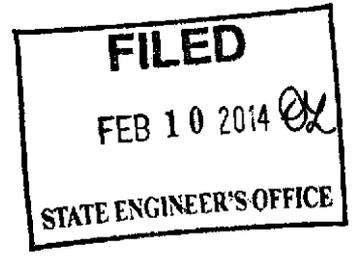


IN THE OFFICE OF THE STATE ENGINEER OF THE STATE OF NEVADA

IN THE MATTER OF APPLICATION NUMBER 83254
FILED BY Tahoe Reno Industrial Center, LLC
ON 15 November, 20 13



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 Operations & Delivery

and protests the granting

of Application Number 83254

, filed on 15 November

, 20 13

by Tahoe Reno Industrial Center, LLC a Nevada Limited Liability Co.

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 attached Exhibit "A"

THEREFORE the Protestant requests that the application be

Denied or issued subject to conditions in Exb A

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

Chris C. Mahannah, P.E., SWRS

Printed or typed name, if agent

Address

P.O. Box 2494

Street No. or PO Box

State of Nevada

Reno, NV 89505

City, State and ZIP Code

County of Washoe

(775) 323-1804

Phone Number

Subscribed and sworn to before me on 10 February 2014

by Chris C. Mahannah

chris@mah2o.com

E-mail

BRANDON P. TAYLOR
NOTARY PUBLIC
COUNTY OF WASHOE
STATE OF NEVADA

My Commission Expires: 08-29-15
Certificate No: 11-5827-2

Signature of Notary Public Required

Notary Stamp or Seal Required

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

ALL COPIES MUST CONTAIN ORIGINAL SIGNATURE.

EXHIBIT "A"
PROTEST GROUNDS
APPLICATION 83254

RECEIVED
2014 FEB 10 PM 12:19
STATE ENGINEERS OFFICE

Protestant requests that the State Engineer either deny the application or impose permit terms which address the following concerns of protestant only if the U.S. Federal Water Master and State Engineer have the resources to ensure the terms are complied with which may require additional administration each year.

1. Applicant seeks to change an irrigation right appurtenant to lands in Spanish Springs valley to municipal and change of point of diversion from the Orr Ditch to an Induction well in the Tracy Segment which is below the TMWRF effluent point of return to the Truckee River. Application should be limited to the consumptive use portion of 2.5 af/acre rather than a full duty transfer as applied for to ensure return flows are maintained which the protestant relies upon.
2. Diversion should only be allowed at the new point of diversion when the existing point of diversion at the Orr Ditch is in priority to divert.
3. Any shortages at the original point of diversion should also be applied at the new point of diversion especially since there are tributary flows and substantial effluent returns to the river between the existing and new points of diversion.
4. An analysis of transportation losses between the existing and new points of diversion needs to be performed and applied which will reduce the amount available for diversion.
5. Applicant is seeking year-round season of use rather than 'as decreed' and should only be allowed to divert during the season of use defined each year by the Watermaster based upon water availability for that particular year.
6. The Application seeks to divert surface water using an induction well adjacent to the Truckee River near Tracy. Induction wells do not immediately draw surface water as a surface water diversion does, nor do they immediately cease drawing surface water once the well is shut off. Depending on aquifer properties, there would be lag times and diversion from aquifer storage before the river flow is 'Captured'. This will create diversion timing issues and potential additional losses from the surface source when the diversions are not in priority to divert. Aquifer testing and analytic or numeric modeling should be required at the proposed induction well site to determine aquifer properties, 'Capture' rates and timing such that diversion timing and lags can be administered by the Watermaster. An annual monitoring plan approved by the State Engineer should be required to assist the Watermaster and State Engineer in managing the diversions and possible additional administration as necessary.