

# *Pyramid Lake Paiute Tribal Council*

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**RESOLUTION NO.: PL 128-18**

**RESOLUTION OF THE TRIBAL COUNCIL  
OF THE PYRAMID LAKE PAIUTE TRIBE  
NIXON, NEVADA**

**WHEREAS,** the Pyramid Lake Paiute Tribe, is organized pursuant to the provisions of Section 16 of the Indian Reorganization Act, (25 U.S.C. 476) and is Federally recognized by the United States Government through the Secretary of the Interior to have certain powers to the Pyramid Lake Tribal Council; and

**WHEREAS,** the Pyramid Lake Tribal Council is the duly constituted governing body within the Pyramid Lake Reservation; and

**WHEREAS,** the Pyramid Lake Tribal Council is committed to increasing the water level in Pyramid Lake to facilitate spawning and sustainable recovery of the Lahontan cutthroat trout; and

**WHEREAS,** in furtherance of these goals, Great Basin Land & Water (GBLW), a Nevada non-profit organization, entered into Grant Agreement with the National Fish and Wildlife Foundation which provides federal Desert Terminal Lake funds to purchase water rights on behalf of the Pyramid Lake Paiute Tribe; and

**WHEREAS,** purchase of water rights will require coordination between the GBLW and the Tribe, and the NFWF Grant Agreement provides funding to compensate the Tribe for its staff time and effort in this regard; and

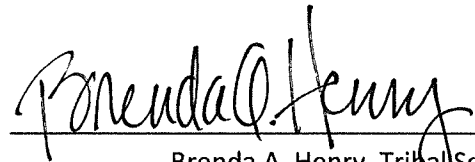
**WHEREAS,** GBLW has proposed Sub-Award Agreement to compensate the Tribe for its commitment of staff time and effort pursuant to the terms and conditions of the NFWF Grant Agreement.

**NOW, THEREFORE, BE IT RESOLVED,** that the Pyramid Lake Paiute Tribal council hereby approves, supports, and authorizes to entering into and signing of the Sub-Award Agreement between the GBLW and the Pyramid Lake Paiute Tribe, to compensate for Tribal time spent while coordinating the purchase of water rights on behalf of the Pyramid Lake Paiute Tribe.

**BE IT FURTHER RESOLVED**, that the Tribal Chairman or his designee by hereby authorized to negotiate and sign all Sub-Grant Award Agreements and other future administrative documents necessary for project award and implementation.

### **CERTIFICATION**

It is hereby certified that the foregoing resolution of the Pyramid Lake Tribal Council, governing body of the Pyramid Lake Paiute Tribe, composed of ten members, of whom **ten (10)** constituting a quorum were present at a meeting duly held on the **20<sup>th</sup>** day of **November**, 2018 was adopted by the affirmative vote of **nine (9)** FOR and **zero (0)** AGAINST, with **zero (0)** ABSTENTIONS; pursuant to the authority contained in the constitution and By-Laws of the Pyramid Lake Paiute Tribe.



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Brenda A. Henry, Tribal Secretary  
Pyramid Lake Paiute Tribal Council

# Provide Water to Pyramid Lake

## Scope of Work

### Introduction

Originally through the Water Quality Settlement Agreement and later through Desert Lake Funding, the Tribe has acquired Truckee River water rights “.....primarily to augment in stream flows in the Truckee River from the Reno/Sparks area to Pyramid Lake to assist in the compliance with water quality standards, and also to improve water quality and to maintain and preserve the lower Truckee River and Pyramid Lake for purposes of fish and wildlife, including threatened and endangered species, and recreation.” These water rights were acquired for the Tribe by Great Basin Land & Water, a non-profit corporation organized under Chapter 82 of the Nevada Revised Statutes, having among the purposes for which it was formed the acquisition and protection, for the general public, of environmentally and culturally significant lands and water rights. The Pyramid Lake Paiute Tribe will be the recipient of the lands and water rights purchased by Great Basin Land and Water. To facilitate water right certification and placing the land into trust, the Natural Resources Department will serve as a liaison between the Tribe and Great Basin Land and Water to efficiently complete the transactions.

### Element I (Administration):

The Natural Resources Department (NRD) Director shall be responsible for:

1. Acting as the Tribe’s liaison with GBLW.
2. On behalf of the Tribe, review and share concerns with GBLW regarding the water rights/land purchases.
3. Providing oversight and administration of the Tribe’s responsibilities under this Statement of Work.
4. Keeping the Tribal Council updated as to progress of work by incorporating all activities into monthly report to Council.

### Element II Water Rights

The water rights purchased for the Tribe will be transferred to the Tribe for instream use. The Director and Water Resources Technician will help facilitate the completion of all permits, reports of conveyance and proof of beneficial use. These tasks include:

1. Coordinate with GBLW with Stetson Engineers and the Water Attorney to transfer water rights to the Tribe
2. Monitor groundwater rights on the reservation for beneficial use
3. Facilitate the transfer of any Tribal funds needed for a purchase
4. Keep records of the transactions on the server electronically and paper files
5. Coordinate with GBLW to lease available water from Fernley if both parties are willing

### **Element III Land Purchases**

Sometimes the purchase of water rights are attached to land. For land outside the reservation, the land is sold and the proceeds are deposited back into the program to purchase more water. For land within the exterior boundary of the reservation, the land must be maintained in the condition it was purchased to ensure the land is eligible to be put into Trust by the Bureau of Indian Affairs. The tasks for land purchases are:

1. Work with a realtor to put any lands outside the reservation up for sale
2. Ensure the covenant is clearly expressed in all land sales
3. Coordinate with realtor to have all material put into escrow
4. Facilitate document exchange, signatures and closing.
5. Ensure the profits from the sale of land is properly deposited back into the program to purchase more water rights.
6. Maintain lands within the reservation in a condition not to allow deterioration during the process of putting lands into Trust.
7. Act as the liaison for data collection, reports, inspections, monitoring of properties, and other actions as necessary, on the land within the reservation, for the development of the documents necessary to put the land into Trust

### **Element IV Water Rights Acquisition Project (WRAP) Committee**

The WRAP program is monitored and oversight is given by the WRAP Committee. The committee consists of a Council member, Natural Resources Director, Chairman, Vice Chairman, and an at large Community member. The WRAP committee meets when there are purchases or sales to be made. The committee reviews, discusses, and acts on all decisions for water right purchases. The tasks for this element are listed below:

1. Coordinate with Tribal Council to select members of the WRAP committee
2. Call the WRAP meetings, contact the members, and chair the meetings
3. Process all WRAP committee resolutions
4. Take notes during WRAP meetings
5. Process and file all documents generated at WRAP meetings

#### Tribal Staff Members:

**NATURAL RESOURCES DEPARTMENT DIRECTOR:** The Director will oversee implementation of the Scope of Work and act as a liaison between GBLW, the Tribal Council, and contractors such as Stetson and the Water Attorneys. The Director is responsible for the natural resources management of Pyramid Lake, as well as supervising and directing staff on Environmental and Water Resources Actions.

**WATER RESOURCES TECHNICIAN:** Under the direction of the Natural Resources Department Director, the Water Resources Technician will provides assistance with a variety of office-related tasks, such as correspondence, data management, monitoring, timelines, land inspections, meeting notes, and research as required.

<b>Water to Pyramid Lake Budget 2019</b>					
<b>Salaries</b>	<b>Unit</b>		<b>rate</b>	<b>COLA</b>	
<b>Natural Resources Director</b>	600	hours	\$ 45.29	6%	\$ 28,804.44
<b>Water Resources Technician</b>	1040	hours	\$ 19.29	6%	\$ 21,265.30
<b>Temporary Labor</b>	2000	hours	\$ 13.02	6%	\$ 27,602.40
					\$ 50,069.74
<b>Fringe</b>					
<b>Director /Technician</b>	13.65%		\$ 10,602.25	11741.6	\$ 22,343.83
<b>retirement</b>	5%		\$ 50,069.74	2503.49	\$ 14,245.07
<b>Utilities</b>	6	month	\$ 550.00		\$ 3,300.00
<b>Supplies and Materials</b>	12	month	\$ 550.00		\$ 6,600.00
<b>Vehicle Gas</b>	50	trips	\$ 78.00		\$ 3,900.00
<b>Phone</b>	6	month	\$ 375.00		\$ 2,250.00
<b>R&amp;M Vehicle</b>	6	month	\$ 175.00		\$ 1,050.00
<b>R&amp;M Building</b>	12	month	\$ 100.00		\$ 1,200.00
<b>Travel</b>	2	trips	\$ 2,800.00		\$ 5,600.00
<b>Direct Cost</b>					\$ 110,558.63
<b>Indirect 26.63%</b>					\$ 29,441.76
<b>Total</b>					\$ 140,000.39