

DEPARTMENT OF THE INTERIOR

UNITED STATES INDIAN FIELD SERVICE

Fifth Irrigation District

Albuquerque, New Mexico

June 24, 1932

Assistant Director
U. S. Indian Irrigation Service
326 Wilda Building
Denver, Colorado

Dear Mr. Clotts:

In compliance with your letter of June 17, 1932, we are enclosing a copy of memorandum of agreement entered into between the United States Government and Indians for the construction of canals, reservoirs, and charcos.

In reality, the instrument is not a contract but merely a memorandum of agreement with the Indian. We felt that a written agreement would be more effective than a verbal agreement with the Indians and would present a more businesslike appearance. Our disbursing officer has taken the position that the Government can not enter into a binding contract with its wards.

Before these memoranda of agreement are entered into, the matter is thoroughly discussed with the Indian council and a representative of the superintendent. After the matter has been thoroughly explained to the Indians and the price agreed upon, the memorandum of agreement is signed by the head of the Indian chapter, approved by the superintendent, and signed either by a designated representative of the supervising engineer or by the supervising engineer. In all cases to date this matter has been attended to by a field representative.

During the present fiscal year we have been paying the Indians at the rate of 20¢ a cubic yard, which was deemed a fair price, and has proved to be especially beneficial to the Indians, as in some cases they made as high as \$5.00 a day with a two-horse team and scraper. In view of the fact that our construction funds have been materially reduced for the fiscal year 1933, all of the superintendents in the Navajo country have agreed with us that a price of 15¢ a cubic yard will be acceptable to them and fair to the Indians.

F. W. 2348

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At the inception of this class of work it was thought that payments would have to be made twice in a month and that the work of constructing small reservoirs would require at least two months' time. It developed, however, that in most cases the Indians completed the work in less than twenty days, and payment was made only on the completion of the work. Payment has always been made through the superintendent, who has assisted the Indians in dividing the funds.

Very truly yours,



C. A. Burns,
Acting Supervising Engineer.



Ivan F. Albers,
Principal Clerk & S. D. A.

Enc.

CC—Mr. E. C. Fortier, Acting Supervising Engineer

Had this amount for Fortier's use.
RE

U. S. INDIAN SERVICE
RECEIVED
JUN 27 1932
DIRECTOR OF IRRIGATION
FIELD OFFICE

F. W. 2349