

NOVEMBER 25, 1922.

Mr. Frank C. Brandon, Special Supervisor,
United States Indian Service,
Fort Defiance, Arizona.

My dear Sir:

Herewith find irrigation data, relative to the various projects upon which work has been done in the Navajo Reservation for irrigation. As can readily be seen, the amount of irrigation work and the area that we can put under canal at the present time is very small considering the large number of Indians and the very large area over which they range.

Water conditions are so meagre, however, that we cannot expect to do a great deal in the line of irrigation. As you know the Indians are scattered over this area, the average number per square mile being very small. This is necessary because of the fact that conditions for living are such that the land will only support a small amount of population. All the interest of the Indians are in sheep and cattle and they must scatter out over the country in order to find grazing.

For this reason it is very difficult to get the Indians to congregate closely together as is necessary on an irrigation project, for the reason that it will take them a long distance from their range, and the amount of land given them on any project is limited to ten acres as a usual thing. Therefore the Indians do not flock into the irrigation projects as one would think they would when their need for land and water is taken into consideration, and the desire of the Indians for farm land.

It can therefore be seen that in order to make the irrigation projects successful and at the same benefit the Indians, as we had hoped to do, special efforts must be made to get them to come in and cultivate the lands.

F. W. 1970

With a project of several thousand acres, divided into ten acre tracts, many more Indians will need to be brought in than are occupying lands upon which the project is built or closely adjoining thereto, and unless sufficient inducement can be made to get them to come in, they will remain in their grazing districts and try to be content with the meagre living they can get through their flocks, rather than to split their living between two sections of country widely separated.

If sufficient inducement can be offered them, or they can be shown the advantage of coming in and settling on the ground, there is no question but what the projects can be settled up to the great benefit of the Indians and at the same time would encourage Congress to give us additional funds for enlarging the scope of the work in this country.

I have tried to impress upon the Indian Office the fact that, especially in the San Juan basin, and this holds true in the entire Colorado River drainage, that we must make use of the land and water before Congressional action is taken in the Colorado River Basin looking to the division of the water between the seven states through which this river and its tributaries run. Should Congress decide that all of this water, which is not sufficient to irrigate all the available land in the seven states, be given to the first persons who make beneficial use, irrespective of whether they are Indian or white people, it can readily be seen that the rights of the Indians to the water shall be taken from them.

Under the present laws, the existence of the rights of the Indians to the water for their lands, cannot be questioned, but it is believed that by including the matter in a special bill, which might pass Congress, these rights could be taken away from them.

Thus, it seems that such projects as the Fokoho, the extension of the Hogback project, and others which might be built should be constructed at as early a date as possible so that there will be no question as to the rights of the Indians to this water.

It is believed that the information given in tabloid form on the following pages covers everything of interest that has been done by this service in the Navajo Country.

F. W. 1971

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In connection with the water supply on the Navajo Reservation, I would call your attention to the Seven State Compact, so called, which was signed at Santa Fe on the 24th instant. This is the compact for the distribution and division of the water of the Colorado River and its tributaries.

As the San Juan River, one of the tributaries of the Colorado runs through the Navajo Reservation, and these Indians are dependent on this river for their irrigation water for the Hogback project and the planned Pokoho project and as it is physically possible to put in a large project and water many thousand acres of additional land this compact is of interest.

It would seem that they have safeguarded the Indian rights, for Article 7 is as follows:

"Nothing in this compact shall be construed as affecting the obligations of the United States of America to Indian tribes."

It would appear that it is now up to the Indian Office to outline its policy with reference to all of the Indian lands in the Colorado Drainage, so that in any division agreements as between the states the rights the customs of the government will be recognized in the form and in the amounts desired.

It would seem, however, that the drawing of this compact is not the end, for it is now necessary in order to make this compact binding and obligatory to have it ratified by the legislature of each of the signatory states and by the Congress of the United States. It would seem that if one state legislature refuses or neglects to ratify it that it is of no effect.

I see by the press dispatches that George H. Maxwell, executive director of the National Reclamation association is opening a campaign in Arizona against the compact as being unfair to Arizona, and announces that a campaign against it will commence immediately, and that he will speak in every town and village of any importance in the State in order to defeat its ratification by Arizona.

Governor-elect G. W. P. Hunt has wired Secretary Hoover, stating that in his opinion that Arizona could not ratify the compact for two years.

Very truly,

F. W. 1972

Supervising Engineer.