

BEFORE THE INDIAN CLAIMS COMMISSION

THE NORTHERN PAIUTE NATION, et al.,)
)
 Plaintiffs,)
)
 v.)
)
 THE UNITED STATES OF AMERICA,)
)
 Defendant.)

Docket No. 87-A

ORDER

UPON CONSIDERATION of the plaintiffs' motion for an interlocutory order pertaining to issues of liability on claim for depriving Pyramid Lake of water, filed October 6, 1971, and the defendant's response thereto, filed February 14, 1972, the Commission concludes as a matter of law, for the reasons set forth in the accompanying opinion, that:

1. Implicit in the creation of the Pyramid Lake Reservation was the reservation of sufficient water from the Truckee River for the maintenance and preservation of Pyramid Lake, for the maintenance of the lower reaches of the Truckee River as a natural spawning ground for fish, and for the other needs of the inhabitants of the reservation, such as irrigation and domestic use; and

2. An obligation on the defendant in behalf of the plaintiffs was thereby established with regard to the preservation of the Pyramid Lake waters and fisheries.

IT IS HEREBY ORDERED that this case proceed to trial to determine whether the defendant failed to discharge its obligation to the plaintiffs, and, if so, the extent, if any, of the resultant damages.

Dated at Washington, D. C., this 25th day of April 1973.

Jerome K. Kuykendall

 Jerome K. Kuykendall, Chairman

Margaret H. Pierce

 Margaret H. Pierce, Commissioner

John T. Vance

 John T. Vance, Commissioner

Brantley Blue

 Brantley Blue, Commissioner

Richard W. Yarborough

 Richard W. Yarborough, Commissioner