

members of the Pueblo Council. The list annexed hereto contains the information requested; there are 25 Indian owners of livestock, of whom only 9 are members of the Pueblo Council. Only 40% of the total cattle grazed are owned by members of the Council.

I also wish to correct the Taos Delegation's statement in the letter addressed to you dated September 22, 1968, that the Pueblo had not approved a permit for the trip to Blue Lake made on September 6, 1968, by Messrs. Seaman, Freeman, Little, Gunter, and an unnamed photographer. Information received by the Delegation in Washington on September 21 and 22 indicated no such permit had been approved by the Pueblo's War Chief. On return to Taos, however, it was learned that such a permit had been approved. The confusion arose because the War Chief understood the permit covered a trip to Bear Lake rather than Blue Lake.

On behalf of Taos Pueblo I also wish to make this letter a part of the record for the purpose of answering the misstatements of fact made by adverse witnesses at the hearings. The Pueblo's responses are set forth below under paragraphs headed with the name of the adverse witness. I regret that it was not possible for the Pueblo's witnesses to respond to such misstatements at the hearings, but I hope you will understand that the misstatements were so extensive that we could not, without having had prior notice of the misstatements, prepare an adequate response on the spur of the moment.

N. Preston Gunter. Mr. Gunter suggests that the Indians are asking Congress for the Blue Lake area "for economic reasons"; in fact, their request is based solely on their religious needs, and H.R. 3306 does not give them any significant economic benefits.

Mr. Gunter's suggestion that the Indians have already been paid for the 48,000 acres covered by H.R. 3306 is erroneous as indicated by Finding No. 22 of the Indians Claims Commission's Findings of Fact entered in *Pueblo of Taos v. United States*, 15 Ind.Cl.Comm. 666, 684, which was read into the record on July 20. The Indians have received only \$160,835.94 with respect to lands taken from them within the Taos Grant outside the boundaries of the Town of Taos. Mr. Gunter has misconstrued the memorandum dated May 6, 1966, made a part of the record at the conclusion of my testimony, which shows that the Indians have remaining to their credit in their account with the United States an unexpended balance of \$23,724.57. The rest of the \$160,835.94 has been withdrawn by them for various Pueblo purposes. Mr. Gunter's erroneous statements regarding payments to the Pueblo have been answered before (see the letter from Commissioner Bennett to Chief Cliff dated June 6, 1966, which I also submitted to the Subcommittee on July 20); his reiteration of his unfounded charges is therefore surprising.

Mr. Gunter states that the Indians first "tried to claim" the Blue Lake Area in 1933. The documentary record filed with the Committee establishes that their claim to the Area has been consistently asserted since 1904, and that the repeated assertion of the claim has been fully documented in official records, copies of which have been filed with the Committee.

We hope that the Subcommittee will not consider Mr. Gunter an expert on land claims of various Indian tribes. Certainly his statement does not provide proof of the claims described therein, and his propensity to ignore clearly established facts should make doubtful the validity of his assertions.

Mr. Gunter states that the Taos Indians did not use the Blue Lake Area until after the coming of the white settlers. The Indians Claims Commission found that the Indians first entered the Area around the year 1300. There were no white settlers in the Area prior to the 17th Century, and the settlers Mr. Gunter has in mind are apparently Americans, who arrived in the 19th Century.

Mr. Gunter does not correctly state the "testimony" of Elliott Barker. Contrary to stating that the Indians "did not and could not go into the area" Mr. Barker's letter dated May 1, 1918, which is annexed to the Pueblo's statement to the Subcommittee as Exhibit 17, clearly recognized the Indians' use of the entire Watershed at that date.

Mr. Gunter does not hesitate to impugn the Indian Claims Commission. We need only point out that the Government's case was presented before the Commission by competent counsel more learned in the facts of the case than is Mr. Gunter.

Mr. Gunter's statement that the Pueblo would not grant an easement for a flood control dam to be constructed by the Town of Taos unless the Town Council made a statement supporting the Blue Lake Claim is untrue. The Indians testi-