

# Truckee-Carson Irrigation District

5169-70

## DIRECTORS AND OFFICERS

C. E. KENT, STILLWATER, PRES.  
W. A. PRAY, FERNLEY, VICE PRES.  
A. D. DRUMM, FALLON  
R. R. GAMBLE, HAZEN  
W. A. HARMON, FALLON  
B. S. HOLMES, FALLON  
W. D. MOODY, FALLON  
L. V. PINGER, SECRETARY

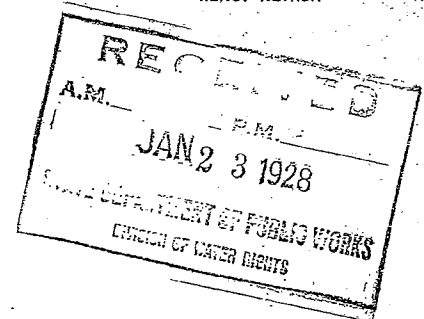
## NEWLANDS PROJECT - FALLON, NEVADA

D. S. STUVER, PROJECT MANAGER  
GEO. B. SNOW, CHIEF CLERK AND TREASURER

COOKE & STODDARD  
ATTORNEYS  
RENO, NEVADA

ADDRESS ALL COMMUNICATIONS TO THE PROJECT MANAGER

January 21, 1928



Mr. Harold Conkling  
Chief of Division of Water Rights  
State Department of Public Works  
Sacramento, California

Dear Sir:

I am enclosing herewith on behalf of the Truckee-Carson Irrigation District a protest against the granting of permits under applications Nos. 5169 and 5170 to appropriate from the Little Truckee River and the Truckee River, filed with your department under date of August 25, 1926 by L. H. Taylor, 309 Nevada State Life Building, Reno, Nevada.

A full copy of the enclosed protest is being sent today by registered mail to Mr. L. H. Taylor at his address above given.

It is respectfully requested that this office be promptly informed of whatever action may be taken in connection with these applications in order that the Irrigation District may supply you with any further information which you may require or follow up in appropriate manner the protest now being filed.

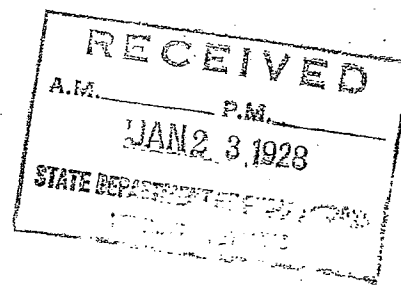
Very truly yours

D. S. Stuver  
Project Manager

Encl.



January 21, 1928



Mr. L. H. Taylor  
309 Nevada State Life Building  
Reno, Nevada

Dear Sir:

You will please find enclosed herewith a full copy of a protest which has been forwarded today to the Chief of the Division of Water Rights, State Department of Public Works, Sacramento, California, against the granting of permits under your applications Nos. 5169 and 5170 to appropriate water from the Little Truckee River and the Truckee River, which were filed with the California Division of Water Rights by you on August 25, 1926.

This letter with enclosure is being forwarded by registered mail.

Very truly yours

Encl.

D. S. Stayer  
Project Manager

cc - Chief of Division of Water Rights  
State Department of Public Works  
Sacramento, Calif.

STATE OF CALIFORNIA  
DEPARTMENT OF PUBLIC WORKS  
DIVISION OF WATER RIGHTS  
SACRAMENTO

*1/25/28*  
*5169*

Application 5169.

McCutcheon, Olney, Mannon and Greene, Attys.,  
Balfour Building,  
San Francisco, Calif.

Gentlemen:

The protest of **Hobart Estate Company**

against the above numbered application **by L. H. Taylor**

to appropriate water in **Sierra** Count **y**  
has been received in this office on **January 20** 192 **8.**

It is noted that a copy of the protest has been sent the applicant.

If in due course a hearing is held to determine the action to be taken by this office with regard to the application notice of the time and place thereof will be sent to you not less than twenty days in advance of the date set.

Very truly yours

*Harold Conkling*

HAROLD CONKLING  
Chief of Division of Water Rights

ORIGINAL

RECEIVED  
A.M. P.M.  
JAN 23 1926  
STATE DEPARTMENT OF PUBLIC WORKS  
DIVISION OF WATER RIGHTS

State of California  
Department of Public Works  
DIVISION OF WATER RIGHTS

Sacramento  
PROTEST OF TRUCKEE-CARSON IRRIGATION DISTRICT  
Re Applications Nos. 5169-5170

I, D. S. STUVER, as Manager and on behalf of TRUCKEE-CARSON IRRIGATION DISTRICT of Fallon, Nevada, have read carefully a copy of the applications, or a notice relative to the applications of L. H. TAYLOR, Nos. 5169-5170 to appropriate from Little Truckee River and the Truckee River at the following points:

The point of diversion under Application No. 5169 within the NE quarter of SE quarter of Section 4, Twp. 18 North, Range 17 East, M. D. B. & M.

The point of diversion under Application No. 5170, NE quarter of NE quarter of Section 32 and NW quarter of SE quarter of Section 16, all in Twp. 18 North, Range 17 E., M.D.B. & M.

It is desired to protest against the approval thereof because to the best of my information and belief the proposed appropriations will result in injury to the Truckee-Carson Irrigation District as follows: If applicant is granted the right to divert, store and use the waters applied for, the Truckee-Carson Irrigation District will be deprived of the adjudicated right of its predecessor in interest to divert 1500 cubic feet per second of the waters of the Truckee River and its tributaries, including the Little Truckee River, at Derby Dam situate in Washoe and Storey Counties, State of Nevada, in Lot 3 and the NE quarter of the SW quarter of Section 19, Township 20 North, Range 23 East, for irrigation, power and domestic use.

Protestant claims a right to the use of water from the source from which applicant proposes to divert, which right is based upon the sale and contracts to sell water by the United States to water users of Protestant, which water is appurtenant to the Truckee-Carson Irrigation District lands, and upon a contract between the United States and this protestant dated December 18, 1926. The right of the United States and this protestant is based upon water reserved by the United States for the Newlands Reclamation Project, as more fully described in the Protest filed by the United States under date of December 8, 1927 in the above matter which is hereby referred to and adopted as a part of the Protest of the Truckee-Carson Irrigation District.

The extent of present and past use of water by protestant and its predecessors in interest from this source is as follows: The diversion of not to exceed 1500 cubic feet per second at Derby Dam in Washoe and Storey Counties, Nevada, thence conveyed through the Truckee Canal a distance of approximately 30 miles to Lahontan Reservoir situate in Churchill County, Nevada. The first diversion and use was made in 1906. Diversion and use continues throughout the year. The use is continuous for power and storage purposes and the irrigation use is continuous from about March first to December first of each year.

This protest may be disregarded and dismissed if the applications are granted subject to the prior right of the United States and the Truckee-Carson Irrigation District to divert 1500 cubic feet per second of water, determined by measurement of the natural flow of the Truckee River and its tributaries at Derby Dam as above described, after providing for 124 cubic feet per second of water determined by measurement of the natural flow of

the Truckee River and its tributaries at said Derby Dam, - the amount of such natural flow being the amount decreed to the United States for the Newlands Reclamation Project and for the Paiute Indian Lands in the Pyramid Lake Indian Reservation in the County of Washoe, State of Nevada.

And subject further to the prior right of the United States and the Truckee-Carson Irrigation District, as its successor in interest to the extent of sufficient waters of the Truckee River and its tributaries for the economical irrigation of 87,500 acres of land situate in the Truckee and Carson Divisions of the Newlands Reclamation Project to preserve and hold intact its storage rights in Lake Tahoe and rights in and to the natural flow of the Truckee River and its tributaries, including the Little Truckee River, as set forth and included in the Judgment and Decree entered June 4, 1915 in the suit entitled "In the District Court of the United States in and for the Northern District of California, Second Division. United States of America, plaintiff, v. The Truckee River General Electric Company, a corporation, defendant, No. 14861".

A true copy of this Protest has been served upon the applicant, L. H. Taylor, by registered mail this date.


DATED: January 21<sup>st</sup>, 1928.

TRUCKEE-CARSON IRRIGATION DISTRICT

By

*D. J. Starn*

Manager



STATE OF CALIFORNIA  
DEPARTMENT OF PUBLIC WORKS  
DIVISION OF WATER RIGHTS,  
SACRAMENTO.

IN THE MATTER OF THE APPLICA-  
TION

of

L.H.TAYLOR to appropriate  
water from Little Truckee  
River.

PROTEST of THE UNION ICE .  
COMPANY and BOCA MILL  
COMPANY.

LOVELL & LOVELL

RUSS BUILDING                      SAN FRANCISCO, CAL.  
ATTORNEYS-AT-LAW