

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

1145

O R D E R

South Fork Band Council of the  
Te-Moak Tribe of Western  
Shoshone Indians of Nevada  
P.O. Box B-13  
Lee, Nevada 89829  
Certified Mail No. P 444 504 416

**WHEREAS**, the records of the Office of the State Engineer establish that the Te-Moak Tribe of the Western Shoshone Indians of Nevada are the successors-in-interest to water rights originally decreed to A.J. Dewar, Clark Drown, A.M. Griswold, J.J. Hylton and P.J. Ogilvie under the terms of the Bartlett and Edwards decrees issued by the Sixth Judicial District Court of the State of Nevada, such decrees are also known as the Humboldt Decree;

**WHEREAS**, the State Engineer and the Water Commissioners of the Sixth Judicial District Court are statutorily entrusted with the responsibility for administering the terms of the Humboldt Decree pursuant to NRS 533.220;

**WHEREAS**, included among the administrative duties of the State Engineer and the Water Commissioners of the Sixth Judicial District Court is the responsibility for entering upon public, private or corporate lands at all times in the exercise of their duties under NRS 533.305(3);

**WHEREAS**, also included among the administrative duties of the State Engineer is the right to assess holders of decreed water rights, under NRS 533.285, their proportionate share of the costs associated with the distribution of water to them, such assessment not for the use of the water but, instead, intended to offset the expense and cost of distributing the water by the Water Commissioners of the Sixth Judicial District Court. NRS 533.295.

**WHEREAS**, on March 8, 1998, the South Fork Band Council of the Te-Moak Tribe of Western Shoshone Indians of Nevada resolved that the Water Commissioners of the Sixth Judicial District Court are not to be allowed to regulate any of the upstream turnouts that supply the South Fork Reservation with irrigation water and that the Council is not to pay for water with money allocated to the South Fork Band for its use.

**WHEREAS**, since March 8, 1998, the Water Commissioners of the Sixth Judicial District Court have not been permitted access on the South Fork Reservation and the Tribe has failed to pay its most recent assessment for water distribution to the South Fork Reservation.

**NOW THEREFORE, YOU ARE HEREBY ORDERED** within fourteen (14) days of the date of this Order, to rescind the March 8, 1998, Resolution of the South Fork Band Council or otherwise signal an intent to permit the Water Commissioners of the Sixth Judicial District Court access to regulate the upstream turnouts that supply the South Fork Reservation with irrigation water and to pay the assessments intended to offset the expense and cost of distributing water to the South Fork Reservation by the Water Commissioners of the District Court.

  
R. Michael Turnpseed, P.E.  
State Engineer

Dated at Carson City, Nevada this  
22nd Day of May, 1998.