

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

IN THE MATTER OF APPLICATION NUMBER 81895
FILED BY Elise H. Fett 2005 Trust
ON May 15, 2012



PROTEST



Comes now Truckee Meadows Water Authority

Printed or typed name of protestant

whose post office address is 1355 Capital Blvd., Reno, NV 89502

Street No. or PO Box, City, State and ZIP Code

whose occupation is municipal water supplier for the Truckee Meadows and protests the granting

of Application Number 81895, filed on May 15, 2012

by Elise H. Fett 2005 Trust for the

waters of Lake Tahoe situated in Washoe

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:

- 1. There is no unappropriated water on the proposed source of supply as a result of State Engineer Ruling No. 4683 and 4095.
2. Under Truckee River Operating Agreement (TROA) Section 6.D.3 "Unmeasured Residential Uses", the parties to TROA agreed that "water used [in the Lake Tahoe basin] for residential purposes shall be conclusively presumed to divert four-tenths of an acre foot (AF) per residential unit per year as provided in Section 204(b)(2)(B) of the [Truckee River] Settlement Act".

\*\*THEREFORE, the Protestant requests that the application be either denied per #1 above or modified to comply with TROA and change the annual duty from 0.56 AF to 0.40 AF.

THEREFORE the Protestant requests that the application be See above \*\*

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 Deborah G. Sotero
Agent or protestant

Address P.O. Box 30013
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STATE ENGINEER'S OFFICE
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Subscribed and sworn to before me this 2nd day of July, 2012



Elizabeth Crook
Notary Public

State of Nevada
County of Washoe

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