

4. Only three years after the Forest Service was given responsibility for the area, the Indians were given assurances that their water and irrigation interests would be protected. This policy is in force today.

5. Exclusive grazing and timber rights and exclusive rights to Blue Lake during their ceremonial were formalized by written agreement in 1927. The Special Use Permit currently in force evolved from this agreement.

6. Contrary to allegations, the Forest Service has sought to discourage travel to the Blue Lake Area by non-Indians. Permits must be requested at least one week in advance. It is only the most insistent persons who are granted a permit. The Forest Service has built a trail to divert the public via a longer route away from Blue Lake. No overnight camping by non-Indians is permitted.

No non-Indian may stay in the area more than 24 hours. The Lake is no longer stocked with fish. Brook Trout survive in the Lake, but the Forest Service closed it to fishing at the request of the Pueblo—perhaps illegally. The Forest Service has made it known that August is the month of the Pueblo ceremonials at Blue Lake. The effect has been that practically no requests to enter the area are received in August. The area is positively closed the last ten days in August. Since 1959, the average number of persons permitted to visit Blue Lake has been 37. As expressed in the second statement, quoted above, the Pueblo's desire is to limit access by non-Indians. The words are not prohibit access. With only 37 permittees per year, it is safe to say that access is limited. Removal of the power of the U.S. Government to deny access would lessen the force behind the denial of access. More intrusions, not less, would result.

7. The Indians hunt and fish in the area without regard for state game laws.

8. No outside timber interests have been allowed in the Special Use Area. Timber operations in the La Junta Canyon area to which the Indians objected were stopped. This timber permit was granted by the state before acquisition by the Forest Service in 1950. The Forest Service turned down an offer of 19,000 acres of good multiple-use lands in exchange for timber rights because it might upset the Indians.

9. The Forest Service has not built any recreational roads, picnic areas, or developed campsites, nor have they proposed any. They have not advertised nor promoted the area to recreationists.

10. The Forest Service has tolerated a certain amount of overgrazing on the Special Permit lands. The situation has been relieved somewhat by the reseedling of 3,426 acres of Indian-owned land outside the Forest in cooperation with the Bureau of Indian Affairs. The Service has continually worked to keep out trespass stock.

It seems incongruous to me how these actions could possibly be construed as working against the interests of the Indians and the free practice of their religion. These actions are definitely not in harmony with multiple-use concepts.

Disputes cited in the Historical Summary of the previously-mentioned report seem minor in nature and can and have been resolved. The most serious of these seems to be over entry permits to Blue Lake, the average annual number of which since 1959 has been only six. The other disputes listed in recent years are: In 1965 the Indians objected to development of tourist facilities at Bear Lake. It should be pointed out that this development consisted only of improving the trail and making it safe. Some fallen timber was cleared and made available for firewood. A trash pit was dug. This hardly amounts to development of tourist facilities.

The Indians have complained about having to ear tag their livestock. This procedure is required on all forests. It is in the best interest of the Indians that this be done. First, it serves to prevent overgrazing. Second, trespass stock about which the Indians have complained are easily identified and removed. Finally, in 1966 the report tells how the Indians complained of logging activities on lands just east of their permit boundary. The Forest Service agreed that the logging company was improperly trespassing on Forest lands. With some difficulty, the Forest Service evicted the trespasser and undertook restoration efforts.

A review of the history of the Blue Lake Area reveals that when a dispute has arisen, it has been the Forest Service who has capitulated, very often readily and willingly so. None of these disputes are so irreconcilable that the extreme measure of granting title to the lands in question is warranted. The facts just don't substantiate the Indian's claim that their Indian religion is being threatened by the Forest Service. On the contrary, the facts positively indicate that the opposite is true. The Forest Service has historically and is