Dunsmore, Dean K. (Attorney, Land and Natural Resources Division, U.S. Department of Justice), 6-23-1976, Letter to John S. Boyden re: Docket 196. John S. Boyden Collection, MS# 823, Box 43, folder 5. J. Willard Marriott Library Manuscripts Division. University of Utah, Salt Lake City.

UNITED STATES DEPARTMENT OF JUSTICE

WASHINGTON, D.C. 20530

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June 23, 1976

D.K. Dunsmore
90-2-20-421

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John S. Boyden, Esquire
10th Floor Kennicott Building
10 E. South Temple
Salt Lake City, Utah 84111

Dear Mr. Boyden:

Re: Hopi Tribe v. United States, Docket No. 196, before the Indian Claims Commission.

In reference to our discussions of June 22, 1976, in regard to the coal resources of the Hopi Tribe's 1937 award area. It can be noted that as late as 1951 it was stated that the Black Mesa coal field (a portion of which is within the 1937 award area) would not be developed and placed into large scale production until the problems of "(1) transportation costs, (2) need for a large market and (3) adequate water supply" were overcome. H. Wesley Pierce, et al., Coal, Oil, Natural Gas, Helium and Uranium in Arizona, The Arizona Bureau of Mines, Bulletin 182 (1970), at 24. Such problems were not solved until the early 1970's. Id. Production prior to 1947 was very limited (recorded at 88,730 tons) and for local use only. Id., at 15. These factors support the Government's belief that the coal reserves of the Black Mesa would not be a significant factor in any 1937 valuation of the Hopi Tribe's award area.

Sincerely,

Assistant Attorney General
Land and Natural Resources Division

By: Dean K. Dunsmore
Dean K. Dunsmore
Attorney

cc: Frances L. Horn, Esquire