EXHIBIT 11 -
Letter from Oscar L. Chapman to the Attorney General (Nov. 1, 1939), US0036567

UNITED STATES
DEPARTMENT OF THE INTERIOR
OFFICE OF THE SECRETARY
WASHINGTON

NOV - 1 1939

TRIAL SECTION
Lands Division
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Action due: Fix

The Honorable,

The Attorney General.

My dear Mr. Attorney General:

This Department has received your letter of October 19, (WHC-CEF 215566) enclosing for consideration a copy of a proposed decree to be entered in the case of United States v. Walker River Irrigation District, et al., for the District of Nevada.

It is believed that the orders and the decree should specifically recite that the priority of the United States on behalf of the Indians of the Walker River Reservation is a first priority to the use of water as of November 29, 1859, the date of the establishment of the Walker River Indian Reservation. Such a provision is believed to be justified by the opinion of the court in the case and will make the decree definite as to the reason of the date of the priority.

The decree specifically refers to and protects certain reservoir storage rights of some of the defendants. The reservoir rights of the United States for the Indians are not mentioned. The construction of the Weber Reservoir was commenced in July 1933. The importance of this reservoir storage rights was emphasized and given much weight in the discussions which led to determining negatively the question of applying for a writ of certiorari in this case. In view of the very definite provisions of Article XII of the proposed decree, declaring that the decree shall be deemed as determining all of the rights of the parties, it becomes important that the storage rights of the plaintiff with a priority of July 1, 1933, be protected by the provisions of the decree.

The above suggestions are offered for your consideration prior to final entry of the decree.

Sincerely yours,

Oscar L. Chapman
Assistant Secretary.

File Ch. 7.

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