

Pueblo's claims attorneys to delay introduction of a bill until the Indian Claims Commission had determined that the Pueblo was the aboriginal owner of the Blue Lake area.

The Indian Claims Commission entered its decision on September 8, 1965, 15 Ind. Cl. Comm. 666 (exhibit 1). The Commission found the Pueblo had aboriginal Indian title to all land covered by H.R. 3306 and that the United States wrongfully took the land from it on November 7, 1906.

In the spring of 1961 the Pueblo attempted to persuade the Department of Agriculture to change its position on a proposed transfer of title to the Blue Lake area. Appeals were made to Secretary Freeman (exhibit 81) and Under Secretary Murphy (exhibit 82) of the Department, pointing out that the Indians did not want a monetary recovery for the Blue Lake area in their claims case and instead insisted upon obtaining ownership of the land. Secretary Freeman replied to the Governor of the Pueblo on July 31, 1961 (exhibit 83), stating, "We recognize the significance of Blue Lake in the religious life of your community and the interest of Taos Pueblo in the sound management and protection of the watershed of the Rio Pueblo de Taos." The Secretary further stated that "officials of the Taos Pueblo have the opportunity to concur in or to register objections to * * * permits" for entry into the area. On August 2, 1961, Under Secretary Murphy, writing to the Pueblo's Washington counsel, (exhibit 83-A) similarly recognized the religious importance of the Blue Lake area and pointed out that "for some years now, permits issued by the Forest Service have prohibited camping within 300 yards of Blue Lake. It is also our understanding that these permits prohibit stopovers of more than 24 hours in the Blue Lake vicinity." However, the Department of Agriculture did not change its position opposing a transfer of title to the Blue Lake area.

On April 21, 1961, representatives of the Pueblo discussed the Blue Lake matter with Richard E. McArdle, Chief of the Forest Service. Mr. McArdle referred to the conference in a letter on June 1 (exhibit 84) as follows:

"On April 21 Mr. McArdle, Chief of the Forest Service, and Assistant Chief Edward C. Crafts, met with Taos Pueblo Governor Seferino Martinez, Secretary Paul Bernal, and Legal Counsel Alan Wurtzel and discussed the problem at Blue Lake. The Forest Service understands and sympathizes with the Indians' sentiment for the area, and want to cooperate with them in maintaining it in an appropriate condition. We will do our best to keep the area clean. Also, *we will do what we can to discourage use by non-Indians.* We will also advise the State fish and game people of the Indians' desire that no more fish be placed in this lake. Our contact with the State in this matter will pave the way for further contacts by the Governor, should that prove desirable. [Italic added.]

"We are glad to report that the meeting was harmonious and courteous, and that the Governor and others left with apparent good feeling. We assure you that we will work with the Indians and do all possible to maintain their use of this special area. We do not believe the transfer of the land to Pueblo ownership is necessary."

Despite the chief forester's assurances of sympathetic cooperation, disputes rapidly developed between the Pueblo and Forest Service field personnel. On June 12, 1961 (exhibit 85), the Pueblo's attorney