31, T.26N., R.19E., M.D.B.&M.¹

Application 53428 was filed on June 23, 1989 by Washoe County to change the place and manner of use of 2.7 c.f.s. of water from an underground source heretofore appropriated under Application 50090. The proposed use is for municipal purposes within the T.15N., R.18E.; that portion of Section 1 lying outside of the natural drainage basin of Lake Tahoe. T.15N., R.19E.; Section 4 excluding the SE1/4. Sections 5 and 8. That portion of Sections 6, 7 and the N1/2 of the N1/2 of Section 18 lying outside of the natural drainage basin of Lake Tahoe. T.16N., R.18E.; that portion of Sections 1, 5, 6, 12, 13, 24, 25 and 36 lying outside of the natural drainage basin of Lake Tahoe, and excluding any portion of the W1/2 of the W1/2 and the W1/2 of the E1/2 of the W1/2 of Section 6. T.16N., R.19E.; all, excluding that portion of Sections 6, 7, 18, 19 and 30 lying within the natural drainage basin of Lake Tahoe, and excluding the S1/2 of Section 35 and the NE1/4 and the SE1/4 and the SW1/4 of Section 36. T.16N., R.20E.; Sections 2 through 11 inclusive. Section 15 through 20 inclusive. Section 30. The N1/2 of Section 1. Portions of the SW1/4 of the NW1/4 and the NW1/4 of the SW1/4 of Section 14. T.17N., R.18E.; all excluding the W1/2 of the W1/2 and the W1/2 of the E1/2 of the W1/2 of Sections 6, 7, 18, 19, 30 and 31, and excluding that portion of Sections 22, 23, 26, 27, 32, 33, 34, 35 and 36 lying within the natural drainage basin of Lake Tahoe. T.17N., R.19E.; all, excepting that portion of Section 31 lying within the natural drainage basin of Lake Tahoe. T.17N., R.20E.; all. T.17N., R.21E.; the W1/2 of Section 7. Section 18. T.18N., R.18E.; all, excluding the W1/2 of Sections 6, 7, 18, 19, 30 and 31. T.18N., R.19E.; all. T.18N., R.20E.; all, excluding Section 1 and the E1/2 of Section 36. T.18N., R.21E.; Sections 7, 18 and 19. T.19N., R.18E.; all, excluding the W1/2 of Sections 6, 7, 18, 19, 30 and

31. T.19N., R.19E.; all. T.19N., R.20E.; all, excluding Sections 24, 25 and 36 and the portion of Section 13 south of the Truckee River. T.19N., R.21E.; Sections 3 through 9 inclusive. The portions of Sections 1, 2, 10, 11, 15, 16, 17 and 18 north of the Truckee River. T.19N., R.22E.; The portion of Section 6 north of the Truckee River. T.20N., R.18E.; all, excluding the W1/2 and the W1/2 of the W1/2 of the E1/2 of Sections 6, 7, 18, 19, 30 and 31. T.20N., R.19-21E.; all. T.20N., R.22E.; all, excluding Section 36 and the portions of Sections 24, 25, 26, 28, 29, 31, 32, 33, 34 and 35 south and/or east of the Truckee River. T.20N., R.23E.; Sections 1 through 12 inclusive. Sections 15, 16, 17 and 18. The portions of Sections 13, 14, 19, 20, 21, 22 and 23 north of the Truckee River. T.20N., R.24E.; Sections 1 through 7 inclusive. The portions of Sections 8, 9, 17 and 18 north of the Truckee River. T.20N., R.25E.; Section 6. The NW1/4 and a portion of the NW1/4 of the NE1/4 and a portion of the NE1/4 of the SW1/4 and the W1/2 of the SW1/4 of Section 5. T.21N., R.18E.; all, excluding the W1/2 and the W1/2 of the E1/2 of Sections 6, 7, 18, 19, 30 and 31. T.21N., R.19-24E.; all. T.21N., R.25E.; Sections 4, 5, 6, 7, 8, 9, 17, 18, 19, 30 and 31. A portion of the SW1/4 of the SW1/4 and a portion of the SW1/4 of the NW1/4 and a portion of the NW1/4 of the SW1/4 of Section 3. A portion of the W1/2 of the W1/2 of Section 10. A portion of the NW1/4 of the NW1/4 of Section 15. The NE1/4 and the NW1/4 and the SW1/4 and the NW1/4 of the SE1/4 and a portion of the SW1/4 of the SE1/4 and a portion of the NE1/4 of the SE1/4 of Section 16. A portion of the N1/2 of the N1/2 and the W1/2 of the SW1/4 and a portion of the SW1/4 of the NW1/4 of Section 20. The W1/2 and the W1/2 of the E1/2 of Sections 29 and 32. T.22N., R.18E.; that portion of Sections 12, 13, 14, 15, 16, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 31, 32, 33, 34, 35 and 36 lying within the natural drainage basin of Cold Spring Valley and Lemmon Valley. T.22N., R.19E.; that portion of Sections 7, 8, 16, 17, 18, 19, 20, 21, 27, 28, 29, 30, 31, 32, 33 and 34 lying within the natural drainage basin of Lemmon Valley. The proposed point of diversion is described as being within the NW1/4 NE1/4

Section 16, T.26N., R.19E., M.D.B.&M.¹

Application 54134 was filed on November 1, 1989 by Washoe County to change the place and manner of use of 0.78 c.f.s. of water from an underground source heretofore appropriated under Application 53888. The proposed use is for municipal purposes within the T.15N., R.18E.; that portion of Section 1 lying outside of the natural drainage basin of Lake Tahoe. T.15N., R.19E.; Section 4 excluding the SE1/4. Sections 5 and 8. That portion of Sections 6, 7 and the N1/2 of the N1/2 of Section 18 lying outside of the natural drainage basin of Lake Tahoe. T.16N., R.18E.; that portion of Sections 1, 5, 6, 12, 13, 24, 25 and 36 lying outside of the natural drainage basin of Lake Tahoe, and excluding any portion of the W1/2 of the W1/2 and the W1/2 of the E1/2 of the W1/2 of Section 6. T.16N., R.19E.; all, excluding that portion of Sections 6, 7, 18, 19 and 30 lying within the natural drainage basin of Lake Tahoe, and excluding the S1/2 of Section 35 and the NE1/4 and the SE1/4 and the SW1/4 of Section 36. T.16N., R.20E.; Sections 2 through 11 inclusive. Section 15 through 20 inclusive. Section 30. The N1/2 of Section 1. Portions of the SW1/4 of the NW1/4 and the NW1/4 of the SW1/4 of Section 14. T.17N., R.18E.; all excluding the W1/2 of the W1/2 and the W1/2 of the E1/2 of the W1/2 of Sections 6, 7, 18, 19, 30 and 31, and excluding that portion of Sections 22, 23, 26, 27, 32, 33, 34, 35 and 36 lying within the natural drainage basin of Lake Tahoe. T.17N., R.19E.; all, excepting that portion of Section 31 lying within the natural drainage basin of Lake Tahoe. T.17N., R.20E.; all. T.17N., R.21E.; the W1/2 of Section 7. Section 18. T.18N., R.18E.; all, excluding the W1/2 of Sections 6, 7, 18, 19, 30 and 31. T.18N., R.19E.; all. T.18N., R.20E.; all, excluding Section 1 and the E1/2 of Section 36. T.18N., R.21E.; Sections 7, 18 and 19. T.19N., R.18E.; all, excluding the W1/2 of Sections 6, 7, 18, 19, 30 and 31. T.19N., R.19E.; all. T.19N., R.20E.; all, excluding Sections 24, 25 and 36 and the portion of Section 13 south of the Truckee River. T.19N., R.21E.; Sections 3 through 9 inclusive. The portions of Sections 1, 2, 10, 11, 15, 16, 17 and 18 north of

the Truckee River. T.19N., R.22E.; The portion of Section 6 north of the Truckee River. T.20N., R.18E.; all, excluding the W1/2 and the W1/2 of the W1/2 of the E1/2 of Sections 6, 7, 18, 19, 30 and 31. T.20N., R.19-21E.; all. T.20N., R.22E.; all, excluding Section 36 and the portions of Sections 24, 25, 26, 28, 29, 31, 32, 33, 34 and 35 south and/or east of the Truckee River. T.20N., R.23E.; Sections 1 through 12 inclusive. Sections 15, 16, 17 and 18. The portions of Sections 13, 14, 19, 20, 21, 22 and 23 north of the Truckee River. T.20N., R.24E.; Sections 1 through 7 inclusive. The portions of Sections 8, 9, 17 and 18 north of the Truckee River. T.20N., R.25E.; Section 6. The NW1/4 and a portion of the NW1/4 of the NE1/4 and a portion of the NE1/4 of the SW1/4 and the W1/2 of the SW1/4 of Section 5. T.21N., R.18E.; all, excluding the W1/2 and the W1/2 of the E1/2 of Sections 6, 7, 18, 19, 30 and 31. T.21N., R.19-24E.; all. T.21N., R.25E.; Sections 4, 5, 6, 7, 8, 9, 17, 18, 19, 30 and 31. A portion of the SW1/4 of the SW1/4 and a portion of the SW1/4 of the NW1/4 and a portion of the NW1/4 of the SW1/4 of Section 3. A portion of the W1/2 of the W1/2 of Section 10. A portion of the NW1/4 of the NW1/4 of Section 15. The NE1/4 and the NW1/4 and the SW1/4 and the NW1/4 of the SE1/4 and a portion of the SW1/4 of the SE1/4 and a portion of the NE1/4 of the SE1/4 of Section 16. A portion of the N1/2 of the N1/2 and the W1/2 of the SW1/4 and a portion of the SW1/4 of the NW1/4 of Section 20. The W1/2 and the W1/2 of the E1/2 of Sections 29 and 32. T.22N., R.18E.; that portion of Sections 12, 13, 14, 15, 16, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 31, 32, 33, 34, 35 and 36 lying within the natural drainage basin of Cold Spring Valley and Lemmon Valley. T.22N., R.19E.; that portion of Sections 7, 8, 16, 17, 18, 19, 20, 21, 27, 28, 29, 30, 31, 32, 33 and 34 lying within the natural drainage basin of Lemmon Valley. The proposed point of diversion is described as being within the NW1/4 SW1/4 Section 10, T.26N., R.19E., M.D.B.&M.¹

Application 54135 was filed on November 1, 1989 by Washoe County to change the place and manner of use of 0.566 c.f.s. of water from an underground source heretofore appropriated under

Application 53889. The proposed use is for municipal purposes within the T.15N., R.18E.; that portion of Section 1 lying outside of the natural drainage basin of Lake Tahoe. T.15N., R.19E.; Section 4 excluding the SE1/4. Sections 5 and 8. That portion of Sections 6, 7 and the N1/2 of the N1/2 of Section 18 lying outside of the natural drainage basin of Lake Tahoe. T.16N., R.18E.; that portion of Sections 1, 5, 6, 12, 13, 24, 25 and 36 lying outside of the natural drainage basin of Lake Tahoe, and excluding any portion of the W1/2 of the W1/2 and the W1/2 of the E1/2 of the W1/2 of Section 6. T.16N., R.19E.; all, excluding that portion of Sections 6, 7, 18, 19 and 30 lying within the natural drainage basin of Lake Tahoe, and excluding the S1/2 of Section 35 and the NE1/4 and the SE1/4 and the SW1/4 of Section 36. T.16N., R.20E.; Sections 2 through 11 inclusive. Section 15 through 20 inclusive. Section 30. The N1/2 of Section 1. Portions of the SW1/4 of the NW1/4 and the NW1/4 of the SW1/4 of Section 14. T.17N., R.18E.; all excluding the W1/2 of the W1/2 and the W1/2 of the E1/2 of the W1/2 of Sections 6, 7, 18, 19, 30 and 31, and excluding that portion of Sections 22, 23, 26, 27, 32, 33, 34, 35 and 36 lying within the natural drainage basin of Lake Tahoe. T.17N., R.19E.; all, excepting that portion of Section 31 lying within the natural drainage basin of Lake Tahoe. T.17N., R.20E.; all. T.17N., R.21E.; the W1/2 of Section 7. Section 18. T.18N., R.18E.; all, excluding the W1/2 of Sections 6, 7, 18, 19, 30 and 31. T.18N., R.19E.; all. T.18N., R.20E.; all, excluding Section 1 and the E1/2 of Section 36. T.18N., R.21E.; Sections 7, 18 and 19. T.19N., R.18E.; all, excluding the W1/2 of Sections 6, 7, 18, 19, 30 and 31. T.19N., R.19E.; all. T.19N., R.20E.; all, excluding Sections 24, 25 and 36 and the portion of Section 13 south of the Truckee River. T.19N., R.21E.; Sections 3 through 9 inclusive. The portions of Sections 1, 2, 10, 11, 15, 16, 17 and 18 north of the Truckee River. T.19N., R.22E.; The portion of Section 6 north of the Truckee River. T.20N., R.18E.; all, excluding the W1/2 and the W1/2 of the W1/2 of the E1/2 of Sections 6, 7, 18, 19, 30 and 31. T.20N., R.19-21E.; all. T.20N., R.22E.; all,

excluding Section 36 and the portions of Sections 24, 25, 26, 28, 29, 31, 32, 33, 34 and 35 south and/or east of the Truckee River. T.20N., R.23E.; Sections 1 through 12 inclusive. Sections 15, 16, 17 and 18. The portions of Sections 13, 14, 19, 20, 21, 22 and 23 north of the Truckee River. T.20N., R.24E.; Sections 1 through 7 inclusive. The portions of Sections 8, 9, 17 and 18 north of the Truckee River. T.20N., R.25E.; Section 6. The NW1/4 and a portion of the NW1/4 of the NE1/4 and a portion of the NE1/4 of the SW1/4 and the W1/2 of the SW1/4 of Section 5. T.21N., R.18E.; all, excluding the W1/2 and the W1/2 of the E1/2 of Sections 6, 7, 18, 19, 30 and 31. T.21N., R.19-24E.; all. T.21N., R.25E.; Sections 4, 5, 6, 7, 8, 9, 17, 18, 19, 30 and 31. A portion of the SW1/4 of the SW1/4 and a portion of the SW1/4 of the NW1/4 and a portion of the NW1/4 of the SW1/4 of Section 3. A portion of the W1/2 of the W1/2 of Section 10. A portion of the NW1/4 of the NW1/4 of Section 15. The NE1/4 and the NW1/4 and the SW1/4 and the NW1/4 of the SE1/4 and a portion of the SW1/4 of the SE1/4 and a portion of the NE1/4 of the SE1/4 of Section 16. A portion of the N1/2 of the N1/2 and the W1/2 of the SW1/4 and a portion of the SW1/4 of the NW1/4 of Section 20. The W1/2 and the W1/2 of the E1/2 of Sections 29 and 32. T.22N., R.18E.; that portion of Sections 12, 13, 14, 15, 16, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 31, 32, 33, 34, 35 and 36 lying within the natural drainage basin of Cold Spring Valley and Lemmon Valley. T.22N., R.19E.; that portion of Sections 7, 8, 16, 17, 18, 19, 20, 21, 27, 28, 29, 30, 31, 32, 33 and 34 lying within the natural drainage basin of Lemmon Valley. The proposed point of diversion is described as being within the NW1/4 NW1/4 Section 29, T.26N., R.19E., M.D.B.&M.¹

Application 54136 was filed on November 1, 1989 by Washoe County to change the place and manner of use of 1.568 c.f.s. of water from an underground source heretofore appropriated under Application 53890. The proposed use is for municipal purposes within the T.15N., R.18E.; that portion of Section 1 lying outside of the natural drainage basin of Lake Tahoe. T.15N., R.19E.; Section 4 excluding the SE1/4. Sections 5 and 8. That

portion of Sections 6, 7 and the N1/2 of the N1/2 of Section 18 lying outside of the natural drainage basin of Lake Tahoe. T.16N., R.18E.; that portion of Sections 1, 5, 6, 12, 13, 24, 25 and 36 lying outside of the natural drainage basin of Lake Tahoe, and excluding any portion of the W1/2 of the W1/2 and the W1/2 of the E1/2 of the W1/2 of Section 6. T.16N., R.19E.; all, excluding that portion of Sections 6, 7, 18, 19 and 30 lying within the natural drainage basin of Lake Tahoe, and excluding the S1/2 of Section 35 and the NE1/4 and the SE1/4 and the SW1/4 of Section 36. T.16N., R.20E.; Sections 2 through 11 inclusive. Section 15 through 20 inclusive. Section 30. The N1/2 of Section 1. Portions of the SW1/4 of the NW1/4 and the NW1/4 of the SW1/4 of Section 14. T.17N., R.18E.; all excluding the W1/2 of the W1/2 and the W1/2 of the E1/2 of the W1/2 of Sections 6, 7, 18, 19, 30 and 31, and excluding that portion of Sections 22, 23, 26, 27, 32, 33, 34, 35 and 36 lying within the natural drainage basin of Lake Tahoe. T.17N., R.19E.; all, excepting that portion of Section 31 lying within the natural drainage basin of Lake Tahoe. T.17N., R.20E.; all. T.17N., R.21E.; the W1/2 of Section 7. Section 18. T.18N., R.18E.; all, excluding the W1/2 of Sections 6, 7, 18, 19, 30 and 31. T.18N., R.19E.; all. T.18N., R.20E.; all, excluding Section 1 and the E1/2 of Section 36. T.18N., R.21E.; Sections 7, 18 and 19. T.19N., R.18E.; all, excluding the W1/2 of Sections 6, 7, 18, 19, 30 and 31. T.19N., R.19E.; all. T.19N., R.20E.; all, excluding Sections 24, 25 and 36 and the portion of Section 13 south of the Truckee River. T.19N., R.21E.; Sections 3 through 9 inclusive. The portions of Sections 1, 2, 10, 11, 15, 16, 17 and 18 north of the Truckee River. T.19N., R.22E.; The portion of Section 6 north of the Truckee River. T.20N., R.18E.; all, excluding the W1/2 and the W1/2 of the W1/2 of the E1/2 of Sections 6, 7, 18, 19, 30 and 31. T.20N., R.19-21E.; all. T.20N., R.22E.; all, excluding Section 36 and the portions of Sections 24, 25, 26, 28, 29, 31, 32, 33, 34 and 35 south and/or east of the Truckee River. T.20N., R.23E.; Sections 1 through 12 inclusive. Sections 15, 16, 17 and 18. The portions of Sections 13, 14, 19, 20, 21, 22

and 23 north of the Truckee River. T.20N., R.24E.; Sections 1 through 7 inclusive. The portions of Sections 8, 9, 17 and 18 north of the Truckee River. T.20N., R.25E.; Section 6. The NW1/4 and a portion of the NW1/4 of the NE1/4 and a portion of the NE1/4 of the SW1/4 and the W1/2 of the SW1/4 of Section 5. T.21N., R.18E.; all, excluding the W1/2 and the W1/2 of the E1/2 of Sections 6, 7, 18, 19, 30 and 31. T.21N., R.19-24E.; all. T.21N., R.25E.; Sections 4, 5, 6, 7, 8, 9, 17, 18, 19, 30 and 31. A portion of the SW1/4 of the SW1/4 and a portion of the SW1/4 of the NW1/4 and a portion of the NW1/4 of the SW1/4 of Section 3. A portion of the W1/2 of the W1/2 of Section 10. A portion of the NW1/4 of the NW1/4 of Section 15. The NE1/4 and the NW1/4 and the SW1/4 and the NW1/4 of the SE1/4 and a portion of the SW1/4 of the SE1/4 and a portion of the NE1/4 of the SE1/4 of Section 16. A portion of the N1/2 of the N1/2 and the W1/2 of the SW1/4 and a portion of the SW1/4 of the NW1/4 of Section 20. The W1/2 and the W1/2 of the E1/2 of Sections 29 and 32. T.22N., R.18E.; that portion of Sections 12, 13, 14, 15, 16, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 31, 32, 33, 34, 35 and 36 lying within the natural drainage basin of Cold Spring Valley and Lemmon Valley. T.22N., R.19E.; that portion of Sections 7, 8, 16, 17, 18, 19, 20, 21, 27, 28, 29, 30, 31, 32, 33 and 34 lying within the natural drainage basin of Lemmon Valley. The proposed point of diversion is described as being within the NW1/4 NW1/4 Section 29, T.26N., R.19E., M.D.B.&M.¹

Application 54137 was filed on November 1, 1989 by Washoe County to change the place and manner of use of 1.0 c.f.s. of water from an underground source heretofore appropriated under Application 53891. The proposed use is for municipal purposes within the T.15N., R.18E.; that portion of Section 1 lying outside of the natural drainage basin of Lake Tahoe. T.15N., R.19E.; Section 4 excluding the SE1/4. Sections 5 and 8. That portion of Sections 6, 7 and the N1/2 of the N1/2 of Section 18 lying outside of the natural drainage basin of Lake Tahoe. T.16N., R.18E.; that portion of Sections 1, 5, 6, 12, 13, 24, 25 and 36 lying outside of the natural drainage basin of Lake Tahoe,

and excluding any portion of the W1/2 of the W1/2 and the W1/2 of the E1/2 of the W1/2 of Section 6. T.16N., R.19E.; all, excluding that portion of Sections 6, 7, 18, 19 and 30 lying within the natural drainage basin of Lake Tahoe, and excluding the S1/2 of Section 35 and the NE1/4 and the SE1/4 and the SW1/4 of Section 36. T.16N., R.20E.; Sections 2 through 11 inclusive. Section 15 through 20 inclusive. Section 30. The N1/2 of Section 1. Portions of the SW1/4 of the NW1/4 and the NW1/4 of the SW1/4 of Section 14. T.17N., R.18E.; all excluding the W1/2 of the W1/2 and the W1/2 of the E1/2 of the W1/2 of Sections 6, 7, 18, 19, 30 and 31, and excluding that portion of Sections 22, 23, 26, 27, 32, 33, 34, 35 and 36 lying within the natural drainage basin of Lake Tahoe. T.17N., R.19E.; all, excepting that portion of Section 31 lying within the natural drainage basin of Lake Tahoe. T.17N., R.20E.; all. T.17N., R.21E.; the W1/2 of Section 7. Section 18. T.18N., R.18E.; all, excluding the W1/2 of Sections 6, 7, 18, 19, 30 and 31. T.18N., R.19E.; all. T.18N., R.20E.; all, excluding Section 1 and the E1/2 of Section 36. T.18N., R.21E.; Sections 7, 18 and 19. T.19N., R.18E.; all, excluding the W1/2 of Sections 6, 7, 18, 19, 30 and 31. T.19N., R.19E.; all. T.19N., R.20E.; all, excluding Sections 24, 25 and 36 and the portion of Section 13 south of the Truckee River. T.19N., R.21E.; Sections 3 through 9 inclusive. The portions of Sections 1, 2, 10, 11, 15, 16, 17 and 18 north of the Truckee River. T.19N., R.22E.; The portion of Section 6 north of the Truckee River. T.20N., R.18E.; all, excluding the W1/2 and the W1/2 of the W1/2 of the E1/2 of Sections 6, 7, 18, 19, 30 and 31. T.20N., R.19-21E.; all. T.20N., R.22E.; all, excluding Section 36 and the portions of Sections 24, 25, 26, 28, 29, 31, 32, 33, 34 and 35 south and/or east of the Truckee River. T.20N., R.23E.; Sections 1 through 12 inclusive. Sections 15, 16, 17 and 18. The portions of Sections 13, 14, 19, 20, 21, 22 and 23 north of the Truckee River. T.20N., R.24E.; Sections 1 through 7 inclusive. The portions of Sections 8, 9, 17 and 18 north of the Truckee River. T.20N., R.25E.; Section 6. The NW1/4 and a portion of the NW1/4 of the NE1/4 and a portion of

the NE1/4 of the SW1/4 and the W1/2 of the SW1/4 of Section 5. T.21N., R.18E.; all, excluding the W1/2 and the W1/2 of the E1/2 of Sections 6, 7, 18, 19, 30 and 31. T.21N., R.19-24E.; all. T.21N., R.25E.; Sections 4, 5, 6, 7, 8, 9, 17, 18, 19, 30 and 31. A portion of the SW1/4 of the SW1/4 and a portion of the SW1/4 of the NW1/4 and a portion of the NW1/4 of the SW1/4 of Section 3. A portion of the W1/2 of the W1/2 of Section 10. A portion of the NW1/4 of the NW1/4 of Section 15. The NE1/4 and the NW1/4 and the SW1/4 and the NW1/4 of the SE1/4 and a portion of the SW1/4 of the SE1/4 and a portion of the NE1/4 of the SE1/4 of Section 16. A portion of the N1/2 of the N1/2 and the W1/2 of the SW1/4 and a portion of the SW1/4 of the NW1/4 of Section 20. The W1/2 and the W1/2 of the E1/2 of Sections 29 and 32. T.22N., R.18E.; that portion of Sections 12, 13, 14, 15, 16, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 31, 32, 33, 34, 35 and 36 lying within the natural drainage basin of Cold Spring Valley and Lemmon Valley. T.22N., R.19E.; that portion of Sections 7, 8, 16, 17, 18, 19, 20, 21, 27, 28, 29, 30, 31, 32, 33 and 34 lying within the natural drainage basin of Lemmon Valley. The proposed point of diversion is described as being within the NE1/4 SW1/4 Section 25, T.26N., R.18E., M.D.B.&M.¹

Application 54138 was filed on November 1, 1989 by Washoe County to change the place and manner of use of 0.786 c.f.s. of water from an underground source heretofore appropriated under Application 53892. The proposed use is for municipal purposes within the T.15N., R.18E.; that portion of Section 1 lying outside of the natural drainage basin of Lake Tahoe. T.15N., R.19E.; Section 4 excluding the SE1/4. Sections 5 and 8. That portion of Sections 6, 7 and the N1/2 of the N1/2 of Section 18 lying outside of the natural drainage basin of Lake Tahoe. T.16N., R.18E.; that portion of Sections 1, 5, 6, 12, 13, 24, 25 and 36 lying outside of the natural drainage basin of Lake Tahoe, and excluding any portion of the W1/2 of the W1/2 and the W1/2 of the E1/2 of the W1/2 of Section 6. T.16N., R.19E.; all, excluding that portion of Sections 6, 7, 18, 19 and 30 lying within the natural drainage basin of Lake Tahoe, and excluding

the S1/2 of Section 35 and the NE1/4 and the SE1/4 and the SW1/4 of Section 36. T.16N., R.20E.; Sections 2 through 11 inclusive. Section 15 through 20 inclusive. Section 30. The N1/2 of Section 1. Portions of the SW1/4 of the NW1/4 and the NW1/4 of the SW1/4 of Section 14. T.17N., R.18E.; all excluding the W1/2 of the W1/2 and the W1/2 of the E1/2 of the W1/2 of Sections 6, 7, 18, 19, 30 and 31, and excluding that portion of Sections 22, 23, 26, 27, 32, 33, 34, 35 and 36 lying within the natural drainage basin of Lake Tahoe. T.17N., R.19E.; all, excepting that portion of Section 31 lying within the natural drainage basin of Lake Tahoe. T.17N., R.20E.; all. T.17N., R.21E.; the W1/2 of Section 7. Section 18. T.18N., R.18E.; all, excluding the W1/2 of Sections 6, 7, 18, 19, 30 and 31. T.18N., R.19E.; all. T.18N., R.20E.; all, excluding Section 1 and the E1/2 of Section 36. T.18N., R.21E.; Sections 7, 18 and 19. T.19N., R.18E.; all, excluding the W1/2 of Sections 6, 7, 18, 19, 30 and 31. T.19N., R.19E.; all. T.19N., R.20E.; all, excluding Sections 24, 25 and 36 and the portion of Section 13 south of the Truckee River. T.19N., R.21E.; Sections 3 through 9 inclusive. The portions of Sections 1, 2, 10, 11, 15, 16, 17 and 18 north of the Truckee River. T.19N., R.22E.; The portion of Section 6 north of the Truckee River. T.20N., R.18E.; all, excluding the W1/2 and the W1/2 of the W1/2 of the E1/2 of Sections 6, 7, 18, 19, 30 and 31. T.20N., R.19-21E.; all. T.20N., R.22E.; all, excluding Section 36 and the portions of Sections 24, 25, 26, 28, 29, 31, 32, 33, 34 and 35 south and/or east of the Truckee River. T.20N., R.23E.; Sections 1 through 12 inclusive. Sections 15, 16, 17 and 18. The portions of Sections 13, 14, 19, 20, 21, 22 and 23 north of the Truckee River. T.20N., R.24E.; Sections 1 through 7 inclusive. The portions of Sections 8, 9, 17 and 18 north of the Truckee River. T.20N., R.25E.; Section 6. The NW1/4 and a portion of the NW1/4 of the NE1/4 and a portion of the NE1/4 of the SW1/4 and the W1/2 of the SW1/4 of Section 5. T.21N., R.18E.; all, excluding the W1/2 and the W1/2 of the E1/2 of Sections 6, 7, 18, 19, 30 and 31. T.21N., R.19-24E.; all. T.21N., R.25E.; Sections 4, 5, 6, 7, 8, 9, 17, 18, 19, 30 and 31.

A portion of the SW1/4 of the SW1/4 and a portion of the SW1/4 of the NW1/4 and a portion of the NW1/4 of the SW1/4 of Section 3. A portion of the W1/2 of the W1/2 of Section 10. A portion of the NW1/4 of the NW1/4 of Section 15. The NE1/4 and the NW1/4 and the SW1/4 and the NW1/4 of the SE1/4 and a portion of the SW1/4 of the SE1/4 and a portion of the NE1/4 of the SE1/4 of Section 16. A portion of the N1/2 of the N1/2 and the W1/2 of the SW1/4 and a portion of the SW1/4 of the NW1/4 of Section 20. The W1/2 and the W1/2 of the E1/2 of Sections 29 and 32. T.22N., R.18E.; that portion of Sections 12, 13, 14, 15, 16, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 31, 32, 33, 34, 35 and 36 lying within the natural drainage basin of Cold Spring Valley and Lemmon Valley. T.22N., R.19E.; that portion of Sections 7, 8, 16, 17, 18, 19, 20, 21, 27, 28, 29, 30, 31, 32, 33 and 34 lying within the natural drainage basin of Lemmon Valley. The proposed point of diversion is described as being within the NW1/4 SE1/4 Section 26, T.26N., R.18E., M.D.B.&M.¹

IV.

Application 53413 was timely protested by the Sierra Army Depot on the following grounds:¹

"Application 50,089 was filed on 18, August 1986 by Fish Springs Ranch Ltd. to change the point of diversion (POD) of 5.4 c.f.s. of groundwater under Permit 38,545 for Irrigation of 861 acres and is currently pending action by the Nevada State Engineer under protest. Application 53,413 requests to change the type of use of the 5.4 c.f.s. pending action under 50,089 from Irrigation to Municipal. Sierra Army Depot considers 53,413 to be part of the effort to export Honey Lake Valley groundwater out of the basin and objects to approval of the application based on the following points.

1. Nevada's groundwater extractions in the Honey Lake Basin should not exceed Nevada's recharge, and deliberation by the State Engineer on 53,413 or any

other proposal to further develop groundwater resources in the Honey Lake Groundwater Basin should be deferred until the U.S.G.S. Study is completed and considered concurrently with all other pending applications to ensure that overdraft does not occur.

2. Sierra Army Depot's potable wells are located no less than 8.5 miles from the western edge of the proposed municipal water well field. Pumpage and export of groundwater on the Nevada side of the Honey Lake Valley in excess of the amount of recharge attributable to waters incident upon the Nevada side of the basin could impact the quality of the water in depot potable wells. There exists to the northwest of these potable wells a large body of non-potable groundwater. The proposed municipal water well field is located generally to the southeast of the potable wells. It is likely that the level of extraction that would occur if all of the applications are approved would be of such magnitude as to cause the southeastern migration of the non-potable waters to the area where depot wells are located. This installation has shown beneficial use of the potable groundwater resource for over 40 years. If the quality of the water drops, the entire potable water supply would be lost and the depot would cease to function.

3. The mission at Sierra Army Depot is of a strategic nature and disruption of depot activities could seriously impair the ability of the U.S. Army to support the defense of the United States of America.

4. Much of the surface of Sierra Army Depot is fine grained materials. In the southern portion of the depot, the predominant surface soil is referred to as "blow sand" and the middle and northern lands (except Skedaddle Mountain) are silts from the old lake bottom (alkaline). On 11 July 1989 in Carson City, Nevada,

the U.S.G.S. released preliminary findings of the study they have been conducting on the Honey Lake Basin. Under the scenario of 15,000 acre ft/year of exportation out of the basin, very little groundwater will remain to support evapotranspiration, 9% instead of the 42% which is available today. This along with the predicted drop in the static groundwater elevation would eliminate most of the vegetation on the installation. The loss of the vegetation would allow for the sand dunes to migrate and the silts to contaminate the air. A significant loss in air quality would result. The loss of our vegetative cover due to overdrafting of the groundwater resource is not acceptable.

5. The predicted drop in the static groundwater elevation at 15,000 acre ft per year of exportation was shown by the U.S.G.S. to have a possible impact of up to 100 ft in the area associated with our potable wells. The resulting loss in production would require that the Army construct at least one new well to support our current demands. As it stands today during peak demand periods, depot wells can barely maintain sufficient production.

6. Sierra Army Depot respectfully requests that the permitting of the domestic water well field be deferred until the following things occur.

a. The completion of the U.S.G.S. study that is currently underway.

b. The development of a Honey Lake Valley Groundwater Management District on the California side.

c. Agreement between the Nevada State Engineer, the State of California, and Lassen County, as to a "safe yield" for exportation of groundwaters out of the basin. Safe yield being that amount of extraction that

does not adversely impact the quality of our well water, the production capacity of our wells, and the surface vegetation on the Sierra Army Depot.

d. A bi-state study of the water quality and potential impacts of exportation on that quality much like the U.S.G.S. study that is currently underway for water quantity.

Therefore the protestant requests that the application be denied and that an order be entered for such relief as the State Engineer deems just and proper."

Application 53419 was timely protested by the Sierra Army Depot on the following grounds:¹

"Application 53,326 was filed on 30 May 1989 by Northwest Water Resources Ltd to change the point of diversion (POD) of 1.9 c.f.s. of groundwater for irrigation of 110 acres and is currently pending action by the Nevada State Engineer and is under protest. Application 53,419 requests to change the type of use of the 1.9 c.f.s. pending action under 53,326 from Irrigation to Municipal. Sierra Army Depot considers 53,419 to be part of the effort to export Honey Lake Valley groundwater out of the basin and objects to approval of the application based on the following points.

1. Nevada's groundwater extractions in the Honey Lake Basin should not exceed Nevada's recharge, and deliberation by the State Engineer on 53,419 or any other proposal to further develop groundwater resources in the Honey Lake Groundwater Basin should be deferred until the U.S.G.S. Study is completed and considered concurrently with all other pending applications to ensure that overdraft does not occur.

2. Sierra Army Depot's potable wells are located no less than 8.5 miles from the western edge of the

proposed municipal water well field. Pumpage and export of groundwater on the Nevada side of the Honey Lake Valley in excess of the amount of recharge attributable to waters incident upon the Nevada side of the basin could impact the quality of the water in depot potable wells. There exists to the northwest of these potable wells a large body of non-potable groundwater. The proposed municipal water well field is located generally to the southeast of the potable wells. It is likely that the level of extraction that would occur if all of the applications are approved would be of such magnitude as to cause the southeastern migration of the non-potable waters to the area where depot wells are located. This installation has shown beneficial use of the potable groundwater resource for over 40 years. If the quality of the water drops, the entire potable water supply would be lost and the depot would cease to function.

3. The mission at Sierra Army Depot is of a strategic nature and disruption of depot activities could seriously impair the ability of the U.S. Army to support the defense of the United States of America.

4. Much of the surface of Sierra Army Depot is fine grained materials. In the southern portion of the depot, the predominant surface soil is referred to as "blow sand" and the middle and northern lands (except Skedaddle Mountain) are silts from the old lake bottom (alkaline). On 11 July 1989 in Carson City, Nevada, the U.S.G.S. released preliminary findings of the study they have been conducting on the Honey Lake Basin. Under the scenario of 15,000 acre ft/year of exportation out of the basin, very little groundwater will remain to support evapotranspiration, 9% instead of the 42% which is available today. This along with the predicted drop in the static groundwater elevation

would eliminate most of the vegetation on the installation. The loss of the vegetation would allow for the sand dunes to migrate and the silts to contaminate the air. A significant loss in air quality would result. The loss of our vegetative cover due to overdrafting of the groundwater resource is not acceptable.

5. The predicted drop in the static groundwater elevation at 15,000 acre ft per year of exportation was shown by the U.S.G.S. to have a possible impact of up to 100 ft in the area associated with our potable wells. The resulting loss in production would require that the Army construct at least one new well to support our current demands. As it stands today during peak demand periods, depot wells can barely maintain sufficient production.

6. Sierra Army Depot respectfully requests that the permitting of the domestic water well field be deferred until the following things occur.

a. The completion of the U.S.G.S. study that is currently underway.

b. The development of a Honey Lake Valley Groundwater Management District on the California side.

c. Agreement between the Nevada State Engineer, the State of California, and Lassen County, as to a "safe yield" for exportation of groundwaters out of the basin. Safe yield being that amount of extraction that does not adversely impact the quality of our well water, the production capacity of our wells, and the surface vegetation on the Sierra Army Depot.

d. A bi-state study of the water quality and potential impacts of exportation on that quality much like the U.S.G.S. study that is currently underway for water quantity.

Therefore the protestant requests that the application be denied and that an order be entered for such relief as the State Engineer deems just and proper."

Application 53420 was timely protested by the Sierra Army Depot on the following grounds:¹

"Application 50,087 was filed on 18, August 1986 by Fish Springs Ranch Ltd. to change the point of diversion (POD) of 6.0 c.f.s. of groundwater under Permit 38,546 for Irrigation of 861 acres and is currently pending action by the Nevada State Engineer under protest. Application 53,420 requests to change the type of use of the 6.0 c.f.s. pending action under 50,087 from Irrigation to Municipal. Sierra Army Depot considers 53,420 to be part of the effort to export Honey Lake Valley groundwater out of the basin and objects to approval of the application based on the following points.

1. Nevada's groundwater extractions in the Honey Lake Basin should not exceed Nevada's recharge, and deliberation by the State Engineer on 53,420 or any other proposal to further develop groundwater resources in the Honey Lake Groundwater Basin should be deferred until the U.S.G.S. Study is completed and considered concurrently with all other pending applications to ensure that overdraft does not occur.

2. Sierra Army Depot's potable wells are located no less than 8.5 miles from the western edge of the proposed municipal water well field. Pumpage and export of groundwater on the Nevada side of the Honey Lake Valley in excess of the amount of recharge attributable to waters incident upon the Nevada side of the basin could impact the quality of the water in depot potable wells. There exists to the northwest of

these potable wells a large body of non-potable groundwater. The proposed municipal water well field is located generally to the southeast of the potable wells. It is likely that the level of extraction that would occur if all of the applications are approved would be of such magnitude as to cause the southeastern migration of the non-potable waters to the area where depot wells are located. This installation has shown beneficial use of the potable groundwater resource for over 40 years. If the quality of the water drops, the entire potable water supply would be lost and the depot would cease to function.

3. The mission at Sierra Army Depot is of a strategic nature and disruption of depot activities could seriously impair the ability of the U.S. Army to support the defense of the United States of America.

4. Much of the surface of Sierra Army Depot is fine grained materials. In the southern portion of the depot, the predominant surface soil is referred to as "blow sand" and the middle and northern lands (except Skedaddle Mountain) are silts from the old lake bottom (alkaline). On 11 July 1989 in Carson City, Nevada, the U.S.G.S. released preliminary findings of the study they have been conducting on the Honey Lake Basin. Under the scenario of 15,000 acre ft/year of exportation out of the basin, very little groundwater will remain to support evapotranspiration, 9% instead of the 42% which is available today. This along with the predicted drop in the static groundwater elevation would eliminate most of the vegetation on the installation. The loss of the vegetation would allow for the sand dunes to migrate and the silts to contaminate the air. A significant loss in air quality would result. The loss of our vegetative cover due to overdrafting of the groundwater resource is not

acceptable.

5. The predicted drop in the static groundwater elevation at 15,000 acre ft per year of exportation was shown by the U.S.G.S. to have a possible impact of up to 100 ft in the area associated with our potable wells. The resulting loss in production would require that the Army construct at least one new well to support our current demands. As it stands today during peak demand periods, depot wells can barely maintain sufficient production.

6. Sierra Army Depot respectfully requests that the permitting of the domestic water well field be deferred until the following things occur.

a. The completion of the U.S.G.S. study that is currently underway.

b. The development of a Honey Lake Valley Groundwater Management District on the California side.

c. Agreement between the Nevada State Engineer, the State of California, and Lassen County, as to a "safe yield" for exportation of groundwaters out of the basin. Safe yield being that amount of extraction that does not adversely impact the quality of our well water, the production capacity of our wells, and the surface vegetation on the Sierra Army Depot.

d. A bi-state study of the water quality and potential impacts of exportation on that quality much like the U.S.G.S. study that is currently underway for water quantity.

Therefore the protestant requests that the application be denied and that an order be entered for such relief as the State Engineer deems just and proper."

Application 53422 was timely protested by the Sierra Army Depot on the following grounds:¹

"Application 50,088 was filed on 18, August 1986 by Fish Springs Ranch Ltd. to change the point of diversion (POD) of 6.0 c.f.s. of groundwater under Permit 38,547 for Irrigation of 861 acres and is currently pending action by the Nevada State Engineer under protest. Application 53,422 requests to change the type of use of the 6.0 c.f.s. pending action under 50,088 from Irrigation to Municipal. Sierra Army Depot considers 53,422 to be part of the effort to export Honey Lake Valley groundwater out of the basin and objects to approval of the application based on the following points.

1. Nevada's groundwater extractions in the Honey Lake Basin should not exceed Nevada's recharge, and deliberation by the State Engineer on 53,422 or any other proposal to further develop groundwater resources in the Honey Lake Groundwater Basin should be deferred until the U.S.G.S. Study is completed and considered concurrently with all other pending applications to ensure that overdraft does not occur.

2. Sierra Army Depot's potable wells are located no less than 8.5 miles from the western edge of the proposed municipal water well field. Pumpage and export of groundwater on the Nevada side of the Honey Lake Valley in excess of the amount of recharge attributable to waters incident upon the Nevada side of the basin could impact the quality of the water in depot potable wells. There exists to the northwest of these potable wells a large body of non-potable groundwater. The proposed municipal water well field is located generally to the southeast of the potable wells. It is likely that the level of extraction that would occur if all of the applications are approved would be of such magnitude as to cause the southeastern migration of the non-potable waters to the area where

depot wells are located. This installation has shown beneficial use of the potable groundwater resource for over 40 years. If the quality of the water drops, the entire potable water supply would be lost and the depot would cease to function.

3. The mission at Sierra Army Depot is of a strategic nature and disruption of depot activities could seriously impair the ability of the U.S. Army to support the defense of the United States of America.

4. Much of the surface of Sierra Army Depot is fine grained materials. In the southern portion of the depot, the predominant surface soil is referred to as "blow sand" and the middle and northern lands (except Skedaddle Mountain) are silts from the old lake bottom (alkaline). On 11 July 1989 in Carson City, Nevada, the U.S.G.S. released preliminary findings of the study they have been conducting on the Honey Lake Basin. Under the scenario of 15,000 acre ft/year of exportation out of the basin, very little groundwater will remain to support evapotranspiration, 9% instead of the 42% which is available today. This along with the predicted drop in the static groundwater elevation would eliminate most of the vegetation on the installation. The loss of the vegetation would allow for the sand dunes to migrate and the silts to contaminate the air. A significant loss in air quality would result. The loss of our vegetative cover due to overdrafting of the groundwater resource is not acceptable.

5. The predicted drop in the static groundwater elevation at 15,000 acre ft per year of exportation was shown by the U.S.G.S. to have a possible impact of up to 100 ft in the area associated with our potable wells. The resulting loss in production would require

that the Army construct at least one new well to support our current demands. As it stands today during peak demand periods, depot wells can barely maintain sufficient production.

6. Sierra Army Depot respectfully requests that the permitting of the domestic water well field be deferred until the following things occur.

a. The completion of the U.S.G.S. study that is currently underway.

b. The development of a Honey Lake Valley Groundwater Management District on the California side.

c. Agreement between the Nevada State Engineer, the State of California, and Lassen County, as to a "safe yield" for exportation of groundwaters out of the basin. Safe yield being that amount of extraction that does not adversely impact the quality of our well water, the production capacity of our wells, and the surface vegetation on the Sierra Army Depot.

d. A bi-state study of the water quality and potential impacts of exportation on that quality much like the U.S.G.S. study that is currently underway for water quantity.

Therefore the protestant requests that the application be denied and that an order be entered for such relief as the State Engineer deems just and proper."

Application 53428 was timely protested by the Sierra Army Depot on the following grounds:¹

"Application 50,090 was filed on 18, August 1986 by Fish Springs Ranch Ltd. to change the point of diversion (POD) of 2.7 c.f.s. of groundwater under Permit 38,544 for Irrigation of 861 acres and is currently pending action by the Nevada State Engineer under protest. Application 53,428 requests to change

the type of use of the 2.7 c.f.s. pending action under 50,090 from Irrigation to Municipal. Sierra Army Depot considers 53,428 to be part of the effort to export Honey Lake Valley groundwater out of the basin and objects to approval of the application based on the following points.

1. Nevada's groundwater extractions in the Honey Lake Basin should not exceed Nevada's recharge, and deliberation by the State Engineer on 53,428 or any other proposal to further develop groundwater resources in the Honey Lake Groundwater Basin should be deferred until the U.S.G.S. Study is completed and considered concurrently with all other pending applications to ensure that overdraft does not occur.

2. Sierra Army Depot's potable wells are located no less than 8.5 miles from the western edge of the proposed municipal water well field. Pumpage and export of groundwater on the Nevada side of the Honey Lake Valley in excess of the amount of recharge attributable to waters incident upon the Nevada side of the basin could impact the quality of the water in depot potable wells. There exists to the northwest of these potable wells a large body of non-potable groundwater. The proposed municipal water well field is located generally to the southeast of the potable wells. It is likely that the level of extraction that would occur if all of the applications are approved would be of such magnitude as to cause the southeastern migration of the non-potable waters to the area where depot wells are located. This installation has shown beneficial use of the potable groundwater resource for over 40 years. If the quality of the water drops, the entire potable water supply would be lost and the depot would cease to function.

3. The mission at Sierra Army Depot is of a strategic

nature and disruption of depot activities could seriously impair the ability of the U.S. Army to support the defense of the United States of America.

4. Much of the surface of Sierra Army Depot is fine grained materials. In the southern portion of the depot, the predominant surface soil is referred to as "blow sand" and the middle and northern lands (except Skedaddle Mountain) are silts from the old lake bottom (alkaline). On 11 July 1989 in Carson City, Nevada, the U.S.G.S. released preliminary findings of the study they have been conducting on the Honey Lake Basin. Under the scenario of 15,000 acre ft/year of exportation out of the basin, very little groundwater will remain to support evapotranspiration, 9% instead of the 42% which is available today. This along with the predicted drop in the static groundwater elevation would eliminate most of the vegetation on the installation. The loss of the vegetation would allow for the sand dunes to migrate and the silts to contaminate the air. A significant loss in air quality would result. The loss of our vegetative cover due to overdrafting of the groundwater resource is not acceptable.

5. The predicted drop in the static groundwater elevation at 15,000 acre ft per year of exportation was shown by the U.S.G.S. to have a possible impact of up to 100 ft in the area associated with our potable wells. The resulting loss in production would require that the Army construct at least one new well to support our current demands. As it stands today during peak demand periods, depot wells can barely maintain sufficient production.

6. Sierra Army Depot respectfully requests that the permitting of the domestic water well field be deferred until the following things occur.

a. The completion of the U.S.G.S. study that is currently underway.

b. The development of a Honey Lake Valley Groundwater Management District on the California side.

c. Agreement between the Nevada State Engineer, the State of California, and Lassen County, as to a "safe yield" for exportation of groundwaters out of the basin. Safe yield being that amount of extraction that does not adversely impact the quality of our well water, the production capacity of our wells, and the surface vegetation on the Sierra Army Depot.

d. A bi-state study of the water quality and potential impacts of exportation on that quality much like the U.S.G.S. study that is currently underway for water quantity.

Therefore the protestant requests that the application be denied and that an order be entered for such relief as the State Engineer deems just and proper."

Applications 53413, 53419, 53420, 53422 and 53428 were timely protested by the Pyramid Lake Paiute Tribe of Indians on the following grounds:¹

1. Application Numbers 53413, 53419, 53420, 53422 and 53428 are deficient and should be denied. On information and belief the alleged water rights have not been exercised, utilized or perfected in accordance with state law and therefore cannot be changed to a different place of use or manner of use. The proper course and procedure is to seek to amend these applications or these permits for the alleged existing rights.

2. Granting or approving Application Numbers 53413, 53419, 53420, 53422 and 53428 would be detrimental to the public welfare in that it would: (i) be likely to

jeopardize the continued existence of Pyramid Lake's two principal fish, the endangered cui-ui and the threatened Lahontan cutthroat trout; (ii) prevent or interfere with the conservation of those endangered and threatened species in violation of both federal and state law; (iii) take or harm those threatened and endangered species; (iv) adversely affect the recreational value of Pyramid Lake; (v) interfere with the purposes for which the Pyramid Lake Indian Reservation was established; and (vi) further degrade the water quality of the Truckee River.

3. Granting or approving Application Numbers 53413, 53419, 53420, 53422 and 53428 would threaten to prove detrimental to the public interest if the implementation of the Honey Lake Water Importation Project is not coordinated and integrated with the outcome of the Truckee River Settlement negotiations and the implementation of the May 23, 1989 Preliminary Settlement Agreement between the Pyramid Lake Paiute Tribe and the Sierra Pacific Power Company.

4. Granting or approving Application Numbers 53413, 53419, 53420, 53422 and 53428 along with other pending applications involving the utilization of groundwater from the Honey Lake Basin in Nevada would exceed the safe yield of the Basin and result in the permanent depletion or mining of groundwater resources in violation of Nevada law.

5. There is not sufficient unappropriated groundwater in the Honey Lake Basin in Nevada to provide the water sought in Application Numbers 53413, 53419, 53420, 53422 and 53428 and all other pending applications involving the utilization of surface and groundwater from that Basin.

6. Granting or approving Application Numbers 53413, 53419, 53420, 53422 and 53428 would conflict with the

prior and paramount reserved water rights of the Pyramid Lake Paiute Tribe to the groundwater underlying the Smoke Creek Desert portion of the Pyramid Lake Indian Reservation.

7. The duty of water sought in Application Numbers 53413, 53419, 53420, 53422 and 53428 are excessive and would adversely affect the groundwater underlying the Smoke Creek Desert portion of the Pyramid Lake Indian Reservation.

8. The Pyramid Lake Paiute Tribe of Indians will be adversely affected if Application Numbers 53413, 53419, 53420, 53422 and 53428 are granted because: (i) the endangered and threatened species inhabiting Pyramid Lake and the recreational value of Pyramid Lake would be adversely affected; (ii) the Tribe's prior and paramount reserved water rights would be impaired or violated.

Therefore the protestant requests that these above referenced applications be denied and that an order be entered for such relief as the State Engineer deems just and proper.

Applications 53413, 53419, 53420, 53422 and 53428 were timely protested by County of Lassen, California on the following grounds:¹

"Lassen County protests, pursuant to Nevada Law, water appropriation applications numbered 53406 to 53434 filed by Washoe County on June 23, 1989 totaling approximately 29,000 acre feet per year. The purpose of these applications is to develop groundwater resources in the Honey Lake Basin with the intent to export water to the Reno area for municipal and industrial uses. Our protest is based on available data that indicates that these applications represent an appropriation that would clearly and substantially be in excess of the safe yield of the Honey Lake Basin.

Lassen County bases this position largely in reference to the report, Groundwater Availability in Honey Lake Valley, Washoe County, Nevada; William F. Guyton Associates, Inc., August 1987, and preliminary results of the United States Geological Survey presented at a quarterly meeting on July 18, 1989, in Carson City, Nevada, concerning the uncompleted Honey Lake Basin Study. Lassen County's position on the matter of groundwater exportation continues to be as expressed in our testimony presented before the Nevada Public Service Commission (Docket No. 89-107) with reference to the Sierra Pacific Water Resources Plan.

Exportation of groundwater from the Honey Lake Basin should not be considered until an adequate level of data and analysis of the groundwater resource from a quantity and quality standpoint has been developed that is satisfactory to both states and Lassen County. Such data should be adequate to establish a safe yield amount that could be exported that will not be detrimental and adverse to Lassen County.

Following are specific points of protest relative to potential adverse effects on Lassen County that could result from the granting of the referenced applications:

- 1) Reduction of groundwater recharge
- 2) Water table drawdown
- 3) Basin-wide reduction of natural evapotranspiration resulting in impacts including: Desiccation of natural vegetation; reduction in livestock forage; reduction in wildlife habitat, species numbers, diversity and population levels; reduction in natural surface flow from springs and streams
- 4) Hydraulic gradient influence
- 5) Change in rate and direction of underflow in consolidated and unconsolidated subsurface

material along the entire basin boundary and between the states

- 6) Groundwater quality through interception of natural discharge and groundwater drafting through pumping
- 7) Drawing of poor quality water toward production wells and pulling poor quality water from the Sierra Army Depot, thereby reducing water quality for beneficial uses including the Army Depot and others within Lassen County
- 8) Adverse changes to geothermal reservoirs including Wendel/Amedee KGRA (Know Geothermal Resource Area) As referenced in Lassen County's testimony filed with the Nevada Public Service Commission on May 16, 1989, specific conclusions in the Guyton report (1987) substantiate Lassen County's concern with the amount of any export from the Honey Lake Basin. Our points of protest refer to the following excerpts from that report:

"Based on data now available, it is estimated that from about 5,000 acre feet per year to possibly 10,000 acre feet per year of water can be obtained from Honey Lake Valley on a long-term basis. While additional data need to be obtained, the results obtained from the additional work that is proposed for Honey Lake Valley would have to be very favorable to show that 10,000 acre feet of water is available on a long-term basis."

"...there is a limit as to how much natural discharge can be intercepted by pumping without causing an unacceptable amount of the poor quality water to move into the area of good quality water around the edge of the basin."

Furthermore, the USGS reported preliminary results of the Honey Lake Basin study at their quarterly meeting

on July 18, 1989, which indicate that under a scenario of drafting and exporting 15,000 acre feet of groundwater from the Honey Lake Basin a substantial lowering (approximately 100 feet) of the groundwater table and resulting desiccation of the natural vegetation would result. It was also predicted that such pumping would induce an increase (from approximately 3% to 5%) in the proportion of the total inflow to the Nevada portion of the Honey Lake Basin from Lassen County.

Lassen County recognizes that the USGS study, pursuant to the Tripartite Agreement for the Cooperative Investigation of the Honey Lake Groundwater Basin, has not been completed and the filing for water appropriation applications by Washoe County has not been respective of the target completion of April 1990 nor the results of the study.

The granting of the referenced permit applications, or any portion thereof, prior to full evaluation and understanding of the potential impacts on the groundwater resources of the basin and establishment of appropriate mechanisms to manage the interstate groundwater resources of the Honey Lake Basin on an equitable apportionment/safe yield basis, will be counterproductive to efforts that have been made by the States of Nevada California and Lassen County to resolve the very serious conflicts associated with these interstate water matters.

Lassen County respectfully requests that consideration of the referenced applications be held in abeyance pursuant to the moratorium established with the tripartite agreement and that the applications be considered only after an adequate level of technical and environmental analysis has been conducted to evaluate the effects of the proposal and in a public

hearing forum.

Therefore the protestant requests that these applications be denied and that an order be entered for such relief as the State Engineer deems just and proper."

Applications 53413, 53419, 53420, 53422 and 53428 were timely protested by the Board of Supervisors of the County of Modoc, State of California on the following grounds:¹

Potential adverse impacts to the water resources, water basins, economy, citizens and environmental resources of Modoc and Lassen Counties, as described in Exhibit "A" attached hereto and incorporated by reference herein.

In 1986 Modoc County filed protests in the matter of sixteen applications filed by Washoe County to appropriate water in interstate ground water basins, in connection with the Silver State Water Project. Although it has been reported (but not confirmed as requested) that Washoe County has withdrawn its appropriation applications within the Surprise Valley Basin, Modoc County hereby protests, pursuant to Nevada Water Law, appropriation applications numbered 53406 through 53434 filed by Washoe County on June 23, 1989, totalling approximately 29 acre-feet per year.

Modoc County protests the referenced applications for the following reasons:

1. That the appropriation of water in Honey Lake Valley represents a portion of the Silver State Project which has the potential to cause detrimental impacts to the citizens, economy and resources of Modoc County. No appropriation applications which represent any portion of the Silver State project should be approved until the environmental and social impacts of the entire project are analyzed and mitigated. Modoc County continues to maintain that pending applications

in Duck Flat and Long Valley may cause adverse impacts due to the interconnection of these basins with the Surprise Valley basin, and the interdependency of citizens of Modoc County on the resources of Surprise Valley and portions of Washoe County which are not constrained by political boundaries, as discussed in the protests on file with the Nevada State Engineers Office for pending applications filed in 1986, incorporated herein by reference.

2. In support of the protection of the resources of Lassen County and the State of California against detrimental impacts as stated in the letter from Hughes deMartimprey, Chairman, Lassen County Board of Supervisors, to Peter G. Morros dated September 27, 1989 attached hereto.

3. To emphasize that no action should be taken until the U.S.G.S. Honey Lake Basin study is complete, all data has been evaluated, and concurrence on a safe yield export amount is reached by the States of California and Nevada and Lassen County.

Therefore the protestant requests that these applications be denied and that an order be entered for such relief as the State Engineer deems just and proper."

Applications 53413, 53419, 53420, 53422 and 53428 were timely protested by California Department of Fish and Game on the following grounds:¹

These are 29 applications by Washoe County (numbers 53406 through 53434) for permission to change the manner and place of use of a total of 37,401.78 acre-feet of water from irrigation and domestic use within Honey Lake Valley to municipal use outside the valley. Export of such a quantity of water would lower the water table in Honey Lake Valley, threatening

existing springs which provide water critical to the survival of wildlife in California.

Therefore the protestant requests that these applications be denied and that an order be entered for such relief as the State Engineer deems just and proper.

Applications 53413, 53419, 53420, 53422 and 53428 were timely protested by Cities of Reno and Sparks on the following grounds:¹

In accordance with NRS 533.370(3), upon information and belief, it is the position of the cities of Reno and Sparks, Nevada that granting by the State Engineer of the subject applications together with other similar pending applications, may prove highly detrimental to the public interest, to wit:

1. Introduction to the Truckee Meadows at this time of large quantities of water of unknown quality may seriously threaten and impair the existing and future water quality of the Truckee River, which is the main source of safe drinking water for residents of the cities of Reno and Sparks.

2. Introduction to the Truckee Meadows at this time of large quantities of water of unknown quality may seriously impact both operations and maintenance at either or both the Reno-Sparks Wastewater Treatment Facility and the Reno-Stead Wastewater Treatment Facility (both of which are municipally owned wastewater treatment facilities costing tens of millions of dollars to construct, operate and maintain.)

3. Introduction to the Truckee Meadows at this time of large quantities of water of unknown quality may seriously increase the risk of NPDES permit discharge violations by the operators of the referenced

wastewater treatment facilities and the large financial costs associated with any such violations.

4. Introduction to the Truckee Meadows at this time of large quantities of water of unknown quality may seriously increase the risk of harm to endangered and threatened species in Pyramid Lake or to other fauna, flora or fish dependent upon the water of the Truckee River and therefore lead to a demand for costly modifications and/or additions to one or both of the municipally owned and operated wastewater treatment facilities referenced herein.

5. The proposed place of use described in the subject applications are inconsistent with public media statements attributed to the applicant's agent (Western Water Development company, Inc.), thus suggesting these applications are either incomplete or in error.

6. The subject applications merely indicates the proposed manner of use for the subject waters will be municipal. Since a large water purveyor already serves substantial portions of the north and south Truckee Meadows, critical, detailed information on the actual uses to which the subject water will be placed must be made know and carefully evaluated to insure proper coordination with and/or integration into the existing complex water distribution system in the Truckee Meadows. Key questions relating to the introduction of this large quantity of unknown water, as the same may relate to furtherance of the public interest include will such water be available to meet drought conditions by residents of the cities of Reno and Sparks, will it be available for toxic spill protection, etc.?

The cities of Reno and Sparks believe a public hearing on these subject applications, together with all related, similar pending applications, would be in the public interest.

Therefore the protestant requests that these applications be denied and that an order be entered for such relief as the State Engineer deems just and proper.

Applications 54134, 54135, 54136, 54137 and 54138 were timely protested by the Pyramid Lake Paiute Tribe of Indians on the following grounds:¹

"1. Application Numbers 54134, 54135, 54136, 54137 and 54138 are deficient and should be denied. On information and belief the alleged water rights have not been exercised, utilized or perfected in accordance with state law and therefore cannot be changed to a different place of use or manner of use. The proper course and procedure is to seek to amend the application or the permit for the alleged existing right.

2. Granting or approving Application Numbers 54134, 54135, 54136, 54137 and 54138 would be detrimental to the public welfare in that it would: (i) be likely to jeopardize the continued existence of Pyramid Lake's two principal fish, the endangered cui-ui and the threatened Lahontan cutthroat trout; (ii) prevent or interfere with the conservation of those endangered and threatened species in violation of both federal and state law; (iii) take or harm those threatened and endangered species; (iv) adversely affect the recreational value of Pyramid Lake; (v) interfere with the purposes for which the Pyramid Lake Indian Reservation was established; and (vi) further degrade the water quality of the Truckee River.

3. Granting or approving Application Numbers 54134, 54135, 54136, 54137 and 54138 would threaten to prove detrimental to the public interest if the implementation of the Honey Lake Water Importation Project is not coordinated and integrated with the outcome of the Truckee River Settlement negotiations

and the implementation of the May 23, 1989 Preliminary Settlement Agreement between the Pyramid Lake Paiute Tribe and the Sierra Pacific Power Company.

4. Granting or approving Application Numbers 54134, 54135, 54136, 54137 and 54138 along with other pending applications involving the utilization of groundwater from the Honey Lake Basin in Nevada would exceed the safe yield of the Basin and result in the permanent depletion or mining of groundwater resources in violation of Nevada law.

5. There is not sufficient unappropriated groundwater in the Honey Lake Basin in Nevada to provide the water sought in Application Numbers 54134, 54135, 54136, 54137 and 54138 and all other pending applications involving the utilization of surface and groundwater from that Basin.

6. Granting or approving Application Numbers 54134, 54135, 54136, and 54137 and 54138 would conflict with the prior and paramount reserved water rights of the Pyramid Lake Paiute Tribe to the groundwater underlying the Smoke Creek Desert portion of the Pyramid Lake Indian Reservation.

7. The duty of water sought in Application Numbers 54134, 54135, 54136, 54137 and 54138 are excessive and would adversely affect the groundwater underlying the Smoke Creek Desert portion of the Pyramid Lake Indian Reservation.

8. The Pyramid Lake Paiute Tribe of Indians will be adversely affected if Application Numbers 54134, 54135, 54136, 54137 and 54138 are granted because: (i) the endangered and threatened species inhabiting Pyramid Lake and the recreational value of Pyramid Lake would be adversely affected; (ii) the Tribe's prior and paramount reserved water rights would be impaired or

violated.

Therefore the protestant requests that these above referenced applications be denied and that an order be entered for such relief as the State Engineer deems just and proper."

V.

Application 50195 was filed on October 2, 1986 by Washoe County to appropriate 5.0 c.f.s. of water from an underground source for quasi-municipal purpose within Washoe County as described in NRS 234.340 et seq. The proposed point of diversion is described as being within the NW1/4 NW1/4 of Section 33 T.26N., R.18E., M.D.B.&M.¹

Application 50196 was filed on October 2, 1986 by Washoe County to appropriate 5.0 c.f.s. of water from an underground source for quasi-municipal purpose within Washoe County as described in NRS 234.340 et seq. The proposed point of diversion is described as being within the SE1/4 SW1/4 of Section 27 T.26N., R.18E., M.D.B.&M.¹

Application 50197 was filed on October 2, 1986 by Washoe County to appropriate 5.0 c.f.s. of water from an underground source for quasi-municipal purpose within Washoe County as described in NRS 234.340 et seq. The proposed point of diversion is described as being within the NW1/4 NW1/4 of Section 31 T.26N., R.19E., M.D.B.&M.¹

Application 50198 was filed on October 2, 1986 by Washoe County to appropriate 5.0 c.f.s. of water from an underground source for quasi-municipal purpose within Washoe County as described in NRS 234.340 et seq. The proposed point of diversion is described as being within the NE1/4 NW1/4 of Section 22 T.26N., R.19E., M.D.B.&M.¹

VI.

Application 50195 was timely protested by Fish Springs Ranch, Ltd. for the following reasons and on the following grounds:¹

"Fish Springs Ranch, Ltd. protests the applications for water permits made by Washoe County and the City of Sparks (cumulatively referred to hereinafter as "WCS") based upon the following general principles:

1. During 1985 the State Engineer issued Order No. 849 which changed the status of the Honey Lake Valley from an Open Basin to a Designated Basin. At a public hearing on April 2, 1986, the State Engineer announced to water users in the Honey Lake Valley that no further permits would be granted in the Basin. On the same day and in response to a direct question from Fish Springs Ranch's Managing General Partner, the State Engineer indicated that applying for additional water permits in the Honey Lake Valley would be useless as no such additional permits would be granted absent a change in the known hydrologic condition of the Basin or the then current number of outstanding permits. Since that date no additional information has been developed concerning the hydrologic condition of the Basin and no then current permits have lapsed. Therefore should the State Engineer find cause to again commence issuing permits in the Honey Lake Valley, fundamental fairness and equal treatment of all Honey Lake Valley water users would require the State Engineer to make an announcement of a change in policy and allow applications from all interested parties to be heard at the same time.

2. Fish Springs Ranch has discussed the sale of its water permits in the Honey Lake Valley with numerous potential buyers, including representatives and agents of WCS. In fact it was Fish Springs Ranch which first introduced WCS to the availability of a substantial water resource in the east end of Honey Lake Valley and demonstrated to WCS the practicality of effecting an interbasin transfer thereof to meet the

water needs of the Truckee Meadows. Finally the locations selected by WCS embodied in the current applications for permits were shown to the representatives and agents of WCS by Fish Springs Ranch's Managing General Partner.

Under the foregoing facts, it would be inappropriate to grant WCS's applications for permits because same would cause the following harm to Fish Springs Ranch:

(a) The granting of such permits would misappropriate a valuable asset and special knowledge of Fish Springs Ranch made known to WCS under terms purported confidential.

(b) The granting of such permits would have a "chilling effect" upon Fish Springs Ranch's negotiations with potential purchasers including WCS and would therefore be an interference with an advantageous economic relationship.

3. WCS lacks standing to bring an application for water permits in the east end of the Honey Lake Valley in that WCS has no current use nor plan for use of water so appropriated.

4. The specific application subject to this protest interferes with the permits held by Fish Springs Ranch in the following material respects:

This particular filing (# 50195) by WCS is located within arable land designated as the place of use under FSRL's permits 49268, 49269 and 49373 to 49379. In addition the point of diversion under 50195 is within one mile of FSRL's point of diversion under 48211. As such 50195 will interfere with FSRL's agricultural operation and with FSRL's ability to derive ground water in support of this operation.

Therefore the protestant requests that the application be

denied and that an order be entered for such relief as the State Engineer deems just and proper."

Application 50196 was timely protested by Fish Springs Ranch, Ltd. for the following reasons and on the following grounds:¹

"Fish Springs Ranch, Ltd. protests the applications for water permits made by Washoe County and the City of Sparks (cumulatively referred to hereinafter as "WCS") based upon the following general principles:

1. During 1985 the State Engineer issued Order No. 849 which changed the status of the Honey Lake Valley from an Open Basin to a Designated Basin. At a public hearing on April 2, 1986, the State Engineer announced to water users in the Honey Lake Valley that no further permits would be granted in the Basin. On the same day and in response to a direct question from Fish Springs Ranch's Managing General Partner, the State Engineer indicated that applying for additional water permits in the Honey Lake Valley would be useless as no such additional permits would be granted absent a change in the known hydrologic condition of the Basin or the then current number of outstanding permits. Since that date no additional information has been developed concerning the hydrologic condition of the Basin and no then current permits have lapsed. Therefore should the State Engineer find cause to again commence issuing permits in the Honey Lake Valley, fundamental fairness and equal treatment of all Honey Lake Valley water users would require the State Engineer to make an announcement of a change in policy and allow applications from all interested parties to be heard at the same time.

2. Fish Springs Ranch has discussed the sale of its water permits in the Honey Lake Valley with

numerous potential buyers, including representatives and agents of WCS. In fact it was Fish Springs Ranch which first introduced WCS to the availability of a substantial water resource in the east end of Honey Lake Valley and demonstrated to WCS the practicality of effecting an interbasin transfer thereof to meet the water needs of the Truckee Meadows. Finally the locations selected by WCS embodied in the current applications for permits were shown to the representatives and agents of WCS by Fish Springs Ranch's Managing General Partner.

Under the foregoing facts, it would be inappropriate to grant WCS's applications for permits because same would cause the following harm to Fish Springs Ranch:

(a) The granting of such permits would misappropriate a valuable asset and special knowledge of Fish Springs Ranch made known to WCS under terms purported confidential.

(b) The granting of such permits would have a "chilling effect" upon Fish Springs Ranch's negotiations with potential purchasers including WCS and would therefore be an interference with an advantageous economic relationship.

3. WCS lacks standing to bring an application for water permits in the east end of the Honey Lake Valley in that WCS has no current use nor plan for use of water so appropriated.

4. The specific application subject to this protest interferes with the permits held by Fish Springs Ranch in the following material respects:

This particular filing (# 50196) by WCS is located less than one mile from several points of diversion filed by FSRL, viz., under permits 49268, 49269, 49374, 49375,

49377 and 50089. Any removal of water from a point of diversion as designated under 50196 will adversely and unreasonably impact on the water yield and efficiency of the nearby wells already completed or scheduled for completion by FSRL.

Therefore the protestant requests that the application be denied and that an order be entered for such relief as the State Engineer deems just and proper."

Application 50197 was timely protested by Fish Springs Ranch, Ltd. for the following reasons and on the following grounds:¹

"Fish Springs Ranch, Ltd. protests the applications for water permits made by Washoe County and the City of Sparks (cumulatively referred to hereinafter as "WCS") based upon the following general principles:

1. During 1985 the State Engineer issued Order No. 849 which changed the status of the Honey Lake Valley from an Open Basin to a Designated Basin. At a public hearing on April 2, 1986, the State Engineer announced to water users in the Honey Lake Valley that no further permits would be granted in the Basin. On the same day and in response to a direct question from Fish Springs Ranch's Managing General Partner, the State Engineer indicated that applying for additional water permits in the Honey Lake Valley would be useless as no such additional permits would be granted absent a change in the known hydrologic condition of the Basin or the then current number of outstanding permits. Since that date no additional information has been developed concerning the hydrologic condition of the Basin and no then current permits have lapsed. Therefore should the State Engineer find cause to again commence issuing permits in the Honey Lake Valley, fundamental fairness and equal treatment of all Honey

Lake Valley water users would require the State Engineer to make an announcement of a change in policy and allow applications from all interested parties to be heard at the same time.

2. Fish Springs Ranch has discussed the sale of its water permits in the Honey Lake Valley with numerous potential buyers, including representatives and agents of WCS. In fact it was Fish Springs Ranch which first introduced WCS to the availability of a substantial water resource in the east end of Honey Lake Valley and demonstrated to WCS the practicality of effecting an interbasin transfer thereof to meet the water needs of the Truckee Meadows. Finally the locations selected by WCS embodied in the current applications for permits were shown to the representatives and agents of WCS by Fish Springs Ranch's Managing General Partner.

Under the foregoing facts, it would be inappropriate to grant WCS's applications for permits because same would cause the following harm to Fish Springs Ranch:

(a) The granting of such permits would misappropriate a valuable asset and special knowledge of Fish Springs Ranch made known to WCS under terms purported confidential.

(b) The granting of such permits would have a "chilling effect" upon Fish Springs Ranch's negotiations with potential purchasers including WCS and would therefore be an interference with an advantageous economic relationship.

3. WCS lacks standing to bring an application for water permits in the east end of the Honey Lake Valley in that WCS has no current use nor plan for use of water so appropriated.

4. The specific application subject to this protest interferes with the permits held by Fish Springs Ranch in the following material respects:

This particular filing (# 50197) by WCS on 10/2/86 is located in such position to interfere directly with the filing made by FSR under permit #50087. The nature of said interference is the siting of #50197 directly upon the same point of diversion filed on 8/18/86 by FSR under #50087. Clearly, #50087 is prior in time and prior in right. Any removal of water from a well located in the immediate vicinity of FSR's point of diversion under #50087 will impact unreasonably on the efficiency and yield of FSR's well.

Therefore the protestant requests that the application be denied and that an order be entered for such relief as the State Engineer deems just and proper."

Application 50198 was timely protested by Fish Springs Ranch, Ltd. for the following reasons and on the following grounds:¹

"Fish Springs Ranch, Ltd. protests the applications for water permits made by Washoe County and the City of Sparks (cumulatively referred to hereinafter as "WCS") based upon the following general principles:

1. During 1985 the State Engineer issued Order No. 849 which changed the status of the Honey Lake Valley from an Open Basin to a Designated Basin. At a public hearing on April 2, 1986, the State Engineer announced to water users in the Honey Lake Valley that no further permits would be granted in the Basin. On the same day and in response to a direct question from Fish Springs Ranch's Managing General Partner, the State Engineer indicated that applying for additional water permits in the Honey Lake Valley would be useless as no such additional permits would be granted absent a

change in the known hydrologic condition of the Basin or the then current number of outstanding permits. Since that date no additional information has been developed concerning the hydrologic condition of the Basin and no then current permits have lapsed. Therefore should the State Engineer find cause to again commence issuing permits in the Honey Lake Valley, fundamental fairness and equal treatment of all Honey Lake Valley water users would require the State Engineer to make an announcement of a change in policy and allow applications from all interested parties to be heard at the same time.

2. Fish Springs Ranch has discussed the sale of its water permits in the Honey Lake Valley with numerous potential buyers, including representatives and agents of WCS. In fact it was Fish Springs Ranch which first introduced WCS to the availability of a substantial water resource in the east end of Honey Lake Valley and demonstrated to WCS the practicality of effecting an interbasin transfer thereof to meet the water needs of the Truckee Meadows. Finally the locations selected by WCS embodied in the current applications for permits were shown to the representatives and agents of WCS by Fish Springs Ranch's Managing General Partner.

Under the foregoing facts, it would be inappropriate to grant WCS's applications for permits because same would cause the following harm to Fish Springs Ranch:

(a) The granting of such permits would misappropriate a valuable asset and special knowledge of Fish Springs Ranch made known to WCS under terms purported confidential.

(b) The granting of such permits would have a "chilling effect" upon Fish Springs Ranch's

negotiations with potential purchasers including WCS and would therefore be an interference with an advantageous economic relationship.

3. WCS lacks standing to bring an application for water permits in the east end of the Honey Lake Valley in that WCS has no current use nor plan for use of water so appropriated.

4. The specific application subject to this protest interferes with the permits held by Fish Springs Ranch in the following material respects:

This particular filing (# 50198) by WCS is located immediately upgradient from points of diversion already established by FSRL under permits 39899, 45024, 45025 and 50090. Any removal of water from a point of diversion as designated under 50198 will adversely and unreasonably impact on the water yield and efficiency of the named FSRL's wells.

Therefore the protestant requests that the application be denied and that an order be entered for such relief as the State Engineer deems just and proper."

Application 50198 was timely protested by Allen P. Farias for the following reasons and on the following grounds:¹

"Because proposed well is approximately 2 1/2 miles from my parcel, intended to be a permanent place of residence. Because this well may effect the ground water supply of my property as well as together with other proposed wells by same applicant for same purpose in the same water shed, those water supplies of the other residence of the same water shed area including those in the state of California.

Therefore the protestant requests that the application be denied and that an order be entered for such relief as the State Engineer deems just and proper."

Applications 50195, 50196, 50197 and 50198 were timely protested by John J. Casey, Holland Livestock Ranch, a partnership; Bright Holland Co., a Nevada corporation, Nemeroff Holland Co., a Nevada corporation; Maremont Holland Co., a Nevada corporation, for the following reasons and on the following grounds:¹

These applications interferes with and adversely affects valid surface water rights of protestants.

Therefore the protestant requests that the application be denied and that an order be entered for such relief as the State Engineer deems just and proper.

Applications 50195, 50196, 50197 and 50198 were timely protested by County of Lassen, California for the following reasons and on the following grounds:¹

a) Exportation of water for municipal and industrial purposes from interstate basins should not occur until an adequate level of data and analysis of the groundwater resource has been developed to insure that it would not cause overdrafting conditions and that the exportation of groundwater does not result in exceeding the safe yield of the basin.

b) Appropriation of groundwater rights for the development of water for export will result in a reduction of groundwater recharge.

c) The proposal will increase draft from the Nevada portion of the interstate water basin. Extraction of volumes in excess of the amount recharged by the Nevada portion of the watershed could overdraft the basin and cause an increase in the hydrolic gradient in favor of the Nevada groundwater users and adversely effect groundwater quality and quantity.

d) Flows could be induced from California to Nevada by increased gradient, thereby lowering the groundwater level, which would have the effect of impairing existing rights located within California.

e) There is no conclusive evidence that the granting of the subject permits would not be detrimental to groundwater aquifers.

f) No further appropriations of groundwater or permits to change the point of diversion, place or manner of use should be approved in interstate groundwater basins which would facilitate groundwater export until an equitable apportionment or other agreement for the joint management of bi-state groundwater has been approved by both the State of Nevada and California.

Therefore the protestant requests that the application be denied and that an order be entered for such relief as the State Engineer deems just and proper."

VII.

Application 53406 was filed on June 23, 1989 by Washoe County to change the place and manner of use of 5.0 c.f.s., of water from an underground source under Application 50195. The proposed use is for municipal purposes within the T.15N., R.18E.; that portion of Section 1 lying outside of the natural drainage basin of Lake Tahoe. T.15N., R.19E.; Section 4 excluding the SE1/4. Sections 5 and 8. That portion of Sections 6, 7 and the N1/2 of the N1/2 of Section 18 lying outside of the natural drainage basin of Lake Tahoe. T.16N., R.18E.; that portion of Sections 1, 5, 6, 12, 13, 24, 25 and 36 lying outside of the natural drainage basin of Lake Tahoe, and excluding any portion of the W1/2 of the W1/2 and the W1/2 of the E1/2 of the W1/2 of Section 6. T.16N., R.19E.; all, excluding that portion of Sections 6, 7, 18, 19 and 30 lying within the natural drainage basin of Lake Tahoe, and excluding the S1/2 of Section 35 and the

NE1/4 and the SE1/4 and the SW1/4 of Section 36. T.16N., R.20E.; Sections 2 through 11 inclusive. Section 15 through 20 inclusive. Section 30. The N1/2 of Section 1. Portions of the SW1/4 of the NW1/4 and the NW1/4 of the SW1/4 of Section 14. T.17N., R.18E.; all excluding the W1/2 of the W1/2 and the W1/2 of the E1/2 of the W1/2 of Sections 6, 7, 18, 19, 30 and 31, and excluding that portion of Sections 22, 23, 26, 27, 32, 33, 34, 35 and 36 lying within the natural drainage basin of Lake Tahoe. T.17N., R.19E.; all, excepting that portion of Section 31 lying within the natural drainage basin of Lake Tahoe. T.17N., R.20E.; all. T.17N., R.21E.; the W1/2 of Section 7. Section 18. T.18N., R.18E.; all, excluding the W1/2 of Sections 6, 7, 18, 19, 30 and 31. T.18N., R.19E.; all. T.18N., R.20E.; all, excluding Section 1 and the E1/2 of Section 36. T.18N., R.21E.; Sections 7, 18 and 19. T.19N., R.18E.; all, excluding the W1/2 of Sections 6, 7, 18, 19, 30 and 31. T.19N., R.19E.; all. T.19N., R.20E.; all, excluding Sections 24, 25 and 36 and the portion of Section 13 south of the Truckee River. T.19N., R.21E.; Sections 3 through 9 inclusive. The portions of Sections 1, 2, 10, 11, 15, 16, 17 and 18 north of the Truckee River. T.19N., R.22E.; The portion of Section 6 north of the Truckee River. T.20N., R.18E.; all, excluding the W1/2 and the W1/2 of the W1/2 of the E1/2 of Sections 6, 7, 18, 19, 30 and 31. T.20N., R.19-21E.; all. T.20N., R.22E.; all, excluding Section 36 and the portions of Sections 24, 25, 26, 28, 29, 31, 32, 33, 34 and 35 south and/or east of the Truckee River. T.20N., R.23E.; Sections 1 through 12 inclusive. Sections 15, 16, 17 and 18. The portions of Sections 13, 14, 19, 20, 21, 22 and 23 north of the Truckee River. T.20N., R.24E.; Sections 1 through 7 inclusive. The portions of Sections 8, 9, 17 and 18 north of the Truckee River. T.20N., R.25E.; Section 6. The NW1/4 and a portion of the NW1/4 of the NE1/4 and a portion of the NE1/4 of the SW1/4 and the W1/2 of the SW1/4 of Section 5. T.21N., R.18E.; all, excluding the W1/2 and the W1/2 of the E1/2 of Sections 6, 7, 18, 19, 30 and 31. T.21N., R.19-24E.; all. T.21N., R.25E.; Sections 4, 5, 6, 7, 8, 9, 17, 18, 19, 30 and 31. A portion of the SW1/4 of the

SW1/4 and a portion of the SW1/4 of the NW1/4 and a portion of the NW1/4 of the SW1/4 of Section 3. A portion of the W1/2 of the W1/2 of Section 10. A portion of the NW1/4 of the NW1/4 of Section 15. The NE1/4 and the NW1/4 and the SW1/4 and the NW1/4 of the SE1/4 and a portion of the SW1/4 of the SE1/4 and a portion of the NE1/4 of the SE1/4 of Section 16. A portion of the N1/2 of the N1/2 and the W1/2 of the SW1/4 and a portion of the SW1/4 of the NW1/4 of Section 20. The W1/2 and the W1/2 of the E1/2 of Sections 29 and 32. T.22N., R.18E.; that portion of Sections 12, 13, 14, 15, 16, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 31, 32, 33, 34, 35 and 36 lying within the natural drainage basin of Cold Spring Valley and Lemmon Valley. T.22N., R.19E.; that portion of Sections 7, 8, 16, 17, 18, 19, 20, 21, 27, 28, 29, 30, 31, 32, 33 and 34 lying within the natural drainage basin of Lemmon Valley. The proposed point of diversion is described as being within the NW1/4 NW1/4 Section 33, T.26N., R.18E., M.D.B.&M.¹

Application 53408 was filed on June 23, 1989 by Washoe County to change the place and manner of use of 5.0 c.f.s., of water from an underground source under Application 50196. The proposed use is for municipal purposes within the T.15N., R.18E.; that portion of Section 1 lying outside of the natural drainage basin of Lake Tahoe. T.15N., R.19E.; Section 4 excluding the SE1/4. Sections 5 and 8. That portion of Sections 6, 7 and the N1/2 of the N1/2 of Section 18 lying outside of the natural drainage basin of Lake Tahoe. T.16N., R.18E.; that portion of Sections 1, 5, 6, 12, 13, 24, 25 and 36 lying outside of the natural drainage basin of Lake Tahoe, and excluding any portion of the W1/2 of the W1/2 and the W1/2 of the E1/2 of the W1/2 of Section 6. T.16N., R.19E.; all, excluding that portion of Sections 6, 7, 18, 19 and 30 lying within the natural drainage basin of Lake Tahoe, and excluding the S1/2 of Section 35 and the NE1/4 and the SE1/4 and the SW1/4 of Section 36. T.16N., R.20E.; Sections 2 through 11 inclusive. Section 15 through 20 inclusive. Section 30. The N1/2 of Section 1. Portions of the SW1/4 of the NW1/4 and the NW1/4 of the SW1/4 of Section 14.

T.17N., R.18E.; all excluding the W1/2 of the W1/2 and the W1/2 of the E1/2 of the W1/2 of Sections 6, 7, 18, 19, 30 and 31, and excluding that portion of Sections 22, 23, 26, 27, 32, 33, 34, 35 and 36 lying within the natural drainage basin of Lake Tahoe. T.17N., R.19E.; all, excepting that portion of Section 31 lying within the natural drainage basin of Lake Tahoe. T.17N., R.20E.; all. T.17N., R.21E.; the W1/2 of Section 7. Section 18. T.18N., R.18E.; all, excluding the W1/2 of Sections 6, 7, 18, 19, 30 and 31. T.18N., R.19E.; all. T.18N., R.20E.; all, excluding Section 1 and the E1/2 of Section 36. T.18N., R.21E.; Sections 7, 18 and 19. T.19N., R.18E.; all, excluding the W1/2 of Sections 6, 7, 18, 19, 30 and 31. T.19N., R.19E.; all. T.19N., R.20E.; all, excluding Sections 24, 25 and 36 and the portion of Section 13 south of the Truckee River. T.19N., R.21E.; Sections 3 through 9 inclusive. The portions of Sections 1, 2, 10, 11, 15, 16, 17 and 18 north of the Truckee River. T.19N., R.22E.; The portion of Section 6 north of the Truckee River. T.20N., R.18E.; all, excluding the W1/2 and the W1/2 of the W1/2 of the E1/2 of Sections 6, 7, 18, 19, 30 and 31. T.20N., R.19-21E.; all. T.20N., R.22E.; all, excluding Section 36 and the portions of Sections 24, 25, 26, 28, 29, 31, 32, 33, 34 and 35 south and/or east of the Truckee River. T.20N., R.23E.; Sections 1 through 12 inclusive. Sections 15, 16, 17 and 18. The portions of Sections 13, 14, 19, 20, 21, 22 and 23 north of the Truckee River. T.20N., R.24E.; Sections 1 through 7 inclusive. The portions of Sections 8, 9, 17 and 18 north of the Truckee River. T.20N., R.25E.; Section 6. The NW1/4 and a portion of the NW1/4 of the NE1/4 and a portion of the NE1/4 of the SW1/4 and the W1/2 of the SW1/4 of Section 5. T.21N., R.18E.; all, excluding the W1/2 and the W1/2 of the E1/2 of Sections 6, 7, 18, 19, 30 and 31. T.21N., R.19-24E.; all. T.21N., R.25E.; Sections 4, 5, 6, 7, 8, 9, 17, 18, 19, 30 and 31. A portion of the SW1/4 of the SW1/4 and a portion of the SW1/4 of the NW1/4 and a portion of the NW1/4 of the SW1/4 of Section 3. A portion of the W1/2 of the W1/2 of Section 10. A portion of the NW1/4 of the NW1/4 of Section 15. The NE1/4 and the NW1/4 and the SW1/4 and the NW1/4

of the SE1/4 and a portion of the SW1/4 of the SE1/4 and a portion of the NE1/4 of the SE1/4 of Section 16. A portion of the N1/2 of the N1/2 and the W1/2 of the SW1/4 and a portion of the SW1/4 of the NW1/4 of Section 20. The W1/2 and the W1/2 of the E1/2 of Sections 29 and 32. T.22N., R.18E.; that portion of Sections 12, 13, 14, 15, 16, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 31, 32, 33, 34, 35 and 36 lying within the natural drainage basin of Cold Spring Valley and Lemmon Valley. T.22N., R.19E.; that portion of Sections 7, 8, 16, 17, 18, 19, 20, 21, 27, 28, 29, 30, 31, 32, 33 and 34 lying within the natural drainage basin of Lemmon Valley. The proposed point of diversion is described as being within the SE1/4 SW1/4 Section 27, T.26N., R.18E., M.D.B.&M.¹

Application 53421 was filed on June 23, 1989 by Washoe County to change the place and manner of use of 5.0 c.f.s., of water from an underground source under Application 50197. The proposed use is for municipal purposes within the T.15N., R.18E.; that portion of Section 1 lying outside of the natural drainage basin of Lake Tahoe. T.15N., R.19E.; Section 4 excluding the SE1/4. Sections 5 and 8. That portion of Sections 6, 7 and the N1/2 of the N1/2 of Section 18 lying outside of the natural drainage basin of Lake Tahoe. T.16N., R.18E.; that portion of Sections 1, 5, 6, 12, 13, 24, 25 and 36 lying outside of the natural drainage basin of Lake Tahoe, and excluding any portion of the W1/2 of the W1/2 and the W1/2 of the E1/2 of the W1/2 of Section 6. T.16N., R.19E.; all, excluding that portion of Sections 6, 7, 18, 19 and 30 lying within the natural drainage basin of Lake Tahoe, and excluding the S1/2 of Section 35 and the NE1/4 and the SE1/4 and the SW1/4 of Section 36. T.16N., R.20E.; Sections 2 through 11 inclusive. Section 15 through 20 inclusive. Section 30. The N1/2 of Section 1. Portions of the SW1/4 of the NW1/4 and the NW1/4 of the SW1/4 of Section 14. T.17N., R.18E.; all excluding the W1/2 of the W1/2 and the W1/2 of the E1/2 of the W1/2 of Sections 6, 7, 18, 19, 30 and 31, and excluding that portion of Sections 22, 23, 26, 27, 32, 33, 34, 35 and 36 lying within the natural drainage basin of Lake Tahoe.

T.17N., R.19E.; all, excepting that portion of Section 31 lying within the natural drainage basin of Lake Tahoe. T.17N., R.20E.; all. T.17N., R.21E.; the W1/2 of Section 7. Section 18. T.18N., R.18E.; all, excluding the W1/2 of Sections 6, 7, 18, 19, 30 and 31. T.18N., R.19E.; all. T.18N., R.20E.; all, excluding Section 1 and the E1/2 of Section 36. T.18N., R.21E.; Sections 7, 18 and 19. T.19N., R.18E.; all, excluding the W1/2 of Sections 6, 7, 18, 19, 30 and 31. T.19N., R.19E.; all. T.19N., R.20E.; all, excluding Sections 24, 25 and 36 and the portion of Section 13 south of the Truckee River. T.19N., R.21E.; Sections 3 through 9 inclusive. The portions of Sections 1, 2, 10, 11, 15, 16, 17 and 18 north of the Truckee River. T.19N., R.22E.; The portion of Section 6 north of the Truckee River. T.20N., R.18E.; all, excluding the W1/2 and the W1/2 of the W1/2 of the E1/2 of Sections 6, 7, 18, 19, 30 and 31. T.20N., R.19-21E.; all. T.20N., R.22E.; all, excluding Section 36 and the portions of Sections 24, 25, 26, 28, 29, 31, 32, 33, 34 and 35 south and/or east of the Truckee River. T.20N., R.23E.; Sections 1 through 12 inclusive. Sections 15, 16, 17 and 18. The portions of Sections 13, 14, 19, 20, 21, 22 and 23 north of the Truckee River. T.20N., R.24E.; Sections 1 through 7 inclusive. The portions of Sections 8, 9, 17 and 18 north of the Truckee River. T.20N., R.25E.; Section 6. The NW1/4 and a portion of the NW1/4 of the NE1/4 and a portion of the NE1/4 of the SW1/4 and the W1/2 of the SW1/4 of Section 5. T.21N., R.18E.; all, excluding the W1/2 and the W1/2 of the E1/2 of Sections 6, 7, 18, 19, 30 and 31. T.21N., R.19-24E.; all. T.21N., R.25E.; Sections 4, 5, 6, 7, 8, 9, 17, 18, 19, 30 and 31. A portion of the SW1/4 of the SW1/4 and a portion of the SW1/4 of the NW1/4 and a portion of the NW1/4 of the SW1/4 of Section 3. A portion of the W1/2 of the W1/2 of Section 10. A portion of the NW1/4 of the NW1/4 of Section 15. The NE1/4 and the NW1/4 and the SW1/4 and the NW1/4 of the SE1/4 and a portion of the SW1/4 of the SE1/4 and a portion of the NE1/4 of the SE1/4 of Section 16. A portion of the N1/2 of the N1/2 and the W1/2 of the SW1/4 and a portion of the SW1/4 of the NW1/4 of Section 20. The W1/2 and the W1/2 of

the E1/2 of Sections 29 and 32. T.22N., R.18E.; that portion of Sections 12, 13, 14, 15, 16, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 31, 32, 33, 34, 35 and 36 lying within the natural drainage basin of Cold Spring Valley and Lemmon Valley. T.22N., R.19E.; that portion of Sections 7, 8, 16, 17, 18, 19, 20, 21, 27, 28, 29, 30, 31, 32, 33 and 34 lying within the natural drainage basin of Lemmon Valley. The proposed point of diversion is described as being within the NW1/4 NW1/4 Section 31, T.26N., R.19E., M.D.B.&M.¹

Application 53434 was filed on June 23, 1989 by Washoe County to change the place and manner of use of 5.0 c.f.s., of water from an underground source under Application 50198. The proposed use is for municipal purposes within the T.15N., R.18E.; that portion of Section 1 lying outside of the natural drainage basin of Lake Tahoe. T.15N., R.19E.; Section 4 excluding the SE1/4. Sections 5 and 8. That portion of Sections 6, 7 and the N1/2 of the N1/2 of Section 18 lying outside of the natural drainage basin of Lake Tahoe. T.16N., R.18E.; that portion of Sections 1, 5, 6, 12, 13, 24, 25 and 36 lying outside of the natural drainage basin of Lake Tahoe, and excluding any portion of the W1/2 of the W1/2 and the W1/2 of the E1/2 of the W1/2 of Section 6. T.16N., R.19E.; all, excluding that portion of Sections 6, 7, 18, 19 and 30 lying within the natural drainage basin of Lake Tahoe, and excluding the S1/2 of Section 35 and the NE1/4 and the SE1/4 and the SW1/4 of Section 36. T.16N., R.20E.; Sections 2 through 11 inclusive. Section 15 through 20 inclusive. Section 30. The N1/2 of Section 1. Portions of the SW1/4 of the NW1/4 and the NW1/4 of the SW1/4 of Section 14. T.17N., R.18E.; all excluding the W1/2 of the W1/2 and the W1/2 of the E1/2 of the W1/2 of Sections 6, 7, 18, 19, 30 and 31, and excluding that portion of Sections 22, 23, 26, 27, 32, 33, 34, 35 and 36 lying within the natural drainage basin of Lake Tahoe. T.17N., R.19E.; all, excepting that portion of Section 31 lying within the natural drainage basin of Lake Tahoe. T.17N., R.20E.; all. T.17N., R.21E.; the W1/2 of Section 7. Section 18. T.18N., R.18E.; all, excluding the W1/2 of Sections 6, 7, 18, 19,

30 and 31. T.18N., R.19E.; all. T.18N., R.20E.; all, excluding Section 1 and the E1/2 of Section 36. T.18N., R.21E.; Sections 7, 18 and 19. T.19N., R.18E.; all, excluding the W1/2 of Sections 6, 7, 18, 19, 30 and 31. T.19N., R.19E.; all. T.19N., R.20E.; all, excluding Sections 24, 25 and 36 and the portion of Section 13 south of the Truckee River. T.19N., R.21E.; Sections 3 through 9 inclusive. The portions of Sections 1, 2, 10, 11, 15, 16, 17 and 18 north of the Truckee River. T.19N., R.22E.; The portion of Section 6 north of the Truckee River. T.20N., R.18E.; all, excluding the W1/2 and the W1/2 of the W1/2 of the E1/2 of Sections 6, 7, 18, 19, 30 and 31. T.20N., R.19-21E.; all. T.20N., R.22E.; all, excluding Section 36 and the portions of Sections 24, 25, 26, 28, 29, 31, 32, 33, 34 and 35 south and/or east of the Truckee River. T.20N., R.23E.; Sections 1 through 12 inclusive. Sections 15, 16, 17 and 18. The portions of Sections 13, 14, 19, 20, 21, 22 and 23 north of the Truckee River. T.20N., R.24E.; Sections 1 through 7 inclusive. The portions of Sections 8, 9, 17 and 18 north of the Truckee River. T.20N., R.25E.; Section 6. The NW1/4 and a portion of the NW1/4 of the NE1/4 and a portion of the NE1/4 of the SW1/4 and the W1/2 of the SW1/4 of Section 5. T.21N., R.18E.; all, excluding the W1/2 and the W1/2 of the E1/2 of Sections 6, 7, 18, 19, 30 and 31. T.21N., R.19-24E.; all. T.21N., R.25E.; Sections 4, 5, 6, 7, 8, 9, 17, 18, 19, 30 and 31. A portion of the SW1/4 of the SW1/4 and a portion of the SW1/4 of the NW1/4 and a portion of the NW1/4 of the SW1/4 of Section 3. A portion of the W1/2 of the W1/2 of Section 10. A portion of the NW1/4 of the NW1/4 of Section 15. The NE1/4 and the NW1/4 and the SW1/4 and the NW1/4 of the SE1/4 and a portion of the SW1/4 of the SE1/4 and a portion of the NE1/4 of the SE1/4 of Section 16. A portion of the N1/2 of the N1/2 and the W1/2 of the SW1/4 and a portion of the SW1/4 of the NW1/4 of Section 20. The W1/2 and the W1/2 of the E1/2 of Sections 29 and 32. T.22N., R.18E.; that portion of Sections 12, 13, 14, 15, 16, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 31, 32, 33, 34, 35 and 36 lying within the natural drainage basin of Cold Spring Valley and Lemmon Valley. T.22N., R.19E.;

that portion of Sections 7, 8, 16, 17, 18, 19, 20, 21, 27, 28, 29, 30, 31, 32, 33 and 34 lying within the natural drainage basin of Lemmon Valley. The proposed point of diversion is described as being within the NE1/4 NW1/4 Section 22, T.26N., R.19E., M.D.B.&M.¹

VIII.

Application 53406 was timely protested by the Sierra Army Depot on the following grounds:¹

"Application 50,195 was filed on 2 October 1986 by Washoe County to allocate 5.0 c.f.s. of groundwater for Quasi-Municipal use and is currently pending action by the Nevada State Engineer and is under protest. Application 53,406 requests to change the type of use of the 5.0 c.f.s. pending action under 50,195 from Quasi-Municipal to Municipal. Sierra Army Depot considers 53,406 to be part of the effort to export Honey Lake Valley groundwater out of the basin and objects to approval of the application based on the following points.

1. Nevada's groundwater extractions in the Honey Lake Basin should not exceed Nevada's recharge, and deliberation by the State Engineer on 53,406 or any other proposal to further develop groundwater resources in the Honey Lake Groundwater Basin should be deferred until the U.S.G.S. Study is completed and considered concurrently with all other pending applications to ensure that overdraft does not occur.

2. Sierra Army Depot's potable wells are located no less than 8.5 miles from the western edge of the proposed municipal water well field. Pumpage and export of groundwater on the Nevada side of the Honey Lake Valley in excess of the amount of recharge attributable to waters incident upon the Nevada side of the basin could impact the quality of the water in

depot potable wells. There exists to the northwest of these potable wells a large body of non-potable groundwater. The proposed municipal water well field is located generally to the southeast of the potable wells. It is likely that the level of extraction that would occur if all of the applications are approved would be of such magnitude as to cause the southeastern migration of the non-potable waters to the area where depot wells are located. This installation has shown beneficial use of the potable groundwater resource for over 40 years. If the quality of the water drops, the entire potable water supply would be lost and the depot would cease to function.

3. The mission at Sierra Army Depot is of a strategic nature and disruption of depot activities could seriously impair the ability of the U.S. Army to support the defense of the United States of America.

4. Much of the surface of Sierra Army Depot is fine grained materials. In the southern portion of the depot, the predominant surface soil is referred to as "blow sand" and the middle and northern lands (except Skedaddle Mountain) are silts from the old lake bottom (alkaline). On 11 July 1989 in Carson City, Nevada, the U.S.G.S. released preliminary findings of the study they have been conducting on the Honey Lake Basin. Under the scenario of 15,000 acre ft/year of exportation out of the basin, very little groundwater will remain to support evapotranspiration, 9% instead of the 42% which is available today. This along with the predicted drop in the static groundwater elevation would eliminate most of the vegetation on the installation. The loss of the vegetation would allow for the sand dunes to migrate and the silts to contaminate the air. A significant loss in air quality would result. The loss of our vegetative cover due to

overdrafting of the groundwater resource is not acceptable.

5. The predicted drop in the static groundwater elevation at 15,000 acre ft per year of exportation was shown by the U.S.G.S. to have a possible impact of up to 100 ft in the area associated with our potable wells. The resulting loss in production would require that the Army construct at least one new well to support our current demands. As it stands today during peak demand periods, depot wells can barely maintain sufficient production.

6. Sierra Army Depot respectfully requests that the permitting of the domestic water well field be deferred until the following things occur.

a. The completion of the U.S.G.S. study that is currently underway.

b. The development of a Honey Lake Valley Groundwater Management District on the California side.

c. Agreement between the Nevada State Engineer, the State of California, and Lassen County, as to a "safe yield" for exportation of groundwaters out of the basin. Safe yield being that amount of extraction that does not adversely impact the quality of our well water, the production capacity of our wells, and the surface vegetation on the Sierra Army Depot.

d. A bi-state study of the water quality and potential impacts of exportation on that quality much like the U.S.G.S. study that is currently underway for water quantity.

Therefore the protestant requests that the application be denied and that an order be entered for such relief as the State Engineer deems just and proper."

Application 53408 was timely protested by the Sierra Army Depot on the following grounds:¹

"Application 50,196 was filed on 2 October 1986 by Washoe County to allocate 5.0 c.f.s. of groundwater for Quasi-Municipal use and is currently pending action by the Nevada State Engineer and is under protest. Application 53,408 requests to change the type of use of the 5.0 c.f.s. pending action under 50,196 from Quasi-Municipal to Municipal. Sierra Army Depot considers 53,408 to be part of the effort to export Honey Lake Valley groundwater out of the basin and objects to approval of the application based on the following points.

1. Nevada's groundwater extractions in the Honey Lake Basin should not exceed Nevada's recharge, and deliberation by the State Engineer on 53,408 or any other proposal to further develop groundwater resources in the Honey Lake Groundwater Basin should be deferred until the U.S.G.S. Study is completed and considered concurrently with all other pending applications to ensure that overdraft does not occur.

2. Sierra Army Depot's potable wells are located no less than 8.5 miles from the western edge of the proposed municipal water well field. Pumpage and export of groundwater on the Nevada side of the Honey Lake Valley in excess of the amount of recharge attributable to waters incident upon the Nevada side of the basin could impact the quality of the water in depot potable wells. There exists to the northwest of these potable wells a large body of non-potable groundwater. The proposed municipal water well field is located generally to the southeast of the potable wells. It is likely that the level of extraction that would occur if all of the applications are approved would be of such magnitude as to cause the southeastern migration of the non-potable waters to the area where depot wells are located. This installation has shown

beneficial use of the potable groundwater resource for over 40 years. If the quality of the water drops, the entire potable water supply would be lost and the depot would cease to function.

3. The mission at Sierra Army Depot is of a strategic nature and disruption of depot activities could seriously impair the ability of the U.S. Army to support the defense of the United States of America.

4. Much of the surface of Sierra Army Depot is fine grained materials. In the southern portion of the depot, the predominant surface soil is referred to as "blow sand" and the middle and northern lands (except Skedaddle Mountain) are silts from the old lake bottom (alkaline). On 11 July 1989 in Carson City, Nevada, the U.S.G.S. released preliminary findings of the study they have been conducting on the Honey Lake Basin. Under the scenario of 15,000 acre ft/year of exportation out of the basin, very little groundwater will remain to support evapotranspiration, 9% instead of the 42% which is available today. This along with the predicted drop in the static groundwater elevation would eliminate most of the vegetation on the installation. The loss of the vegetation would allow for the sand dunes to migrate and the silts to contaminate the air. A significant loss in air quality would result. The loss of our vegetative cover due to overdrafting of the groundwater resource is not acceptable.

5. The predicted drop in the static groundwater elevation at 15,000 acre ft per year of exportation was shown by the U.S.G.S. to have a possible impact of up to 100 ft in the area associated with our potable wells. The resulting loss in production would require that the Army construct at least one new well to support our current demands. As it stands today during

peak demand periods, depot wells can barely maintain sufficient production.

6. Sierra Army Depot respectfully requests that the permitting of the domestic water well field be deferred until the following things occur.

a. The completion of the U.S.G.S. study that is currently underway.

b. The development of a Honey Lake Valley Groundwater Management District on the California side.

c. Agreement between the Nevada State Engineer, the State of California, and Lassen County, as to a "safe yield" for exportation of groundwaters out of the basin. Safe yield being that amount of extraction that does not adversely impact the quality of our well water, the production capacity of our wells, and the surface vegetation on the Sierra Army Depot.

d. A bi-state study of the water quality and potential impacts of exportation on that quality much like the U.S.G.S. study that is currently underway for water quantity.

Therefore the protestant requests that the application be denied and that an order be entered for such relief as the State Engineer deems just and proper."

Application 53421 was timely protested by the Sierra Army Depot on the following grounds:¹

"Application 50,197 was filed on 2 October 1986 by Washoe County to allocate 5.0 c.f.s. of groundwater for Quasi-Municipal use and is currently pending action by the Nevada State Engineer and is under protest. Application 53,421 requests to change the type of use of the 5.0 c.f.s. pending action under 50,197 from Quasi-Municipal to Municipal. Sierra Army Depot considers 53,421 to be part of the effort to export

Honey Lake Valley groundwater out of the basin and objects to approval of the application based on the following points.

1. Nevada's groundwater extractions in the Honey Lake Basin should not exceed Nevada's recharge, and deliberation by the State Engineer on 53,421 or any other proposal to further develop groundwater resources in the Honey Lake Groundwater Basin should be deferred until the U.S.G.S. Study is completed and considered concurrently with all other pending applications to ensure that overdraft does not occur.

2. Sierra Army Depot's potable wells are located no less than 8.5 miles from the western edge of the proposed municipal water well field. Pumpage and export of groundwater on the Nevada side of the Honey Lake Valley in excess of the amount of recharge attributable to waters incident upon the Nevada side of the basin could impact the quality of the water in depot potable wells. There exists to the northwest of these potable wells a large body of non-potable groundwater. The proposed municipal water well field is located generally to the southeast of the potable wells. It is likely that the level of extraction that would occur if all of the applications are approved would be of such magnitude as to cause the southeastern migration of the non-potable waters to the area where depot wells are located. This installation has shown beneficial use of the potable groundwater resource for over 40 years. If the quality of the water drops, the entire potable water supply would be lost and the depot would cease to function.

3. The mission at Sierra Army Depot is of a strategic nature and disruption of depot activities could seriously impair the ability of the U.S. Army to support the defense of the United States of America.

4. Much of the surface of Sierra Army Depot is fine grained materials. In the southern portion of the depot, the predominant surface soil is referred to as "blow sand" and the middle and northern lands (except Skedaddle Mountain) are silts from the old lake bottom (alkaline). On 11 July 1989 in Carson City, Nevada, the U.S.G.S. released preliminary findings of the study they have been conducting on the Honey Lake Basin. Under the scenario of 15,000 acre ft/year of exportation out of the basin, very little groundwater will remain to support evapotranspiration, 9% instead of the 42% which is available today. This along with the predicted drop in the static groundwater elevation would eliminate most of the vegetation on the installation. The loss of the vegetation would allow for the sand dunes to migrate and the silts to contaminate the air. A significant loss in air quality would result. The loss of our vegetative cover due to overdrafting of the groundwater resource is not acceptable.

5. The predicted drop in the static groundwater elevation at 15,000 acre ft per year of exportation was shown by the U.S.G.S. to have a possible impact of up to 100 ft in the area associated with our potable wells. The resulting loss in production would require that the Army construct at least one new well to support our current demands. As it stands today during peak demand periods, depot wells can barely maintain sufficient production.

6. Sierra Army Depot respectfully requests that the permitting of the domestic water well field be deferred until the following things occur.

a. The completion of the U.S.G.S. study that is currently underway.

b. The development of a Honey Lake Valley Groundwater Management District on the California side.

c. Agreement between the Nevada State Engineer, the State of California, and Lassen County, as to a "safe yield" for exportation of groundwaters out of the basin. Safe yield being that amount of extraction that does not adversely impact the quality of our well water, the production capacity of our wells, and the surface vegetation on the Sierra Army Depot.

d. A bi-state study of the water quality and potential impacts of exportation on that quality much like the U.S.G.S. study that is currently underway for water quantity.

Therefore the protestant requests that the application be denied and that an order be entered for such relief as the State Engineer deems just and proper."

Application 53434 was timely protested by the Sierra Army Depot on the following grounds:¹

"Application 50,198 was filed on 2 October 1986 by Washoe County to allocate 5.0 c.f.s. of groundwater for Quasi-Municipal use and is currently pending action by the Nevada State Engineer and is under protest. Application 53,434 requests to change the type of use of the 5.0 c.f.s. pending action under 50,198 from Quasi-Municipal to Municipal. Sierra Army Depot considers 53,434 to be part of the effort to export Honey Lake Valley groundwater out of the basin and objects to approval of the application based on the following points.

1. Nevada's groundwater extractions in the Honey Lake Basin should not exceed Nevada's recharge, and deliberation by the State Engineer on 53,434 or any other proposal to further develop groundwater resources in the Honey Lake Groundwater Basin should be deferred

until the U.S.G.S. Study is completed and considered concurrently with all other pending applications to ensure that overdraft does not occur.

2. Sierra Army Depot's potable wells are located no less than 8.5 miles from the western edge of the proposed municipal water well field. Pumpage and export of groundwater on the Nevada side of the Honey Lake Valley in excess of the amount of recharge attributable to waters incident upon the Nevada side of the basin could impact the quality of the water in depot potable wells. There exists to the northwest of these potable wells a large body of non-potable groundwater. The proposed municipal water well field is located generally to the southeast of the potable wells. It is likely that the level of extraction that would occur if all of the applications are approved would be of such magnitude as to cause the southeastern migration of the non-potable waters to the area where depot wells are located. This installation has shown beneficial use of the potable groundwater resource for over 40 years. If the quality of the water drops, the entire potable water supply would be lost and the depot would cease to function.

3. The mission at Sierra Army Depot is of a strategic nature and disruption of depot activities could seriously impair the ability of the U.S. Army to support the defense of the United States of America.

4. Much of the surface of Sierra Army Depot is fine grained materials. In the southern portion of the depot, the predominant surface soil is referred to as "blow sand" and the middle and northern lands (except Skedaddle Mountain) are silts from the old lake bottom (alkaline). On 11 July 1989 in Carson City, Nevada, the U.S.G.S. released preliminary findings of the study they have been conducting on the Honey Lake Basin.

Under the scenario of 15,000 acre ft/year of exportation out of the basin, very little groundwater will remain to support evapotranspiration, 9% instead of the 42% which is available today. This along with the predicted drop in the static groundwater elevation would eliminate most of the vegetation on the installation. The loss of the vegetation would allow for the sand dunes to migrate and the silts to contaminate the air. A significant loss in air quality would result. The loss of our vegetative cover due to overdrafting of the groundwater resource is not acceptable.

5. The predicted drop in the static groundwater elevation at 15,000 acre ft per year of exportation was shown by the U.S.G.S. to have a possible impact of up to 100 ft in the area associated with our potable wells. The resulting loss in production would require that the Army construct at least one new well to support our current demands. As it stands today during peak demand periods, depot wells can barely maintain sufficient production.

6. Sierra Army Depot respectfully requests that the permitting of the domestic water well field be deferred until the following things occur.

a. The completion of the U.S.G.S. study that is currently underway.

b. The development of a Honey Lake Valley Groundwater Management District on the California side.

c. Agreement between the Nevada State Engineer, the State of California, and Lassen County, as to a "safe yield" for exportation of groundwaters out of the basin. Safe yield being that amount of extraction that does not adversely impact the quality of our well water, the production capacity of our wells, and the

surface vegetation on the Sierra Army Depot.

d. A bi-state study of the water quality and potential impacts of exportation on that quality much like the U.S.G.S. study that is currently underway for water quantity.

Therefore the protestant requests that the application be denied and that an order be entered for such relief as the State Engineer deems just and proper."

Applications 53406, 53408, 53421 and 53434 were timely protested by County of Lassen, California on the following grounds:¹

"Lassen County protests, pursuant to Nevada Law, water appropriation applications numbered 53406 to 53434 filed by Washoe County on June 23, 1989 totaling approximately 29,000 acre feet per year. The purpose of these applications are to develop groundwater resources in the Honey Lake Basin with the intent to export water to the Reno area for municipal and industrial uses. Our protest is based on available data that indicates that these applications represent an appropriation that would clearly and substantially be in excess of the safe yield of the Honey Lake Basin. Lassen County bases this position largely in reference to the report, Groundwater Availability in Honey Lake Valley, Washoe County, Nevada; William F. Guyton Associates, Inc., August 1987, and preliminary results of the United States Geological Survey presented at a quarterly meeting on July 18, 1989, in Carson City, Nevada, concerning the uncompleted Honey Lake Basin Study. Lassen County's position on the matter of groundwater exportation continues to be as expressed in our testimony presented before the Nevada Public Service Commission (Docket No. 89-107) with reference to the Sierra Pacific Water Resources Plan.

Exportation of groundwater from the Honey Lake Basin should not be considered until an adequate level of data and analysis of the groundwater resource from a quantity and quality standpoint has been developed that is satisfactory to both states and Lassen County. Such data should be adequate to establish a safe yield amount that could be exported that will not be detrimental and adverse to Lassen County.

Following are specific points of protest relative to potential adverse effects on Lassen County that could result from the granting of the referenced applications:

- 1) Reduction of groundwater recharge
- 2) Water table drawdown
- 3) Basin-wide reduction of natural evapotranspiration resulting in impacts including: Desiccation of natural vegetation; reduction in livestock forage; reduction in wildlife habitat, species numbers, diversity and population levels; reduction in natural surface flow from springs and streams
- 4) Hydraulic gradient influence
- 5) Change in rate and direction of underflow in consolidated and unconsolidated subsurface material along the entire basin boundary and between the states
- 6) Groundwater quality through interception of natural discharge and groundwater drafting through pumping
- 7) Drawing of poor quality water toward production wells and pulling poor quality water from the Sierra Army Depot, thereby reducing water quality for beneficial uses including the Army Depot and others within Lassen County
- 8) Adverse changes to geothermal reservoirs including Wendel/Amedee KGRA (Know Geothermal Resource

Area)

As referenced in Lassen County's testimony filed with the Nevada Public Service Commission on May 16, 1989, specific conclusions in the Guyton report (1987) substantiate Lassen County's concern with the amount of any export from the Honey Lake Basin. Our points of protest refer to the following excerpts from that report:

"Based on data now available, it is estimated that from about 5,000 acre feet per year to possibly 10,000 acre feet per year of water can be obtained from Honey Lake Valley on a long-term basis. While additional data need to be obtained, the results obtained from the additional work that is proposed for Honey Lake Valley would have to be very favorable to show that 10,000 acre feet of water is available on a long-term basis."

"...there is a limit as to how much natural discharge can be intercepted by pumping without causing an unacceptable amount of the poor quality water to move into the area of good quality water around the edge of the basin."

Furthermore, the USGS reported preliminary results of the Honey Lake Basin study at their quarterly meeting on July 18, 1989, which indicate that under a scenario of drafting and exporting 15,000 acre feet of groundwater from the Honey Lake Basin a substantial lowering (approximately 100 feet) of the groundwater table and resulting desiccation of the natural vegetation would result. It was also predicted that such pumping would induce an increase (from approximately 3% to 5%) in the proportion of the total inflow to the Nevada portion of the Honey Lake Basin from Lassen County.

Lassen County recognizes that the USGS study, pursuant

to the Tripartite Agreement for the Cooperative Investigation of the Honey Lake Groundwater Basin, has not been completed and the filing for water appropriation applications by Washoe County has not been respective of the target completion of April 1990 nor the results of the study.

The granting of the referenced permit applications, or any portion thereof, prior to full evaluation and understanding of the potential impacts on the groundwater resources of the basin and establishment of appropriate mechanisms to manage the interstate groundwater resources of the Honey Lake Basin on an equitable apportionment/safe yield basis, will be counterproductive to efforts that have been made by the States of Nevada and California and Lassen County to resolve the very serious conflicts associated with these interstate water matters.

Lassen County respectfully requests that consideration of the referenced applications be held in abeyance pursuant to the moratorium established with the tripartite agreement and that the applications be considered only after an adequate level of technical and environmental analysis has been conducted to evaluate the effects of the proposal and in a public hearing forum.

Therefore the protestant requests that these applications be denied and that an order be entered for such relief as the State Engineer deems just and proper."

Applications 53406, 53408, 53421 and 53434 were timely protested by the Board of Supervisors of the County of Modoc, State of California on the following grounds:¹

"Potential adverse impacts to the water resources, water basins, economy, citizens and environmental resources of Modoc and Lassen Counties, as described in

Exhibit "A" attached hereto and incorporated by reference herein.

In 1986 Modoc County filed protests in the matter of sixteen applications filed by Washoe County to appropriate water in interstate ground water basins, in connection with the Silver State Water Project. Although it has been reported (but not confirmed as requested) that Washoe County has withdrawn its appropriation applications within the Surprise Valley Basin, Modoc County hereby protests, pursuant to Nevada Water Law, appropriation applications numbered 53406 through 53434 filed by Washoe County on June 23, 1989, totalling approximately 29 acre-feet per year.

Modoc County protests the referenced applications for the following reasons:

1. That the appropriation of water in Honey Lake Valley represents a portion of the Silver State Project which has the potential to cause detrimental impacts to the citizens, economy and resources of Modoc County. No appropriation applications which represent any portion of the Silver State project should be approved until the environmental and social impacts of the entire project are analyzed and mitigated. Modoc County continues to maintain that pending applications in Duck Flat and Long Valley may cause adverse impacts due to the interconnection of these basins with the Surprise Valley basin, and the interdependency of citizens of Modoc County on the resources of Surprise Valley and portions of Washoe County which are not constrained by political boundaries, as discussed in the protests on file with the Nevada State Engineers Office for pending applications filed in 1986, incorporated herein by reference.

2. In support of the protection of the resources of Lassen County and the State of California against

detrimental impacts as stated in the letter from Hughes deMartimprey, Chairman, Lassen County Board of Supervisors, to Peter G. Morros dated September 27, 1989 attached hereto.

3. To emphasize that no action should be taken until the U.S.G.S. Honey Lake Basin study is complete, all data has been evaluated, and concurrence on a safe yield export amount is reached by the States of California and Nevada and Lassen County.

Therefore the protestant requests that these applications be denied and that an order be entered for such relief as the State Engineer deems just and proper."

Applications 53406, 53408, 53421 and 53434 were timely protested by California Department of Fish and Game on the following grounds:¹

The subject 29 applications by Washoe County (numbers 53406 through 53434) for permission to change the manner and place of use of a total of 37,401.78 acre-feet of water from irrigation and domestic use within Honey Lake Valley to municipal use outside the valley. Export of such a quantity of water would lower the water table in Honey Lake Valley, threatening existing springs which provide water critical to the survival of wildlife in California.

Therefore the protestant requests that these applications be denied and that an order be entered for such relief as the State Engineer deems just and proper.

Applications 53406, 53408, 53421 and 53434 were timely protested by Cities of Reno and Sparks on the following grounds:¹

"In accordance with NRS 533.370(3), upon information and belief, it is the position of the cities of Reno and Sparks, Nevada that granting by the State Engineer of the subject applications together

with other similar pending applications, may prove highly detrimental to the public interest, to wit:

1. Introduction to the Truckee Meadows at this time of large quantities of water of unknown quality may seriously threaten and impair the existing and future water quality of the Truckee River, which is the main source of safe drinking water for residents of the cities of Reno and Sparks.

2. Introduction to the Truckee Meadows at this time of large quantities of water of unknown quality may seriously impact both operations and maintenance at either or both the Reno-Sparks Wastewater Treatment Facility and the Reno-Stead Wastewater Treatment Facility (both of which are municipally owned wastewater treatment facilities costing tens of millions of dollars to construct, operate and maintain.)

3. Introduction to the Truckee Meadows at this time of large quantities of water of unknown quality may seriously increase the risk of NPDES permit discharge violations by the operators of the referenced wastewater treatment facilities and the large financial costs associated with any such violations.

4. Introduction to the Truckee Meadows at this time of large quantities of water of unknown quality may seriously increase the risk of harm to endangered and threatened species in Pyramid Lake or to other fauna, flora or fish dependent upon the water of the Truckee River and therefore lead to a demand for costly modifications and/or additions to one or both of the municipally owned and operated wastewater treatment facilities referenced herein.

5. The proposed place of use described in the subject applications are inconsistent with public media

statements attributed to the applicant's agent (Western Water Development Company, Inc.), thus suggesting these applications are either incomplete or in error.

6. The subject applications merely indicates the proposed manner of use for the subject waters will be municipal. Since a large water purveyor already serves substantial portions of the north and south Truckee Meadows, critical, detailed information on the actual uses to which the subject water will be placed must be made know and carefully evaluated to insure proper coordination with and/or integration into the existing complex water distribution system in the Truckee Meadows. Key questions relating to the introduction of this large quantity of unknown water, as the same may relate to furtherance of the public interest, include will such water be available to meet drought conditions by residents of the cities of Reno and Sparks, will it be available for toxic spill protection, etc.?

The cities of Reno and Sparks believe a public hearing on these subject applications, together with all related, similar pending applications, would be in the public interest.

Therefore the protestant requests that these applications be denied and that an order be entered for such relief as the State Engineer deems just and proper."

Applications 53406, 53408, 53421 and 53434 were timely protested by the Pyramid Lake Paiute Tribe of Indians on the following grounds:¹

1. Application Numbers 53406, 53408, 53421 and 53434 are deficient and should be denied. On information and belief the alleged water rights have not been exercised, utilized or perfected in accordance with state law and therefore cannot be changed to a different place of use or manner of use. The proper

course and procedure is to seek to amend these applications or these permits for the alleged existing rights.

2. Granting or approving Application Numbers 53406, 53408, 53421 and 53434 would be detrimental to the public welfare in that it would: (i) be likely to jeopardize the continued existence of Pyramid Lake's two principal fish, the endangered cui-ui and the threatened Lahontan cutthroat trout; (ii) prevent or interfere with the conservation of those endangered and threatened species in violation of both federal and state law; (iii) take or harm those threatened and endangered species; (iv) adversely affect the recreational value of Pyramid Lake; (v) interfere with the purposes for which the Pyramid Lake Indian Reservation was established; and (vi) further degrade the water quality of the Truckee River.

3. Granting or approving Application Numbers 53406, 53408, 53421 and 53434 would threaten to prove detrimental to the public interest if the implementation of the Honey Lake Water Importation Project is not coordinated and integrated with the outcome of the Truckee River Settlement negotiations and the implementation of the May 23, 1989 Preliminary Settlement Agreement between the Pyramid Lake Paiute Tribe and the Sierra Pacific Power Company.

4. Granting or approving Application Numbers 53406, 53408, 53421 and 53434 along with other pending applications involving the utilization of groundwater from the Honey Lake Basin in Nevada would exceed the safe yield of the Basin and result in the permanent depletion or mining of groundwater resources in violation of Nevada law.

5. There is not sufficient unappropriated groundwater in the Honey Lake Basin in Nevada to provide the water

sought in Application Numbers 53406, 53408, 53421 and 53434 and all other pending applications involving the utilization of surface and groundwater from that Basin.

6. Granting or approving Application Numbers 53406, 53408, 53421 and 53434 would conflict with the prior and paramount reserved water rights of the Pyramid Lake Paiute Tribe to the groundwater underlying the Smoke Creek Desert portion of the Pyramid Lake Indian Reservation.

7. The duty of water sought in Application Numbers 53406, 53408, 53421 and 53434 are excessive and would adversely affect the groundwater underlying the Smoke Creek Desert portion of the Pyramid Lake Indian Reservation.

8. The Pyramid Lake Paiute Tribe of Indians will be adversely affected if Application Numbers 53406, 53408, 53421 and 53434 are granted because: (i) the endangered and threatened species inhabiting Pyramid Lake and the recreational value of Pyramid Lake would be adversely affected; (ii) the Tribe's prior and paramount reserved water rights would be impaired or violated.

Therefore the protestant requests that these above referenced applications be denied and that an order be entered for such relief as the State Engineer deems just and proper.

FINDINGS OF FACT

I.

After duly noticing all parties of record, the State Engineer received evidence and testimony at an administrative hearing in the above referenced matter beginning on June 21, 1990 and continuing on June 22, July 19, July 20, July 21, and

September 10 through September 14, 1990.² Over 2,800 pages of transcript were developed and 136 exhibits were received in this proceeding. Testimony was received from numerous expert witnesses on behalf of both the applicants and protestants. Public comment was taken by the State Engineer expressing concern and support of the instant applications.

II.

The majority of the testimony and evidence focused on the availability of underground water in the Honey Lake Valley Basin. Honey Lake Valley is located in the west central Washoe County, Nevada and eastern Lassen County, California. The United States Geological Survey (USGS) published a report in April 1990, detailing their findings after a three year study of the hydrology of the basin.³ This report assesses the contribution of precipitation and runoff of groundwater recharge by means of a computer model, known as the deep percolation model or DPM, and estimated the groundwater flow characteristics of the eastern portion of the entire hydrographic area with a computer flow model. The entire study area in which the DPM was run encompasses 1,739 square miles and the flow model area is about 452 square miles in size. Applicants' proposed well field is in the extreme southeast corner of the flow model area. The study develops a simulated ground water budget for the flow model area and it is summarized in Table 19 in the report.³ The State Engineer has examined each of the components in the USGS water budget for Honey Lake Valley and, from such examination and in light of all the evidence and testimony, makes the following findings.

² Exhibit 1, (Notice of Hearing) received in evidence at the hearing before the State Engineer beginning June 21, 1990. All exhibits in evidence in this matter will hereinafter be referenced as "Ex. (number and page)".

³ See Ex. 9, Water-Resources Investigations Report 90-4050.

III.

Under natural or pre-development conditions, the USGS flow model simulated annual natural discharge by evapotranspiration (ET) of groundwater by phreatophyte plant growth such as greasewood, rabbitbrush and native grasses at a rate of 15,000 acre-feet (AF).⁴ They also estimate natural discharge in the form of ET at a rate of 13,000 acre-feet annually (AFA), using mapping techniques with an assigned ET rate per unit area.⁵ The State Engineer finds that the 13,000 AFA is a more accurate value of ET within the flow model area based on an established methodology rather than the 15,000 AFA which is based on the computer model simulation. Evapotranspiration is the type of natural discharge that man attempts to capture through groundwater development projects, water that would otherwise be lost. The underlying theory generally is that if a groundwater development project can lower the water table to a certain extinction depth beyond which the phreatophytes can survive on groundwater uptake, then whatever natural recharge that occurs in the area can be used to sustain the pumping levels in the well field. This theory also applies to the estimated leakage of groundwater to adjacent basins. The State Engineer finds inconsistencies in the evidence and testimony with these estimates of natural discharge and outflow.

IV.

The next component in the water budget for the Honey Lake Valley that the State Engineer examined is the estimated or simulated groundwater outflow to adjacent basins to the east. Under natural or pre-development conditions, the USGS flow model simulated 5,500 AF of water leaks out to Smoke Creek Desert annually and 1,500 AF leaks to the Pyramid Lake Basin annually

⁴ Ex. 9, p. 120 and Table 19.

⁵ Ex. 9, p. 62, 89 and 91 and Table 15.

for a total of 7,000 AFA.⁶ The USGS assigned and varied certain conductance values (ability to transmit water) of the eastern model boundaries until the simulated heads (water levels) matched the observed water levels in wells near the boundaries.⁷ In an effort to see if these conductances or transmissivities were supported by data generated from test well drilling, the State Engineer analyzed the field data and determined the following: (a) the head values are for wells that penetrated only the upper layer and perhaps the second layer of the four-layered model, (b) a gradient generally toward the north-northeast is supported by actual water level measurements, at least in the upper one or two layers, (c) the saturated thickness of the unconsolidated deposits in the Sand Pass area probably is no more than 260 feet and likely only a thin veneer in the Astor Pass area and (d) the probable flow width in each of these passes is likely less than 5,000 feet.⁸ The volcanic rocks beneath this layer may have significant permeabilities or hydraulic conductivities but only where fractured, and the flow width is restricted by faulting perpendicular to the flow direction or by hard rock outcrops near the surface. These consolidated rock formations on either side of the passes also indicate the thickness of the unconsolidated materials could not possibly be uniform across the flow width. The existing gradient supports little or no flow to the east and indicates a very flat gradient to the north-northeast.⁹ Therefore even using a perhaps believable transmissivity (hydraulic conductivity-thickness) of 50,000 gallons per day per foot would require flow widths that become implausible. Additional indications are the model's simulated outflow could

⁶ Ex. 9, p. 92 and Table 19, p. 119, and presentation by of Elinor H. Handman.

⁷ Ex. 9, p. 92.

⁸ See Nevada Bureau of Mines and Geology Bulletin No. 70, pages 110-115 and plates 1 and 6; see Ex. 63.

⁹ Ex. 9, Figure 26, page 93 and Figure 28, page 107.

not be calibrated with respect to available data.¹⁰

Much of the faulting data was confirmed after the USGS had completed their data collection phase.¹¹ The applicants continued test drilling and aquifer testing into 1990 and established the distinct possibility of a "no-flow" boundary, at least in the upper fractured rock in the Astor Pass area.¹² It is further noted that the 1967 study identified no subsurface outflow through alluvium from Honey Lake Valley but did estimate outflow for other valleys in that report.¹³ The State Engineer finds that while there may be some leakage through Sand Pass, and a very little amount through Astor Pass, both as a result of an existing groundwater gradient, it is likely much less than 7,000 AFA in view of the actual data generated from field measurements. To quantify the leakage one would have to know in greater detail the hydraulic conductivity and dimensions of the cross-sectional flow areas.

V.

The USGS computer-simulated recharge by direct infiltration of precipitation for the flow model area under pre-development conditions is 9,200 AFA; the USGS report then immediately notes that 5,000 AFA of this amount enters the valley as suspected underflow or leakage that may occur from outside the basin boundaries.¹⁴ The report itself describes this underflow as stemming from "speculation" and that "the confirmation of

¹⁰ Trans. p. 1868, line 14 to p. 1870, line 22.

¹¹ The U.S.G.S. study of the Honey Lake Basin took three years to complete, however, the data collection phase was completed in one year in 1988.

¹² Ex. 53, 55 and 58; testimony of William E. Nork, Trans. p. 910, line 14 to p. 930, line 3.

¹³ Rush, F.E., and Glancy, P.A., (1967), p. 37, Table 16:

¹⁴ Ex. 9, p. 119 and Table 19.

interbasin flow requires additional data".¹⁵ The study even tested this hypothesis by installing test wells that could document a vertical component of groundwater flow in the vicinity of the Warm Springs Fault Zone, but the results were "inconclusive".¹⁶ The State Engineer finds this 5,000 AFA of suspected recharge to the Honey Lake Valley as just that, suspect and only available for development upon further exploration, testing and evidence that it exists.

VI.

Recharge that may result from the infiltration of runoff was computed by the deep percolation model (DPM) in the USGS report. When compared to actual or estimated streamflow data generated in a separate USGS study, it was found that the DPM estimates of runoff were too high.¹⁷ The USGS flow model was therefore instructed to use the lower estimates generated in the separate study by Rockwell, a value of 13,000 AFA of recharge from streamflow.¹⁸ The estimate of streamflow in the Spencer Creek to Fort Sage Creek (flow-model area) portion is based on comparisons with gaged streams in the larger study area, monthly measurements adjusted to long-term averages and relationships developed for average streamflow per unit drainage area.¹⁹ The contribution of this streamflow to groundwater recharge is estimated to be 100% since there is very little vegetation along stream channels and all of the flow is assumed to infiltrate.²⁰ The Skedaddle Creek drainage area, for example, is estimated to generate 5,000 AF of runoff annually but no flow ever reaches the valley floor except

¹⁵ Ex. 9, p. 52.

¹⁶ Ex. 9, p. 52.

¹⁷ Ex. 9, p. 40 and Table 5.

¹⁸ Ex. 9, p. 44 and Table 6 and Table 19.

¹⁹ Ex. 9, p. 43.

²⁰ Ex. 9, p. 45.

during extreme flooding events.²¹ The State Engineer therefore finds the contribution of streamflow infiltration within the model area, indicated at 13,000 AFA in the report, as a reasonable estimate.

VII.

Since the whole idea of groundwater development in Nevada requires the capture of natural discharge or subsurface outflow that may occur to adjacent areas, the State Engineer finds the water available for development by man within the flow model area is somewhere between 13,000 AF (the natural discharge by ET) and 17,770 AF (the computer simulated value for recharge less the 5,000 AF that may originate from outside the area). The State Engineer finds a value of 13,000 AF as the safe or perennial yield of the flow model portion of the Honey Lake Valley Groundwater Basin. The perennial yield of a ground-water system is the upper limit of the amount of water that can be withdrawn economically from the system for an indefinite period of time without causing a permanent and continuing depletion of groundwater in storage and without causing a deterioration of the quality of water. It is ultimately limited by the amount of natural discharge of suitable quality that can be salvaged for beneficial use from the ground water system. The discrepancy between the above recharge values and discharge values may indeed be due to the unknown leakage out of the valley and remains to be accurately quantified.

VIII.

Protestants Modoc County, California Department of Fish and Game, and John Casey did not appear at the hearing to present evidence or testimony in support of their respective positions. The State Engineer therefore finds no evidence with which to uphold the grounds in each of these individual protests.

²¹ Ex. 9, Table 5.

IX.

Protestant Allen Farias did appear and represented that his principal concerns pertained to the potential effect on individual domestic well owners within the Honey Lake Valley, if the applicants proposed permits were granted and pumpage were allowed in excess of a safe yield. The State Engineer finds that an allowance is made in the statute for a domestic well to be drilled and utilized for each individual single family dwelling, and an exemption is granted from the requirements of filing for and obtaining an appropriation permit for that use.²² The State Engineer finds that pumping of the safe perennial yield by the applicants will not unreasonably effect domestic wells. The remaining grounds in this protest are upheld, at least in part, in rendering this decision.

X.

Protestant Cities of Reno and Sparks presented evidence and testimony in support of their protests to the granting of these applications primarily objecting to the importation of poor quality waters that may be received by the Reno-Sparks Joint Sewage Treatment Plant (RSJSTP). The State Engineer finds sufficient evidence in this record pertaining to the potential for water quality degradation in the well field proposed to be developed by the subject applications to require as a condition of the permits that the waters not be exported in a manner that will allow a violation of water quality standards. This decision does not relieve the permittee from compliance with other State, Federal or local laws and regulations. The remaining grounds in this protest are upheld, at least in part, in rendering this decision.

XI.

Protestant Sierra Army Depot did not present evidence in support of the contention that a loss of vegetation on the valley

²² NRS 534.180.

floor would somehow be detrimental to their operation. Since the prevailing wind direction is west-northwesterly, any loss of vegetation that may occur as a result of pumpage under the subject applications will likely only effect areas to the east. The witness for the Sierra Army Depot indicated that an expansion of the Depot is planned. The increase of water to be use to supply this expansion would come from either existing wells or possibly a new well.²³ The State Engineer finds that there appears to be no control over how large an expansion can be made and if water consumption at the Depot increases, how this will impact the Depot's wells.

XII.

Protestant Pyramid Lake Tribe did not present evidence on all grounds of their protest. The State Engineer finds no statutory requirement for perfecting a water right before applying for a change in the point of diversion, place or manner of use. The above noted evidence does not support a definable flow of groundwater through Astor Pass and only a minor amount of leakage through Sand Pass. There was no evidence presented at the hearing to indicate that the Pyramid Lake Tribe had ever developed any groundwater in either Pyramid Lake Valley (to the east of Astor Pass) or Smoke Creek Desert (to the east of Sand Pass). Furthermore, the State of Nevada does not recognize a reserved right to groundwater for the Pyramid Lake Tribe by any doctrine commonly recognized by any of the Western States.²⁴

XIII.

No evidence was presented to support the contention that the pumpage of groundwater in the Honey Lake Valley will in and of itself effect the flows in the Truckee River. There is no evidence that the applicants proposed water importation project will not be coordinated with the Truckee River negotiations. The

²³ Transcript page 240, line 13 to p. 241, line 12.

²⁴ In Re Rights To Use Water In Big Horn River, 753 P.2d 76 (Wyo. 1988).

State Engineer finds sufficient evidence in this record pertaining to the potential for water quality degradation in the water field proposed to be developed by the subject applications to require as a condition of the permits that the waters not be exported in a manner that will allow a violation of water quality standards. This decision does not relieve the permittee from compliance with other State, Federal or local laws and regulations. The one point in this protest that is upheld, at least in part, in rendering this decision, is that the safe yield or perennial yield will not be exceeded by granting these permits.

XIV.

Protestant Lassen County presented no evidence that groundwater recharge would be reduced by the proposed applications. Item number 7 in their protest is unclear and difficult to understand, and the contention that the subject applications will somehow adversely affect the Known Geothermal Resource Area is not supported in this record. Protestant's witness testified that neither the State of California, Lassen County nor the Honey Lake Valley Groundwater Management District has any authority to control or regulate any withdrawal of water for agricultural purposes within the Honey Lake Groundwater Basin within California. The witness further testified that other groundwater developments would require compliance with the California Environmental Quality Act. The State Engineer finds that if the protestant or any other entity in California has no jurisdiction over certain aspects of groundwater development in Honey Lake Valley Groundwater Basin, the impact from the subject applications could not be quantified in light of the additional unregulated groundwater development in California.

XIV.

The State Engineer finds the existing underground water rights in the Honey Lake Valley total approximately 23,000 acre feet annually. Under the traditional uses of this amount,

approximately 25% returns to the groundwater reservoir as secondary recharge.²⁵

CONCLUSIONS

I.

As provided in NRS 533.370, the State Engineer shall approve an application submitted in proper form which contemplates the application of water to beneficial use unless (NRS 533.370(3)):

1. There is no unappropriated water in the proposed source of supply,
2. The proposed use conflicts with existing rights, or
3. The proposed use threatens to prove detrimental to the public interest.

II.

Substantial evidence in this record supports the conclusion that the firm safe yield or perennial yield of the flow model portion of the Honey Lake Valley Groundwater Basin is not more than 13,000 acre feet annually. Withdrawals of groundwater in excess of the perennial yield will result in long-term and continued depletion of groundwater in storage, changes in hydraulic gradients that may induce the flow of poor quality groundwater into the well field and possible problems associated with land subsidence as a result of permanently dewatered aquifers.

III.

The protests to the granting of the subject applications by Modoc County, John Casey and by the California Department of Fish and Game must be dismissed on the grounds that the subject protestants failed to appear and present evidence in support of their respective positions.

²⁵ See Ex. 9, Table 19, pg. 119.

IV.

The remainder of the protests must be overruled in part and upheld in part. The portions noted in the above findings where the protestant failed to provide specific evidence in support of the grounds of the protest must be overruled. The portions of the protests pertaining to over-appropriated groundwater in Honey Lake Valley are acknowledged but not ruled upon since that evidence in this case supports the conclusion there is a discrepancy in the water balance beyond the first 13,000 acre feet annually.

V.

The State Engineer concludes that the applications to change first-in-time can be approved but must be limited to 13,000 acre feet annually on the grounds that they are contemplating the beneficial use of water and are within the safe yield or perennial yield of the basin. Approval of pumpage beyond 13,000 AFA, as well as all applications to appropriate additional water will be held in abeyance until confirmation that the above-noted imbalance between recharge and discharge is found to be leakage through Sand Pass or some other discharge subject to capture.

RULING

The protests to the granting of the applications by Modoc County, John Casey and by the California Department Fish and Game are herewith overruled on the grounds the protestants failed to appear and provide evidence in support of their respective positions.

The protests to the granting of applications for new appropriations are upheld in part, and the applications to appropriate new water are herewith held without ruling. The grounds of the protests that were not supported by evidence in this record are overruled.

The points of protest pertaining to the over-appropriation of the groundwaters of Honey Lake Valley are held in part, and permits to change existing rights will be granted only on those

rights for the first-in-time priority up to 13,000 acre feet annually. The remainder of the subject applications to change for waters beyond 13,000 AFA perennial yield and applications to appropriate are held in abeyance until confirmation that the above-noted imbalance between recharge and discharge is found to be leakage through Sand Pass or some other discharge subject to capture.

In addition the following terms and conditions on all permits issued will be:

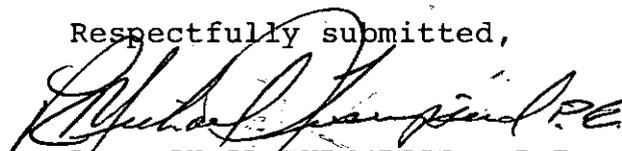
1. The total combined duty under all permits will be limited to 13,000 AFA.

2. A monitoring plan shall be submitted for approval by the State Engineer which will be used to ultimately determine the maximum amount of water available for development. This monitoring plan shall be submitted within 90 days after the issuance of the permits.

3. Totalizing meters will be installed on all wells and accurate records of diversion of water shall be maintained and submitted to the State Engineer on a quarterly basis.

4. That no violations of water quality standards shall occur.

Respectfully submitted,



R. MICHAEL TURNIPSEED, P.E.
State Engineer

RMT/TG/pm

Date this 1st day of
March, 1991

IN THE OFFICE OF THE STATE ENGINEER
OF THE STATE OF NEVADA

IN THE MATTER OF APPLICATIONS 53407,)
53409 THROUGH 53420, INCLUSIVE, 53422)
THROUGH 53428, INCLUSIVE, 53432, 53433)
AND 54134 THROUGH 54138, INCLUSIVE,)
FILED TO CHANGE THE PLACE OF USE AND)
MANNER OF USE OF VARIOUS UNDERGROUND)
PERMITS IN HONEY LAKE VALLEY, WASHOE)
COUNTY, NEVADA.)
_____)

SUPPLEMENTAL RULING
ON REMAND

#3787A

GENERAL

I.

This ruling on remand is somewhat abbreviated from Ruling No. 3787 signed by the State Engineer on March 1, 1991. The individual applications and individual protests were enumerated in Ruling No. 3787, therefore, the State Engineer will not enumerate them once again. All of the applications before the State Engineer during the hearings of 1990 were not acted upon in Ruling No. 3787. The applications filed to appropriate unappropriated water were held in abeyance and were not part of the appeal by Lassen County, California (Lassen County) and the Pyramid Lake Paiute Tribe of Indians (Tribe), and the intra-basin applications are addressed under separate ruling. Therefore, they are not addressed in this ruling on remand.

II.

All of the applications that are the subject of this ruling were protested by the Tribe, Sierra Army Depot, the Cities of Reno and Sparks, California Department of Fish and Game, County of Modoc California, and Lassen County, except Applications 54134 through 54138, inclusive, which were only protested by the Tribe.

The protests of California Department of Fish and Game and County of Modoc, California are disregarded since they made no appearance at the hearing and offered nothing in support of their protests.

III.

The protests are difficult to summarize but the State Engineer considers all grounds for protest to be irrelevant except those dealing (i) with interference with existing rights or (ii) those that would threaten to prove detrimental to the public interest¹. No findings are made on whether unappropriated water exists in the source since all of the applications that are the subject of this ruling are applications that seek to change the place and manner of use of water already appropriated.

IV.

Upon notification of the subject parties as required under NRS 533.365(3), a series of administrative hearings were held before the State Engineer beginning on June 21, 1990, and continued to July 19, 1990, and September 10, 1990.² The purpose of the hearings was to receive evidence and testimony relevant to the proposed change applications which sought to change the manner of use and the places of use of existing permits to areas outside of the Honey Lake Groundwater Basin. Four applications requesting new appropriations of water within the basin were also considered as were the respective protests to the aforementioned applications.³ Evidentiary presentations were made by both applicant and protestants and numerous exhibits were received in evidence.²

V.

The previous ruling in this matter (Ruling No. 3787 on the inter-basin transfers) was appealed to the Second Judicial District

¹NRS 533.370(3).

²Transcripts of these administrative hearings before the State Engineer are public record in the office of the State Engineer in Carson City, Nevada. Hereinafter referred to as "Transcript, date, volume and page, figure or table."

³Exhibit 1 of the administrative hearings before the State Engineer. Hereinafter referred to as "Exhibit and number."

Court (Court) by Lassen County and the Tribe. On August 31, 1992, the Court entered its Order (Order) remanding the matter to the State Engineer for further findings consistent with the Order. On September 17, 1992, the State Engineer filed with the Court a Motion to Amend Order, requesting that the Court amend its decision on the issue of whether Nevada law allows the change of unperfected water rights.

VI.

After 12 days of testimony from many expert witnesses and 136 exhibits in evidence, the State Engineer can find no reason for further hearings in this matter. The State Engineer makes the following additional findings based on the existing evidence and records in the Office of the State Engineer.

FINDINGS OF FACT

I.

The Tribe protested all of the applications that are the subject of this ruling, in part, on the grounds that under Nevada law these change applications cannot be approved because the original permits had not gone to beneficial use. In its Order, the Court noted the absence in the administrative record of support for the State Engineer's historic practice of granting applications for transfer of unperfected water rights.

During the hearings in 1990, the State Engineer took administrative notice of all of the records in the Office of the State Engineer.⁴ Since the first act in 1905,⁵ which outlined the mandatory procedure for making an appropriation of water by application to the State Engineer, the Nevada Legislature passed several laws which dealt with change applications. In 1907 the procedure for changing the place of diversion (also referred to as

⁴Transcript, July 23, 1990, Vol. VI, p. 998.

⁵Act of March 1, 1905, ch. 46, 1905 Nev. Stat. 66.

point of diversion) or manner of use was enacted.⁶ In 1913 the law was amended to allow changes in the place of use.⁷ The 1939 Legislature enacted the comprehensive groundwater law which specifically made groundwater subject to the provisions of NRS chapter 533.⁸

The following are a few examples of applications to change which were granted shortly after each of the above mentioned amendments or additions to the law. In each case, the underlying water right had not yet been beneficially used.

The State Engineer in 1907 approved Application 558 to change the point of diversion of Permit 132 on Duck Creek. It is clear from the file that the water had never gone to beneficial use under Permit 132.⁹

On October 1, 1917, the State Engineer approved Permit 4418 which changed the place of use of a portion of the water under Permit 812. The purpose of this change application was to irrigate other land "of better quality and better susceptible of irrigation than the eighty acre tract sought to be excluded from said description."¹⁰

On January 31, 1944, the State Engineer granted Permit 10825 which changed the manner of use of Permit 8830 from irrigation to quasi-municipal use.¹¹ The proof of beneficial use was filed

⁶Act of February 26, 1907, ch. 18, § 24, 1907 Nev. Stat. 35.

⁷Act of March 22, 1913, ch. 140, § 59, 1913 Nev. Stat. 208.

⁸Act of March 25, 1939, ch. 178, 1939 Nev. Stat. 274.

⁹Public records in the Office of the State Engineer under Permits 132 and 558.

¹⁰Public records in the Office of the State Engineer under Permits 812 and 4418.

¹¹Public records in the Office of the State Engineer under Permits 8830 and 10825.

showing irrigation of 1 acre of land, however, water rights for irrigation of 40 acres of land were allowed to be changed.

Virtually every State Engineer since the law was enacted in 1907 has approved changes of permits that had not gone to beneficial use. Since each application must be considered on its own merits, past State Engineers must have determined that granting permits to change unperfected rights was consistent with the statutes and legislative intent. During the past 85 years, approximately 5,000 applications to change unperfected water rights have been approved. A few examples are warranted and are attached to this ruling as Appendix 1.

The State Engineer must show great deference to his predecessors' interpretation of Nevada water law. None of the permits previously granted were appealed on the basis that an unperfected right could not be changed. In fact, case law supports the long standing interpretation that a permit is "water already appropriated."¹²

The State Engineer finds that being able to change unperfected rights is the only practicable way that the water law can function. This can best be demonstrated by discussion and example. If the State Engineer grants a permit to drill a well at a particular location for irrigation and the farmer, after considerable investment, drills a dry hole, he cannot prove beneficial use. With the passage of time there may be subsequent filings, and there could be subsequent permits that allocated the perennial yield.¹³ It would not be in the public interest to foreclose a permit holder

¹²Application of Filippini, 66 Nev. 17, 202 P.2d 535 (1949), Town of Eureka v. Office of State Engineer of State of Nevada, 108 Nev. ___, 826 P.2d 948 (1992).

¹³Perennial yield is defined as the amount of water that is naturally recharged by precipitation that can be extracted each year over the long term from a groundwater basin without depleting water from storage.

who has demonstrated good faith and reasonable diligence¹⁴ from changing the point of diversion in an effort to develop a well at a new location in an attempt to put the water to beneficial use in compliance with the statutes and maintain his priority.

The State Engineer must consider a permit as an appropriation if he is to effectively administer the provisions of NRS 533.370(3). As an example, when permits are granted to a municipality for specific points of diversion and place of use, it would be inconceivable that in the future there would be no necessity to change the point of diversion of any well or to expand the municipal boundaries. As a matter of course, municipal boundaries and refinements to distribution systems are constantly being modified. The inability of the municipality to change the point of diversion of water, not put to beneficial use, would limit the development of an efficient distribution system and result in the poor management of the limited water resource. Without the ability to change the place of use, the municipal boundaries could never expand. If the only way to obtain water for additional service areas was through new applications, any permits issued would be subject to prior rights. Therefore, the municipality would have permits junior to all other rights in the basin and could be subject to curtailment if the State Engineer was required to regulate the source based on priority.¹⁵ The State Engineer finds that this would not be in the public interest since the municipality would be proceeding to show good faith and due diligence in putting the water to beneficial use under the permits earlier in time, but may have a necessity to expand its service area.

¹⁴NRS 533.395(1).

¹⁵NRS 534.080(3) and 534.110(6).

II.

The State Engineer finds that a portion of the water under the original permits has been beneficially used. Evidence indicates 5,900 acre feet had been placed to beneficial use by the applicant for irrigation purposes prior to the hearings in 1990.¹⁶

III.

The Tribe in Petitioners' Opening Brief stated that "allowing changes in unused permit rights rewards speculation in water rights" and "entertaining applications to change the place of diversion, or place or manner of use of water prior to beneficial use encourages speculation."

The change application procedure set out in the Nevada water law¹⁷ does not specifically address speculation. However, the State Engineer relies on NRS 533.395 in considering any change application since the permit to be changed must be in good standing at the time action is taken on the change application. Therefore, the State Engineer must find that the permittee exercised due diligence under the permit being changed or he must cancel the original permit, leaving no right to change. Permits or portions of permits have been cancelled for failure to show due diligence resulting in the denial of change applications.

The State Engineer finds that the requirements of good faith and reasonable diligence under NRS 533.395 provide adequate safeguards against speculation. Therefore, the State Engineer rejects the Tribe's contention that fear of speculation is a reason for disallowing changes of unperfected water rights.

¹⁶Exhibit 9, Table 19, p. 119; Table 16, p. 97; and p. 92 model calibration based on 1988 withdrawals and Transcript, September 10 and 11, 1990, Vol. IX, p. 1750.

¹⁷NRS 533.325, 533.345.

IV.

The Tribe protested all of the subject applications, in part, on the grounds that it would "conflict with the prior and paramount reserved water rights of the Pyramid Lake Paiute Tribe to the groundwater underlying the Smoke Creek Desert portion of the Pyramid Lake Indian Reservation." A search of the State Engineer's records indicates that the Tribe has never filed any claims of reserved water rights in Smoke Creek Desert Groundwater Basin. The State Engineer has no knowledge as to whether any groundwater has been developed in the Smoke Creek Desert Groundwater Basin by the Tribe. Nevertheless, the purpose of this ruling, and the prior ruling on the inter-basin changes, is not intended to adjudicate the reserved rights of the Tribe. The State Engineer finds that if, in fact, the Tribe has reserved rights to groundwater in the Smoke Creek Desert Groundwater Basin, any appropriative rights granted by the State Engineer would be subject to and junior in priority to those reserved rights. Conversely if the Tribe is found not to have reserved rights to groundwater, the appropriative rights addressed in this ruling would only be subject to other rights that may exist at the time of approval.

The U.S. Geological Survey computerized flow model simulated a natural discharge in the Nevada portion of Honey Lake Valley to be 15,000 acre feet annually.¹⁸ In addition, the flow model simulated a discharge (leakage) of 5,500 acre feet to Smoke Creek Desert.¹⁹ Additional evidence gathered by the applicant after the U.S. Geological Survey had completed its data collection phase indicates that either the leakage does not exist or is over

¹⁸Exhibit 9, p. 120 and Table 19.

¹⁹Exhibit 9, p. 92 and Table 19.

estimated.²⁰ Therefore, the State Engineer finds, as he found in Ruling No. 3787, that in order to be conservative, a lesser amount of water could be exported than could be developed and used within the basin, in order to not interfere with any rights in Smoke Creek Desert if, in fact, any exist.

V.

The Court issued the remand Order on August 31, 1992, in part, to have the State Engineer make additional findings on public interest. The Court made an observation that the Nevada Legislature has not offered any guidance on this issue.²¹ However, the Supreme Court has distinguished the interest of the public at large versus private interests.²² The Court also made a correct observation in noting that public interest is a matter within the discretion of the State Engineer.²³ Although Nevada water law does not define public interest, public interest considerations are found throughout NRS chapters 533, 534 and 540.

The water of all sources above or beneath the ground belongs to the public.²⁴ Subject to existing rights, all such water may be appropriated for beneficial use as provided in this chapter and not otherwise.²⁵ The beneficial use of water is hereby declared a public use...²⁶

²⁰Exhibits 53, 55 and 58, testimony of William E. Nork, transcript, July 21, 1990, Vol. V, pp. 910 to 930.

²¹Remand Order p. 14 line 23-24.

²²Primm v. Reno, 70 Nev. 7, 252 P.2d 835 (1953).

²³Remand Order p. 15 line 4-8.

²⁴NRS 533.025.

²⁵NRS 533.030(1).

²⁶NRS 533.050.

The Legislature has determined that it is the policy of the State of Nevada to continue to recognize the critical nature of the state's limited water resources. It is acknowledged that many of the state's surface water resources are committed to existing uses under existing water rights, and that in many areas of the state the available groundwater supplies have been appropriated for current uses. It is the policy of the State of Nevada to recognize and provide for the protection of these existing water rights. It is also the policy of the state to encourage efficient and non-wasteful use of these limited supplies.²⁷

The Legislature further recognizes the relationship between the critical nature of the state's limited water resources and the increasing demands placed on these resources as the population of the state continues to grow.²⁸

The Legislature has recognized the use of water for wildlife including the establishment and maintenance of wetlands and fisheries.²⁹ Springs on which wildlife customarily subsist must be protected.³⁰ The legislature has encouraged the use of effluent where such use is not contrary to public health, safety or welfare.³¹ Water for recreational purposes from either underground or surface sources is declared to be a beneficial use.³² Livestock

²⁷NRS 540.011(1).

²⁸NRS 540.011(2).

²⁹NRS 533.023.

³⁰NRS 533.367.

³¹NRS 533.024.

³²NRS 533.030(2).

watering is declared to be a beneficial use³³ and springs and streams on which livestock subsist must be protected.³⁴

The Nevada Legislature addresses not allowing the waste of water and allowing rotation amongst users.³⁵ The law prohibits the pollution and contamination of underground water and directs the State Engineer to promulgate rules to prevent such.³⁶ The law prohibits the diversion of water when the necessity for its use no longer exists.³⁷ The State Engineer, therefore, finds that the Nevada Legislature has provided substantial guidance as to what it determines to be in the public interest.

VI.

From the State Engineer's review of the Nevada water law as it identifies the public interest, the State Engineer finds that the following principles should serve as guidelines in his determination of what constitutes "the public interest" within the meaning of NRS 533.370.

1. An appropriation must be for a beneficial use.³⁸
2. The applicant must demonstrate the amount, source and purpose of the appropriation.³⁹

³³NRS 533.490(1).

³⁴NRS 533.495.

³⁵NRS 533.075 and 533.530(1).

³⁶NRS 534.020(2).

³⁷NRS 533.045.

³⁸NRS 533.030(1).

³⁹NRS 533.335.

3. If the appropriation is for municipal supply, the applicant must demonstrate the approximate number of persons to be served and the approximate future requirements.⁴⁰

4. The right to divert ceases when the necessity for the use of the water does not exist.⁴¹

5. The applicant must demonstrate the magnitude of the use of water, such as the number of acres irrigated, the use to which generated hydroelectric power will be applied, or the number of animals to be watered.⁴²

6. In considering extensions of time to apply water to beneficial use, the State Engineer must determine the number of parcels and commercial or residential units which are contained or planned in the area to be developed, economic conditions which affect the ability of the developer to complete application of the water to beneficial use, and the period contemplated for completion in a development project approved by local governments or in a planned unit development.⁴³

7. For large appropriations, the State Engineer must consider whether the applicant has the financial capability to develop the water and place it to beneficial use.⁴⁴

8. The State Engineer may cooperate with federal authorities in monitoring the development and use of the water resources of the State.⁴⁵

⁴⁰NRS 533.340(3).

⁴¹NRS 533.045.

⁴²NRS 533.340.

⁴³NRS 533.380(4).

⁴⁴NRS 533.375.

⁴⁵NRS 532.170(1).

9. He may also cooperate with California authorities in monitoring the future needs and uses of water in the Lake Tahoe area and to study ways of developing water supplies so that the development of the area will not be impeded.⁴⁶

10. Rotation in use is authorized to bring about a more economical use of supplies.⁴⁷

11. The State Engineer may determine whether there is over pumping of groundwater and refuse to issue permits if there is no unappropriated water available.⁴⁸

12. He may determine what is a reasonable lowering of the static water level in an area after taking into account the economics of pumping water for the general type of crops growing and the effect of water use on the economy of the area in general.⁴⁹

13. Within an area that has been designated, the State Engineer may monitor and regulate the water supply.⁵⁰

VII.

The State Engineer finds that the prior appropriation doctrine, which is the law in Nevada,⁵¹ not only promotes the beneficial use of water, but prohibits waste and encourages the highest and best use of water by allowing changes in the place and

⁴⁶NRS 532.180.

⁴⁷NRS 533.075.

⁴⁸NRS 534.110(3).

⁴⁹NRS 534.110(4).

⁵⁰NRS 534.110(6).

⁵¹The riparian rights doctrine was repudiated in Nevada in 1885 and replaced with doctrine of prior appropriation. Jones v. Adams, 19 Nev. 78, 6 P. 442 (1885).

manner of use.⁵² The court made an astute observation in the remand Order in that the demand for water in Washoe County, particularly in the Reno-Sparks area is great and nearly all economically available surface water in the area has been allocated.⁵³ The State Engineer finds that it is in the public interest to facilitate augmentation of the Reno-Sparks water supply as well as to augment the supply in some of the valleys north of Reno-Sparks that have declining water tables, so long as the other public interest values are not compromised or can be mitigated.

VIII.

The Tribe in Petitioners' Opening Brief brought forth a concern that plant life and wildlife may be impaired as a result of pumping and export of water from Honey Lake Valley.⁵⁴

The State Engineer finds that there was substantial evidence presented to indicate that wildlife would not be impacted as a result of these proposed changes. Testimony was received that showed the high mountain springs used by wildlife to the south and east of the proposed well field were not connected to the alluvial aquifer system.⁵⁵ Any lowering of the water table and resulting impact or dying out of phreatophytes, such as greasewood, would result in xerophytic species, such as rabbitbrush and sagebrush

⁵²NRS 533.040, 533.325 and 533.345.

⁵³Remand Order p. 1 line 25 through p. 2 line 1.

⁵⁴Tribe's opening brief dated November 25, 1991, p. 20.

⁵⁵Testimony of Don Mahin, Transcript, July 24, 1990, Vol. VII., p. 1317-1319. Also explanation of Elinor Handman co-author of Exhibit 9, Transcript, June 21, 1990, Vol. I. p. 63.

taking the vacated space.⁵⁶ Testimony was received that large game animals rely on xerophytes and not phreatophytes for forage.⁵⁷

Therefore, nothing in this record demonstrates that the inter-basin change applications, if approved, would prove detrimental to wildlife and plant life.

IX.

The Tribe in Petitioners' Opening Brief brought forth a concern that wetlands may be impaired as a result of pumping and export of water from Honey Lake Valley. In the matter of these change applications, the State Engineer finds that there is evidence that there will be some wetlands loss in the near vicinity of Fish Springs⁵⁸ but the evidence further shows that no loss of wetlands will occur further north at High Rock Springs and Amedee Springs since these are fed from thermal sources and are not part of the hydrologic system near the proposed well field.

X.

The Sierra Army Depot protested a portion of the subject applications in part on the grounds that soils in the southern portion of the depot are described as "blow sand" and the northern part are silts from the old lake bottom. They claim that under a scenario of exportation of 15,000 acre feet, very little groundwater would remain to support evapotranspiration by native plants. The Sierra Army Depot presented no evidence that the playa, or alkalai flat, would be substantially enlarged by the

⁵⁶Testimony of Charles Salisbury, Transcript, September 10 & 11, 1990, Vol. IX, p. 1734, and testimony of Ed Evatz, Transcript, September 10 & 11, 1990, Vol. IX., p. 1687-1688, 1714-15.

⁵⁷Testimony of Frank Hall, Transcript, July 20, 1990, Vol. IV., p. 750-751.

⁵⁸The wetlands at Fish Springs are depicted on Plate 4, Exhibit 9 and they lie in an area of maximum drawdown caused by pumping as depicted in Exhibit 9 Fig. 30.

pumpage in the Nevada portion of Honey Lake Valley or that a dust hazard presently exists on the base.

There exists a small playa (less than 10 square miles) directly north of the proposed well field.⁵⁹ There presently exists Honey Lake, that is often dry, directly west and adjacent to Sierra Army Depot which consists of over 100 square miles.⁵⁹ This situation existed prior to any pumping in either state. The State Engineer finds no evidence that the approval of the export of water from the Nevada portion of Honey Lake Valley, 10 miles away from the depot, will aggravate whatever natural dust hazard now exists, nor is there any evidence that this hazard will prove detrimental to the public interest.

XI.

The Sierra Army Depot protested a portion of the applications on the grounds that their potable wells are 8.5 miles from the proposed municipal well field. The nearest point of diversion of the proposed well field is approximately 11 miles from the Sierra Army Depot potable wells.⁵⁹ There was no evidence offered by Sierra Army Depot as to how much water they pump or from what depth the water is pumped. Nevada law allows for a reasonable lowering of the water table in allowing appropriations and changes of groundwater.⁶⁰

The U.S. Geological Survey computerized simulation⁶¹ of pumping 15,000 acre feet per year out of the basin determined that less than 10 feet of draw down would occur at the Sierra Army Depot. The State Engineer finds that this is not an unreasonable lowering of the water table.

⁵⁹Exhibit 9, plate 1.

⁶⁰NRS 534.110(4).

⁶¹Exhibit 9, Figure 30.

XII.

The Sierra Army Depot protested a portion of the subject applications, in part, on the grounds that:

(T)he mission at Sierra Army Depot is of a strategic nature and disruption of depot activities could seriously impair the ability of the U.S. Army to support the defense of the United States of America.⁶²

As a result of previous changes, the proposed municipal well field is 11 miles from the Sierra Army Depot potable wells. The State Engineer finds that no evidence was presented that this pumping or the export of water would have an impact on the mission of the Sierra Army Depot.

XIII.

The Tribe protested the subject applications, in part, on the grounds that it "would threaten to prove detrimental to the public interest if the implementation of the Honey Lake Water Importation Project is not coordinated and integrated with the outcome of the Truckee River Settlement negotiations..."

The State Engineer finds that there is no evidence in the record that the water pumped from Honey Lake Valley could not or will not be coordinated and integrated with the negotiated settlement on the Truckee River. Other findings in this ruling and the original Ruling No. 3787, however, may prohibit the use of water in the Westpac service area if the sewage would return to the Truckee River.⁶³

XIV.

The Tribe and the Cities of Reno and Sparks protested the importation of water into the Truckee Meadows because it would

⁶²Public record in the Office of the State Engineer.

⁶³Truckee River water serves the Stead area and partially serves the Silver Lake Water Company both in Lemmon Valley. Presumably the applicant could serve these areas and replace the Truckee River water, freeing up that water for use elsewhere.

impair the endangered cui-ui and threatened Lahontan cutthroat trout, and/or cause the Reno-Sparks Wastewater Treatment Plant to violate its discharge permit. The State Engineer finds that it is not in the public interest to impair the endangered and threatened species at Pyramid Lake or to degrade the quality of the Truckee River. Therefore, the State Engineer finds in this ruling, as he did in the original Ruling No. 3787, that any export of water out of Honey Lake Valley cannot violate any discharge standards or any other standards imposed by any other state, local or federal agency.

XV.

Lassen County protested, in part, on the grounds that it would "increase the potential for impairment of existing rights in California by increasing extractions in Nevada." The State Engineer finds that there was no evidence or testimony offered by Lassen County as to how much water is pumped in California, where the rights are located or from what depths water is pumped. The State Engineer is unaware of any attempt by California or Lassen County to regulate pumping in the California portion of Honey Lake Valley.

Nevada law allows for a reasonable lowering of the water table.⁶⁴ The evidence shows that there will be a cone of depression developed around the proposed well field and the western edge of this cone of depression extends into California.⁶⁵ There is nothing in the records to indicate that any groundwater rights or domestic wells are within the 10 to 49 feet of drawdown in California. The State Engineer finds that the drawdown in

⁶⁴NRS 534.110(4).

⁶⁵The U.S. Geological Survey computerized simulation (Exhibit 9, Fig. 30) of pumping 15,000 acre feet annually will cause a few square miles in California to experience 10 feet to 49 feet of drawdown and the remainder will experience less than 10 feet of drawdown.

California is not unreasonable and further finds that pumping from the Nevada portion of Honey Lake Valley will not interfere with any existing rights in California.

XVI.

Given the present discharge quality criteria and wastewater treatment scenario, the State Engineer finds that it would threaten to prove to be detrimental to the public interest to allow this water to be used directly in the Westpac service area as long as the wastewater passes through the Reno-Sparks Wastewater Treatment Plant and discharges to the Truckee River. The State Engineer further finds that if the water is used outside the Westpac service area, or if the wastewater is no longer discharged to the Truckee River or if the treatment plant can treat the water to whatever standard exists then there is no threat to the public interest by the transfer of these water rights. The State Engineer realizes that the Division of Environmental Protection and the U.S. Environmental Protection Agency have the authority to set water quality standards and discharge criteria and relies on those agencies to enforce them.

XVII.

The Petitioners contend in their brief⁶⁶ that there are better alternatives to augmenting the water supply for the Truckee Meadows, the North Valleys and Spanish Springs. The State Engineer cannot evaluate all possible alternatives to any particular water project. The applicant, Washoe County, presumably already looked at the various alternatives. The State Engineer finds that he must act on the applications before him and is not in a position to interfere with the decisions and responsibilities of Washoe County. The State Engineer can only look at the applicant's ability to

⁶⁶Petitioners' Opening Brief p. 21.

finance the project⁶⁷ and finds it has the capability to put the water to beneficial use.

CONCLUSIONS

I.

The State Engineer has jurisdiction of the parties and the subject matter of this action.⁶⁸

II.

The State Engineer is prohibited from approving change applications when:⁶⁹

1. The proposed change conflicts with existing rights, or
2. The proposed change threatens to prove detrimental to the public interest.

III.

Substantial evidence in the record supports the conclusion that at least 13,000 acre feet annually can be exported out of Honey Lake Basin without interfering with existing rights.

IV.

The State Engineer concludes that even though there will be minimal wetland loss, there is an overriding public interest value to put this water to its highest and best use by allowing for the export of 13,000 acre feet annually for municipal use.

V.

The State Engineer concludes that it would threaten to prove detrimental to the public interest to allow the water to be used in such a manner as to violate any water quality or discharge standards of water discharging into the Truckee River or to further impair any threatened or endangered species.

⁶⁷NRS 533.375.

⁶⁸NRS chapter 533 and 534 and Remand Order from Second Judicial District Court, dated August 31, 1992.

⁶⁹NRS chapter 533.370(3).

VI.

The State Engineer concludes that at least 5,900 acre feet has gone to beneficial use under the base permits prior to the hearings of 1990.

RULING

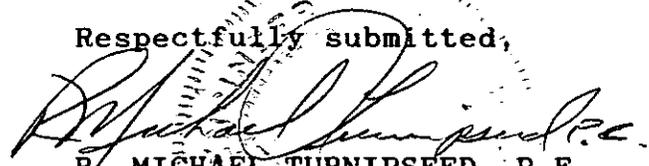
All findings and conclusions in Ruling No. 3787 are hereby incorporated into this ruling except that nothing in these rulings shall be construed to be an adjudication of the reserved rights of the Pyramid Lake Paiute Tribe of Indians. The protests to Applications 53407, 53409 through 53420, inclusive, 53422 through 53428, inclusive, 53432, 53433 and 54134 through 54138, inclusive, are hereby overruled and said applications are hereby approved subject to:

1. Payment of statutory fees.
2. Prior rights including any reserved rights if they are found to exist.
3. A monitoring plan to be approved by the State Engineer which will verify and refine the computerized simulation of pumping and determine drawdowns, water quality changes and to what extent leakage exists from the valley to either Smoke Creek Desert or Pyramid Lake Valley.
4. All effluent discharge standards and any other state, federal or local permits that may be required.

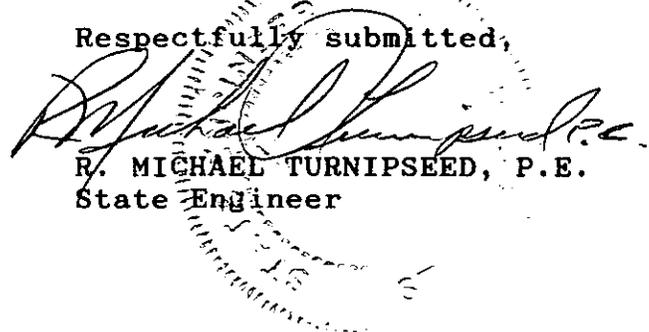
The total combined duty of all of the above permits shall be limited to 13,000 acre feet annually subject to a final judicial determination as to whether unperfected water rights may be changed. If the result of that determination is that you can not change unperfected water rights, the above permits shall be limited

to 5,900 acre feet annually. Totalizing meters shall be installed on all wells and accurate records of diversion shall be maintained and submitted to the State Engineer on a quarterly basis.

Respectfully submitted,



R. MICHAEL TURNIPSEED, P.E.
State Engineer



RMT/bk

Dated this 9th day of
October, 1992.

**PERMITS ISSUED CHANGING APPROPRIATED WATER
IN WHICH BENEFICIAL USE HAD NOT BEEN MADE**

APPLICATION TO CHANGE NUMBER	PERMIT DATE	PERMIT # BEING CHANGED	CHANGE OF	STATE ENGINEER
558	10/02/07	132	POD	FRANK NICHOLAS
1787	11/15/10	1475	POD	EMMET BOYLE
4418	10/30/17	812	POU	J.G. SCRUGHAM
7142	11/26/24	7066	POD	ROBERT ALLEN
8488	08/23/28	7776	POU	GEORGE W. MALONE
9843	10/30/35	5719	POD,POU	ALFRED MERRITT SMITH
10825	01/31/44	8830	POD,POU,MOU	ALFRED MERRITT SMITH
14105	01/07/53	10999	POD,POU	HUGH A. SHAMBERGER
19425	02/13/63	1855	POU	ELMO J. DERICCO
21930	02/03/65	19254	POD,POU	GEORGE W. HENNEN
24185	03/19/69	22948	POD	ROLAND D. WESTERGARD
27133	03/16/73	25639	POD,MOU	ROLAND D. WESTERGARD
29421	02/26/76	27383	MOU	ROLAND D. WESTERGARD
40505	08/15/80	29242	POD	WILLIAM NEWMAN
44651	09/19/86	42575	MOU	PETER G. MORROS
53834	07/02/90	36361	POD,POU,MOU	R. MICHAEL TURNIPSEED

MOU = MANNER OF USE, POU = PLACE OF USE, POD = POINT OF DIVERSION

APPENDIX 1