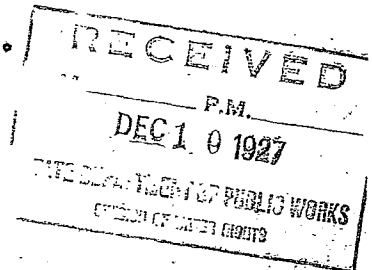


UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF RECLAMATION

Fallon, Nevada,  
December 8, 1927.

Division of Water Rights,  
Department of Public Works,  
Sacramento, California.



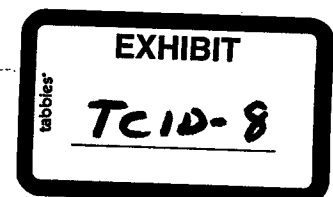
Gentlemen:

On behalf of the Bureau of Reclamation of the United States Department of the Interior, and for the reasons stated below, I respectfully protest against the granting of permit under Application No. 5169, filed under date of August 25, 1926, by L. H. Taylor, 309 Nevada State Life Bldg., Reno, Nevada, for the appropriation from Little Truckee River, tributary to Truckee River, of 40,850 acre feet per annum, for irrigation and domestic purposes. Protest is also made against the granting of permit under Application No. 5170, filed under date of August 25, 1926, by the same person, for appropriation from Truckee River and from Little Truckee River of 500 cubic feet per second, for power and domestic use.

The United States has heretofore reserved, appropriated and otherwise acquired for the Newlands project (formerly designated the Truckee-Carson project), constructed and being constructed in pursuance of the provisions of the act of Congress approved June 17, 1902 (32 Stat., 388), and acts amendatory thereof or supplementary thereto, a sufficient amount of the waters of the Truckee River and its tributaries, including the Little Truckee River, to irrigate and reclaim (together with the waters of the Carson River and its tributaries) 232,800 acres of irrigable lands in the Counties of Washoe, Storey, Lyon, Churchill and Humboldt, in the State of Nevada, as more fully shown by the Annual Reports of the Bureau of Reclamation (formerly the United States Reclamation Service), and elsewhere in the public records and archives of the United States Department of the Interior, and by the preliminary decree of the United States District Court in and for the District of Nevada, dated April 26, 1926, in the suit entitled "The United States of America, Plaintiff, vs. Orr Water Ditch Company, et al., Defendants", and designated therein In Equity Docket No. A-3. The United States has expended to date in the construction of the said Newlands project the sum of approximately \$8,000,000.00, and has constructed the necessary irrigation works for the delivery of water to approximately 75,000 acres of said lands, and is proceeding diligently towards the completion of said project.

The granting of the aforesaid applications, or either of them, in whole or in part, would be against the public welfare and also against the interests and subversive of the rights of the United States in that the demands upon and drafts from the Truckee River and the Little Truckee

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River, and the tributaries thereof, for the Newlands project, under the reservations, appropriations and acquisition thereof by the United States of the waters of said Truckee River and said Little Truckee River, including the tributaries of both said rivers, will not permit of the taking therefrom of the amounts of water for which permits are sought, or any part thereof, without infringement upon the rights of the United States in and to the waters of said rivers and their tributaries, or without irreparable injury and damage to said Newlands project.

Copies of the following notices of appropriation are attached hereto and made a part of this protest:

Under date of May 21, 1903, Notice of appropriation of 3000 cubic feet of water per second of time for direct flow and for storage from Truckee River was posted at a point about 500 feet down stream from Lake Tahoe, on the right bank of the Truckee River at the site of the dam in said river near Tahoe City, Placer County, California, which notice was recorded May 26, 1903, in Book A of Water Rights, page 443, in the records of Placer County, California.

Under date of May 21, 1903, Notice of appropriation of 1500 cubic feet of water per second of time for irrigation and other beneficial uses from the Truckee River, was posted at a point on the left bank of the Truckee River about 100 yards above the head of the Steamboat Ditch and was just west of the California-Nevada boundary line, in Sierra County, California, which notice was recorded May 27, 1903 in Liber C of Water, page 172, records of Sierra County, California.

Under date of May 26, 1903, Notice of appropriation of 1500 cubic feet of water per second of time for irrigation and other beneficial uses from Truckee River, was posted on the right bank of Truckee River at a point about 2000 feet below the sixth crossing of the Central Pacific Railroad in the SW $\frac{1}{4}$  of Sec. 19, T. 20 N., R. 23 E., M. D. M., in Storey County, Nevada; which notice was recorded June 1, 1903, in Book "P" of A, page 298, Records of Storey County, Nevada.

The completed project will require all the available water supply in the Truckee River, the Little Truckee River, and the tributaries of both said rivers.

A copy of this protest has this day been sent to the applicant by registered mail.

Respectfully,

*A. H. Walker*

Superintendent.