

255 52 1915

ON SUPPLY COMMISSION
WESTERN SHOSHONES

Western
Shoshones.

Mr. Washach Timmoke,
Cave Creek,
Elko County, Nevada.

SEP 28 1912

FOR FILE

Sir:

The Office has received your letter of September 9, 1912, wherein you refer to the treaty with the Western band of Shoshones at Ruby Lake, Nevada in 1865, and ask if the Indians may under the said treaty secure land with water.

In response you are advised that the Western Shoshone of Duck Valley Reservation, Nevada, was created by Executive Orders of April 16, 1877, and May 4, 1886, based on the treaty referred to. Any Indian belonging to the Western Shoshone tribe and already enrolled on the Duck Valley Reservation, would have the right to submit application for such enrollment.

This reservation has not yet been allotted but it is expected that the work of allotting lands to Indians entitled will be taken up within a year or two.

Under certain conditions Indians not enrolled on a reservation are entitled to allotments on the public domain. The Office is aware, of course, that in arid or semi-arid parts of the State of Nevada most of the small water supply has been

appropriated by whites, and also by Indians who had the foresight to take homesteads or allotments on the public domain and then secure to themselves a sufficient water supply to cultivate their lands.

Mr. C. H. Asbury, Special United States Indian Agent, who was for many years in charge of the Carson School and whose address is Reno, Nevada, has been appointed to look after the interests of allotted and unallotted Indians on the public domain in Nevada, and your letter has been forwarded to him. If you take up with him the cases you have in mind, he may be able to assist the Indians in filing applications for allotments of suitable agricultural or grazing lands. There would be no necessity for the Indians to visit Washington. The Special Agent would be able to give any applicant all the assistance that can be extended to obtain land on the public domain in Nevada.

Respectfully,

(Signed) C. E. Hauke,
Second Assistant Commissioner.

9-VAR-24

Carbon for Special Agent C. H. Asbury.

UNITED STATES INDIAN SERVICE

Reno, Nevada, Oct. 2, 1912.

Commissioner Indian Affairs,
Washington, D. C.

Sir:

Referring to the above letter of September 28th with which is enclosed a letter from Muchach Timmoke and the Office reply there to, I will say that I am already somewhat familiar with the situation. They have written me a number of letters, besides talking over the treaty of 1863 with me, seeming to have overlooked the fact that the Government had complied with the terms of the treaty in setting aside the Western Shoshone Reservation.

Within the past year I have filed application for at least six allotments of eighty acres each, for Indians in this Valley, among whom is Muchach Timmoke. I looked over this land in June and am convinced that they can get considerable water from the creek that flows out of the mountains practically onto the lands if they will use due diligence in appropriating it. They have already a limited water right by long use, and I intend to file an application with the State Engineer's Office at an early date for additional water, but as I have explained to them they cannot hold this water except they make beneficial use of it, and I have tried to impress that on them by talking with them and by different letters.

The land withdrawn from entry by Executive Order No. 1606, copy of which was sent to me with Office letter, Land Allotment No. 70328-1912, 92920-1912, 92046-1912, W.A.M., adjoining the land allotted to several of these Indians. I am of the opinion that other small pieces of land may be found in the locality for which water may be secured if they appropriate it at once, and I hope to do further work in that Valley just as soon as it is possible to get there, which will probably not be until next summer, as it is not practical to work there much in the winter time.

Very respectfully,

C. H. ...
SPECIAL INDIAN AGENT.

Dict. A/KC.