EXHIBIT 1

March 23, 1874 Executive Order
creating Walker River Reservation

INDIAN AFFAIRS.

LAWS AND TREATIES.

Vol. I.

(LAWS.)

Compiled to December 1, 1902.

COMPILED AND EDITED
BY
CHARLES J. KAPPLER, LL. M.,
CLERK TO THE SENATE COMMITTEE ON
INDIAN AFFAIRS.

WASHINGTON:
GOVERNMENT PRINTING OFFICE.
1904.

DEPARTMENT OF THE INTERIOR,
Washington, D. C., March 21, 1874.

SIR: I have the honor to present herewith a communication, dated the 20th instant, from the Commissioner of Indian Affairs, together with the accompanying map, showing the survey made by Eugene Monroe, in January, 1865, of the Pyramid Lake Indian Reservation in Nevada, and respectfully recommend that the President issue an order, withdrawing from sale or other disposition, and setting apart said reservation or tract of country for the use and occupation of Pah-Ute and other Indians now occupying the same.

The form of order necessary in the premises is engrossed on the inclosed map.

I have the honor to be, very respectfully, your obedient servant,

C. DELANO, *Secretary.*

The PRESIDENT.

EXECUTIVE MANSION, *March 23, 1874.*

It is hereby ordered that the tract of country known and occupied as the Pyramid Lake Indian Reservation in Nevada, as surveyed by Eugene Monroe, in January, 1865, and indicated by red lines, according to the courses and distances given in tabular form on accompanying diagrams, be withdrawn from sale or other disposition, and set apart for the Pah-Ute and other Indians residing thereon.

U. S. GRANT.

Walker River Reserve.

[See Pyramid Lake Reserve. Nevada Agency; area, 498¼ square miles; occupied by Paiute.]

DEPARTMENT OF THE INTERIOR,
Washington, March 18, 1874.

SIR: I have the honor to present herewith a communication dated the 17th instant from the Commissioner of Indian Affairs, together with the accompanying map showing the survey made by Eugene Monroe in December, 1864, of the Walker River Reservation in Nevada, and respectfully recommend that the President issue an order withdrawing from sale or other disposition and setting apart said reservation or tract of country for the use and occupation of the Pah-Ute Indians located thereon.

The form of order necessary in the premises is engrossed on the inclosed map.

Very respectfully, your obedient servant,

C. DELANO, *Secretary.*

The PRESIDENT.

EXECUTIVE MANSION, *March 19, 1874.*

It is hereby ordered that the reservation situated on Walker River, Nevada, as surveyed by Eugene Monroe, December, 1864, and indicated by red lines on the above diagram in accordance with the fifteen courses and distances thereon given, be withdrawn from public sale or other disposition and set apart for the use of the Pah-Ute Indians residing thereon.

U. S. GRANT.

EXHIBIT 2

Dawes Act, Feb. 8, 1887, 24 Stat. at 388

THE

STATUTES AT LARGE

OF THE

UNITED STATES OF AMERICA,

FROM

DECEMBER, 1885, TO MARCH, 1887,

AND

RECENT TREATIES, POSTAL CONVENTIONS, AND EXECUTIVE PROCLAMATIONS.

EDITED, PRINTED, AND PUBLISHED BY AUTHORITY OF
CONGRESS; UNDER THE DIRECTION OF
THE SECRETARY OF STATE.

VOL. XXIV.

WASHINGTON:
GOVERNMENT PRINTING OFFICE.
1887.

US00341163

Remedy by existing law not impaired.

SEC. 2. That nothing in this act contained shall prevent, lessen, impeach, or avoid any remedy at law or in equity which any owner of letters patent for a design, aggrieved by the infringement of the same, might have had if this act had not been passed; but such owner shall not twice recover the profit made from the infringement.

Approved, February 4, 1887.

Feb. 8, 1887.

CHAP. 119.—An act to provide for the allotment of lands in severalty to Indians on the various reservations, and to extend the protection of the laws of the United States and the Territories over the Indians, and for other purposes.

President authorized to allot land in severalty to Indians on reservations.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in all cases where any tribe or band of Indians has been, or shall hereafter be, located upon any reservation created for their use, either by treaty stipulation or by virtue of an act of Congress or executive order setting apart the same for their use, the President of the United States be, and he hereby is, authorized, whenever in his opinion any reservation or any part thereof of such Indians is advantageous for agricultural and grazing purposes, to cause said reservation, or any part thereof, to be surveyed, or resurveyed if necessary, and to allot the lands in said reservation in severalty to any Indian located thereon in quantities as follows:

Distribution.

To each head of a family, one-quarter of a section;

To each single person over eighteen years of age, one-eighth of a section;

To each orphan child under eighteen years of age, one-eighth of a section; and

To each other single person under eighteen years now living, or who may be born prior to the date of the order of the President directing an allotment of the lands embraced in any reservation, one-sixteenth of a section: *Provided*, That in case there is not sufficient land in any of said reservations to allot lands to each individual of the classes above named in quantities as above provided, the lands embraced in such reservation or reservations shall be allotted to each individual of each of said classes pro rata in accordance with the provisions of this act: *And provided further*, That where the treaty or act of Congress setting apart such reservation provides for the allotment of lands in severalty in quantities in excess of those herein provided, the President, in making allotments upon such reservation, shall allot the lands to each individual Indian belonging thereon in quantity as specified in such treaty or act: *And provided further*, That when the lands allotted are only valuable for grazing purposes, an additional allotment of such grazing lands, in quantities as above provided, shall be made to each individual.

Provisos.

Allotment pro rata if lands insufficient.

Allotment by treaty or act not reduced.

Additional allotment of lands fit for grazing only.

Selection of allotments.

SEC. 2. That all allotments set apart under the provisions of this act shall be selected by the Indians, heads of families selecting for their minor children, and the agents shall select for each orphan child, and in such manner as to embrace the improvements of the Indians making the selection. Where the improvements of two or more Indians have been made on the same legal subdivision of land, unless they shall otherwise agree, a provisional line may be run dividing said lands between them, and the amount to which each is entitled shall be equalized in the assignment of the remainder of the land to which they are entitled under this act: *Provided*, That if any one entitled to an allotment shall fail to make a selection within four years after the President shall direct that allotments may be made on a particular reservation, the Secretary of the Interior may direct the agent of such tribe or band, if such there be, and if there be no agent, then a special agent appointed for that purpose, to make a selection for such Indian, which election shall be allotted as in cases where selections are made by the Indians, and patents shall issue in like manner.

Improvements.

Proviso.

On failure to select in four years, Secretary of the Interior may direct selection.

SEC. 3. That the allotments provided for in this act shall be made by special agents appointed by the President for such purpose, and the agents in charge of the respective reservations on which the allotments are directed to be made, under such rules and regulations as the Secretary of the Interior may from time to time prescribe, and shall be certified by such agents to the Commissioner of Indian Affairs, in duplicate, one copy to be retained in the Indian Office and the other to be transmitted to the Secretary of the Interior for his action, and to be deposited in the General Land Office.

Allotments to be made by special agents and Indian agents.

Certificates.

SEC. 4. That where any Indian not residing upon a reservation, or for whose tribe no reservation has been provided by treaty, act of Congress, or executive order, shall make settlement upon any surveyed or unsurveyed lands of the United States not otherwise appropriated, he or she shall be entitled, upon application to the local land-office for the district in which the lands are located, to have the same allotted to him or her, and to his or her children, in quantities and manner as provided in this act for Indians residing upon reservations; and when such settlement is made upon unsurveyed lands, the grant to such Indians shall be adjusted upon the survey of the lands so as to conform thereto; and patents shall be issued to them for such lands in the manner and with the restrictions as herein provided. And the fees to which the officers of such local land-office would have been entitled had such lands been entered under the general laws for the disposition of the public lands shall be paid to them, from any moneys in the Treasury of the United States not otherwise appropriated, upon a statement of an account in their behalf for such fees by the Commissioner of the General Land Office, and a certification of such account to the Secretary of the Treasury by the Secretary of the Interior.

Indians not on reservations, etc., may make selection of public lands.

Fees to be paid from the Treasury.

SEC. 5. That upon the approval of the allotments provided for in this act by the Secretary of the Interior, he shall cause patents to issue therefor in the name of the allottees, which patents shall be of the legal effect, and declare that the United States does and will hold the land thus allotted, for the period of twenty-five years, in trust for the sole use and benefit of the Indian to whom such allotment shall have been made, or, in case of his decease, of his heirs according to the laws of the State or Territory where such land is located, and that at the expiration of said period the United States will convey the same by patent to said Indian, or his heirs as aforesaid, in fee, discharged of said trust and free of all charge or incumbrance whatsoever: *Provided*, That the President of the United States may in any case in his discretion extend the period. And if any conveyance shall be made of the lands set apart and allotted as herein provided, or any contract made touching the same, before the expiration of the time above mentioned, such conveyance or contract shall be absolutely null and void: *Provided*, That the law of descent and partition in force in the State or Territory where such lands are situate shall apply thereto after patents therefor have been executed and delivered, except as herein otherwise provided; and the laws of the State of Kansas regulating the descent and partition of real estate shall, so far as practicable, apply to all lands in the Indian Territory which may be allotted in severalty under the provisions of this act: *And provided further*, That at any time after lands have been allotted to all the Indians of any tribe as herein provided, or sooner if in the opinion of the President it shall be for the best interests of said tribe, it shall be lawful for the Secretary of the Interior to negotiate with such Indian tribe for the purchase and release by said tribe, in conformity with the treaty or statute under which such reservation is held, of such portions of its reservation not allotted as such tribe shall, from time to time, consent to sell, on such terms and conditions as shall be considered just and equitable between the United States and said tribe of Indians, which purchase shall not be complete until ratified by Congress, and the form and manner of executing such release shall also be

Patent to issue.

To be held in trust.

Conveyance in fee after 25 years.

Provisos.

Period may be extended.

Laws of descent and partition.

Negotiations for purchase of lands not alloted.

Lands so bought to be held for actual settlers if arable.

prescribed by Congress: *Provided however*, That all lands adapted to agriculture, with or without irrigation so sold or released to the United States by any Indian tribe shall be held by the United States for the sole purpose of securing homes to actual settlers and shall be disposed of by the United States to actual and bona fide settlers only in tracts not exceeding one hundred and sixty acres to any one person, on such terms as Congress shall prescribe, subject to grants which Congress may make in aid of education: *And provided further*, That no patents shall issue therefor except to the person so taking the same as and for a homestead, or his heirs, and after the expiration of five years occupancy thereof as such homestead; and any conveyance of said lands so taken as a homestead, or any contract touching the same, or lien thereon, created prior to the date of such patent, shall be null and void.

Patent to issue only to person taking as homestead.

Purchase money to be held in trust for Indians.

And the sums agreed to be paid by the United States as purchase money for any portion of any such reservation shall be held in the Treasury of the United States for the sole use of the tribe or tribes of Indians; to whom such reservations belonged; and the same, with interest thereon at three per cent per annum, shall be at all times subject to appropriation by Congress for the education and civilization of such tribe or tribes of Indians or the members thereof. The patents aforesaid shall be recorded in the General Land Office, and afterward delivered, free of charge, to the allottee entitled thereto. And if any religious society or other organization is now occupying any of the public lands to which this act is applicable, for religious or educational work among the Indians, the Secretary of the Interior is hereby authorized to confirm such occupation to such society or organization, in quantity not exceeding one hundred and sixty acres in any one tract, so long as the same shall be so occupied, on such terms as he shall deem just; but nothing herein contained shall change or alter any claim of such society for religious or educational purposes heretofore granted by law.

Religious organizations.

Indians selecting lands to be preferred for police, etc.

And hereafter in the employment of Indian police, or any other employes in the public service among any of the Indian tribes or bands affected by this act, and where Indians can perform the duties required, those Indians who have availed themselves of the provisions of this act and become citizens of the United States shall be preferred.

Citizenship to be accorded to allottees and Indians adopting civilized life.

SEC. 6. That upon the completion of said allotments and the patenting of the lands to said allottees, each and every member of the respective bands or tribes of Indians to whom allotments have been made shall have the benefit of and be subject to the laws, both civil and criminal, of the State or Territory in which they may reside; and no Territory shall pass or enforce any law denying any such Indian within its jurisdiction the equal protection of the law. And every Indian born within the territorial limits of the United States to whom allotments shall have been made under the provisions of this act, or under any law or treaty, and every Indian born within the territorial limits of the United States who has voluntarily taken up, within said limits, his residence separate and apart from any tribe of Indians therein, and has adopted the habits of civilized life, is hereby declared to be a citizen of the United States, and is entitled to all the rights, privileges, and immunities of such citizens, whether said Indian has been or not, by birth or otherwise, a member of any tribe of Indians within the territorial limits of the United States without in any manner impairing or otherwise affecting the right of any such Indian to tribal or other property.

Secretary of the Interior to prescribe rules for use of waters for irrigation.

SEC. 7. That in cases where the use of water for irrigation is necessary to render the lands within any Indian reservation available for agricultural purposes, the Secretary of the Interior be, and he is hereby, authorized to prescribe such rules and regulations as he may deem necessary to secure a just and equal distribution thereof among the Indians residing upon any such reservations; and no other appropriation or grant of water by any riparian proprietor shall be authorized or permitted to the damage of any other riparian proprietor.

SEC. 8. That the provision of this act shall not extend to the territory occupied by the Cherokees, Creeks, Choctaws, Chickasaws, Seminoles, and Osage, Miamies and Peorias, and Sacs and Foxes, in the Indian Territory, nor to any of the reservations of the Seneca Nation of New York Indians in the State of New York, nor to that strip of territory in the State of Nebraska adjoining the Sioux Nation on the south added by executive order. Lands excepted.

SEC. 9. That for the purpose of making the surveys and resurveys mentioned in section two of this act, there be, and hereby is, appropriated, out of any moneys in the Treasury not otherwise appropriated, the sum of one hundred thousand dollars, to be repaid proportionately out of the proceeds of the sales of such land as may be acquired from the Indians under the provisions of this act. Appropriation for surveys.

SEC. 10. That nothing in this act contained shall be so construed as to affect the right and power of Congress to grant the right of way through any lands granted to an Indian, or a tribe of Indians, for railroads or other highways, or telegraph lines, for the public use, or to condemn such lands to public uses, upon making just compensation. Rights of way not affected.

SEC. 11. That nothing in this act shall be so construed as to prevent the removal of the Southern Ute Indians from their present reservation in Southwestern Colorado to a new reservation by and with the consent of a majority of the adult male members of said tribe. Southern Utes may be removed to new reservation.

Approved, February 8, 1887.

CHAP. 120.—An act to declare a forfeiture of lands granted to the New Orleans, Baton Rouge and Vicksburg Railroad Company, to confirm title to certain lands, and for other purposes. Feb. 8, 1887.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the lands granted to the New Orleans, Baton Rouge and Vicksburg Railroad Company by the act entitled "An act to incorporate the Texas Pacific Railroad Company and to aid in the construction of its road, and for other purposes," approved March third, eighteen hundred and seventy-one, are hereby declared to be forfeited to the United States of America in all that part of said grant which is situate on the east side of the Mississippi River, and also in all that part of said grant on the west of the Mississippi River which is opposite to and coterminous with the part of the New Orleans Pacific Railroad Company which was completed on the fifth day of January, eighteen hundred and eighty-one; and said lands are restored to the public domain of the United States. Certain lands granted to New Orleans, Baton Rouge and Vicksburg R. R. Co. forfeited. Vol. 16, p. 579.

SEC. 2. That the title of the United States and of the original grantee to the lands granted by said act of Congress of March third, eighteen hundred and seventy-one, to said grantee, the New Orleans, Baton Rouge and Vicksburg Railroad Company, not herein declared forfeited, is relinquished, granted, conveyed, and confirmed to the New Orleans Pacific Railroad Company, as the assignee of the New Orleans, Baton Rouge and Vicksburg Railroad Company, said lands to be located in accordance with the map filed by said New Orleans Pacific Railway Company in the Department of the Interior October twenty-seventh, eighteen hundred and eighty-one and November seventeenth, eighteen hundred and eighty-two, which indicate the definite location of said road: *Provided,* That all said lands occupied by actual settlers at the date of the definite location of said road and still remaining in their possession or in possession of their heirs or assigns shall be held and deemed excepted from said grant and shall be subject to entry under the public land laws of the United States. Certain lands confirmed to New Orleans Pacific R. R. Co., assignee of New Orleans, Baton Rouge and Vicksburg R. R. Co. *Proviso.* Lands of actual settlers at the time excepted.

SEC. 3. That the relinquishment of the lands and the confirmation of the grant provided for in the second sections of this act are made and shall take effect whenever the Secretary of the Interior is notified that When grant to be in effect.

EXHIBIT 3

Letter dated June 17, 1896 to Secretary of the Interior
from U.S. Indian Inspector

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DATE OF LETTER
RECEIVED
JUN 22 1896

OFFICE OF
Indian Affairs
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Carson City Nevada
June 17/96.

Respectfully referred to the Commissioner of Indian Affairs for his consideration and for proper action on the matters herein referred to. The Department to be advised as early as practicable of the action taken thereon, in the interest of the prompt disposition of the business of this report.

Johnson 23 1896

Report on Reservation and School.

Transfer to E. Johnson 25
To Worden agt June 26 96

This report to be returned to the Department files.

4106 Indian Div. 1896

Office of Indian Affairs
Washington
JUN 24 1896

Department of the Interior
Office of Indian Affairs
July 1st 1896
Respectfully returned to the Department for file as requested
W. C. Pratt
Acting Commissioner

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Carson City, Nevada, June 17, 1886.

The Honorable,
The Secretary of the Interior,
WASHINGTON, D. C.

Sir:-

I have the honor to submit the following report on Agency and School affairs at the Nevada Agency, Nevada:

A G E N C Y:

This agency comprises two reservations: The Pyramid Lake and Walker River reserves. The Pyramid Lake reserve contains 322,000 acres of mostly mountainous and desert land, including the Pyramid Lake a body of water 40 miles long by about 12 miles in width. Of this great body of country only about 800 acres is suitable for agricultural purposes of which 600 acres is divided into small allotments and under good state of cultivation. The chief products raised by the Indians are grain (wheat & barley) and alfalfa hay.- the latter being the principal crop. The Walker River reserve contains 318,815 acres, including the Walker Lake a body of water 40 miles in length by 8 miles in width, of the same character of land as Pyramid Lake reserve. About 1200 acres of the bottom land along the river is agricultural land, three fourths of which is divided into 54 small farms cultivated

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(2.)

by Indians. Their crops are the same as those of Pyramid Lake reserve. The remainder of the lands of both reservations are best adapted for stock raising.

The irrigating plants at both reservations are kept in good order and afford ample supply of water for irrigation of all the land susceptible to cultivation. The new dam built at Walker River upon my recommendation of last May two years ago was substantially and well built and has proved a decided success. The old dam at Pyramid Lake reserve has been kept in good repair and the necessity for a new dam is not so apparent as two years ago.

The new bridge built last year at Pyramid Lake reserve is a strong well built structure and a creditable improvement

The buildings at the agency headquarters have all been renovated and put in first class condition. They have just received a fresh coat of paint inside and outside.

The buildings at Walker River reserve are in good repair but will require painting during the ensuing year.

The sanitary condition of the Indians is good and they receive good medical treatment.

The office affairs are in good shape and the business of the office is well attended to and dispatched in an intelligent and satisfactory manner. The office should be supplied, however, with a fire proof vault to file away

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(3.)

current records and books. There is a good supply of brick and lime on hand and the only ~~[illegible]~~ expense necessary to incur to contruct the needed vault would be the employment of an irregular mason and the purchase of a pair of vault doors.

The number of Indians under the control of this agency is as follows:

Pyramid Lake Reserve:

Males over 18,----------	188
Females over 16,----------	173
Children between 6 & 16,----------	134
Children under 6,----------	58
T o t a l:	514;

Walker River Reserve:

Males over 18, ----------	173,
Females over 16,----------	220
Children between 6 & 16,----------	135
Children under 6,----------	62
T o t a l:	590.

The Indians of both reservation are in a fair state of civilization, industrious, progressive, self-supporting, and there condition is such as to warrant the allotment of their agricultural lands in severalty. Steps should be taken at once to have their arable lands lands surveyed and allotted. When this is accomplished there is no longer any need of this agency,- which should be abolished. The Pyramid Lake affairs and Indians placed under control of a leaden superintendent at the agency boarding school; the Walker River affairs and Indians transferred to the Carson Indl. School.

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(4.)

The present condition of the Indians and affairs of this agency are such as to demand the consolidation of school and agency affairs at the earliest possible date. The interests of the schools and the Indians would be enhanced and the service materially benefitted.

The only complaint the Indians have is the occupancy of there reservation by stockmen & trespassers. This has been a troublesome question for many years and should be settled. These Indians are intelligent, law-abiding, obedient to departmental orders, and should be protected in their rights. If the propositions contained in the agreement made between these Indians and the Government on October 17, 1891, could be put into force and effect, it would accomplish the desired results. The scheme proposed in Senate Bill #3, introduced by Senator Stewart in last Congress, would not solve the problem but only complicate matters more than ever. The reasons assigned by Agent Wootten in his letter to the Commissioner dated February 11, 1896, presents a true picture of the situation. In addition, however, to the many objections set forth in opposition to the proposed legislation, I desire to submit that if the waters of the Truckee river, which is the only source of supply for Pyramid Lake, are diverted from the river for the purpose of supplying the proposed canal, the lake will in a few years go dry;and, as the lake is full of fish which furnish the Indians 9/10 of their

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food supply, these Indians will be made paupers and will have to be wholly supported by the Government, whereas, at present, they are virtually self-supporting.

----:S C H O O L S:------

PYRAMID LAKE BOARDING SCHOOL:

This school plant is in first class condition. The buildings have recently been thoroughly repaired and painted inside and outside. The plant is well supplied with water from a large tank filled by two hydraulic rams. Water is piped throughout the first floors of all the buildings. The ventilation, arrangement of the class rooms, domitories, employes quarters, and drainage of all the buildings are good. The sewerage is best that can be devised on account of the peculiar location of the buildings. The school is in need, however, of a first class bath-house with at least twelve bath-tubs. The present facilities for bathing the children are very poor;- the accommodations only permit two persons to be bathed at time and it requires a whole day day to give the pupils an ordinary wash.

The school garden has been enlarged and now contains about 8 acres, being sufficient land for garden purposes.

The dairy is supplied with ten good milk cows and the school has abundance of milk and butter.

The average attendance last month was 101. The school

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can accommodate, however, 120 pupils, and this number will no doubt be enrolled during the ensuing school year. The attendance is regular and the pupils are well clothed and fed.

The literary department is fairly successful but no further advancement can be made in this branch until a complete re-organization of the school is effected. The school-room work is under the supervision of a principal teacher and 2 assistant teachers. Nothing more than primary work is done nor can be done, as the children have made little or no advancement in this line.

The industrial department is under the supervision of a matron, seamstress and industrial teacher. The boys are taught how to perform manual labor necessary about a farm, while the girls are instructed in the art of sewing and general household duties.

In many respects the school is doing well, but it can never be made a successful school under its present management. The agent has for some time assumed the duties of superintendent in conjunction with his position, and while he is anxious to make the school a success, nevertheless he lacks executive ability and especially so in school matters never having had any experience in educational affairs, and is unable to manage or control the educational affairs of a school of this magnitude. A live, active, experienced

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educated man is required as superintendent to lift this school out of it's present chaotic condition. There is no discipline whatever in the school outside of the class rooms, both the employes and pupils are totally oblivious to the fact that there is any head to the institution. With a competent, experienced superintendent in charge this school can be made a success and a credit to the service. From a business standpoint the consolidation of the school and agency affairs is the only solution of the problem;- so long as this agency is permitted to continue as it is no beneficial results can ever be obtained.

I recommend for your favorable consideration the following propositions:

A G E N C Y:

1st. That the agricultural lands on both reservations be surveyed and allotments made to the Indians in severalty

2nd. When this is accomplished that the agency be abolished. Pyramid Lake to be placed under a bonded superintendent of the agency boarding school, and Walker River under the jurisdiction of the Carson Industrial school.

3rd. That a vault be built for use of the office by irregular labor and a pair of vault doors be purchased in the open market.

4th. That the southern portion of Pyramid Lake reserve (including the town of Wadsworth) be cut off from the reservation as proposed in the agreement of Oct.17, 1881.

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5th. That all stockmen and trespassers be removed from both reservations.

S C H O O L:

1st. That a suitable bath-house furnished with 12 bath-tubs be built at Pyramid Lake boarding school.

2nd. That a superintendent be placed in charge of the Pyramid Lake boarding school at the commencement of the ensuing fiscal year (Sept. 1) at a salary of $1000.- per annum; pending the consideration of the question of consolidating the agency and school affairs as herein recommended.

D A Y S C H O O L S:

WALKER RIVER DAY SCHOOL:

This school has attendance of 30 pupils, about 1/4 of the children of school age on the Walker River reserve. From a literary standpoint the school has never been a success, and there is no industrial work connected with the school. The children of school age could be readily accommodated at the Carson Training school, well fed and clothed and educated, which cannot be said of them in there present condition. If the Walker River reserve is placed under the Carson school as suggested and recommended the superintendent would have no trouble in securing these children.

WADSWORTH DAY SCHOOL.

This school was closed the 1st of January and the children transferred to the Pyramid Lake boarding school.

There is no doubt that there is a sufficient number of small children living in Wadsworth to warrant the opening of this school, but I consider it best to take no action in this direction until a consolidation of the agency and school affairs at Pyramid Lake can be accomplished.

Respectfully, very respectfully,

P. McCormick
U. S. Indian Inspector.

Sir
I am aware that I am not expected to send in a type written report. I regret being compelled to do it, but am occupied at a time I cannot work with wrecked pains & have had an attack of L

Respectfully
McCormick
Inspr

EXHIBIT 4

Letter dated February 26, 1900 to Frank Conser
from Commissioner of Indian Affairs

Land.

February 26,1900.

Frank M. Conser,
Supervisor of Indian Schools,
Miles, Washington,
Care U.S. Indian Agent,
Colville Agency, Washington.

Sir:

The Walker River Reservation is situated in the State of Nevada, some 60 miles southeast of Wadsworth. Its boundaries were surveyed in December 1864 by Eugene Monroe and embrace an area of 320,000 acres, including the Walker Lake. Notwithstanding this reservation was surveyed in 1864 by the said surveyor for the use and occupancy of the Pah Ute Indians then located thereon, the Honorable Secretary of the Interior under date of March 18, 1874, upon request of this office in a letter dated the 17th of that month, recommended to the President that he issue an order withdrawing from sale or other disposition and setting apart the reservation or tract of country embraced in said survey for the use and occupation of the Indians named.

On March 19, 1874, the President ordered that the reservation situated on Walker River, Nevada, as surveyed by Eugene Monroe December 1864, be withdrawn from sale or other disposition and set

aside for the use of the Pah Ute Indians then residing thereon. The Pah Ute Indians still use and occupy this reservation, and have done so, as will be observed from the foregoing statements, for about 35 years.

For several successive Congresses bills have been introduced to vacate and restore this reservation to the public domain and remove the Indians to the Pyramid Lake reservation in said State. The office has steadfastly opposed this proposed legislation and recently made an earnest report upon a bill submitted to this office by Senator Stewart containing provisions for the vacation of this reservation, its restoration to the public domain and the removal of the Indians occupying the same to the Pyramid Lake reservation. The office is desirous of securing these Indians permanent homes upon that reservation and in order to do so it appears that steps should be taken to allot the desirable lands to the Indians in severalty under the provisions of the General Allotment Act approved February 8, 1887, as amended by the Act of February 28, 1891, (26 Stats., 794). According to recent reports to this office by the Superintendent of the Carson School, most of the land embraced in this reservation is rough and arid; but it appears that there are now under cultivation about 1100 acres of land, and that from seven to ten thousand acres additional could be brought under cultivation by building a dam in the Walker River and constructing an irrigation ditch from five to six miles long. Such a ditch would cost, according to an estimate submitted to this office August 31, 1898, by Eugene

Mead, Superintendent of the Carson School, about $12,000, and according to estimates submitted by Superintendent Allen in his annual report of last year from $10,000 to $15,000. There is already it appears a ditch upon the reservation two or three miles in length which affords some irrigation to the crops planted by the Indians. The plan of furnishing the Indians additional water by means of a dam in the Walker River and the construction of an irrigation ditch in connection therewith seems feasible from reports on file in this office. While the Indians of this reservation are slow to accept civilized habits considerable advancement has been made in the last five years among them. A number of them have opened up little farms or ranches, sown fields to alfalfa, produced wheat and vegetables and a few have domestic fowls. Few of them have houses, being content, as it appears, to live in their "wickiups" winter and summer.

The lands within the reservation have not been surveyed. Before allotments can be made it will be necessary to cause the desirable lands within the reservation to be surveyed as the public lands are surveyed and subdivided in the same manner. It appears that there are about 600 Pah Ute Indians occupying this reservation. The Indians claiming the Walker River reservation as their home are shown in the following table:

Males above 18 years of age	184
Females above 14 years of age	226
Males between 6 and 18 years of age	75
Females between 6 and 14 years of age	52
Males under 6 years of age	31
Females under 6 years of age	28
Total	596

Under the provisions of the amended general allotment act each Indian, whether adult or minor, married or single, male or female, is entitled to 80 acres of agricultural land. It is also provided in said act, as amended, that when lands allotted, or any legal subdivision thereof, are only valuable for grazing purposes, such lands shall be allotted in double quantities. If all of the lands of this reservation were agricultural in character there would be required 48,000 acres to make allotments to the 600 Indians occupying the reservation. In case the lands were valuable for grazing purposes only double that quantity would be required to make allotments to them; but it appears that there are not more than 12,000 acres of land suitable for allotment, or at least that quantity which can be brought under irrigation and cultivation. There is therefore not enough of good agricultural land to give the Indians the quantity allowed under the General Allotment act as amended. It is provided, however, in said acts that in case there is not sufficient land in any of the reservations therein referred to to allot to each individual the quantity of land as provided, the land or reservation may be allotted to each individual pro rata as near as may be according to legal subdivisions. It seems from the foregoing statement, based upon reports in this office, that there are about 12,000 acres of land within the reservation susceptible of irrigation and cultivation. This quantity allotted to the 600 Indians occupying the same would give to each 20 acres,

When the snows in that section of country shall have disappeared, say in the month of April or May, and when you can conveniently do so, you will proceed to the Walker River reservation, Nevada, for the purpose of examining the character of that reservation and ascertaining about the quantity of allottable land situated therein. To perform this duty properly it will be necessary for you to go over and examine the reservation personally or at least that portion of the same on which the Indians are settled and where allotments may be made. The Walker Lake, as above indicated, is situated in the south half of the reservation. The Walker River runs through the central portion of the northern half thereof. The reservation appears to be surrounded wholly by mountains. It is thought that the lands which are adapted to agriculture and suitable for allotment are situated in the valley north of Walker Lake and along Walker River; but you must determine this fact by proper examination of the lands.

As above stated, the lands within the reservation are not surveyed. Surveys of the public domain have been made in some instances adjacent thereto.

I enclose, herewith, a map of the State of Nevada showing the boundaries of said reservation and the public surveys in the vicinity thereof. You will observe that I have caused red ink lines to be projected on this map through the reservation from the lines of the public survey thereby indicating the township and range in which the lands of the reservation would fall when the public survey

comes to be extended thereover. This map is enclosed not only for your information, but for your use in submitting your report under the instructions herein given. When you shall have made an examination of the lands within the reservation and determined what lands are suitable for agriculture and therefore allottable, you will indicate the same on this map by placing a cross or some proper color within the townships and ranges necessary to be surveyed to cover the lands desired. The expenses of the survey of these lands will be paid by this office from funds appropriated for that purpose. It is not desired, however, to pay for survey of townships and ranges which are not suitable for allotment and which will likely at some future time be restored to the public domain. You will therefore be careful in submitting your report, yet it is hoped that you will cover all lands thereby which the Indians desire and which should be allotted to them.

If there are not more than 12,000 acres of agricultural land within the reservation, it would hardly seem just to allot that quantity of land in 80 acre tracts to a portion of the Indians of the reservation and give to other Indians inferior lands or lands not susceptible of irrigation and cultivation. Please consider thoroughly, therefore, the question as to whether these Indians should be allotted in quantities less than 80 acres or, in other words, whether the agricultural lands should be allotted to each individual Indian pro rata as near as may be according to legal

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subdivisions. To satisfactorily determine this question it is thought that the matter should be presented to the Indians in council assembled for that purpose, and their wishes ascertained after the same has been fully explained to them. The lands selected for allotment should be susceptible of irrigation. It seems that you might be able to determine that question from the general contour of the country and the land lying along Walker River. The old ditch constructed over these lands should be examined with a view of obtaining information upon the matter.

I think it would be well for you to consult with James K. Allen, Superintendent of the Carson School, before undertaking the examination above indicated. In fact it would be well for you to invite Superintendent Allen to accompany you in your investigations and conferences with the Indians respecting the matter under consideration. He doubtless will be able to throw much light upon the question. He was recently in this office and discussed in an informal way the matter under consideration, showing quite a knowledge of the same and manifesting great interest in the welfare of the Indians. It is therefore concluded that his information and suggestions would materially aid you in reaching a proper conclusion as to the lands necessary to be surveyed for allotments and the quantity which should be given each individual Indian. The office will advise him that you have been instructed to visit the Walker River reservation for the purposes herein indicated, and to assist

you, upon your call, in any proper manner that he may be able, accompanying you over the reservation if his duties as Superintendent of the Carson School, will permit.

In case the public surveys are extended over the agricultural lands within the reservation and allotments thereof made, the surplus lands may soon thereafter be ceded to the United States if the Indians will consent to such cession. By that means funds sufficient might be obtained to construct the dam and irrigation ditch as heretofore suggested by the several Superintendents of the Carson School; also to furnish the Indians with agricultural implements and other necessary articles to put them in the way of self-support and enable them to cultivate the lands allotted.

The betterment of the condition of these Indians is very much desired and it is believed that allotments of land in severalty to them will lead to that end. It is trusted that the scope of the instructions herein given is sufficient to enable you to make a full and complete report upon the matter under consideration. Should any other questions arise or present themselves which in your judgment would improve the condition of the Indians and of which this office should be advised, you will submit the same in your report.

It may be stated for your information that the General Land Office will be asked to request the Surveyor General of Nevada to submit an estimate of the cost of the survey of the townships

and ranges which may be recommended by you for survey under the instructions herein given. The main purpose now is to ascertain definitely what lands should be surveyed for allotment to these Indians, and the quantity which should be given to each individual Indian, and whether this is a wise course to pursue with respect to these Indians.

For your further information I enclose a copy of a letter dated February 16, 1900, from Superintendent Allen, of the Carson School. This shows the proposition he has in mind for allotting these Indians and thereafter negotiating with them for the cession of the surplus lands.

Very respectfully,

(J.H.H.) Commissioner.

P.

EXHIBIT 5

Letter dated June 19, 1900 to Commissioner of Indian Affairs
from Frank Conser

30668 | OFFICE OF Indian Affairs Rec JUN 23 | 1900

Carson, Nevada
June 19, 1900

Frank M. Conser,
Supt. Ind. Schs.

Rept. rel. to disposition
of Walker River
Reservation, Nevada

3 Inc

Mr. Oliver returns the
to say look about
Aug. 1/06

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30668

Carson, Nev., June I9th., I900.

The Honorable Commissioner of Indian Affairs:-

Sir:-

In compliance with instructions of Feb. 26th., I900 to proceed to Walker River Reservation, Nevada, for the purpose of examining the character of that reservation and ascertaining about the quantity of allottable lands situated therein etc., I have to report that I have gone over this reservation personally and find that the most suitable land for allotment is that lying along the Walker River, North and West of Walker Lake, there being about 8000 acres that can be placed under ditch. Possibly from 2000 to 4000 acres of mesa land in addition to the above could be covered by ditch but this could only be determined after a careful survey by a competent engineer.

The land suitable for allotment according to the map sent to me and returned herewith marked Exhibit "A" would be situated in the N.E. of Township I2, the BI/2 of Tp. I3, the S.E. of Tp. I4, Range 28, the N.W. corner of Tp. I2, and the Western and Southwestern part of Tp. I3 Range 29. The townships in which the land lies, according to this map, are marked with a cross(+) in red ink.

I inclose another map marked Exhibit "B" which was prepared after I had personally examined the land and which shows the location of that which can be covered by a ditch and which should be surveyed if it is decided to allot the same to the Indians. This land lies North and West of Walker Lake and along Walker River a distance of from one-half mile to two miles from the river and extends up the river about nine miles from the lake. I would describe the out-boundaries of the land to be surveyed

as follows: Begin at the mouth of the river, thence N.E. about 3&1/2 miles, thence Northwesterly about 3 miles; thence Westerly about 3 miles to a point about N.E. of the agency where the bluff of the mesa extends to the river bottom; thence Northwesterly along the bluffs of the mesa, so as to include all river-bottom lands, to the upper dam marked on the map. This will include about all the land on the East and North side of the river. On the South and West side of the river, begin at a point on the lake about one mile West of the mouth of the river; thence Northwesterly to a point about 3/4 mile S.E. of the agency; thence Westerly about two miles; thence Northerly to the upper dam marked on map. The land should be surveyed in 20 acre tracts and should not be allotted in quantities greater than 20 acres to any individual Indian as 20 acres of good agricultural land under irrigation is an abundance for any Indian on this reservation. When I talked to the head men of the tribe relative to allotting in 20 acre tracts they interposed no objection to such a course and I am sure it will be satisfactory to them.

At present there are about 400 Indians on the reservation although I presume there are fully 600 who claim the reservation as their home but on account of the scarcity of water and the limited amount of land that can be irrigated many of them have been compelled to leave in order to make a living, although it would be better for the Indians if they could be kept on the reservation because of the evil influences surrounding them in the towns they frequent. There are about 100 now living at the town of Hawthorne on the Southern border of the reservation where their condition is deplorable and there is absolutely nothing at that place to encourage them in the way of better living. On the contrary their money is largely spent for whiskey and opium, women and girls lead lives of

prostitution and men women and children frequent the Chinese opium dens. The sentiment of the white people at this place is generally expressed that the best Indians are dead and the living are only good for what can be made out of them.

All of the Indians belonging to the reservation should be compelled to reside thereon if it were possible for them to make a living there but in fact the surveying and allotting of land to them on the reservation in addition to what is now being cultivated will be a useless expenditure of money unless they are assured of a sufficient amount of water to enable them to raise a crop and the only way to do this is to provide a means of storing the surplus that comes down the Walker River during the spring months. When the snow in the mountains melts in the spring there is always an abundance of water in the river that cannot be utilized but as soon as the snow is gone, usually about the middle of June, the supply in the river on the reservation diminishes very rapidly, generally by about the middle of July the river is dry and year by year the regular supply from the river is gradually diminishing because of the increased appropriation of the water in the valleys above the reservation. I observed this particularly in Mason Valley which adjoins the reservation on the West where new land is being broken, new ditches are being constructed and old ones extended and enlarged.

The only way of assuring these Indians of a permanent supply of water for the land they should have under irrigation is by a storage reservoir. There are two sites where a storage dam could be built, one about one-half mile above the present upper dam and another about two miles above. At either site it would require a dam about 1000 feet in length and at a height of 20 feet the water would extend back about two miles. At the lower site the reservoir would have an average width of about

1500 ft. while at the upper site the area covered would be considerably larger.

A reasonable estimate of the cost of such a dam could only be made after a careful examination of the dam site but I would approximate the cost at not less than $50000. It would also be necessary to run a main ditch from the reservoir on each side of the river to reach the land to be irrigated and the length of each ditch from the dam to the lake would be about ten miles. The approximate cost of these ditches would be $10000.00.

It will thus be seen that to place these Indians on a safe road toward self-support will require an expenditure of not less than $60000.00, which amount I presume is not available from any general fund and to meet this condition I submit the following solution.

The land within the boundaries of the reservation is estimated at about 320,000 acres. The only land of any value to the Indians is that situated along the river bottom. The balance of the reservation consists of mountains and sage-brush land. An examination of the mountain country to the West which contains the only mountain range the Indians receive any benefit from, shows that there is some pine timber thereon but I saw none that was of any commercial value whatever except for firewood and for this there is no available market at present. The only real benefit derived by the Indians from the timber is the pine-nuts which they gather in the fall and which constitute a part of their subsistence but if they had other and better means of subsistence the loss of the pine-nuts would be rather insignificant. And in fact they could probably secure pine-nuts just as well if the mountains were not within the boundaries of the reservation.

This mountain range to the West however is thought to contain

valuable mineral and the country is much coveted by the white people who are at present excluded from performing mining operations on the reservation. I observed evidences of prospecting in many places and if reports are true some valuable mines could no doubt be developed if the country was open to mineral entry. The mineral in the mountain is doing the Indians no good and if they could be reasonably compensated for the land and the money spent in a way that would benefit them I would favor their disposing of the land that is of no present value and appropriating the money derived therefrom for the construction of a storage reservoir, irrigating ditches, purchase of cattle, farm implements etc., which will be of some real benefit to them, and would recommend the diminishing of the reservation to about 75000acres and within about the following boundaries as shown by red ink lines on map marked Exhibit "C" viz:-

Begin on the East side of Walker Lake at a point on the railroad known as Gillis Station which is about eight miles from the mouth of the river; thence Northerly to a mountain point about five miles N.E. of the mouth of the river; thence Northwesterly to a point about one mile east of the site for a reservoir which is on the river about ten miles from its mouth; thence follow the meanderings of the river at least one mile from the river to the present reservation line; thence follow down the river on the opposite side about the same distance therefrom to a point about one mile West of the reservoir site; thence Southerly to the foot of White Mountain; thence follow the foot-hills to a point on the West shore of the lake, opposite Gillis Station; thence across the lake to the place of beginning. The surplus land I would recommend be sold for $125000.00(about 50 cents per acre) a part of which amount could be used for the benefit of the Indians as above indicated, a part should be used for inclosing the diminished reservation with a good wire

fence and the balance placed to the credit of the tribe to be expended under the direction of the Department. My object in including a part of the lake within the diminished reservation would be to insure to the Indians a protection of their rights to fish in at least a portion of the lake as well as an undisturbed use of that part of the lake for any other purpose.

The fencing of the diminished reservation I should consider very important for the protection of the river bottom from outside cattle and the insurance of good grazing land for Indian cattle.

I would also consider the retention of the entire river bottom within the diminished reservation as very important for two reasons; viz (I) to protect the Indians against the appropriation of water from the river above the reservoir as the land all along the river would be settled upon immediately after it was thrown open to settlement, thus increasing the amount of water taken from the river and diminishing the reservation supply; (2) to provide a common pasture for the Indians. When Sup't. Allen and I rode up the river bottom from the lake to the reservation line we counted 450 head of cattle that were grazing in this bottom and with proper guidance and protection of their interests there is no reason why the Indians could not have at least that number of cattle which would be a source of considerable revenue to them.

After having studied the whole matter carefully I am convinced that for the best interests of the Indians it would be advisable to diminish the reservation and with the money derived from the sale of the surplus lands provide for the survey, allotment and irrigation of the agricultural land retained and the support of the Indians as above indicated.

Very respectfully,

Frank M. Conner,
Sup. Ind. Schs.

EXHIBIT 6

Act of May 27, 1902 directing allotment of
Walker River Reservation

THE

STATUTES AT LARGE

OF THE

UNITED STATES OF AMERICA,

FROM

DECEMBER, 1901, TO MARCH, 1903,

CONCURRENT RESOLUTIONS OF THE TWO HOUSES OF CONGRESS,

AND

RECENT TREATIES, CONVENTIONS, AND EXECUTIVE PROCLAMATIONS.

EDITED, PRINTED, AND PUBLISHED BY AUTHORITY OF CONGRESS, UNDER THE DIRECTION OF THE SECRETARY OF STATE.

VOL. XXXII.—PART 1.

WASHINGTON:
GOVERNMENT PRINTING OFFICE.
1903.

Vol. 30, p. 497.

Act entitled "An Act for the protection of the people of the Indian Territory, and for other purposes," approved June twenty-eighth, eighteen hundred and ninety-eight, be, and the same is hereby, declared to be three hundred and twenty acres for each member of the Chickasaw Nation, three hundred and twenty acres for each member of the Choctaw Nation, one hundred and sixty acres for each member of the Creek Nation, and one hundred acres for each member of the Cherokee Nation.

Mill, Pima Agency, Ariz.

For operating and repairing the flour mill at Pima Agency, Arizona, one thousand five hundred dollars.

Sawmills, Klamath Agency.

For operating one portable sawmill for the Klamath Agency, Oregon, and for necessary repairs to same, one thousand five hundred dollars.

Nez Percé Reservation.

For operating one portable sawmill on the Nez Percé Indian Reservation, Idaho, and for necessary repairs to the same, one thousand five hundred dollars.

Physician, New York Agency.

For pay of physician, New York Agency, six hundred dollars.

Wenatchis. Removal to Colville Reservation.

To enable the Secretary of the Interior to remove certain Indians now residing in the vicinity of Mission and Wenatchee, in the State of Washington, known as Wenatchi, to the Colville Indian Reservation, and to properly establish and temporarily maintain them, the sum of twelve thousand dollars, or so much thereof as may be necessary, to be immediately available.

Klamath Reservation, Oreg. Allotment to children. Vol. 24, p. 388.

That the Secretary of the Interior be, and he is hereby, authorized and directed to cause to be allotted, under the provisions of the Act of Congress approved February eighth, eighteen hundred and eighty-seven, entitled "An Act to provide for the allotment of lands in severalty to Indians on various reservations, and to extend the protection of the laws of the United States and the Territories over the Indians, and for other purposes," as amended by the Act approved February twenty-eighth, eighteen hundred and ninety-one, to each and every child born of a recognized member of any of the tribes of Indians located on the Klamath Reservation in Oregon since the completion of allotments to said tribes, eighty acres of agricultural or one hundred and sixty acres of grazing land within the reservation of said tribes.

Vol. 26, p. 794.

Allotments. Vol. 24, p. 388. Post, p. 744.

To enable the President to cause, under the provisions of the Act of February eighth, eighteen hundred and eighty-seven, entitled "An Act to provide for the allotment of lands in severalty to Indians on the various reservations, and to extend the protection of the laws of the United States and the Territories over the Indians, and for other purposes," such Indian reservations as in his judgment are advantageous for agricultural and grazing purposes to be surveyed or resurveyed, for the purposes of said Act, and to complete the allotment of the same, including the necessary clerical work incident thereto in the field and in the Office of Indian Affairs, and delivery of trust patents, so far as allotments shall have been selected under said Act, forty thousand dollars.

Walker River Reservation, Nev. Allotment of irrigable land. Post, pp. 744, 997.

That the Secretary of the Interior be, and he is hereby, directed to allot from the land on the Walker River Reservation in Nevada susceptible of irrigation by the present ditches or extensions thereof twenty acres to each head of a family residing on said reservation, the remainder of such irrigable land to be allotted to such Indians on said reservation as the Secretary of the Interior may designate, not exceeding twenty acres each; and when a majority of the heads of families on said reservation shall have accepted such allotments and consented to the relinquishment of the right of occupancy to land on said reservation which can not be irrigated from existing ditches and extensions thereof and land which is not necessary for dwellings, school buildings or habitations for the members of said tribe, such allottees who are heads of families shall receive the sum of three hundred dollars each

Payment for lands relinquished.

to enable them to commence the business of agriculture, to be paid in such manner and at such times as may be agreed upon between said allottees and the Secretary of the Interior. And when such allotments shall have been made, and the consent of the Indians obtained as aforesaid, the President shall, by proclamation, open the land so relinquished to settlement, to be disposed of under existing laws. And the money necessary to pay said Indians is hereby appropriated out of any money in the Treasury not otherwise appropriated.

Relinquished lands to be open to settlement.

Post, p. 998.

That the Secretary of the Interior is hereby authorized to allot Nay may puck, Ka ka keese, and Ka kee ka kee sick lands in severalty on the ceded portion of the Red Lake Reservation, Minnesota, not to exceed one hundred acres each, such allotments to conform to the public surveys and to be subject to the provisions of the Act of Congress of February eighth, eighteen hundred and eighty-seven (Twenty-fourth Statutes, page three hundred and eighty-eight).

Red Lake Reservation, Minn. Allotments to certain Indians.

Vol. 24, p. 388.

That the Secretary of the Interior is hereby authorized to allot Onab Ogamaybeck, a Red Lake Chippewa Indian woman, an allotment of unappropriated lands on the ceded portion of the Red Lake Reservation, Minnesota, not to exceed one hundred and sixty acres, such allotment to conform to the public surveys and to be subject to the provisions of the Act of Congress of February eighth, eighteen hundred and eighty-seven (Twenty-fourth Statutes, page three hundred and eighty-eight).

Onab Ogamaybeck. Allotment to.

Vol. 24, p. 388.

That the Secretary of the Interior be, and he is hereby, authorized and directed to issue a patent in fee to Nora G. Hazlett, a Caddo Indian, for not to exceed eighty acres of the one hundred and sixty acres of land heretofore allotted to her in the Territory of Oklahoma, and all restrictions as to the sale, incumbrance, or taxation of said land are hereby removed: *Provided*, That it shall appear that such tract of land has been duly allotted to said Nora G. Hazlett.

Nora G. Hazlett. Patent in fee to.

Proviso. Proof.

That the Secretary of the Interior be, and he is hereby, authorized and directed to issue a patent in fee to John T. Hill for the northeast quarter of section four, in township six, north, range eighteen west, of the Indian meridian, in Oklahoma, the same having been allotted to him under Act of June sixth, nineteen hundred.

John T. Hill. Patent in fee to.

That the Secretary of the Interior be, and he is hereby, authorized and directed to issue a fee-simple patent to Elizabeth McKinney, a citizen Pottawatomie Indian, for the land purchased by the said Elizabeth McKinney from the United States under the Act of May twenty-third, eighteen hundred and seventy-two, and located in Cleveland County, Oklahoma Territory, and described as follows, to wit: Lot numbered four, and the southwest quarter of the northwest quarter of section one, and the southeast quarter of the northeast quarter and the northeast quarter of the southeast quarter of section two, all in township five north, of range one east, Indian meridian, containing one hundred and fifty-seven and forty one-hundredths acres.

Elizabeth McKinney. Patent in fee to.

Vol. 17, p. 159.

That the Secretary of the Interior be, and he hereby is, authorized and directed to issue patents in fee to Mary Keith and Benny Keith, Cheyenne and Arapahoe Indians, for the lands heretofore allotted to them in the Territory of Oklahoma, to wit, the northeast quarter of section eleven, township twelve north, range six west, and the east half of the northwest quarter and lots five and six of section eight, township twelve north, range seven west, of the Indian meridian; and all restrictions as to the sale, incumbrance, or taxation of said lands are hereby removed.

Mary Keith and Benny Keith. Patents in fee to.

For construction of ditches and reservoirs, purchase and use of irrigating tools and appliances, and purchase of water rights on Indian reservations, in the discretion of the Secretary of the Interior and subject to his control, one hundred and fifty thousand dollars: *Provided*, That the Secretary of the Interior may employ such number of super-

Irrigation.

Proviso. Irrigation engineers.

EXHIBIT 7

Letter dated July 22, 1905 to J.R. Meskimmons
from Commissioner of Indian Affairs

Land.

DEPARTMENT OF THE INTERIOR,

OFFICE OF INDIAN AFFAIRS,

WASHINGTON.

July 22, 1905.

J. R. Heskimons, Esq.,

Superintendent of Irrigation,

Beaver, Pennsylvania.

Sir:

Upon the expiration of your leave of absence, you are assigned to duty on the Walker River Reservation, Nevada, for the purpose of surveying and planning a system of irrigation upon certain surveyed lands hereinafter described, sufficient to make allotments of land to the Indians thereof, under existing law. The following instructions are issued for your guidance in the work proposed:

The Indian Appropriation Act approved May 27, 1902 (32 Stats.-245,260), directs the Secretary of the Interior, among other things, to allot from the land on the Walker River Reservation in Nevada, susceptible of irrigation by the present ditches or extensions thereof, 20 acres to each head of a family residing on said Reservation, the remainder of such irrigable land to be allotted to such Indians on such Reservation as the Secretary may designate, not exceeding 20 acres each. The Act provides that when a majority of the heads of families on said Reservation shall have accepted such allotments and consented

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to the relinquishment of the right of occupancy to land thereon which cannot be irrigated from existing ditches and extensions thereof, and land which is not necessary for dwellings, school buildings or habitations, for the members of the said tribe, such allottees who are heads of families shall receive the sum of $300.00 each, to enable them to commence the business of agriculture, to be paid in such manner and at such times as may be agreed upon between said allottees and the Secretary of the Interior; also that when such allotments shall have been made, and the consent of the Indians obtained as aforesaid, the President shall, by proclamation, open the land so relinquished to settlement, to be disposed of under existing laws. The money necessary to pay the said Indians as indicated is appropriated by the said Act out of any money in the Treasury not otherwise appropriated.

It is provided by joint Resolution of June 19, 1902 (32 Stats.-744), in addition to the allotment in severalty of lands in the Walker River Indian Reservation, State of Nevada, that the Secretary of the Interior shall, before any of said lands are opened to disposition under any public land law, select and set apart for the use in common of the Indians of that Reservation, such an amount of non-irrigable grazing land therein, at one or more places, as will subserve the reasonable requirements of the Indians for the grazing of live stock.

Certain provisions are made in this joint Resolution respecting the making of allotments in severalty to the Indians of the Spokane Indian Reservation, Washington, and the Indians of the Uintah and White River Utes of the Uintah Reservation, Utah.

There is appropriated by a paragraph contained in the Indian Appropriation Act approved March 3, 1903 (32 Stats.-982, 997), $175,000.00, to enable the Secretary of the Interior to do the necessary surveying and otherwise carry out the purposes of so much of the Act of May 27, 1902 (Supra), as provides for the allotments of the Indians of the Walker River Reservation in Nevada, and the Uintah and White River Utes in Utah, and the joint Resolution of June 19, 1902 (Supra). This sum was made immediately available.

James Mc Laughlin, United States Indian Inspector, was designated to ascertain the lands within the Walker River Reservation necessary for the use of the Indians for allotments and grazing purposes, as provided in the Acts and Resolution above referred to. He recommended that the surveys for this purpose be confined to Township 12 north, Range 29 east, Townships 12, 13 and 14 north, Range 28 east, and Townships 14 and 15 north, Range 27 east, and that these townships only, or so much thereof, should be subdivided, as might be found to be within the boundaries of the Reservation, or at least one mile distant therefrom, as shown by the protraction on the plat which

accompanied his report.

The Office made report as to this matter February 5, 1904, to the Secretary of the Interior, and suggested that the Commissioner of the General Land Office be authorized to enter into contract for the surveying of said townships in the manner and for the purposes indicated. The Office is informally advised by the General Land Office that such contract was made--No.237--with Messrs.Franks and Mullen; also that the surveys have been completed thereunder in the field; that the field notes and plats of surveys are now being prepared in the Surveyor General's office, for Nevada; that the surveys are about to be examined in the field;that the returns of the surveys will not likely be made to and approved by the General Land Office before September 1, next. Upon receipt of the field notes and plats of survey by the General Land Office, this Office will be furnished with copies thereof, when steps will be taken to have the allotments made to the Indians in quantity and manner as above stated, by a Special Allotting Agent to be designated for that purpose.

You will first make a survey of and prepare a map or maps showing all the irrigation ditches that have been constructed on the Reservation, and the land covered thereby, giving the acreage thereof, showing the Section, Township and Range, and the number of Indians that can be allotted 20 acres each. There are about five hundred Indians on the Reservation, to be exact,

490, according to the Annual Report of this Office for 1904. It will require about 10,000 acres to allot each Indian on the Reservation 20 acres of land. You will estimate the quantity of additional land that will be necessary to bring under irrigation to give each remaining Indian -man, woman and child- 20 acres apiece, and determine by proper surveys the lines of the ditches to be extended and constructed for that purpose. You will estimate the cost of their extension and construction; also the cost of the repair of the ditches already constructed on the Reservation, if it is necessary to make repairs; that is, the entire cost of the irrigation system necessary to give allotments of 20 acres each to the Indians of the Reservation.

Allotments are to be made on land irrigated or susceptible of irrigation. The purpose mainly now, as above pointed out, of your surveys, is to ascertain the lands to be allotted, that is, those already covered by existing ditches and those susceptible of irrigation by the extension thereof, to the amount -in all- of 10,000 acres. The cost of the proposed system of irrigation should be reasonable.

Should you apply to the Surveyor General for Nevada for copies of the plats of survey and other data and information respecting the surveys mentioned, you would likely be able to obtain them from him. It is suggested that you make request for such copies and other information desirable bearing on the work proposed.

This Office received last January, by Department reference, for consideration, report and recommendation, a report dated January 17, 1905, from C. F. Nesler, United States Inspector, on the Walker River Reservation, wherein he invited attention to the uncertainty of the water supply necessary to irrigate the Indian lands. He stated that large cattle owners above the Reservation had for years held back the water of the Walker River, by means of a series of tight dams, and distributed the same over their pasture land, in order to furnish undergrowth for grazing purposes; that this had affected the lands of the white people in the Mason Valley north of the Reservation, and had been the cause of numerous law suits then pending in the courts; and that it seemed to him that the Indians, regardless of the results of these suits, were bound to suffer. He suggested that the Government make filings on behalf of the Indians for water rights; that if this could not be done it would be necessary to make provision for an adequate supply by the construction of dams and storage of water.

It may be stated for your information, that he estimated that there were about 3000 acres of irrigable land suitable for allotments. He reported that only about one-half of this land was then under water; that the whole amount mentioned would hardly be sufficient to allot the number of Indians living on the Reservation, there being, as stated, about 500.

He thought that the allotment of land was sure to

bring about necessary changes among the Indians and reported that existing ditches were built without regard to future allotments; that when the allotments are made the ditches will have to be changed and systematized, in order to afford each allottee a water supply.

As to the steps taken to secure water rights for the Indians of the Reservation, I have to state that on September 12, 1903, this Office recommended to the Secretary of the Interior that certain papers and information respecting a suit in equity, entitled Miller & Lux vs. Thomas B. "Rocky" et al, then pending in the United States Circuit Court for the District of Nevada, at Carson, there being named in the bill of complaint 134 defendants, be forwarded to the Attorney General, with the request that the U. S. Attorney for the District of Nevada be instructed to take such action as might be necessary and best calculated to secure the rights of the United States and the Indians of the Walker River Reservation, in the use of water for irrigation thereon.

The United States District Attorney for the District of Nevada transmitted a letter to the Attorney General on December 12, 1904, together with a newspaper clipping, relative to a suit instituted in the Superior Court of California by the "Rickey"Land & Cattle Co., against all users of water on the east and west forks of Walker River, in the State of Nevada.

A copy of this communication was referred to this Office by the Department, for report and recommendation. The Office made a full report thereon under date of January 5, 1905, and recommended that the Attorney General be requested to instruct the proper United States District Attorney to take such action as might be necessary and best calculated to secure the rights of the United States and the Indians of Walker River Reservation in the use of water for irrigation purposes thereon.

In view of the action of this Office and the recommendations made, you will communicate with the United States District Attorney for Nevada, and also with the proper United States District Attorney for California, should it be found that he has charge of the suit last referred to, for the purpose of ascertaining what progress, if any, has been made toward securing water rights for the Indians and the United States. You will advise the Office of any information obtained.

When you shall have made the surveys contemplated and prepared the maps of the ditches as instructed, you will, if necessary, furnish the proper United States Attorney with copies thereof, in order that proper filings for water rights may be made in the State of Nevada; or if necessary file the same with the State Superintendent of Irrigation. In other words, you will take every proper step to secure proper filings on behalf of the Indians and obtain for them water rights under the laws of the State of Nevada.

It appears from information in the possession of this Office, that the Indians had constructed irrigation ditches on the Walker River Reservation as early as 1873. The following quotation taken from the Annual Report of this Office for 1873- page 254- is cited as evidencing this fact:

"The Walker River Reservation has suffered more in this respect (damage from floods and crop failure) than that of the Pyramid Lake, from the fact that a rain on the mountains of the head waters of Walker River caused a sudden rise of such force as to break the irrigation ditch and, before the same could be repaired, the water was so low that almost an entire failure of crops was the result."

The irrigation system for the Indians of that Reservation should be surveyed and planned before beginning the work of allotments, in order that the Allotting Agent may know the lands to be allotted, that is, those already irrigated and such as are susceptible of irrigation. An Allotting Agent will be sent to the Reservation to make the allotments at the earliest practicable date. It will therefore be necessary for you to hasten your surveys and plans for irrigation. Upon your arrival there you will submit an estimate of the funds necessary for your use in carrying on the work proposed during the 1st quarter, 1906; so that authority may be obtained for such expenditures. You will be allowed assistants, if found necessary to conduct the work properly. Your estimate of funds should be made in detail, indicating the number of assistants, the rate per day, and other necessary expenses. You will acknowledge the receipt of these instructions and report your arrival on the Reservation.

When you shall have completed the surveys, maps and plans for a system of irrigation as contemplated, under these instructions, you will submit to the Office a full report thereof, accompanied by maps and profiles of the same, for its use and information. The maps and profiles, or blue-print copies thereof, will be returned to you, in order that you may use them in the work of construction. Should any question arise about which you desire further information, you will submit it promptly to the Office, so that instructions may be given.

The Superintendent of the Carson School, Nevada, will be advised of your coming and requested to render you such assistance as he may be able and as is consistent with the duties of his office.

For your use I enclose a map of the State of Nevada, showing the location and boundary of the Walker River Reservation.

Very respectfully,

Acting Commissioner.

JHH-GH.

EXHIBIT 8

Letter dated October 30, 1905 to William E. Casson
from Acting Commissioner of Indian Affairs

LARRABEE, C.F. TO WM. CASSON 10/30/1905

#4.

Copy

Land.
57489, 1905.

DEPARTMENT OF THE INTERIOR
OFFICE OF INDIAN AFFAIRS.
WASHINGTON.

October 30, 1905.

William E. Casson, Esq.,
Special Allotting Agent,
Susanville, California.

Sir:

The lands embraced within the Walker River Reservation, Nevada, were withdrawn from public sale and other disposition, and set apart for the use of the "Pah-Ute" Indians residing thereon, by the Executive order of March 19, 1874.

Congress, by the Act approved May 27, 1902, (32 Stats. 245-260) directs the Secretary of the Interior, among other things, to allot from the lands of the said reservation, susceptible of irrigation by the present ditches or extensions thereof, twenty acres to each head of a family residing thereon, the remainder of such irrigable land to be allotted to such Indians on the reservation as the Secretary may designate, not exceeding twenty acres each; and when a majority of the heads of families shall have accepted such allotments, and consented to the relinquishment of the right of occupancy to land on the reservation which can not be irrigated from existing ditches and extensions thereof, and land which is not necessary for dwellings, school buildings, or habitations for the members of the tribe, such allottees who are heads of families are to receive the sum of $300 to enable them to commence the business of agriculture, to be paid in such manner and at such times as may be agreed upon between said allottees and the Secretary.

When such allotments shall have been made, and the consent of the Indians obtained as aforesaid, the lands so relinquished are to be opened to settlement by proclamation of the President, to be disposed of under existing laws.

You have been designated by the Secretary to make allotments on the reservation under said act. Before beginning your instructions, it may be stated for your information that the joint resolution of June 19, 1902, (32 Stats. 744) provides, in addition to the allotments in severalty of land within the reservation, that the Secretary shall, before any of said lands are opened to disposition under any public land law select and

[USNA-WASH. D.C.]

DOC. 54

set apart for the use in common of the Indians of the reservation such an amount of non-irrigable grazing land therein, at one or more places, as will subserve the reasonable requirements of the Indians for the grazing of live stock; also that the act of March 3, 1903, (32 Stat. 982, 997) appropriates $175,000 to enable the Secretary to do the necessary surveying, and otherwise carry out the provisions of the act of May 27, 1902, (Supra) as provides for the allotments to the Indians of the Walker River Reservation, and certain other Indians.

The lands necessary to make the allotments to the Indians of this reservation have been surveyed. It is ascertained upon informal inquiry at the General Land Office that the surveys have been examined in the field; that the plats and field notes of the surveys are being prepared in the office of the Surveyor-General for Nevada, for transmittal to the General Land Office; and that when they shall have been forwarded to and approved by that office, copies thereof will be transmitted to this office.

Upon the receipt of these copies, they, or copies thereof, will at once be forwarded to you for your use in making allotments to the Indians of the said reservation under the act of May 27, 1902, and the instructions now issued for your guidance in the work proposed.

It will be your duty to determine the land for allotment, that is, whether it is irrigated or susceptible of irrigation by the present ditches or extensions thereof. You should do this upon conference with J. R. Meskimons, superintendent of irrigation, now engaged under instructions from this office in surveying and planning a system of irrigation upon the surveyed lands sufficient to make allotments to the Indians.

He was instructed, on July 22, 1905, for the purposes stated. A proper description of the land was furnished him. His first duty was to make a survey of, and prepare a map or maps showing, all the irrigation ditches that have been constructed on the reservation, and the lands covered thereby, to give the acreage thereof, show the section, township and range, and the number of Indians that could be allotted twenty acres each, and then to estimate the quantity of additional land necessary to bring under irrigation to give each remaining Indian — man, woman, and child — twenty acres apiece, and determine by proper surveys the lines of the ditches to be extended and constructed for that purpose.

Heads of families are to receive an allotment of twenty acres each. If there remains sufficient irrigable land, or land susceptible of irrigation, after making allotments to each head

of a family residing on the reservation, you will allot the remainder of such land to the Indians thereof, not exceeding twenty acres each. If it should be found that there is not sufficient land to give each remaining Indian twenty acres, of irrigable land or land susceptible of irrigation by the present ditches or extensions thereof, it should be allotted pro rata, that is in five or ten-acre tracts each. The office hopes, however, that you will be able to find sufficient land susceptible of irrigation to make allotments of twenty acres to each Indian of the reservation.

The superintendent of the Carson school, in his report for the year ending June 30, 1905, states that there are on the reservation 502 Indians, and that they all wear citizens' dress. It will require 10040 acres to give each Indian an allotment of twenty acres. Allowing five to constitute an average family, there will be required about two thousand acres to make allotments, first, to the heads of families.

The schedules of allotments should be made in duplicate and should contain the names, both Indian and English, of all Indians who receive allotments. You will give a description by legal subdivisions, section, township, and range, of the lands allotted. The sex and age of the allottee should be given in separate columns as indicated on the blank schedules of allotments which will be furnished you.

Allotments to families should be grouped and in proper columns on said blank schedule, the relationship of each allottee should be given: First, relationship in family, second, other relationship.

No person who is not a recognized member of the tribe occupying the reservation, or the child of such recognized member thereof, should be permitted to take an allotment.

You will allow the Indians to select their lands within the tract susceptible of irrigation, heads of families selecting for themselves and their minor children.

Selections for orphans will be made by yourself and the superintendent in charge of the reservation.

Every allotment should be distinctly marked, and each allottee of sufficient age should be personally shown the boundaries of the allotment selected by or for him, so that he will understand exactly where the lands selected lie, and every possible means should be taken to familiarize him with the boundary lines.

The tract given to each allottee should be in one body. This should be done because only lands susceptible of irrigation are allotable under the law.

Each Indian should be allowed to select his land so as to retain the improvements located thereon, if situated upon lands subject to allotment. Where the improvements of two or more Indians, if any, have been made on the same legal subdivision, a provisional line should be run dividing the lands between them, unless an arrangement can be made between them, by which the tract can be given to one of them. Such arrangement, however, if made, should be satisfactory to all parties concerned, reduced to writing, and signed by them.

White husbands of Indian women are not entitled to allotments unless they have been regularly adopted by the tribe. All children born of a marriage solemnized according to Indian custom or the laws of Nevada, between a white man and an Indian woman are entitled to allotments, provided such woman and her issue are recognized by the tribe as belonging thereto, and there the family so founded identifies itself and affiliates with the tribe of which the mother is a recognized member. When an Indian woman, by her marriage with a white man, has in effect withdrawn from the tribe and is no longer identified with the tribal community and interests, the offspring of such marriage are not entitled to allotments, or other benefits as Indians, and must not be allotted. (Opinion Assistant Attorney-General for this Department, rendered March 14, 1905, I. O. Letter 21,245, 1905.)

In all cases where Indian women have been married to Indian husbands and have children born of such marriage and have been divorced from their husbands after the Indian custom, the mother should be allowed to select land for her minor children, not under the charge of the father at the date of these instructions, if competent to do so.

All lands needed by the Government for Agency, school, and other purposes, should be reserved from allotment.

Your attention is called to the provisions of the act of 1887 (copy enclosed) with reference to religious societies and organizations. If any such were then occupying lands to which this act is applicable, for religious or educational work among the Indians, the Secretary of the Interior is thereby authorized to confirm such occupancy to such society or organization, in quantity not exceeding 160 acres in any one tract, so long as the same shall be so occupied, and on such terms as he shall deem best. Tracts reserved for agency, school, or other purposes, should be embraced on separate schedules in duplicate.

Care should be taken to have the names of the allottees properly spelled and very distinctly written on the schedules.

You will do such retracing of lines and establishing or re-establishing such monuments, as may be found requisite, employing a surveyor and the necessary assistants who should be Indians in all cases where practicable. For such persons you will prepare vouchers and sub-vouchers, and report the names of the employes upon a list of irregular employes.

You will also employ an interpreter when absolutely necessary, and report him upon your list of irregular employes at not exceeding $1.50 per day.

In this connection, you are instructed to submit an estimate of the funds needed by you, if any, for the second quarter of the present fiscal year ending June 30, 1906, including thereon such employes as are needed for your work at this season of the year. The expenses incurred in making these allotments upon the Walker River Reservation are payable from the appropriation made by act of March 3, 1903, (32 Stat. 982--997), for allotments under act of May 27, 1902, to the Indians of the Walker River and other reservations.

You will be required to forward quarterly to this office an estimate of the funds required for the ensuing quarter. The estimate must show in detail every purpose for which the money is to be used; if it is used for the payment of employes, the position of each employe and the amount required for each must be stated. It must also show the amount of the funds on hand at the end of the preceding quarter, and if they are required to pay the liabilities which have already been incurred, it must be so stated. The estimate should be sent in as early in the quarter as possible, and within thirty days at most after the beginning thereof.

Weekly reports of your work should be promptly rendered upon blanks for that purpose.

Should any question arise, in the prosecution of the work assigned you, upon which you desire further information and instructions, you will please submit it to this office in explicit-

form, so that such information and instruction as is needed may be given you.

Very respectfully,

(Signed) C F Larrabee,

JHL-McC.

Acting Commissioner.

Department of the Interior.

Approved. Nov. 3, 1905.

by (s) E. A. Hitchcock

Secretary.

EXHIBIT 9

Letter dated January 23, 1906 to Commissioner of Indian Affairs
from J.R. Meskimmons

13

DEPARTMENT OF THE INTERIOR,

UNITED STATES INDIAN SERVICE,

Carson City, Nevada, Agency,

January 23, 1906.

The Honorable,

The Commissioner of Indian Affairs,

Washington, D. C.

Sir:-

I have the honor to report to you in regard to the irrigation of Walker River Indian Reservation.

As stated in my letter of January 16, 1906, there are 1432.21 acres of land now under cultivation upon the Reservation. As has been reported by different Superintendents, Special Agents and Inspectors, the amount of water available from the Walker river is not sufficient to adequately irrigate the land now under cultivation. This is caused by the white settlers of Mason's and Smith's Valleys, on the upper Walker river, taking the water from the river. This seems to be not so much a united effort on the part of the farmers to lay hold of all the water in sight and use it in excess of the needs of the soil, as it is the gradual development of the country, the taking out of new canals and the distribution of the water upon the arid lands.

When the Indians took out their first ditch, known as the Campbell ditch, it is said that there was never a lack of water in the river. This was but a small ditch and irrigated only a few acres of land which was irrigated not so much for cultivation as it was for raising wild hay.

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At the time this canal was taken out there was already, I am told, several canals in the upper valleys taken out by the whites, of equal or greater size. However, the Government may be able to secure a priority of right of water to irrigate 300 or 400 acres and a pro rata of the remainder of the water of the river for the other 1000, or so, acres now under cultivation. There are seasons of the year when Walker river furnishes plenty of water for all who wish to take it, but generally speaking, it is not the time of year when water is most needed; paranthetically, I wish to say that a great deal of snow and rain has fallen in the upper highlands and mountains this year, and there is every indication that there will be no lack of water this season.

By reference to the map recently sent you, of the cultivated land on this reservation, it will be seen that the high lands lie close to the cultivated land; that above the cultivated land that is farther up the river, the mesa land reaches the river bank and there is little, if any land that can be cultivated above the dam at the head of Canal "A" for several miles. Then the river bottom again widens out and there are a few hundred acres of tillable land. This is the location of the old Campbell ditch, the first ditch taken out by the Indians under Agent Campbell. Later this was abandoned and the Indians moved down the river to about their present location. Below the present tract of cultivated land lies about 7500 acres of reasonably flat land. This is the land referred to by former visiting officials to the reservation.

It is evident that if there is not enough water in Walker river to irrigate the land already under cultivation, that it is necessary to look to other sources to irrigate the tract of land just mentioned

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than the ordinary flow of the river. Either by arbitration proceedings or suit in equity it would be impossible to secure water from Walker river except flood or excess water for land which has, as yet, never had water applied to it.

There are three sources from which to choose in order to secure water for this tract: 1st, The storage of flood waters of the river; 2d, the pumping from wells upon the tract; 3d, the pumping of water from the lake. Of the first I would say the conditions are poor for storing enough water to irrigate the land mentioned. There is no reservoir sight of much value on the Walker river below Mason valley, and I understand that the Reclamation service have under investigation and consideration the location of a storage reservoir in Antelope valley on the head waters of the river. I am not prepared to say just what conclusion has been reached in regard to the matter. Of The second proposition-there is little doubt in my mind as to it being the best of the three mentioned, providing that wells of sufficient capacity can be secured. The surface indications are such as would lead one to believe that the pumping from wells together with ditches from the river to be used during the time of floods would be a success. However, the only way that one could tell would be to put down a test well or wells in order to learn the condition of the underground water bearing strata. The surface water of the reservation is but about 15 feet, on the average, below the surface of the ground, and for about 190 feet--the depth of the railroad well at Schurz--there is found water bearing material; of its character, however, I cannot say definitely as I have not been able to secure a log of the well just mentioned. It is a 5" or 6" well from which is pumped a very good supply of water for railroad use,

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but of course would be adequate to irrigate only a few acres of land. At Wabuska, in the Walker river valley about 30 miles above Schurz, is another railroad well which overflows; this is deeper than the well at Schurz, it being, it is said, over 200 feet deep. From this it would seem that there is a possibility of getting flowing wells on the Indian reservation. If this could be done, of course the problem of irrigation would be quickly and easily solved. Of the third proposition, that of pumping water from the lake, there are elements of success which do not appear on the surface of the second proposition. The contour line which forms the upper boundary of the tract of land in question is 52 feet above the present surface of the lake. If water was pumped from the lake there would be an abundance to use, but the lift would be so great that it would hardly pay. The canal system would cost more, but the pumping plant itself would cost less, as there would need to be only one central pumping plant and no transformation of power from steam to electricity with its attendant loss, as would be the case if pumped from wells. On the other hand it is expected that purer water would be secured from wells than the lake water and the indications are that the lift would be such as to make it a commercial proposition, i. e., of not more than 25 or 30 feet.

With a view of putting down a test well or wells, and if successful, of boring other wells sufficient to irrigate this land, I have been in conversation with, and correspondence with several men who make a business of well drilling, and as yet I have not been able to find one who was willing to sink a well upon the reservation at a reasonable amount per foot. The proposition made by all of them is that the Department buy the machinery, furnish the casing and hire

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them by the day to do the work, thus throwing the responsibility of losing the tools, &c., upon the Department.

I have written Engineer Code to know whether or not he knows of a man who has an outfit whom we could secure to put down a well at so much per foot; as yet I have not had a reply, but I think it doubtful if we can secure a man upon those terms. The shipping of machinery to the reservation with the attendant uncertainty of the amount of work which could be secured for the future makes it hardly possible to secure a man upon the terms mentioned above.

Because of the above conditions I would be in favor of the Department buying a portable well drill outfit capable of boring a hole 1000 feet deep; this would cost laid down at Schurz not to exceed $5000.00, some rigs costing considerable less, and the hiring of men to put down a well or wells for the pumping above indicated. As yet I am not prepared to make a detailed estimate of the expenses attendant upon the same.

If wells could be secured over this tract of land, as I hope they may, and as surface showings indicate that they can, it would be necessary to install a central power plant near the railroad where fuel oil could be received in car load lots. This plant would consist of an up-to-date steam plant for burning oil and a dynamo which would generate power to be distributed to motors direct connected to centrifugal pumps in wells located most advantageously over the tract. Estimating the maximum lift of 40 feet and maximum distance for transmission at seven miles, this plant could be installed for a sum not exceeding $45,000.00, not including the cost of well and building. It will be understood that this is not a definite estimate, as the data upon which to base the same is only assumed. A plant

upon the bank of the lake to pump the water from the lake into a canal that it might be distributed over this tract by gravity would cost in the neighborhood of $35,000.00. The distribution system of this would cost considerable more than that of the other proposition. A map showing in contour the location of the land above mentioned will be forwarded to you in a few days.

I will proceed as rapidly as possible in the matter of getting together data for the cost of sinking those test wells, and forward the same to you as soon as completed.

Very respectfully,

Supt. Irrigation and S. D. A.

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OFFICE OF INDIAN AFFAIRS JUL 25 1906

FIELD SERVICE.

January 24, 1906.

J. R. Meskimons,

Supt. Irrigation and S. D. A

Reports on the irrigation of Walker River Indian Reservation.

To Sec'y Int. May 7, 1906
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WRIDOS

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US0034253

EXHIBIT 10

Letter dated February 6, 1906 to J.R. Meskimmons
from United States Indian Service Chief Engineer

REPRODUCED AT THE NATIONAL ARCHIVES

DEPARTMENT OF THE INTERIOR.

UNITED STATES INDIAN SERVICE,

Sacaton, Arizona, February 6, 1906.

Mr. J. R. Meskimmons,
Supt. of Irrigation,
Carson City, Nev.

Dear Sir:-

Your letter with reference to conditions on the Walker River Reservation received, and I note that the proposition of caring for so large a body of land as 10,000 acres will not be an easy one. Unless you could obtain inexpensive water power, or, have very cheap fuel at hand, would hardly think that pumping water for irrigation would be practicable in Nevada.

I am working on this pumping proposition on the Gila at present, and regard pumping irrigation water for Indians, as the very last resort, even with conditions as regards water supply, climate, and productiveness of soil as favorable as in the Salt and Gila River valleys. Would suggest however that you send some of the water from both open well and Lake, to the University of Arizona, at Tucson, and have the same analysed.

With reference to driving wells, do not know where you could obtain a rig, to rent, unless through correspondence with the So. Pac., or St. Fe people, who have had a number engaged in driv-

REPRODUCED AT THE NATIONAL ARCHIVES

ing wells during the past several years in Arizona and California points.

Can offer but little advice at long range, on problems in a country with which I have no familiarity. Would like to go over the reservation with you, but have many places demanding attention at this time. May be able to get over later on.

I presume there are no natural reservoir sites in that locality such as exist in Colorado.i.e. basins in the foot-hills into which, flood waters can be led by short canals, and which, by the construction of low dikes at lower points on rim, can be created into small reservoirs, of from 6 to 20 thousand acre ft capacity at reasonable expense. Would canvass every possible means of obtaining an irrigation supply before considering pumping.

Yours truly,

M. O. Cook

Chief Engineer.

USNA Wash RG 75
BIA Irrigation Division
Gen'l Correspondence, 1907-31
Box 29 File - Walker River, 1905-08

EXHIBIT 11

Letter dated March 2, 1906 to Commissioner of Indian Affairs
from J.R. Meskimmons

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DEPARTMENT OF THE INTERIOR,

UNITED STATES INDIAN SERVICE,

Carson City Nevada,

March, 2, 1906.

The Honorable,

The Commissioner Indian Affairs,

Washington D.C.

Sir: On page 5 of my letter of Jan.23, 1906, I mentioned the fact that there was no reservoir site of much value below Mason Valley, and that I understood that the Reclamation Service had under consideration the location of a reservoir ~~site~~ in the Antelope Valley on the Head waters of the Walker River, and that I was not prepared to say just what conclusions had been reached in regard to same. However I had heard from what appeared to be good authority that the reservoir had been reported as being entirely feasible and that the people of Mason and Smith's valleys would avail themselves of the irrigation law, organize themselves under its provisions and ask the Department to proceed with the construction of the reservoir in question.

I therefore dismissed for the time being the question of the Indian Department making use of that particular reservoir site a nd and tried to locate another but found none worth mentioning, andbecause of the conditions just mentioned suggested that it might be necessary to procure water by pumping either from the lake or from wells. I have followed up the idea of pumping and find that the more I look into it the less feasible it becomes, and am more than ever satisfied that pumping should be used only as a last resort.

(Hon.Com.#3) 21

I therefore continued the search for a reservoir site and in conversation with the farmers of Smith and Mason valleys learned that there are many large farmers in these two valleys who will not agree to the Irrigation act which limits the amount of land which can be irrigated to 160 acres per individual and the opinion is that there is no common ground acceptable to the Interior Department upon which the farmers are willing to stand, and that it is likely to take years to settle the water rights as among themselves.

Upon the receipt of the above information I determined to visit the before mentioned reservoir site and report to you upon the feasibility of its use for the Indians.

I find it to be an ideal site -large enough to hold from 50'000to 60,000 acre feet which is about the minimum flow of the Walker river during the non-irrigating season. It is a natural basin almost surrounded by mountains, into which the waters of the Walker river can easily be led through a canal or canals from a point above and from which the same can be taken by means of a tunnel and returned to the river again. A levee can be thrown across the upper side of the reservoir which will increase the capacity of same very materially if needed. I do not know of a place where the same amount of water can be stored at the same cost.

The Indians will need a large proportion if not all the water that can be stored here, as during a dry season they are without water from the first of June on to the end of the season. Counting the loss of one half during transmission in seepage and evaporation which is very conservative as there probably sixty miles of river between the reservoir and the land to be irrigated, there would be approximately 25,000 acre feet available. This would sufficient to irrigate

(Hon.Com.#3)

10,000 acres well, three times.

If this site is secured all of the level land on the reservation can be irrigated. This amounts to fully 10,000 acres. If it is not used I have yet to discover a satisfactory method of irrigating same.

Upon my arrival at the site I found the reservoir half full of water and upon inquiry gained the following information the truth of which I have no reason to doubt.

The Rickey Land and Cattle Co. is diverting the water of the river through a canal into the reservoir, and has been doing the the same for some time. The reservoir has been filled to such an extent as to require the moving of the public road which they are now doing. This Corporation orRickey which which is practically one and the same, has employed an engineer whose name is said to be Henderson for the purpose of building said road around the mountain also of constructing a tunnel and controlling works in order to use the water of the reservoir for the irrigation of the land of the Smith and Mason valleys in exchange for the natural flow of the river during the Summer months, which he intends to apply to his or their own land above the reservoir. They have employed miners to sink test holes along the line of survey of the tunnel, all of which seems to show that this Corporation has taken possession of this reservoir site for the benefit of themselves in opposition to the rulings of the Commissioner of the General Land Office and later of the Secretary of the Interior.

The legal status of the case is set forth in a letter from the U.S.District Attorney which I herewith enclose.

(Hon.Com.#4)

In view of the above facts I have the honor to recommend that the Department take immediate steps to secure this reservoir site for the Indians of the Walker River reservation, that I be authorized and instructed to take such steps as the Department think best in the premises to prevent this valuable reservoir site from falling into the hands of private individuals or corporations, and that I be instructed to submit plans and estimates for the construction of tunnel, controlling works etc. necessary to the use of said reservoir for the Indians.

Very respectfully,

J.R. Meskimons

Supt. Irrig. & S.D.A.

2959 OFFICE OF INDIAN AFFAIRS MAR 29 1906 DIVISION

21145

58712

JUL 19 1906 DIVISION

AUTHORITY

100478	RECEIVED
OFFICE OF INDIAN AFFAIRS	JUL 25 1906

FIELD SERVICE

MAR 2- 1906

J. R. Meskimons

SUPT. IRRIGATION AND SPEC. DISB.

Reports on Reservoir Site for Walker River Indians

1 enclosure

To Sec'y Mar. 27/06

WRID05

NARA00007355-5
US0034258

EXHIBIT 12

Agreement dated July 20, 1906 between William E. Casson,
Allotting Agent on part of United States,
and Indians of the Walker River Indian Reservation

64838

71

DEPARTMENT OF THE INTERIOR
AUG 15 1906
INDIAN DIVISION

Carson, Nevada, July 24, 1906.

Wm. E. Casson,

Special Allotting Agent.

--ransmits herewith an agreement
.th Indians of Walker River
Reservation for the opening of th
surplus lands to entry.

105.

U.S. & WALKER RIVER TRIBE

US NA-WASH DC
RIA - LR - NEV 1906 - 77125

Doc. 50

106.

This AGREEMENT, made and entered into this 20th. day of July, 1906, by and between William E. Chenoweth, the Allotting Agent, on the part of the United States, and the Pah Ute Indians of the Walker River Indian Reservat in the State of Nevada:

WITNESSETH:

ARTICLE 1.

The said Indians belonging to the Walker River Indian Reservation, Nevada, for the consideration hereinar mentioned, do hereby cede, grant and relinquish to the United States all right, title and interest which they na to the lands embraced within said reservation, except the lands described as follows:

All Section 5,6,7,8,9, 16,17, 18, Fractional Sections 19, 20, 21, 22, 25 and 26, Township 12 N.R. 29 E.

S ½ S.W. ¼ and N.E. ¼ S.W. ¼, Section 31, Township 13, N.R. 29 E. M.D.M.

S ½ & N.E. ¼ Section 1, S ½, N.E. ¼, W ½ N.E. ¼ and S.E. ¼ N.E. ¼, Section 2, All Sections 12 and Lots 1,2,3,4 & 5, Section 24, N ½ and S.E. ¼ Section 6, All Section 8, N.E. ¼, Section 17, All Section 18 N. ½ and S.E. ¼ Section 21, All Section 22 and N ½ Section 27, Township 12 N.R., 28 E. M.D.M.

All Sections 3, 4, and 5, E. ½ Section 8. E. ½ and S.W. ¼ Section 9, All Section 10, W. ½ Section 1 Sections 15, and 16, S ½ Section 21, All Sections 22, 23, 25, 26, 27 and 34, W. ½, N.E. ¼, N.½ S.E. ¼ S.W.¼ S.E. ¼ Section 35, N.½ S.E. ¼, E. ½ S.E. ¼ S W ¼, N.E.¼ S W ¼, E.½ N.W. ¼ S.W. ¼, Section 36, Township 13, N.R. 28 E.M. M.D.M.

All Sections 17, 18, 19, 20, 28, 29, 32 and 33 Township 14, N.R. 28 E. M.D.M.

All Sections 1, 2, 3, 4, 8, 9, 10, 11, 12, 13, 14, 24, 25 and 36, and S.½, E.½ N.E. ¼ N.E. ¼, N.W. ¼ N.E. ¼, and N.E. ¼ N.W. ¼ N.E. ¼, Section 5, Township 14 N.R. 27, E. M.D.M.

S ½ Section 20, S ½ Section 21, S.½ Section 22, and S. ½ Section 23, and all Sections 19, 26, 27, 28 30, 31, 32, 33, 34, 35 and 36 Township 15 N.R. 27 E. M.D.M.

S.W. ¼ Section 14, S. ½ Sections 15 & 16, Fractional Sections 17, 20, 21, All Sections 22, 23, 24, and N.E. ¼ Section 26, Township 15 N.R. 26 E. M.D.M.

ARTICLE 11.

The cession, grant, relinquishment, and conveyance by Article 1. of this Agreement, are in consider of the allotments to the Indians, as provided in Act of June, 27, 1902 (32 Stats., 245-259) and the pa to such allottees who are heads of families, the sum of Three Hundred Dollars ($300.00) each, to enable t commence the business of agriculture as therein provided.

ARTICLE III.

The allottee who are heads of families agree to accept the allotments respectively made to them and sent to the relinquishment and cession above set out; and it is further agreed that they shall be paid a capita cash payment of Twenty-five Dollars ($25.00) of the said Three Hundred Dollars ($300.00) within days (60) after the opening of the ceded lands to settlement, or as soon thereafter as may be practicable and that the balance of Two Hundred Seventy-five Dollars ($275.00) due each allottee who is the head of shall be expended under the direction of the Secretary of the Interior in the purchase of wire for fencin lumber for buildings, alfalfa seed, wagons, harness, farm machinery etc., according to a list of such nec articles furnished by each allottee, the head of a family, to the Indian Office, through the Superintendent the Carson Nevada Indian School,- these purchases to be made within sixty days after the opening of the lands for settlement, or as soon thereafter as practicable.

ARTICLE IV.

This Agreement shall take effect and be in force when signed by Special Allotting Agent, William E. and by a majority of the male adult Indians, parties hereto, which shall include a majority of the allott who are the heads of families, and when it is proclaimed and made known by the President that the lands so relinquished are open to settlement. Signed on the part of the United States Government by William E. Cas Special Allotting Agent, and by the following Indians of the Walker River Reservation, Nevada, Schurz, Nevada, July 23, 1906.

Allotment Number	Name	Age		Mark	Witnesses to signatures
	William E. Casey Special Allotting Agent				Robert A. Lawyer H.H.C.
104	James Benjamin or Ke-e-ga	72	Widower. Head of family	his X mark	Robert A. Lawyer H.H.C.
54	Captain Williams or Se-wo-no	67	Married	his X mark	Robert A. Lawyer H.H.C.
4	Nick Tybrid or Nau-wau-del	65	Married	his X mark	Robert A. Lawyer H.H.C.
144	John Donahue	35	Single	his X mark	Robert A. Lawyer H.H.C.
57	Horace Grellet	34	Married		Robert A. Lawyer H.H.C.
78	Mckinley Powell	23	Married		Robert A. Lawyer H.H.C.
103	Mary Galvin	21	Single. Head of family		Robert A. Lawyer H.H.C.
84	Henry Williams	38	Married	his X mark	Robert A. Lawyer H.H.C.
75	Ed. Snow	22	Married		Robert A. Lawyer H.H.C.
8	Richard Cowell or Pi-ne-nacky	38	Married	his X mark	Robert A. Lawyer H.H.C.
210	Frank Hawthorne	34	Single	his X mark	Robert A. Lawyer H.H.C.
105	Richard Mackey	47	Married	his X mark	Robert A. Lawyer H.H.C.
64	Houston Grimes	66	Married	his X mark	Robert A. Lawyer H.H.C.
53	George Williams	55	Married	his X mark	Robert A. Lawyer H.H.C.
27	James Joaquin	35	Married	his X mark	Robert A. Lawyer H.H.C.
9	Doctor Bill or Ba-ma-ga	6	Married	his X mark	Robert A. Lawyer H.H.C.
12	George Young or Mau-ka-ha	69	Widower. Head of family	his X mark	Robert A. Lawyer H.H.C.
12	Jack Benson	27	Married	his X mark	Robert A. Lawyer H.H.C.
117	Charley Brown	60	Married	his X mark	Robert A. Lawyer H.H.C.
39	Natchez Benjamin	40	Married	his X mark	Robert A. Lawyer H.H.C.
		17			

Allotment	Names	Age	Marks	Witnesses to signatures
16	William Tom or Yoncadera	41 Married	his X mark	Robert A. Lingner N.H.C.
126	Sue Mack	30 Married	his X mark	Robert A. Lingner N.H.C.
122	John Nobe	66 Single man	his X mark	Robert A. Lingner N.H.C.
92	Tom King or Naughyet	59 Married	his X mark	Robert A. Lingner N.H.C.
115	Tom Hardy	67 Married	his X mark	Robert A. Lingner N.H.C.
252	Adam Williams	64 Single man	his X mark	Robert A. Lingner N.H.C.
478	Tom Poli	60 Married	his X mark	Robert A. Lingner N.H.C.
73	James Moore	50 Married	his X mark	Robert A. Lingner N.H.C.
274	John Riley	70 Single man	his X mark	Robert A. Lingner N.H.C.
118	Julia Williams	26 Head of family	his X mark	Robert A. Lingner N.H.C.
83	Barney Williams	40 Single man	his X mark	Robert A. Lingner N.H.C.
94	Eighman	71 Married	his X mark	Robert A. Lingner N.H.C.
95	Dave Hobby	31 Married	his X mark	Robert A. Lingner N.H.C.
108	Robert Miller	40 Married	his X mark	Robert A. Lingner N.H.C.
120	Sam Foots	74 Married	his X mark	Robert A. Lingner N.H.C.
22	Geo Brown	28 Married		Robert A. Lingner N.H.C.
43	Dave Powell	33 Married		Robert A. Lingner N.H.C.
50	James McMaster	27 Married	his X mark	Robert A. Lingner N.H.C.
42	Thomas Winter	29 Married	his X mark	Robert A. Lingner N.H.C.
123	John Miller	26 Married	his X mark	Robert A. Lingner N.H.C.
127	Charley Moore	23 Married	his X mark	Robert A. Lingner N.H.C.
26	John Dave	66 Married	his X mark	Robert A. Lingner N.H.C.
23	Charley Wilson or Tuetabo	53 Married	his X mark	Robert A. Lingner N.H.C.
29	Jim Conway or Sumtabemont	60 Married	his X mark	Robert A. Lingner N.H.C.
92	Mike Moore	18 Single man		Robert A. Lingner N.H.C.
49	Sam Mitchell	35 Married	his X mark	Robert A. Lingner N.H.C.
47	John Dave Brown	23 Married	his X mark	Robert A. Lingner N.H.C.
77	Willian Quinn	30 Married	his X mark	Robert A. Lingner N.H.C.
330	Frank Benjamin	26 Single man	his X mark	Robert A. Lingner N.H.C.
113	Charley Snider	34 Married	his X mark	Robert A. Lingner N.H.C.
79	John Powell	57 Married	his X mark	Robert A. Lingner N.H.C.
98	Jim Mason or Paidaget	51 Married	his X mark	Robert A. Lingner N.H.C.
48	Jimmie Johnson	35 Married	his X mark	Robert A. Lingner N.H.C.
56	Tom Mason or Hard	42 Married	his X mark	Robert A. Lingner N.H.C.
55	Joe Depot	35 Married	his X mark	Robert A. Lingner N.H.C.
387	William Ichary	25 Married	his X mark	Robert A. Lingner N.H.C.
485	[illegible] Davis	18 Single man		Robert A. Lingner N.H.C.
35	Harry Mc Master	21 Married	his X mark	Robert A. Lingner N.H.C.
480	John Dave Hill	24 Single man	his X mark	Robert A. Lingner N.H.C.

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Allotment number	Name	Age		Mark	Witnesses to signatures
121	Mary Colier	63	Married	his X mark	Richard Lowery - H.H.Cox
66	Nancy Gordon	51	Married	his X mark	Richard Lowery - H.H.Cox
1	John Dodge	40	Married		Richard Lowery - H.H.Cox
186	Ed Dick	64	Married	his X mark	Richard Lowery - H.H.Cox
37	Daniel Tracy	35	Married	his X mark	Richard Lowery - H.H.Cox
279	Lizzie Happy	33	Single man	his X mark	Richard Lowery - H.H.Cox
7	Robert Scott	55	Married	his X mark	Richard Lowery - H.H.Cox
57	George White	51	Married	his X mark	Richard Lowery - H.H.Cox
58	Alec Allen	30	Married	his X mark	Richard Lowery - H.H.Cox
373	Ida Benjamin	30	Head of family	her X mark	Richard Lowery - H.H.Cox

Stewart, Nevada, July 23, 1906.

I hereby certify that the total number of male adult Indians, over eighteen years(18) of age, belonging on the Walker River Reservation, Nevada. is one hundred and sixty four(164), of whom one hundred and four (104), being a majority of said adult males have signed the foregoing agreement; that the number of Indians who are heads of families is one hundred and forty (140) consisting of eleven(11) females and one hundred and twenty nine (129) males, that eighty eight(88) males and four (4) females, heads of families being a majority of sans, have signed the foregoing agreement.

C.H.Asbury
Superintendent.

Walker River Reservation,
Schurz, Nevada, July 20, 1906.

I hereby certify that the foregoing agreement was fully explained by me in open council to the Indians of the Walker River Reservation, Nevada, that it was fully understood by them before signing, and the agreement was duly executed and signed by one hundred and eight (108) of said Indians.

P. L. Dyer
Interpreter.

Walker River Reservation,
Schurz, Nevada, July 20,1906

We, the undersigned, do hereby certify that we witnessed the signatures of William E. Casson, Special Allotting Agent, and of the one hundred and eight (108) Indians of the Walker River Reservation, Nevada, to the foregoing agreement.

Richard Lowery
Farmer.

H.H.Cox
Physican.

Carson City, Nevada, July 13, 1906.

We hereby certify that the following named Pah-Ute Indians are heads of families residing on the Walker River Reservation, and are entitled to the three hundred ($300.00) dollars each provided for in Act of May 27, 1902, (32 Stats., 245-260).

C. H. Asbury
Superintendent.

Walker E. Cosson
Superintending Agent

allotment No.

1, John Dock,
2, George Winnemucca, or Nee-no-nah,
4, Nick Vipont, or Wee-wee-dah,
5, William Boney, or Wo-mar-get,
7, Robert Scott, orHo-tu-ar-tarbe-tu,
8, Richard Cowell or Po-e-natchez,
9 Doctor Bobb, orBa-wa-yo,
10, Thomas Brown or Her-bee-za-ka,
11, Jack Hogardi or Is-e-wa,
12, George Young or Moa-bia,
13, Jack Brown,
14, Bill Schurz S heep,
15,Robert Tom or Tooe-chee-natch,
16, William Tom or Yo-car-dwa,
17, Patrick Walker, or To-aig-e-ga,
18, John H. Miller,
19, Peter Jones, Jr.
20, Jim Conway or Soo-be-s-manet,
21, Moses Conway,
22, John Brown,
23,Charles Wilson or Que-ba-bo,
24,John Smith or Co- am-dah,
25,Thomas Breckenridge,
26, John Dave,
27, James Josephus,
28,Joseph Buckland,
29 Jack Bennett, or Que-dat-i-ka,
30, Jonnie Sam,
31, Joe Lowe or An-kee-dah-wah,
33, Charles Quartz ,
34, Henry George,
35, Harry Mc Master,
36, George Wasson Man-e-nar-get,
37, Daniel Quartz,
38, Frank Groups,
39 Natchez Benjamen,
40, Mike Quartz,
41, Charley Whistler or Do-e-vo,
42, Thomas Whistler,
43, Daniel Voorhees,
44, Aurora Jackson or Wad-ah-dore-et,
45, Tody Dick,
46, Robert Smith,
47, John Dave Brown,
48, Jimmie Johnson,
49, John Hoy,
50 James Mc Master,
51Singing Mc Master,or Sar-do-ni,
52, Horace Greeley orWid-e-eook,
53, George Williams,
54, Captain Williams or So-wo-no,
55, Joe Vipont,
56, Thomas Wasson, or Wood,
57, George White,
58, Alec Allen,
59, Abe Cloud,
60, Charles Allen or Po-narge- cah-ue,
61, Walker River Johnson,
62, Dolliver John or Ah-had-e-we,
63, Robert Grimes,
64, Houston Grimes or Ma-ba-sa-kar-de,
65, Wild Bill or Ma-ga-za,
66, Charles Goshen,
67, John Holland Gilbert,
68, John Gilbert,
69, Harry Mason,
72, Harriet Sharpe,
73, James Moose,
74, Jack Lee or To-wich,
75, Ed Shaw,(Married May Conway July 14, 190
76, George Quartz,
77, William Quinn,
78, Mc Kinley Powell,
79, John Powell,
80, Hawthorne Bobb,
81, William Bobb,
82, Dan Sampson Williams,
84, Henry Williams,
85, Albert Coffin,
86, Peter Johnson,
88, George Dock,

P11

Heads of families.

00, James Dutchmanorcek, or Chou-e-koo,
89, Richard Sides,
90, Charlie Sides,
91, Dobe Canyon Thomas, or Soo-no,
92, Tom King or Waugh-get,
93, Dick Vipont,
94, Fishman,
95, Dave Happy,
96, Charles Remus,
97, Robert Plumber,
98, Jim Wasson or Pai-da-get,
99, William Moose,
100, George B. Henry,
101, Joe Fishlake,
102, George Kherin,
103, Mary Calvin,
104, James Benjamen or Iv-e-ga,
105 Richard Mackey,
106, Thomas Benton or Spa-ne,
107, Jack Allen,
108, Robert Miller,
109, Ben Nobe,
110, Samuel Buckland,
111b, Big Dick or Yan-o-va,
112, Charles Brown,
113, Charles Snider,
114, Hattie Conway Bobb,
115, Tom Hardy,
116, Joe Bush or Co-vah-gin,
117, Mack Brown,
118, Julian Williams,
119, Bob Johnson,
120, Sam Toots,
121, Mary Collar,
122, Moses Hopsey,
123, John Miller,
124, Ely Ball,
125, Nita Joe,
126, Joe Mack,
127, Jasper Mason,
128, Charles Sheep,
129, Billy Tom Murphy,
130 Tom Williams,
131, Billy Alex Williams,
132, Tom,
153, Annie Benjamen,
181, Alec Gilbert,
205, Sam Cohn,
306, Frank Mackey,
314, Susan Mason,
337, William Schurz,
373, Ida Benjamen,
466, Joseph Johnson,
468, Annie Garfield,
470, George Mc Cloud,
475, Barney Miller,
478, Tom Poli,
481, Sam Mitchell,
486, Old Dick Sides,

COPY
from
THE INDIAN AGENCY
Date Stamp 15

Letter, Received, 1881-1907
77125-1906

EXHIBIT 13

Letter dated July 31, 1906 to Commissioner of Indian Affairs
from William E. Casson

REPRODUCED AT THE NATIONAL ARCHIVES

67048

Carson City, Nevada.

July 31, 1906.

Will E. Casson,

Special Alloting Agent

Report on Allotments on

Walker River Indian

Reservation.

Sir:

In matter of allotted lands. They stopped to me that they had already arranged that matter with Mr. F. Lovegrove, the farmer in charge.

In matter the subject over with Mr. Lovegrove, he stated that the Indians talked that matter over before I came, and agreed that they would allow him to make the settlements between them. The Indians have every confidence in Mr. Lovegrove, and at the time I began the work I was a stranger and they naturally preferred to have Mr. Lovegrove settle their differences. As a rule one is obliged to give way to another small tracts of cultivated lands, but on the whole the matter was equitable.

I explain this at this time in order that your office will understand why I did not carry out that part of the instructions; and while the Indians are now very friendly with me, I still think they would prefer to have Mr. Lovegrove settle their differences.

I never dealt with Indians who were any more agreeable, after we became acquainted, than these Indians were, and I believe with Mr. Code to see that an irrigation system is put in for them, they will become progressive, as they are as a rule, very good workers.

Very respectfully,

Special Alloting Agent.

US0006044

REPRODUCED AT THE NATIONAL ARCHIVES

Carson City, Nevada. July 31st, 1906.

Honorable Commissioner of Indian Affairs,
Washington, D. C.

Sir,-

I have the honor to make the following report on allotment work on the Walker River Reservation in Nevada.

Before beginning the work I made it a point to get acquainted with as many of the Indians as I could and talked the situation over with them. I found that some of the Indians, who could be considered heads of families, had improved lands and were doing all they could to get ahead. In looking the situation over I concluded, after agreeing with the Indians on the point, that the proper way to do was to, if possible, allot twenty acres each to all of the Indians instead of giving heads of families twenty acres each and the others ten acres each. In doing this we gave the Indians who had cultivated lands first choice; and then allotted the remainder, heads of families, in the section where water could easily be put on the land from the present ditches. The older people and young babies were allotted farther south in the neighborhood of the Lake, where the soil is sandy, and the wives and older children were allotted north of the present cultivated area, on very good lands, but those which will not come under irrigation for sometime perhaps.

When Mr. Code came, I went with him over the situation, driving over the allotments and explaining the matter to him, and he approved of

US0006045

REPRODUCED AT THE NATIONAL ARCHIVES

(Hon. COM.2)

Commissioner Leupp in San Francisco, and with my maps explained the situation as given to you above, and he fully approved of the action I had taken of giving the ambitious energetic Indians the better land, and placing the old people who never can use their land, and some of the young children, who will probably never reach manhood and womanhood, on the poor lands.

The grazing lands, as you will notice by the map which you have in your office, surround the allotments, and the River is covered by the grazing lands and allotments from the time it enters the Reservation until it enters the Lake. Quite an area of the Lake front was also reserved in order that the Indians could always have access to it. A tract of about two hundred acres was left to the west of the railroad station of Schurz, in order that if there is a town there it will provide a market for labor and products of the Indians.

This matter was talked over with some of the representative Indians and they realized, that if a town is established there it will be of benefit to them. There are no lands around the Depot that can be had for that purpose, as it has been allotted to the Indians, and we were obliged to use every available twenty acre tract in order to have enough to go around.

The timber lands given them are all of the timber that can be taken out of the mountains, as those further south are on the Lake front, and no means of getting the timber out of the mountains. Superintendent Asbury and myself agreed it would not be worth while to make the reserve and have it to protect against prospectors and miners. I told the

REPRODUCED AT THE NATIONAL ARCHIVES

#3.

agreement in writing as to the settlement of the differences between them on cultivated lands. They explained to me that they had already arranged that matter with Mr. R. A. Lovegrove, the farmer in charge. In talking the subject over with Mr. Lovegrove, he stated that the Indians talked that matter over before I came, and agreed that they would allow him to make the settlements between them. The Indians have every confidence in Mr. Lovegrove, and at the time I begun the work I was a stranger and they naturally preferred to have Mr. Lovegrove settle their differences. As a rule one is obliged to give way to another small tracts of cultivated lands, but on the whole the matter was equitable.

I explain this at this time in order that your office will understand why I did not carry out that part of the instructions; and while the Indians are now very friendly with me, I still think they would prefer to have Mr. Lovegrove settle those differences.

I never dealt with Indians who were any more agreeable, after we became acquainted, than these Indians were, and I believe with Mr. Code to see that an irrigation system is put in for them, they will become progressive, as they are as a rule, very good workers.

Very respectfully,

Wm. E. Casson

Special Allotting Agent.

EXHIBIT 14

Letter dated August 10, 1906 to Secretary of Interior
from Acting Commissioner of Indian Affairs

NATIONAL ARCHIVES

Land
52818-1906
52433-1906.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
WASHINGTON

August 20, 1906.

The Honorable,
The Secretary of the Interior.

Sir:

On November 3, 1905, the Department approved instructions issued to William E. Conner, Special Allotting Agent, to make allotments of lands to Indians entitled thereto on the Walker River Reservation in Nevada, and to select and reserve certain lands for agency, school, cemetery, and church purposes, and for grazing and timber for the use in common of the Indians of the reservation.

The instructions for his guidance in this work were sent to him on November 9, 1905.

On June 19 last, he transmitted the original schedule of allotments and the schedule of selections and reservations made, to this Office, and the duplicate thereof subsequently.

The allotments were made under the provisions of the Act of May 27, 1902 (32 Stats., 245,260), the joint resolution of June 27, 1902 (32 Stats., 744), and the Act of March 3, 1905 (33 Stats., 998,997).

The said resolution authorizes the Secretary of the Interior to select and set apart for the use in common of the

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US0034290

Indians of the reservation such an amount of non-irrigable grazing lands therein as will subserve their reasonable requirements for grazing live stock. This resolution and the Acts cited above authorize the selection and reservation of lands for agency, school, cemetery, and church purposes.

The Act of June 21, 1906, (Public No. 258) authorizes the Secretary of the Interior to select and set apart for the use in common of the Indians of the reservation timber lands sufficient to meet their reasonable requirements for fuel and improvements.

The schedule (in duplicate) as submitted herewith for approval includes 471 allotments numbered from 1 to 492, there being, however, no lands described opposite No. 6. Six allotments are on unsurveyed lands and cover 115.80 acres. The allotments on surveyed lands number 465 and cover 9,607.752 acres. The total allotments cover 9,723.552 acres. The agency and school selection covers 80 acres; the selection for cemetery purposes 40; the selection for the M. E. Church 160; the selection for grazing 37,980.29, of which 4,354.91 acres are unsurveyed; and for timber 3,353.62, 160 acres of which are unsurveyed lands.

The entire area covered by the allotments and the [illegible] lands is 50,809.158 acres.

It is recommended that the allotments described in the schedule, numbers Nos. 249, 250, 277, 305, 339, and 340, which are suspended, being on unsurveyed land, be approved

00095

and that the Commissioner of the General Land Office be instructed to issue patents therefor in the form and of the legal effect prescribed by the fifth section of the Act of February 8, 1887 (24 Stats., 388), the issuance of patents in this form and of the legal effect indicated being authorized by the provisions of the joint resolution, supra.

It is also recommended that you approve the selections and reservations described in said schedules and cause them to be noted and held on the records of the General Land Office for the purposes and uses indicated, the NW/4 of Sec. 21, T. 13 N., R. 28 E., M.D.M., reserved for timber, and Sections 14, 15, 16, 17, 20, 21, 22, 23, 24, 28, and 29, T. 13 N., R. 26 E., M.D.M., for grazing, being unsurveyed.

It is requested that the General Land Office be directed to transmit to this Office the patents when issued for the allotments above described, for delivery to the respective parties entitled thereto.

The duplicate of the schedule should be transmitted to that office and the original returned to this Office. A copy of this report is enclosed.

Very respectfully,

Acting Commissioner.

JHK.Fm.

EXHIBIT 15

Letter dated August 13, 1906 to Commissioner of General Land Office from Acting Secretary of Interior

REPRODUCED AT THE NATIONAL ARCHIVES

70293

See 1902 file

INTERIOR DEPARTMENT
August 13, 1906.

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Approving schedule of allotments to Indians on the Walker River Reservation in Nevada, made by Special Allotting Agent William H. Casson.

Transmits copy of letter to General Land Office.

---:::::---

1 Inc.

Patents

Jos. Luff, Carson School
May 13/07 972 p 3

5-3
9

REPRODUCED AT THE NATIONAL ARCHIVES

C O P Y .

DEPARTMENT OF THE INTERIOR,
WASHINGTON. August 13, 1906.

The Commissioner of
The General Land Office.

Sir:

I transmit herewith, a copy of a letter from the Acting Commissioner of Indian Affairs, dated the 10th instant, submitting a schedule of allotments to Indians on the Walker River Reservation in Nevada, made by Special Allotting Agent William E. Casson, under the provisions of the Act of May 27, 1902 (32 Stats., 245-260), the joint resolution of June 19, 1902 (32 Stats., 744), and the Act of March 3, 1903 (32 Stats., 988-997).

This schedule includes 491 allotments numbered from 1 to 492, there being, however, no lands described opposite No. 6. Six of the allotments are on unsurveyed lands and cover 115.50 acres. The allotments on surveyed lands number 485 and cover 9,667.752 acres, and the total allotments cover 9,783.252 acres. The agency and school selection covers 80 acres; the selection for cemetery purposes 40 acres; the selection for the M. E. Church 160 acres; the selection for grazing 37,390.29 acres, of which 4,554.91 acres are unsurveyed; and the selection for timber 3,355.62 acres, 160 acres of which are unsurveyed

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lands. The entire area covered by the allotments and the several reservations mentioned, is 50,809.162 acres.

In accordance with the recommendation of the Acting Commissioner of Indian Affairs, this schedule has been approved, except allotments Nos. 259, 260, 277, 306, 339, and 340, which are suspended, as they are on unsurveyed land, and you are instructed to issue patents therefor to the respective allottees, in the form and of the legal effect prescribed by the fifth section of the Act of February 8, 1887 (24 Stats., 388), and when so issued, transmit the same to the Indian Office for delivery to the parties entitled thereto.

You will also cause to be noted and held on the records of your office, the selections and reservations described in said schedule, for the following purposes and uses, viz:

The N.W.¼ of Section 21, T. 12 N., R. 28 E., M.D.M. reserved for timber;

And Section 14, 15, 16, 17, 20, 21, 22, 23, 24, 25, and 26, T. 15 N., R. 26 E., M.D.M. reserved for grazing, being unsurveyed.

Very respectfully,

(Sgd.) THOS. RYAN

Acting Secretary.

10931 Ind.Div. 1905.
7891 Ind.Div. 1906.
2 enclosures.
JES

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US0006057
MICROFILMED AT THE NATIONAL ARCHIVES

Allotments and Reservations	Surveyed Acres		Unsurveyed Acres		Total Acres	
Allotments 485	9667	752				
6			115	50		
Total allotments 491					9848	2 12
Reserves						
Agency & School purposes	80				80	
Cemetery	40				40	
Timber	3195	62	160		3355	62
Grazing	32835	38	4534	91	37370	29
M. E. Church	160				160	
Totals - Reserves	36311	00	4714	91	41025	91
Reserves & Allotments	45978	752	4830	41	50809	16 12

Sept 19/06, Secy asked to direct the G.L.O. to have these lands surveyed. L B 395/3

318.
50.539.16 [illegible]
268.305.84 [illegible] park