



(IN EQUITY NO. C-125) United States of America v. Walker River Irrigation

2024 | Cited 0 times | D. Nevada | May 15, 2024

-1- 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.

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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

UNITED STATES OF AMERICA, 3:73-cv-00125-MMD-CSD

Plaintiff, In Equity No. C-125 WALKER RIVER PAIUTE TRIBE, ORDER APPROVING BUDGET AND

RATE OF ASSESSMENT FOR THE Plaintiff-Intervenor, YEAR JULY 1, 2024 THROUGH JUNE

30, 2025, AND THE AUDIT REPORT vs. FOR THE YEAR ENDED JUNE 30, 2023 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 (collectively “Board”) for Approval of Budget and Approval of Rate of Assessment for the Year July 1, 2024 Through June 30, 2025, and for Approval of the Audit Report for the Year Ended June 30, 2023 (“Petition”) [Doc. 1812] was filed on April 22, 2024.

An Order Requiring Notice of the Petition was entered April 23, 2024 [Doc. 1817]. A hearing was set for Monday, May 20, 2024 [Doc. 1816]. The Court stated in the Notice of Filing of Report and Petition if no objections were filed by May 13, 2024, the Court would consider vacating the Hearing [Doc. 1816].



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The Walker River Paiute Tribe (“Tribe”) and the United States of America (“United States”) filed Joint Comments on May 13, 2024 [Doc. 1819]. The Walker River Irrigation District (“WRID”) filed a Response to the Joint Comments on May 13, 2024 [Doc. 1820]. The Joint

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

The Court having considered the Petition, the Tribe’s and United States’ Joint Comments, WRID’s Response, the proofs of notice, and being fully advised in the premises makes the following findings:

1. The Court finds that notice of this hearing has been given by publication and posting of the Notice of Filing of Report and Petition for Approval of Budget and Approval of Rate of Assessment for the Year July 1, 2024 Through June 30, 2025, and for Approval of the Audit Report for the Year Ended June 30, 2023 in accordance with its Order of April 23, 2024 [Doc. 1817], and that additional notice has been given by electronic service and by mailing a copy of the Petition, the (Proposed) Order Requiring Notice and (Proposed) Notice of Filing Report on April 22, 2024, as set forth in the Affidavit of Service filed on April 22, 2024 [Doc. 1815].
2. The Court finds that the Budget and Rate of Assessment for the year July 1, 2024 to June 30, 2025 should be approved.
3. The Court finds the Audit Report of the accounting records of the United States Board of Water Commissioners for the year ended June 30, 2023, prepared by Arrighi, Blake & Associates, LLC, Certified Public Accountants, should be approved. /// /// /// /// Comments of the Tribe and the United States state their comments are similar to their comments filed annually with the Court in prior years, and that a hearing may not be required on the Board’s Petition. Subject to the statements made in their comments, the Tribe and United States do not object to the Court approving the Report and Petition. [Doc. 1819 at 2:1-3]. WRID responded to the Tribe’s and United States’ Joint Comments and acknowledged that the Tribe and the United States have not waived the rights they may have to seek in the future a different place of measurement and/or the addition of water to offset conveyances losses, if any. [Doc. 1820 at 3:11-15].

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NOW, THEREFORE, it is hereby ordered that: 1. The Budget and Rate of Assessment of \$3.50 per acre for the year July 1, 2024 to June 30, 2025 submitted by the Chief Deputy Water Commissioner and approved by the United States Board of Water Commissioners on March 29, 2024 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, 2023, prepared by Arrighi, Blake & Associates, LLC, Certified Public Accountants, is hereby approved; and

3. The hearing currently set for Monday, May 20, 2024 at 1100 a.m. is hereby vacated.

DATED this _____ day of May, 2024.

UNITED STATES DISTRICT JUDGE

4863-8713-7214, v. 1

15th

