

of "the land needed for the Taos Indians", which fixed the east boundary  $1\frac{1}{2}$  miles east of the Rio Pueblo and was said to comprise 32,000 acres (exhibit 24). On November 15, 1928, the acting forester advised Representative Hudspeth (exhibit 25) that "This watershed contains approximately 34,000 acres, of which 26,000 acres are inside the Carson National Forest, 5,000 acres in the Pueblo of Taos grant, and 3,000 acres outside of the forest." On that assumption, the 30,000 acres described in the cooperative agreement obviously was intended to include the entire watershed outside the Taos grant. The Forest Service, nevertheless, failed to call the problems of describing the area to the attention of the Indians or the Indian Service. The results of using the 30,000-acre description in the cooperative agreement were far reaching.

On May 26, 1927 (Ex. 26), the Taos Pueblo Council petitioned the Commissioner of Indian Affairs "to help us obtain an unquestioned title to [the Blue Lake] region and to help in keeping prospectors and other people from coming to this land and interfering with our possession." The council pointed out that "this region is like a church to us, and if you look at it in that way you will understand how deeply we feel." On the following day Floyd W. Beutler, an attorney in Taos, informed Secretary Work (Ex. 27) that ownership of the Blue Lake region was important to the Pueblo because of its religious significance to them, "being regarded by the Indians much as we regard our churches." The Secretary on June 29, 1927 (Ex. 28), asked the Secretary of Agriculture whether the Department had "serious objections to the elimination of the Blue Lake region from the Forest for the purpose of adding it to the Taos Land," citing its religious significance.

The Pueblo's petition to the Commissioner brought the matter to the attention of Congress. The Secretary of the Interior on January 6, 1928 (Ex. 29), quoting the Pueblo's petition, requested Senator Frazier, chairman of the Senate Committee on Indian Affairs, to introduce the bill which was enacted on March 27, 1928, as Public Law 194 (45 Stat. 372) (Ex. 30). The act authorized the President to withdraw "from any and all forms of entry or appropriation" any lands of the United States "within the watershed of the Rio Pueblo de Taos". On July 7, 1928, President Coolidge signed Executive Order No. 4929 (Ex. 31) so withdrawing 30,000 acres described according to the language of the 1927 cooperative agreement. No one responsible for the Taos Pueblo realized at the time that the east side of the Rio Pueblo watershed remained open for entry.

The Forest Service restated its recognition of the Pueblo's special interest in the Blue Lake Area in the Acting Forester's letter of November 15, 1928 (Ex. 25). He there advised Representative Hudspeth that "the Forest Service has recognized that Pueblo Canyon is closely related to the Pueblo of Taos, and that the Indians while holding no title to this land have a peculiar interest and, to some degree, equity in the area." He pointed out that the Forest Service had granted "special concessions" to the Indians covering grazing and timber cutting and "has been consistently regardful of the Indians in this watershed and has made the most complete provision for their protection practicable under the circumstances." He also noted the religious use of the land by the Indians. On October 15, 1931 (Ex. 32), the Forest Service informed Governor Hagerman that the Blue Lake Area "has been used almost exclusively for grazing by the Indians, with two small cattle allotments along the east side of the area."