# United States Department of the Interior

**BUREAU OF RECLAMATION**
Lahontan Basin Area Office
705 N. Plaza Street, Rm 320
Carson City, NV 89701

IN REPLY REFER TO:

April 2, 2012

LO-900
WTR-4.10

RECEIVED
2012 APR -2 PM 2:22
STATE ENGINEER'S OFFICE

Mr. Jason King, P.E.
State Engineer
Department of Conservation and Natural Resources
Division of Water Resources
901 South Stewart Street, Suite 2002
Carson City, Nevada 89701

Subject: Protest of Application 81524-81532 - TRI General Improvement District

Dear Jason:

The Bureau of Reclamation has reviewed, and hereby protests, Application Nos. 81524-81532 filed by TRI General Improvement District. Application numbers 81524-81532 seek to appropriate groundwater from the Tracy Segment Hydrographic Basin which is a fully-appropriated basin. Applications 81524-81532 should be denied on the basis that there is no unappropriated water at the proposed source. State Engineer's ruling numbers 5747 and 5749 have denied other applications attempting to appropriate groundwater in the Tracy Segment Hydrographic Basin on the basis that there is no additional groundwater available for appropriation.

Granting the applications would result in the withdrawal of groundwater in excess of the perennial yield of the Tracy Segment Hydrographic Basin; and therefore, would adversely affect existing rights and would be detrimental to the public interest.

Granting the applications would be detrimental to the United States, to the Newlands Project, and the public interest by depleting flows in the Truckee River due to the connection between groundwater and surface water in the basin. Depleted Truckee River flows would operate to the detriment of the threatened and endangered species inhabiting Pyramid Lake and the lower Truckee River and reduce surface flows available under Claim 3 of the Orr Ditch Decree.

Granting the applications may otherwise prove to be contrary to law or the public interest as cannot yet be determined based on the information in the applications.

Enclosed are Reclamation's protests, filed in duplicate, with a check for the $225.00 filing fee.

If you have any questions regarding this protest, please contact Mr. Tom Scott at 775-884-8357 or e-mail tscott@usbr.gov.

Sincerely,

Acting for: Kenneth L. Parr
Area Manager

Enclosures – 9 (in duplicate)

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Water Rights Office

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

FILED
APR 02 2012
STATE ENGINEER'S OFFICE

IN THE MATTER OF APPLICATION NUMBER 81532
FILED BY TRI General Improvement District
ON January 27, 20 12

PROTEST

Comes now U.S. Bureau of Reclamation, Mid-Pacific Region
Printed or typed name of protestant

whose post office address is 2800 Cottage Way, MP-460, Sacramento, CA 95825-1898
Street No. or PO Box, City, State and ZIP Code

whose occupation is owner of Newlands Project facilities and protests the granting

of Application Number 81532, filed on January 27, 20 12

by TRI General Improvement District for the

waters of Truckee River Basin (Underground) situated in Storey
an underground source or name of stream, lake, spring or other source

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

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APR 02 2012
STATE ENGINEER'S OFFICE

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 [signature] acting for
Agent or protestant

Kenneth Parr, Manager, Lahontan Basin Area Office
Printed or typed name, if agent

Address Bureau of Reclamation, 705 North Plaza St. Rm 320
Street No. or PO Box

Carson City, NV 89701
City, State and ZIP Code

(775) 884-8356
Phone Number

kparr@usbr.gov
E-mail

Subscribed and sworn to before me this 2 day of April 2, 20 12

[signature]
Notary Public

HOPE Y. MEDINA
NOTARY PUBLIC
STATE OF NEVADA
My Commission Expires: 8-15-2015
Certificate No.: 11-5483-3

State of Nevada
County of Carson

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