

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

ALLISON MacKENZIE, LTD.  
402 North Division Street, P.O. Box 646, Carson City, NV 89702  
Telephone: (775) 687-0202 Fax: (775) 882-7918  
E-Mail Address: law@allisonmackenzie.com

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,  
Plaintiff,

3:73-cv-00125-RCJ-WGC  
In Equity No. C-125

WALKER RIVER PAIUTE TRIBE,  
Plaintiff-Intervenor,

**ORDER APPROVING BUDGET AND  
RATE OF ASSESSMENT FOR THE  
YEAR JULY 1, 2016 THROUGH JUNE  
30, 2017, AND THE AUDIT REPORT  
FOR THE YEAR ENDED JUNE 30, 2015**

vs.

WALKER RIVER IRRIGATION DISTRICT,  
a corporation, et al.,  
Defendants.

The Petition of the United States Board of Water Commissioners and the Chief Deputy Water Commissioner for Approval of Budget and Approval of Rate of Assessment for the Year July 1, 2016 Through June 30, 2017, and for Approval of the Audit Report for the Year Ended June 30, 2015 (“Petition”) (Doc. 1375) was filed on April 8, 2016.

A hearing was set for May 18, 2016 (Doc. 1376). The Court ordered that if no objections were filed by May 4, 2016, the Court would consider vacating the Hearing (Doc. 1376).

The Walker River Paiute Tribe (“Tribe”) and the United States of America (“United States”) filed Joint Comments on May 4, 2016 (Doc. 1387). The Walker River Irrigation District (“WRID”) filed a Response to the Joint Comments on May 4, 2016 (Doc. 1388). The Joint

1 Comments of the Tribe and the United States state their comments are similar to their comments  
2 filed annually with the Court in prior years, and that therefore a hearing may not be required.  
3 Subject to the statements made in their comments, the Tribe and United States did not object to the  
4 Court approving the Petition. The Joint Comments largely pertain to a concern that the delivery of  
5 water to the Tribe account for conveyance losses and accuracy of measurement. The Tribe and the  
6 United States do not object to the United States Board of Water Commissioners administering the  
7 Decree and the delivery of water in the same manner as in prior similar irrigation seasons. WRID  
8 responded to the Tribe's and United States' Joint Comments and acknowledged that the Tribe and  
9 the United States have not waived the rights they may have to seek in the future a difference place of  
10 measurement and/or to the addition of water to offset conveyances losses, if any.

11 There were no other comments or objections filed to the budget, rate of assessment or  
12 the audit report.

13 The Court having considered the Petition, the Tribe's and United States' Joint  
14 Comments, WRID's response, the proofs of notice, and being fully advised in the premises makes  
15 the following findings:

16 1. The Court finds that notice of this hearing has been given by publication and  
17 posting of the Notice of Filing of Report and Petition for Approval of Budget and Approval of Rate  
18 of Assessment for the Year July 1, 2016 Through June 30, 2017, and for Approval of the Audit  
19 Report for the Year Ended June 30, 2015 in accordance with its Order of April 11, 2016 (Doc.  
20 1379), and that additional notice has been given by electronic service and by mailing a copy of the  
21 Petition, the (Proposed) Order Requiring Notice and (Proposed) Notice of Filing Report on April 8,  
22 2016, as set forth in the Affidavit of Service filed on April 8, 2016 (Doc. 1378).

23 2. The Court finds that the Budget and Rate of Assessment for the year July 1,  
24 2016 to June 30, 2017 should be approved.

25 3. The Court finds the Audit Report of the accounting records of the United  
26 States Board of Water Commissioners for the year ended June 30, 2015, prepared by Arrighi, Blake  
27 & Associates, LLC, Certified Public Accountants, should be approved.

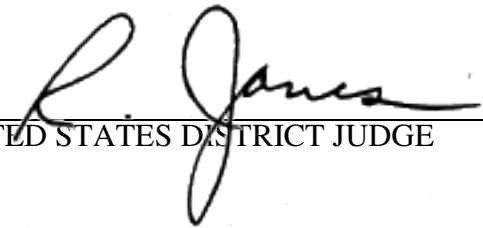
28 ///

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

NOW, THEREFORE, it is hereby ordered that:

1. The Budget and Rate of Assessment of \$3.00 per acre for the year July 1, 2016 to June 30, 2017 submitted by the Chief Deputy Water Commissioner and approved by the United States Board of Water Commissioners on March 10, 2016 is hereby approved; and
2. The Audit Report of the accounting records of the United States Board of Water Commissioners for the year ended June 30, 2015, prepared by Arrighi, Blake & Associates, LLC, Certified Public Accountants, is hereby approved.

DATED this 11th day of May, 2016.

  
UNITED STATES DISTRICT JUDGE