

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

FILED  
JUN 16 2010  
STATE ENGINEER'S OFFICE

IN THE MATTER OF APPLICATION NUMBER 79884T  
FILED BY City of Fernley  
ON June 4, 2010, TO APPROPRIATE THE  
WATERS OF Truckee River



PROTEST

Comes now Truckee-Carson Irrigation District  
Printed or typed name of protestant  
whose post office address is P.O. Box 1356, Fallon, NV 89407-1356  
Street No. or PO Box, City, State and ZIP Code  
whose occupation is Irrigation District and protests the granting  
of Application Number 79884T, filed on June 4, 2010  
by City of Fernley to appropriate the  
waters of Truckee River situated in Storey

Underground or name of stream, lake, spring or other source

County, State of Nevada, for the following reasons and on the following grounds, to wit:

1. Timing, in that it does not follow the pattern of traditional use of the water, and does not follow the pattern that would be used if it were being used for M and I. 2. Diversions at Derby mean Truckee Canal users suffer all the losses. 3. City of Fernley and domestic well users are not being replenished by the water that once supplied them. Remaining users are doing all the replenishment of the aquifer through losses. 4. Carson Division doesn't get claim 3 water it is entitled to under decree and OCAP. 5. Contractual rights by TCID to store and deliver pooled water are being injured. 6. Carry over storage in Lahontan is reduced. 7. Hydro production and thus revenues bring additional hardship to all users of pooled water supply with higher O&M Fees. 8. The Public Interest in the Newlands project is not served. Accordingly, these temporary applications should be denied because the applications are not temporary in nature, the proposed use conflicts with existing rights had by water right holders within the Newlands Reclamation Project, and the proposed transfers are contrary to public policy.

THEREFORE the Protestant requests that the application be Denied

Denied, issued subject to prior rights, etc., as the case may be

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

Signed Kathryn Rutan Agent or protestant  
Kathryn Rutan Printed or typed name, if agent  
Address P.O. Box 1356 Street No. or PO Box  
Fallon, NV 89407-1356 City, State and ZIP Code  
775-423-2141 Phone Number

STATE ENGINEER'S OFFICE  
JUN 16 PM 12:04  
RECEIVED

Subscribed and sworn to before me this 16 day of June, 2010

IDA L. ADAMS  
Notary Public - State of Nevada  
Appointment Recorded in Churchill County  
No: 00-62984-4 - Expires June 6, 2012

Ida L Adams  
Notary Public  
State of Nevada  
County of Churchill

+ \$25 FILING FEE MUST ACCOMPANY PROTEST. PROTEST MUST BE FILED IN DUPLICATE.  
ALL COPIES MUST CONTAIN ORIGINAL SIGNATURE.