

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

IN THE MATTER OF APPLICATION NUMBER 85507  
FILED BY TRI General Improvement District  
ON October 6, 2015



FILED  
PROTEST DEC 17 2015  
STATE ENGINEER'S OFFICE

Comes now U.S. Bureau of Reclamation

Printed or typed name of protestant

whose post office address is 705 N. Plaza St. Carson City Nevada, 89701

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 85507

, filed on October 6

, 2015

by TRI General Improvement District

for the

waters of Truckee River

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

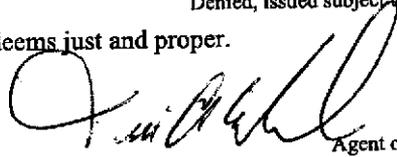
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THEREFORE the Protestant requests that the application be

Issued subject to a limit accounting for return flow

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   
Agent or protestant

Terri Edwards, Area Manager

Printed or typed name, if agent

Address 705 N. Plaza St.

Street No. or PO Box

Carson City, NV 89701

City, State and ZIP Code

State of Nevada

County of Carson City

Subscribed and sworn to before me on 12.15.15

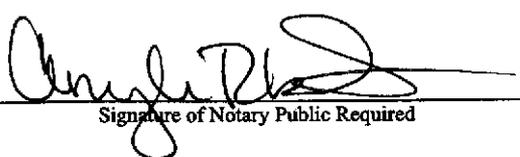
(775) 884-8353

Phone Number

by Terri Edwards

tedwards@usbr.gov

E-mail

  
Signature of Notary Public Required

AMY L. ROBERTS  
NOTARY PUBLIC  
STATE OF NEVADA  
Appt. No. 03-84107-3  
My Appt. Expires July 21, 2019

Notary Stamp or Seal Required

+ \$30 FILING FEE MUST ACCOMPANY PROTEST. PROTEST MUST BE FILED IN DUPLICATE.

ALL COPIES MUST CONTAIN ORIGINAL SIGNATURE.



# 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

LO-950  
WTR-4.10

HAND DELIVER

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, NV 89701

Subject: Protest of Application 85507 - TRI General Improvement District

Dear Mr. King:

The Bureau of Reclamation (Reclamation) reviewed TRI General Improvement District's (TRI) application number 85507, filed on October 6, 2015. Reclamation hereby protests this application.

In application number 85507, TRI requests a change of point of diversion and place of use for the water appropriated under permit number 82927. This permit allows the use of 898.72 acre-feet in the Truckee Meadows Water Authority's service area, as shown in the place of use map filed under permit number 77478. Under the current use, this water right is allowed at the full diversion rate, because water is returned to the Truckee River following treatment at the Truckee Meadows Water Reclamation Facility. However, TRI's proposed use will not involve any return flows to the Truckee River. In previous similar circumstances, the State Engineer has reduced TRI's Truckee River water rights appropriated under the Orr Ditch Decree to consumptive use for this reason. As described in State Engineer's Ruling No. 6279, TRI's water rights are "limited to a 2.5 acre-feet per acre calculation to account for lack of return flows."

TRI is requesting the following permit conditions within application number 85507: "To cut back on the consumptive use cut we would like to have water from Permit Nos. 80855 and 70925 used as a contributor for the instream flow calculation." These water rights are "diverted within the existing Steamboat Creek Channel to provide in-stream flows between the Point of Diversion and the Vista Gauge on the Truckee River" (Application No. 80855). However, approval of TRI's request would likely result in the double-counting of the water use allowed under Permits 80855 and 70925. Even if this were not the case, the water under these two permits is available for consumptive use below the US Geological Survey Truckee River at Vista gage, and is not maintained in the Truckee River as far as the proposed point of diversion in application number 85507.

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For these reasons, Reclamation requests that application number 85507 be approved with a limitation to account for lack of return flows. If you have any questions regarding this protest, please contact Mr. Jordan Lanini at 775-884-8361 or e-mail at [jlanini@usbr.gov](mailto:jlanini@usbr.gov)

Sincerely,



Terri A. Edwards  
Area Manager

Enclosure

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