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People of Snowy Mountain, People of the River: A Multi-Agency Ethnographic Overview and Compendium Relating to Tribes Associated with Clark County, Nevada

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LAKE MEAD AND BLACK CANYON
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Introduction

Clark County, Nevada, has always been a unique place, sitting at a crossroads of varied cultures and environments. Here, the sprawling Great Basin to the north meets the rugged Colorado River canyonlands along the county's eastern margins. At this intersection, Great Basin peoples – Southern Paiutes especially, but also Western Shoshones – have long lived in close proximity to river peoples – Mohaves in particular – while the ethnic diversity of the region ensured that many other tribes – Hualapais and other Yuman speakers among them – also were present at various times on the land. Many tribes have viewed landmarks within the area, such as Spirit Mountain, as sacred but did not frequently venture into Clark County. Others resided almost entirely in what is today Clark County, or made frequent use of this area for countless generations. And if this did not suggest a sufficiently complex ethnic map of Clark County, one needs only to look into the archaeological record and the oral traditions of area tribes to realize that this map has been changing, with peoples passing through, and moving from place to place within this southern corner of Nevada for a very long time indeed.

Today, Clark County encompasses roughly 5.12 million acres of land in the southern corner of Nevada, of which over 4.6 million acres (or 90 percent) are managed by the five federal agencies of the Southern Nevada Agency Partnership (SNAP). This partnership comprises the Bureau of Land Management (BLM), Bureau of Reclamation (BOR), National Park Service (NPS), U.S. Fish and Wildlife Service (USFWS) and U.S. Forest Service (USFS). These agencies are charged with managing the cultural resources on these lands, and to regularly consult with those tribes who are historically associated with the lands and resources in their care. A diverse range of federal laws, policies and regulations prescribe certain levels of consultation; compliance is critical to agency operations and to the upholding of federal obligations to American Indian tribes. This is not always an easy task. The agencies that manage lands in Clark County must sort through the complex history and territorial associations of numerous modern tribes – some living in Clark County and some living some distance away. This requires frequent review of the historical and ethnographic record, and direct communication with the tribes regarding places and resources that are of interest to them. The current document represents one component of this larger effort.

The current document has been undertaken to assist agencies in meeting their obligations for federally mandated compliance and consultation with Indian tribes that have historical associations with Clark County. The document has been designed in part to provide an overview of the territorial associations of various tribes with ties to this area. This is accomplished using ethnohistorical documentation as well key legal documents, such as treaty language and Indian Claims Commission findings, that establish parameters for agency consultation responsibilities. Managers of Clark County's federal lands have been eager to identify those tribes that are tied to the area in various ways - from those tribes who have long resided on these lands, to those who value this place but seldom if ever visit. Cumulatively, this research suggests ties between particular tribes and particular agency lands that may serve as a background reference for tribal and agency staff alike as they seek to understand Clark County's tribal history and to protect cultural resources of mutual concern.

The current report represents one piece of a singly funded, three-tiered effort supported by SNAP and its participating agencies, which has involved

- 1) The National Park Service Pacific-West Region Anthropologist and the UW Principal Investigator providing technical assistance in the process of repatriating human remains and associated funerary objects that were historically excavated from lands along the Colorado River that are now in the management of the National Park Service and the Bureau of Reclamation;
- 2) A multidisciplinary team, led by the UW Principal Investigator, developing the following ethnographic overview and compendium that identifies historical ties between particular modern tribes and lands now managed by SNAP agencies in Clark County, Nevada, to be used as an aid to future tribal consultation efforts by these agencies; and
- 3) The National Park Service Pacific-West Regional Anthropologist and the UW PI collaboratively developing a consultation template to help guide tribal consultation at Lake Mead National Recreation Area, which also may be adapted and used by other SNAP agencies at their discretion.

At the onset of this research, the research team met with agency staff to ascertain their needs and interests. They also met with representatives of many of the tribes with

historical ties to Clark County. The document that follows was developed in response to those conversations. Researchers were given the task of identifying traditionally associated tribes and providing some historical context for the understanding of their traditional uses of federal lands and resources in Clark County – including not only Southern Paiute tribes, who have profound and enduring ties to this area, but many other tribes who are tied to the lands and resources within the county as well. The researchers were asked to provide basic information regarding the organization of area tribes today, so as to facilitate agencies’ participation in the consultation process. And the researchers were encouraged to note places of particular cultural and historical importance mentioned in the course of the research that might warrant further investigation as potential Traditional Cultural Properties. On the basis of these findings, the researchers also were asked to develop a template Programmatic Agreement that would guide future National Park Service consultation with tribes associated with Lake Mead National Recreation Area, and provide guidance on its implementation. This template also was to be made available to the other agencies’ staff, who are at liberty to use it as they see fit within their own consultation planning process. All of these elements are reflected in the document that follows.

Recognizing that SNAP has funded a number of other ambitious cultural resource studies in recent years, the research team has been cautious to avoid potential overlap with these efforts. Each of these efforts is meant to provide valuable and distinctive contributions to the corpus of cultural resource writings addressing Clark County, which - taken together - will support federal tribal consultation and cultural resource management for many years to come. These other efforts include an archaeological overview of Clark County, directed by Heidi Roberts and Dr. Richard Ahlstrom. Though these two researchers contribute to the current report, providing an archaeological context statement, it is important to note that this report does not attempt to grapple with the vast archaeological documentation for the region. Instead, this report focuses principally on tribal associations with Clark County during the period from European contact to the present day. These other SNAP sponsored research efforts include a reworking of the rich fieldnotes of Isabel Kelly by the eminent cultural anthropologist, Dr. Catherine Fowler. Here too, Kelly’s data is included throughout the current report, but the research team has made an effort to keep references to this work general, in anticipation of the Fowler reports. And, SNAP has supported tribal consultation events and ethnographic interviewing regarding U.S. Forest Service and U.S. Fish and Wildlife Service lands through an unrelated project directed by Dr. Jeremy Spoon. In light of that work, those lands are discussed in only

general terms in the current document. While tribal representatives' comments have informed the current report in many ways, the report sticks principally to the written record available in published and unpublished ethnographic, historical, and legal sources. It is our sincere hope that this impressive batch of studies will be of value to agencies and tribes alike, and that the current report will complement the larger SNAP effort of which it is a part.

The resulting document is at once an ethnohistory of tribes with ties to Clark County, as well as a compendium of information relevant to the consultation process - complete with detailed maps and appendices meant to illuminate the foundations of modern tribes' connections to the lands and resources of southern Nevada. We wish the partnership's member agencies every success in their efforts to protect the cultural heritage of southern Nevada with this information at their disposal. We also wish the tribes every success in documenting and protecting their cultural legacy in southern Nevada, a task in which we hope these materials will be of some value. These goals are at the very heart of the current study and reflected in the content of the document that follows.

Study Background and Objectives

The Southern Nevada Agency Partnership (SNAP) comprises the Bureau of Land Management (BLM), Bureau of Reclamation (BOR), National Park Service (NPS), U.S. Fish and Wildlife Service (USFWS) and U.S. Forest Service (USFS). Each agency manages federal lands in the Clark County area of southern Nevada. SNAP was formed in 1997 as an interagency partnership to address issues of mutual concern, including natural and cultural resource protection, recreation, science and research, law enforcement and the like. The partnership benefits from funds made available through the implementation of the Southern Nevada Public Land Management Act that authorized the sale of certain federal lands within a specific boundary encompassing Las Vegas, Nevada.

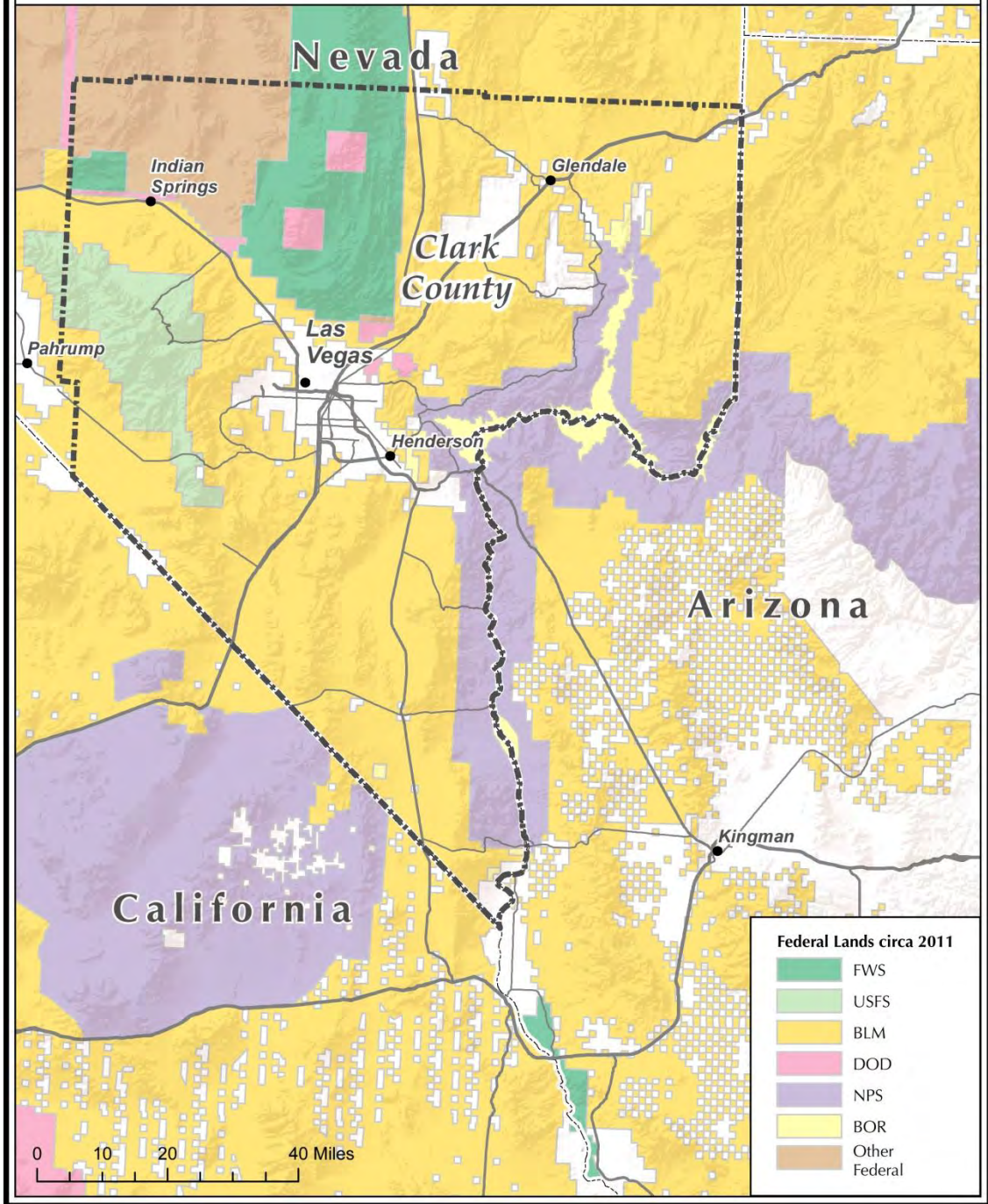
Clark County is located on the southern tip of the State of Nevada. The population center for Clark County is the Las Vegas Valley, one of the fastest growing urban areas in the United States. Clark County consists of approximately 5.12 million acres of land. Of this, about 4.6 million acres (approximately 90 percent) are managed by six federal agencies, five of which are SNAP partners. The six federal agencies include the SNAP partner agencies as well as the U.S. Air Force (including Nellis Air Force Base and Nellis Air Force Range). Of these, the Bureau of Land Management owns by far the largest amount of land, totaling 2.9 million acres, or roughly 57 percent of Clark County’s land mass (see Table 1, Map 1).

Table 1: Federal Land Ownership in Clark County, by Agency

Agency	Approximate Acreage	% of County
BLM	2,900,000	57%
NPS	587,000	12%
USFWS	493,000	9%
USFWS/Nellis AFR	327,000	6%
USFS	252,000	5%
BOR	50,700	<1%
Nellis Air Force Base	13,500	<1%
Total	4,623,200	~90%

Adapted from Clark County 2008

Clark County Federal Lands



Map 1

Simultaneously, the lands now comprising Clark County have long been occupied by American Indian peoples. The county is the location of ancient archeological sites, such as Gypsum Cave, which has yielded remarkably ancient cultural materials (Harrington 1933). This portion of Nevada has been occupied by a diversity of American Indian communities into the present day; Clark County is now home to two separate federally recognized Indian tribes, while a number of other tribes in Nevada, California, Arizona, and Utah have historical ties to the area. As a consequence, Clark County's federal lands contain many places of enduring significance to American Indian communities, such as burial sites, former settlements, and a number of ceremonial sites and resource procurement areas of past and present significance. These ties between American Indian peoples and the federal lands of Clark County ensure that the federal agencies managing these lands have a number of consultation mandates articulated, as within federal laws, policies, and regulations. An overview of some of the key federal laws, policies, and regulations relating to tribal consultation are included in an appendix of this report.

By design, the document that follows is an "ethnographic overview and assessment." An ethnographic overview and assessment is a basic research report commonly used by National Park Service to identify those groups who are associated with agency lands and resources, and who might view such lands and resources as culturally significant. A brief description of this report type is provided in Chapter 2 of the NPS Cultural Resource Management Guidelines NPS-28, and this chapter can be accessed online.¹ As described in the National Park Service's Cultural Resource Management Guidelines (NPS-28), an ethnographic overview and assessment is a basic report that,

emphasizes the review and analysis of accessible archival and documentary data on park ethnographic resources and the groups who traditionally define such cultural and natural features as significant to their ethnic heritage and cultural viability.

(NPS 1998)

As such, this type of document provides a compendium of information assembled to assist agency and tribal staff in the consultation process. An ethnographic overview and assessment consists principally of literature review and archival research, focusing on materials that have already been recorded for a particular study area, as well as drawing from the knowledge of agency and tribal resource staff. Therefore, this type of

document contains little original ethnographic information, but often serves as a prelude to subsequent studies that involve more detailed, original research on specific topics.

The current ethnographic overview and assessment project focuses on all lands in Clark County, Nevada, that are managed by partner agencies of the Southern Nevada Partnership. The overall purpose of this research has been to provide federal land managers from the SNAP agencies with information regarding American Indian tribes who have been traditionally associated with lands under their management, in order to facilitate consultation and other agency functions. In addition, this research has been designed so as to provide guidance on tribal consultation protocols for the National Park Service, which other SNAP agencies may use as they deem appropriate. The research has been designed to aid the SNAP agencies in complying with the requirements of various laws such as the National Historic Preservation Act, the National Environmental Policy Act, and the Native American Graves Protection and Repatriation Act (NAGPRA), as well as in the fulfillment of obligations to consult with federally recognized tribes on a government-to-government basis. The work might also help to identify issues or places that may require further attention in the course of expanded communication with tribal representatives and possibly through future studies. It is also important that the research has been undertaken with the hope that it will help tribes with traditional ties to Clark County in efforts to document their culture and history. Ultimately, the project aims to facilitate positive and enduring relationships between American Indian communities with enduring ties to Clark County federal lands and the federal managers who care for them, to support their shared efforts addressing issues and resources of mutual concern.

This project has systematically reviewed and made use of existing documentation that the SNAP partners made available to the PI and the ATR, which were used to identify data gaps. The PI, the ATR, and the project's research assistants then filled these gaps through original research, carried out with the input of associated tribes. Topics that were particularly sought out in the course of this research included, but were not limited to:

- traditional tribal occupation of particular lands;
- changes in land and resource use patterns emanating from historical developments;
- the identity of culturally significant places, properties and resources on SNAP partner lands that might warrant further investigation as potential TCPs;

- information on historical associations between tribes and territories that might facilitate the protection and treatment of inadvertently discovered American Indian human remains and associated objects in accordance with the requirements of NAGPRA; and
- the modern organization of tribal government and cultural offices that may be of value to agencies seeking to develop and sustain positive consultation relationships with tribes.

In addition to developing a thematic overview of these themes in the pages that follow, we include a number of elements so that this document might serve as a compendium or “handbook” that may be used as a background reference for consultation – including a number of thematic maps and appendices relating to tribal associations with Clark County.

The information generated by the project has been used to produce guidelines for future federal consultation by the National Park Service with American Indian tribes associated with Clark County. A stand-alone consultation template, developed for use by Lake Mead National Recreation Area, has been delivered to SNAP partner agencies concurrently with the completion of this document. This template may be adapted and used by federal agencies other than the NPS at the discretion of those agencies.

It is our sincere hope that this document will be of use to all parties who wish to better understand the rich and often complex history of tribal relationships with lands and resources now under federal management in southern Nevada. This document is not assumed to be the “final word” on Native American relationships with these lands and resources, but to be a valuable tool in understanding the larger context of these relationships. For seasoned resource management professionals working in this region, many of the document’s findings may be familiar – hopefully the report will provide information gathered together in a useful format, as a sort of reference work, and will serve to confirm and expand their already considerable knowledge of the topic. For less seasoned cultural resource managers, or resource managers from other fields attempting to comprehend tribal ties to lands and resources, it is hoped that this document might provide a welcome orientation to the many tribes and issues facing this unique region, and will serve as a handbook of sorts that will aid them as they come to understand the cultural resource and tribal consultation issues of Clark County.

Methods

The current study represents an effort to illuminate past patterns of use and occupation of Clark County, Nevada by American Indians, relying especially on the methods of ethnohistory. As such, this research involved a broad review of historical and ethnographic information on these themes, drawn from local, regional and national sources, as well as considerable information provided by tribal and agency representatives. The project was organized into three phases:

Phase I centered on identifying SNAP agencies' research and consultation needs, and developing a work plan that addressed these needs with a particular timeline, budget, and staff.

Phase II involved the research and compilation of the ethnographic overview and assessment document that followed.

Phase III involved the development of a consultation plan template, based on the contents of this overview and assessment, that will be available to assist NPS staff (and other SNAP partners may modify it for use) in their future consultations with American Indian tribes.

This research was not the work of a single individual, but of a multidisciplinary research team with a diverse range of talents. The research was directed by Dr. Douglas Deur, who also served as principal author for the report that follows. Dr. Frederick York, Pacific-West Regional Anthropologist of the National Park Service helped to design the research project; he participated in a variety of research tasks and oversaw some portion of the tribal consultation regarding the project, as well as taking the lead on all NAGPRA compliance elements of this research. Deborah Confer of the Pacific Northwest Cooperative Ecosystem Studies Unit, a research assistant with particular expertise in NAGPRA research and repatriation, participated in many phases of the research and contributed significantly to the authorship of the document. In the review of archaeological literatures and their relationship to the study topic, the team was assisted by Heidi Roberts and Dr. Richard Ahlstrom of HRA, Inc., Conservation Archaeology, who together collaborated on the development of an archaeological context chapter for this report. Mapping and Geographical Information Systems

support was provided by Luke Rogers, Andrew Cooke (University of Washington School of Environmental and Forest Sciences) and Patrick Hammons (Pennsylvania State University Department of Geography). Agency staff from Clark County also played a critical role – especially Rosie Pepito and Steve Daron (NPS) and Patricia Hicks (BOR), but also at various stages of the project by Mark Boatwright (BLM), Mark Slaughter (BOR), Cynthia Martinez (USFWS), Stephanie Phillips (USFS) and others. A number of these individuals provided detailed editorial suggestions in response to an original, draft copy of this document. A number of tribal cultural resources specialists also provided critical assistance and information that have shaped the content of the document, including but not limited to Deanna Domingo (Moapa), Dorena Martineau (PITU), Kenny Anderson (Las Vegas Paiute), Charles Bullets (Kaibab Paiute), Linda Otero (Fort Mojave), and Matthew Leivas (Chemehuevi). The resulting report is truly a group effort and the individuals listed here deserve recognition for their contributions.

At the onset of research, Drs. Deur and York met with representatives of each of the SNAP agencies to discuss project objectives and agency needs. The needs expressed by agency representatives were key to the development of the project work plan. Deur and York also invited agency staff to contribute any agency reports that they viewed as pertinent. Deur and York reviewed this literature, as well as additional grey literature reports available from such sources as national and regional agency offices, and non-federal sources such as the Bureau of Applied Research in Anthropology at the University of Arizona. On the basis of this analysis, Deur and York identified data gaps that were to be addressed in the current study. Deur and York also met with the elected leaders and cultural resource staffs of a number of federally recognized tribes with ties to the study area, seeking their input on project needs and their guidance on project themes. Together, all of these exchanges suggested a particular course for this research, and led to the development of a work plan to guide the work that followed.

Agency staff in particular wanted assistance in acquiring background documentation that would help clarify traditional associations between tribes and the lands and resources under their management in Clark County, while also providing some historical context for understanding these connections. Agency staff were also eager to receive a compendium of basic information regarding the organization of associated tribes today, to facilitate their participation in the consultation process. Tribal and agency staff alike were eager to have the research team identify certain places of particular cultural and historical importance that might warrant further investigation as potential Traditional Cultural Properties. A number of parties, the NPS in particular,

was eager to have this information reflected in guidance on tribal consultation – with a template Programmatic Agreement for future NPS tribal consultation resulting from this work. Each of these research objectives was embodied in the project work plan.

The research that followed involved a review of existing, published documentation, including a review of the vast historical literature relating to Clark County, Nevada, as well as ethnographic writings relating to those tribes who appear to have the most direct ties to this county. This work was conducted principally in the library collections of the University of Nevada, Las Vegas, the University of Washington, Portland State University, and various on-line research collections. In addition, and perhaps more important, this research involved a detailed review of archival materials relating to the study's themes in local, regional, and national collections. The information gathered in these collections was used to fill gaps in the existing, published record. The research team directly reviewed pertinent materials with collections housed in a number of repositories, including but not limited to the following:

- Clark County Heritage Museum collections – Henderson, NV
- Lost City Museum collections – Overton, NV
- National Archives and Records Administration, Pacific Alaska Region – Seattle, WA
- Nevada State Museum, Carson City, Archives – Carson City, NV
- Nevada State Museum, Las Vegas, Archives – Las Vegas, NV
- University of Nevada, Las Vegas, Lied Library Special Collections – Las Vegas, NV
- University of Nevada, Reno, Mathewson IGT Library Special Collections – Reno, NV
- Latter-day Saints Family History Center - Mountlake Terrace, WA
- University of Washington Suzallo and Allen Libraries, Special Collections, Seattle
- University of Washington Gallagher Law Library, Seattle

Also, the research team regularly accessed a number of remotely accessible and/or digital repositories, including but not limited to the following:

- National Archives and Records Administration – Washington, D.C.
- Nevada State Historic Preservation Office database – Carson City, NV
- National Park Service National NAGPRA Program – Washington, D.C.
- National Assn. of Tribal Historic Preservation Officers Program – Washington, D.C.
- National Anthropological Archives, National Museum of Natural History Collections – Washington, D.C.
- University of Wisconsin Digital Collections, History Collection – Madison, WI
- Oklahoma State University Library Digital Collections, American Indian Law –

Norman, OK

A wide range of other sources was consulted beyond this list, but not as regularly or consequentially. Official tribal websites were especially useful in the crafting of later sections of this document, which provide contact information and other materials on the contemporary status of area tribes.

Again, SNAP member agencies provided materials from their files. In addition, the staff of HRA, Inc., Conservation Archaeology (Las Vegas, NV) made portions of their collection available for this effort. Some participating tribes also provided selected items for review and inclusion in this report.

Certain sources were especially important in assessing matters of tribal land claims, in addition to the conventional ethnographic and historical sources. Using the federal National Archives and Records Administration (NARA) collections, we reviewed all Indian Claims Commission (ICC) documents, including published and unpublished materials available for all adjudicated lands within Clark County and its vicinity. These included those of Southern Paiute (Dockets 88, 330), Chemehuevi (283, 351), Mohave (Dockets 283, 295), Hualapai (Docket 90), Havasupai (Docket 91), and Shoshone (Dockets 326, 327). For each of these dockets, we reviewed relevant expert testimony reports, oral testimony transcripts, and printed notices of ICC findings. Also of particular value in this archival effort were the Records of Superintendencies of Indian Affairs (NARA Record Group 75.15): Utah (1849-1872), California (1859-1864), Nevada (1861-1875), and Arizona (1863-1873). At the NARA archives, we also reviewed all relevant sections of available records including those in Record Group 48 (Records of the Office of the Secretary of the Interior, including War Department correspondence); Record Group 94 (Returns from U.S. Military Posts, Correspondence from Indian wars; Reports of Post Officers, and others), and certain other federal records. These items provide a valuable glimpse into the mechanisms of tribal relocation, as well as the movements of different tribal communities during their transition from uncontested sovereigns on their traditional lands to the tribal reservation communities and sovereign tribal governments of today.

Compiling the information we gathered from these sources, we analyzed these items for recurring themes. We also identified inconsistencies and data gaps, and sought to remedy these through follow-up literature review and occasional communications with agency and tribal representatives. In this effort, we sought to understand the

experiences of Native American peoples who were connected to Clark County, so as to place the question of tribal affiliation in a larger historical and cultural context. We also attempted to trace the histories of these various tribal populations into the 20th century so that we might better illuminate the connections between peoples mentioned in association with Clark County's past and identifiable American Indian tribes and other Native American groups today. This information is presented thematically in the pages that follow.

One of the goals of this effort has been to provide tribal and agency resource managers with ample original source material that can be used in the management and interpretation of the region's Native American history. Toward this end, original sources have been quoted in many portions of this document, while such items as treaties, executive orders, and other legal instruments relating to Indian title in the study are included as appendices. It is hoped that these quotations from original sources will be of use to readers who wish to follow up on specific themes, and that these original quotations and materials can be used by tribes and agency staff alike in assessing particular details of Clark County history.

In light of the tremendous breadth and diversity of materials consulted in the course of this project, addressing the interests of numerous tribes over large areas, this document has by necessity summarized the outcomes of this research and only presents fine-grained details on certain topics where such detail seems warranted. An exhaustive treatment of the many tribal cultures, Indian and settler histories, and Native ties to lands and resources that all converge in Clark County would represent a monumental work, consisting of multiple volumes. The complexity of the region's history ensures that perhaps no one account might tell the whole story to the satisfaction of all parties with a stake in that history. Certain gaps in the current document are inevitable, and should be acknowledged in advance. However, in this well-researched corner of the state, many outstanding works have already been produced on many of the themes in this report, by academic anthropologists, agency resource management specialists, tribal cultural staff, and others. The sources listed in the bibliography and cited throughout should be consulted by anyone wishing to develop a more detailed understanding of this history.

Certainly, defining the tribal affiliations of particular individuals or groups is not always a simple matter. Early chroniclers' use of tribal terminology was often inexact. Names like "Pi-Ute" might be used indiscriminately for peoples encountered in the deserts of southern Nevada, southern Utah, and northern Arizona, while band names

were recorded in wildly inconsistent ways by non-Indian chroniclers. Many of these populations were highly mobile prior to Anglo-American settlement, and the disruptions of the contact period only added to the geographical complexity of migration and settlement. Ambiguities in affiliation are noted where appropriate in the document, and we have made efforts to clarify these ambiguities through the cross-referencing of diverse source materials.

Also, in order to achieve the specific goals of this study, the research undertaken in this document has been ethnohistorical in orientation, and has relied principally on the written record addressing American Indian ties to Clark County. Regrettably, the voices of American Indian people are often not included in this written record. Most of the early written accounts of native peoples were produced by explorers, military officers, professional anthropologists and historians. No doubt, many of these authors spoke at length with native peoples regarding their experiences and knowledge, and many were faithful witnesses to what they learned through these exchanges, but their fidelity to native perspectives remains unclear. In the course of this research, it has become clear that Clark County continues to be a place of profound significance, not only to the American Indian people who live there, but also to tribal members living throughout the Southwest and beyond. Their knowledge and perspectives would certainly add much to our understanding of Clark County's human history, and expand the story beyond what we have been able to present in the pages that follow. The concluding sections of this report – especially but not exclusively the section addressing Traditional Cultural Properties – suggest a range of potential follow-up research efforts that might better illuminate contemporary tribal concerns, knowledge, and perspectives. The resulting research would be a welcome complement to the report that follows, and would no doubt enhance our understanding of the importance of Clark County's lands and resources in the cultural traditions of American Indian peoples in the Southwest and beyond.

Natural Environments of Clark County

In order to understand the fundamentals of American Indian land use and occupation in southern Nevada – from the seasonal round to the cultural valuation of certain prominent landmarks - an understanding of the environmental context is key (Fowler 1966). Indeed, the landscape is woven into the most fundamental aspects of language and culture. In the Kaibab dialect of Southern Paiute, to cite one of potentially innumerable examples, one common term meaning “down” also means “west,” and correspondingly, the opposite term for “up” also means “east” – a linguistic reference to the natural course of the Colorado River as it passes through Kaibab territory (Sapir 1930-31: 516). To set the foundation for the discussions that follow, this chapter provides a brief overview of the environmental phenomena and geographies that have long defined American Indian lives and cultures.²

Physiographically Clark County is part of the Basin and Range province, but sits at the margins of that province where it intersects with the Colorado River and Colorado Plateau. The underlying geology of southern Nevada is characterized by complex fault-block mountains with highly folded strata cut by thrust faults, and extensive erosion has transported vast amounts of sediments to the basin floors. Mountain masses are dominated by sedimentary formations primarily of limestone, sandstone, siltstone, dolomite, and gypsum, with areas of interstratified quartzite. The landscape is therefore rugged, with elevations ranging from roughly 500 feet at the southern tip of the state on the banks of the Colorado River to 11,918 feet at the summit of Charleston Peak (see Map 2). As is typical of this province, the jagged, isolated mountain ranges tend to be oriented in a north-south direction, capturing a significant portion of the region’s precipitation and serving as headwaters to intermittent streams, washes, and other seasonal waterways that flow into the broad valleys below. Bajadas, or alluvial fans, extend down to the valley floor where in many instances playas or dry lakes occur - some being intermittently filled by rainfall and many being residual of larger and more enduring late Pleistocene lake systems (Knoblock and Ezzo 1995; Bradley and Deacon 1967).



Map 2

To be sure, Southern Nevada is exceedingly dry. Precipitation tends to correlate with elevation: in the extreme lowlands, annual precipitation ranges from 4 to 8 inches, while in the higher elevations from 16 to 20 inches, with slightly higher precipitation in upper mountains, much of it arriving as snow. Hydrographically Clark County straddles the divide between the physiographic Great Basin to the north, which drains internally, the Colorado River watershed, which drains into the Pacific Ocean, and – west of the Spring Mountains – the Death Valley system, which also drains internally. The outflowing waters from most of the springs in the area sink into the beds of pluvial stream channels. Few permanent streams occur within the county, although several small streams are found in the Spring Mountains, which is so high as to retain significant snowpack. Significant groundwater discharge reaches the surface at Muddy River Springs – in and around the Southern Nevada Water Authority’s Warm Springs Natural Area – and Ash Meadows, just beyond the eastern edge of the county – both important places to tribes for their unique resources both historically and today. Meadow Valley Wash, an intermittent stream, drains into the Muddy (or Moapa) River, which historically drained into the Virgin River. The Virgin, meanwhile, runs from Southwestern Utah to its confluence near the “Big Bend” of the Colorado River, where the Colorado’s course turns southward. All three of these rivers were of critical importance to the tribes of the region for water, riparian and riverine resources, transportation, and other forms of sustenance. Today the Virgin and Muddy rivers drain directly into Lake Mead – Hoover Dam (operational in 1936) and Davis Dam (operational in 1951) having converted much of the Colorado’s Clark County course into Lake Mead and Lake Mohave respectively (Knoblock and Ezzo 1995; Bradley and Deacon 1967).

Floristically Clark County is also situated at a crossroads. The county is located at the southern edge of the floristic Great Basin Desert region, a cool desert characterized by sagebrush in the valleys and coniferous trees in the mountains, and at the northern edge of the much hotter Mojave Desert with its characteristic Joshua trees and cacti in the lowlands, with piñon pine in the high country. The floristic boundary separating the Mojave Desert from the Great Basin Desert is poorly defined in places and interdigitates across the county. With the exception of the Spring and Sheep mountain ranges, which have well-developed coniferous forests, most of the mountain ranges are covered by desert vegetation with only diffuse conifers. Vegetation exhibits considerable “vertical zonation” with biotic communities defined by elevation – a fact that underlies some of the specific traditional migrations made by tribes of the region during their seasonal round between high-elevation piñon groves, intermediate elevation agave gathering

sites, riparian willow and berry patches, and the like. Places with unique flora, the Spring and Sheep mountain ranges prominent among them, have been highly valued by area tribes as a source of unique resources such as pine nuts, reflecting this regional variation (Ezzo 1995; Bradley and Deacon 1967: 206).

The intersection of topography, elevation, precipitation, and biota – and the predictable correlations between these phenomena – results in certain ecological regions that can be defined within the study area. The correlation between topography and biota is so predictable that the Environmental Protection Agency has delineated general ecological subregions for southern Nevada that are based principally on topographic variables (Map 3).

There have been more detailed efforts to define the area's flora and fauna, however. Perhaps most influentially, Bradley and Deacon (1967) classified the major biotic communities of southern Nevada, including both terrestrial and hydric/aquatic habitats. They further divided the terrestrial communities into two community types: zonal communities and transzonal communities. The zonal community types include four broad vegetation types, each of which consists of one or two vegetation communities. The transzonal community type consists of a single broad vegetation type that includes three vegetation communities. The resulting hierarchy of habitats is as follows:

Terrestrial

Zonal community types

- Desert shrub vegetation type

 - Creosote bush community

 - Blackbrush community

- Woodland vegetation type

 - Juniper-pinyon community

- Coniferous forest vegetation type

 - Fir pine community

 - Bristlecone pine community

- Alpine tundra vegetation type

 - Pseudo-alpine community

Transzonal community types

- Shrub and woodland vegetation types

 - Saltbush community

 - Desert riparian community

 - Riparian and cliff community

Hydric and aquatic

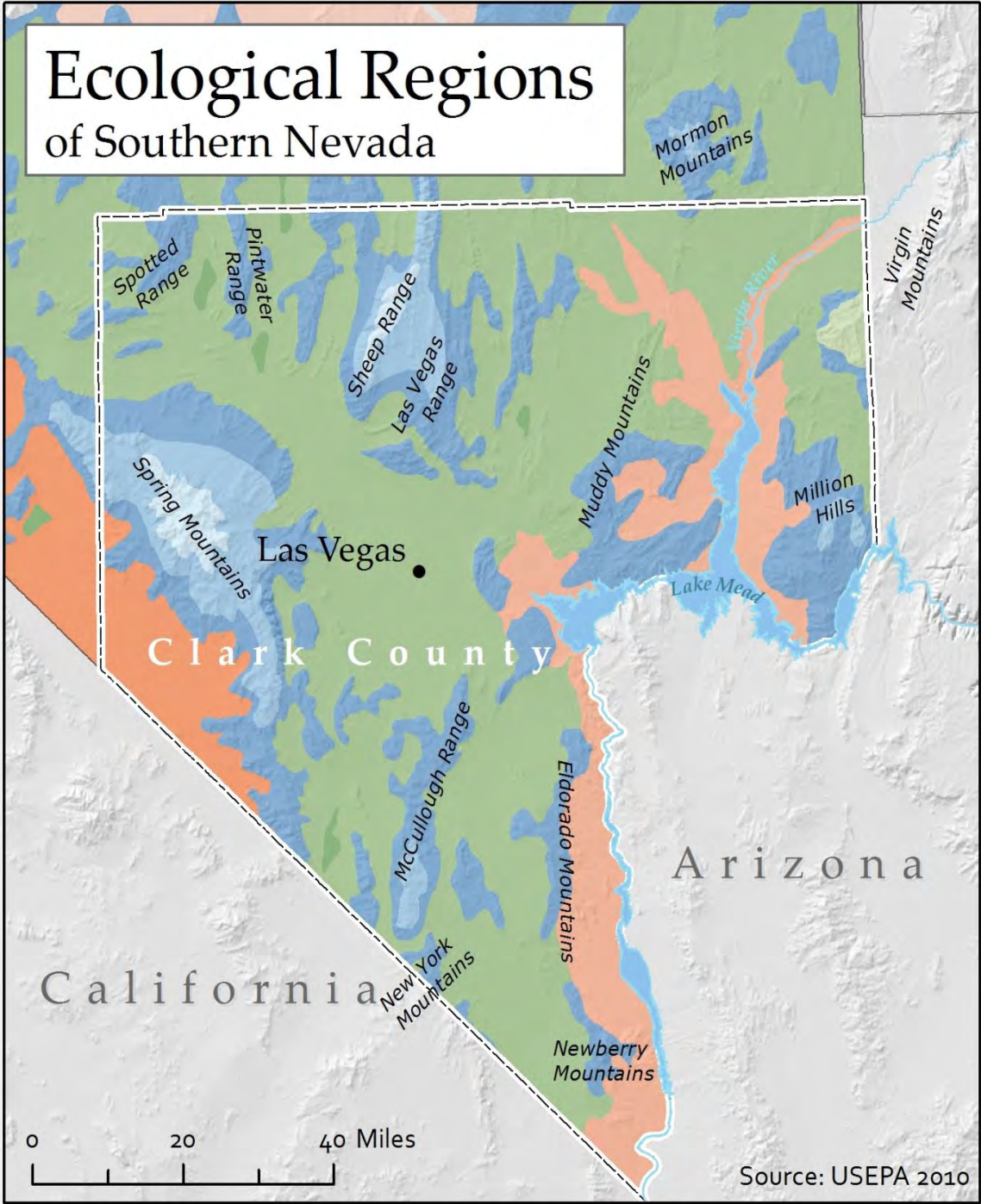
- Desert spring and marsh community
- Stream riparian community
- Stream community
- Lake community

Ascending in elevation, the nine terrestrial vegetation communities of southern Nevada as defined and described by Bradley and Deacon (1967) are:

Creosote bush community in southern Nevada is well developed on the valley floors and lower bajadas between 500 and 4200 feet elevation, and extends up to 5000 feet on arid south-facing slopes and small isolated mountains. The vegetation is dominated by creosote bush (*Larrea dumosa*) and Burro bush (*Franseria dumosa*), commonly found together. Other vegetation commonly found in this community are yuccas, especially the Mohave yucca (*Yucca schidigera*); cacti, including prickly pears and chollas (*Opuntia sp.*); common shrubs such as *Krameria parvifolia*, *Dalea sp.*, and *Ephedra sp.*; and various herbaceous plants, notably composites, mustards, and legumes. Snakes and lizards are abundant, as are bats and certain bird species during spring and fall migrations. Rodents, the desert jackrabbit and the desert cottontail are common, as well as the coyote, kit fox, badger, and bobcat.

Blackbrush community is also widespread, and is best developed in the northern half of Clark County. It covers the upper bajadas, usually between 4200 and 6000 feet, extending down to about 3900 feet on north-facing slopes, and occasionally up to 6500 feet under certain conditions. The vegetation is dominated by blackbrush (*Coleogyne ramosissima*) interspersed with other desert shrubs. Other vegetation commonly found here are Joshua tree (*Yucca brevifolia*), banana yucca (*Yucca baccata*), common shrubs and herbaceous plants also found in the creosote bush community, although grasses are more abundant. Wildlife found here is similar to that in the creosote bush community with the exception of the desert bighorn sheep, which uses the upper elevations in this community heavily.

Saltbush community occurs as a mosaic within stands of the creosote bush and blackbrush communities where it occupies poorly drained soils in areas of standing water after rains. It covers large playas near the middle of mountain basins and small localized depressions. Vegetation is dominated by *Chenopodiaceae sp.* Red molly (*Kochia Americana*) and hop-sage (*Grayia spinosa*) are found in the more saline soils of the lower elevations, although large areas of a playa may be entirely devoid of vegetation when soil is extremely saline. Where some subsurface moisture is available, thick stands of shadscale may be present.



Ecological Regions as Defined by the Environmental Protection Agency

- Amargosa Desert
- Middle Elevation Mountains
- Arid Valleys and Canyonlands
- E. Mojave Low Ranges and Arid Footslopes
- Tonopah Basin
- E. Mojave Mountain Woodland and Shrubland
- Mojave Playas
- E. Mojave High Elevation Mountains
- E. Mojave Basins

Map 3

Desert riparian community occurs along washes from the lowest elevations of the creosote bush community to the middle elevations of the blackbrush community. The desert shrubs commonly found along these washes, including cheese weed (*Hymenoclea salsola*) and snake weed (*Salazoria mexicana*), are largely absent or sparsely distributed in the surrounding communities. Mesquite (*Prosopis juliflora* and *Prosopis pubescens*), cat claw (*Acacia gregii*), and desert willow (*Chilopsis linearis*) are common in the larger washes due to subsurface water.

Juniper-pinyon community, widespread in the southwestern U.S., is found at elevations above 6000 feet in the Spring, Sheep, McCullough, and Virgin mountain ranges. The upper limit of this community in the Spring and Sheep mountain ranges is about 7300 feet, but may occur higher on south-facing slopes, and down as far as 4000 feet in sheltered canyons. The vegetation consists of a coniferous woodland of juniper (especially *Juniperus osteosperma*), piñon pine (*Pinus monophylla*), and sagebrush (*Artemisia tridentata*). This is the zone of the piñon pine harvest, and associated settlements and use areas for Clark County's tribes. Shrubs, small trees, and herbaceous vegetation also occur. Fauna includes birds such as the red-tailed hawk, rock wren, and western bluebird; common mammals are rodents, coyote, gray fox, and bobcat, in addition to deer and desert bighorn sheep.

Fir-pine community is restricted in southern Nevada to the Spring and Sheep mountain ranges and the highest elevations of the Virgin Mountains. It is found from 7500 to 9000 feet, occasionally below 7000 in protected canyons and north-facing slopes, and up to 9500 feet on south-facing slopes. Vegetation is characterized as a white fir (*Abies concolor*), yellow pine (*Pinus ponderosa*) forest, with yellow pine more abundant at lower elevations, and white fir becoming more numerous at upper elevations. Shrubs, small trees and herbaceous vegetation also occur in this community. More birds are present here than in any other terrestrial community of the area, including the golden eagle, red-tailed hawk, and numerous others. Mammals such as bats and rodents are well represented at lower elevations, in addition to the bobcat, gray fox, coyote, mule deer and bighorn sheep. The only common lizard in this relatively cold zone is *Sceloporus graciosus*.

Riparian and cliff community occurs along the upper washes, canyons, cliffs and rimrock areas in the various mountain ranges. The lower elevation limit is at roughly 4,000 feet along the washes that transect the blackbrush community, extending through the juniper-piñon community and into the fir-pine community to elevations of about 8000 feet. A number shrubs and small trees grow in profusion at the lower elevations: *Cowania*, *Falugia*, *Chrysothamnus nauseosus*, and *Rhus trilobata*; and woody plants, such as *Ephedra viridis*, *Yucca baccata*, and *Agave nevadensis*. At the middle to higher elevations, these plants are joined by other shrubs and small trees exemplified by *Cercocarpus*

ledifolius, *Amelanchier utahensis*, *Arctostaphylos pungens*, and *Garrya flavescens*. The birds, mammals and reptiles of the surrounding communities are characteristic of this community as well, with the exception of snakes.

Bristlecone pine community is restricted in southern Nevada to the Spring and Sheep mountain ranges, found from about 9000 feet to timberline (11,500 feet in the Charleston Peak area, at the summit of the Spring Mountain range). Limber pine (*Pinus flexilis*) is abundant at lower elevations, and bristlecone pine (*Pinus aristata*) becomes abundant at the middle to higher elevations and along the higher ridges. Reptiles are absent in this frequently snowbound part of the county; mammals found in the lower vegetation communities occur here seasonally but are not common. *Eutamias palmeri* and *Peromyscus maniculatus* are the only common rodents.

Pseudo-alpine community occupies the area on Charleston Peak above timberline at elevations above 11,500 feet, and similar areas on Hayford and Sheep peaks in the Sheep Mountain range at elevations below 10,000 feet. This community is localized, covers about 1000 acres only, and lacks a distinctive alpine biota. The vegetation consists of a small number of low sprawling shrubs and herbs. A large number of endemic plants are found on Charleston Peak, which is quite isolated from peaks of comparable height and has probably represented a biotic "island" since the early Holocene.

The four hydric/aquatic vegetation communities of southern Nevada as defined and described by Bradley and Deacon (1967) are as follows:

Desert spring and marsh community is found widely scattered in the lower desert areas of southern Nevada. Associated groups of several localized springs occur in the larger valleys, such as Ash Meadows and Moapa valleys, and have been hugely important resource, watering, and camp sites for area tribes. Most of the springs are thermal, and aquatic vegetation is usually present at varying distances from the spring source. Algae and other aquatic plants, such as *Chara* and *Nasturtium*, may nearly fill many of these springs. Sedges, rushes, spike rushes and cattails – all popular materials for basketry and other traditional crafts – populate the small marshes commonly surrounding the spring peripheries. Willow, mesquite, cottonwood, and the invasive salt cedar grow in the vicinity of the springs – also being of great importance in traditional crafts and structures, and as a source of fuel. Other plants that grow well in the highly saline soils are salt grass, iodine bush, and salt bushes. Native fish commonly consist of one species of cyprinid and one cyprinodontid. The tree frog and red spotted toad, as well as rodents, are native to the spring and marsh community but the bullfrog and beaver have been introduced locally. Since 1960, marshes formerly occurring along the Colorado River below Davis Dam – once important hunting and

gathering areas for Mohaves and others – have been eliminated by channel stabilization efforts.

Stream riparian community is found along streams such as the Colorado River and its tributaries, the Muddy and Virgin rivers, and the permanent section of the Meadow Valley Wash. Characteristic streamside vegetation is found along the river banks, and includes willow, cottonwood, salt cedar (invasive), and thickets composed of smaller shrubs and small willows. Sedges, rushes, cattails, and various grasses are abundant. Relict populations of ocotillo and smoke tree occur along the lower Colorado. Frogs and toads are well represented. Small carnivores such as raccoons, skunks and ringtail cats are found along the streams. Other fauna in this community is typical of the surrounding terrestrial communities. The resource richness of these riparian areas, in addition to the abundance of water, made them a center of Native settlement and resource procurement historically.

Stream community is limited in southern Nevada to the Colorado River and its tributaries, the Virgin and Muddy rivers, and Meadow Valley Wash. This community consisted of free flowing permanent streams and rivers within the study area. These communities have been dramatically modified over the course of the 20th century by the construction of the Hoover and Davis dams. Prior to the construction of Davis Dam on the Colorado River, the 14-mile reach below the dam that separates Nevada and Arizona adjusted its course frequently with the erosion and deposition from annual floods. Stabilization work in the 1950s changed the continually shifting channel to a well-defined channel. The numerous and extensive marshy areas that once characterized the lower ten miles of this section have been almost completely eliminated by channel stabilization work. Las Vegas Creek was a tributary of the Colorado River into the 1940s. The creek flowed from its head at Tule Springs through what is today the Henderson Slough, into the Colorado River through Las Vegas Wash. With the development of Las Vegas, this stream and its single native fish population, *Rhinichthys osculus*, became extinct.

Lake community in southern Nevada is restricted to the large reservoirs of lakes Mead and Mohave, and these communities have developed as a result of Hoover and Davis dams. Prior to construction of the dams, the river was extremely swift flowing, heavily silt laden, and highly fluctuating. The river probably contained no fewer than three native fish species in fair quantity throughout the year: *Xyrauchen texanus*, *Gila robusta*, and *Ptychocheilus lucius*, as well as various migratory species. The modern introduction of sport fishes has caused extensive changes in the characteristics of the biota. There is little precedent for the use of these environments among the American Indian communities in Clark County, but some tribal members utilize these lacustrine environments and their margins in response to shifting resource availability, as riverine and riparian environments have been lost due to a variety of human and natural influences over the last century and a half.

The Archaeological Context of Clark County

A Section by Heidi Roberts and Richard Ahlstrom

The human history of Clark County prior to European contact has been reconstructed by archaeologists who employ a combination of anthropological theory and archaeological techniques to understand the past. Archaeological cultures are defined on the basis of their material culture, architecture, and other preserved evidence, and these precontact cultures are difficult to equate to the historic ethnic groups for several reasons. First, the introduction of European diseases resulted in a dramatic population collapse that caused rapid cultural disruptions throughout the New World. In many regions these impacts occurred before the first Europeans arrived to observe and record them. Some introduced diseases, such as malaria and smallpox, had a more dramatic demographic effect on sedentary cultures than on highly mobile groups. Second, archaeologists define precontact cultures on the basis of similarities in material culture and other preserved evidence, yet assemblages of artifacts often do not equate well to ethnic boundaries. For example, projectile point styles are used by archaeologists to distinguish early cultures, yet during the contact period most Native American groups in the region were using a single type of projectile point, no matter their tribal affiliation. Third, anthropologists' own cultural biases affect precontact reconstructions in ways that can be difficult to recognize. An example of this has its roots in the theory of cultural evolution. Turn-of-the-century anthropologists believed cultural evolution was unidirectional, in other words, farming cultures like the prehistoric Pueblos would not have abandoned a settled farming strategy in favor of the mobile forager lifeway of the historic Southern Paiutes. Because these anthropologists believed that culture change was not an explanatory option, they invoked migration theory (in this case, the outmigration of "Virgin Anasazi" Puebloan peoples and territorial reoccupation of Clark County by Paiutes) to account for the cultural disconnects between precontact and historic lifeways. More recent anthropological theory accepts that identities are more fluid, that cultures might experience periods of resource disintensification, and that populations tend to blur on their edges – so that, locally, the descendants of Virgin Anasazi Pueblos could actually include Southern Paiutes instead of, or in addition to, members of other modern tribal communities such as Hopi and Zuni. These unsettled questions are not merely academic, but have significant implications for agency and tribal resource managers seeking to assess cultural

affiliations with archaeological sites and human remains for purposes of compliance and consultation.³

With these questions in mind, this chapter provides a brief description of southern Nevada's "prehistory." Great Basin archaeologists generally believe that Southern Paiute groups migrated into southern Nevada, from the eastern Mojave Desert, after Puebloans abandoned the region sometime after A.D. 1300, though Paiute oral tradition might suggest a longer period of residence. Mohave groups, represented in the archaeological record by buffware pottery, were also living along the Colorado River when the first Europeans arrived. The Mohave culture's strong influence in the region is evident in the Chemehuevi culture, which blends Southern Paiute and Mohave characteristics, as will be discussed later in this document. Mohaves, in turn, are widely accepted to be one of several tribes who are represented by the archaeological "Patayan" cultural tradition, which is conventionally believed to have included other Yuman speakers including Hualapai, Quechan, Maricopa, and others.

The archaeological story of Native American settlement in the region began 11,000 to 11,500 years ago, with the first documented appearance of distinctive, fluted, lance or projectile points. The archaeological record, strictly speaking, continues almost to the present. The culture history of the region can be discussed with reference to a scheme of periods and subperiods that is summarized in Table 2. The archaeologists at HRA, Inc. – principally Richard Ahlstrom and Heidi Roberts - have developed this chronology as a context for their ongoing investigations, in light of the growing archaeological record in southern Nevada (Ahlstrom and Roberts 1999, 2001b; Harper et al 2002; Roberts and Ahlstrom 2000; Roberts et al 2003b). The chronological framework (Table 1) includes four major periods: Paleo-Archaic (10,000–5500 BC), Archaic (5500 BC–AD 500), Puebloan (AD 500–1300), and Post Puebloan (AD 1300–1776). Artifacts used in making temporal assignments include stemmed and fluted (Clovis) points for the Paleo-Archaic, Pinto points for the Middle Archaic, Gypsum points for the Late Archaic, and Rose Springs, Cottonwood, and Desert Side-notched points, as well as potsherds, for the Ceramic period. While our ability to clearly associate archaeological data with living populations is somewhat limited, and especially limited in the earliest phases of this chronology, it is clear that the peoples living in and around Clark County, Nevada at the time of European contact were part of the cultural chronology outlined here. All of the tribes encountered at contact had a considerable, if varied, time depth of occupation in this region.

Table 2: Chronological Sequence for Southern Nevada Archaeological Sites

<i>PERIOD</i>	<i>SUBPERIOD</i>	<i>DATE RANGE</i>	<i>SUBPERIOD</i>	<i>PERIOD</i>
PALEO-ARCHAIC		9500–5500 BC		
	Paleoindian	9500–9000 BC		
	Early Archaic	9200–5500 BC		
ARCHAIC		5500 BC–AD 500		
	Middle	5500–3000 BC		
	Late	3000 BC–300 BC		
<i>Pecos Classification</i>	Terminal (Basketmaker II)	300 BC–AD 500	Moapa phase	<i>Virgin Branch Sequence</i>
PUEBLOAN		AD 500–1300		
	Basketmaker III	AD 500–800	Muddy River phase	
	Puebloan I	AD 800–1000	Lost City phase	
	Puebloan II	AD 1000–1150	Lost City phase	
	Puebloan III	AD 1150–1300	Mesa House phase	
POST PUEBLOAN		AD 1300–1776		

PALEO-ARCHAIC PERIOD (9500–5500 BC)

The Paleo-Archaic period includes the end of the Pleistocene epoch and first several millennia of the Holocene epoch in what is today Clark County. It combines what have generally been termed the Paleoindian and Early Archaic periods. Today, Great Basin archaeologists (Grayson 1993; Schroedl 1991) generally distinguish two artifact traditions within the Paleo-Archaic period: the Fluted Point (Paleoindian) and the Stemmed Point (Lake Mohave) traditions.

The Fluted Point tradition’s most characteristic artifact is the large, distinctive Clovis point. Although fluted points have been recorded throughout the Great Basin, most have been found as isolated artifacts. None of the Great Basin examples has occurred in association with remains of extinct megafauna, as Clovis points in southern Arizona

have. The fluted points from this region are extremely variable in form (Grayson 1993), and only some fit the classic definition of the Clovis point. Little is known about the lifeways of the people who were responsible for the Fluted Point tradition in the Great Basin. In southeastern Arizona, the Clovis tradition can be dated from 9500 to 9000 BC but, in the Great Basin, there is little evidence from which to infer a date.

The Great Basin Stemmed Point tradition was first recognized in the 1930s at sites located on the shores of Pleistocene Lake Mohave, California (Grayson 1993: 239). The sites possessed Lake Mohave and Silver Lake projectile points, as well as other distinctive artifacts called crescents (Warren and Crabtree 1986). Based on 60 years of research at these sites and at others throughout the Great Basin, the Lake Mohave culture can be dated between 11,200 and 7500 years ago, or roughly to 9200–5500 BC (Grayson 1993: 240-241; Warren and Crabtree 1986: 184). This interval overlaps the traditional dating of both the Paleo-Indian and Early Archaic periods. For this reason, archaeologists working in the Great Basin have identified a combined Paleo-Archaic period. As of the 1970s, Stemmed Point sites were known primarily from settings along lake margins. This led some archaeologists to associate them with a marsh- or lake-environment subsistence focus, referred to as the Western Pluvial Lakes tradition (Grayson 1993: 242). With the more recent discovery of Stemmed Point sites in numerous other environmental settings, this term has largely been abandoned (Grayson 1993). Today we know that the makers of stemmed points exploited a diverse array of plant and animal resources at locations throughout the Great Basin.

ARCHAIC PERIOD

The Archaic tradition is characterized by a broad-spectrum adaptation to the animal and plant resources of a Holocene environment, that is, one that resembles the historical and modern-day environment. Jesse Jennings (1957) coined the term Desert Archaic to refer to the Western expression of the American Archaic. His view emphasized the continuity of this hunting-and-gathering adaptation from the Early Archaic period until the adoption of agriculture. In southern Nevada, the earliest clear evidence of this generalized hunting and gathering lifeway does not appear until around 5500 BC, that is, in the Middle Archaic period.

Characteristic artifacts of the Middle and Late Archaic periods include large projectile points that would have been hafted to darts that were propelled using atlatls. Grinding tools appear to be an important part of tool assemblages dating to the Middle Archaic

and Late Archaic assemblages. The Middle Archaic also has been called the Pinto period, in reference to the Pinto point, and the Late Archaic the Gypsum period, in reference to the Gypsum point (Ezzo and Majewski 1995; Warren and Crabtree 1986). These terms reflect the fact that both Pinto and Gypsum points are considered useful Archaic temporal markers (Bettinger et al 1991). The same cannot be said of two other common kinds of dart points, the Humboldt and the Elko (Aikens 1970). These point styles appeared during the Archaic, ca. 3500 BC, and continued in use into the Ceramic period and possibly even the historical period (Blair 1986:16). This late dating of the two point styles serves as evidence that atlatls and darts continued in use after the introduction of the bow and arrow.

MIDDLE ARCHAIC PERIOD (5500-3000 BC)

Several surface assemblages have been reported from southern Nevada that date to the Middle Archaic period. At least half of these sites are located on the Eglington Escarpment and a few more are on Duck Creek. A Middle Archaic, Pinto component was investigated by Susia (Lyneis) in the Tule Springs project area during the 1960s expedition (Susia 1964). Prior to this, Mark Harrington collected Pinto points from Tule Springs (Ezzo and Majewski 1995: 41). Several other sites with Pinto points have been recorded along Duck Creek (Ezzo and Majewski 1995: 41; Rafferty 1984: 133-137). Although no radiocarbon dates were obtained from these sites, they appear to date at least in part to the Middle Archaic period. Two other sites of this period have been investigated, Tarantula Canyon and Alice Hill, north of Las Vegas Valley near Yucca Mountain in Nye County (Buck et al 1998). These sites are artifact scatters that were used over long periods of time; both sites lacked material suitable for radiocarbon dating.

One of the best known Middle-to-Late Archaic sites in southern Nevada is the Corn Creek Dunes site (26CK2605) (Roberts et al 2003a and b; Roberts et al 2007). The Corn Creek site, discovered by Shutler and Haynes during the Tule Springs Project, produced two initial radiocarbon dates (uncalibrated) between 3350 and 2350 BC. As part of further investigations, fieldwork was conducted at the Corn Creek site in December 1962 and January 1963 (Williams and Orlins 1963).

Three different areas of the Corn Creek Dunes site were investigated by Williams and Orlins. Two of the artifact scatters contained a variety of prehistoric ceramics. The third locus was in an area of sand dunes and contained a Middle-to-Late Archaic

temporal component. Surface evidence at this locus included flaked stone tools, lithic debitage, and six hearths. Seven radiocarbon dates obtained from the surface and buried features have combined ranges falling between 4318 and 2302 BC. Although the tool assemblage from the third locus lacked temporally diagnostic projectile points, the radiocarbon dates place the occupation of the locus firmly in the late Middle to early Late Archaic periods. In addition, a Pinto point that presumably dates to the Middle Archaic period was found in the sand dunes surrounding the third locus (Williams and Orlins 1963: 38).

The Harry Reid Center has reported on investigations at two sites with radiocarbon-dated Middle Archaic components. One of these sites, the Flaherty Rockshelter (26CK415), is located several miles north of the Las Vegas Valley on the northwestern edge of the Apex Area. A radiocarbon date from the deposits (4220–3800 BC) suggests that the shelter saw some use during the Middle Archaic period. No Pinto points were recovered from the site, however, and radiocarbon dates and other evidence indicate that it was occupied primarily during the subsequent Late Archaic period (Ahlstrom and Roberts 2001b: 203).

The second Middle Archaic site investigated by the Harry Reid Center is 26CK3799. This site, which was mentioned earlier for its Paleo-Archaic period radiocarbon date, was investigated as part of the Northern Beltway Data Recovery Program. It was located on the Eglington Escarpment, and its environmental setting – scattered dune hummocks with mesquite-dominated vegetation – resembled that of the Corn Creek Dunes site. Site 26CK3799 was a large scatter of artifacts and fire-affected rock clusters that were eroding from the edges of sand dunes. Radiocarbon samples obtained from three features containing ash and charcoal produced dates that fall in the Middle Archaic to early Late Archaic periods. (A fourth feature, with a date in the Paleo-Archaic period, is described above.) Two of the three features were hearths (Feature 8, 2620–2025 BC and Feature 5, 3335–2925 BC), and the third was a discrete area of stained sediment (Feature 20, 5340–4800 BC). All of the features could be identified as small roasting pits. Surface artifacts collected from Feature 20 included two flakes, two cores, a metate-slab, two ground-stone fragments, and a mano fragment (Blair, Winslow, and Wedding 2000: 85). Also deserving mention in this context is an obsidian Pinto point collected from the ground surface at Feature 3.

LATE ARCHAIC PERIOD (3000 BC–300 BC)

Sites with evidence of use during the Late Archaic are somewhat more common than Middle Archaic sites in the region. Southern Nevada's most famous Late Archaic site is Gypsum Cave, the type-site for the Gypsum point. That site is located several miles east of the Las Vegas Valley's northeastern edge. Although Harrington (1933), the site's excavator, thought that Gypsum Cave points were 8000 years old, wood samples recovered in association with the points have produced Late Archaic period radiocarbon dates of 1371–897 and 762–387 BC (Ezzo and Majewski 1995: 43). Gypsum points were also recovered at the Basic site (26CK1098), located in a rockshelter at the northern end of the McCullough Range in southeastern Las Vegas Valley, and a Gypsum point was found at each of two sites on Duck Creek (Brooks et al 1975; Rafferty 1984: 136).

As previously mentioned, the third locus investigated in the 1960s at Corn Creek Dunes has produced a set of seven Middle-to-Late Archaic radiocarbon dates. One of these dates falls entirely within the Late Archaic period (2876–2302 BC). HRA, Inc. obtained a second Late Archaic date (1000–820 BC) from a small roasting pit in the Corn Creek site's Field Station Locus (Roberts et al 2003b). Flaherty Rockshelter, previously mentioned in the context of Middle Archaic sites, produced evidence of an important Late Archaic component (Blair and Wedding 2001; Ahlstrom and Roberts 2001b: 200–203). Ten of the 18 radiocarbon dates from the site fall in the Middle Archaic period. Four of these ten dates cluster in the interval from 1650 to 1105 BC. The other six are spread through the broader interval of 2560 BC to AD 225. The site also yielded a number of dart points of types that are consistent with a Late Archaic date, including Gatecliff, Humboldt, and Elko points.

Late Archaic period radiocarbon dates are available from three sites on the Eglington Escarpment. One of the dates (3335–2305 BC) was from a hearth in an unnumbered site "in a dune area" in Tule Spring Project's Locus 65 (Haynes 1967: Table 6). The second site with Late Archaic dates was the Burnt Rock Mound site (26CK3601), located on and around an ancient spring mound. There are four Late Archaic period dates from this site. Three of these dates (80 BC–AD155, 50 BC–AD 230, and AD 330–625) were derived from samples of charred material recovered from what the excavators interpreted as archaeological contexts (Rager 2001; Seymour and Rager 2001, 2002). The fourth date (AD 390–550), from a burial, overlaps the end of the Late Archaic and beginning of the Early Ceramic period.

The third location on the Eglington Escarpment with a Late Archaic radiocarbon date (AD 92–539) was a large prehistoric campsite known as the Pardee site (26CK3766). The dated sample was from a hearth that was buried 40 to 50 cm below the ground surface (White et al 1989: 48-53). The Pardee site was also occupied during the Ceramic period. Potsherds were recovered from the excavation unit that contained the hearth, but it is not possible to demonstrate an association between the artifacts from Level 5 and a Late Archaic period occupation of this area of the site. Nevertheless, it is likely that some portion of those artifacts do, in fact, date to that period. Additional artifacts recovered from Levels 6 through 8 probably date to that occupation as well, or possibly to an earlier one. Artifacts from Level 5 included 33 chert flakes, three obsidian flakes, three basalt flakes, one ground stone fragment, one possible handstone, and one thin disk bead made from *Olivella* (White et al 1989: 48-53, 88). A second bead of the same kind came from the next higher level. Levels 6 through 8 contained 46 chert flakes and one projectile point fragment. Additional Late Archaic radiocarbon dates have been obtained from a roasting pit in the Muddy Mountains (1915–1309 BC) and from a roasting pit (1047–830 BC) and a hearth (794–3 BC) in the Upper California Wash locality (Blair 1986; Ellis et al 1982, as described in Blair 1986: 40). The dated hearth was part of a site (26CK2130) that included two rockshelters. The feature was found outside the shelters, at a depth of 30 cm below ground surface in a unit that contained numerous flaked lithic artifacts, but no potsherds. Overall, the site produced an artifact assemblage with a low ceramic-to-lithic ratio, relative to other sites investigated in the vicinity (Blair 1986: 87-91). This would suggest that the site saw use in particular during the Archaic (preceramic) period.

TERMINAL ARCHAIC PERIOD (300 BC–AD 500)

A growing body of paleobotanical data indicates that maize agriculture was introduced to the American Southwest more than 3000 years ago, that is, prior to 1000 BC (Huckell 1996:343; Smiley 1994). Available evidence suggests that maize farming may not have arrived on the northwestern periphery of the Southwest until later than in other parts of the region (Geib 1996; Smiley 1994: 176-178). The Moapa phase, defined in the Moapa Valley, is considered a regional variant of Basketmaker II, which was initially defined on the basis of data from the Four Corners area of Utah, Colorado, New Mexico, and Arizona (Lyneis 1995). Several questions should be addressed in assessing the validity of this assignment and, more generally, in determining the “place” of the Moapa phase in Southwestern prehistory. First, is the Moapa phase truly an exemplar of the Early

Agricultural period – that is, does it cover a period of time between the introduction of the two technological innovations of maize farming and pottery making? Based on the existence of spatial variation in archaeological remains that have been called Basketmaker II, Matson has argued that the term is best considered as applying not to a cultural or ethnic group but to a stage of cultural development. The “unitary” aspect of this stage is “the reliance on maize horticulture” (1991: 123). The second question, then, is whether the Moapa phase fits this definition of Basketmaker II as a stage of cultural development. Matson’s comments notwithstanding, the Basketmaker II phenomenon does include some material-culture traits that were shared among different groups living in different places. Thus, although the term may not apply to a cultural or ethnic group, it does appear to represent a valid “archaeological culture.” This raises a third question – does the Moapa phase represent a far-western regional variant of this archaeological culture? Fourth, to when does the phase date and, in particular, when was agriculture introduced to the Moapa and lower Virgin valleys?

Using data from recent excavations conducted by the Harry Reid Center in Black Dog Cave (26CK5686) (Winslow and Blair 2003) and Lyneis (2004) at the Yamashita sites, the first, second and, tentatively, third of these questions can be answered in the affirmative. The fourth question, concerning dating, can be answered with greater confidence than ever before. In sum, the Moapa phase does represent the Early Agricultural period, it possesses material culture traits that place it in the Basketmaker II archaeological culture, and it may reflect a dependence on maize agriculture. With respect to dating, a small suite of radiocarbon dates on samples of maize indicates that people began farming in the Moapa and lower Virgin valleys between AD 100 and 300. Prior to the Black Dog Cave and Yamashita projects, there were few, if any, absolute dates available from Basketmaker II contexts in the Moapa and lower Virgin valleys. Sites were assigned to Basketmaker II on the basis of two criteria – that they possessed evidence of pithouses, but did not contain pottery. These assignments were based on the reasonable, though perhaps not infallible, assumption that aceramic habitation structures are most likely preceramic in age. By the late 1970s, the inventory of such structures included five examples in the lower Virgin Valley and four in the upper Moapa Valley (Winslow and Blair 2003: 100). There appears to have been little solid evidence concerning the lifeways of the people who inhabited these structures. Excavations had also been conducted in Black Dog Cave, though the results of this work were not widely disseminated. As previously stated, the recent excavation of Black Dog Cave has provided a much more detailed picture of the Moapa phase.

Black Dog Cave, which is a true cave and not a rockshelter, is located adjacent to the floodplain of the Muddy River in the upper Moapa Valley. The Harry Reid Center submitted 17 samples from the cave for radiocarbon dating. The dated samples came from three corn cobs, three Basketmaker-style sandals, two figure 8-style sandals, two pieces of woven textile, two basketry fragments, a gourd rind, an agave knife, an axe handle, an S-shaped stick, and a bow (Winslow and Blair 2003: Table 37). Fifteen of the samples produced date ranges that fall entirely or primarily between AD 1 and 550. The other two samples yielded date ranges in the slightly later interval of AD 400–650. These data indicate that the site was extensively used during the Basketmaker II period – assuming that an approximate date of AD 550 for the introduction of ceramics and the beginning of Basketmaker III is accurate (Ezzo and Majewski 1996). The cave was also used, however, during later periods, as indicated by the recovery during the excavations of 582 potsherds, representing pottery types that date from the AD 600s to the 1200s. This later use is not represented in the distribution of radiocarbon date ranges. To some extent, this may be a function of bias toward the selection of Basketmaker II materials for dating. This is suggested, for example, by the dating of three Basketmaker style sandals (Winslow and Blair 2003: Table 37). It also may be a function of a change in how the cave was used, resulting in the deposition of fewer perishable items. One might expect the cave to have retained its function as a storehouse over a long period. This function is suggested by the presence in the cave of storage cists, and it is indicated more directly by the recovery from the cave deposits of “hundreds of individual maize cobs, stems, pieces of husk, florescence, and kernels,” along with more than 1200 specimens of *Cucurbita* (a genus that includes squash, pumpkin, and gourd) (Winslow and Blair 2003: 471, 484).

Radiocarbon dates obtained from samples of maize from Black Dog Cave and the Yamashita sites provide evidence for the introduction of maize farming technology to the Moapa and lower Virgin valleys. The Yamashita sites are located in the lower Moapa Valley and, like Black Dog Cave, overlook the floodplain of the Muddy River. Three maize cobs from Black Dog Cave were dated, as well as two maize samples from the Yamashita sites (Lyneis 2004). As a group, the five dates indicate that people were farming in the Moapa Valley by around AD 300 and, quite possibly, by AD 100.

The cave also yielded large quantities of perishable materials in addition to specimens of maize and cucurbits. Most revealing in the context of the present discussion are the specimens of basketry recovered from the site. As summarized by Winslow and Blair (2003):

[T]he assemblage [of 86 basketry specimens] does represent the western most collection of Basketmaker period basketry to date. Radiocarbon dating of many of the recovered specimens clearly indicates that those submitted were manufactured well within the Basketmaker II period. Comparative analysis of the collection with specimens from the San Juan-Kayenta region were found to be “typical” of the Basketmaker basketry tradition...and we are confident in stating an overall 80 percent correlation in technology, form, and design to basketry recovered from the Basketmaker core area. Although fragmentary, all of the Black Dog Cave coiled pieces and many of the twined specimens exhibit overwhelming similarities to basketry recovered from sites in Sayodneechee Canyon and Marsh Pass, northeastern Arizona...as well as those recovered from the Prayer Rock District...What this actually means, at this early descriptive phase in southern Nevada Basketmaker culture, we do not know. One thing, however, that is certain is [that] the basketry recovered clearly suggests migration into southern Nevada from the core area with continued community ties to the east.

(Winslow and Blair 2003: 241)

This interpretation of the basketry evidence is the basis for the statement made above that the Moapa phase can be considered a regional variant of Basketmaker II defined as an archaeological culture. Also relevant to that statement is Winslow and Blair’s interpretation of the 14 sandals and sandal fragments that were recovered from the site during the excavations of the 1940s. They characterize the twined-sandal assemblage, consisting of three whole specimens and four or five fragments, as “clearly Basketmaker II in type and style” (Winslow and Blair 2003: 315). Small samples of the three whole specimens were submitted for radiocarbon dating, and all produced date ranges in the AD 1–550 period. The sandal assemblage also includes five plain-weave sandals that “are referred to regionally as Figure-8 style and are typically abundant in Great Basin collections” (Winslow and Blair 2003: 316). These sandals are not, in other words, Basketmaker II in style. They do, however, appear to date to more or less the same period as the Basketmaker II-style twined sandals -- the two dated examples produced calibrated ranges of AD 400–570 and AD 410–620.

What is perhaps the most important evidence relating to the Terminal Archaic period in the Las Vegas Valley comes from two sites in Clark County Wetlands Park. Features dating to this period were discovered at the Larder Site and at 26CK1474. Seven storage pits and one hearth from the Larder site date to the Terminal Archaic period. The storage features are unlined pits variously shaped. Macrobotanical and pollen analyses of the storage pits' fill indicate that they were used to cache seeds or pods from mesquite; one contained maize cobs, three contained screwbeans or pods, and two contained saltbush seeds and cactus fruit or pads. Pollen evidence supports the macrobotanical evidence and suggests that two pits may have been used to store maize. Other economic plants that the pollen record suggested may have been stored in the pits include evening primrose, globe mallow, buckwheat, lily, cholla, and prickly pear. No habitation features dating to this period were discovered during the test excavations at the Larder site, and we must assume that habitations were either ephemeral or located elsewhere. One of the three hearth features discovered at the Larder Site dated to the Terminal Archaic period. Overall, the features and artifacts suggest that the Las Vegas Wash's Terminal Archaic residents grew and stored maize at the Larder Site along with mesquite pods and other wild plant species. The site was likely occupied seasonally or perhaps for weeks or months at a time.

The archaeological team from HRA, Inc. excavated a single pithouse dating to the end of this period in Clark County Wetlands Park at Site 26CK1282, the Three Kids Site. The remains of a structure labeled Pithouse Feature 3 were buried more than two meters beneath the historical, though now abandoned, floodplain of Las Vegas Wash. Two samples consisting of charred seeds from the structure's hearth and from a floor or near-floor context produced statistically indistinguishable radiocarbon dates that together yielded a mean date of AD 430-600. No pottery was recovered from floor or lower-fill contexts, suggesting that the structure is preceramic in age. The excavated artifact assemblage included two projectile points that were probably, though not certainly, associated with the structure's use. Both are Rose Springs style arrow points. A particular effort was made to identify evidence of farming through pollen and flotation analysis. No such evidence was recovered. Instead, the samples indicated an emphasis by the pithouse's inhabitants on the exploitation of wetland resources. Though by no means conclusive, the evidence from this structure is consistent with that from the Muddy River and points farther east in indicating the construction of pithouses and the use of the bow-and-arrow in the period before the advent of ceramic technology. And, as mentioned, the lack of cultivated remains may indicate that farming arrived here later than in areas to the northeast and east.

PUEBLOAN PERIOD (AD 500-1300)

The end of the Archaic period was a time of change in Native American lifeways throughout the American Southwest. The manner in which the process of change played out in southern Nevada can be discussed with reference to four categories of archaeological evidence involving the introduction of ceramic technology, the shift from the atlatl-and-dart to the bow-and-arrow, increased investment in habitation structures, and the introduction of agriculture. In the chronology used here, the introduction of ceramic technology to the Las Vegas Valley marks the end of the Archaic period and the beginning of the Ceramic period.

An important beginning point for discussion concerns the timing of the four kinds of change as they occurred in nearby regions. This is particularly true of the prehistoric Puebloan region to the east of southern Nevada, which has provided most of the relevant, dated evidence. The introduction to that region of ceramic technology is a marker for the beginning of the Basketmaker III period. It would appear that pottery making had appeared among Virgin Branch Puebloan groups living in the Moapa Valley of extreme southeastern Nevada and in southwestern Utah by AD 550 (Ezzo 1996; Walling et al 1986). Evidence relating to the bow-and-arrow comes from farther east, on the Rainbow Plateau. The new technology had been adopted there by AD 300–400 and perhaps by AD 200 (Geib and Spurr 2000: 195). Pithouse architecture was well established in that area by AD 200. As noted by Geib and Spurr (2000: 189), “widespread use of [pithouses] on the Colorado Plateau is correlated with the adoption of agriculture.”

Moapa and Virgin Valleys: Virgin Branch Sequence

Two cultural chronologies have been applied to the Early Ceramic period in the Moapa Valley. One of these is the Virgin Branch sequence, a sequence of phases that was developed specifically for use in the Moapa and Virgin River valleys. The other chronology is the sequence of periods referred to as the Pecos Classification, which was developed for use in the Puebloan, or Anasazi, region of northeastern Arizona, northwestern New Mexico, southwestern Colorado, and southeastern Utah. The two sequences can be correlated more or less as follows: the preceramic Moapa phase compares to Basketmaker II; the Muddy River phase to Basketmaker III; the Lost City phase to Pueblo I–Pueblo II; and the Mesa House phase to early Pueblo III (Ezzo and Majewski 1996). Arguments can be made for and against the use of both of these

chronological sequences. A limitation that they share is the incomplete identification of diagnostic traits that can be used to assign a particular site or site component to one or another phase or period. Although we see no strong basis for choosing one chronology over the other, we have opted to use the terminology of the Virgin Branch sequence because of the emphasis it places on local developments.

Highlights of the Virgin Branch sequence include the continued use of the atlatl, commencement of maize farming, occupation of pithouses in the Moapa phase (discussed above), adoption of ceramics and the bow-and-arrow in the Muddy River phase, and introduction of surface structures in the Lost City phase. Population peaked and settlements reached their largest size during the Lost City phase. Geographical expansion of the Virgin Branch settlements into the Las Vegas Valley occurred during this phase. Population apparently declined in the Mesa House phase, and, with the end of this phase, a Virgin Branch cultural tradition is no longer recognized in southern Nevada. Ezzo and Majewski (1996) summarize the information that is available on each of the phases, including the inventory of recorded sites. Additional details are to be found in reports and publications by Lyneis (1992, 1995), Lyneis et al (1989), and Shutler (1961). Recently, Roberts and Ahlstrom (2012) suggested that a population push north by Patayan groups and the collapse of the Puebloan system in the 13th century may have caused disruptions to the region's trade networks and eastward migration by the Virgin Puebloans.

Puebloan Period sites in and near the Las Vegas Valley contain small assemblages of locally made grayware pottery, as well as trade wares from the Moapa and Virgin valleys. However, habitation and storage structures are less substantial, and wild plants such as mesquite and agave continue in importance. A few excavated sites in the Las Vegas Valley can be assigned to one or more of the three periods on the basis of radiocarbon dates (Ahlstrom et al 2004).

POST PUEBLOAN PERIOD (AD 1300-1776)

Two cultural traditions can be recognized in southern Nevada during the Post Puebloan period. One of these, the Patayan ceramic tradition, first appeared in the region during the preceding Virgin Branch period. The second cultural tradition is that of the Southern Paiute, who inhabited southern Nevada in the early historical period (Kelly and Fowler 1986). The time depth of their presence in the region is a subject of continuing debate among archaeologists. Discussion revolves around the question of

whether the Southern Paiutes who inhabited the region during the early historical period were the descendants of the region's precontact inhabitants or people who came to the area near the end of the Virgin Branch cultural sequence.

While the Southern Paiute people have been characterized in the literature as primarily mobile hunter gatherers, recent archaeological and ethnohistoric research suggests that farming played an important role in the Southern Paiute economy (Fowler 2010). Storage pits at the Larder Site in Clark County Wetlands Park contain evidence that maize was stored there continuously for 2,000 years, and both maize and squash have been collected from archaeological sites in southern Nevada that postdate AD 1300 (Roberts 2011; Gilreath 2011). Roberts and Ahlstrom (2010) have characterized the subsistence strategy of Las Vegas Valley's Post Puebloan occupants as highly mobile farmers. This pattern is also evident in the eastern portions of the study area, which were formerly occupied by Virgin Puebloan groups.

Archaeological sites dating to this period are typically small rockshelters or open artifact scatters associated with hearths, small roasting pits, or large agave roasting mounds. Many of the rockshelters contain mixed assemblages of gray, buff, and brown ware pottery, which confuses determination of cultural affiliation. Projectile points are also not much help in assigning cultural affiliation since Desert Side-notched points were used throughout the Southwest, California, and the Great Basin regions. Basketry recovered from the dry rockshelters consists of twinned and coiled types, and continuity is also evident in plain weave sandals and other artifact forms such as sheep horn spoons (Fowler 1994; Roberts 2012).

The Patayan II (AD 1000–1500) period has been defined with reference to the Patayan ceramic tradition, consisting specifically of Lower Colorado River Buffware pottery. According to Seymour (1997:144), makers of Patayan ceramics lived in the Las Vegas Valley during the Patayan II period. He suggests they focused their settlement along Las Vegas and Duck Creek washes, relying for subsistence on mesquite trees, and also farming there (Seymour 1997:146).

As Stewart (1983: 55) has noted, "The core and most heavily populated part of the Mohave territory in precontact times was the Mohave Valley, where no other tribe has ever been reported." Similarly, the available evidence indicates that only groups that spoke other languages of the Yuman family inhabited the Lower Colorado River Valley to the south of the Mohaves. On this basis, the complex of archaeological traits that has

been identified for the Ceramic period in this region can be referred to as “Yuman.” A more complex situation arises, however, when one includes the desert areas that abut the Colorado River Valley. In these areas the archaeological trait complex blends with complexes that belong to the ancestors of groups that do not speak Yuman languages. These include the Cahuilla in southeastern California, the Chemehuevi and Southern Paiute in southern Nevada and the adjacent portion of California, and the Hia C-ed O’odham in southwestern Arizona. In this broader spatial context, the more language-neutral term “Patayan” becomes useful.

Whether referred to as Yuman or Patayan, the archaeological trait complex, or “archaeological culture,” of the Ceramic period can be defined as including several elements. One of these is the presence of buffware and, particularly in desert areas away from the Colorado River, brownware pottery. Other elements conform to Hayden’s (1965: 272) definition of a “fragile pattern area,” consisting of “any archaeological area in which man’s material remains lie without depth upon an existing natural surface.” These traits include surface scatters of potsherds and other artifacts, rock-ring and cleared-circle features, trails and related “trail-shrine” features, and geoglyphs or intaglios. All these categories of evidence are found primarily in upland areas, particularly where desert pavement covers the ground surface, and not in floodplain settings. More localized but nevertheless important evidence consists of rock-alignment fish traps that have been identified around Lake Cahuilla, and ground stone artifact procurement and manufacture sites. A particularly large example of the latter site type has been recorded north of the Mohave Valley and east of the Colorado River. This site, known as the Big Bend Quarry, covers an area of more than 35 square miles on the alluvial fans that slope down to the river from the Black Mountains. Several thousand metates, or metate preforms, were produced on this site through “macro-flaking” numerous boulders of very finely vesicular andesite that are found scattered across the landscape (Johnson 1984; Huckell 1986). Although the site is essentially undated, a substantial portion of the activity that it represents almost certainly relates to the Ceramic period.

What is missing from this Ceramic period trait complex is evidence of habitation sites and habitation structures that would have been located on the floodplain of the Colorado River and its major tributaries. Such sites generally provide the most valuable archaeological evidence for dating past events and reconstructing past lifeways. There are good reasons for this lack of evidence, including periodic destruction and burial by the Colorado River, a dispersed settlement pattern that makes sites more difficult to

identify, inundation of large floodplain areas under reservoirs whose creation did not entail extensive archaeological salvage investigations, and a scarcity of major construction projects on the floodplain that could have led to the discovery of buried archaeological sites. One outcome of this history is the fact that not a single habitation structure has been excavated along the Lower Colorado River from Hoover Dam to the Gulf of Mexico. A second is the necessity to project lifeway patterns identified during the historical period into the preceding Ceramic period.

The Tribes of the Clark County Region at Contact

As the archaeological and ethnographic records make quite clear, Clark County sat at a contact point – not only between tribes, but between larger cultural provinces centered on the Great Basin and Colorado River. Indeed, in early attempts to map ethnographic regions of North America, scholars such as Kroeber identified the divide between “Great Basin” and “Southwest” culture areas as being along a boundary that transected Clark County – between the Paiutes and Shoshones whose traditional lands spread largely northward from this point and the Mohave, Hualapai and their kin centered on the Colorado (e.g., Kroeber 1920). And while classic ethnographic treatments of tribes and their relationships with the land suggest a somewhat static picture, the preceding archaeological review makes it clear that there was considerable variation in tribal distribution and land use over time along these boundaries. To be sure, the study area was a place of great cultural diversity. The question of traditional tribal associations with lands and resources – so critical to agencies seeking to engage in tribal consultation and compliance – is not always easy to discern in this context.

Simultaneously, the matter of tribal associations with lands and resources is made additionally complex by the many connections between these tribal populations before, during, and after European contact. While the region was diverse, the tribes of the region, in general, commonly lacked distinct boundaries, socially or geographically. Between bands and tribes there was, as Isabel Kelly put it, “considerable interplay and intervisiting” (in Park et al 1938: 634). The tribes of what is today Clark County intermarried and freely exchanged ideas with bands and tribes living in all directions. These exchanges both reflected and sustained a type of cultural and economic flexibility that confounded early attempts to neatly classify Paiute and Shoshone cultural traditions in particular, due to what Kroeber lamented as a “meagerness of defined patterns” (Kroeber 1939: 42). The trails through the Great Basin were like highways, linking peoples who shared ideas, values, and material culture to the north. The Colorado River, meanwhile, was a highway of its own kind, allowing a lively trade of ideas and economic products, from agricultural produce to minerals, and metal tools to ceremonial items (e.g. Drucker 1941).⁴

There is some foundation for the assertion of shared origins between many of the tribes of the region. Groups that appear to be separate today may have been single populations in past times. While groups that are unified today are often made up of what were once variegated populations. Thus, there may be some truth to the claim by

Stoffle and Zedeño (2001a: 229) that, for example, “the Paiutes are Hopi, and the Hualapai are Paiute” due to historical associations between all of these groups. The Southern Paiute in particular, whose traditional territories constituted a large portion of what is today Clark County, sat at the interface between large and influential neighbors to the northwest (Western Shoshone), southeast (Mohave), and east (Hualapai). The ethnographic and historical record make it clear that intermarriage and cultural borrowing occurred in each of these directions, so that it would be erroneous to suggest sharp boundaries existed – socially or territorially – between these groups. These tribes’ shared experiences with American reoccupation and their social integration over the last two centuries has arguably given them even more commonality (Hanes 1982).

When European peoples came to the Americas, they brought with them certain assumptions about the concept of the nation-state which were applied to these dynamic and interdependent tribal communities. EuroAmerican efforts to designate discrete nations from the myriad tribal communities they encountered were often ill founded. As will be discussed in later sections of this document, early Indian agents struggled to define the tribes in their jurisdictions, often dispensing with national labels (e.g., “Southern Paiute” or “Western Shoshone”), and building their original administrative structure instead around named bands, as this level of social organization was in many ways more salient (Steward 1938). However, efforts to define discrete nations lies at the heart of United States legal traditions regarding American Indians, and shapes the context of modern Indian law, as well as federal consultation and compliance responsibilities. The tidy definition of cultural areas, or even tribal territories, is problematic at best in light of the nature of contact-period tribal life. The cartographic convention of large, contiguous, and exclusive national territories surrounded by neat boundaries is in many ways a European invention, and it is important to remember that tribal territories more commonly existed as constellations of culturally significant lands and resources that intersected with, and sometimes even overlapped with, the interests of neighboring communities with a variety of relationships to one another. Still, in the interest of supporting both tribal and agency interests, it is necessary to make some generalizations about tribal territories and associations that meaningfully intersect with the territorial assumptions manifested in federal laws, policies, and regulations pertaining to American Indian resources as we do in this document (Wilkinson 2005; Wallace 2002; Buckley 1989).

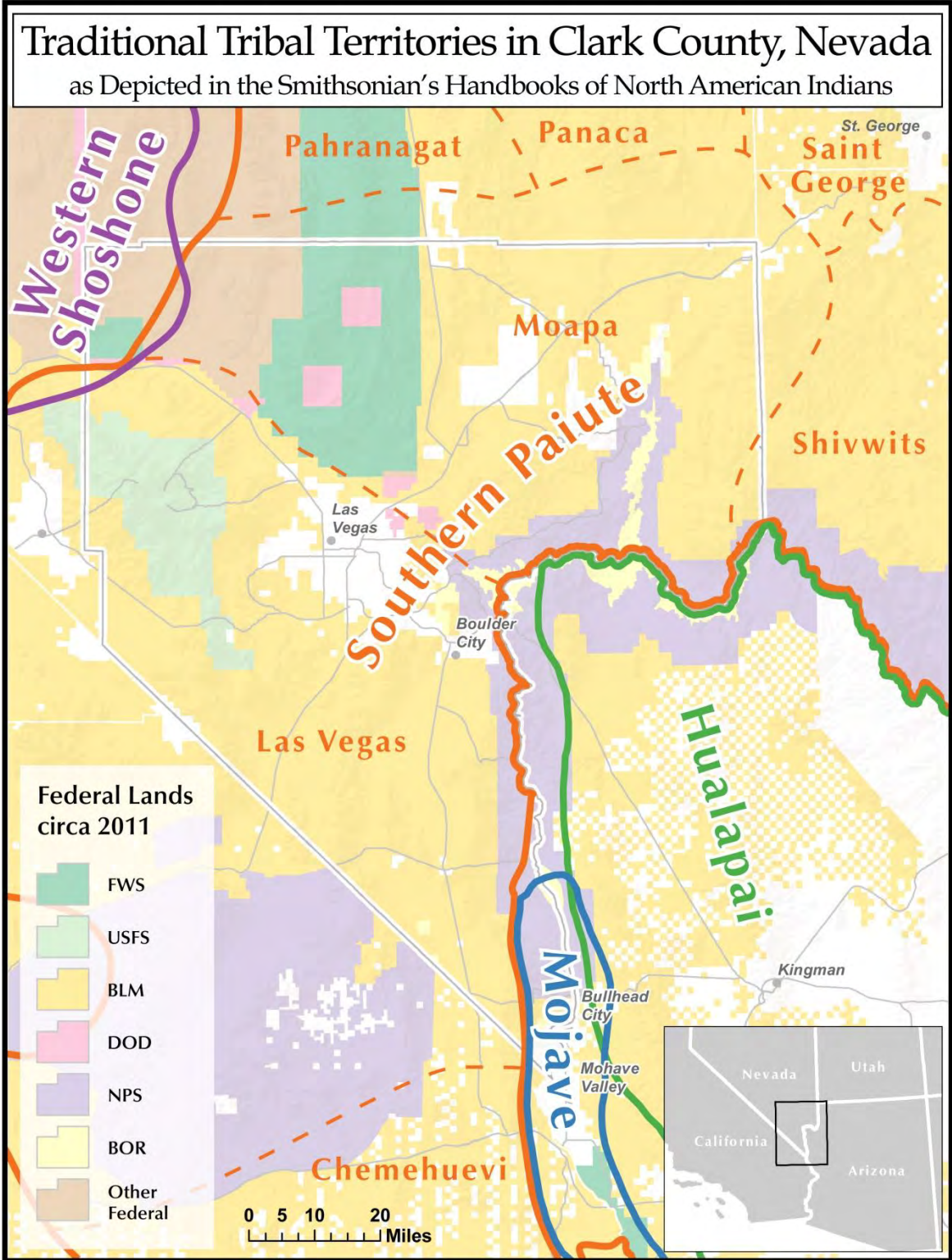
With this in mind, the section that follows shall provide summaries – necessarily brief – of the major ethnolinguistic groups with the most direct ties to the study area as they

are described for the contact period, with a particular emphasis on their associations with lands and resources at the time of European contact. The emphasis in these summaries is on those facets of cultural tradition that might have a bearing on future consultation and compliance related to the National Historic Preservation Act, NAGPRA, and a range of other cultural laws and policies (see Appendices). Again, these summaries are not written to be the final word on any one tribe, but to set the stage for discussion presented later in this document of the transformation of these contact-era tribal communities into the formally and legally defined American Indian tribes of the modern day. We present this information in the hope that it will bring some welcome clarity to the foundation for claims of traditional territorial affiliation with particular lands and resources in Clark County.

The narrative begins with one particularly problematic map (Map 4). This map juxtaposes the traditional contact-period territories of all area tribes, as depicted in the Smithsonian Institution's authoritative *Handbook of North American Indians*, with the distribution of modern public lands in Clark County. In the most general terms, the Handbook suggests that Clark County was largely Southern Paiute territory, divided largely between Las Vegas band territories in the southwest and Moapa band territories in the northeast (and a sliver of Shivwits territory to the far east), with small areas claimed by the Western Shoshone and Mohave in the northwest and southern corners of the county respectively. Though the Smithsonian Handbook series is authoritative, and arguably reflects the most widely accepted distillation of ethnographic information available, there are anomalies on these maps that will receive additional comment in the pages that follow. In some places, such as along the Colorado River, the boundaries do not meet; elsewhere, most noticeably in the Paiute-Shoshone borderlands, they overlap. But perhaps more important, these boundaries are still contested by tribal cultural specialists, as well as anthropologists, archaeologists, historians, and others. The details of these boundaries and how they have been established will be given additional attention in the pages that follow.

SOUTHERN PAIUTE

The Southern Paiute commonly use the term *Nuwuvi* in reference to themselves, though traditional terms include *Ninwin*, *Niwiwi*, *Nuwuvi*, *Nuwu*, and *Niwi*, reflecting the



Map 4

dialectical diversity of the language (Stoffle and Zedeno 2001; Kelly 1934). Historical maps and ethnographic sources are fairly consistent in depicting the Las Vegas Basin and, indeed, the vast majority of the county as being Southern Paiute territory (Euler 1972, 1966; Kelly 1934). The overall 19th century distribution of Southern Paiutes was summarized with fair consistency by a number of observers, such as in this 1869 account of Indian agent Reuben Fenton:

According to the best information, this tribe, the Pi-Utes, number from two thousand five hundred to three thousand. Their range extends north to the Beaver, south to Fort Mojave, east to the Little Colorado and San Francisco Mountains, and on the west through the southern part of Nevada as far as the California line; lying in portions of Utah, Arizona, and Nevada, the larger portion living in Nevada.
(Fenton 1869: 203)

Yet, as historians, anthropologists, Indian agents and tribal cultural specialists alike, attest, “some frontiers of the Paiute cannot be delineated with any certainty” (Euler 1966: 311). Similarly, Manners concluded that “Southern Paiute ‘boundaries’ were, at best, fluid,” adapting to the practicalities of resource availability and intertribal relations (Manners 1974a: 228). Moreover, there is considerable variation on the location of band claims within the study area, as shall be addressed in the pages that follow.

If there was one portion of the Southern Paiute boundary that is indisputable, it is the Colorado River, an imposing landmark, which presented as concrete a territorial boundary as could be found in the Paiute world. As Dobyns noted in Indian Claims Commission testimony, “[Southern] Paiute have rather uniformly testified that the Colorado River formed their mutual conceptual and land use frontier with the Hualapais.” Use of the Colorado River was quite challenging along much of its length, with long sections being all but inaccessible by land. As Dobyns (1974: 50) noted, “there simply were not many places where Hualapais and especially Southern Paiutes could descend from the high plateaus to the river, and fewer where the stream could be readily forded.” Still, even that boundary was at times fluid. Occasional Paiute use of the opposite bank of the Colorado is suggested by a number of sources, just as occasional Hualapai use of the Clark County side of the river is mentioned in some accounts (e.g. Euler 1966: 75-76, 105; Dobyns 1974). The Southern Paiutes and Hualapais traversed the Colorado and “traded and visited, sometimes staying long

enough to do a little hunting or gathering” (Dobyns 1974: 52). This Paiute use of the opposite bank of the Colorado intensified during the chaos and interethnic violence of the 19th century, as some Paiute families escaped to the opposite bank and into the traditional territories of the Hualapai and other nearby groups.⁵

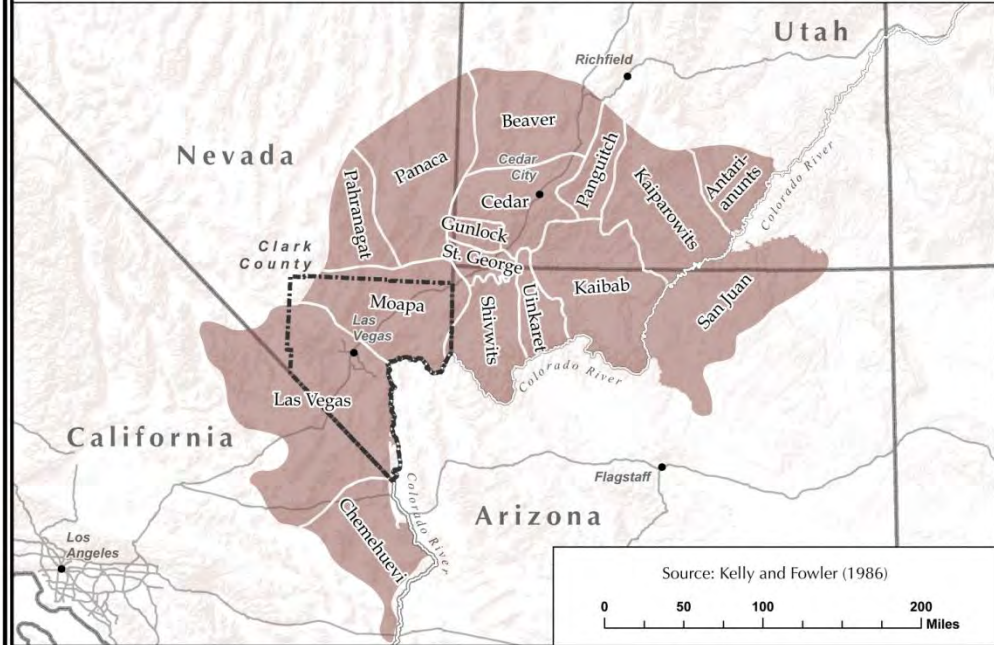
Though not without its detractors, the geographical work of Isabel Kelly on Southern Paiute band distribution still serves as the standard against which all other maps must be compared (Kelly 1934; Kelly and Fowler 1986).⁶ Her work is the foundation of the *Handbook of North American Indians* map of Southern Paiute distribution, and the top image on Map 5 reflects her influential contribution (Kelly and Fowler 1986). Indeed, there is a great wealth of material on the broader theme of traditional Southern Paiute uses and occupation of the study area that remains unpublished in the notes of Isabel Kelly – perhaps representing the most important single source on the topic. These critical materials are being compiled, edited, and annotated by Catherine Fowler concurrently with the completion of this report under a separately funded SNPLMA project. As the two reports are meant to be complementary, the current document provides only a very basic summary of traditional land and resource use patterns, recognizing that the Fowler document will provide an authoritative statement.

Prior to the arrival of Mormon settlers in the late 1840s, Southern Paiutes occupied almost all the fertile valleys and oases in significant portions of southwestern Utah, southern Nevada, northwestern Arizona, and portions of southwestern California, except along the Colorado River where lands and resources were often shared with adjacent tribes. The Southern Paiutes had established stable communities, each occupied by extended families – “bands” for our purposes here – and surrounded by small farms. These bands utilized a predictable constellation of resource sites, but maintained recurrent residence in at least one fixed settlement, centered on predictable waterways such as springs, rivers and streams.

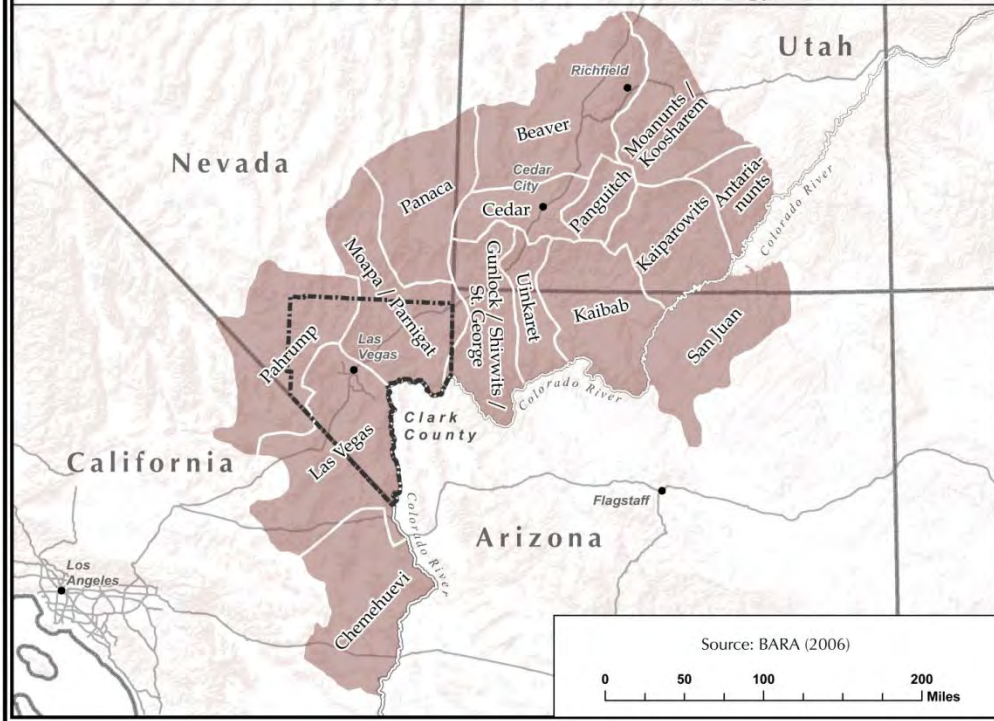
The Southern Paiute possessed strong cultural ties to Utes and Shoshones to their northeast and northwest respectively, while also sharing strong ties to Mohaves and Huapalais to their south and east. Sharing kinship, social, and economic ties, certain aspects of Southern Paiute culture were almost indistinguishable from proximate members of these other tribes, to the extent that even expert chroniclers have disagreed as to the affiliation of bands living at the boundaries. Moreover, these tribes shared access rights to many places and resources where their boundaries met (Kelly 1964, 1934; O.C. Stewart 1966, 1965, 1942; Steward 1941, 1939, 1938, 1937b). As with

Southern Paiute Band Territories

As shown in the Handbook of North American Indians



As shown in recent works by the University of Arizona's Bureau of Applied Research in Anthropology



Map 5

neighboring tribes, long distance trading expeditions were common with expeditions traveling to the Pacific Ocean, the Puebloan tribes, and lands as far south as Mexico. Southern Paiute subsistence was based in no small part on the seasonal availability of plant and animal resources, and necessitated a high degree of mobility. Movements between resource areas were patterned and largely predictable, following the seasonal availability of resources within defined territories. Seasonal rounds varied by habitat, linking high and low elevation areas where specialized resource procurement was possible. There is considerable evidence of Southern Paiute band ownership of hunting territory, waterways with fishing sites, and productive piñon nut gathering areas, while families or individuals made claims within these band territories. Springs were also sometimes treated as property, with cold springs and hot springs having slightly different conventions reflecting their distinct uses (Stewart 1942). Territorial claims were not inflexible, and groups tolerated the use of resources by neighboring groups who came “visiting,” especially at productive resource sites close to territorial boundaries (Kelly and Fowler 1986: 380).

Habitat variegation and abundance in upland and well-watered locations created particularly important centers of specialized resource procurement and social activity (Bergin 1982). For most of the Southern Paiutes of the study area, the single-leaf piñon pine nut was a primary plant food and has been traditionally gathered in the Spring Mountains, where they were said to be especially flavorful and abundant, but also atop the Virgin, New York, Sheep, Newberry and other mountain ridges, where bands and families have maintained territorial claims to particular groves.⁷ Paiute pine nut gathering involved both the transportation of pine nuts to lowland settlements as well as the caching of pine nuts in montane areas for later use. When Lowie attempted to conduct research among the Moapa in the early 20th century, he had to work around the pine nut harvests, “Pine-nuts were and are used to a considerable extent. Practically all the Moapa left for a pine-nutting expedition in the middle of September, 1915, and did not expect to return before some time in October” (Lowie 1924a: 201). Specialized montane plant food harvests continued through late summer, before returning to lowlands to gather mesquite and prepare for winter.⁸

Agave (*Agave utahensis*) was a staple second only to pine nuts – available year round and at intermediate to lower elevations, and closer to winter village sites. The roasted base of this plant was consumed widely, and agave roasting pits continue to be widespread in many portions of the study area. Indeed, there has been some

suggestion that agave abundance is a predictor of archaeological resources associated with food procurement, such as mescal pits, and may be a good predictor of human occupation generally due to their high level of cultural significance among the Southern Paiute and neighboring tribes (e.g. Shutler and Shutler 1962; Rafferty 1984).

A tradition of mescal gathering and roasting in mountainous areas was shared by all tribes with ties to the study area, but especially by the Southern Paiutes. Meanwhile screwbean and mesquite bean groves were harvested in lowland areas and were traditionally owned by families (Shutler 1961: 69). A diverse assortment of other plant foods have been utilized in this region - roots, berries, and seeds of various flowering plants and grasses which were gathered in abundance. Medicinal plants were also the focus of specialized harvests, with many of the most prized being found in atypical environments, including but not limited to montane and riparian areas, that were visited specifically for the purpose of plant gathering or coincident with the larger seasonal round (see Stoffle, Halmo and Evans 1999; Fowler 1972).

The Southern Paiute have employed diverse and ingenious methods for small game hunting, mainly rabbits (commonly hunted in drives), gophers and an assortment of other rodents, as well as birds, chuckwallas, tortoises, snakes, lizards, and insects. The gathering and consumption of bird eggs and embryos, as well as nestlings, was also reported in riparian areas and other nesting sites. Large game animals, primarily deer and desert bighorn sheep, were less abundant but also hunted in riparian areas and other advantageous locations throughout the study area, often involving groups of men driving game toward blinds. The Moapa reported that deer were less abundant in their territory, but it is also clear that deer distributions were in flux prior to Anglo-American settlement (Kelly 1934). Eagles, hawks, and other species were gathered for ceremonial purposes. Rights to hunting areas may have been effectively inherited down the paternal line in the study area (and in some families, may still be inherited in this manner) with claims to particular areas being encoded in songs. Certain ritual protocols have traditionally guided hunting practices with, for example, boys sharing their game with their community. As is common among Paiute communities, shamanic intervention has traditionally been part of the hunt of the Southern Paiute of what is today Clark County, involving dreaming of game locations, efforts to influence game movement, the placement of offerings to spiritual beings, and the like, as well as group ritual activities toward these ends (Laird 1976: 11 ff.; O. Stewart 1942; Kelly 1964; 1939, 1936, 1934).

The Southern Paiutes were somewhat unique among Great Basin tribes in their reliance on agriculture, including the cultivation of maize, squash, melons, gourds, beans, cowpeas, winter wheat, and certain cultivated grasses, similar to Puebloan peoples, Mohaves, and other agriculturalists of the Southwest (Fowler and Fowler 1981; Steward 1938). Other plants were cultivated for purposes other than subsistence, such as Devil's claw, which was used widely in basketry. Old World crops also were part of the agricultural repertoire of Southern Paiutes at the time of direct European contact, such as winter wheat, watermelon and mush melon, apparently diffusing through Mexico. Agricultural practices were well-established in the Colorado Plateau Southern Paiute bands, but some suggest that agriculture appears to have been still in the process of diffusing to other Paiute bands at the time of contact (Sapir 1924a: 200).⁹ Especially among the Chemehuevi, floodplain farming and irrigation was common, but elements of these practices were found more broadly. These agricultural practices persisted with few scheduling conflicts alongside wild food harvests, as elderly members of the community often stayed behind to tend gardens.

The resulting Southern Paiute farm settlements, though often small, were impressive and were often termed *rancherías* by chroniclers who encountered them in the 19th century. Arriving in what appears to be a temporarily unoccupied Southern Paiute settlement in 1866, Nevada State Superintendent of Public Instruction, Reverend A.F. White, provided a rich account of the food production apparent at one of these settlements near Las Vegas,

About eighty five miles from Death Valley we found the first indication of cultivation. Surrounding a large spring at the base of a snow capped mountain were perhaps a hundred acres of arable land which from appearances had been tilled last year. Wheat stubble, stalks of corn of the broom corn and stems of the sunflower were still standing. Dried squash vines were matted over the ground in places. There were two varieties, one of which we ascertained produced squashes which often weighed twenty five or thirty pounds and were very delicious and nutritive. The smaller variety had a hard gourd like shell and a bitter flavour. The Indians eat the seeds and also the seeds of the sunflower and of the broom corn. Near their huts or sleeping places we found bones of the mountain sheep and of the antelope. Also the shells of the tortoise. The bones which we saw were all of the largest size which belongs to the animals named. We afterwards learned that the smaller and more tender bones were crushed between stones into a kind of coarse powder and eaten. A few wild grape vines and a small space thickly set with cane grass for arrows completed the remnant of Indian husbandry in that neighborhood.

We saw no Indians at this place although the tracks were fresh and abundant. Very much the same indications of previous cultivation were apparent at two other points, one south from the springs above names twenty five miles and the other in the same direction fifty miles.
(A.F. White 1866)

Though White's measurements of distance are slightly inaccurate, this appears to refer to settlements near the base of Spring Mountains, suggesting a rich mixed economy for the people of this region on the eve of EuroAmerican reoccupation.¹⁰

The Southern Paiute have shared a strong reverence for Spring Mountains/Charleston Peak, which is widely acknowledged as a creation site, a place of concentrated power or *puha*, as well as a traditional settlement area and place for the harvesting of unique resources, including some of the largest and most valued piñon nut groves to be found in the region (Spoon et al 2011; Stoffle, Arnold, Van Vlack, Eddy and Cornelius 2009; Stoffle et al 2004; Stoffle and Zedeño 2001). Kroeber (1925: 596) referred to Charleston Peak as "the most famous place in the mythology of both the Chemehuevi and the western bands of the Southern Paiute."

Spiritual power is said to be available from the landscape, and spread unevenly between different landmarks, such as mountain peaks, caves, or springs (Stoffle and Zedeño 2001a, 2001b; Laird 1976; Kelly 1939; Harrington 1933). The significance of these places was established and continues to be encoded through rich oral traditions and songs that link spiritual powers and cultural knowledge to particular landmarks. This corpus of oral tradition is so vast, and of such importance in understanding Paiute connections to the landscape, that an entire report could be written on that topic alone, and it is only addressed superficially here. Certain landmarks, especially in mountainous areas such as the Spring Mountains and Sheep Range are traditionally understood to be wellsprings of certain types of spiritual powers, often guarded by spirit beings that might punish irreverence but grant access to those who are spiritually prepared (Spoon et al 2011; Stoffle et al 2004; Stoffle and Zedeño 2001b, 2002). These uniquely powerful features are linked, so that the alignments between them are also powerful and aligned with "puha trails" – pathways of power with their own geographies – linking prominent and powerful ceremonial landmarks. Ritual use of these landmarks for spirit quests was reported well into the 20th century in published sources (e.g., Kelly 1939: 161), and tribal members attest that these practices still persist to some degree among Southern Paiutes today. Ritual powers and guardians are

associated with particular locations, and are often revealed in dreams. Sometimes spiritual practitioners visiting these sites traditionally leave offerings for spiritual beings and powers that are focused at the site (Laird 1976; Harrington 1933:325; Stoffle various).

Traditionally shamans who visited these places were said to gain the power to heal, to control natural phenomena, or influence the movements of game, for example. A Southern Paiute shaman sought power through dreams, sometimes spending a night alone in one of several caves. A number of other spirit caves have been reported in the Las Vegas region, most with ambiguous provenience (e.g. Laird 1984: 20, 1976: 132-33). Many of these are associated with petroglyph and pictograph sites associated with the spirit quests and associated powers said to be found at these places, and these places continue to be of profound significance to many tribal members (Martineau 1992).¹¹ Gypsum Cave is renowned for this use (Kelly 1939: 161). Indeed, the two foremost centers of shamanistic activity that appear in archival and published accounts are Spring Mountains and Gypsum Cave, “If shamanistic power did not come unsolicited, it could be acquired by visiting Gypsum Cave (Pua’rinkan, doctor cave), in Vegas territory” (Kelly 1936: 129). Likewise, certain landmarks in the Spring Mountains were said to be wellsprings of shamanistic powers, “There were many doctors around Charleston Peak” (Kelly 1936: 134). As with spirit caves, peaks of unique spiritual importance are mentioned throughout the study area, often with ambiguous provenience, though it is clear that most of the major ranges have contained spiritual sites of this type (e.g. Laird 1984, 1976, 1941).

The Cry Ceremony shared by Southern Paiutes, related to a ritual geography in which the souls of the departed could be ushered safely to the afterlife – a practice that has been incorporated into contemporary funeral events (Stoffle et al 2000; Sapir 1912, 1910). As will be addressed in later pages, song cycles including the Salt Song tradition have played an important role in codifying the spiritual attributes of the landscape and in ushering the dead to the afterlife (Klasky 1999, 1998; Laird 1976; Kelly 1939, 1936). Cremation appears to have been commonplace in places a short distance from settlements or encampments, but burials, including crevice burials are also commonly reported. Ritualized crevice burial in mountain environments is suggested by various sources (e.g. Lowie 1924a). Personal belongings were often immolated as part of the mourning ceremony, and families or entire camps might temporarily relocate after a death.

Southern Paiute Bands

Most sources agree that the Southern Paiute people were divided into units called bands. Each band has been described as constituting a geographic unit associated with a specific territory. Yet, the scale and identity of these bands has been a point of considerable debate. Isabel Kelly (1934) suggested that there were 16 identifiable bands at the time of contact, including the Moapa, Las Vegas, and Chemehuevi of southern Nevada, while Omer Stewart (1942) postulated that there were in fact 17 bands. Yet earlier accounts (e.g., Powell and Ingalls 1873) suggested as many as 31 bands, and these estimates were reaffirmed after careful reevaluation by such authors as Julian Steward (1938, 1937b). The reasons for this disagreement are potentially revealing in terms of tribal affiliations with the study area.

By Kelly's influential interpretation, all Southern Paiute bands spoke the same dialect language and were tied together loosely by kinship, social, and trade relationships. At the time of contact, each of these bands, in turn, was composed of smaller units that have been called "economic clusters" or "local units," separated sometimes by many miles of desert, some of which might have a headman who functioned in an advisory capacity. A number of these economic clusters might occasionally gather together at such places as shared piñon harvesting or hunting sites, in sufficiently large numbers that one might say the larger band was represented. It is perhaps only in these settings that the band term might apply to a singular population dwelling together in a single place. Groups of economic clusters often maintained shared and enduring relationships within particular geographical areas, such as the camps and resource areas of the Spring Mountains, which provided them with a certain "unity" tied to that place. In turn, economic clusters shared generally friendly relations with one another within particular geographical areas, and could arrange for the utilization of one another's territories, both within and between conventionally designated band territories.¹²

Kelly characterized these economic clusters or local units in a number of contexts, such as this example regarding the Kaibab Band:

[The] more populous ones had each its own headman who directed seasonal movements and activities, while the others made shift without such supervision. These local territories were not strictly defined. They were by no means economically independent, and mescal, deer, and so on were drawn from communal grounds within Kaibab habitat. Although springs on the Kaibab Plateau are said to have been privately owned, in

the fall virtually all the Kaibab foregathered there to hunt. Within Kaibab territory there seems to have been no idea of trespass, even at privately owned springs.¹³
(in Park et al 1938: 634)

Each cluster, in turn, was composed of a small number of camps – extended families commonly – that collaborated on economic pursuits and provided mutual aid. Most sources, however, agree that bands did not possess overarching tribal organization or centralized political control, such as a headman or council, that would consistently unify each band in shared political, economic or defensive ventures.

Southern Paiute social organization therefore involved both the dispersing and coalescing of groups at certain settlements and resource sites as social, ceremonial and economic activities dictated. Band structure was sufficiently flexible that, in the 19th and early 20th centuries, as families moved between traditional band territories in search of work, they were often considered to have become members of the larger band with which they were becoming geographically affiliated (Inter-Tribal Council of Nevada 1976a: 120; Steward 1938). Thus, band terminology is in many respects geographic, while in reality the many bands of southern Nevada, southern California, and southwestern Utah are composed of peoples who are on many levels interrelated, and who share kinship ties of considerable time depth.¹⁴

Yet, some have questioned whether the term “band” as used in the way presented above was an accurate representation of Southern Paiute populations at contact. Julian Steward (1938, 1937b), in particular, argued that the term as used by Kelly (1934) and others implied a degree of political and social cohesion that was not found between the local “economic clusters.” Following a detailed analysis of kinship and band affiliation among these groups, Julian Steward suggested that,

It is probable that the aboriginal number of politically independent groups was nearer to Powell and Ingalls’ list of 31...than to Kelly’s 15. Indeed, if the whole area were organized on a village basis, 31 is probably short of the actual number.
(Steward 1938: 181)

Steward instead argued persuasively that the individual “economic clusters” defined by Kelly were the functional and autonomous units of Paiute social structure – in other

words, that perhaps these economic clusters were in fact the functional equivalent of bands for the Southern Paiute at the time of contact.¹⁵ Over the course of the 19th and 20th centuries, then, as diverse populations from certain sub-regions of the Paiute world were situated together on reservations, band identity became a stronger basis than the economic clusters of an earlier age.

In response, Kelly retorted the Paiute bands she identified were differentiated “on the dual basis of dialect and territory” (in Park, et al 1938: 634). Here, she suggested that the band was the land-holding unit of Paiute society, even if there was little political organization that might coordinate or administer these claims on lands and resources,

for the Southern Paiute generally – the band, as I have used the term, was the communal land-holding unit and its territory was well defined. Within its bounds, however, springs and water holes were individually owned and inherited within the family. Ordinarily a man owned several adjacent springs at which he, his household, and friends camped in rotation. People of nearby springs shared the same economic cycle, constituting thereby informal local units, whose members journeyed together to [diffuse locations for resource procurement]. Steward’s criteria of village organization – habitual cooperation and association – are here applicable, although to inhabitants of a cluster of springs rather than to a single village... Whether such groups are designated as bands, tribes, or nations is immaterial.¹⁶
(in Park et al 1938: 633-34)

These debates were no doubt compounded by the tremendous difficulty in establishing the identity of Paiute populations in written records of the 19th century due to their mobility and dynamism, but also due to non-Indian chroniclers’ use of varying categorization and wildly inconsistent terminology for “tribes” and “bands” in the region (Steward 1938: 281).

Simultaneously, it is important to remember that the Southern Paiute communities being assessed by Kelly, Steward, and others had already undergone dramatic social and economic transformation since the time of first European contact. Even in the 1870s, when John Wesley Powell attempted to understand Paiute social organization, his Paiute advisors described “traditional” patterns as being very different from those of the 1870s. By their explanations, Paiute social organization involves organized and

geographically defined bands with standing headmen and occasional multi-band confederacies. Quoting Powell,

The original political organization of the tribes under consideration had a territorial basis; that is, the country was divided into districts, and each district was inhabited by a small tribe, which took the name of the land, and had one principal chief. These tribes, or land-nameds, as they are called in the Indian idiom, were the only permanent organizations, but sometimes two or more of them would unite in a confederacy under some great chief.

(Powell 1873: 49)

While disagreement persists among researchers on the point of what constituted a band or band territory, Kelly's perspective has been more influential in some circles and certainly coheres more directly with modern Paiute band structure than Steward's vision. This is presented as a cautionary note, however, as the bands represented in this document and elsewhere were not simple and singular populations and political structures at the time of contact, but were composed of a diversity of communities and territorial claims that can only be inferred partially today.

All this aside, it is important to note that many Southern Paiute people today possess a strong sense of being "one people" – a point frequently mentioned by tribal representatives consulted in the course of this research. Certainly, there are strong cultural, historical and linguistic foundations for such a claim regarding the common identity of the contact period Southern Paiute.¹⁷ As will be discussed in later sections of this document, the cohesion between the various subpopulations of the Paiute was largely enhanced by the experiences of the 19th and 20th centuries, as local groups coalesced in larger reservation communities, lending strength to the band structure as described by Kelly and others. The historical dynamism and flexibility of Southern Paiute traditional social organization should in no way be seen as undermining the sophistication of their social institutions or the veracity and importance of their ties to the land.¹⁸ Instead, Southern Paiute social organization was an adept response to the unique challenges and opportunities of their desert homeland, and provided Southern Paiute communities with enduring ties to places and resources that remain powerful and enduring in spite of a century and a half of displacement and dispossession.

Moapa and Shivwits

The Moapa band, who resided “on the banks of the Muddy River” as well as the lower Virgin River are sometimes reported as the “Moapats” or the “Moapits” in ethnographic and historical sources (Inter-Tribal Council of Nevada 1976a: 11; Sapir 1930-1931: 572, 574-575; Lowie 1924a: 193).¹⁹

Southern Paiutes were densely settled in Moapa Valley, and extensively cultivated the lands there at the time of European contact. The area was as intensively occupied as any in the Southern Paiute homeland. John C. Frémont described the Muddy River Basin as being a major center of Paiute settlement in 1844:

Indians crowded numerously around us in the morning...Some...on the bottoms, and others haranguing us from the bluffs; and they were scattered in every direction over the hills.
(Frémont 1846: 266-270)

Others, such as Kit Carson (1847) made similar reports. In 1848, Orville C. Pratt noted along the route from Moapa to Las Vegas that there were “Pah Eutahs here in great numbers but they run from us like wild deer” – probably a response to their recent history of being raided for slaves (Pratt in Euler 1966: 51). Only during the height of the pine nut season was Moapa Valley depicted by passersby as “empty” or “abandoned” (Bean 1972).

The settlements of the “Moapa band” have been depicted as being centered on the Muddy and lower Virgin River valleys. Summarizing their territorial claims, Kelly suggested that, “The Moapa people owned a broad strip of desert country between the southern limits of the Paranigat and Panaca bands on the Colorado river. On the east they extended to the Virgin mountains, on the west to Sheep range and Las Vegas valley” (Kelly 1934: 555). There is also some evidence of occasional use of the opposite bank of the Colorado River during historical times for defense and resource procurement, sometimes as guests of the Hualapai.²⁰

While Kelly treated the Moapa as a single band, Powell and Ingalls (1873) identify seven separate Paiute “tribes” within what Kelly identifies as a singular Moapa band territory. They include:

Sau-won'-ti-ats in the Moapa Valley under the headman Tau-um'-pu-gaip, totaling 92 individuals

Mo-a-pa-ri'-ats [or Moapa band] on Muddy River under Man-wi'-ta, totaling 64 individuals

Nau-wan'-a-tats in the Moapa Valley under Ai'-at-tau'-a, totaling 60 individuals

Pin'ti-ats in the Moapa Valley under Kwi'-vu-a, totaling 47 individuals
Pa-room'-api-ats near Moapa Springs near the head of Moapa River under Mo-wi'-un-kits, totaling 35 individuals

I'-chu-ar'-rum-pats in the vicinity of Saint Thomas, Nevada under To'-shoap, totaling 35 individuals

U-tum'-pai-ats near Glendale, Nevada under Tan'-ko-its, totaling 46 individuals

These were probably distinct village aggregations, though it is unclear whether they warrant designation as “bands” or “village clusters” by the nomenclature of anthropologists who have investigated Southern Paiute social organization (Steward 1938; Hodge 1907-1910). Kelly (1934) seemed to accept them as being smaller “economic clusters” within the larger Moapa band. These tribes’ names largely consist of placenames, and it is unclear to what extent these were discrete groups with seven separate named places as their geographical core, or a smaller number of separate populations utilizing seven different named places.

Various lines of evidence suggest that the situation was in flux at the time of Powell and Ingalls’ investigations. As will be addressed in later sections of this report, these tribal communities had already been subject to epidemic diseases, warfare, slave raiding, partial Mormon occupation of Moapa Valley and associated displacement, followed within less than a generation by a Mormon retreat and opportunities for territorial reoccupation. By 1873 the distance of Moapa from the new Mormon settlements to the north, and Spanish settlements, and raiding tribes to the east had made this area something of a refuge for Paiutes wishing to avoid outside interference – a process that

arguably enhanced the relative density of population in the well-watered Moapa area relative to other Southern Paiute territories. The ethnic map was certainly jumbled by these events, but to what degree cannot be easily ascertained on the basis of available oral history, ethnographic or historical documentation alone.

With its unusually high population density and a convergence of multiple bands in a single well-watered location, Moapa was somewhat unique, and seems to have served as a multi-band homeland at the time of contact and presumably well beforehand. As Euler has suggested,

Given the numbers of Paiute concentrated along the Muddy and Virgin in the 1840s, it is quite probable that they were amassed in a form of socio-political structure greater than that of an extended family as had been suggested by earlier explorers.

(Euler 1972: 48)

Powell and Ingalls (1873) identify “chiefs of alliances” for all of the Southern Paiute tribes they encountered. They noted that the headman To-Shoap – the Saint Thomas band chief – was the alliance chief for all of the Moapa Valley bands listed above.

While the population densities in the Muddy and Virgin river basins appear to have been relatively high, the “low but rugged mountain country” surrounding these valleys was largely used for subsistence hunting and gathering (Kelly 1934: 555). The valley was cultivated as intensively as any portion of Southern Paiute territory, reflecting its predictable water supply and some degree of cultural exchange with Colorado River tribes upstream and down.²¹ Indeed, the term “Moapa” has been said to represent an etymological reference to the growing of beans by these people at some time in the past (Sapir 1992), though other definitions have been proposed and are reviewed by Fowler and Fowler (1971: 133-35).

The closely related Shivwits were centered on the Shivwits Plateau in Arizona. Their use of Clark County was especially centered in the western portion of their territory, which included Grand Wash and the eastern slopes of the Virgin Mountains, which were hunted and used for specialized plant harvests. Unlike the other conventionally designated “bands” discussed in this section, Shivwits is depicted as a singular band rather than a regional amalgam of bands in the works of Powell and Ingalls (1873). They identify the *Shi'-vwits* as a single band of 182 individuals, centered on the

Shivwits Plateau, under the leadership of the headman named *Kwi-toos'*. Subsequent authors largely adhere to this convention of designating a singular Shivwits band, including Kelly (1934) and Steward (1938). These early sources also are remarkably consistent in the delineation of Shivwits territory along the lines described above. In recent times, the Bureau of Applied Research in Anthropology at the University of Arizona has depicted Shivwits as being part of a "Gunlock/Shivwits/Saint George band." This is likely a reflection of post-contact period amalgamation with other tribes in the Paiute Indian Tribe of Utah confederacy more than it is a reflection of pre-contact political unity between these bands. Still, being centrally located in the Southern Paiute world, Shivwits did maintain an intermediate position among Paiute groups at the time of contact. In addition to having ties to Moapa, the Shivwits band seems to have possessed especially strong ties to Kaibab and Uinkaret bands of the Arizona Strip to their east, as well as the bands to the north (including the Gunlock and Saint George communities) who later became the Paiute Indian Tribe of Utah (PITU). Powell and Ingalls (1870) suggest that the Shivwits were in an "alliance" with the Uinkaret and Kwai-an'-ti-kwok-ets (apparently San Juan Paiute "east of the Colorado River") that had a shared leader between all three bands by the name of Tai-gu, who also represented the bands of Kanab, Cedar City, Saint George, and elsewhere. Use of the study area by the Kaibab band was apparently intermittent prior to contact, but peoples with more direct ties to the study area – Shivwits among them – joined Kaibab during the contact period to avoid their exposure to non-Indian influences.²² Thus, as will be discussed more in later sections of this report, Kaibab and PITU enrollees include descendants of Shivwits and other tribes that were residents in Clark County at contact, especially in the northeastern portion of the county, even if the principal bands that constitute these tribes were not.

Las Vegas and Pahrump

The precise identity of the "Las Vegas band" at the time of contact is complex and has been the subject of more scholarly debate than perhaps any other band and band territory in the Southern Paiute realm. In terms of contact period tribal distribution, the "Las Vegas band" might best be considered a geographical term that encompassed several smaller, distinct groups that were "centered around Las Vegas, Red Rock, and Mt. Charleston [and] lived as far east as present-day Hoover Dam" (Inter-Tribal Council of Nevada 1976a: 11). Over time, these populations merged into larger groups or were displaced to become part of other tribal populations.

Isabel Kelly was the researcher who enshrined the concept of a “Las Vegas band” in the anthropological literature, working in no small part with Las Vegas tribal consultants (see Map 5). She defined the band’s boundaries as commencing from the Moapa band boundary at the Colorado River’s Big Bend,

From Calville wash the boundary followed the borders of Las Vegas valley northwest, passing between Indian springs and the Pintwater range, and encircling the northern tip of Spring mountains to the small mining town of Johnnie; from here it passed between Funeral mountains and Black range, thence south along the western slope of the latter, bringing Vegas people to the very borders of Death Valley Panamint and the Las Vegas; at best it was useful only as a source of mountain sheep and certain edible seeds. From Black range the western boundary skirted the base of Avawatz mountains, crossed the barren “sand hill” district east of Soda lake, and encircled Old Dad mountains. From here it swung northeast, and passing Clipper mountain on the south, ran between two unnamed mountains to join the Mohave boundary at Dead mountains, some distance inland and southwest of Fort Mohave.
(Kelly 1934: 555-56)

She notes, too, that the Las Vegas territory boundary included the Colorado River, from Calville Wash to Tavúku (meaning “Cottontail Rabbit Mound”) near Cottonwood Island (an important place in the corpus of Southern Paiute history) with the Las Vegas band claiming the land on the west side of the Newberry Mountain crest. The Las Vegas band’s territory was reported to abut Western Shoshone territory in the vicinity of the Pintwater Range. Her definitions of this band’s composition and territory have become the standard by which all other definitions are judged in the academic literature (Kelly and Fowler 1986).

If Isabel Kelly documented the presence of the Las Vegas band as an independent entity, other investigators suggested a more complex picture. Conducting surveys of Southern Paiutes in anticipation of treaty making and the formation of reservations in the early 1870s, Powell and Ingalls (1873) identify nine separate Paiute “tribes” within what Kelly calls the single Las Vegas band territory. The tribes listed by Powell and Ingalls include:

Kau-yai'-chits, located at Ash Meadows under Nu-a'-rung – 31 individuals – probably mixed Southern Paiute and Western Shoshone

Ya'gats, located at Amargosa under Ni-a-pa'-ga-rats - 68 individuals - possibly mixed with Western Shoshone

Kwi-en'-go-mats, located at Indian Spring under Pats-a'-gu-ruke - 18 individuals

No-gwats near Potosi under To-ko'-pur - totaling 56 individuals in combination with Pa-room'-pats

Pa-room'-pats at Pa-room Spring [apparently Pahrump band at Pahrump Spring] under Ho-wi-a-gunt -totaling 56 individuals in combination with No-gwats

Nu-a'-guntits of Las Vegas under Ku-ni'-kai-vets - 161 individuals

Pa-ga'-its near "Colville" [apparently Callville, near the Colorado River and now under Lake Mead] under Un-kom'-a-to-a-kwi-a-gunt, totaling 34 individuals

Mo-vwi'-ats [probably Chemehuevi] at Cottonwood Island under Ha-va-rum-up - 57 individuals

Mo-quats at Kingston Mountain under Hun-nu'-na-wa - totaling 85 individuals in combination with Ho-kwaits and Tim-pa-shau'-wa-got-sits

Ho-kwaits near Ivanspaw under Ko-tsi'-an; totaling 85 individuals in combination with Mo-quats and Tim-pa-shau'-wa-got-sits

Tim-pa-shau'-wa-got-sits at Providence Mountain under Wa-gu'-up - totaling 85 individuals in combination with Ho-kwaits and Ho-kwaits; name and location suggest likely Shoshone mixed with Paiute

These tribes' names largely consist of placenames, and it is unclear to what extent these were discrete groups with nine separate named places as their geographical core, or a smaller number of separate populations utilizing nine different named places. Steward

(1938, 1937b) seemed to accept that each of these populations was an independent polity, while Kelly (1934) seemed to accept these populations as being smaller “economic clusters” within the larger Las Vegas band.

There are clues that might help clarify these relationships. At the time of this census, and perhaps before this time, there were alliance “chiefs” who represented groups of these bands – presumably in their dealings with non-Indians, but perhaps more broadly. Specifically Powell and Ingalls (1873) suggested that Ku-ni’-kai-vets of the *Nu-a’-guntits* of Las Vegas was the alliance chief for four bands: *Nu-a’-guntits* (Las Vegas), *Kwi-en’-go-mats* (Indian Springs), *Pa-ga’-its* (Callville), and *Mo-vwi’-ats* (Cottonwood Island). The headman To-ko’-pur was identified as the alliance chief for the remainder of these bands. This suggests a total population for Kelly’s Las Vegas band area of roughly 332, and a level of social and geographical complexity that is not fully reflected in Kelly’s published work, including at least two large “alliances” and nine bands within what Kelly describes as a single band territory.²³ Kelly’s consultants suggested that all of these populations were perceived as a single unit, though the implications of this perception in terms of band affiliation are unclear. It is likely that perceptions were shaped by the modern configuration of federally recognized tribes, which was already well established in Kelly’s time – with each modern group such as Las Vegas, Moapa, and others being represented by a singular consolidated tribal community.

On separate investigations, working principally among Paiutes from outside of Clark County in the early 20th century, William Palmer reported six bands in Clark County. Unlike earlier works that posited multiple bands in the Las Vegas area, Palmer produced a map of the band territories he documented. The map from Palmer’s work has gained a certain currency among some modern tribal members, and is of interest as a counterpoint to Kelly’s mapping of Southern Paiute territories. It is shown here as Map 6. Instead of mapping the entire landscape as being within band territories, Palmer seems to map principal use areas for each of the bands he identifies, resulting in some erroneously “unoccupied” portions of the map. There is somewhat more consistency between Palmer’s map with the accounts of Powell and Ingalls than with Kelly but, here too, there are many levels of disagreement.

If that was not sufficiently complex, when assessing the matter of band structure and affiliation, Julian Steward noted that Kelly’s work on bands and territories for the entire Southern Paiute realm was generally sound with one exception, “the Las Vegas “band” is subdivided according to my own information... My own investigations among

Kelly's "Las Vegas band," show that it actually comprised at least three bands of the kind defined here" (Steward 1937b: 627).

Steward reported a complex picture of Las Vegas area Paiute band structure, based on both his original investigations as well as key 19th century reports including Powell and Ingalls' reports on the region. On this basis, he concludes that,

it is certain that the people in the enormous Las Vegas "band" area were not a band. Where Kelly's map shows a single band, Powell and Ingalls list 8 [or 9] "tribes," some of which they said comprised several formerly independent "tribes" ...Each of these [tribes] was probably a group of encampments, like the Shoshoni villages to the west and north, which wintered at a certain site...
(Steward 1938: 182)

On this basis, Steward instead differentiates three large-scale band territories in Kelly's Las Vegas band territory, differentiating between a southern and northern Las Vegas band, in addition to distinguishing a separate division west of Spring Mountains that he identifies as a distinct Pahrump band. He goes on to suggest that Ingalls and Powell's estimate of 30 to 31 bands of Southern Paiute was more correct than Kelly's estimates regarding the pre-contact population of the region, but implies that consolidation may have occurred in historical times.

Indeed, historical changes during the tumultuous period between the time of Powell and Ingalls' work (1870s) and Steward and Kelly's work (1930s) – a time when bands were consolidating and relocating in the wake of EuroAmerican resettlement – may explain many of these contradictions. Many of the smaller bands identified by Powell and Ingalls appear to have had strong social, economic, and kinship ties to one-another prior to contact, and consolidated during the contractions caused by disease and displacement in the 18th and 19th centuries. Yet it is important to bear in mind that Powell and Ingalls were not reporting on a "pristine" population, but were describing a band structure that existed only after many years of epidemic disease, Mormon missionization and settlement, warfare, and other disruptions that no doubt rearranged the social landscape considerably.

Meanwhile, the Inter-tribal Council of Nevada has depicted the Las Vegas area as being used as a multi-band stopover site, rather than as the exclusive territory of any one band. This organization reported that, prior to European contact, the Las Vegas region

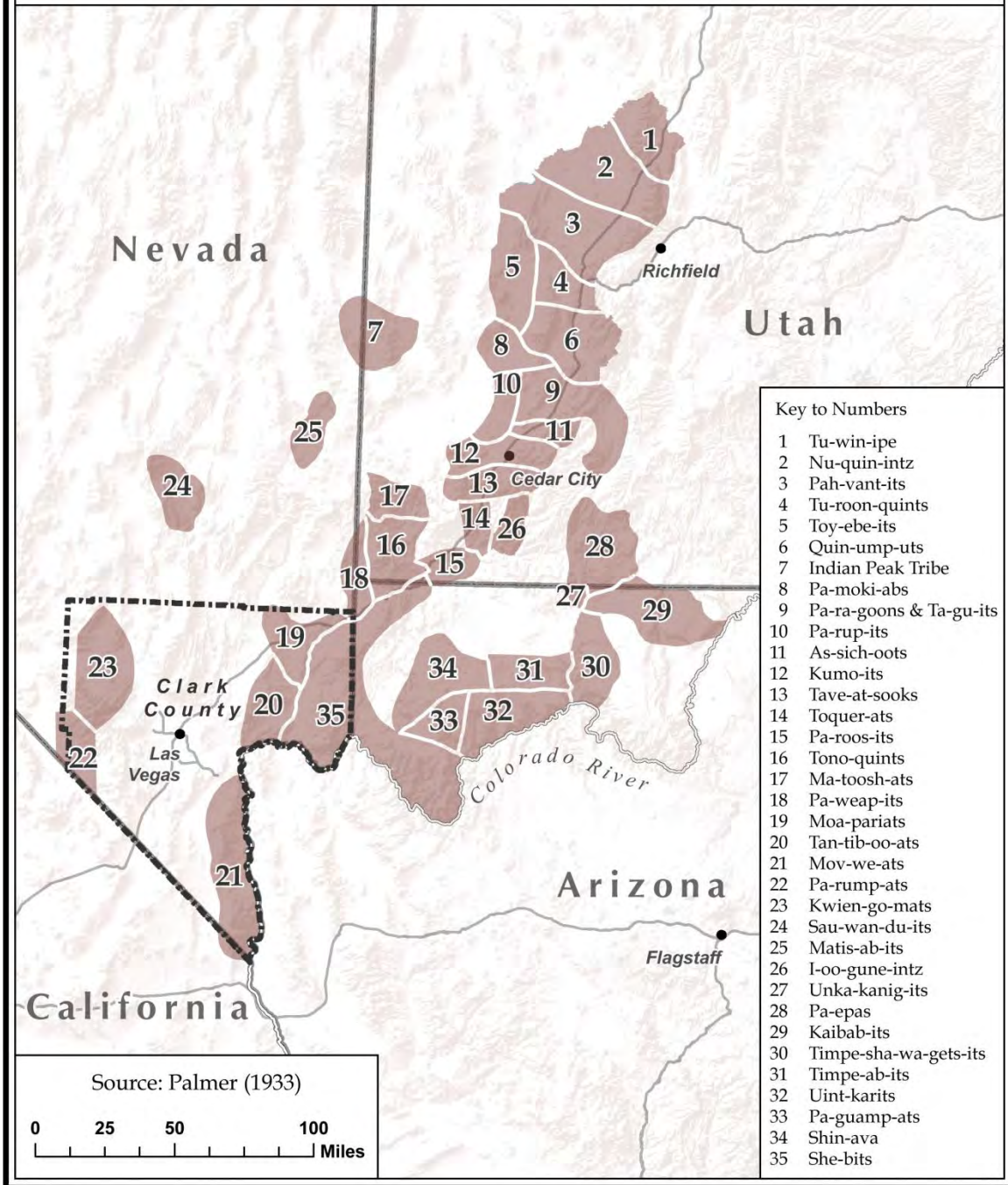
was used and often occupied by various Southern Paiute bands whose traditional resource areas included Tule Springs, Good Spring, Red Rock Canyon, Indian Springs, and Charleston Peak. They go on to suggest that the Pegesits band sometimes lived there longer when emigrant travel was not especially heavy in the 19th century (Inter-Tribal Council of Nevada 1976a: 76, 119-20). This term is used specifically in reference to the small band residing in the Calville area within the works of Powell and Ingalls (1873). (Simultaneously, researchers such as Lowie (1924a: 191 ff.) reported alternative band names with geographical distributions lacking much clear correlation with these other sources, perhaps reflecting the contemporary territorial claims of the reservation communities at the time of his research.²⁴)

As will be discussed later in this document, this pattern of Paiute bands, but also Shoshone, Mohave, and other groups “passing through” the Las Vegas Basin is supported by 19th century accounts. This role of Las Vegas as a stopover site was arguably augmented by 19th century social, economic and technological changes. Certainly, the people who lived in the Las Vegas Basin historically maintained extensive contacts with adjacent tribes. In addition to their obvious connections with Southern Paiute, Chemehuevi, Shoshone, and Mohave, the Las Vegas people traveled widely and maintained friendly contact with a number of groups to the west and southwest as well, such as the Kawaiisu and Serrano, who were sometimes encountered in the course of long-distance trade expeditions to the Pacific coast. Associations of particular Las Vegas area bands with these other tribes was in part a function of proximity, with the western bands having especially strong ties with Shoshones, and the southern and Colorado River bands having especially strong ties with Mohaves.

Again, the Las Vegas bands sat at a cultural crossroads. Various sources suggest that Southern Paiutes and Western Shoshones were on generally peaceful terms with one-another, and the Las Vegas area Paiute communities appear to have been the center of many exchanges between these ethnolinguistic groups. The Las Vegas Paiutes are reported to have traded and intermarried with Shoshone families, and apparently were trending toward bilingualism at contact, speaking Shoshone in addition to Paiute. Southern Paiute ceremonial practices sometimes incorporated Shoshone elements, and ceremonial structures occasionally reflected Shoshone sweat lodge designs, for example. Simultaneously, ties with the Mohave were quite strong among the southernmost Southern Paiute bands, but especially so among the Las Vegas and Chemehuevi. Prior to contact, the Las Vegas and Chemehuevi appear to have

Southern Paiute Band Territories

As shown in the works of William Palmer



Map 6

interacted regularly with the Mohave and integrated many aspects of Mohave agriculture, material culture, ceremony, and language into their preexisting repertoire. Clothing, housing, ceramics, and other materials were adapted or adopted from Mohave; even games and game equipment shows strong Mohave connections. (For this reason, especially in riparian settings, the archaeological differentiation of Mohave and Las Vegas/Chemehuevi might prove problematic.) In the 1850s, the Las Vegas Paiute were permitted by the Mohave to farm the area of Cottonwood Island, an area traditionally controlled by the Mohave (Kelly and Fowler 1986:370; Roth 1976:82). As suggested elsewhere, it appears unlikely that the boundaries suggested by Kelly, Palmer and others were firm, but blurred into, and interdigitated with, the adjacent territories along their margins – especially at productive resource sites. Ash Meadows and Indian Springs are described by some modern tribal members as multi-tribal gathering sites for Las Vegas Paiute and Western Shoshone, just as Cottonwood Island and other sites along the Colorado River served as gathering sites for the Las Vegas Paiute and Mohave.

To the extent that a singular identity is suggested for the pre-contact Las Vegas band, that identity is described as centering on Spring Mountains and Charleston Peak. Many, and perhaps all, of the individual bands identified as Las Vegas recognized the significance of this mountain range, gathered resources there, and camped there extensively for pine nut harvests and other purposes. Sapir reported that the Southern Paiute name for the Las Vegas group is *Nipakanticimi*, meaning “people of Charleston Peak” (Sapir 1930-1931:586). Elsewhere, Sapir (1992: 785) reports the Kaibab term for the people living on “Snowy Mountain” (i.e., Mt. Charleston) as *Niváγawtits·iη’w* – meaning “people of *Niváγant’i* [Snowy Mountain]. The term seems to apply to Las Vegas Paiute but may have applied also to other Shoshonean populations associated with the peak, including the Pahrump and Shoshone proper.²⁵ No doubt, the gatherings of different bands from the lowlands on Spring Mountains brought these groups into close proximity, and would have contributed much to their associations and shared sense of identity. The Spring Mountain range may therefore be key to the ethnogenesis of the Las Vegas band as a recognizable single population, both during and after EuroAmerican settlement.

The identity of the Pahrump Band is somewhat obscured by the competing visions of band structure and territory outlined above. The Pahrump population does appear to have had strong kinship ties to the Las Vegas people on the opposite side of Spring Mountain range (Las Vegas Paiute n.d.). The same band name, alluding to Charleston

Peak, seems to have been applied to the Pahrump too. Accordingly, like the Las Vegas peoples, the Pahrump Valley Paiutes applied the name *Nipakanticimi* to themselves, meaning “people of Charleston Peak” (Kelly and Fowler 1986: 395). The considerable food resources of Spring Mountains brought the Pahrump to that area and made it a critical social and economic locus for these peoples (McCracken 1990a; Lynch 1982). Researchers such as Steward (1938: 182-85) reported extensive Pahrump use of Spring Mountains for pine nut gathering on separately claimed groves, as well as for hunting and other traditional pursuits. While there, they interacted with Las Vegas area Paiutes and others. Yet, by almost all accounts consulted on the topic of band identity, with the exception of Kelly’s work, the Pahrump are recognized as a separate band. Terms such as “Pa-room’-pats,” “Parumpats” and “Pahrumpits” have been reported in reference to the Pahrump – “On the western edge of Nevada were the Pahrumpits. They lived in Pahrump Valley and on the western slopes of the Spring Mountains” (Inter-Tribal Council of Nevada 1976a: 11). Again, Julian Steward (1941: 212) was perhaps the strongest critic of Kelly’s work on this point,

Southern Paiute of Ash Meadows, California [in Nye Co., Nev.] occupied also Pahrump, Nevada. Though included by Kelly as part of the Las Vegas band, the people of this locality claimed political and social independence of Las Vegas.

Elsewhere, he noted his conclusion that, “From informant testimony, Paiute of the Pahrump and Las Vegas regions were never unified in a single band” (Steward 1938: 185).

This sense of independence probably only deepened in the late 19th century as American Indian communities’ movements were restricted to isolated and discrete settlements in the valleys of southern Nevada. On the basis of this independence, as well as the contending territorial divisions put forward by such authors as Powell and Ingalls, Steward, and Palmer showing Pahrump territory, some revisions of Kelly’s map now commonly subdivide her Las Vegas band territory into two halves centered on the Spring Mountains – the eastern portion being designated “Las Vegas” and the western portion being “Pahrump.” This delineation now appears to be standard in the recent works on Southern Paiute topics by the Bureau of Applied Research in Anthropology at the University of Arizona, which has a considerable track record of research with all of these modern tribes and has vetted the matter of traditional territories at some length. For many Southern Paiutes, this map is accepted as being more faithful to both contact-period realities and modern sentiments than those of Kelly, though there is still some

disagreement among both Southern Paiutes and Western Shoshones as to its specific boundaries (Map 5).

Chemehuevi

While indisputably Southern Paiute, the Las Vegas and Chemehuevi populations both originally shared certain attributes that set them apart somewhat, reflecting their unique geography and their ties with the Mohave and other tribes. Though some authors categorize Chemehuevi as separate from other Southern Paiute bands, there seems to be general agreement in the literature that the Las Vegas Paiute and Chemehuevi were at one time part of a larger whole, and the Chemehuevi moved into lands south of the Las Vegas region and became more directly associated with the Mohave many years before European settlement. As Kelly noted, “by their own statement and by that of the Vegas band, the Chemehuevi are a recent offshoot of the Las Vegas” (Kelly 1934: 556). Similarly, Robert Euler noted that the few remaining elderly Las Vegas Paiute of the mid-20th century “did not...distinguish themselves in any way from the Chemehuevi”; he also noted that “my Chemehuevi and Las Vegas informants were all related” (Euler 1966: 110).

Some authors have included Chemehuevi within their discussion of Southern Paiute culture and history, while others list them separately for reasons reflecting the somewhat unique history, geography, and cultural practices of the Chemehuevi. The Chemehuevi were still so closely associated with the Las Vegas band that their names were sometimes used interchangeably in early historical and ethnographic sources until conventions were established to the contrary (Kelly 1934: 555; Kroeber 1925). In light of the difficulty of neatly distinguishing Chemehuevi from other Paiute bands, the Chemehuevi name has sometimes been used principally as a geographical marker; as Kroeber noted, “the appellation is a convenient one to distinguish the Southern Paiute of California from their brethren of Nevada, Arizona, and Utah” (Kroeber 1925: 593).²⁶ The absence of sharp boundaries between the two groups contributed to this dilemma, as Roth noted,

The term “Chemehuevi” has often been used to include the Las Vegas group as well as the Chemehuevi proper. The two groups were very similar culturally, interacted with each other extensively, and had some sense of unity, regarding themselves together as somewhat distinct from the rest of the Southern Paiute bands.
(Roth 1976: 78)

Precise mechanisms for the division and separate migrations of Chemehuevi and certain Las Vegas populations are unclear, but oral traditions suggest that warfare between Paiutes and a “Desert Mohave” population south of the Las Vegas Basin resulted in the extermination or extirpation of the latter, allowing for Paiute reoccupation of their territory. There is also a hint that demographic changes prior to contact, resulting from disease and migration, may have facilitated this change (Kelly and Fowler 1986; Roth 1976; Laird 1976; Kroeber 1959). Sources seem to suggest that there were at least two major episodes of migration, the first involving southward migration into the desert regions in the 18th century, followed by a southeastward migration in the first half of the 19th century into Mohave territory at the invitation of the Mohaves following extirpation of the Halchidhoma and Kohuana from areas within Mohave control.²⁷ Sometime between 1776 and 1829, the Mohave allowed the Chemehuevi to come onto the river from the desert, and farm in Chemehuevi Valley, on Cottonwood Island, and in a few other locations (Roth 1976:91). As Kroeber summarized their movements,

In 1776 there were no Chemehuevi on the Colorado River below Eldorado Canyon. The entire California frontage on this stream was in Yuman possession. Subsequently, however, the Mohave and Yuma drove the remnants of the Halchidhoma and Kohuana eastward; and the Chemehuevi, who were intimate with the victors, began to settle on the stream. According to the Mohave, they themselves brought the Chemehuevi to Cottonwood Island, where the two nations lived side by side, to Chemehuevi Valley, and to other points. At all events, when the Americans came, three-quarters of a century after the Spanish priest, they found the Chemehuevi on Cottonwood Island as well as in the valley that bears their name, and on both the Arizona and California sides, apparently.²⁸
(Kroeber 1925: 594)

Sources vary as to the exact date of their establishment along the Colorado River in and around Chemehuevi Valley, but “by 1848 when the first explorers came that the Chemehuevis had been in there perhaps for some decades and were pretty well settled” (ICC 1955: 36).

All anthropologists studying the region have distinguished the Chemehuevi as the southernmost group of the Southern Paiute. However, there are inconsistencies in how their relationship to the “Las Vegas band” is depicted. Most sources imply that the Chemehuevi perhaps consisted of independent “economic clusters” or village groupings of the larger Las Vegas population dwelling at the southern end of Las Vegas territory before this bifurcation, and did not emerge as an identifiably distinct Southern Paiute offshoot until their southward migration in the 18th and 19th centuries (e.g. Stewart 1967, 1968).²⁹ However, as noted previously, Stewart questioned the veracity of Kelly’s Las Vegas subdivision, and he suggested that the Las Vegas “band” instead consisted of three distinct populations. The Paiutes of Stewart’s southernmost subdivision of the “Las Vegas” population lived in the area of the New York, Ivanpah, Providence, and Kingston mountain ranges. There was considerable shifting around in historical times, resulting in the mixing of the population of this area with the Chemehuevi proper who lived farther south. The use of the term Chemehuevi arguably changed somewhat historically. By the late 19th century, the term Chemehuevi was being used in reference to many individuals descended from the southern “Las Vegas” population, and the term Chemehuevi has often been used to include this Las Vegas group as well as the Chemehuevi proper (Roth 1976:78). Roth uses the term southern Chemehuevi for those from the Chemehuevi proper, and the term northern Chemehuevi for those who were included in the southernmost population of Kelly’s “Las Vegas band,” and in Stewart’s southern division of that band. Laird suggested that Roth’s delineation matched the traditional terminology of the Chemehuevi, who also viewed this southern Las Vegas group as being, in fact, “northern Chemehuevi” and not of the same singular population as Kelly’s “Las Vegas band” (Roth: 1976: 78-79; Laird 1976, 1941; Stewart 1937: 634).

As the southernmost Southern Paiute population, the Chemehuevi lived on the western side of the Colorado River bend between the Las Vegas Paiutes to the north and the Mohaves to the south. The name Chemehuevi as a tribal designation is probably of Yuman origin and entered into the historical record from accounts of the Mohaves. John Wesley Powell reported that originally the Chemehuevi called themselves *ta’n-ta’-wats* meaning ‘southern people,’ indicating their southernmost location among the groups of Southern Paiute people (in Hodge 1907-1910, 1: 243). (Their Yuman neighbors, meanwhile called them *Mat-hatevach* – “northerners”).³⁰ Like other Southern Paiute bands, the Chemehuevi also called themselves *Nuwu*, or the “people.” Though the Chemehuevi have always recognized themselves as Paiute, their strong associations with the Mohave are what has set them apart. As will be discussed in more detail in

later sections, the neighboring Mohaves occupied and controlled the land along the Colorado River adjacent to the Chemehuevi. Some accounts suggest that Chemehuevi settlement was extensive along the Colorado, occupying many of the habitable riparian areas on the west side of the river that were not otherwise occupied by Mohaves north of Mohave Valley – “All the little valleys from [the Laughlin area] on up the Colorado had Chemehuevi names and were occupied by clusters of families” (Laird 1976: 23-24).³¹

To the extent that the 19th century Las Vegas and Chemehuevi populations were distinguishable culturally, it appears to be the degree of Mohave association and influence, which varied over a broad continuum between the various Las Vegas and Chemehuevi populations.³² Mohave social, economic, and cultural influences are, to some extent, what early anthropologists used as the hallmark of Chemehuevi cultural practices. As Kroeber proposed, “It may well be that the somewhat hazy distinction between the Chemehuevi and the other Southern Paiute rests essentially on this influence; in other words, that the term Chemehuevi denotes those Southern Paiute who have been affected by the Mohave” (Kroeber 1939: 43).

Chemehuevis practiced floodplain agriculture similar to that of the Mohave (Stewart 1966), raising native crops of yellow maize, squash, gourds, sunflower, and amaranth. Old World crops introduced through Mexico, such as winter wheat, were also grown, in addition to the semicultivated grasses more commonly associated with the Mohave (Stewart 1966: 9). Still, the Chemehuevi are traditionally semi-nomadic, like the other Southern Paiute groups, observing seasonal subsistence rounds in the desert region along the western side of the Colorado River in addition to agriculture. Hunting and gathering traditions followed the general Paiute pattern outlined earlier, except perhaps that Chemehuevis reported largely avoiding the use of fish, deferring Colorado River fishing to their Mohave neighbors (Laird 1976: 46-47). Various sources suggest that regular occupation of the river bottom and intensive utilization of Colorado River resources was a historically “recent” development among the Chemehuevi.³³ Chemehuevi men inherited rights to hunt deer and mountain sheep within specific tracts of their territory (Laird 1976: 33). Burial practices followed the general Southern Paiute pattern, while ceremonial practices show evidence of considerable sharing with the Mohave.³⁴ Charleston Peak is traditionally recognized as a sacred peak, tied to Paiute origins (Laird 1976: 21).

Certainly, Chemehuevi continued to maintain certain resource claims in the Las Vegas band area even after their southward migration. Chemehuevi consultants reported that they possessed piñon gathering and hunting rights at Charleston Peak, asserting that the seeds gathered at Charleston Peak were the best to be found. Chemehuevi families gathered there in October, and sometimes traveled from Charleston Peak to Riverside Mountain south of Parker after the harvest was through. New York Mountains and other peaks were also used for pine nut gathering, but their quality was said to not match that of the Spring Mountain pine nuts (Van Valkenburgh 1976: 239). Modern Chemehuevi often express an enduring and strong sense of attachment to the Las Vegas region, including the Spring Mountains and other prominent local landmarks.

Despite the historic split between Las Vegas Paiutes and Chemehuevis, the two groups remained very similar culturally and have interacted with each other extensively into modern times. As was common among the Southern Paiute groups both past and present, the Las Vegas segment (i.e., northern Chemehuevis) visited and intermarried considerably with neighboring Southern Paiute groups, including Chemehuevis to the south. Las Vegas Paiutes were also reported during the contact period to move freely between their principal villages and the largely Chemehuevi settlement on Cottonwood Island, on the Colorado River.³⁵ The northern and southern Chemehuevis, while they clearly distinguished between themselves, also had a strong sense of unity. They regarded themselves together as somewhat distinct from the rest of the Southern Paiutes (Roth 1976: 78-86).

The delineation of Chemehuevi territory is somewhat challenging, in light of their movements during the historical period. Prior to the 1770s, Chemehuevis were certainly found in southwestern Clark County and adjacent areas over what is today the California border. By the late 19th century, southern Chemehuevis occupied Chemehuevi Valley and the towns and areas south of that valley, while Cottonwood Island and the mountains of the Mojave Desert were occupied by northern Chemehuevis. The Mohave-dominated region of Fort Mojave, Beaver Lake, and Needles was probably a particularly important area of mixing between the two subgroups (Roth 1976: 151).

Kelly (1934) influentially described the Chemehuevi territory as adjoining the southern boundary of the Las Vegas band territory, and encompassing the lands as follows:

On the northeast they were bounded by the Mohave and on the east by the Colorado river. Chemehuevi territory extended along the west shore

south to the Palo Verde mountains, from which point the line separating them from other California peoples ran north, passing Ironwood mountains on the east side and, crossing the Maria mountains, swung northwest along the Iron mountains, thence between Old Woman mountains and Cadiz dry lake.
(Kelly 1934: 556)

This would place this population entirely outside of the study area, despite their relatively recent association with it.

Authors such as Roth (1976) suggest a broader geographical distribution of Chemehuevi territory than those depicted by Kelly, Stoffle, and others. Roth effectively placed the southern portion of Clark County in the territory of the northern Chemehuevi, based on the reasoning that the northern Chemehuevi are the same population that was identified as southern Las Vegas Paiute by Kelly and Steward.

Although the Chemehuevi resided primarily on the west side of the Colorado River, they crossed the river easily and often, poling log rafts and reed balsas. Chemehuevi men hunted on the east shore, and several families planted directly across the river from Chemehuevi Valley. Utilization of the mountains of the southern portion of Clark County, such as the New York Mountains, was commonplace for piñon harvesting, hunting, and other purposes. Like their Las Vegas kin and their Mohave neighbors, the Chemehuevi traditionally traveled through and utilized a much larger territory, traveling by foot across the Mojave Desert to hunt in the Tehachapi area of California, and going to the Pacific Coast to obtain haliotis shells and other goods.

Among the most important Chemehuevi settlement sites in the study area was Cottonwood Island, near modern-day Cottonwood Cove in Lake Mead National Recreation Area. This island has traditionally been claimed and occupied by the Mohave, but the Mohave are reported to have invited Chemehuevi settlement in this location in the early 19th century.³⁶ The river could be forded in this place, while area springs including Cottonwood Spring (*Pah-han-güich-üm* according to Van Valkenburgh [1976]) were utilized for utilitarian and spiritual purposes. Cottonwood Island is reported as having resident Las Vegas and/or Chemehuevi populations at contact, but this population was said to have occupied structures that were superficially Mohave in style. A number of authors use the term *Moviats* in reference to the Paiute [presumably Chemehuevi] peoples living at Cottonwood Island (e.g. Manners 1974a: 27; Swanton

1952: 482-83). Cottonwood Island itself is sometimes termed *Wianekat* (e.g. Kroeber 1925: 595-596). Cottonwood Island is also widely depicted as a place of intertribal boundaries, where Chemehuevi, Las Vegas Paiute and Mohave land claims all converged in the 19th century.³⁷ Also, Cottonwood Island is often mentioned parenthetically in accounts of contact period warfare between the Mohaves, Chemehuevi, and other groups (e.g., Van Valkenburgh 1976: 240). Use of the site seems to have continued well after the Chemehuevi war with the Mohave in the late 1860s, as will be discussed in later sections of this document. Loew's 1876 journals suggest a large Paiute presence on Cottonwood Island, "While the party was encamped in the Colorado River Valley at Cottonwood Island, a great number of Payutes came daily into camp" (Loew 1876: 543). Chemehuevi consultants, born at Cottonwood Springs in the 19th century, were still available to provide testimony during the 1950s Indian Claims Commission hearings (ICC 1953).³⁸

MOHAVE

The Mohave refer to themselves as *Aha Macav* or "people from along the river," suggesting their deep cultural and historical ties to the Colorado River. Along the Colorado River, the Mohave maintained a large, semi-sedentary population, with floodplain farms and large village communities. The core of Mohave territory at contact was centered along the Colorado River from the Lake Mohave area to south of the Bill Williams River, with the densely-settled Mohave Valley at its demographic and cultural heart.³⁹ In 1604 Spaniards reported meeting large numbers of Mohaves living in the Colorado River Valley, near the present Colorado River Reservation, although Mohave occupation of this valley was interrupted periodically due to protracted warfare with the Halchidhoma tribe (Stewart 1969a, 1969b). By the American period, Mohave occupation of this core region was uncontested.⁴⁰

In contrast to some of their neighbors, the Mohave were somewhat unique in that they considered themselves to be one people, a true nation called *Hanuikhava*, residing within a territory that was considered their own "country."⁴¹ Their population density within this core homeland was significant, contributing to their national identity and their influence within the region. As summarized by Stewart,

Mohaves lived in sprawling settlements of the *ranchería* type along a sixty mile stretch of the Colorado, on both the California and the Arizona sides of the river. The settlements extended from about fifteen miles north of

the present Davis Dam down to the peaks known as The Needles, just south of Topock.⁴²
(Stewart 1969b: 263)

These villages were spread more-or-less evenly along the Colorado River riparian corridor during this period, with durable structures and cremation sites located well above the flood level.⁴³ The contact period Mohave recognized three geographical subdivisions – the *Matha lyathum* in the north, the *Hutto-pah* in the Mohave Valley, and the *Kavi lyathum* of their southern core. Among the Mohave at contact, the *Matha lyathum* had the closest, but by no means exclusive, ties to the Clark County study area, which was described as overlapping, in part, with this group's territory.⁴⁴ Although their settlements were organized into these geographical units, Mohave tribal cohesion facilitated a united front in warfare, and tribal membership took precedence over the location of one's residence in the reckoning of tribal affiliation (Stewart 1983: 62). Meanwhile, the Mohave are traditionally organized into clans. Mohave clan names – many of which later translated to surnames – all make reference to landscapes, organisms, and environmental phenomena found in their homeland apparently including landmarks in Clark County (Sherer 1965).

Traditional subsistence relied heavily on native floodplain agriculture along the bottomlands of the Colorado River. Maize was the principal crop, but floodwater farms also contained beans, squash, sunflower, cultivated grasses, and other crops. The period of maximum historical flooding on the Colorado was between May and July prior to the damming of the Colorado River, and most planting and all harvesting followed these floods (Castetter and Bell 1951). The Mohave obtained wheat indirectly from the Spaniards via the Quechan tribe, and grew melons, as well. Cultivated land was considered private property, but uncultivated land could be appropriated simply by clearing it. Boundaries had to be reassessed often when river flooding changed the land's configuration or washed out boundary markers. Farming was supplemented by gathering wild plants, fishing and limited hunting. Collected plant resources included a diversity of wild seeds, cactus fruits and other desert plants, and most important, pods of the mesquite and screwbean. Fish was the primary source of animal protein, followed by rabbits and small rodents, and deer which was occasionally hunted in the mountains beyond the river (Stewart 1983: 56-59; 1965; Castetter and Bell 1951).⁴⁵

However, this description of the Mohave's core homeland is insufficient as a foundation for understanding Mohave territorial associations. From this core, the Mohave traditionally fanned out across the desert, to engage in long-distance trade, to

participate in social and ceremonial activities – often with very distant tribes – and to participate in specialized harvests of desert resources. The Mohaves traveled through various portions of Clark County beyond the Mohave core frequently, bringing goods and ideas from throughout the region and encountering little opposition from Paiute and Shoshone residents. As Kroeber noted in testimony used by the Indian Claims Commission,

They crossed Walapai and Yavapai land on one side, Paiute, Chemehuevi, and Serrano on the other, without seeking permission, as from immemorial right...[the entire desert was treated] as if the region was theirs to traverse...the Mohave certainly believed that they owned a right of way to travel when and where they chose over these territories, and exercised it, and ordinarily went unchallenged.⁴⁶
(Kroeber 1974: 34)

Accordingly, Mohave oral tradition suggests extensive occupation of, and familiarity with, deserts extending well beyond their riparian core territory, at least as far away as the Pacific coast, where the tribe traded actively (e.g. Kroeber 1951). The resident Southern Paiutes may have conceived of Mohave as outsiders, and travelers passing through the region from their settlement centers on the Colorado River. Still, the Mohave were present with sufficient numbers and frequency that some tribes – the Mohave and their kin especially – may have recognized the area as being a *de facto* part of Mohave territory. Mohaves still emphatically depict the greater Clark County area as being “part of our territory” today.

Certain resource outposts were visited regularly as part of these treks and, despite their distance, were part of the suite of resource sites that were traditionally owned by the Mohave. As Fort Mojave leader Llewellyn Barrackman noted in ICC testimony, these areas were a source of a number of critical resources to the Mohave traditionally.

[T]o the Mohaves, we see on the mesa land, we see medicine, food, water...certain plants [there] are used for medicine such as the crow seed bush...or the greasewood...Mormon tea...Joshua tree...[a] certain type of cactus which is used for medication...For food, there [are] cactus again that bear fruits certain time of the season. This is made into jelly or eaten the way it is. We have the pellabird which bears a string bean type of a fruit...this is a good food for the Mohaves...the rabbit, the deer, the turtle, the mountain sheep...[and minerals.] This would be clay taken from the

mesa area, certain types of granite decomposed...a mixture of the two together to shape into cups, dishware, spoons or a jar for water carrying. (Barrackman in ICC 1968: 25-27)

Kroeber (1974: 33) notes that some mountainous areas west of the core of Mohave settlement also were visited regularly to gather feathers from eagle and hawk nests. Some Mohave lineages claimed specific nesting areas in these territories.

Accordingly, in his many writings on the Mohave, Kroeber (1925: 727; 1974: 34) especially emphasized the Mohaves' love of travel, conducted not only for utilitarian purposes, but as part of a broader pattern of culturally-rooted predilections and prerogatives. Long-distance travel was (and continues to be) an integral component of Mohave culture, considered essential for the exchange of ideas, for maintaining social and ceremonial ties with widely dispersed allies, and for economic and subsistence tasks far from the Colorado River (Deur 2006).⁴⁷ The Mohave thus possessed, and continue to retain, what is arguably a different sense of territoriality than their Paiute neighbors - one that does not lend itself to mapping and which has not yet been clearly represented on any map known to this author or Mohave cultural resource specialists consulted in the course of this study.

The northern area of core Mohave settlement is of particular interest for the current study. The northernmost edge of contiguous Mohave settlement at contact is sometimes identified as *Tavúku* ("cottontail rabbit mound") on the Nevada side of the river a short distance upstream from Cottonwood Island, which has also been identified as the southernmost extent of contiguous Southern Paiute occupation at contact (Kroeber 1974; Stewart 1969b; Kelly 1934).⁴⁸ North of *Tavúku*, the Colorado River passes through the Black and El Dorado canyons, which lack bottomland suitable for settlement. While some sources (e.g., Stewart 1969b) identify *Tavúku* as the northern limit of Mohave territory, modern Mohave often contend that this was merely the northern extent of contiguous settlement in the Mohave heartland, but that their territorial claims extended well beyond this point.

Various lines of evidence suggest some enduring association with lands and resources north of this point, especially within the riparian of the Colorado River. As the preceding sections on Clark County archaeology suggest, a generally Patayan/Yuman archaeological pattern is apparent in certain portions of the Las Vegas Basin, suggesting a long association between Mohaves and areas that are often depicted as being northwest of their contact-period core. As Kroeber (1974: 43) summarized his

geographical data regarding riparian associations of the Mohave, “the Colorado from its mouth up to about Hoover Dam has always belonged to Yuman-speaking peoples as far back as the historical record carries.” Historical literatures also suggest some level of Mohave occupation at least as far north as the mouth of Las Vegas Wash and interior lands adjacent, in addition to the Paiute. Overlapping Paiute and Mohave use of this area is suggested by historical accounts such as the journals of Antonio Armijo, who traveled the Colorado River in the winter of 1829-1830 and found “villages of the Cucha Payuches and the Hayatas” at the confluence of what appears to be the Las Vegas Wash – terms that authors such as Euler (1972: 32) have understood to mean Paiute and Mohave respectively.

Moreover, there is evidence of occasional use by the Mohave, alongside Paiute and other occupants of the west bank of the Colorado River riparian corridor, at least as far north as the salt caves south of the Virgin and Muddy Rivers’ confluence, where they regularly gathered salt (Dobyns 1954: 279, 286).⁴⁹ Mohave use of the Colorado River as far upstream as the Big Bend was said to be used,

in aboriginal times for some special purposes, such as obtaining eagle feathers, stones for tools, and right along the river bank, mesquite tree pods and other band foods that they used, and for travel up to the salt caves in the southern Virgin Valley.
(Dobyns in ICC 1957: 397)

Elsewhere, Henry Dobyns has made the case that the apparent familiarity of Mohave guides passing through this area, such as Chief Irrateba, suggests that the tribe “was quite familiar with [the Colorado River corridor] at least as far upstream as the Virgin, up which lay the salt caves...Above the Great Bend, the Mohaves enjoyed at least a right of passage along the river to the confluence of the Virgin where salt could be obtained” (Dobyns 1974: 41, 46). Some Hualapais described the western bank as being at least partially “Mohave” in this area.⁵⁰ They also utilized the riparian corridor on the eastern side of the Colorado River periodically, in lands principally occupied by the Hualapai in this area. The Mohaves fished extensively along the Colorado, minimally from Black Canyon southward, and perhaps north of this canyon as well (Steward 1957; Wallace 1955). Maps and narrative summaries in a small number of ethnographic works show the entire river corridor to the vicinity of Big Bend as being Mohave (e.g., Dobyns and Euler 1976: 3).⁵¹

Some sources also describe regular Mohave use of trail networks leading through this area, skirting the west and northern sides of the river from Mohave Valley to the Shivwits Plateau in Arizona (Kroeber 1974: 34). Another major trail network – perhaps a continuation of the trail mentioned above – is described as extending from the Cottonwood Island area southward to the vicinity of Yuma, linking the Chemehuevi, Mohave, and Quechan territories (Laird 1976: 136-37).

Because of the well-documented Mohave presence as far north as Big Bend at the time of contact, both the Southern Paiute and the Hualapai were not able to demonstrate “exclusive use” of that area to the satisfaction of the courts during Indian Claims Commission hearings in the 20th century, and their claims to those riparian areas were denied, as will be discussed elsewhere in this document. Ironically, as a result, the Colorado River riparian corridor from Big Bend to Cottonwood Island was effectively “unclaimed” within ICC proceedings.

Still, Cottonwood Island is the northernmost outpost of dense and permanent Mohave settlement reported for the contact period.⁵² The island was somewhat separate from the area of continuous Mohave settlement to the south and is sometimes referred to as a Mohave “outpost,” though no other tribe claimed the intervening lands.⁵³ The Mohave who lived at Cottonwood Island were reported to be called *Matocopa*, and to live principally on fish obtained from the river (Stewart 1969b: 264). By no later than 1858 there is a written record of Mohaves living at Cottonwood Island. In Ives’ explorations of 1857-1858, he noted “A few scattered Mohave families” in addition to Paiutes living in the Cottonwood area (Ives 1861: 56-66).⁵⁴ At this date, Chief Irrateba reported that the lands north of the island were principally Paiute territory (Ives 1861: 79-80). Cottonwood Island and vicinity was in the territory of the northern Mohave population – the *Matha lyathum* or *Matalydom*. Cottonwood Island had other levels of significance to the Mohave people, however. The Island is, as suggested elsewhere in this document, a place of unique cosmological power, linked to Spirit Mountain, and described in Mohave oral tradition as the place of the first cremation, involving Matavilye, the Creator. The island is now submerged below Lake Mohave, but the location and many features above the water line are still understood to be culturally and historically significant by many Mohaves.

Cottonwood Island, however, was not the only settlement site in this area. Mohaves were also reported to have lived in small numbers on Round Island, some distance upstream from Cottonwood Island, in the 19th century. Though the area between

Cottonwood Island and the core Mohave settlement in Mohave Valley is rugged, various small settlements are identified in some sources. The area below modern Davis Dam is also reported to have been the location of numerous Mohave settlements, such as *Mat-aqwaθ-kutsyeye* (“yellow-ocher-wash open”), said to be “the last settlement still in Nevada when going [south]” (Kroeber 1951: 140; ICC 1957: 407).

Certain other landmarks in Clark County are of critical importance to Mohave and other Yuman peoples associated with this area. Mohave narratives describe the movements and creative actions of spirit beings in many places within the study area, most notably southern Clark County, in such locations as Eldorado Canyon, Spirit Mountain, and New York Mountains. Indeed, Spirit Mountain and Eldorado Canyon are described as being central to the creation and the cosmology of the Mohave and their Yuman kin. Each of these places maintained a high level of cultural and religious significance and are still important to many tribal members today (Kroeber 1925: 770-76).⁵⁵

Foremost among these features is Spirit Mountain - *Avikwame* to the Mohave, and Mount Newberry on many maps - located in the southern corner of the county.

Their sacred mountain *Avikwame* (Mt. Newberry in the Dead Mountains), which they associated with the divinity Mastamho and the source of dreams and power, rises to its more than 5000-foot peak just west of Davis Dam, and overlooks and dominates the whole [Mohave] Valley. (Kroeber 1974: 31)

The importance of this place to all Yuman people has been widely documented (e.g. Bourke 1889; Kroeber 1959: 263, 1935: 12 ff.; Hinton and Watahomigie 1984; Baksh 1994; Ezzo 1994). In Yuman oral tradition, human souls are reported to have first emerged in this creation place, and the location is traditionally viewed as having unique powers relating to its genesis that can be accessed by traditional religious practitioners (e.g., Stewart 1969a: 221).⁵⁶ Shamans are said to have gotten their power from this peak (Kroeber 1925: 770 ff).⁵⁷ Mohave oral tradition provides long and detailed narratives regarding the actions of the Creator and other spirit beings who create and interact with this peak and its associated landscape features. The site has been listed on the National Register as a traditional cultural property in light of this significance (BLM & NPS 1999). Some Mohave narratives allude to people living at *Aviokame*, but this may be a

reference to those living near the base of the mountain, at or near Cottonwood Island (e.g., Devereaux 1951: 36).

WESTERN SHOSHONE

The Western Shoshone term for themselves is *Newe*. Their traditional lands are commonly called *Newe Sogobia*, and include the northwestern portions of Clark County, Nevada. Their claims to their traditional lands, as modern tribal members often note, are enshrined in the 1863 Treaty of Ruby Valley. While Clark County lies outside of the conventionally designated Ruby Valley Treaty boundary, it still sits within the traditional areas of occupation and use for certain Western Shoshone populations (Western Shoshone Defense Project 1999; Crum 1994). Though Western Shoshone consisted of a number of small, but often interrelated, groups, cumulatively their territory covered a vast portion of the Great Basin, from southern California and the Death Valley region in the south through the mountainous highlands of central Nevada, and across northwestern Utah and into Idaho. If Western Shoshone territory is traditionally vast, its occupation was also uneven. As summarized in the *Handbook of North American Indians*, “Western Shoshone territory was sparsely inhabited in historic times, and boundaries tended to be fluid, engendering continuing debate” (Thomas et al 1986: 262). This debate has contributed to conflicting depictions of Western Shoshone territory in both ethnographic and legal documents relating to the study area (Map 7). As will be discussed later in this document, the question of Western Shoshone territorial claims is complex, unsettled, and demands the attention of agencies seeking to meet their federal obligations for tribal consultation and compliance today.

Traditionally Shoshone subsistence relied on a high level of mobility, with seasonal rounds of plant gathering and hunting usually centering on a particular geographic district within the larger Western Shoshone territory. Some authors have depicted Shoshone settlement patterns as being “oasis based” – tied to a constellation of well-watered settlement and resource areas within a relatively vast, arid, and sometimes resource-poor landscape (Haarklau 2003). Traveling over large distances, the cores of Shoshone settlement centered on well-watered oases, but resource and ritual use of the landscape expanded immensely beyond these settlements (Stewart 1980; Thomas 1973). Small groups of families and family clusters typically collected plant resources between spring and autumn, based at a constellation of small encampments, located throughout the larger resource territory near springs and other water sources. As is common

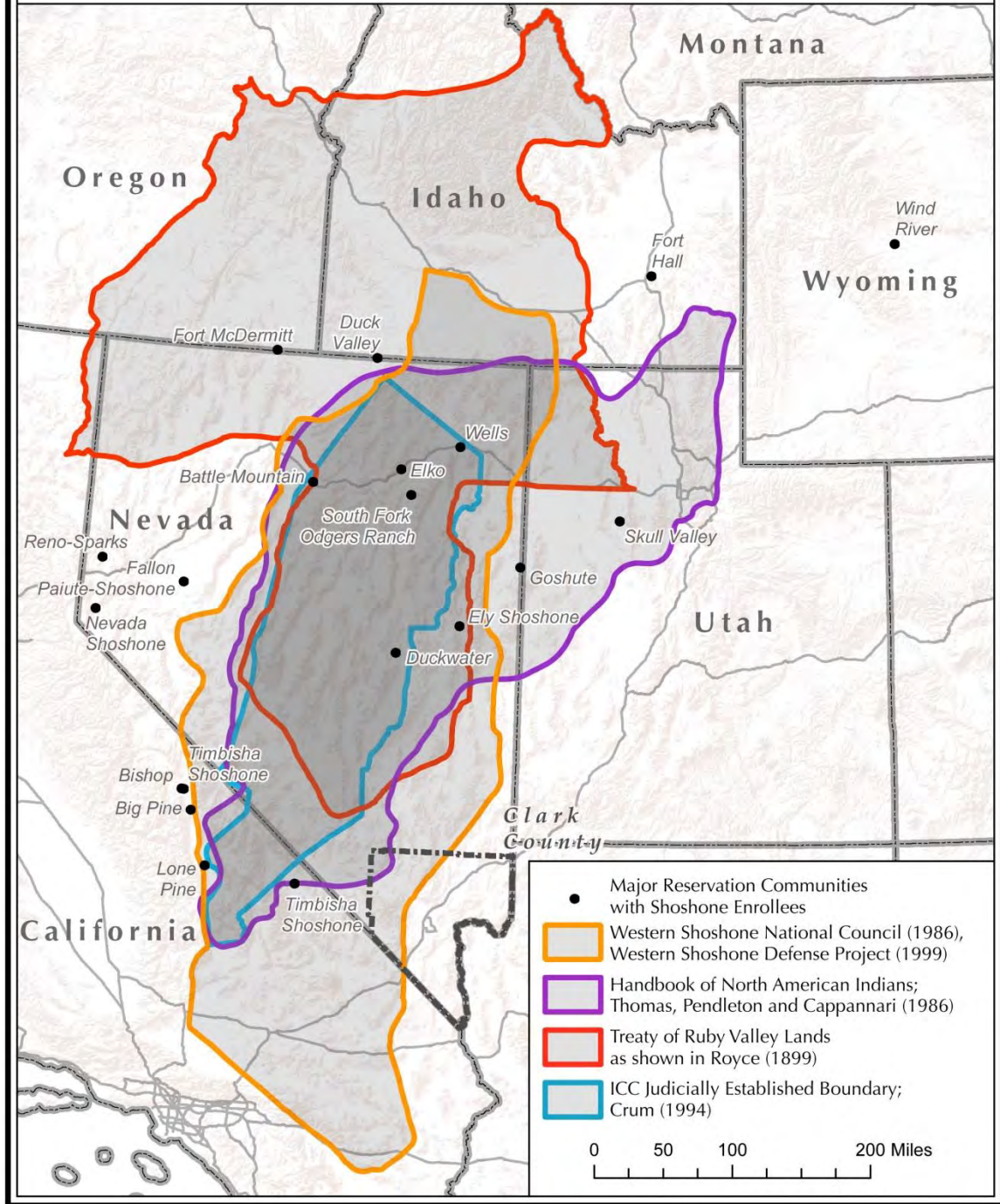
among Western Shoshone communities, those of southern Nevada commonly occupied high mountain country in the summer to escape the heat, seek water, hunt bighorn sheep and other game, to gather pine nuts, agave, medicinal plants and basketry material, and to participate in a variety of other activities.

Generally Western Shoshones collected lowland edible greens in early spring, moving up in elevation by summer to gather seeds, roots and berries. In the fall, pine nuts were an important resource particularly in areas of abundant piñon groves, generally found at elevations between 5,000-8,000 feet. During the winter, groups of several families gathered at larger villages in lower elevations, and were sustained by food cached during the harvest seasons. Although this was the basic pattern among the Western Shoshone generally, there was much local diversity in settlement and subsistence strategies based on the unique food resources and topography of each band's district. For example, Death Valley Shoshones depended heavily on mesquite pods (Driver 1937: 68), and subgroups in the southern region, in and around northeastern Clark County, also relied on salvia seeds, various cactus species, agave, gourds, and various wild vegetables (Colville 1892: 353-355, Chalfant 1930: 77, Driver 1937: 64-68; Steward 1937a., 1937b., 1938; Thomas et al 1986).⁵⁸

Hunting practices have been somewhat more diffuse than is the case with plant procurement, but several species were hunted regularly. Bighorn sheep, antelope and deer are the large game that have been commonly hunted throughout Western Shoshone territory, although in the southern areas, deer are often scarce (Steward 1941: 258). Many Western Shoshones traditionally hunted antelope by communal drives, and people from the southernmost groups with ties to the Clark County area, such as Lida, Beatty and Death Valley, had to travel considerable distances to participate in these events (Steward 1940: 483). Small game included rabbits, which were an important source of food and fur and, to a lesser degree, burrowing rodents, birds, and, in the southern regions, chuckwalla (Steward 1940, 1941).

Family groups traditionally made their seasonal round within local districts, frequently centered on distinctive geographic features, such as a valley, or a cluster of winter villages, and each local group's name was usually a reference to the geographic feature or a prominent local resource procurement site (Steward 1938: 154, 1937). While families generally returned to the same villages each winter, the composition of winter villages could vary from year to year, and the authority of headmen depended on the consensus of a dynamic village population.⁵⁹ As membership within a localized group could fluctuate considerably, a number of authors have been therefore reluctant to

Alternative Depictions of Western Shoshone Territory



Map 7

consider many Western Shoshone populations to be considered formal “bands” or “tribes” but, still, references to particular “bands” is conventional and is used here advisedly (Thomas et al 1986; Steward 1938, 1937b).⁶⁰ Social and political organization was sufficiently flexible to accommodate the unpredictability of critical resources. Accordingly, the Western Shoshone tended to avoid the sharp definition of territorial boundaries, and families were free to hunt and gather in other bands’ districts (though permission might be sought to utilize specific resources conventionally used by a particular group). When plant harvests were poor in a given district, for example, families might join kin or allies in groups living in neighboring districts to share in the harvest and use of more plentiful resources. Group composition in other communal activities, such as antelope and rabbit drives, was also based on the proximity of individual families to these activities (Steward 1938: 629).

At the time of European contact, the Western Shoshone in the vicinity of Clark County had low population densities, being estimated for the Death Valley, Beatty and Lida, communities, for example, to average one person per roughly 20 square miles. Travel over these distances was time-consuming and communities ran considerable risk when removing to distant resource procurement sites.⁶¹ In this context, kinship linkages between communities served as an information network, sharing details on resource availability over large areas, and extending invitations for shared subsistence tasks in the event of unusual resource abundance or scarcity in particular places. Steward noted that, in such cases, “marriage was an economic alliance in a very real sense” (1938: 241). This facilitated ties between different Western Shoshone populations in and around southern Nevada, but also between Western Shoshones and Southern Paiutes, with whom they sometimes married, shared resource tasks, and cooperated in myriad other ways.

A number of researchers have commented on the social integration of Western Shoshone and Southern Paiute communities and interests, specifically in this portion of southern Nevada. On the basis of a thorough review of Great Basin kinship and territoriality, Julian Steward (1937b, 1938, 1941) frequently noted the absence of sharp distinctions – social or geographical - between various Paiute and Shoshone bands in the region. In this region, “Today and probably formerly many Shoshoni are intermixed with the Paiute” (Steward 1941: 212).

Just over the Nye County line from the study area, Ash Meadows is often cited as the core of this mixed Shoshone and Paiute population. Sitting at the interface between the

Shoshone and Paiute worlds, Ash Meadows was a small oasis, with cultivated groves of screwbeans, mesquite, and other food plants, as well as intermittently abundant marsh resources. Maize, beans, squash, sunflowers, and other crops were also cultivated there as part of a permanent agricultural settlement (Steward 1938). At least by the 19th century, Ash Meadows was described as being an area of mixed Shoshone and Paiute occupation, made up of populations from both tribes and apparently intermarried memberships (Steward 1938; Humphreys 1872). By the 1870s, Indian agents in the region were reporting on this mixed community, “At Ash Meadows is a small band of about fifty men, women, and children, composed of renegade Shoshones and Pah-Utes, together with a mixture of these two tribes” (in Humphreys 1872: 89).

Two decades later, Frederick Coville (1892: 358) noted that this population in particular was of mixed Shoshone and Southern Paiute ancestry in the course of his research with Ash Meadows residents. On the basis of his own investigations in the 1930s, Steward (1938: 181-182) noted that, “The same is true today and was probably true in aboriginal days.”

Resource sharing and trade between Paiute and Shoshone communities was facilitated by these mixed populations living at the margins of the Paiute and Shoshone worlds.⁶² Again, quoting Steward,

Permission to gather on a tract was readily extended to families which owned tracts in areas where the crop had failed. Thus, Shoshoni at Ash Meadows were often invited to pick on the Spring Mountains, and, when the Spring Mountains crop failed, Paiute were invited to pick in the Shoshoni Mountains...[likewise] Ash Meadows people usually went to the Spring Mountains for deer, but sometimes took them on the Shoshoni Mountains.
(Steward 1938: 183-82)

Similarly, Euler’s Southern Paiute consultants of the mid-20th century recalled that their “people were cordial to the Shoshone and the two groups on occasion utilized each other’s territory, primarily for pine nut gathering; each knew when they entered the range of the other” (Euler 1966: 108). The Ash Meadows community apparently played an extensive role in helping “bridge” the larger constellation of Paiute and Shoshone communities, allowing both populations to access and mutually utilize resources in the

Pintwater and Sheep Range (Arnold 2003; Zedeño et al 2003; Stoffle et al 2000; Bergin 1982).

As a result of this social integration and the practice of sharing resource areas with kin, efforts to delimit territorial claims were at best problematic. Investigating the delineation of such a boundary in the 1860s, the Nevada Superintendent of Indian Affairs concluded that, “The line separating them [the Shoshones] from the Pai-Utes on the east and south is not very clearly defined” (Campbell 1866: 114). Julian Steward likewise noted,

It is impossible to trace a boundary with any precision in an area like this. Ash Meadows was a mixture of Southern Paiute and Shoshoni, while southern Death Valley undoubtedly had an appreciable Shoshoni and Southern Paiute element in its population...Ash Meadows and Pahrump Valley inhabitants went primarily for foods to the vicinity of Mount Shader and the Spring Mountains to their east and southeast. (Steward 1938: 92)

The Pintwater Range in Clark County is most frequently cited as the eastern border of the Western Shoshone in Clark County, albeit a diffuse border, where Shoshone and Paiute communities possessed overlapping claims and where resident communities were derived from both tribal populations. While researchers have claimed that the northern and western edge of Western Shoshone territory can be defined with some precision, “the south eastern section of the Shoshone territory is not quite as precisely marked” (O.C. Stewart 1966: 188). Still, a surprisingly large number of sources consistently identify the southeastern edge of their traditional lands as following a boundary following a line running from Ash Meadows to the eastern edge of Spring Mountains to the north-south ridgeline of the Pintwater Range. The mapping of Western Shoshone territory in numerous sources has been summarized, and their boundaries compared, in a single overview by Omer Stewart (1966), which confirms this uniformity. Deviation from that boundary by some authors tends to be minor, and may reflect cartographic generalization when mapping at large scales (e.g. Kroeber 1939).

When efforts are made to define specific Western Shoshone communities’ associations within this northwestern corner of Clark County, the area is widely depicted as being within the much larger territory of the *Ogwe’pi* band, also commonly referred to as the Beatty Band due to their association with Beatty, Nevada (Steward 1938, 1937b; Inter-

Tribal Council of Nevada 1976b). The *Ogwe'pi* territory was said to contain an unusually large number of springs relative to other Shoshone territories nearby, and so the area had at different times been the center of a number of villages and encampments, while also being a stopover point for Shoshone populations passing through the region.⁶³ While not explicitly identified as "Timbisha" Shoshone in conventional sources, there is much evidence to suggest some degree of association with Timbisha people at contact. A late 1870s census by one of Steward's Shoshone consultants (identified as "TSt") identified six camps in the vicinity of Beatty, with perhaps only 29 permanent residents spread between four, and the other two serving as alternative campsites. Of these *Ogwe'pi* settlements, Steward (1938: 94) notes,

As the camps were scattered because of limited water and scarcity of foods, it is hardly proper to call them villages. These were at springs and along the Amargosa River which flows for a few miles in Oasis Valley but fails to reach the Amargosa Desert. Other springs in the general region, for example, those in the Bullfrog Hills to the west, were merely temporary seed-gathering camps.
(Steward 1938: 94)

On the basis of interviews with a number of Shoshone individuals, Steward (1938: 94-95) identifies these six principal campsites for the *Ogwe'pi* or Beatty band. They are, with Steward's original explanatory notes:

Indian Camp, at the head of Oasis Valley "about 4,000 feet. Permanent inhabitants, if any, unknown."

Howell Ranch, near Springdale "This was sometimes occupied by the family of Takaniiasugu from [*Pa:navadu*], below"

Hu:nusii or "willow canyon," at Burn's Ranch "(probably Goss Springs on the U.S.G.S. map). One family: a man, his wife...and daughter."⁶⁴

Ta:kanawa or "near obsidian" at Hick's Hot Springs - "3,600 feet. One family: Tu:nak (tuhu, "black" -fnaqk, "ear") from some other locality, his wife...and son."

Sakainaga ("willow"?) "at the mouth of Beatty Wash on the Amargosa River. Three camps scattered in this vicinity. The first: [a man] who was born there; his

wife from *Wuqiakuda* in the Belted Range; two sons and a daughter. It also included two brothers ... One of them, named Kadupuaganda, had a wife from Furnace Creek and a son. Total, eight persons."

Pa:navadu (*pa*, "water" + *navadu*, "flat") "somewhere near the last. Two families. One: two local brothers. Jack and Ego[^]sugu (ego, tongue), and their wives who were sisters from *Tupipah* in the Belted Range. The other: Takaniiasugu (*takanua*, "crooked foot") from *Hu:nusii*, his wife (a cousin of Jack and Ego[^]sugu), and their daughter. This family alternately wintered at *Pa:navadii* and Howell Ranch. The chief of these encampments was TSt's father, who directed rabbit drives and festivals until his death. He had no successor because these activities were discontinued."

All of these occupied places appear to be located in Nye County, Nevada and not within Clark County, but would have been linked to constellations of smaller encampments and resource outposts that crossed the modern county boundaries.

Simultaneously, Powell and Ingalls (1873), Coville (1892), and Julian Steward (1938) interpreted two local populations not on this *Ogwe'pi* band list as being mixed Western Shoshone and Southern Paiute. This includes the *Kau-yai'-chits*, located at Ash Meadows (31 individuals under the headman Nu-a'-rung in the early 1870s), and the *Ya'gats*, located at Amargosa (68 individuals under Ni-a-pa'-ga-rats); this may be the same as Steward's *Sakainaga*, but the relationship remains unclear in written sources.

Steward depicts the Beatty population as having strong linkages to Timbisha Shoshone from the Furnace Creek, "Beatty also associated occasionally with Death Valley and the Belted Range residents with Kawich Mountain people" (Steward 1938: 93-94). Timbisha (*Tiimbica* in some sources), centered in the Death Valley area, also made occasional use of the eastern portion of the county, including pine nut gathering and hunting areas in Spring Mountains and the ranges lying in the northeastern part of the county.⁶⁵ In later years, this Timbisha connection to Clark County would arguably intensify, as transportation became more efficient and Shoshone families from Nye County consolidated with Timbisha and other large Shoshone populations nearby.

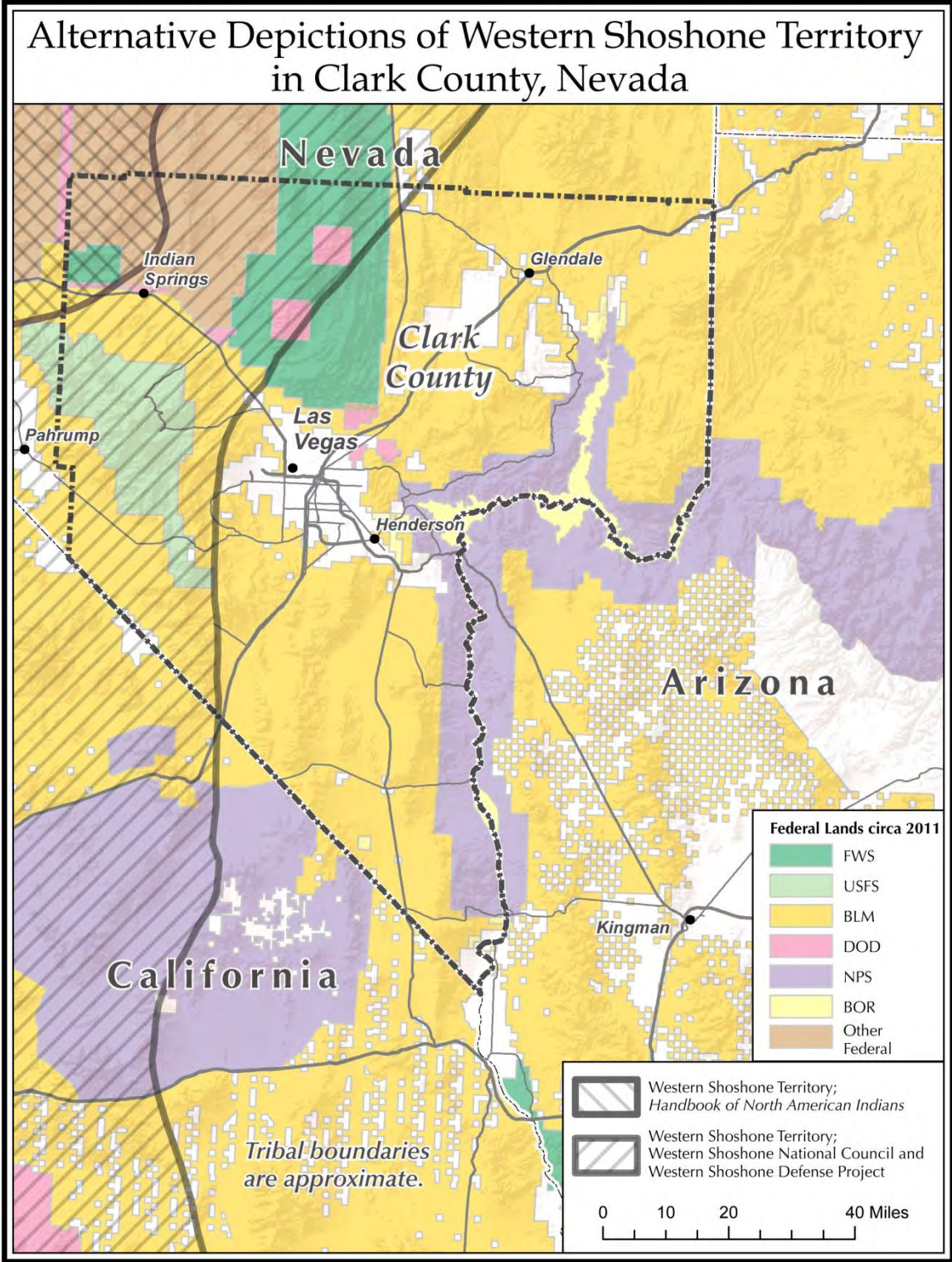
Consolidation also drew some Shoshone westward, through existing Shoshone connections to communities in the Las Vegas area. Sources suggest that the communities at Indian Springs, Las Vegas, and elsewhere in central Clark County had

considerable Shoshone admixture at contact, and this may have only intensified at the time of European reoccupation. As Julian Steward noted,

Shoshoni occupied southern Nevada from the Amargosa Desert eastward to the Pintwater Range and possibly beyond, including Desert Valley. Southern Paiute dwelt to the east, though it is probable that the population along the area of tribal contact [i.e., east of the Pintwater Range in Clark County] was a mixture of Paiute and Shoshoni, like that at Ash Meadows.
(Steward 1938: 93)

Western Shoshone are reported to be intermittently present, minimally, at Indian Springs in the historical period. Some families were also represented in Las Vegas during the late 19th century. In fact, some portion of pioneering ethnobotanist Frederick Coville's Shoshone consultants were from the Indian community at Las Vegas (Coville 1892). The eastern boundary of Shoshone occupation, therefore, was indefinite; it appears to have been shifting and permeable prior to European contact and the circumstances of the 19th century merely added complexity to this picture. As a result, the map of Shoshone associations with federal lands in Clark County varies depending on the source, and no one source is without its problems (Map 8).

In truth, existing maps of "Shoshone territory" in Clark County may be relatively meaningless in the context of Paiute-Shoshone intermarriage and resource sharing, as well as the traditional organization of Shoshone territories around constellations of resource outposts rather than discrete and neatly bounded territories.⁶⁶ Certainly, such resource outposts were numerous in the eastern half of Clark County. *Ogwe'pi* and Timbisha Shoshone, as well as mixed populations at Ash Meadows, utilized the northern and eastern portions of Spring Mountains in particular. Southern Paiute oral tradition sometimes suggests that this was done with Paiute permission, but accounts vary. These mountains are traditionally accessed for pine nuts and agave, but also for hunting, especially when hunting was poor in other locations closer to their main villages (Steward 1938; Coville 1892). As Steward noted of Shoshone Spring Mountain hunts, "Because of the great distance back to the village, they butchered them at once, dried the meat and skins, and carried them home in nets" (Steward 1938: 184). Agave gathering was also reported at Potosi Mountain (Coville 1892: 356). Resource use in the Sheep Range was reported to be extensive. In these places, close to their territorial boundaries, these resource harvests were often accomplished in multi-tribal use areas,



Map 8

sometimes in ethnolinguistically segregated camps, and sometimes in integrated camps (Inter-Tribal Council of Nevada 1976b).

In Western Shoshone cosmology and oral tradition, unique spiritual forces and beings are also found in the high mountains, apparently including mountains in and around the study area (e.g., Premo in Smith 1993: 63-65). Utilization of mountains in the northwestern portion of the study area for ritual purposes is implied by some modern tribal members, but specifics would require further investigation and consultation with modern Shoshones.⁶⁷

HUALAPAI AND OTHER TRIBES WITH COLORADO RIVER CONNECTIONS

The Colorado River was, and continues to be, a major corridor for the movement of people, goods, and ideas. For millennia, peoples of the Southwest and Great Basin made their homes along this river, gathered resources there, or simply passed through. By the time of contact, many tribes no longer living in what is today Clark County could nonetheless claim legitimate historical associations with this area. There is a consistent pattern within the oral traditions of Southwestern tribes discussing the travel of spirit beings up and down the Colorado River, as well as humans traveling for trade, social gatherings, or spiritual purposes (e.g. Laird 1984: 174 ff.). The Hopi and Zuni possess rich oral traditions regarding their ancestral ties with different parts of the Southwest, and the Colorado River corridor along its Clark County reach is among those places referenced in these oral traditions. They identify a number of places of cultural importance along this river, including the “Virgin Anasazi” settlements of the Virgin and Muddy river basins, as well as Spirit Mountain. Likewise, modern Navajo can recall oral traditions describing spirit beings and human beings traveling to the sea through the Colorado River corridor, with each of the riparian locations mentioned in these stories possessing varying degrees of cultural and spiritual significance today. Similarly, the apparent Yuman diaspora from the Colorado River corridor long before European contact has contributed to strong and widespread tribal interests in this area. Keen interest in the Yuman creation site at Spirit Mountain is shared by most Yuman-speaking tribes today, including but not limited to modern Mohave, Quechan, Pima-Maricopa, Yavapai, Hualapai, Havasupai, and Cocopah – with some members still recognizing Spirit Mountain as the spiritual and geographical center of the world. Other tribal communities, including Hopi, Zuni, and certain Southern Paiute peoples also recognize this site as being of profound religious importance (BLM & NPS 1999).

For this reason, the agencies managing the lands along the Colorado River riparian corridor must communicate and consult with a long list of modern tribes, not only those tribes that recently occupied the land, but those whose ancestors had connections to the land and who continue to value it in various ways today.

Among these tribes with ties to the Clark County portion of the Colorado River corridor, the most proximate are the Hualapai (or Walapai in some sources). Because they live nearby, and sometimes occupied and used lands in Clark County, they are considered in more detail here (though any of the tribes mentioned above might also warrant such attention). The Hualapai are a Yuman-speaking people who have traditionally occupied an extensive territory in northwestern Arizona bounded on the north and east by the Colorado River. Instead of large-scale “bands,” the Hualapai are often said to have “subtribes,” or “divisions” that were, in turn, divided into small local groups sometimes termed “bands” (e.g. Kroeber 1939). The Hualapai people have been widely described as having three large divisions or subtribes: Middle Mountain People in the far northwest part of the territory (closest to the study area), Yavapai Fighter in the south, and Plateau People to the east; and each division consisted of several smaller bands (Dobyns and Euler 1970:17). Each band was composed of neighboring camps, and each camp included several families who cooperated economically and resided together for most of the year within a restricted geographical area. Boundaries among the three Hualapai divisions were not rigidly demarcated, and bands were welcome to collect food in the customary range of another band or division, especially when resources were abundant. Members could marry outside their bands, as well as outside their division (Dobyns and Euler 1970; McGuire 1983; Martin 1985). Though various sources provide contradictory details, it is clear that the Havasupai are closely tied to the Hualapai, and may have been a band of the Hualapai until a relatively recent division of the larger population into two separate tribes.⁶⁸ Despite these divisions, Hualapai have continued to maintain strong social, cultural, and economic ties with other Pai tribes, such as the Havasupai and Yavapai.⁶⁹

The Hualapai are commonly depicted as possessing a kind of semi-sedentary and agricultural lifestyle similar to neighboring tribes such as Mohave, while still possessing a mixed economy that relied heavily upon desert hunting and gathering more comparable to Southern Paiute, utilizing the seasonally available wild resources of the chaparral and desert-grassland environments in their homeland.⁷⁰ At the time of contact, large winter village populations dispersed annually to a constellation of resource harvesting sites and encampments during the harvest times from spring

through fall.⁷¹ In the spring, wild harvests have focused especially on such species as mescal or agave (*Agave* spp.) and stick-leaf seeds (*Mentzelia albicaulis*). The fruits of several cacti, piñon nuts, juniper berries, and sumac all are traditionally harvested through summer and early fall. Concurrently, and through the winter, men have traditionally hunted rabbits and other rodents, various birds, mule deer, bighorn sheep, and pronghorn antelope. Natural resource procurement sites utilized by the Hualapai traditionally are considered to be “owned” by the lineage or family who has historically used and maintained resources at the site.⁷² The Hualapai traditionally practiced agriculture alongside gathering and hunting activities, maintaining gardens of maize, squash, beans, sunflower and cotton, irrigated by diversion dams and springs. Irrigation systems are traditionally channeled from cliff faces or rivers and streams, often on floodplain environments including the Colorado River and its various tributaries, both annual and intermittent (Kroeber 1935:48-76; McGuire 1983, Martin 1985).

In addition to being skilled cultivators, the Hualapai have traditionally occupied an intermediate geographical position between a number of large and powerful tribes and have served as important middlemen in intertribal trade. The Hualapai participated in a trade network spanning from the tribes of the Pacific Coast to those of the New Mexico Pueblos. Major trail networks passed through Clark County, linking the Pacific coast to the Puebloan peoples of the interior, and the Great Basin tribes with peoples of the Mexican tropics. Pearce Ferry and Cottonwood Island were the sites of major Colorado River fords used by tribes traveling these trails, especially linking the tribes on either bank of the Colorado.⁷³ For the Hualapai, these were the major access routes in and out of what is today Clark County. Use of these trails by neighboring tribes is suggested by oral traditions recorded by anthropologists and linguists of earlier generations.⁷⁴ In addition to serving as middlemen, the Hualapai traditionally specialized in the production and distribution of certain locally abundant products, as well, including dried mescal, basketry, and red hematite mined in the territory of the “Middle Mountain” communities of the Hualapai. The Hualapai appear to have traveled through what is today Clark County when on trade expeditions that took them as far west as the Pacific Ocean along established trail networks (Dobyns and Euler 1976). Local trade with Clark County tribes was also common. For example, Hualapais traded meat and skins from deer and mountain sheep for crops cultivated by Mohaves and Havasupais and shell decorations from Mohaves and Quechans (Kroeber 1935: 64-66).

As with the other tribes discussed in this document, the boundaries between Hualapai bands, and between the Hualapai and their neighbors, are often difficult to ascertain with precision. As Dobyns and Euler (1976: 22) note, “Boundaries between the various Northeastern Pai bands were social rather than geographic,” with the total resource outposts and encampments of a band establishing their *de facto* territory, sometimes overlapping in places with adjacent bands or tribes in “areas of joint occupation” (Manners 1974: 143).⁷⁵ As with the Southern Paiute on the opposite bank of the Colorado River, this river represented the one clear boundary of the Hualapai world, “The steep-walled forbidding gorge of the Colorado formed the boundary to north and west, toward the Paiute” (Kroeber 1935: 38). Various sources suggest that the Hualapai viewed the Colorado River as the “conceptual frontier” and “natural boundary” between their territory and that of the Southern Paiutes (e.g. Dobyns 1956: 288). Dobyns reported that this boundary was embedded within traditional Hualapai cosmology,

The Hualapais conceived...their boundary as the mid-stream of the Colorado River, for which they had a specific name. The stream, itself, the Colorado River, the Hualapais called *Ha’Kataya*, but the mid-stream they conceived in their mind as *Haitat*, which they translate as the backbone of the lizard, conceiving the river as a giant lizard, running along the edge of their territory, and they said that their country extended to *Haitat*, the backbone of the river, with that analogy, so that when we have indicated boundary lines here these will be understood as *Haitat*, the backbone of the river.

(Dobyns in ICC 1957: 396)

Their traditional use areas along the riverfront were apparently continuous as far downstream as *Avikame*, where the boundary with the Mohave veered inland to Boundary Cone, thence southward to Topock and the eastern flank of the Needles. On its upstream end, their core territory ran as far eastward as the approximate eastern boundary of the modern-day Hualapai Reservation, which abutted resource procurement areas shared with the closely-related Havasupai (Dobyns 1956: 288).

There were perhaps no principal Hualapai settlements on the Colorado River (Kroeber 1935), but small settlements and encampments were commonplace. Certain Hualapai bands are especially associated with this area. The Red Rock Band (*Wi gahwa da Ba:*) is widely reported to be associated with this area. In Indian Claims Commission testimony, Henry Dobyns reported that “the Red Rock People” utilized the Colorado

River riparian corridor in certain places, especially just above its Big Bend but also along the length of the river at least as far south as Willow Beach⁷⁶,

[T]hey found on the small flood plains, on the southern bank, mesquite trees with their sweet, edible pods to be pounded up, where they practiced inundation agriculture...[they] practiced inundation agriculture again at Willow Beach, on the flood plains of the Colorado River, obtained mountain sheep particularly from the Black Mountains and in Black Canyon obtained some special food crops seasonally, particularly mesquite...hunting [the riparian area] intensively, particularly for mountain sheep, obtaining wild food on the slopes, and down the bank...also going across the river in, in this area, to obtain salt on the north side, in the Virgin River Valley, from these salt caves.
(Dobyns in ICC 1957: 395)

This appears to be the population referenced in sources such as Dobyns and Euler (1976: 11) who occupied the Colorado River riparian corridor in those few places where they could get a footing. They “had only sand bars to cultivate on the east bank of the Colorado River above Cottonwood, but did so.”

In addition to the Red Rock band, the Cerbat Mountain band (*Ha' emde: Ba:'*) is sometimes reported to have occupied the eastern bank of the Colorado from roughly the Cottonwood Island area to the site of Davis Dam, while the Hualapai Mountain band (*Mađ hwa:la Ba:'*) were said to occupy the eastern bank roughly from Davis Dam to Bill Williams Fork in Arizona (McGuire 1983; Dobyns and Euler 1976). Kroeber, who outlined slightly different territorial boundaries, reports the Red Rock band as *Mata'va-kopai* (north people) and the Cerbat Mountain band as *Sto'lve-kopai* (west people), while dividing the Hualapai Mountain territory into northern and southern halves, with the northern being *Hakia'tce-pai* or *Talta'l-kuwa* and the southern being *Kwe'va-kopai* (south people) (Kroeber 1935).

Hualapai occupation was well established, and has been well-documented along the length of the south and eastern banks of the Colorado for a considerable time depth.⁷⁷ On the basis of such evidence, it is clear that the Hualapai have strong ties to the eastern shore of the Colorado River and possess unambiguous ties with that portion of what is today Lake Mead NRA. The eastern shores of Lake Mead were certainly part of the Hualapai's traditional resource territory.⁷⁸ Still, the Hualapai shared the east bank of the Colorado – perhaps as far upstream as Big Bend – with the Mohave, who traveled

through and utilized this area as a place of joint occupation. Primarily on the basis of archaeological patterns and pottery styles, Dobyns (1956) depicts the entire bank of the Colorado south of the Big Bend to be an area jointly claimed by the Mohave and Hualapai.⁷⁹ This joint occupation is the basis for that area being erroneously excluded from mapping of Hualapai territory in a variety of common sources (e.g., McGuire 1983) (see Map 4 and later sections on the Indian Claims Commission).

In all of the Indian Claims Commission mapping of Hualapai territory, only one location on the west side of the Colorado River is consistently mapped as being a place of interest to that tribe – Spirit Mountain, the important creation site shared by the Yuman peoples of the region. As with their Mohave kin, Hualapai oral tradition suggests their source of origin at *Wi Kahmé* – Spirit Mountain or Newberry Peak – from which they moved eastward to occupy an extensive territory in northwestern Arizona, partially encircled by the Colorado River (Talieje 1984:15-41). These oral traditions suggest that at the time of their creation, the Hualapai were provided with detailed instructions on the configuration of their territory and the nature of their subsistence practices, which have defined their life on the east bank of the Colorado but can be traced to this landmark on the western bank (Kroeber 1935 23 ff). Some tribal members continue to visit this place for spiritual purposes. Thus, along with their Yuman-speaking kin, the Hualapai have continued to take an active interest in Spirit Mountain and to participate in the Traditional Cultural Property nomination and other consultation related to this important place (BLM & NPS 1999).

Still, Hualapai utilization of sites on the western shore of the Colorado is suggested by various sources, including the accounts of contemporary tribal members. One area visited frequently was the salt caves on the lower Virgin River,

We can be quite sure in prehistoric times salt from these caves was being traded by the Hualapais, being obtained probably by the Red Rock people and then given by them in gift-exchange relationships with their relatives in the adjacent groups.

(Dobyns in ICC 1957: 397)

Havasupai travels to the Big Bend area for salt appear to have included visits to other landmarks near the Virgin River confluence with the Colorado (ICC 1961: 1035-38). In addition to visiting the salt caves and nearby landmarks on what is today Overton Arm, the Hualapai utilized settlement and subsistence sites on the western shore, usually in

combination with other tribal groups, a practice that reportedly continued into the period of EuroAmerican settlement (Dobyns 1956; ICC 1950; Harrington 1925, 1926).⁸⁰ Modern Hualapai oral traditions continue to reference these ties to the western side of the Colorado River.

ENDURING TRADITIONS: CREATION AND SALT SONG CYCLES

The cosmological significance of portions of the study area to tribes is encoded in songs that are said to describe events from the distant past. Typically these songs describe the experiences of ancestors and spirit beings in reference to particular places on the landscape. Many of these songs are still of tremendous cultural importance today, are sung in ceremonial settings, and manifest enduring tribal ties to the area. This is especially true of the Salt Songs, some of which are sung by modern Mohave, Chemehuevi, Kaibab, and other Southern Paiute communities.

The Mohave, Chemehuevi and other Southern Paiutes possess creation songs and Salt Songs that describe the movements of spirit beings that travel across the desert, marking places and providing the features, such as water, natural resources, or rock features, that make these places distinctive. These stories tell travelers what they will see as they travel across the landscape, including springs and food gathering sites, as well as medicinal and sacred places. Mohave creation song cycles allude to the actions and travels of the Creator and other beings through the desert, running a circuit from Spirit Mountain (or Mt. Newberry, Nevada) through the desert and back. Salt songs refer to places along the routes traveled by the Mohave, the Chemehuevi and other Paiute communities during the salt trade. Like the creation songs, these songs describe the activities of spirit beings, in addition to historical ancestors that are linked to certain places on the landscape.⁸¹

Among those that have been widely documented are the Mohave creation song cycles. Mohave creation songs are reported to contain a roughly 500-song cycle, and describe travels along the Colorado River from *Avi Kwa Me*, or Spirit Mountain (Newberry Mountains and Peak, Nevada), to *Avi Kwahath*, or Greasy Mountain (South Mountain, Arizona) (Klaskey 1999: 15; 1998). As noted elsewhere, Spirit Mountain is the locus of origin for the Mohave people. It is the residence of the beings, *Mutavilya* and *Mastahmo*, who instructed the Mohave people to be the caretakers of the river and the land. Grapevine Canyon (now in Lake Mead NRA) is described as the spiritual gateway to

Spirit Mountain. The steep walls are covered in petroglyphs depicting mountain sheep, spirals, stars, and intricate geometric designs relating to this spiritual significance and the song and story traditions that manifest it (Klaskey 1998: 41). The stories in the creation songs begin by recounting the death of the Creator, *Mutavilya*, and contain his instructions to the Mohave people for his own cremation, thereby establishing Mohave funeral rituals. These song cycles describe journeys of legendary and spiritual beings, as well as hunting, fishing, farming techniques, and the discovery of fire. Only fragments of these ancient songs are sung today (Klaskey 1999: 15; 1998: 41). In the historical period, other tribes have adopted portions of the Mohave song cycle. Kroeber, for example, noted “Mohave song cycles and mourning rites taken over in the American period by the Walapai” (Kroeber 1939: 41).

Like Mohave creation songs, the Salt Songs are sung in rounds by Mohave, Chemehuevi and other Southern Paiute singers. The first round consists of requests to the Creator to “sing these sacred songs.” Subsequent rounds turn to descriptions of travels through the landscape and places of navigational and religious importance along these routes. In modern accounts, the salt song cycles bear a strong resemblance to the bird song traditions shared by Cahuilla, Serrano and some Chemehuevi communities. As discussed in the works of Klasky (2009: 8), the Salt Songs consist of a cycle of 142 sacred songs that recount an entire night’s travel by a flock of birds composed of one bird for each species of land bird inhabiting the Colorado River Valley. Throughout the night’s journey, each bird recognizes the place that will be its home and drops out of the flock to stay in its respective place and multiply (Laird 1976: 16-17). In many respects, Salt Songs resemble the “Bird Songs” sung by some area tribes, and the two song cycles are linked in fundamental and dynamic ways.

The Salt Songs described the places one would encounter along a network of trails, connecting to oases that served as central nodes along this network. “Each landmark and watering place was mentioned in order, by recognizable allusion or description if not by name, so that a man’s song constituted an oral map of his territory” (Laird 1976: 10). As explained by Chemehuevi cultural specialists Larry Eddy, Matthew Leivas, and Betty Cornelius, the Salt Song rounds describe a circular pathway through the desert. This is perhaps the most important structural element of the Salt Songs, outlining a circular path between sacred peaks and describing the resources and cultural traditions tied to each peak. The songs aided travelers passing through the desert, describing the appearance of landmarks, their genesis in tribal oral tradition, and the resources, spiritual powers, and other attributes associated with these features that might be

significant to (and sometimes accessed by) travelers. The songs, when sung ritually, are said to have helped the souls of the recently deceased make their way safely to the afterlife. Landmarks along these routes are said to possess their own spiritual power and significance. The Salt Song cycles are connected to mortuary customs, and it is suggested that Salt Song singers helped usher recently deceased into the afterlife by singing of landmarks that could navigate souls to their point of departure from this world and into the next (Stoffle 1997). Some modern tribal members suggest that, by Mohave and Chemehuevi tradition, the dead cannot find their way into the spirit world without the aid of these songs, which help them navigate one last time into an unfamiliar landscape (Deur 2006).

In geographical terms, the song cycle describes travel from landmark to landmark through the desert, starting at the Colorado River, moving northeastward into the deserts of Arizona, circling into south-central Nevada, to the eastern face of the southern Sierra, to the San Bernardino Mountains, then to the Old Woman Range and back to the Colorado River country. Each place mentioned in this song cycle is said to be a sacred peak in Chemehuevi and Mohave tradition (Deur 2006).

Descriptions of the exact path of the Salt Songs have varied somewhat in different accounts. According to Laird, who wrote extensively on the Chemehuevi people based on interviews with her Chemehuevi husband, the songs' journey starts at sunset at a sacred cave on the north side of the Sandy River near its confluence with the Santa Maria River, which forms the Bill Williams River. The trail goes down the Bill Williams to the Colorado River, upstream to a point north of Fort Mojave, east across the mountains to the Mineral Park area, on to Walapai Valley, north again crossing the Colorado River, then heading southwest on the Nevada side. The song narrates traveling down to Las Vegas, arriving about midnight, and then following the Valley of the Dry Lakes by the New York Mountains, down through the hills into California near Danby. After traveling in the areas of Danby and Blyth, the birds cross the Colorado River again into Parker Valley, Arizona, fly northeast to the Bill Williams and continue up that river to the starting point, returning by sunrise. Laird (1976: 17) describes the geography of the Salt Song through Clark County in these terms: from the east side of the Colorado River near Walapai Valley, the song cycle crosses the river "and start[s] out southwest on the Nevada side, coming down to Las Vegas. The Salt Song then follows the valley of the Dry Lakes on down by New York Mountain" where it exits the study area. Laird (1976: 17) further noted that "The Song travels all night, arriving at Las Vegas about mid-night, at Parker toward morning, and back home to the place of

origin by sunrise.” Laird noted that there was some variation in the route of the Salt Song cycle, depending upon the source. Laird interviewed another Chemehuevi man who said the trail started “at the Salton Sea” (Laird 1976: 17, 242).

Other descriptions of the Salt Song trails – more recent, but relying on a larger pool of tribal consultants – suggest that the northward trek does not stay on the east side of the Colorado River, but crosses the river for a loop that passes through the Eldorado Mountains a short distance south of Hoover Dam and through the Las Vegas Basin before crossing back over the river near the Virgin River confluence (see Klasky 2009). In recent years, the Cultural Conservancy and faculty of San Francisco State University have collaborated with Southern Paiute tribal members to map the landmarks of the Salt Song cycle in what has been called the Salt Song Map Project. The Salt Song cycle as depicted on their maps begins at Rock House/*Avi Nava*, a sacred cave at the confluence of the Bill Williams and Colorado rivers. The songs travel north along the Colorado River to the Kaibab and Colorado plateaus, into southern Utah, and then west to the great mountain Charleston Peak/*Nuva Kai*, the place of origin of the *Nuwuvi* people. The trail continues farther west to the desert region east of the Tehachapi Mountains, and then arcs back east through the Mojave Desert to the starting point at Rock House/*Avi Nava* (Klasky 2009:8). In an earlier article, Klasky and Nelson noted that the trail extended all the way “to the spectacular California coast” (2005:10). Places in Clark County specifically identified in the Salt Song Map Project include the following:

Bunkerville Mountain/*Magarit* (located in the Virgin Mountains)
Gypsum Cave
Ivanpah Valley
Mormon Mesa/*Tumbi Karid*
Mount Charleston/*Nuva Kai*
Sheep Mountain/*Naga Kai* (located in the Sheep Range)
Sunrise Mountain/*Tasun Kai* (Las Vegas Basin,
reported south of Spring Mountains)
Valley of Fire

Some accounts suggest that the Salt Songs also reference the salt caves downstream from the Virgin River confluence with the Muddy River. The principal salt cave sites are now submerged much of the time under Lake Mead, but some portion of the significant area still lies above water.

Recent accounts of the Salt Song Trail vary, however. As described by one popular guide, “In its entirety, the Salt Song Trail runs across southern Nevada from the Las Vegas Valley. Traveling along the Spring Mountains, it arrives on the northeast side of the mountains near Indian Springs. It then goes through Pahrump to Ash Meadows, travels down the Amargosa River past Shoshone, and turns at Dumont Dunes...” ultimately doubling back up the Colorado River (Carroll 2005: 195). The Salt Song Map Project seeks to consolidate the various disparate accounts into a more coherent summary, in part to facilitate protection of the landmarks along this route.

The Salt Songs were said to have been kept alive in the Fort Mojave community through the 20th century, even when they were largely forgotten in other Mohave and Chemehuevi communities along the Colorado River. Tribal members describe prophecies told in the time of their grandparents’ and great-grandparents’ youth, indicating that the downriver people would forget their songs, “but those people up north will hold on to our songs for us...when we were ready for those songs again, they would still have them and we could go there to get them...bring them back to life” (Matthew Leivas in Deur 2006).

Certain Salt Songs are still sung by Mohave and Chemehuevi traditionalists today during special and ceremonial events. The landscape imagery of these songs is said to be almost poetic, abstract, yet vivid. While detailed literal translations are elusive, travelers are said to be able to navigate using Salt Songs, even when the landscape has not been seen before, “When you are going there, you know you are on the right path...your mind can see where you are going before you see it...you already know you have arrived before you get there” (Felton Bricker, in Deur 2006). For this reason, these songs provided travelers with information that they needed to both navigate the landscape and navigate moral and spiritual challenges that they might face in their lives. Sung in the presence of young people, these songs taught them to navigate unknown terrain, preparing them for travels they might take through the desert in years to come.

Salt Songs continue to be sung today among tribal communities, and represent living traditions. Today, a small number of individuals, including Chemehuevi tribal members Matthew Leivas, Vivienne Jake, and Larry Eddy are continuing and reviving the tradition of ritually singing Salt Songs. Salt Songs are viewed as important in healing rituals as well as funerals and other times of crisis requiring ritual intervention.

The final rounds of the songs, consisting of mourning songs, are especially common as part of funeral events by tribal members today.

Tribal members from Mohave, Chemehuevi, and other Southern Paiute communities, have been making an effort to identify and return to places that are mentioned in the Salt Songs. These sites are being revisited by a growing number of individuals as part of a reemerging ceremonial tradition. In addition, area tribes, as well as the Native American Land Conservancy and the Cultural Conservancy, are making an effort to document and protect sites mentioned in these songs.

A number of other song cycles have referenced landmarks in and around Clark County – similar in ceremonial importance to the songs referenced above, but perhaps not as widely known or practiced today. Chemehuevi sources, especially Laird (1976: 11 ff.) discuss a Mountain Sheep Song cycle that includes the Eldorado Mountains running along the Colorado River, as well as the adjacent Dead Mountains and Spirit Mountain area, in addition to outlying locations at New York Mountains, Castle Mountains, and Ivanpah Mountains along the southwestern edge of Clark County. These sources also identify a Southern Fox Song cycle that skirts the edge of Clark County, passing from the Whipple Mountains south of the study area to the New York and Ivanpah Mountains to Pahrump and beyond.

Nineteenth Century Transitions

While the tribes of Clark County were versatile and resilient at the time of European contact, they would experience riveting change in the course of the 19th century that would transform their lives, their cultures, and their relationships with particular lands and resources. From this tumult, modern tribes emerged, at once rooted in precontact communities, but often reorganized and relocated in ways that could not have been easily anticipated on the eve of European contact. The section of this document that follows seeks to summarize some of the major developments in this transformation, in an effort to better illuminate the linkages between most of the precontact tribes described in the preceding pages and the modern tribal communities and governments of today.⁸²

The late 18th century brought some of the earliest contacts between area tribes and European explorers. Though Spanish explorers occasionally traversed the Colorado River region by the 17th century, the earliest detailed written accounts of the larger study area were from the 1776 expedition led by Spanish priest Francisco T.H. Garcés and Capt. Juan Bautista de Anza. Traveling up the Colorado River's east bank, they left the River at the juncture of today's Arizona-Nevada-California border and crossed to the Mojave River, encountering a number of Chemehuevis on the trek (Malouf and Findlay 1986: 501). Six months later, an expedition led by Spanish priests Francisco A. Domínguez and Silvestre Vélez de Escalante entered what is today western Utah, progressing southward into northwestern Arizona where they recorded certain details regarding Southern Paiute communities. The party's route through Utah was publicized through their writings, pointing the way for the development of similar trails that were eventually extended from Salt Lake City to southern California through Clark County and vicinity. The principal route, called the Old Spanish Trail, was used by fur trappers such as Jedediah S. Smith, who traveled down it twice between 1826 and 1830, through Utah and Nevada, along the Colorado, and westward across California. Like the Spanish explorers who preceded him, Smith also recorded encounters with Clark County's inhabitants along the way. Other explorers and other trails would soon follow. By the years 1843-1844, an exploring party led by John C. Frémont followed, mapping a route from California across the Great Basin to points in the American interior. These explorations and the subsequent publications (especially Frémont's reports and maps, and Joseph Ware's *Emigrants' Guide to California*, drawn from Frémont's report) opened the Great Basin to miners and emigrant wagon trains

from the United States to the western territories, bringing dramatic changes to the tribes who lived in the region (Malouf and Findlay 1986).

These direct influences, however, had been preceded by the indirect influences of Spanish and American settlement in the Southwest. Diseases, horses, and certain trade goods all arrived in the study area well in advance of regular and direct European contact, resulting in what appear to have been significant demographic changes and the upset of preexisting “balances of power” between different tribal communities. The trade in Indian slaves as part of Spanish colonial settlements in the Southwest also had dramatic effects upon the tribes of the Clark County region; raiding can be documented in the region as early as 1813. Raids by Spanish expeditions, as well as Utes, Navajos and the occasional European or American trapper pressed into their service, preyed upon primarily Southern Paiute captives from the region, transporting them to the slave markets of New Mexico (Malouf and Malouf 1945). Mexico outlawed slavery by 1829, but the practice was slow to disappear. Early American explorers report the continued presence of slavery in the mid-19th century, as well as Southern Paiute wariness of their brigades which they attributed to a generation or more of slave raiding.⁸³ In 1849 Jim Beckwourth noted of the tribes of the region that the “Pi-u-ches [Paiutes] were hostile because of continual abduction of their squaws and children, whom the Mexicans employ as domestic slaves, and treat with utmost cruelty” (Beckwourth 1931: 348-49). The enslavement of Paiutes and other area tribes was in rapid decline by the late 1840s, with the new California legislature banning the practice in 1850 as one of its earliest items of business (Smith and Walker 1965). Still, Utes sometimes offered Paiute children in particular for trade or sale to Mormon settlers in the Utah Territory, some Mormon families buying these slaves in the early years of settlement for reasons depicted as humanitarian.

Far away, on the eastern edge of the continent, plans for Western expansion proceeded apace, presaging the American reoccupation of Clark County. Congress passed the Pre-emption Act in 1841, which recognized rights of settlers on surveyed portions of public-domain land who did not hold title (“squatters”). The Act encouraged settlers to move onto the public lands west of the Mississippi River. Six years later, in 1847, Mormons began settling the fertile Salt Lake Valley – part of the region that was claimed by Mexico – the largest and most proximate EuroAmerican population to Clark County tribes during this period. Almost immediately, the Church of Latter-day Saints established a policy toward local tribes that promoted peaceful coexistence that would reconcile Indian interests with the expansion of Mormon settlement; in practice, the

effects of this policy were somewhat more complex (Prucha 1988). In 1848 the United States and Mexico signed the Treaty of Guadalupe Hidalgo ending the Mexican-American War (1846 – 1848). Under the terms of the treaty, Mexico ceded to the U.S. Upper California and New Mexico. Known as the Mexican Cession, the region included all of present-day California, Nevada and Utah as well as most of Arizona, New Mexico and Colorado. Modern-day Clark County became part of the United States.

Following the Treaty of Guadalupe Hidalgo, California and New Mexico moved quickly to apply for statehood in 1849, moves that risked destabilizing the balance of free states and slave states in the period before the Civil War. Under the leadership of LDS Church president Brigham Young, Mormon settlers formed the State of Deseret, and petitioned for statehood the same year. The Compromise of 1850 defused the confrontation between the slave states and the free states, in part, by creating the State of California as a free state, rejecting the statehood petitions of Deseret and New Mexico, but creating Utah Territory and New Mexico Territory.

Tension between Church leadership and the federal government over the autonomy of Utah Territory continued through the 1850s, culminating in the “Utah War” of 1857-1858 (Poll and Hansen 1961). In 1853 Lieutenant J.W. Gunnison and his crew were ambushed and killed near Fillmore, Utah while surveying a route for a transcontinental railroad. Paiutes were accused of the attack, though American military leadership generally believed that Mormons had prompted the attack in an attempt to repel United States expansion in the region. The following August, 200 troops arrived in Salt Lake City, ostensibly en route to California, but stayed for eight months while their commander endeavored to find those responsible for the attack (Bailey 1965: 330). In 1857, responding to complaints by federal officials in Utah, President James Buchanan dispatched 2,500 U.S. troops from Ft. Leavenworth to put down Mormon defiance and impose federal law in Utah. Brigham Young ordered the Utah militia to attack the federal troops’ supply lines – burning Fort Bridger, destroying supply trains, and setting fire to the plains to deprive the advancing army of forage for its horses (Poll and Hansen 1961). That September, Southern Paiutes were reported to have attacked a wagon train from Arkansas that was camped at the site of Mountain Meadows, Utah. One hundred and twenty men, women and children from the wagon train were killed. Once again, the Paiutes were blamed for this attack. However, in his report on the Mountain Meadows Massacre, Major J.H. Carleton concluded, “there is not the shadow of a doubt that the emigrants were butchered by the Mormons themselves, assisted

doubtless by the Indians” (Carleton 1859: 12). Though Southern Paiute participation in the Mountain Meadows attack remained at best ambiguous, the accusations were broadcast widely in the context of U.S.-LDS struggles over territorial hegemony. Anti-Paiute violence, by American forces in particular, was often rationalized as justified in light of this event in the decades that followed.

The Indian history of the region for the next two decades would be inextricably linked to the political and territorial struggles between the LDS Church, which claimed sovereign control of Utah Territory, and the United States federal government. Not long after the first Latter-day Saints arrived in the Salt Lake Valley in 1847, church leaders began establishing throughout Utah Territory colonies dedicated to both missionary work among the Indians and to the production of various resources needed by the fledgling Mormon communities. Mormon efforts to foster positive relationships with area tribes were shaped at once by vital strategic considerations as well as religious imperatives. In this light, Brigham Young provided guidance to the Mormons at the onset of their missionary efforts in the region,

You are sent not to farm, build nice houses and fence fine fields, not to help white men, but to save the red ones, learn their language, and you can do this more effectively by living among them...go with them where they go, live with them and when they rest let them live with you, feed them, clothe them, and teach them as you can...not many generations shall pass away till they become a white and delightsome people.
(in Brown 1858)

Meanwhile, pressures for American occupation in this region continued to mount. Federal land grants to individuals were expanded under the Homestead Act of 1862 and the Desert Land Act of 1877, fostering American migration to the region and anticipating the development of the Bureau of Land Management, which now manages over 57 percent of Clark County.⁸⁴ The American rediscovery of precious metals in the region only added to this momentum. Potosi, the oldest lode mine in Nevada and located 25 miles southwest of Las Vegas, was established in 1856 by Mormon settler Nathaniel Jones.⁸⁵ When a trapper found gold ore in the Opal (Eldorado) Mountains during the spring of 1861, a rush of prospectors from the gold districts of California was

attracted to Eldorado Canyon, located 39 miles southeast of Las Vegas. Within a year, the Southwest Mining Company and El Dorado Mining Company had established working mines in the valley. Eldorado Canyon's principal mine, the Techatticup, opened in 1863 and by this time, four separate town sites had been platted in the area. In 1868 silver ore was discovered 34 miles southwest of Las Vegas. The area was incorporated into the New England Mining District, later renamed the Yellow Pine Mining District.⁸⁶ Simultaneously, a number mining districts emerged just outside of the study area, centered on gold in such communities as Hardyville, on the east bank of the Colorado River (1871) and Pioche (1872). When miners found gold and silver in southern Nevada, the camps were remote and isolated from other population centers and rail lines. While these southern Nevada mining districts never experienced the explosive growth that northern Nevada mining camps did, the influx of miners caused friction with nearby Mormon and Indian settlements in the region, and presented tribes with significant new hazards and opportunities (UNLV 2009).

Though EuroAmerican in composition, these mining communities responded to American Indian peoples and interests in radically different ways than the Mormon communities they had partially supplanted. So too, the growing number of travelers along the emigrant trails through the region possessed a somewhat different range of responses to local tribes, complicating this picture even further. Anti-Indian violence and pressures on Indian lands and resources brought waves of retaliation, which in turn brought calls for military intervention and the forced relocation of Indian communities to reservations. These developments set the tone of Indian-white relations, arguably into the present day, and help to explain the locations and identities of modern tribes. The specific experiences of area tribes will be discussed in much greater detail in the pages that follow.

THE EMERGENCE OF STATES AND INDIAN SUPERINTENDENCIES

As the history of Indian administration in the region can be bewilderingly complex, the focused discussion of particular tribes' experiences in the 19th century is preceded here by a discussion of the evolution of U.S. territories, states, and Indian agencies during the period from the late 1840s through the 1870s. In less than twenty years, beginning with the Treaty of Guadalupe Hidalgo in 1848, jurisdiction for the region that is today Clark County shifted among three U.S. territories. After the land was ceded to the United States by Mexico, it was part of New Mexico Territory until 1863, when it

became part of Mohave County in newly founded Arizona Territory. Two years later, the region joined Pah-Ute County when Arizona Territory created this new county from Mohave County. Finally the area that would be Clark County joined Nevada in 1867 as part of Lincoln County. It would be another 42 years before Clark County was created in 1909. In contrast, the State of Nevada north of Clark County evolved on a separate path. After the Treaty of Guadalupe Hidalgo, the rest of today's Nevada was part of Upper California from 1848 to 1850, and then it was assigned to newly established Utah Territory. As the Civil War began in 1861 and Southern representatives departed Washington, Congress moved to secure western lands and resources for the Union's interests. New territories were created quickly, including Nevada Territory, formed from the western portion of Utah Territory. James Nye was appointed territorial governor. Nevada Territory became a state in 1864, although the southern tip did not become part of the state until 1867. The border between Nevada and Utah was shifted to the east twice, in 1862 and 1864, giving Nevada more land.

Corresponding to the shifts in territorial and state boundaries, the historical development of the Indian Affairs agency system in and around Clark County is complex. A full retelling of the area's 19th century Indian policy requires the use of archival records from multiple Indian agencies. During this early period, the area that became Clark County was peripheral to the settlement and administrative hubs of the Anglo-American West. The county's location in a poorly defined, governmental border region contributed to oversight by Indian agencies that was arguably intermittent and often inattentive. After the Mexican Cession in 1848, the region of today's Clark County was part of the remote western fringes of New Mexico Territory, and this territorial affiliation afforded little formal Indian agency presence. However, by the late 1840s, California began to appoint Indian subagents within the region and, in 1852, the state created a Superintendency of Indian Affairs. The superintendency consisted of three districts, including the Southern District of California that oversaw areas adjacent to present-day Clark County. By no later than 1859, the California Superintendency had established a Colorado District that was responsible for the tribes between the Mojave and Colorado rivers, and included the Mohave and Chemehuevi tribes.

Simultaneously, the Utah Superintendency of Indian Affairs was established in Salt Lake City by 1849, and claimed responsibility for all Indians of the Great Basin, including Utes, Paiutes, Shoshones, Bannocks, and Pahvants. Congress established the Utah Territory one year later, in 1850, including most of present-day Idaho and Nevada (less the southern tip), and appointed Brigham Young governor. As the *ex officio*

Superintendent of Indian Affairs for the territory, Young mediated the relationship between tribes and the federal government for nearly a decade. Mormon settlements were encroaching rapidly on Paiute settlements, and Paiute bands were being excluded from traditional resource areas by force, even as Young and his representatives sought to win favor with the tribes. Major Jacob Holeman, Indian agent to the territory, recommended the negotiation of a treaty with the Paiutes before the encroachment had permanent and damaging effects, but this call for a Paiute treaty was not heeded and Indian affairs administration under Young's influence tended to default to Mormon strategic, economic, and religious agendas (Holeman 1851).

Through the 1850s, this Utah Superintendency was spread thinly over the Utah Territory, which encompassed most of modern-day Nevada, and eventually established four agencies outside of Salt Lake City in Provo, Uintah Valley, Fort Bridger and Carson Valley. Established in 1858, the Carson Valley Agency was given principal responsibility for the Paiute and Washo bands of western Utah Territory. These agencies had little contact with southern Nevada tribes. The areas closest to the study area were generally assigned to the Utah Superintendency's Southern District. In 1861, when Nevada Territory was created from the western portion of Utah Territory, the Carson Valley Agency became the cornerstone of the newly created Nevada Superintendency.

The region that today is Clark County was shifted from the jurisdiction of New Mexico Territory to Arizona Territory in 1863. The region came under the administration of the newly founded Arizona Superintendency of Indian Affairs. The Arizona Superintendency took responsibility for most of the tribes previously managed by the Colorado District of the California Southern District. In the 1860s the Arizona Superintendency established a few small Indian agencies in the region, including the Colorado Indian Agency, which Arizona expanded beyond the agency's origins in the California Southern District. Under the management of agent Herman Erhenberg, agency headquarters were constructed in 1863 on the present site of the Colorado River Indian Reservation.

In 1861 Nevada Territory was created, and the following year, its border with Utah Territory was moved east one degree of longitude. When the State of Nevada was established in 1864, Congress again moved the Nevada-Utah border east by one degree. The final state borders of Nevada were derived in 1867 when Congress shifted two land parcels that are today's Clark County from Arizona Territory. As the boundaries of

Nevada expanded, the tribes formerly administered by the Utah and Arizona superintendencies became the responsibility of the Nevada Superintendency, which had virtually no presence in southern Nevada.

As will be apparent in the pages that follow, early Indian agency budgets and staff were stretched thin, and the Clark County area received very little support in the early years of the agencies. Through the 1850s, state Indian agents such as George Armstrong attempted to carve out time and funds to tour the area, and to make small gifts to each of the Paiute bands living there. Only in 1856 had representatives of the U.S. government made their first visits to the people of "Santa Clara, Rio Virgin [and] Muddy River" (Armstrong 1856a). As of the mid-1860s, there was still no regular Indian agency presence in southern and eastern Nevada, and little organized protection of Indian interests. Mining and cattle operations encroached haphazardly into the region, occupying watering and other resource sites that were being used by Paiutes and other Indian communities. A growing number of conflicts brought raids against settlers by some Paiute bands, in defense of their access rights and in retaliation for various forms of mistreatment. Indian agents sought to pacify local tribes with gifts of food and supplies, but mounting pressure from new settlers quickly erased what goodwill was proffered by these gestures. Indian agencies of the region increasingly pushed for a permanent agency to address the Nevada-Arizona-Utah borderland region, which was among the most potentially explosive (Doty 1864a, 1864b; 1865; Irish 1865a; Sale 1865a, 1865b).

In response to these pressures, the years that followed saw the addition of smaller agencies close to tribal populations, as well as the discontinuation of state superintendencies. By 1869 the South East Nevada or "Pi-Ute" Agency was established as a branch of the Nevada Superintendency, with responsibility for Paiutes living in southern Nevada and adjacent parts of Arizona and Utah. The agency was located briefly at St. Thomas and Hiko, and finally at Pioche. In 1870 portions of Utah adjacent to modern Clark County were placed in the newly created Saint George Agency, which took occasional interest in the affairs of southern Nevada's resident tribes. The larger state superintendencies were discontinued in that same year, with administrative functions being reassigned to regional and reservation agencies. An agency was established in 1871 for the management of the Shoshone Indians, assuming responsibilities formerly assigned to the Nevada Superintendency. By 1875 an Indian agent was permanently assigned to the new Moapa Reservation, who also oversaw other Indian communities in the area such as the small Las Vegas Colony. Ironically the

Moapa Agency created the first regular presence of an Indian agent in southern Nevada, but was one of the last major additions to the Indian Affairs administrative structure within the region. From that date through the end of the century, the geographical boundaries of Indian Affairs responsibilities were essentially fixed (Hill 1974).

SOUTHERN PAIUTES OF CLARK COUNTY

From the foundations discussed here, the principal modern Southern Paiute populations of the Clark County area took shape through the 19th century, including the Moapa Band of Paiute Indians, Las Vegas Tribe of Paiute Indians, and the Pahrump Paiute Tribe, but also the Kaibab Paiute, the constituent communities of the Paiute Indian Tribe of Utah, and others. What follows is a short summary of the formation of these communities from the diverse and diffuse Southern Paiute communities of Clark County during the contact period to the modern tribal communities of today.

Like other tribes of the Great Basin and Southwest, the Southern Paiute experienced a variety of direct and indirect effects from European settlement well in advance of American resettlement of the region. Eurasian diseases appear to have reached Southern Paiute communities through tribal contacts prior to direct European contact, partially depopulating the landscape, causing the relocation of certain Paiute populations and the aggregation of survivors into new mixed communities. Ute and Navajo raids of Southern Paiute communities, providing slaves for Spanish settlements in the Rio Grande Basin also had effects that appear to have been profound, even if they are difficult to reconstruct with precision. Certain bands were effectively depopulated or had increasingly skewed demographics, as slave raiders took women and children, leaving behind a smaller, disproportionately older and male tribal membership. Some evidence suggests that Southern Paiutes moved away from certain rich resources and trails as a defensive strategy, to avoid raiders. The geography of the seasonal round likely adapted to this new threat in myriad ways. Relationships between Southern Paiute bands sometimes were complicated as slave raiding affected communities disproportionately, and some Paiutes (principally from eastern bands) were conscripted into support of slave raiding by neighboring tribes (C. Fowler and D. Fowler 1981; Euler 1966; Escalante in Boulton 1950; Coues 1900).

By the 1840s, a rising tide of American emigration brought wagon trains and other travelers through the region along the Old Spanish Trail, while new routes through the study area – the southern Mormon route and Mojave trails to the California coast – would be forged in the years that followed. Initially Paiute communities were little affected by the growing American presence. Indeed, for a brief time this relationship may have even been mutually beneficial, with emigrants receiving food from Southern Paiute communities in the study area in exchange for clothing, tools, and other items.⁸⁷ Yet, as traffic through their territories grew, Southern Paiutes began to experience its adverse effects, such as exposure to diseases, sporadic anti-Indian violence, and the depletion or reoccupation of springs, plant gathering sites, and hunting grounds. Within a few years, the emigrant trails became contested pathways through the heart of Paiute territory, where certain tribal members might gather to trade, but subsistence uses were compromised and Paiute families were not especially secure. Raiding and retaliatory strikes against travelers drew almost instant national attention to the Paiutes and brought calls for their suppression and removal. National policies favoring Indian removal and reservation development abruptly transformed this southern corner of Nevada, permanently rearranging the geographies and configurations of Clark County's Paiute tribes. This transformation is the subject of the section that follows.

Mormon Missions

The Latter-day Saints entered Utah Territory in 1847, and very soon began exploring opportunities for the missionization of the Southern Paiutes, motivated by reasons both strategic and spiritual. Missionaries were dispatched widely through Utah, seeking to make inroads with tribal leaders and to initiate religious instruction of Mormon Utah's many tribal neighbors, Southern Paiutes among them. Southern Paiute headmen at first were willing to accept trade and instruction from the missionaries, and welcomed the buffer against Ute and Mexican slave traders provided by the Mormon presence. With the arrival of Mormons, followed almost immediately by American acquisition of the Southwest, the slave trade rapidly came to an end. However, relations quickly became precarious as Mormon settlers began to expand from their core into remote corners of the Utah territory, competing for resources and seeking the agricultural reoccupation of springs and the most prized hunting and gathering lands where water and vegetation was relatively abundant. Meanwhile, Mormon missionaries actively sought to reorganize not only tribal cosmology but also the fundamental social and political organization of these peoples. The flexible political structures of the Paiute people caused consternation among early Mormon missionaries. From early in their

missionary efforts, Mormon leaders sought to appoint headmen to the various Paiute communities when no apparent (or sympathetic) headman was present, seeking to formalize Paiute leadership in predictable patterns and to empower leaders who were seen as being sympathetic to Mormon objectives (Inter-Tribal Council of Nevada 1976a; Euler 1966).

The expression of these objectives in the study area began in the mid-1850s, as Mormon missionary efforts expanded into the far southwestern reaches of their new domain. The Southern Indian Mission was formed in 1854 to minister to the Southern Paiutes in the southwestern section of the territory. The agricultural colony at Harmony, located at the juncture of Santa Clara Creek and the Virgin River, became the mission headquarters, though the headquarters later moved to St. George, Utah. In June of 1855, six church elders exploring the lower Virgin River reached the Muddy River and reported receiving warm greetings from the Paiutes living in the Moapa Valley, while encountering smaller Paiute settlements in a number of places in and near modern Clark County. That same year, some 33 Mormon elders received their call from Brigham Young to locate a farm and mission at Las Vegas as a base for work among the Paiutes of this region. This early mission provided the first point of regular and sustained interaction between EuroAmerican and Indian communities within the study area, providing white settlers with their first foothold in the region and introducing area tribes to new ideas and technologies (Lyman 2004; Bailey 1965:339).

In June of 1855, appointed mission leader William Bringham chose a site on the Vegas Creek, several miles east of the main springs, which was the core of tribal settlement in the immediate area. Small ranches were developed in association with the impromptu settlement in support of the mission, so that the geographical footprint of Mormon occupation was substantially larger than the small mission settlement might suggest, and operations required the recruitment of labor from nearby tribal communities. At this time, there is evidence to suggest that a number of smaller “economic clusters” or bands used the Las Vegas area as a stopover and gathering site but that, even by this date, the area was sometimes avoided during periods of heavy emigrant traffic.⁸⁸ Bringham recorded evidence that area Paiutes had recently cultivated along the creek and near several springs in the area, although he and his fellow missionaries reported even more extensive cultivation at places such as Santa Clara, Moapa, and Indian Springs. In addition to mentioning a number of resident Paiutes living intermittently at the springs, missionaries also refer frequently to a separate group of apparently Paiute settlements associated by nearby landmarks, especially “Snowy Mountain” (Spring

Mountains and Charleston Peak) and its lower slopes near Red Rock Canyon, which are depicted as major seasonal settlement areas sitting somewhat apart from the Paiute settlements at Las Vegas proper (Woods 2005; Bean 1972).

The records of the early mission suggest that Las Vegas was not only a tribal settlement in its own right, but was a stopover point for tribal groups traveling through the region. Available accounts from this very early period attest to a lot of “passing through” by other Paiute, Shoshone, and Mohave groups in particular – groups that were not always from the area, but from ethnolinguistically associated populations living some distance away. For example, in 1855, Jules Remy and Julius Brenchly (1866: 411-12) reported camping alongside Shoshonean “Kusi-Utahs” from the north, stationed near the Mormon outpost at Las Vegas,

We planted ourselves in the court, where we were to pass the night in the open air, by the side of some Indians, who said they belonged to a small tribe, the Kusi-Utahs, neighbours or allies of the Utahs. These savages, whose name we had never before heard of, seemed to us to bear a great resemblance to those of the Muddy [Moapa River].
(Remy and Brenchly 1866: 411-12)

Another journal account of interpreter George Washington Bean from January of 1856 notes his party encountering “Quo-eech” in what is now the Las Vegas area – a people who spoke the language “of the Snake Diggers like those west of Salt Lake City” and were said to live some five days northwest of Las Vegas, probably Goshute Western Shoshone (in Park et al 1938: 630). He also mentions the “Iats,” an unidentified band that he depicts as being present at Las Vegas but apparently unaffiliated with the Southern Paiute. Cumulatively the diversity of the peoples identified at the mission in its brief tenure was remarkable, and suggests strong connections, not only with Mohave and Chemehuevi to the south but also Great Basin tribes from the north, such as Shoshones and perhaps Utes (Jenson 1926).

Though historically significant, the Las Vegas mission was not especially successful. Farm production at the Las Vegas mission was poor, and relations with the Paiutes were often strained. The Mormons complained of “theft” by Paiutes, who sometimes helped themselves to crops, tools and other items (though various lines of evidence might suggest that Paiute regarded these takings of Mormon possessions as compensation or resource sharing in response to Mormon trespass). The mission post

struggled for two years in its agricultural efforts but low crop productivity, poor morale, and continued tensions with area tribes resulted in Mormon abandonment of the mission in 1857 (Lyman 2004).⁸⁹ This mission, however, served as the foundation for Mormon claims to the area, and would contribute to the establishment of a mission at Moapa a few years later – developments discussed in more detail in the pages that follow.

While the mission departed in 1857, a small number of settlers remained, and their ranches, formerly tied to the mission, persisted as independent operations in the area. These ranches relied significantly on Paiute labor. These ranches – the three largest being the Las Vegas ranch, Wilson ranch (near Red Rock Canyon) and Kyle ranch (north of Las Vegas ranch) – provided some employment (Alley 1977: 7). As the white population slowly grew, more Southern Paiutes settled in the area in search of work. Over time, there is evidence that these ranches drew families from not only the Las Vegas band but also a number of Paiutes from Moapa and other settlements, who gathered at traditional Las Vegas band encampments adjacent to these ranches.⁹⁰ Also prominent among those who worked at these ranches were Chemehuevi families and individuals, who possessed longstanding ties to the Las Vegas region and returned in part for paid employment at these ranches.⁹¹ The multi-band community that emerged, with a Las Vegas Paiute core but considerable admixture from other tribes, would serve as the foundation for the modern Las Vegas Band, as will be discussed elsewhere (Alley 1977; Inter-Tribal Council of Nevada 1976a).

A decade after initial Mormon settlement in Clark County, many Mormon missions were highly successful at advancing church objectives and were becoming quite influential in tribal affairs, even as they retreated from remote outposts such as Las Vegas. By the mid-1860s, no fewer than six Southern Paiute communities had missions. Among the largest and most important was the new mission in Moapa Valley. The nearby city of St. George had been founded in the fall of 1861, and Mormon settlements had spread rapidly from that base until they occupied almost all the fertile spots along the Virgin and Santa Clara rivers, where the Southern Paiutes previously had farmed and camped (Holt 1992; Kelly and Fowler 1986: 387; Inter-Tribal Council of Nevada 1976a: 81-88). Mormon settlements and farms, along with livestock, timbering, and other activities, quickly displaced Southern Paiutes from their best traditional gathering and horticultural lands in the upper Virgin and Santa Clara rivers. As settlement moved into the lower Virgin River, however, Mormon authorities faced the prospect of settlement amidst an especially large and well-established Paiute population.

As noted elsewhere in this report, Moapa Valley had been reported as a singular center of Southern Paiute population in the accounts of the 1840s, with authors as diverse as John Frémont, Kit Carson and Orville Pratt noting Paiutes “in great numbers” within the valley (Frémont 1846; Euler 1966: 51). Diaries from this time consistently describe thriving small oases of agricultural activity among the Southern Paiutes of the study area, especially centered on the Muddy and Virgin rivers (Euler 1966: 53ff). The 1854-1855 diary of Thomas Brown (1858) describes a number of thriving Indian rancherías in the Moapa area, some clearing new agricultural land – noting that “the Indians here farm more than any others we have been among” - while still maintaining a subsistence economy involving berries and agave from riparian and tableland areas and pine nuts gathered from mountains nearby. The Mormons by this time were quite aware that Moapa Valley was at once a rich and well-watered land, coveted for its agricultural potential, while also being occupied by one of the largest and most formidable Paiute populations in their fledgling territory.

In response, Brigham Young called missionaries to settle the valley of a 30-mile long tributary of the lower Virgin River then known as Muddy Creek or Muddy River in November of 1864, giving the church a foothold in this critical part of their frontier. The resulting Muddy mission was part of the larger Cotton Mission of southern Utah, started in 1861 and created in part to raise cotton and other semitropical products for the Utah market. With the Muddy mission as their base, the Mormon church quickly developed other, smaller missions elsewhere in present-day Clark County, many of them within outlying communities in the densely settled lower Virgin River Basin, including St. Thomas (1865), St. Joseph/Logandale (1865), Mill Point/Simonsville (1866), West Point/Moapa (1868), and Overton (1869). The southernmost Mormon outpost along the Virgin River was Call’s Landing, or Callville, established essentially concurrently with the Muddy mission, sitting on the Colorado River some 25 miles southeast of present-day Las Vegas, and now inundated by Lake Mead. In addition to preempting non-Mormon settlement in the area, these villages along the Colorado and its tributaries were meant to facilitate transportation within the Colorado River region in support of Mormon economic efforts to the north (Godfrey 1996; Grattan 1982; Arrington 1966: 243-45; Larson 1961: 141-42).

As at Las Vegas, mission relationships with the Moapa were complex. The settlers at the Moapa mission hired local Paiutes as farm hands and domestic help. Mormon families housed, and even exchanged food and goods for, Indian children who were

raised in their homes as domestic servants. The apparent diversity of the Paiute population in the valley was clearly a complicating factor for missionary operations, which contributed both to the development of outpost missions as well as tentative efforts to promote potentially sympathetic headmen to positions of authority at the mission. In this densely settled landscape, Mormon reoccupation of lands and planting of commercial crops created friction with resident Paiutes. As at Las Vegas, Paiute residents sometimes helped themselves to livestock and crops, or destroyed crops when they were planted on places with preexisting Paiute claims. Within a year of the founding of St. Thomas, the Mormon settlers became so enraged by these “Indian thefts” that they established rules to mete out five lashes with a whip for the first stealing offense, and doubling the punishment with each succeeding infraction. Enforcement was problematic, however, in light of the mission’s precarious position. Within a year of its founding, Paiute agitation in the Muddy mission settlements was complicated by unrest among the Utes who were being moved to the Uintah Reservation. Fearful of similar displacement, Paiutes pulled up Muddy mission settlers’ crops and ran off horses, mules and cattle, hoping to drive out the fledgling Mormon settlements (Lyman 2004: 212; Godfrey 1996: 137). Unsuccessful, a number of Paiutes departed, leaving for outlying communities where they had kinship ties, including but not limited to the settlements at Las Vegas and Spring Mountains, the Arizona Strip, and a few isolated locations in the southwestern corner of Nevada.

Even as the missionaries struggled to respond to rising Paiute conflicts, the land status of the region was in flux. A year after Nevada Territory was created in 1861, Congress shifted the border between Nevada and Utah eastward from the 116th parallel west longitude to the 115th parallel. The Nevada-Utah border was shifted another degree eastward to the 114th parallel when Nevada became a state in Oct. 1864. Congress then changed Nevada’s southern border in 1867, adding land from Arizona Territory through two land cessions. The first cession included 18,000 square miles of Pah-Ute County in Arizona Territory west of the Colorado River. Later the same year, Congress removed from Arizona Territory the piece of land that is today Nevada’s southern tip, adding it to Nevada (Stein 2008: 176-77). These two land cessions largely compose what is now Clark County. A federal survey in 1870 confirmed that the Muddy mission’s location was in Nevada rather than Utah, and the Nevada state government demanded back taxes in gold (Godfrey 1996: 138). Nevada’s tax demands, continued Paiute unrest, problems with irrigation, and other challenges together caused the missionaries to question the long-term future of the mission. That year Young toured the Muddy and Virgin River settlements, and found them unsuccessful and poorly suited to agricultural

development. In December 1870, Young released the Muddy mission settlers from their duties and, a few weeks later, all but two settlers abandoned the Muddy mission (Grattan 1982). As reported at the time,

The people dreading association with the mining population of Nevada, and fearing exorbitant taxation, also anticipating political interference with their peculiar institutions, concluded to abandon these settlements and return to Utah en masse, which they did in 1871, being counseled by Brigham Young to adopt this course.
(Barnes 1874)

Some portion of these settlers dispersed to the Arizona Strip, occupying the Shivwits Plateau and nearby lands, placing some of the first severe pressure on Kaibab and Shivwits Paiute territorial autonomy in unprecedented ways (Stoffle and Evans 1978: 11 ff.). Into the vacuum left by the abrupt departure of the Mormon settlers came people of diverse backgrounds, including both white squatters and Paiutes displaced by Mormon settlement. Paiutes were able to reclaim portions of the well-watered landscape that they had wholly or partially given up to the Mormons only a decade before. Very soon, this abrupt departure and the continued presence of large tribal communities would also facilitate proposals to develop a reservation at Moapa.

Conflicts, Militarization, and the Call for Reservations

Beyond the Mormon missions, relationships between Southern Paiutes and the non-Native world grew additionally complex during the mid-19th century. Increasingly Paiutes gathered near towns and non-Indian transportation corridors, making inroads into trade and providing services for people traveling through their territories.⁹² Meanwhile, the influx of miners during this period brought a surge of men, transient and often unruly, to the Colorado River, Potosi, and other mining districts. While Paiutes sometimes were hired to assist in tasks related to the mining operations, miners often reoccupied or scuttled critical resource areas, and some were openly hostile to Paiutes encountered in the region. Together Mormon settlers and miners often brought starvation in their wake, reoccupying springs and cultivated grounds, pasturing cattle on grasslands, and clearing piñon pine groves (e.g. Stoffle and Evans 1976; Cook 1941). This, as much as any effect of EuroAmerican expansion, resulted in the displacement, relocation, and amalgamation of Southern Paiute bands. Sporadic retaliatory raids against miners were carried out by Las Vegas Paiutes, Chemehuevis and other Paiute

groups, as well as their Mohave allies. While seldom carried out as part of an organized campaign, frequent reports of small skirmishes created outside impressions of a growing Indian insurgency (Roth 1976: 101-11).

The reports of the period suggest that traditional settlement patterns and agriculture were being adversely affected by these events. Indian agents were making glancing efforts to support agriculture, reduce large-scale displacements, and reduce what was seen as the degrading influences of non-Indians (Forney 1859). Still, without a permanent Indian agency presence, these efforts had little material effect. United States Indian agencies - especially those based in Utah, in close proximity to Mormon settlements - sought to make initial inroads among the "Pah-Utes," interpreting the rising tide of conflict as a result of insufficient moral instruction rather than the effects of white encroachment.⁹³ Reporting in 1856, the Utah Territorial Superintendent of Indian Affairs noted of the Southern Paiute,

I learn that the natives in the neighborhood of Harmony, in Washington county, and near the Los Vegas, and upon the Santa Clara, are many of them very industrious and anxious to learn to till the soil; and every facility consistent with their habits, necessities, and a rigid economy, are being extended to them, so far as individual means and government appropriations will warrant, and it is certainly just, politic, and highly desirable that government should afford them means for encouraging these untutored and hitherto wild and idle people, in their desires and efforts for improvements and not through parsimony or a grudging benevolence, scantily meted out, cause them to revert to their former loathsome habits, with an increased stubbornness in viciousness, though having made an abortive step towards commendable advancement.
(Utah Territorial Superintendency 1856: 225)

In the efforts to establish an Indian Affairs agency presence in the region, federal agents were inspired in part by reports and rumors of the Mormon missionaries of Clark County and their abortive efforts to facilitate the religious and economic transformation of the Paiutes. Still, the Indian agencies were initially reluctant to extend their jurisdiction into this remote corner of their domain. The peoples of southern Nevada occupied a kind of administrative limbo during critical periods, as the boundaries of states and, in turn, Indian agencies moved into the 1860s.⁹⁴ With ambiguous administrative responsibilities for this region, Indian agents' limited budgets were

focused on more pressing matters, proximate to their agencies and the white settlements nearby.

Instead, with a growing number of interethnic skirmishes in the late 1850s and early 1860s, the military would largely precede the Indian agents in southern Nevada. Due to two fatal attacks by Indians upon non-Indians traveling in the Mojave Desert in early 1860, California governor John G. Downey petitioned Gen. Newman S. Clarke, commander of the Pacific Division of the U.S. Army, to provide protection along the Mojave Road – the first major consolidation of military presence in the study area. Clarke assigned Major James H. Carleton to establish a military presence and enforce strict control of the region’s Indians. In April 1860 Camp Cady was posted ten miles north of the junction of the Mojave and Southern wagon roads. While in the Mojave Desert to establish Camp Cady, Carleton’s men spent weeks combing the deserts from Death Valley to Las Vegas as part of a punitive campaign dubbed “Carleton’s Pah-Ute Campaign.” On July 2, 1860, Carleton convened a “big talk” with Paiute representatives who had approached the camp under a truce flag. Eight Paiute headmen and two dozen “warriors” attended, reportedly representing bands from Las Vegas, Muddy River, Santa Clara, the Colorado River (perhaps Chemehuevi), and elsewhere. The Paiute headmen agreed that they would put to death any Indians who committed violent crimes against unoffending white travelers. Troops then withdrew from the Mojave River area. In his official report, Carleton recommended rewards be distributed to the Indians if the agreement was observed. In the fall, Paiutes gathered on the Mojave River and sent word through passing freight wagon drivers that they had complied with the terms of the pact. No troops were dispatched and no rewards were distributed. Camp Cady was abandoned in July 1860 following Carleton’s peace agreement with Paiute representatives (Lyman 2004).⁹⁵

Non-Indians continued to flood into the area, however, drawn both to the mines and to the prospect of new agricultural frontiers. Some Paiute communities close to the mining districts, such as in Pahranaagat, were almost entirely displaced from the core of their original homeland.⁹⁶ Throughout the region, Paiute communities were in some cases being displaced not once, but repeatedly, moving to second-tier resource procurement sites only to be displaced from those places by additional white settlement. Speaking of the Colorado River region south of the Big Bend, Indian agent John Dunn reported in August of 1864,

The country is being settled up by the whites to a considerable extent, forcing the Indians into narrower limits necessarily causing destitution

among them to some extent. From this cause also, there is liability of ill feelings being engendered.
(Dunn 1864)

Resource poverty was having profound effects upon Paiute communities, and raiding was increasingly undertaken out of economic necessity rather than as a form of retaliation. As Southeastern Nevada Indian Agent Andrew Barnes discovered when assuming his post a few years after these events,

Their lands have been taken from them by the whites save a few small patches and there being no game, and unable to raise enough food by farming, they have frequently been compelled to beg and steal and when detected in the latter they are often cruelly punished which has in some cases been in turn retaliated.⁹⁷
(Barnes 1875b)

The Paiute of the region were increasingly depicted as being hostile and of “very bad character,” intensifying the calls for missionization, reservation development, and the expansion of a permanent military presence in the region (Poston 1863: 387). The California Superintendency of Indian Affairs was especially vocal in promoting this agenda, expressing fears that this “untamed” border area might prove a menace to new settlements and the new social order. As reported of the Southern Paiutes by the California Superintendent of Indian Affairs in 1866,

They are more wild and savage than any of the Indians of California. Several depredations on travellers and settlers have been committed recently in their vicinity, in starting and driving off stock, and several persons have been murdered, and it is believed that those Indians are the aggressors. As soon as measures may be taken and consummated for the permanent establishment of a reservation in the southern part of the State, those Indians should be collected by the military and placed thereon.
(Maltby 1866: 94)

Recognizing that the people of Pahrangat and other mining districts were being displaced, the California Superintendent of Indian Affairs proposed that separate small reservations be created to house the growing number of Paiute refugees.⁹⁸

The requested reservations did not materialize and skirmishes continued sporadically throughout the region. By 1867 the conflicts had reached a fever pitch, and Paiutes were implicated in a number of attacks along the Mojave Trail. In that year, Civil War veteran General John Irvin Gregg declared what was widely reported at the time as a “war of extermination” against the Paiutes in response to these attacks. Each of the Indian superintendencies that converged near Clark County began to call for the military to force the removal of all Paiutes to reservations, and for the effective depopulation of all Indian lands outside of these reservations to eliminate strategic threats to non-Indians. Non-Indian settlements throughout the area petitioned their territorial governors to seek a greater military presence after adopting resolutions declaring the Paiute Indians to be hostile. Army post Camp El Dorado was established in January 1867 in El Dorado Canyon ostensibly for protection of the white mining community and the steamboats thought to be running as far upriver as Callville (Casebier 2006: 176).⁹⁹ When 60 men from Camp Cady arrived at the assigned location, only three whites were still living there. Undeterred, the soldiers constructed Camp El Dorado and small branch outposts at Callville and Cottonwood Island, where some of their cattle were pastured. Another outpost was created two months later at the Las Vegas Ranch (Casebier 2006; Lyman 2004).

On November 22, 1867, Lt. Col. William R. Price, commanding at Fort Mojave, extended and formalized an agreement with six named Southern Paiute headmen who represented bands comprising an estimated 500 persons from Las Vegas to Santa Clara. Each headman offered one of his tribesmen as a willing captive to assure the “good conduct of the band and the security of the whites in their neighborhood.” Those held were “responsible for depredations of any kind committed by any of his band.” The hostages were to be fed and provided for while at Fort Mojave. Among the 50 Paiutes reported to be gathered at Fort Mojave were headmen *Techerib* (or *Toshearump*) of Las Vegas, *Tosho* of Virgin River, as well as *Baramutto*, *Tanocke*, *Ta-Che-abit*, and *Espagnoe* (Lyman, 2004: 200, 261 n61). Interethnic violence subsided somewhat, and the military presence was downgraded, with smaller posts being disbanded. In 1868 Camp El Dorado was downgraded to an outpost of Camp Cady, and the Callville outpost was abandoned. The El Dorado and Las Vegas outposts were abandoned in 1869 (Casebier 2006: 126-27; Lyman 2004: 215).

By 1869 the Southern Paiutes in Nevada were still farming at Moapa and had small gardens at Cottonwood and Indian Springs, but many had become even more dependent on gathering food resources from the desert due to their displacement from

traditional agricultural areas. The Paiutes at this time were reported to maintain a very high level of mobility between and within traditional territories, and many maintained peaceful relationships with the very small population of permanent white settlers.¹⁰⁰ Some Southern Paiute groups permanently relocated at around this time, especially evacuating the Colorado River corridor and Mojave Trail and joining other bands to the west, east, and south. Others retreated to mountainous areas, making periodic raids on the stock and crops of the settlers with relative anonymity.

Also, in the year of 1869, the U.S. government finally made a commitment to provide aid and protection to area tribes by appointing the first local agent for the Southern Paiutes (Inter-Tribal Council of Nevada 1976a; Euler 1966). In the fall of that year, the first southern Nevada Indian agent, R.H. Fenton, reported for duty,

I reported at Saint Thomas, Nevada, October, 1869; there I found no one in charge of the agency, and, from the best information that can be obtained, there never has been an agent in this tribe of Indians (the Pah-Utes) previous to my being assigned to this duty. The range of this tribe extends over portions of Utah and Arizona Territories, also the States of Nevada and California.
(Fenton 1870: 113)

By the following year, the agency was turned over to Charles Powell, who complained that his predecessor had taken a salary but carried out almost none of his duties. Powell reported to his superiors the precarious condition of the Southern Paiutes he encountered at the new post, “who have been neglected at this agency, and most shamefully neglected by their former agent” (Powell 1871: 561).

Though Powell was the first administrator to work directly with these Paiute communities, these were not the same Paiute communities that had existed at contact. The influence of missionaries, miners, military and other agents of the American frontier had effectively disrupted traditional social and economic organization, as people were displaced and territories and resources slipped from tribal control. As reported by John Wesley Powell and George Ingalls, the Paiutes “invariably... expressed the sentiments” that their entire social and economic structure had been rearranged by EuroAmerican encroachment,

Their hunting-grounds have been spoiled, their favorite valleys are occupied by white men, and they are compelled to scatter in small bands in order to obtain subsistence. Formerly they were organized into nations, or confederacies, under the influence of great chiefs, but such men have lost their power in the presence of white men, and it is no longer possible to treat with these people as nations, but each little tribe must be dealt with separately. The broad territory over which they are scattered has been parceled out among the tribes by common consent, usually determined at general councils, so that each tribe holds a certain district of country as its own.

(Powell and Ingalls 1873: 43)

This disruption complicated early federal attempts at negotiation, territorial administration or reservation development. As John Wesley Powell noted when trying to coordinate the negotiation of Paiute relocations in 1873, “The [Paiute] are more or less disorganized, and in some places their tribal relations are entirely broken up, and they are scattered over a large district of country” (Powell 1873: 49). Novel confederacies often formed between these groups, and principal headmen from one of these groups often represented the larger confederations, especially when he possessed kin ties to their constituent groups (Steward 1938; Powell 1873). These new Southern Paiute headmen/spokesmen served as intermediaries with the non-Indian world, among other tasks, and sometimes gained political and economic influence in both worlds as a result (Kelly and Fowler 1986: 387; Euler 1966: 66).¹⁰¹ Prominent leaders of the 19th century, including Takopa, “the chief of all the Southern Paiute,” were leaders of this type.¹⁰² These leaders would play a critical role in the development of new reservation communities in the decades ahead.

Reservations and Resistance: Moapa, Las Vegas, and Pahrump

As early as the mid-1860s, U.S. negotiators made haphazard efforts to include Southern Paiutes in the reservation communities that were taking shape across the American West. In 1865 Utah Superintendent of Indian Affairs O.H. Irish negotiated a treaty at Pinto, Utah with tribal representatives, including a small number of Southern Paiutes. The treaty included provisions for the removal of all Southern Paiutes to the Uintah Reservation in northeastern Utah. This treaty, the “Treaty of Spanish Fork,” was signed by a total of six Paiute men, with unclear authority to speak on behalf of the larger Southern Paiute community. On the basis of this treaty, the headmen of various Paiute communities from southern Nevada, southwestern Utah, and northeastern Arizona

were asked to proceed to Uintah, but many refused after consulting with their people. John Wesley Powell, who was party to the deliberations that followed, recorded their explanation of events,

[The Paiute chiefs] informed the commission that, induced by considerations presented to them in former conversations, they had held a general council for the purpose of consulting about the propriety of going to Uintah, and the suggestion had been repelled by all the people, and there was no voice raised in favor of their going. They averred that the Utes of Uintah had been their enemies from time immemorial...and that under no consideration would the Pai-Utes live with them.¹⁰³
(Powell 1873: 47)

The United States government largely abandoned the effort to relocate the Paiutes to Uintah, fearing that the move would cause more unrest than it prevented. The idea occasionally resurfaced when Paiute conflicts received national attention through the rest of the decade, but it was clear to most observers that Uintah did not present a viable or lasting solution to the challenges of Southern Paiute communities.¹⁰⁴

Still, the concept of a single reservation for all Southern Paiute groups persisted and gained credibility in federal circles. The U.S. Office of Indian Affairs, with the support of other government and military officials, embarked upon an ambitious effort to concentrate all of these Paiute peoples together into newly constructed “tribes” that could be more easily monitored, serviced, and introduced to religious, economic and social practices. Reasons for this single reservation concept were at once strategic and fiscal. Writing in 1872, the Commissioner of Indian Affairs in Washington D.C. noted that the government wished to enforce Southern Paiutes’ adoption of “the habits and pursuits of civilized life” but that “in their present scattered localities it would, however, be impracticable without a very heavy expense, to make any systematic efforts with this object in view” (Walker 1872: 2).¹⁰⁵ If the reservation system could not be fashioned to accommodate the geographies of Southern Paiute settlement, Southern Paiute society would, therefore, be refashioned to accommodate the needs of the reservation system.

Administrative costs aside, the United States was eager to remove the Southern Paiutes to reservations, to clear the land of potential military threats and of competing claims to the lands and resources that were necessary for American reoccupation. The continued presence of Paiutes in close proximity to burgeoning mining districts in their former

lands, such as at Pahranaagat just north of Clark County, accentuated the urgency of the situation in the view of federal officials. Other reservation concepts were proposed, even before Indian agents had the opportunity to conduct a basic survey to determine the identity of tribes within the region. And by the late 1860s, commissioners were dispatched to negotiate a range of alternative reservation proposals.¹⁰⁶

As reservation proposals were vetted by federal and tribal representatives alike, growing attention focused on Moapa Valley, where large numbers of Paiutes were already settled. At this time, Indian agents reported a large number of resident “bands” including “one band each at Las Vegas, Saint Thomas, mouth of Rio Virgin, [and] Overton,” as well as others located just beyond the modern boundaries of Clark County (in Walker 1872). The largest concentration of these by far was in the Muddy and Virgin river valleys.¹⁰⁷ Describing the area in 1871, Charles Powell wrote,

On the Meadow Valley Wash along a single stream called the “Muddy” they have some ten to fifteen small farms, and considering that they have no farming implements but in most cases plant with a simple stick, their ambition is most praiseworthy. They raise good corn, beans, melons, squashes, pumpkins, etc...I cannot too earnestly recommend the establishment of a reservation for these Indians on the Muddy at St. Thomas [now in Lake Mead NRA]. It is most important and to the best interest of the Indian Service...I have no hesitation in saying [this] would save the government in future millions.
(C.F. Powell 1871c)

Mormon settlement may have briefly displaced a number of the Paiute peoples originally hailing from the Moapa Valley, but many had returned upon the departure of the Mormon settlements in 1870-1871 from communities in and outside of what is now Clark County. There also is some evidence to suggest that a portion of the Paiute population displaced from mining districts nearby during this period, especially the mining country in the Pahranaagat Valley, had also joined the large population at Moapa in recent years, in addition to joining kin in Paiute communities such as those in Utah that would later become part of the Paiute Indian Tribe of Utah.¹⁰⁸ Together these events allowed for a diversity of small “bands” or “tribes” all living together in the lower Virgin and Muddy river basins, as described in earlier sections of this document (Powell and Ingalls 1873; Palmer 1936). The Moapa area may well have possessed this kind of diversity long before contact, but the events of the contact jumbled contact-period population distributions considerably, so that some portion of the peoples

dwelling at Moapa by the 1870s were almost certainly from elsewhere in the Southern Paiute world. And some smaller portion of the original Moapa residents may have been living outside of the Moapa area.

At this time Moapa was not entirely outside of federal “jurisdiction” on paper, if not in practice. The Office of Indian Affairs had allocated funds to area Indian agencies through the late 1860s and early 1870s to support the tribes of the Moapa region. In practice, though, little of this funding made its way to the Indians of the Muddy and Virgin basins. The misappropriation of these funds was so egregious, and its effects so potentially destabilizing, that local governments of the region threatened legal action.¹⁰⁹ Still, as a result of this neglect, the Paiute communities in the Moapa region were largely autonomous from federal administration, and seemed to be thriving to the extent possible. This sense of independence among such a large and well-supplied tribal population raised new concerns. Surveying the area at this time, A.A. Humphreys reported to federal authorities that Moapa was a center of growing anti-American sentiment, “not feeling the restraint formerly put upon them by the presence of the Mormons, they are now extremely impudent and bold” (Humphreys 1872: 75). In the view of military and Indian Department staff alike, the Moapa region was in dire need of attention.

By late 1871, the Commissioner of Indian Affairs had determined that it would be most efficient to build a reservation around the cluster of settlements at Moapa rather than to seek Paiute removal to distant territories, and requests for appropriations for a “Paiute reservation” at Moapa were submitted early the following year.¹¹⁰ A council called at Saint George, Utah by Special Commissioners to the Office of Indian Affairs, George Ingalls and John Wesley Powell, sought a compromise agreement with Southern Paiute headmen, in which these leaders would proceed to Moapa to assess the country and determine if relocation to this location would be acceptable as an alternative to Uintah.¹¹¹ The commissioners then traveled widely, visiting most of the major Southern Paiute bands to implore them to relocate to Moapa, including all of the major Southern Paiute communities of southern Nevada as well as “all the Pai-Ute tribes of Utah and Northern Arizona, viz, *Kwi-nm-pns*, *Pa-ru-guiis*, *Un-ka-pa*, *Nu-kwints*, *I’a-sjii-kai-vats*, *Un-ka-ka-ui-guts*, *Pa-gu-its*, *Kai-vwav-uai Nu-iiifs*, *U-iu-ka-rets*, and *Shi-ovwits*” (Powell 1873: 47-48).¹¹²

By early 1872, Ingalls reported that he had successfully gathered six unspecified bands of Southern Paiutes, containing about 400 members, at the abandoned Mormon town of West Point, Nevada. Delegations from a number of other parts of the Southern Paiute

territories gathered in the months that followed. In September of 1872, visiting headmen from throughout Southern Paiute country were given tours of the prospective reservation at Moapa and held councils with the resident Moapa. After many days of councils and exploration by the headmen gathered at Moapa, a number of these leaders reached a consensus that they would relocate,

The conclusion of all was, that the Indians on the reservation were willing that the other tribes should unite with them, and the delegations representing the tribes away were favorably impressed with the country, and promised that the Indians would all come to the reservation another year, on condition that the Government would provide temporarily for their maintenance, and give them such aid as might be necessary to establish them as agriculturists.¹¹³
(Powell 1873: 48)

A number of these headmen, gathered from throughout the general region, ultimately relocated permanently to Moapa, bringing their extended families and their larger communities with them from the Las Vegas region, nearby portions of Arizona and Utah, and elsewhere. Not all of the Paiute removals to Moapa were done so willingly, however. Almost immediately after Powell and Ingalls' councils, U.S. military and Indian Affairs staff began relocating Paiutes to this proposed reservation to remove real and potential Paiute combatants from Indian wars in nearby Arizona and California.¹¹⁴

On March 12, 1873, President Ulysses S. Grant issued an executive order formally establishing the Moapa reservation in this southeastern part of Nevada. Often called simply the "Paiute Reservation," this reservation included approximately 3,900 square miles, including portions of the Virgin River drainage as well as the Muddy River Basin. John Wesley Powell and George W. Ingalls, appointed as Special Commissioners to the Office of Indian Affairs, reporting in the summer of that year, described the reservation's lands and resources in quite positive terms,

The reservation on the Muddy is well known to both of the commissioners. There is some good land and plenty of water; there are no valuable hunting grounds on the reservation, or in the vicinity, but there are streams from which a greater or less supply of fish can be taken; and the natural products of the soil, which are somewhat abundant, would be of value as a source of partial subsistence until they could learn to farm for themselves. The timber is distant from the district where the farms must necessarily be made, but the climate is good for southern Indians, and the

reservation will always be isolated from other settlements. Altogether the situation is good and sufficient.

(Powell and Ingalls 1873:44)

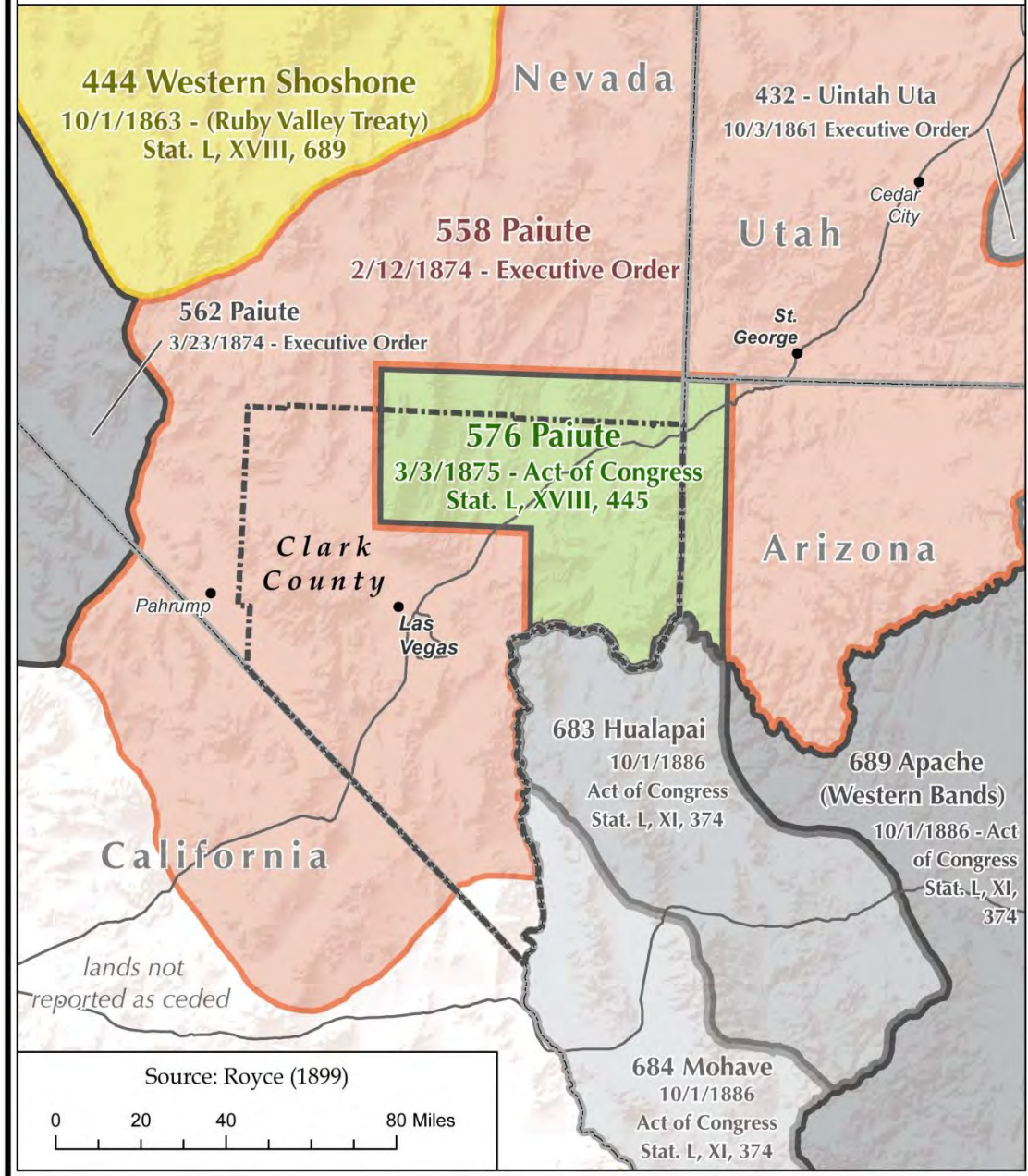
Ingalls oversaw the first formal efforts to establish farms on the reservation in July of that year, distributing tools and seed, and hiring non-Indians still residing on inholdings within the reservation to aid in digging irrigation ditches and planting crops.¹¹⁵

Still, Special Commissioners Powell and Ingalls suggested in their 1873 report that the reservation, in truth, might be inadequate – being arid, largely treeless, and too small to accommodate the anticipated relocation of the entire population of Southern Paiute and Chemehuevi.¹¹⁶ Despite some Paiute migration to Moapa, Southern Paiutes were distributed as diffusely as ever across the West in a large number of “scattered bands,” and relocation would place formidable pressures on the resources of the reservation (Powell and Ingalls 1873: 43).¹¹⁷ In order to accommodate the complete relocation of the Southern Paiutes, Powell, Ingalls, and other Indian agents of their day recommended that the boundaries should be extended to the east and to the west, providing access to more farmland, timber, and water within the Virgin River Basin and along the Colorado River (Powell and Ingalls 1874; Bonelli 1874a; Powell 1873). Anticipating the complete relocation of the Southern Paiute people to this single reservation, George Ingalls and John Wesley Powell separately advanced ambitious proposals, involving a reservation that would have been bounded by the Colorado River on the south, the Nevada state line on the east, the 115th parallel on the west, and the north boundary being aligned east-west one mile north of Muddy Springs (Ingalls 1873b).¹¹⁸ With an eastern boundary on the Arizona line, and a western boundary at the same longitude as central Henderson, this would have been a monumental reservation and would have occupied much of what is today northeastern Clark County.

The federal government’s response was surprisingly swift. On February 12, 1874, President Grant issued a new executive order that cancelled the first order and pushed the reservation’s boundary no less than eight miles farther to the east and twenty miles farther to the west – falling short of Powell and Ingalls’ suggestion in detail, but nearly approximating it in scale (Appendix A). The resulting reservation was substantial, covering a good portion of northeastern Clark County (marked as area “576” on Map 9). Though this February 12, 1874 executive order had little to say about the extinguishment of Indian title to remaining portions of their territory, federal authorities subsequently interpreted the creation of this reservation for all Southern

Indian Land Cessions in Southern Nevada and Vicinity

according to Royce (1899)



Map 9: Indian Land Cessions according to Royce (1899)

Paiutes as a *de facto* settlement of remaining Southern Paiute land title. Subsequent legal reviews have cited the February 12th executive order as the specific basis for Southern Paiute cessions of their remaining lands, including all of Clark County outside of the 1874 Moapa Reservation boundary (Royce 1899; see Map 9).

Even as the “Paiute Reservation” at Moapa took shape, Indian agents worked assiduously to coerce Southern Paiutes and certain other tribal groups to move there. It is clear that Office of Indian Affairs and military staff were directing Indians to this reservation with sometimes only vague understandings of their identities and affiliations.¹¹⁹ While the residents were especially drawn from local Paiute populations in Moapa and adjacent band territories, early reports make it clear that the early agency directed numerous Paiute populations to Moapa from southern Nevada, northern Arizona, southeastern California, and southwestern Utah. An 1874 report of the Nevada Superintendency, for example, noted that the reservation consisted of 1,031 Paiutes from southern Nevada, 184 Paiutes from southeastern California, 284 “Utes” (probably including many Paiutes) from northern Arizona, and 528 “Utes” from southeastern Utah (Nevada Superintendency 1874). The Paiute Reservation had so many people arriving from these adjacent states initially that the Office of Indian Affairs had to make adjustments to the state Indian agency budgets, allocating some portion of the funds originally slated for Arizona, California, and Utah Indian agencies to support Indians arriving in Moapa from those jurisdictions.¹²⁰

Efforts to recruit relocation to Moapa were advanced by the increasing territorial and economic marginalization of the Southern Paiute population throughout much of their historical range. As reported by the Arizona Superintendency of the Office of Indian Affairs in reference to the Moapa Reservation,

several years ago were extensively engaged in cultivating the soil, but by the gradual approach of settlements have been pushed off from their best farming-land, and forced to a vagabond life and a precarious subsistence mainly on roots and berries and seeds, supplemented by tilling the soil to a limited extent, and by working occasionally for settlers. They are becoming quite familiar with the English language, but in other respects are growing more demoralized each year by contact with the worst features of civilization.

(Arizona Superintendency 1875)

Accordingly, the Moapa Reservation was under orders to maintain food “caches” – not only to offset potential food scarcity on the reservation, but to serve as a store and inducement for relocation to those bands still living off the reservation. Efforts to promote relocation to the reservation were aided by unusually heavy snows that stayed on the mountains long after the winter of 1873-1874, curtailing subsistence tasks in such places as Spring Mountains and causing hardship that drove some families to kin and food caches at Moapa (Ingalls 1874d).

The idea of moving at least the Utah’s Southern Paiutes to the Uintah Reservation in northern Utah was still being seriously considered as an administrative convenience. In an effort to effectively depopulate the remaining Paiute hinterland of the region, Paiute headmen from Utah and elsewhere were told that they had only two choices: relocate to Uintah or relocate to Moapa. Almost uniformly, those who relocated chose to relocate to Moapa at this time.¹²¹ While some Shoshone and mixed Shoshone communities found their way to Moapa, Indian agencies made efforts to remove Western Shoshones living in the region to distant Uintah or Fort Hall instead (Ingalls 1874e).

Non-resident Indians also commonly gathered at Moapa in these early years. Correspondence from this period makes frequent mention of non-resident Paiute bands coming and going at Moapa, many with kinship ties to residents, and some eventually being enticed to settle there. Within a year of its founding, Moapa agents realized that they were providing services to a much larger population than just Moapa residents, including all of those tribal communities that claimed some kinship ties to Moapa – ostensibly much of the Southern Paiute world. By January of 1875, the Paiute Agency at Moapa reported to be providing supplies to “over nineteen hundred [Southern Paiutes] scattered throughout S.E. California, S. Nevada, Utah and Arizona.” As he explained,

Many of these Indians come frequently to the reservation and a good part of the wheat raised by the Indians on the Reservation has been and will continue to be shared with these visitors, and the amount now “cached” will probably be exhausted before the close of winter.
(Barnes 1875a; emphasis in original)

Councils were held with numerous Southern Paiute and Western Shoshone bands through the mid-1870s, attempting to win favor and encourage relocation to reservations in the region, principally Moapa. Writing in 1875, George Ingalls noted,

at these several councils, the Commissioners distributed blankets, hats, shirts, shoes, cloth for pants and coats for Indians, and dresses for women and children, also kettles for cooking; to enable those to farm where little patches of land could be secured - we gave hoes, shovels and axes.”
(Ingalls 1875b)

Invoices and receipts for a remarkable diversity of cloth, clothing, tools, and other items can be found in the Indian agency reports for this period.

As the reservation took shape, federal authorities attempted to accomplish the effective depopulation of the Southern Paiute hinterland, seeking to leverage tribal relocation to Moapa, except in those places where the Paiute community continued to serve essential economic roles in the non-Indian community. Paiute communities tied to various mining and agricultural centers were given special dispensation and were often allowed to stay in place, ostensibly under the authority of the Indian agents at Moapa. Though in practice, agents’ responsibilities were negligible, and consisted largely of providing reports on these outlying populations to the Office of Indian Affairs. By the early 1870s, Las Vegas and Pahrump are depicted as enduring Paiute settlement cores, lying alongside fledgling non-Indian communities, while Ash Meadows is depicted as being occupied by an integrated Shoshone and Paiute community effectively outside of Indian agency jurisdiction. Surveyor A.A. Humphreys described the residents of Las Vegas and Pahrump communities in positive terms, as “very friendly and quite intelligent” and living peacefully alongside small white settlements.¹²² These would become the nuclei of the modern Las Vegas and Pahrump Paiute communities of today. The Spring Mountains are commonly described as a holdout of seasonal Paiute settlement, where Las Vegas, Pahrump, and other Paiute and Shoshone communities continued to gather, remaining out of EuroAmerican control much later than adjacent valleys.¹²³ Similar outposts persisted outside of the study area, such as the Saint George and Cedar City Paiutes of Utah. Despite occasional military pressures to remove these communities to Moapa, they were already of such importance to local non-Indian economies that their persistence was generally unchallenged by civil authorities.

Moapa’s centrality in federal plans for Southern Paiute removal did not ensure its success. Despite the great ambitions for the new Reservation, in truth it sat in the backwaters of the Indian Affairs bureaucracy and was severely underfunded. The Moapa agency reported that it was unable to pay its bills in 1874-1875, creating tension with the few farms and suppliers who could be relied upon in this remote area (Geib

1874). A school was established for Paiute children by 1874, but soon had to close for lack of funds - "a good intention starved out" by chronic underfunding (Geib 1874). The school was reopened in 1875, but lingered for decades with very modest financial support (Barnes 1875e). Indian agents complained bitterly of their funding situation, who sought "more liberal provision" lest the Indians in their charge be "nearly wrecked and on the point of starvation" and might opt to abandon the reservation altogether (Barnes 1875e).¹²⁴

Simultaneously resident non-Indians created additional challenges to agency operations. While the scattered white settlers who had occupied the Moapa Valley had mixed responses to the creation of the reservation, some agreed to surrender their tentative land and water rights immediately upon its establishment; others held on tenaciously. Soon it became clear to the Moapa agents that the influence of these settlers was compromising the integrity of the reservation community. Indians and non-Indians alike reported abuses of arriving Indians, undermining Indian Affairs efforts to promote Paiute relocation to the new Reservation. Settlers were reported to be introducing new vices to arriving Indians, such as alcohol, while also seeking to draw food from Agency stores. George Ingalls took the issue directly to the Commissioner of Indian Affairs in Washington, D.C.,

It is very important to have the present settlers now on the reservation compensated for their claims and removed; some of them are in a pitiable condition, having neither money or provisions and but one of them any crop for future use. The settlers seriously embarrass the management of the reservation in many ways, and if removed, there would be but little trouble in making the reservation a great success and with but comparative small cost to the government."¹²⁵
(Ingalls 1874e; emphasis in original)

Mining also threatened to encroach on the new reservation. The development of commercial salt mines in and around the traditional Indian salt mining district near the Virgin-Colorado River confluence threatened the stability of the fledgling reservation. At first opposing their development, the Indian agency soon began to promote tribal labor in these mines due to a lack of other employment alternatives (though the mines were short-lived due to a variety of factors including distance to markets).¹²⁶

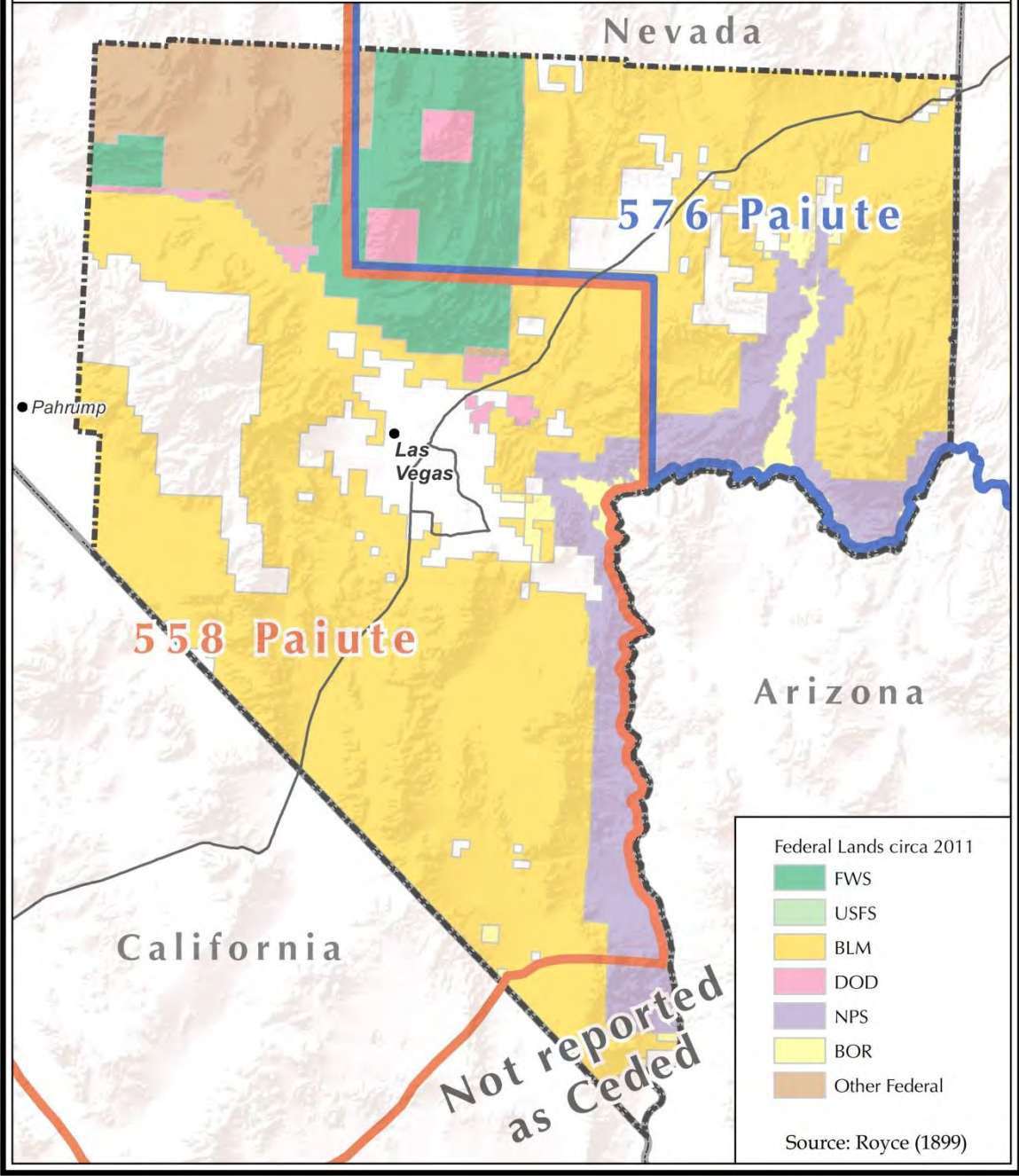
Yet there were other challenges to the Paiute Reservation that would prove even more imposing than these administrative matters. Nevada political interests had balked at

the development of this extensive Paiute Reservation, noting that it included a smattering of preexisting non-Indian mining and land claims, as well as potential resource extraction areas such as the salt mines on the lower Virgin River. Despite warnings of crowding, potential tribal insurrection, and the likely failure of federal policies supporting Paiute relocation, Senator William M. Stewart of Nevada led a legislative effort to dramatically reduce the size of the reservation. Initiating his legislative effort almost immediately after the issuance of Grant's 1874 executive order, Stewart pushed his proposal through Congress without a hearing. By March of 1875, he had succeeded in passing a resolution reducing the entire reservation to 1000 acres, "in such manner as not to include the claim of any settler or miner" (18 Stat., 445; Appendix A). Secretary of Interior C. Delano confirmed the selection and reissued federal land for the reservation on July 3, 1875. The federal government considered the lands then removed from within the larger 1874 reservation as effectively "ceded" by the Southern Paiutes at this time, though, once again, the legislation said nothing explicit on this point. That portion of Clark County sitting in the former reservation, but not included in the current Moapa Reservation boundary has been conventionally designated as "ceded" under the 1875 statute (Royce 1899; Map 10).

With the reduction of the reservation, the concept of gathering all the Southern Paiutes at Moapa began to unravel. Relocations to the reservation continued, often to consolidate families and bands that had been spread between the reservation and outlying communities, but efforts to recruit additional Paiute populations to the reservation had largely ceased by the end of the decade. Instead, Indian agents set to the urgent task of supporting the resident population at Moapa, and promoting the cultivation of this much reduced reservation. With a small and arid land base, Moapa agents sought to develop a very lean but efficient agricultural enterprise. Irrigation infrastructure and farmlands formerly in Mormon use were quickly targeted for redevelopment, to the extent that limited budgets would allow.¹²⁷ Despite limited resources, Indian agents also sought to retool the elaborate subsistence traditions of Moapa's residents, seeking to impart introduced agricultural traditions and sedentary lifestyles fundamentally different from what the Paiute had known previously.¹²⁸

External fiscal oversight of Moapa's Indian agents was negligible and the reservation's administrators sank into a morass of corruption from which the reservation would not escape until the early 1900s. Services were limited and infrastructure projects languished. Conditions deteriorated so badly on the reservation that many families began to migrate back to unoccupied portions of their former territories. Conflicts between Paiutes, miners, and the military off-reservation continued intermittently,

Indian Land Cessions in Clark County Nevada according to Royce (1899)



Map 10

complicated by the discontinuation of relocations to Moapa. Military authorities briefly attempted to assume the administration of Moapa, but the Office of Indian Affairs was able to repel these efforts.¹²⁹

Indian agents made appeals for a reexpansion of the Moapa Reservation to counteract this reverse migration, but with little success. One of these requests came from Nevada Indian Agent James Spencer. In 1880 Spencer toured the reservations of the region and reported that conditions at Moapa were far worse than other reservations in his district,

I visited that locality last February and laid off, by metes and bounds, a tract of land above and one below, and including the present reserve, and recommended this enlarged reservation to be set aside by Executive order... No action, of which I am apprised, has yet been taken on my recommendation, and as a consequence the Indians are scattered over the surrounding country for 200 miles around, eking out a precarious existence by working, begging, root-digging, and insect-eating – a life not of their choice, but forced upon them for lack of a protected reservation equipped with a very few of the necessary appliances for commencing the work of tilling the soil.¹³⁰
(Spencer 1880)

The population of Moapa was in rapid decline, as changes in diet, reduced mobility, enforced social changes, and poverty all took their toll. Those living outside of Moapa were increasingly neglected by federal agents. Mismanagement had so well prevented the Southern Paiutes from making a living that they had to seek a livelihood off the reservation. A lack of development and employment opportunities at Moapa created little incentive to stay, and Indian agents did not effectively prohibit relocation to off-reservation communities. Consequently growing Indian communities, rooted in pre-contact Paiute settlements, attached themselves to non-Indian settlements in the lower Muddy Valley, in the upper Meadow Valley, Las Vegas, Bunkerville, and St. Thomas. There, Paiute families settled at the margins of white settlements, places that used to be independent Paiute settlements only a generation or two before. Las Vegas residents moved back and forth to the reservation as personal and economic circumstances allowed. Meanwhile, the Utah Southern Paiutes became more dependent on the Mormon settlements in that state. Periodic efforts to remove Paiutes back to the reservation targeted only those Indians who were not somehow engaged in the non-Indian economy. In part as a result of that, all these independent Southern Paiute outposts eventually had to rely on white settlements as a source of income, usually by

providing labor for ranches and farms, in such places as Las Vegas and Pahrump, as well as mines, such as Searchlight and El Dorado Canyon (Inter-Tribal Council of Nevada 1976a; Euler 1966).

In 1885 Nevada Superintendent of Indian Affairs W.D.C. Gibson visited Moapa, and reported that the Southern Paiute population of the reservation was shrinking rapidly. An estimate the year before had placed the Nevada population at 600. In one year the farmer-in-charge had reduced his estimate to 157, only 24 of whom resided full-time on the reservation. The others were reported to be located as follows: "At Bunkerville, 30; St. Thomas, 35; Las Vegas, 23; Pioche and Panaca, 25; Hico, 20." Gibson recommended closing the reservation altogether,

On account of the small number residing on the reserve...I have recommended that said reserve be abandoned, or segregated from this agency and that all the property be sold, or allotted to the Indians who reside there permanently.
(Gibson 1885: 369)

Action was not taken on this request. The Moapa population persisted in much reduced form, holding on to their traditional lands and cultivating crops on irrigated farms. Perhaps not surprisingly, this remaining Moapa population became important participants in the Ghost Dance movement in the 1890s, which brought Paiutes, Shoshones, Hualapais and others to and from this reservation. By the early 20th century, the Paiute population at both Moapa and Las Vegas Colony were at their nadir, as was the case in many parts of North America. In a 1912 Annual Report to the Superintendent of Indian Affairs, the Moapa agent depicted the Paiutes of these two communities as a nearly extinct people, "They have reached that stage which all primitive races reach, in which the death rate is high and the birth rate is almost nil" (in Las Vegas Paiute Tribe n.d.; Dobyns and Euler 1967, 1976: 68 ff.).

Still, the remaining population began to rebound in the decades that followed. The Moapa also made significant strides toward self-sufficiency, as a new generation of Moapa residents took active rolls in reservation administration. By the early 20th century, Moapa had two tribal policemen and an "Indian judge."¹³¹ Though agency employees had long sought to foster the complete economic transformation of the Paiutes living at Moapa, the limited arable land on the reservation and the persistence of longstanding cultural traditions placed real limits on the degree of this

transformation. Instead, tribal members participated in a mixed economy, often using traditional skills in their efforts to enter the cash economy that surged just beyond the reservation boundaries. Thus, the Moapa Indian agent reported in 1911 that,

The Indians make quite a number of good baskets for which they get good prices...The Indians secure employment during July and August picking cantaloupe for the farmers below here on the river [in the Muddy and Virgin river valleys], at good wages. They also spend about a month in picking pine nuts on the mountains surrounding here, for which there is a good market. No Indians are employed at any distance from the reservation.

(Las Vegas Indian Tribe n.d.)

This same report notes that housing on the reservation still consisted principally of brush structures, and that there were only two Euro-American style houses being occupied by tribal members at this time.

Additional lands were added to the Moapa Reservation in 1912, in part to support agricultural operations (LaVatta 1936; Appendix A). Indian agent reports of the period paint what was probably an exaggerated picture of the scale of agricultural production on the reservation, but roughly 300 acres were under cultivation by this time, in cantaloupes and some alfalfa, fed by both new and reconstructed irrigation canals (Asbury 1915).¹³² In 1916 the Moapa Indian Reservation was broken into smaller allotments, in a belated response to the Dawes Indian Allotment Act (1887) and the Burke Act (1906), which sought to privatize Indian lands. At Moapa, as elsewhere, this appears to have been conceived as a way to institutionalize private land ownership and thereby accelerate the conversion of tribal members to commercial agricultural economies (Moapa Indian Agency 1920). In practice the allotment of lands into small parcels was deeply problematic, with very little arable land, limited and sometimes contested water supplies, and a host of other challenges. A small number of tribal members had success growing alfalfa and wheat, but others soon abandoned plans for agricultural uses of lands that were, at best, suited for light grazing yet too small to support economically viable cattle operations. Increasingly the men of the tribe took part in economic activities beyond the reservation's boundaries to make ends meet, and many traditional gathering practices had to occur in between obligations to wage employment. By 1923 the Moapa Indian Agency reported that,

All of the Moapa Indians are practically self-supporting. What is not earned on the reservation is earned working for the Mormons and mining as well as for the cattle men. Their allotments are so small that few can make a living from them alone.
(Moapa Indian Agency 1923)

While women also worked outside the reservation in greater numbers, some continued to support their families through the production of traditional crafts, a practice that has persisted in some Moapa families into recent times. One Indian agency report notes that a financial clerk for the agency was buying and apparently reselling baskets that these women had not already sold to other buyers, with this clerk purchasing over 100 baskets in the year 1926 alone (Moapa Indian Agency 1926). By 1936 there were approximately 158 Paiutes living at Moapa, and the population was on the rebound (LaVatta 1936).

Meanwhile, the Las Vegas Colony was taking shape. Long under *de facto* jurisdiction of the Moapa Indian agent, Las Vegas had continued to develop with negligible federal oversight. The principal settlement of Paiutes on the edge of Las Vegas by this time was located on a ranch belonging to the Stewart family. In 1911 Helen Stewart deeded a ten-acre lot of the old Las Vegas ranch, sitting roughly one mile north of the growing downtown area, to the federal government as official Indian colony land. This land was transferred with the titular stipulation that it be for the use of “the Paiute Indians” without specifying band affiliation. The sale was to provide land for an Indian day school (Las Vegas schools at this period were closed to Indian children) and to furnish homes for the Indian laborers working in and around the town of Las Vegas. A few months later, the government paid Stewart \$500 and formally accepted the land, holding the title for the land on behalf of this Indian “outpost” but not placing it in trust due to their ambiguous relationship with Moapa (Alley 1977: 9; Las Vegas Paiute Tribe n.d.; Inter-Tribal Council of Nevada 1976a: 120). The Las Vegas Colony remained under the loose jurisdiction of the Moapa Indian agent, a largely overlooked outpost “consist[ing] of a ten acre tract of land which was purchased for a small band of homeless Paiute Indians” (LaVatta 1936: 8). Tribal housing changed little in the early years of the Colony, but the tribe now had a designated land base when new housing needs arose. A day school opened at the Las Vegas Colony in 1912 but closed the following year. After the school closed, children from the Colony were sent to boarding school at Fort Mojave more than a hundred miles away (Alley 1977: 11; Las Vegas Paiute Tribe n.d.).

While still maintaining a number of traditional practices, the Las Vegas Paiute were somewhat more directly involved in the cash economy by the early 20th century than their Moapa kin, by virtue of their close proximity to the burgeoning town of Las Vegas. As one 1911 Indian agent report noted, “The Indians at Las Vegas work for ranchers, the railroad and others, at good wages, and all able bodied Indians are self-supporting” (Las Vegas Indian Tribe n.d.). Federal authorities explored options for acquiring lands outside of the city for the relocation of the Las Vegas Paiute. While a significant portion of the county remained unoccupied, almost all sites with reliable water supplies had been claimed, leaving few options, and plans for relocation were tabled (Asbury 1915). In 1918 Laurel B. Sandall, Superintendent of the Moapa River School, commented that there were large numbers of Paiute Indians moving to join the Las Vegas Colony from other Paiute outposts, as Las Vegas’ growth outstripped other frontier-era settlements, “[they are] not enrolled anywhere but live in Las Vegas area and drift between employment” (Sandall 1918). The Las Vegas Colony became a stopping-over point for a growing number of Paiutes, linked to preexisting Las Vegas Paiute residents by cultural and kinship ties, who gathered there for employment. Similar reports emerged from Pahrump, where the Pahrump tribal community continued to exist alongside the growing non-Native community, working as wage-laborers for ranches and other commercial enterprises, drawing Paiutes from the surrounding hinterland as they sought employment and continued to lose access to lands and resources in the desert hinterland (McCracken 1990a, 1990b).

During the 1920s and 1930s, supervision of the Las Vegas Paiutes by the government was almost nonexistent. Moapa Reservation administrators were distant, and had their hands full with local matters. In 1926 there were approximately 50 Indians who made the small reserve their “headquarters.” As urban Las Vegas began to surround their settlement, these families supported themselves through labor in and around Las Vegas, with men working on nearby ranches and women involved in domestic work. By the late 1920s, younger Paiute children began to attend public schools in Las Vegas, and most of the older children attended Stewart Indian School, a boarding school outside Carson City. Tribal members and Indian agents alike expressed concern as younger members of the tribe were sometimes pulled into the raucous gambling scene of downtown Las Vegas; traditional cultural activities were often seen as a remedy for these challenges (Alley 1977: 11-16; Moapa Indian Agent 1926; Inter-Tribal Council of Nevada 1976a: 121). While the Las Vegas Colony, like their Moapa and Pahrump relatives, were centered on developed communities, the utilization of traditional

resource and ceremonial sites persisted in the hinterlands. Well into the early 20th century, and arguably into the present day, the Las Vegas Basin, Spring Mountains, and other portions of the study area housed Paiute encampments, resource procurement sites, and ceremonial sites (Rockwell 1968).

While divided into separate communities by this time, the Paiute communities were linked by kinship, shared cultural traditions, and shared associations with the land. Families still converged in large multi-community gatherings, such as the annual “fall festival,” through the early 20th century.¹³³ Though divided into separate tribes, the Southern Paiute were, perhaps as much as ever, operating a united community. By this time, the foundation of the modern Moapa, Las Vegas, and Pahrump tribes were largely in place.

SOUTHERN PAIUTES BEYOND CLARK COUNTY

Though the preceding section intersects in many ways with the history of Southern Paiute communities living outside of what is today Clark County, Nevada, this section briefly turns focused attention to the Paiute communities living in nearby portions of southwestern Utah and northwestern Arizona. As preceding sections make clear, these communities possess strong ties to the study area, some possessing subsistence and ceremonial ties to such places as the Spring Mountains, for example, and some portion of their population claiming descent from former Clark County residents.

The Paiute communities of Clark County and of adjacent Utah and far northwestern Arizona appear to have been closely associated, even before the time of European contact.¹³⁴ By the mid-1850s, EuroAmerican influence on Southern Paiute society arguably was greatest near the Utah mission settlements of Parowan and Cedar City. The Indians who lived in Parowan Valley had been gradually abandoning the area as the non-Indian population grew, while small Paiute communities persisted on the margins of fledgling Mormon communities such as Cedar City and St. George. In 1856 and again in 1857, the U.S. government made its first official contacts with the Southern Paiutes of this part of Utah by sending Indian agent G.W. Armstrong to investigate their condition. He reported that these bands were already largely dependent on the Mormon settlements by this period, having been displaced from their principal traditional settlement and resource procurement sites, and instead serving as labor to the Mormon communities that had displaced them. The largest communities were

reported to be living on Shirt's Creek and Coal Creek near Cedar City, and Wood Creek near Ft. Harmony, where they were working as laborers while also maintaining small farms. In Cedar City the Mormons had not yet appointed an Indian agent but, instead, attempted to make inroads with the Paiute community by appointing "farmers-in-charge" who oversaw tribal farming and reported on their condition to the Utah Superintendency. Those Paiutes wishing to avoid direct EuroAmerican influence often moved away from these settlements to the far edges of the Mormon sphere, in places such as the Arizona Strip as well as mountainous areas such as Indian Peaks in Utah (Holt 1992; Inter-Tribal Council of Nevada 1976a).

Despite the importance of Paiute labor to the young settlements of southwestern Utah and northwestern Arizona, the Utah Indian Superintendency of Indian Affairs depicted the Paiutes as a burden on neighboring Mormon communities and soon proposed to relocate these Paiutes to the Uintah Reservation in northeastern Utah. Citing the apparent barrenness of the southwestern part of Utah and the Arizona Strip, this effort at forced location was explained as a humanitarian gesture. As noted in the annual report of the Utah Superintendency for 1865,

there is a large number of Indians, estimated at 6,000, called the Pi-edes, allied in language to the Utahs, but very poor, and obtaining a precarious living upon a barren region in the southern part of the Territory. They cultivate here and there a few patches of grain or vegetables, but are often reduced for subsistence even to feed on lizards, toads, and insects. The superintendent hopes to induce them to accept a better home upon the Uintah Valley reservation, as soon as the preparations at that point are sufficiently advanced.

(Utah Superintendency 1865: 18)

Unlike many Southern Paiute populations, some Utah Paiute communities actually did possess kinship ties to the Utes, giving Indian agents a stronger foundation for their Uintah relocation policy than had been the case with the Paiutes of Clark County. (Indeed, the integration of Paiute and Ute populations was so thorough in some of the northernmost Southern Paiute populations that their descendants had to conduct genealogical research to determine whether to participate in the Southern Paiute or Ute Indian Claims Commission proceedings in the mid-20th century.)¹³⁵ The Utah Superintendency persisted in its efforts, even after the Uintah relocation plan had been abandoned by adjacent superintendencies.

As noted previously, these efforts were largely unsuccessful, and Utah's Paiute communities remained on their traditional lands, even as they were displaced from many of their hunting and gathering sites. Their traditional lands were depleted by overgrazing cattle, and traditional campsites were taken up by white settlements and farms. With their numbers reduced by disease and dispossessed of their land base, use of the hinterland became quite restricted through the last half of the 19th century. Most Southern Paiutes, even those in outlying settlements, found themselves growing more economically dependent on the white settlements that had displaced them. When the Moapa Reservation was established in 1873, certain portions of the Utah and Arizona Strip Paiutes were induced to move to that reservation, especially proximate groups such as Shivwits and St. George bands. While a few of these groups remained at Moapa, return migrations to Utah and adjacent Arizona were widespread in the years that followed, as it became clear that the reservation's resources were limited, its management poor, and its land base much reduced from the original proposal. Returning home, many of these groups found the lands they had temporarily abandoned now largely overrun, and moved instead to composite Paiute settlements, such as the colonies at Las Vegas and Cedar City. Living in these scattered settlements, the Utah Paiutes effectively "slipped through the cracks" of federal Indian policy. The Indian Appropriation Act of 1871 ended the treaty-making system between the United States government and tribes. Tribes without treaties were, therefore, unable to seek redress through the treaty process. Instead, over time, tiny reservations were established haphazardly for several of Utah's Southern Paiute groups, and usually by executive order (Holt 1992: 35-50).

By the early 20th century, the Utah and Arizona Strip Paiutes consisted of a number of largely independent communities, generally poor but persistent, with very limited connections to the federal government. Writing in 1936, Utah researcher William Palmer kept notes on what he and others were being told by the Paiutes associated with the Cedar City community,

Government no help to most of them, a few young men given work on roads, a few old Indians get 3-4 dollars a month. It will buy coffee, a little tobacco and about half enough flour to eat, not enough to buy clothing or shoes...They had only a small piece of bread each and water to drink at both meals - nothing more...They said bread was all they had to eat...They said they had to buy a license in the fall to kill deer. The agent watched them too closely and they were afraid to steal deer. They have no guns anyway to shoot deer with. They do not always have money to

borrow guns to hunt deer and some can't get a gun or buy cartridges.
(Palmer 1936).

The constituent communities that are now part of the Paiute Indian Tribe of Utah had no federal recognition at this time, and were only occasionally visited by Indian agents, whose jurisdiction included many Indian communities scattered across southern Utah. Accordingly, Palmer reported that government assistance had not arrived to develop housing. Well into the early 20th century, the population remained semi-migratory and still dwelled within brush shelters on the margins of white settlements as well as at the few remaining resource outposts. He concluded after talking with area tribes that there was considerable poverty and distrust of government among these populations, as “they make promises and then go away and are never heard from again” (Palmer 1936).

In this context, the remaining Paiute communities of Utah and far northwestern Arizona persisted as largely autonomous populations, linked to one another by kinship and various social, economic, and ceremonial obligations. Southern Paiutes on each of the reservation communities in Utah and northwestern Arizona were still gathering with one another, as well as their Paiute relatives in Clark County, for group social, economic, and ceremonial activities, and intermarriage and movement between reservation communities was common (Kelly 1964: 95 ff.; Sapir 1912). Each village of the early 20th century was centered within a traditional band territory, with each community consisting primarily, but seldom exclusively, of descendants from the band originally occupying that territory. The sections that follow provide brief synopses of those communities that persisted through the 19th century to become constituent bands of the modern Paiute Indian Tribe of Utah and the Kaibab Band of Paiute Indians.

The Bands of the Paiute Indian Tribe of Utah

Shivwits

The Shivwits' homeland is in northern Arizona, centered on the Shivwits Plateau. They lived as far south as the north rim of the canyon of the Colorado and as far north and west as the Virgin Mountain range in far eastern Clark County, sometimes utilizing lands and resources as far away as the Virgin River. Though some Shivwits appear to have gone to Moapa in the mid-1870s, many Shivwits resisted relocation and others soon returned from Moapa. There is also evidence to suggest that Paiute “refugees” displaced from core EuroAmerican settlement areas retreated to this area and joined kin

in the Shivwits Band. The population of the relatively isolated Shivwits group decreased in the next two decades due to relocations, disease, and displacement from resource lands, but at least one significant Shivwits village group had managed to survive in the southern end of their territory.

Anthony W. Ivins, an Arizona Strip cattleman, Mormon church leader and public official from St. George, began to pressure the federal government to remove the Shivwits. The Shivwits lived near his ranch in northern Arizona and occasionally raided his cattle, which had partially displaced them from springs, hunting grounds, and plant gathering areas in their traditional territory. Ivins brought the Shivwits' lack of federal oversight to the attention of Indian Affairs authorities, lobbying for their removal to land on the Santa Clara River and away from his land. His lobbying was effective, and Congress appropriated \$40,000 in 1891 for the purpose. Ivins was appointed to be the "special disbursing agent" to the Shivwits, overseeing the use of these assets and their relocation to Santa Clara. With these federal funds, Ivins bought land on the Santa Clara River, as well as teams, wagons, and farming tools so that the Shivwits and other Paiutes moved there might begin farming. Ivins arranged for the fencing of the land and the establishment of a small school. He then arranged for the relocation of the Shivwits to these lands, along with a small number of Paiutes from the Gunlock, Saint George and Uinkaret areas.

The land was not formally transferred to the U.S. government until 1903, when 100 acres were bought under a Department of the Interior order. The Shivwits Reservation was officially established at this location by executive order on April 21, 1916. While the 1916 executive order had provided for the designation of lands for a reservation, little attention had been given to water needs. As of the early 20th century, the reservation had rights to only 1.38 cubic feet per second of water - scarcely enough to irrigate crops, let alone supply a significant settlement with livestock. The reservation was expanded in 1937 to 28,160 acres in response to concerns about the viability of the small reservation, but very little of the added land was suitable for farming or home sites. Low agricultural potential, repeated conflicts over water rights, and frequent problems with cattle trespass on the reservation induced many residents to leave the reservation, seeking wage work in Enterprise, St. George, Cedar City, Moapa and other towns (Kelly and Fowler 1986: 389; Inter-Tribal Council of Nevada 1976a: 113-114; LaVatta 1936).

Indian Peaks Band

The Indian Peaks band is a composite of descendants from what are often called the *Paragoon*, *Pahquit*, *Tavatsock* and other bands, who gathered together in this region, rugged mountains close to the Nevada-Utah border, by the late 19th century. The reservation was established by executive order on August 2, 1915, and enlarged in 1921, 1923, and 1924 to a total of 10,240 acres. In its early years, residents of the Indian Peaks settlement practiced small-scale subsistence farming and gathered pine nuts, which were abundant in the adjacent mountains in good years. While rugged and remote, Indian Peaks offered its residents rare opportunities for independence from the white world, and the Indian Peaks Paiutes remained independent of Mormon social and economic influences longer than other Southern Paiute bands in Utah (Holt 1992: 41-43).

This protected and remote setting came with its own unique challenges, however. The entire reservation was widely reported by Indian agency staff to be rocky and lacking in water, with very little agricultural potential. The reservation reported frequent water shortages and crop failures; infant mortality and disease plagued the reservation at certain times, and it was especially affected by the “Spanish influenza” epidemic of the late 1910s and early 1920s. The very limited Indian Affairs services offered to Utah Indians on small reservations, coupled with the low productivity of reservation lands, fostered a gradual relocation of most Indian Peaks Paiutes to Cedar City, living in the “Indian village” with members of the Cedar Paiute band. In 1936 LaVatta reported only 19 Paiute individuals remaining at Indian Peaks, as this outmigration continued (LaVatta 1936; Holt 1992).

Cedar City Band

The Cedar Paiutes (sometimes referred to as the *Kumoits* or *Wahn-kwits*) historically occupied a homeland that included Cedar Canyon and the valleys associated with Coal Creek. Over time, a number of displaced “refugees” from other Southern Paiute bands, including those in Clark County, joined their kin in Cedar City. Marrying into the Cedar City community, they became inextricably tied to the Cedar City Band. As the EuroAmerican community of Cedar City expanded, the land base of the Cedar Paiutes was reduced to an 11-acre tract of land on Coal Creek near the mouth of Cedar Canyon, which was set aside by the Mormon Church rather than by federal action. The Cedar Paiutes were officially placed under the Moapa Agency jurisdiction when it was established in 1873, but no aid was given to them. Once Moapa was reduced in size and importance in 1875, the agent there no longer held responsibility for administering the

Utah Southern Paiutes. Though technically under Utah Superintendency jurisdiction in these early years, the Cedar City Band was often administered by the Mormon Church, which in many ways played the role usually assumed by the Indian agency system. In 1916 an Indian agency was organized at Goshute, and Cedar City was officially placed in this agency, but with few immediate consequences.

Congress authorized an appropriation of \$1,275 on March 2, 1925 for the purchase of nine lots in Cedar City for occupation and use by the Cedar Paiutes, and the funding was appropriated the following year. Simultaneously, in 1925, the Mormon Church induced the Cedar Paiutes to move down the river a short distance to a location near the Cedar City temple, where the Church had purchased land for them. The Mormon Church had organized the purchase of a small farm and a workshop, and facilitated the construction of new houses at this new site. The superintendent of the Kaibab Agency, upon learning of the Mormon purchase, recommended the government take no further action in the matter. The \$1,275 was placed in surplus, and no land was purchased by the government. Though the Cedar Paiutes had homes, this action left them without a land base, as the Church retained ownership of the land (Holt 1992; Inter-Tribal Council of Nevada 1976a: 128-31).

For a short time in the late 1920s and 1930s, Utah's Paiute Agency was located at Cedar City, and this represented the only time the Cedar Paiutes had direct federal supervision. At this time, the absence of federal trust lands became a barrier to their federal status. The agency superintendent at the time classified the Cedar City Paiutes as members of "scattered bands...Indians allied with no tribe and having no trust property," and were, therefore, "non-wards" unable to "partake of the benefits of appropriations made for support and civilization of Indians" (in Holt 1992: 52). As a result, certain benefits were withheld from the tribe. To further confuse the situation, the Indian Peaks band of Paiutes, considered wards by Indian Affairs, gradually moved to Cedar City, most living in the Indian village with the Cedar City Paiutes (Holt 1992: 53). Still, ironically, when the other Utah Paiute bands were terminated in 1954, the Cedar band was not, allowing for the persistence of the Cedar City Band as an administrative hub of these other bands through the termination period (Holt 1992: 52-72; Inter-Tribal Council of Nevada 1976a: 128-31).

Koosharem Band

At contact members of the Koosharem band were probably culturally “transitional” between the Southern Paiutes and Utes, and ranged from Fish Lake in the summer to the area of present-day Escalante in the winter (Holt 1992: 43).¹³⁶ The Band lost many of its formal natural resource rights through various mechanisms in the late 19th century, but maintained a small community in Koosharem, Utah that sometimes worked as labor for nearby Mormon settlements. The Koosharem Reservation was established by executive order in 1928 and enlarged in 1937 (Appendix A). Though many residents were of mixed Paiute and Ute ancestry, administration of the reservation was grouped with southwestern Utah Paiutes, and was briefly under the administration of the Cedar City Indian agent as a “Paiute” community. As with some other Utah reservations, federal oversight was in practice negligible, and the reservation and its resources were managed in part by the Mormon Church (Sevier Stake). The Church was trustee of Koosharem water rights until the band sued the Church for those rights in 1958. The vicinity of the reservation offered limited opportunities for wage labor, and band members eventually began to rely on wage labor in nearby Richfield, Utah, including a variety of agricultural jobs. Migration to Richfield, Cedar City, and other nearby communities reduced the proportion of enrollees living on reservation lands through the early 20th century (Holt 1992; Clemmer and Stewart 1986).

Kanosh Band

The Kanosh Band originated from people descended from the Pahvant Indians of the Corn Creek region, who shared both Southern Paiute and Western Ute cultural ties. In 1855 the Kanosh people settled at the mouth of Spanish Fork River. In time this community split into two groups – one group, under considerable pressure from Indian agents, relocated to the Uintah Basin with other Western Ute groups, and the other group remained in the south and aligned themselves with the Southern Paiute people living in the vicinity of Meadow, Kanosh, and Richfield, Utah. A reservation was created for the Kanosh band by executive order in February of 1929 and expanded in 1935 and 1937. Many residents continued to identify as Ute rather than Paiute, but intermarriage between the two groups was extensive. Like the Koosharem Reservation, the Kanosh Reservation was administered alongside Southern Paiute bands of southwestern Utah, and was briefly part of the Cedar City Agency, giving it even stronger Southern Paiute connections (Holt 1992: 43-44; Clemmer and Stewart 1986: 531).

Kaibab Band of Paiute Indians

Traditional Kaibab Band territory straddled today's Arizona-Utah border, in the western half of the Arizona Strip, bounded roughly by the Paria and Colorado rivers to the east and south, extending west of Kanab Creek Canyon and north of the Virgin River. White settlement did not begin to encroach upon this territory until the early 1860s. As summarized by Euler (1972: 54), "especially in the regions occupied by the Kaibab Paiute, the Indians had little if any contact with whites" during the early years of missionization and reservation development. There is some evidence to suggest that Paiutes displaced from places more central to early EuroAmerican settlement, possibly including Clark County, joined Kaibab kin in this area in the preceding years to escape these influences (Stoffle, Van Vlack, et al 2005; Holt 1992; Stoffle and Evans 1978, 1976; Euler 1972, 1966; Kelly 1964).

By 1863 Mormon stock ranches were established at the artesian springs of Short Creek, Pipe Springs, and Moccasin. The following year, Mormon ranches were established in the Utah mountains to the north and at present-day Kanab. In addition to appropriating the major water sources within Kaibab Paiute territory, Mormon settlements and their livestock quickly depleted grasslands, disrupted local game, and cleared piñon groves. Within a decade of white settlement in traditional Kaibab Paiute territory, the native population is estimated to have declined 80 percent, not due to disease or warfare as in many other areas, but from loss of food resources and some very small amount of outmigration in search of alternative resources (Kelly and Fowler 1986: 369; Stoffle and Evans 1976, 1978).¹³⁷

In response to this resource depletion by white settlement, some Kaibab Paiutes moved close to these communities seeking Mormon aid. Navajo and Ute raids on the settlements were common during the late 1860s, and Kaibab Paiutes who were permitted to farm near Kanab and along Kanab Creek participated in the defense of the Mormon communities with which they were associated. Yet, some evidence suggests that other Kaibab Paiutes joined their former Navajo enemies in raiding the white settlements. Long Valley reverted briefly to Kaibab Paiute control when it was abandoned by the Mormons in 1866, but was retaken in 1871 by Mormons migrating from the Moapa Valley area of Nevada following the dissolution of the Mormon missions there, which pushed the Kaibab Paiutes in Long Valley into the Kanab region. This second wave of Mormon settlement brought further population decline, from resource competition as well as disease (Stoffle and Evans 1976: 181-84).

In the early 1900s, many Kaibab Paiutes did choose to leave their traditional lands in search of subsistence, often temporarily, but many remained near Kanab and several families settled at Moccasin Spring to the southwest. Kaibab Paiutes in the area of Moccasin Spring established a small farm in the early 1900s, with assistance from the Mormon Church. In 1907 the Department of the Interior made a recommendation through a departmental order to create a reservation around this settlement. The land was temporarily withdrawn from the public domain for this purpose by an act of Congress in 1910, and approved by executive order in 1913. In turn, the land withdrawal was made permanent, with provisions for an expanded land base of some 120,413 acres, by an executive order dated July 17, 1917. By 1936 a population of some 93 Paiutes lived on the reservation, most being families associated with the original Moccasin Spring settlement. This population became the nucleus of the modern Kaibab Band of Paiutes (LaVatta 1936; Kelly and Fowler 1986: 389).

MOHAVE TRANSITIONS

As noted elsewhere in this document, prior to white incursion, the core and most heavily populated part of Mohave traditional territory was Mohave Valley, while contiguous Mohave settlement extended some distance north and south of this core along the Colorado River, and Mohave claims to lands and resources extended far into the adjacent deserts. The closely-related Quechan on the lower river, centered near Yuma, helped to extend the reach of the powerful Mohave over a considerable portion of the lower Colorado. For much of the early history of the region, Spanish, Mexican, and American interests tended to avoid direct interference in the affairs of the formidable Mohave nation or in the core homeland of the Mohave. However, following the signing of the Treaty of Guadalupe Hidalgo in 1848 and the discovery of gold in California, pressures mounted for transportation routes that transected the Mohave country.

In 1854 Lieutenant A.W. Whipple commanded a team that surveyed a proposed wagon route along the 35th parallel, running east-west across the Mojave Desert and intersecting the Colorado River about 10 miles north of Needles.¹³⁸ While Congress continued to debate the proposed route of the Pacific railroad, work began on the 35th Parallel wagon road - extending from Fort Defiance, New Mexico, across northern Arizona, and crossing the Colorado River in the heart of Mohave traditional territory en

route to the Pacific coast. The new road also was intended to allow the passage of mail wagons, operating between Kansas City, Missouri and Stockton, Calif., via Santa Fe. Wagon Road Superintendent, and former Navy Lieutenant, E.F. Beale supervised crews building the road from 1857-1858, and emigrant travel began by the summer of 1858 following extensive publicity based significantly on Beale's reports. The point at which the road forded the Colorado became known as "Beale's Crossing of the Colorado," and cut through the middle of Mohave territory. The original construction, followed by an initial surge of travelers, created great friction with the large population of Mohaves living adjacent to the crossing. Reportedly in retaliation for the unsanctioned clearing of trees and other shows of disrespect by early emigrants along this road, the Mohave attacked two wagon parties in August of 1858, killing a number of people and sending the rest retreating to Albuquerque. Mail wagons attempted to journey the new road despite the attacks, but within the first few months of this operation, only one-third of the mail trips had been completed due to blockades and attacks by the Mohaves and their Paiute allies (Hafen 1969: 115-17).

In response to these conflicts, the U.S. Army sent a reconnaissance party under Lt. Colonel William Hoffman from Fort Tejon, Calif. across the Mojave Road to the area of Beale's Crossing. The reconnaissance party of some 50 soldiers entered Mohave Valley in January of 1859 and was threatened with attack. Near Beaver Lake, Hoffman's men drove off groups of Mohave men with rifles, resulting in a number of Mohave casualties (Sherer & Stillman 1994: 88-92). Hoffman returned to California where he received orders to establish a fort on the Colorado to protect traffic across the wagon road.¹³⁹ Hoffman's Colorado Expedition, consisting of 600 men, as well as hundreds of horses and other livestock - in a show of force meant to intimidate the Mohave - reached the site of Beale's Crossing in April 1859. Three days later he held a grand meeting with Mohave headmen and, with hundreds of Mohave in attendance, outlined the terms of an agreement. Essentially a pact of nonaggression, the agreement included provisions for the establishment of roads and military posts through their country, and placement in army custody of the chief who commanded the attack on Hoffman's January 1859 expedition, as well as three of the men involved in the attack on the wagon train the previous summer. In addition, Hoffman's terms stated that, "as security for their future good conduct, they must place in my hands one hostage from each of the six bands" (in Casebier 2006: 39).¹⁴⁰ The Mohaves agreed to these terms under duress. Hoffman had nine Mohave men incarcerated as hostages at Fort Yuma in Quechan territory to ensure the tribe's adherence to this agreement. The following June, some portion of these hostages escaped and others were killed in the attempt. A large contingent of the

Colorado Expedition departed a week after arriving at Beale's Crossing, while the remainder stayed behind to construct the new fort. The post established on the river's east bank was initially called Camp Colorado but, at the end of construction, was renamed Fort Mojave (Casebier 2006: 24-35; Sherer & Stillman 1994: 84-100).¹⁴¹

No Indian agency operated in the area at this time, but military and Indian agency staff viewed the development of agency administration as necessary to maintain ongoing peaceful relationships with the Mohave and to avoid potential uprisings. As Southern California Indian agent, John P.H. Wentworth reported to the Commissioner of Indian Affairs, "This agency is indispensably necessary, and must be well filled, or interminable Indian war will be the result" (Wentworth 1862c). The presence of large and powerful tribes such as the Mohave and Hualapai along the strategically important lower Colorado River was a source of concern to federal agents, who also saw opportunities for pacification through the development of reservations with formal agricultural programs. Thus, touring through this region in 1862, California Indian Superintendent J.P.H. Wentworth encountered what he described as,

the most warlike and intelligent Indians within the boundaries of this State...Nearly all of these Indians are by nature agriculturists, and it would require but little aid and instruction from the government to render them contented and peaceful tillers of the soil, and I desire to call your special attention to the paramount necessity of providing some isolated and advantageously situated locality as an Indian reservation for this beneficial object.
(Wentworth 1862)

Still, the initial conflicts between the Mohave and the United States forces had been resolved, and the region had settled quickly into an awkward peace. Viewing the Mohave issue as largely settled, the U.S. Army abandoned Fort Mojave in 1861 as military assets were redirected to the Civil War in the East.

The discovery of gold in the lower Colorado River region during the Civil War, however, brought a wave of miners who threatened to upset the fragile peace more than any prior incursion.¹⁴² Indian Office representatives redoubled their calls for the definition of reservations for the Mohave – no longer simply to contain Mohaves within its boundaries, but as an effort to define and defend Indian lands from potential incursion. As Indian Agent Charles Poston (1863) reported,

“The Mojaves on the Upper Colorado, number some five thousand souls, and have not, so far as I am aware, had any intercourse with the civil agents of the government. A rapid influx of miners from California is now fast encroaching upon their ancient possessions, and an early definition of rights and boundaries may prevent trouble, and result to the mutual advantage of both parties, as well as the government.

“The tributaries of the Colorado are known to contain vast mineral treasures in gold, silver, copper, quicksilver, lead, iron, coal, salt, and precious stones, which the enterprise of our people will not allow to remain dormant.

“The Indians must be protected and provided for, or they will soon be swept away by this avalanche. There are already on the Upper Colorado from two thousand five hundred to three thousand persons, Americans and Mexicans, remote from civil government or organized society, engaged in prospecting mines.¹⁴³
(Poston 1863: 388)

Responding to the potential for interethnic violence emanating from a new gold rush within a densely settled tribal territory, the Fort Mojave post was regarrisoned in 1863 by California Volunteers, and remained active until 1890.

During this tumultuous period, various sources suggest that factions developed within the Mohave, in part due to military occupation of Fort Mojave, varying levels of tolerance for American influences, as well as growing pressures to relocate away from Beale’s Crossing. The factions coalesced around two leaders – the ranking Mohave chiefs Siccahoot and Irrateba – who led segments of the tribe that have sometimes been labeled the “progressives” and “conservatives” respectively. Irrateba, who had extensive interactions with EuroAmericans before 1859, believed the only way for the Mohave nation to survive intact was through peaceful coexistence with American communities and the adoption of certain introduced social and economic practices. Meanwhile, Siccahoot also stressed the need for peaceful coexistence with the Americans, but sought to limit Mohave accommodation to American demands and to steadfastly resist the adoption of American social and economic institutions. Both of these leaders, in turn, had supporters among American government and military officials. Irrateba, with his pragmatic desire to adapt to growing American power in the region, was strongly favored by the Office of Indian Affairs; while Siccahoot had developed a strong rapport with the commander at Fort Mojave and maintained

respectful if somewhat aloof relationships with fort staff. Both were dubbed the “recognized chief of the Mohaves” by these respective American institutions, and captains under each leader were similarly recognized (Roth 1976).

By May of 1863, Herman Ehrenberg was assigned as an Indian agent to the Colorado River Indians. Upon his arrival, organized discussions began regarding a possible Mohave reservation. As had been expected, Irrateba was willing to consider proposals for reservation development, while Siccahoot largely resisted. Irrateba entertained various proposals for relocation within the core settled portion of Mohave territory, for partial cession of this territory. As Charles Atchinson reported in August of 1864,

Arateaba [Irrateba] says if he can have the Valley below Ft. Mojave reserved for the home of his Indians, he is willing to give up all claims to lands on other parts of the River and bring his Indians from La Paz and other points to this Valley.¹⁴⁴
(Atchinson 1864)

In November of 1864, U.S. Congress approved the designation of the Colorado River Indian Reservation “for the Indians of the Colorado River and its tributaries,” as part of a reservation-building effort that was rapidly reshaping the human geography of America’s Western deserts (Kappler 1902:803). By 1865, the Office of Indian Affairs initiated an effort to relocate several tribes, including the Mohave, the Chemehuevi and others, to the Colorado River Indian Reservation. Despite some urgency to their efforts, the reservation did not truly begin to take shape until 1866, when delayed federal appropriations became available to support reservation services (Arizona Superintendency 1865).

The new reservation sat in the Colorado River Valley, near Parker Valley - the southern end of the Mohave’s traditional core territory. Though indisputably part of traditional Mohave territory, the reservation sat well to the south of the densely-settled Mohave Valley and did not match that valley for traditional flood farming. Irrateba and Siccahoot did not agree on whether the Mohaves would reside on the reservation, and Irrateba decided to act independently. Between 1865 and 1867, Irrateba led a significant number of his supporters from the Mohave Valley area south to the Colorado River Indian Reservation. Cumulatively, about one-third of the Mohaves relocated to the reservation during this period, while at least two-thirds of the tribe remained in the Mohave Valley under Siccahoot, effectively dividing the tribe in two (Stewart 1983: 550;

Roth 1976: 250-51).¹⁴⁵ (In truth, the divisions may have predated this migration. There is some evidence to suggest that those families with the strongest ties to the southern Mohave territory – the *Kavi lyathum* – may have disproportionately relocated to the reservation, while those families from the northern territories in and around Clark County disproportionately remained at Fort Mojave.) Despite initial friction between these two factions, relations between the two groups stabilized following the migration, and became increasingly amiable through the 19th century. This division of the Mohave into two tribal principal communities maintains to this day (Roth 1976; Stewart 1983, 1969).

The Mohaves at the Colorado River Indian Reservation quickly settled, and were quickly engaged in agricultural projects that both enhanced tribal agricultural infrastructure and added new, large irrigation projects. Special Indian Agent John Feudge reported of the Mohaves at the reservation in 1868:

This is the most numerous tribe of the agency, and have always lived on the Colorado river. They are industriously inclined, and manifest unvarying friendship towards the Americans. This reservation is in the midst of their former hunting grounds, which probably causes them to take more interest in its establishment and development than any other tribe of the agency. During the year fully 2,000 of this tribe have constantly lived on the reservation; most of the young men taking part and laboring daily on the irrigation canal, agency buildings, and other works intended for the benefit of the river Indians.¹⁴⁶
(Feudge 1868: 137)

Irrigation projects were undertaken to expand agriculture along the Colorado River riparian zone. As new agricultural capacities were added, so too were additional tribes redirected to the reservation, including certain groups of Chemehuevis, Hualapais, Cocopahs, Quechans, and others (Tonner 1873).¹⁴⁷ (Especially large numbers of Hualapai were held there in the 1870s, following an extended incarceration at Fort Mohave at the conclusion of the “Walapai War,” but almost all eventually returned home to Hualapai territory.)¹⁴⁸ Extensions of the reservation were accomplished not only to accommodate what was anticipated to be a growing population, but also for defensive purposes, placing a large buffer between resident Indians and nefarious non-Indian influences not controlled by the agency.¹⁴⁹ Though “progressive” and eager to develop irrigation and other facilities on the new Colorado River Indian Reservation, the Mohaves who had relocated to the reservation still initially resisted many of the

trappings of American culture, refusing the introduction of alien crops or the formal agency education of their children, much to the chagrin of Indian agents charged with their acculturation.¹⁵⁰ Moreover, though somewhat restricted to a reduced land base, the Mohave – including both reservation and non-reservation communities – still claimed much of the river as their homeland and did not rescind broader territorial claims to the Colorado River region.¹⁵¹

Meanwhile, the Mohaves remaining near Fort Mojave held tenaciously to their Mohave Valley homes and refused relocation. Indian agents increasingly recognized that the Fort Mojave population could not be dislodged without considerable unwarranted risk to American interests. As noted by Captain Charles Whittier and Brevet Major James Fry, who conducted an inspection of the situation for the U.S. government in 1868,

The Mohaves for a long time have shown only friendship for us. They are fed, it may be said regularly, from Camp Mohave, and although the propriety of their moving to the reservation at La Paz has been often hinted at, it evidently is not acceptable to them, and any attempt to move and keep them there, forcibly would, I think, prove disastrous; and we should find in them and allies which they might bring dangerous enemies. They look upon the bottom lands at and near Camp Mohave as their homes, and they will remain if possible.
(Whittier and Fry 1868: 141)

Deep concerns regarding a Mohave uprising – mostly expressed by distant observers from outside of the region – contributed to almost continuous calls for a military buildup through this period.¹⁵² Still, on the ground, things seemed much more positive. By 1866, as most of the Colorado River Indian Reservation Mohaves had departed and the Fort Mojave population settled into this new arrangement, interethnic relationships were largely peaceful and America's Mohave policy was depicted as a success in spite of the large population remaining in Mohave Valley.¹⁵³ The agents of the Colorado River Indian Reservation continued to try to coax Mohaves from Mohave Valley to relocate to their reservation over the next decade, but most refused. Agency officials blamed this on the direct interference of Siccacoot, but there was no apparent organized effort to challenge his authority.¹⁵⁴ By the early 1870s, most military and civil authorities seem to have abandoned plans to coerce Mohave relocation, though some still held out hope that developments on the Colorado River Indian Reservation would be so appealing as to foster a final, voluntary migration of the Fort Mojave

community.¹⁵⁵ By the 1880s most parties seemed resigned to a permanent split of the Mohaves into the Fort Mojave and Colorado River Indian Reservation communities.

In 1890 the 14,000-acre Fort Mojave army post was transferred from the Department of War to the Department of the Interior to establish a reservation for the Mohave people remaining in Mohave Valley. The post buildings were used as an industrial boarding school renamed the Herbert Welsh Institute, which was open to Indian children from Fort Mojave and elsewhere.¹⁵⁶ The reservation was confirmed by executive orders in 1910 and 1911, and expanded to 31,300 acres, adding lands in a checkerboard pattern on both sides of the river (Appendix A). Most of the non-reservation land in the checkerboard was given to the Santa Fe Railroad. Many Fort Mojave Indians gradually gave up commercial farming in this period to work as wage labor for the railroad and in the community of Needles. After the boarding school was closed in 1931, many Mohave families moved across the river to put their children in public schools in Needles. Many of those who remained on the Arizona side of the river evacuated after their land was flooded by the Colorado River. The community of Mojave Village was built in 1947 to house the families whose homes were destroyed by the flood waters. The land on which it was built, consisting of 16 acres at the edge of the river, was purchased from non-Indians for this purpose. Sometime later, the Fort Mojave Tribal Council, by proclamation and with the approval of the Secretary of the Interior, made Mojave Village an official part of the Fort Mojave reservation (Casebier 2006; Sherer 1965: 10-11; Kappler 1913: 667).

While the basic distribution of modern tribes was in place by the early 20th century, changes were still afoot. In 1944 the Colorado River Indian Tribes (CRIT) on the Colorado River Indian Reservation tribal council passed a resolution opening the southern half of the reservation to settlement by Indian veterans returning from World War II who were not enrolled in the tribe. The following year, under considerable pressure from the Bureau of Indian Affairs, the tribal council passed an ordinance that divided the reservation into two portions, and designated the southern section for occupation by Indians who were not enrolled members of CRIT, although the arriving newcomers became enrolled members of CRIT after settlement. This policy was based on the original organic legislation for the Colorado Indian Reservation, which specified that it was created for tribes of the Colorado River and its tributaries without reference to tribal identity. The resettlement plan was instituted in 1945 but, due to lack of funding, few outside Indians relocated to the reservation in the first five years. A congressional bill passed in 1950, however, included substantial funding for Hopi and Navajo resettlement, and brought a flood of new settlers. The new arrivals were about

two-thirds Navajos and one-third Hopis, along with a few Havasupais, and a small number of Mohaves relocating from Fort Mojave. Concerned that they might become a minority on their own reservation, the resident tribes attempted to stop the resettlement program and refused to enroll any new settlers arriving after 1950. Of the 156 families who originally arrived on the reservation under this program, only 56 remained in 1963, the rest having returned home. The 100 families who left did so mainly due to the difficulty of adopting irrigation farming, poor agricultural markets, and the hardship of being separated from their home communities (Roth 1976: 294-98).

Through the processes outlined above, the Mohave of the contact period were organized into two major populations and are today principally represented by two federally recognized tribes: Colorado River Indian Tribes of the Colorado River Indian Reservation and the Fort Mojave Indian Tribe. Both of these tribes have strong associations with the study area, and still claim affiliation with the Mohave traditional homeland (National NAGPRA Consultation Database 2008). Quechan, with its strong cultural and kinship ties to Mohave, also is considered to be effectively Mohave by certain members of all three tribes, and often is involved in matters relating to the larger Mohave homeland.

CHEMEHUEVI TRANSITIONS

The Chemehuevi are considered separately from their Southern Paiute kin here due to the fact that their 19th century history was so fully integrated with that of the Mohave discussed above. Despite generations of peaceful coexistence, the relationship between the Chemehuevi and Mohave was strained by the growing presence of non-Indians in their territories. Even as the Mohave attempted to maintain an uneasy peace with American forces, the Chemehuevi living among them sometimes still raided American settlers and travelers – actions for which the Mohave were sometimes blamed. American civil and military staff had almost no direct dealings with the Chemehuevi during this period, and sometimes attempted to hold the Mohave accountable for the actions of their Chemehuevi guests.¹⁵⁷ Between 1864 and 1867, under considerable stress from American occupation of their territories, the Mohave and Chemeheuvi went to war with one another, a war characterized initially by raids against each other's settlements.¹⁵⁸ Severely outnumbered, the Chemehuevi retreated to the south and west, traveling lightly and inconspicuously through the open desert. The Chemehuevi successfully evaded the well-organized and much larger Mohave nation by moving

lightly and rapidly from mountain range to mountain range through the desert, sticking to the high-country and small springs in these areas. Oral tradition suggests that Chemehuevi tactics took them to mountainous areas, some of which are now in Clark County (Roth 1976).

Pushed into the open desert, the Chemehuevi struggled to maintain themselves. Though remarkably adept at surviving in these harsh desert environments, their lack of access to the Mohave-dominated Colorado River was compounded by the growing Anglo-American reoccupation of watering places in the open Mojave Desert. Inevitably the retreating Chemehuevi experienced growing conflicts with white settlers in the deserts, and raiding of American settlements was sometimes important to their survival. This only intensified calls for their forced removal to reservations, and soon the Chemehuevi were essentially fighting a defensive campaign on two fronts, with both American and Mohave adversaries.¹⁵⁹

During this time, a number of Chemehuevi families took up residence at the Oasis of Mara at Twentynine Palms and other sites to the far southwest. The Chemehuevi retreated to Twentynine Palms knowing that it was a desirable place to resettle, but was comfortably distant from the Mohave population core on the Colorado River. The Mike, Ramirez, and Pine families are all well-known Chemehuevi families who arrived at Twentynine Palms during the war with the Mohaves. Twentynine Palms was a multi-tribal gathering site prior to this time, where the Chemehuevis and Mohaves often met and traded with Serranos, Cahuillas and others from the area. When the Chemehuevi arrived from the east, however, they were surprised to discover that most of the Serrano largely abandoned the site due to non-Indian incursions emanating from the Los Angeles basin to the west. A small number of Chemehuevi crossed over into the Coachella Valley and nearby Banning, taking up residence in and around Cahuilla communities, becoming part of the Cabazon, Agua Caliente, and Morongo communities. These families gradually became integrated into the larger mixed-Cahuilla communities of which they were a part, although they maintain identities as Chemehuevi, and contacts were and still are maintained with the Chemehuevi tribes on the river (Trafzer, Gilbert and Madrigal 2006; Deur 2006; Trafzer, Madrigal and Madrigal 1997; Roth 1976; Bean and Smith 1976; Kroeber 1973: 33-46).

Once the Mohave War broke out, the Americans were eager to contain it for strategic reasons, fearing that the conflict might spread and embroil the entire lower Colorado River region in bloodshed.¹⁶⁰ Indeed, the linkages between the Chemehuevi

combatants and Paiute bands and territories to the north were of much concern to military authorities, who feared the spread of the war into much of Southern Paiute territory. This period did witness a growing number of attacks on American assets, especially along travel corridors, by what appear to have been Chemehuevi or other Southern Paiute bands, though concurrent conflicts in the region such as the “Walapai War” also were clearly influential in turning Paiute sympathies against American interests.¹⁶¹ In this thinly garrisoned region, military authorities interpreted rising skirmishes between themselves and Southern Paiutes as evidence of the spread of a general Paiute campaign against the Mohave and their American allies.¹⁶² Unable to differentiate friendly tribes from foes in this rising conflict, the United States military declared all Indians in the region not found on reservations to be enemy combatants, and sought to depopulate the hinterland.¹⁶³ Non-reservation Mohaves were among those tribes declared to be formal enemies of American forces, only intensifying Mohave efforts to contain the Chemehuevis. For a brief time, the fledgling Indian reservations sought to employ a pass system, requiring Indian residents to obtain a signed pass to leave the reservation. However, even this pass system was quickly banned as well, placing severe restrictions on tribal mobility, and on traditional uses of lands and resources throughout the study area for the remainder of the war.¹⁶⁴

The hostilities became such a destabilizing influence in the region that the United States military and Office of Indian Affairs attempted to broker peace. In 1867 the U.S., represented by Indian Superintendent G.W. Dent, brought together a Chemehuevi delegation led by Pan Coyer, and a Mohave delegation led by Irrateba. After extensive negotiations, the two parties signed a peace agreement.¹⁶⁵ In this peace treaty, both parties agreed in writing that,

The Mohaves shall occupy and cultivate the lands on the left banks of the Colorado river and the Chemehuevis the lands on the right bank of the Colorado river. Provided that Indians of either band may freely visit and travel over wither country and shall not be molested therein either in their person or their property.
(in Feudge n.d.)

Skirmishes between the Mohave and Chemehuevi continued intermittently after this time until roughly 1871, but the hostilities were in rapid decline.

As hostilities waned at the end of the Mohave War, many Chemehuevi returned to the Colorado River country, and lived more-or-less peacefully alongside the Mohave. Others remained at Twentynine Palms and other communities in southern California such as Morongo. The U.S. government attempted to resettle those Chemehuevi who returned on the Colorado River Indian Reservation, but met resistance due to enduring enmity between the two tribes, as well as the poor economic conditions on the fledgling reservation. While a few relocated to the reservation, a significant number refused to do so, residing instead in a separate community on the western bank of the Colorado River. The Arizona Superintendency of Indian Affairs reported in 1874 that the Chemehuevi had agreed to settle nearby, but still actively resisted joining their much larger neighbors on the Colorado River Indian Reservation,

The Mojaves to the number of 830, and the Hualapais numbering 620, are located on a reserve of 117 square miles on the Colorado River. The Hualapais came to the reserve from the northwestern part of Arizona in May last... The remaining river-tribes belonging on this reservation are 450 Chimhuevas, who have lately been induced to abandon their roving life, and are settled down on the California side of the river, forty miles below the reserve.

(Arizona Superintendency 1874)

In 1874 an executive order added a piece of land to the California side of the reservation, extending the Colorado River Indian Reservation to encompass the Chemehuevi settlement on its boundaries. Indian agents from the reservation immediately began work to discourage Chemehuevi migration to points outside of the reservation and to foster a sedentary lifestyle – a challenge in light of the historical mobility of the tribe.¹⁶⁶ By 1876 no fewer than 320 Chemehuevis were reported to now reside on the expanded reservation. The federal government attempted to resettle additional Chemehuevi onto the Colorado River Reservation. These attempts were seldom successful and, in fact, Chemehuevi residence on the reservation declined, as they fanned out to places such as Chemehuevi Valley, Beaver Lake, Blythe and Needles, where they continued to practice traditional agriculture, hunting, and gathering, as well as seeking wage labor in nearby towns. The Colorado River Indian Reservation agents were often accepting of these migrations, especially to the large Chemehuevi settlement in Chemehuevi Valley – sitting roughly halfway between the reservation and Fort Mojave (Roth 1976). Distributed between permanent settlements at Chemehuevi Valley, CRIT, Twentynine Palms, and other communities, the relatively small Chemehuevi band was spread diffusely across the Mojave Desert.

The outlying Chemehuevi communities became increasingly integrated into local tribal populations, and were administered loosely under the same Indian agency infrastructure as neighboring Cahuillas and other southern California tribes, but maintained a distinct identity. In 1895 a 161-acre reservation was set aside for the Twentynine Palms Indians, consisting principally of Chemehuevi families who had fled there during the war. Meanwhile, Chemehuevis who had taken refuge among the Cahuilla Indians near Banning during the Mohave-Chemehuevi conflicts of the 1860s gradually became integrated into that group. The Morongo Reservation outside Banning was established in 1877 by executive order, and the land was patented to the Morongo Band of Mission Indians by the Secretary of Interior under authority of an act of 1907. The majority of the tribal membership was then (as it is now) of Cahuilla ancestry, but included residents of Chemehuevi, Serrano, and Cupeño ancestry as well (Trafzer, Gilbert, Madrigal 2006; Tiller 2005; Shipek 1978).

Lacking a reservation, the persistent Chemehuevi Valley population continued to be a source of concern to federal officials in the densely settled Colorado River region. A 1907 order of the Secretary of the Interior set aside land for a reservation on the California side of Chemehuevi Valley, but the land withdrawal was not followed by an executive order or act of Congress to establish the reservation. Still, local land allotments were made in 1910 for residents of Chemehuevi Valley, as well as Chemehuevis living at Beaver Lake and, in 1913, for Chemehuevis living at or near the Colorado River Indian Reservation (Beckham 2008; Roth 1976: 187-88).

As early as 1925, it became apparent that a significant portion of Chemehuevi Valley would be flooded by the construction of Parker Dam. Due to the flooding, which only compounded declining economic opportunities in the Chemehuevi Valley area at the time, many Chemehuevis along the river dispersed to other communities including CRIT; the flooding of Chemehuevi Valley began in 1939. Some portion of the valley remained above the rising waters of Lake Havasu, and the Chemehuevis who remained relocated to the lake margins. This population remained federally unrecognized, but nominally within the jurisdiction of the Office of Indian Affairs and the Colorado River agency. From the 1940s through the 1960s, certain Chemehuevi groups advanced proposals for independent Chemehuevi federal recognition, compensation for lost allotments, and other initiatives related to uncompensated land and resource claims. Due to the broad distribution of the Chemehuevi, the persistently ambiguous legal status of the Chemehuevi Valley population, and other considerations, the U.S.

government finally agreed to grant federal status to a Chemehuevi tribal organization independent of the Chemehuevis at the Colorado River Indian Reservation. The Chemehuevi Indian Tribe and its reservation in California on the edge of Lake Havasu were officially formed in 1970, under an executive order.

The Chemehuevi groups of the contact period are today represented principally by four federally recognized tribes: the Chemehuevi Indian Tribe of the Chemehuevi Reservation, California; the Colorado River Indian Tribes of the Colorado River Indian Reservation, in Arizona and California (which includes the Chemehuevi tribe and Mohave as two of the four tribes on the reservation); the Morongo Band of Cahuilla Mission Indians of the Morongo Reservation, in California; and the Twenty-Nine Palms Band of Mission Indians of California. Of these four tribes, the Chemehuevi Indian Tribe of the Chemehuevi Reservation and the Colorado River Indian Tribes of the Colorado River Indian Reservation are the largest and most proximate to the study area. The Morongo Band of Cahuilla Mission Indians and Twenty-Nine Palms Band of Mission Indians live some distance outside the study area. These two tribes do not currently claim official affiliation with the study area in the National NAGPRA Consultation Database (2008), for example, but maintain oral traditions and a strong sense of connection to their homelands in Clark County and adjacent parts of the traditional Chemehuevi homeland.

WESTERN SHOSHONE TRANSITIONS

This brief section reviews some of the major developments that led from the contact-period condition of the numerous Western Shoshone bands, spread widely over a vast territory from Idaho to southern California, to the development of modern federally recognized tribes such as the Timbisha Shoshone, Duckwater Shoshone Tribe, Ely Shoshone Tribe, Yomba Shoshone, and Te-Moak Tribe of Western Shoshone. This story is complex – the subject of book-length treatments, and far more complex than can be represented in a section of this length – and continues to be the subject of ongoing scholarly and legal debates. Those seeking a more complete understanding of these events should consult the sources cited in this section and the bibliography on Western Shoshone culture and history, in addition to consulting with modern Shoshone tribal representatives.

These complexities reflect the diffuseness of the Shoshone population as well as the diffuseness of federal responses to this population over the last century and a half. As

noted previously, a number of ethnographic and historical sources indicate that certain Western Shoshone populations, principally the *Ogwe'pi* band, are traditionally associated with Clark County, especially its northwestern corner (e.g., Steward 1938, 1937b; Malouf 1974: 285; Inter-Tribal Council of Nevada 1976b; Powell and Ingalls 1873; Humphreys 1972). By contrast, a variety of early legal documents exclude southern Nevada – and indeed most of what anthropologists have recognized as the southern Western Shoshone territories – from lands associated with the Western Shoshone. The Treaty of Ruby Valley excludes this area, for example (Rusco 1982: 177; Inter-Tribal Council of Nevada 1976b: 53) (see Map 7). Regrettably the Shoshone history of southern Nevada is not as well documented as it is in other parts of the state, especially in the northern portions of their territories, in places addressed directly in the Shoshone's Ruby Valley Treaty and where the principal Western Shoshone reservations were formed.

While long having a presence through the Great Basin, the distribution and influence of the Western Shoshone expanded considerably throughout the region in the years prior to direct EuroAmerican contact, as they established themselves at the center of a vast trade network, supported by their use of horses and long-established tribal trail networks (Layton 1978). At contact, Western Shoshone bands were linked by social, economic and kinship ties, not only between proximate communities but sometimes between bands whose traditional territories were separated by vast distances. The earliest fur traders and emigrant trains that passed through the Great Basin all had effects upon these Western Shoshone bands, but in the absence of organized anti-American hostilities, the tribes of the area remained a relatively low priority for federal officials through the late 1840s. However, the discovery of Nevada's Comstock Lode and the silver rush of 1850s Nevada brought waves of miners and settlers into portions of Shoshone territory. As the Civil War began, the minting of currency from Nevada silver became critical to the national economy and to the fiscal support of military operations. Interethnic conflicts soon followed, arising from settlers' pressure on springs, plant-gathering and hunting areas, as well as sporadic violence alongside emigrant trails and mining camps, drawing the attention of American policymakers, who had concerns regarding U.S.-Shoshone relations – relations that were increasingly understood to have implications of not just regional but national scope.

In this context, the United States sought a treaty of nonaggression with the Western Shoshone whose vast territory occupies the lands between the state of California and Nevada Territory's silver mines in the west and the greater portion of the United States

to the east. United States negotiators organized a treaty council with the Western Shoshone in Ruby Valley, Nevada in September of 1863. Reports of the time claimed that 2,500 Western Shoshones were represented at the signing of the treaty on October 1 of that year. The principal U.S. negotiator, Utah Territorial Governor James Duane Doty, stated that representatives of two principal bands of Western Shoshones – the White Knives and groups under the leadership of headman Te-moak – participated in the signing. Though the treaty purported to encompass all Western Shoshones, a surprisingly large number of Shoshone groups were not represented (Appendix B). As Crum notes, “Only the bands living in northeastern Nevada were directly involved” (Crum 1994: 26). The boundaries described in the treaty, therefore, represented only those claimed by the bands who participated in the treaty negotiations, and a number of unambiguously Western Shoshone peoples and territories were not addressed in the treaty. These included the southern bands, whose land stretched into present-day California; the far western bands, whose lands reached west of Reese River; and the bands on the lower Humboldt River, whose territory extended north to include the present-day Duck Valley Reservation. Though Doty acknowledged that the signers of the Ruby Valley Treaty were representatives of the White Knives and Te-moak’s bands only, he clearly intended the treaty to be binding for all the groups designated by him as Western Shoshone – an expectation that came as a considerable surprise to many of the non-signatory bands (Crum 1994; Rusco 1982: 177; Inter-Tribal Council of Nevada 1976b: 52).

The Ruby Valley Treaty had other consequences that may not have been fully anticipated by negotiators on either side. The treaty and its negotiations were perceived by many Shoshones as a *de facto* guarantee of their continued rights to lands and resources within the territories specified within the treaty. Again, quoting Crum,

By recognizing the Shoshone as the owners of a land base, the federal government gave them an implied right to continue to hunt and gather, although this was not explicitly stated in the treaty. Apparently, during the treaty negotiations, one or more officials told the Shoshones they could continue to hunt and gather as their ancestors had done. Thus, in the years after 1863 the Shoshones in many places in the Great Basin continued to maintain their traditional way of life. Later they argued that the treaty guaranteed them this right.
(Crum 1994: 26)

Simultaneously the treaty that emanated from these deliberations was largely a pact of nonaggression; the cession of Shoshone lands was not explicitly addressed though the treaty was later treated by the U.S. government as implying the cession of such lands in exchange for the promise of peace and future reservation lands (Appendix B). Also, by designating a discrete national boundary and national leadership for the Western Shoshone, correctly or not, the Treaty of Ruby Valley clearly contributed to a growing concept of a unified Western Shoshone political entity - one that presumably extended beyond what was perceived by many of the autonomous bands of the time in the view of many of the Western Shoshone.

After the treaty signing, a “traditional council” of members from several bands came to represent a kind of governing structure for many Western Shoshones, including but not necessarily limited to treaty signatory bands. Te-moak had been leader of a band whose territories centered on Ruby Valley, but he and his descendants became more widely acknowledged as leaders of the groups participating in this traditional council from beyond this Ruby Valley homeland. Although this council sometimes included members from Goshute territory and Duck Valley, its core membership included peoples whose territories ranged from south of Duck Valley to roughly the area of Austin, Nevada (Crum 1994; Rusco 1982; Inter-Tribal Council of Nevada 1976b).

Meanwhile, the Western Shoshones who lived in the southern part of their aboriginal territory, from Austin into California, including modern Clark County, continued to not be formally represented in dealings with the state and federal governments (Rusco 1982: 177-78). Tribal members commonly asserted that there was no association between these southern Shoshones and Te-Moak, and that they did not generally recognize the authority of Te-Moak and the other signatories of the Ruby Valley Treaty – some portion of them instead claiming loyalty to a separate multi-band leader by the name of Kawich (Rusco 1994, 1991, 1982; Crum 1983).¹⁶⁷ The Western Shoshones of the study area instead remained in their traditional settlements, largely without direct federal recognition or administration. Indeed, far northwestern Clark County and adjacent portions of Nye County and California seem to have served as a refuge of sorts to Shoshones and Paiutes with Shoshone family connections seeking to evade American influences during the era of treaty-making and reservation development. References to “renegade Shoshones and Pah-Utes” at Ash Meadows in early Indian agency reports suggest this function (Humphreys 1872: 89).

According to Article 6 of the Ruby Valley Treaty, the President of the United States was given the authority to create future reservations for the Western Shoshone “for their use as he may deem necessary” within the boundaries of the treaty territory. Still, between 1863 and 1934, only two reservations were created for Western Shoshones within this territory: Duck Valley Reserve and Carlin Farms Reserve. The Duck Valley Reserve, straddling the Idaho-Nevada border, was established by executive order in 1877 for the Western Shoshone. The following month, Carlin Farms Reserve, a 520-acre tract in Ruby Valley near the Humboldt River, was set aside by executive order for the Northwestern Shoshone. That order was cancelled less than two years later, and the Shoshones were ordered to relocate to the Duck Valley Reservation (Thomas, et al 1986: 263; Kappler 1902: 865-66). Moreover, these reservations were well outside of the study area, and few of their original members had direct associations with Clark County.

In the absence of a reservation system for most Western Shoshone, or even a treaty addressing significant portions of the Shoshone territories, federal policy on the removal and administration of the remaining Western Shoshone was surprisingly incoherent. From their original homelands areas, certain Western Shoshone groups were removed as part of a larger national policy of supporting consolidation of these groups on reservations, often quite far from their original homelands, resulting in modern tribes’ associations with, and claims upon, lands that are sometimes quite distant from their reservations. Some, in time, became part of reservations that were not exclusively Shoshone, either by choice or under duress. In the 19th century, Indian agencies quickly perceived that the southern Western Shoshone maintained generally congenial relationships with neighboring tribes, such as the Southern Paiute, with whom they were intermarried and with whom they often gathered for shared social, economic, and ceremonial activities.¹⁶⁸ As with the Paiute, some Indian agents attempted to encourage Nevada’s southernmost Western Shoshones to remove to the Moapa and Uintah reservations. Most refused, though a small number of families did proceeded to these communities. Some were also encouraged to join their distant Shoshone relatives on the Fort Hall Indian Reservation, which federal authorities had declared to be a catch-all destination for (mostly northern) Western Shoshone bands. Indian agents of the period also seemed to accept that there was a Shoshone presence in some principally Paiute communities, such as Las Vegas and Indian Springs, and apparently included Shoshone residents without much comment or independent designation in their reports on these mixed communities. Certainly from the very beginnings of federal policy on the Western Shoshone, Indian agents and superintendencies encouraged a diffuse and often contradictory pattern of migration

within and between Shoshone territories (Crum 1994; Rusco 1994, 1991, 1982; Inter-Tribal Council of Nevada 1976b).

However, more than is the case with other tribes tied to the study area, the Shoshone did not relocate to reservations, or left reservations soon after being relocated to them. Instead, many Shoshone families stayed in their traditional territories. With few reservation lands in their vast traditional territory, and none in their southern territories, Western Shoshones and members of other tribes became increasingly concentrated in settlements called colonies located within and on the edge of towns where they sought wage labor. Most of the settlements that persisted near the study area into the late 19th century were in close proximity to ranches, mining operations and small towns. These Shoshone families commonly worked seasonally as laborers for ranches especially, in between traditional subsistence tasks. Over time, they gradually transitioned to a principal dependence on wage labor, but in a manner that was arguably consistent with preexisting social structures and allowed for the persistence of certain land and resource use traditions, as well as considerable freedom from federal oversight (Sennett 1996; Clemmer and Stewart 1986).

Of particular interest to this study, the experience of *Ogwe'pi* (or Beatty) Shoshone communities fit this general Shoshone pattern. Independent *Ogwe'pi* populations persisted on their traditional lands and village sites well into the mining period in the Beatty area. Early accounts reference a village named *Sakainaga* at the mouth of Beatty Wash, as well as other small and interrelated settlements in the area. By the late 1870s, however, the most productive springs and other resource sites in the Beatty region largely had been reclaimed by arriving settlers. Displaced Shoshones increasingly gathered at the edge of the growing settlements such as Beatty. Tribal members living near non-Indian settlements, women primarily, sometimes married into the EuroAmerican community – indeed, even Montillion Murray Beatty, the miner for whom Beatty is named, married into the tribe. By the turn of the century, the hinterland was widely settled by non-Indians, and tribal members commonly were forced to seek employment in ranches, mining settlements, and elsewhere. The 1905 discovery of gold in the nearby Bullfrog Hills – a traditional food gathering area for Shoshone communities – brought a wave of miners and large-scale commercial mining operations that effectively pushed out several remaining Shoshone families (McCracken 1992). The occupation of outlying villages declined significantly, and Shoshones became increasingly consolidated at the edge of the growing settlements, not only Beatty but other communities where they had kinship ties such as Furnace Creek,

Pahrump, Bishop, Tonopah, and elsewhere. Ties to the Timbisha appear to have especially strong, and some families became inextricably integrated into the larger Timbisha community at this time. Others moved away to join families in distant reservation communities, such as the Walker Lake Indian Reservation. Migrations between communities remained commonplace, but at different scales as before, so that families moved temporarily between work sites, often taking families from the Ash Meadows area to Death Valley or other locations (Sennett 1996; McCracken 1992).

Several of these Shoshone communities, situated on the margins of EuroAmerican settlements, were later established as reservations by executive order. This included a number of communities that appear to have ties to the study area due to their partial Timbisha enrollment. An executive order in 1912 designated that lands be set aside at Bishop and nearby Big Pine for two separate but related communities, both consisting of a mixed community of Timbisha Shoshones and Northern (Owens Valley) Paiutes. The tribes of these two communities would be designated as the Paiute-Shoshone Indians of the Bishop Community of the Bishop Colony and the Big Pine Band of Owens Valley Paiute Shoshone Indians, respectively. The executive order also called for the designation of a separate but closely related Indian community at Lone Pine, consisting of mixed Timbisha and Northern Paiute members. In addition to Western Shoshone communities living near the study area, those from outside of the immediate area were also included in these efforts at small-scale reservation building. In 1917, land was set aside for use of the “homeless Shoshone Indians” now residing near the town of Battle Mountain. Likewise, in 1918 land was set aside for the use of “certain Shoshone and Paiute Indians” now residing near the town of Elko (Kappler 1928: 189, 1028; 1941: 180).

Despite these early efforts to create small reservations, matters of Western Shoshone tribal organization were far from resolved. By the 1930s, a significant portion of the Western Shoshone population was effectively landless, living in poverty on the margins of EuroAmerican settlements throughout Nevada and adjacent states.¹⁶⁹ Roughly two-thirds of the Western Shoshone population remained without reservation lands. For the Western Shoshone, as for so many other tribes around the country, the Great Depression was a turning point. Initially the depression brought a decline in wage employment that facilitated a degree of return migration, as well as the resumption of certain traditional land use tasks, as scheduling constraints and competing land uses dissipated, “When the depression era began, the Indians drifted back to their traditional home ranges or joined family members in other areas” (Sennett 1996: 244). Soon

thereafter, the absence of a Western Shoshone land base would receive focused federal attention as a result of ambitious efforts initiated by the Roosevelt administration and overseen by his Commissioner of Indian Affairs, John Collier – an effort collectively described as the “Indian New Deal.” A major thrust of the BIA policy reform under the Indian New Deal (1933-1945) was to increase the Indian land base as well as to generate opportunities for employment and economic advancement (Crum 1991, 1983; Rusco 1982).

Despite considerable complications, these reforms would allow for the creation of new reservations and the expansion of existing Indian lands, as well as the reorganization and development of a number of tribal governments.¹⁷⁰ Small reservations were created by the purchase of lands within Western Shoshone territory under the New Deal legislation, including South Fork Reservation (created by land purchases made between 1937 and 1951), Yomba Reservation (by land purchases made between 1937 and 1941), Duckwater Reservation (by land purchases made between 1940 and 1955), as well as Odger’s Ranch. Moreover, the Elko Colony was moved in 1931 to a new colony site purchased by executive order in 1930 on lands “now occupied as a camp by the Indian colony near the city of Ely, Nevada” (Kappler 1928: 189, 1028; 1941:1 80). In 1939, Indian Affairs staff helped coordinate the exchange of Department of the Interior lands for lands then owned by the City of Los Angeles to create a small reservation for the Paiute-Shoshone Indians of the Lone Pine Community, a mixed Timbisha and Northern Paiute community that had possessed insufficient lands despite the 1912 executive order related to this community (Crum 1991; Rusco 1982; Kappler 1928).

The Indian New Deal was also remarkable in the effects of one of its constituent pieces of legislation – the Indian Reorganization Act of 1934 (IRA). When Congress passed the Indian Reorganization Act (48 Stat. 984, also called the Howard-Wheeler Act), the federal government effectively reversed the practice of redistributing Indian lands through allotment. This statute terminated land allotment in severalty conducted under the Dawes Severalty Act of 1887, restoring to tribal ownership surplus Indian lands that had been made available for non-Indian purchase. The Reorganization Act also provided for the acquisition of additional land for tribes in order to maintain tribal land bases. As a result, during the period 1934-1950, Indian tribal lands collectively increased (Gibson 1988: 227).

The IRA also allowed tribes to organize their governments in a manner deemed appropriate by the tribes, within certain broad parameters, on the basis of their

enduring (if limited) sovereignty. Attempting to organize under the IRA, the Te-Moak bands of Western Shoshones depicted themselves as a unified group based on descent from the people who considered Te-moak their leader, and who were parties to the Ruby Valley Treaty. However, the Te-Moak bands did not meet the IRA criteria of organization, which stipulated that they must be a tribe or several tribes living on the same reservation, or a single tribe living on several reservations. In the case of the Te-Moak bands, the Office of Indian Affairs' Washington office responded that band members scattered over several communities did not appear to meet the standard as a recognized tribe. After some debate, Indian Affairs proposed that each Western Shoshone group organize separately as residents of a particular reservation or colony. The Carson Agency superintendent at the time pointed out that the colony reservations had little traditional significance and were "home-site tracts" purchased under the law for the use of "the homeless Indians of Nevada." Eventually a compromise was crafted through a Te-Moak tribal constitution that allows an unlimited number of separate colonies and reservations to join the Te-Moak Tribe as constituent bands. The Elko Colony adopted this constitution in 1937, followed by the South Fork community in 1941, the Battle Mountain Colony in 1977, and the Wells Band in 1981 (Clemmer and Stewart 1986; Rusco 1982). There are groups, such as the Wells Band, whose ancestors largely were not members of the Te-Moak bands but who view themselves as being included in the Ruby Valley Treaty of 1863. Thus, the contemporary Te-Moak Tribe describes itself as a coalition government serving four distinct Shoshone colonies in Nevada: Battle Mountain Colony, Elko Colony, South Fork Colony, and Wells Colony (Te-Moak Tribe of Western Shoshones of Nevada 2007).

Despite the designation of these small reservations, and the political reorganization of certain Western Shoshone communities, there was a lack of clear resolution of tribal status and tribal claims on lands and resources, including those in the southern end of the Western Shoshone range. This was true perhaps nowhere more than with the Timbisha Shoshones living in and around Death Valley. In 1928, the U.S. government had designated lands for a 560-acre ranchería at Indian Ranch in Panamint Valley California - occupied especially by the extended family of Shoshone leader, George Hanson (Crum 1994: 75). The Timbisha Band at Indian Ranch voted in favor of tribal reorganization under the 1934 Indian Reorganization Act and was prepared to undertake the steps required for formal recognition, but this small tribe somehow slipped through the cracks at the Office of Indian Affairs, and federal tribal status was not conferred (Haberfield 2000; Crum 1998, 1994). The Timbisha endured, continuing to live and work in and around the Death Valley area as well as nearby communities such

as Beatty, Pahrump/Ash Meadows, Tonopah, and other places where they had family ties – in addition to some members joining family in mixed Timbisha settlements such as Lone Pine, Big Pine and Bishop.¹⁷¹ This diffuse Timbisha community appears to have included members who were associated with western Clark County, and continued to use it through this period. Indeed, the subsistence use of Spring Mountains by the Timbisha may have briefly intensified in the 1930s as the National Park Service restricted some of their traditional resource uses on and around Wild Rose and other portions of Death Valley, such as plant gathering and bighorn sheep hunting (Inter-Tribal Council of Nevada 1976b: 102-04). Timbishas continued to gather plant materials and other resources near Ash Meadows, and unidentified Shoshones – probably including but not limited to Timbisha – continued to visit Indian Springs.¹⁷² Sennett (1996) reports specific modern Timbisha families that report associations with the Beatty or *Ogwe'pi* territory, reflecting what appears to be at least a partial integration of the *Ogwe'pi* and Timbisha communities.¹⁷³

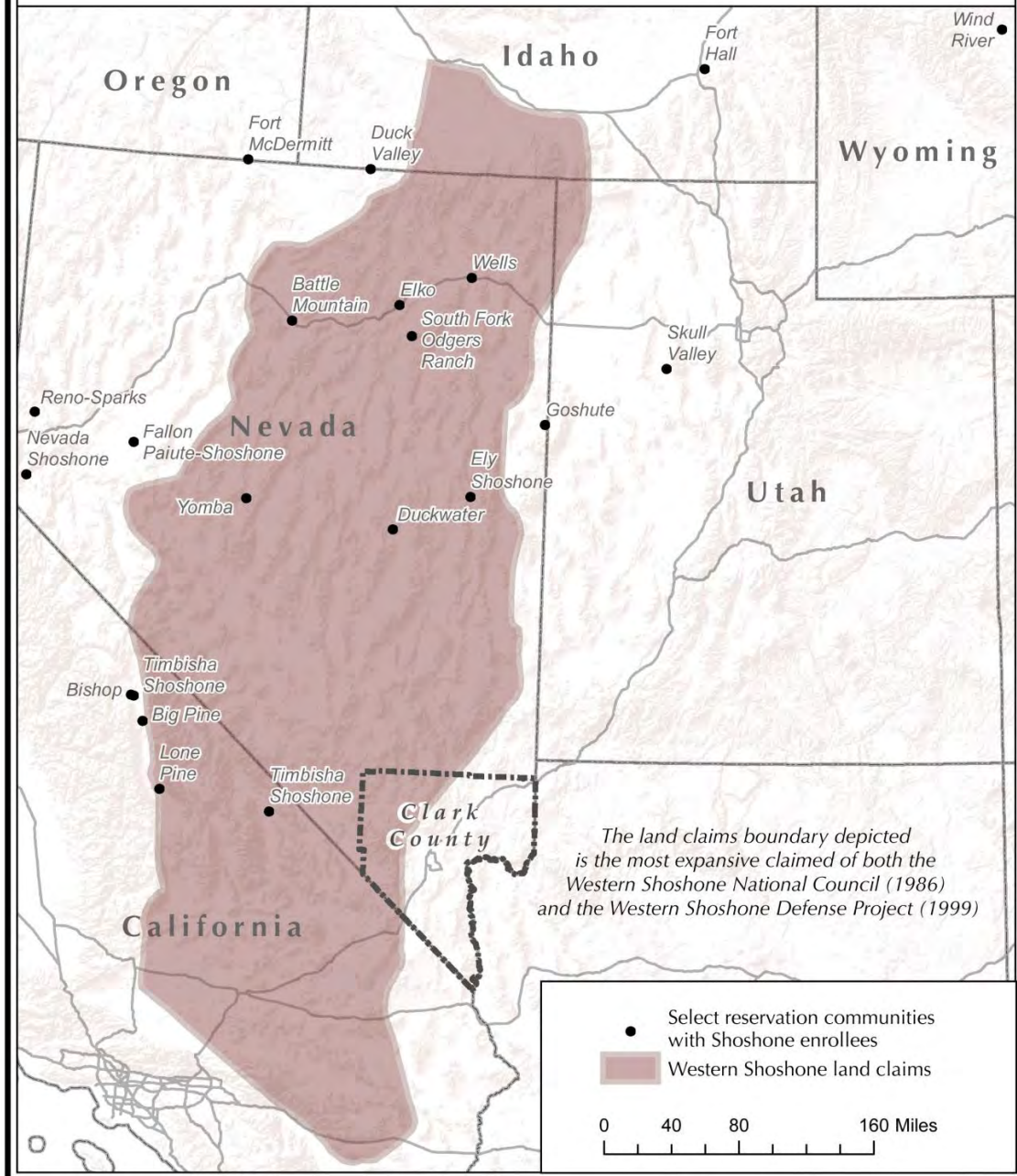
Meanwhile, following a 1937 study of Western Shoshone reservation needs, the Office of Indian Affairs proposed creating new reservations for Beatty and Ash Meadows area Shoshones – communities with especially strong ties to Clark County – at Fish Lake Valley, near Dyer, Nevada. A reservation was also proposed for other Nye County Shoshones – most hailing from lands on the northern side of Nellis Air Force Base – at Reese River and Duckwater. The Carson Valley Agency successfully oversaw the creation of the Reese River and Duckwater Reservations, but the Fish Lake Valley reservation proposal was soon dropped (Rusco 1991; Crum 1983: 218-19).¹⁷⁴ In the absence of federal recognition or reservation lands, the remaining Shoshones in the *Ogwe'pi* territory made numerous attempts to achieve economic self-sufficiency. During this period, some of these area Shoshones started running their own small cattle operations with some success, but sometimes ran afoul of taxation rules for cattle operations and had their stock destroyed. Facing such challenges, a number of these families moved onto the newly formed Yomba Reservation. A few were also reported to have relocated to Walker Lake, Duckwater, and Reese River (now Battle Mountain Colony), as well as joining the Timbisha and other Western Shoshone communities. Instead of a mass migration in any one direction, the pathways of departure were diffuse, reflecting the circumstances of each family and their linkages to a number of different Shoshone communities throughout the West (Map 11). Still, many stayed in their traditional territory, continuing to eke out a living on the social and economic margins of the EuroAmerican communities that had emerged in preceding decades (Rusco 1991; Crum 1983; McCracken 1992: 8-12).

The issue of tribal status for Western Shoshone communities persisted doggedly through the end of the 20th century and into the present day. The reservation of the Wells Band of the Te-Moak Tribe was established by an act of Congress in 1977. After considerable struggle, the Timbisha Shoshone received federal recognition, independent of other Shoshone tribes, in 1983, but the reservation was only established by an act of Congress in 2000 (Haberfeld 2000; Crum 1998, 1991; Rusco 1982: 180).

The diffuse yet deeply interconnected nature of Western Shoshone political organization has persisted, and continues to be a significant contributing factor in efforts to organize and present a unified “Western Shoshone” tribal organization, especially when confronted by threats to shared tribal interests. The Western Shoshone National Council and the Western Shoshone Defense Project, discussed elsewhere in this report, have sometimes served to link multiple Shoshone tribes and to present a unified voice when addressing certain issues of mutual concern. Especially in recent decades, the Western Shoshone have been politically and legally active in efforts to restore their claims on their traditional lands within Nevada, southern California, southern Idaho, and northwestern Utah. The urgency of this effort has been compounded by a number of elements, such as: repeated and failed attempts to develop a satisfactory reservation system and federal status for non-reservation communities; tribal claims that their title to lands and resources remain unextinguished under the Ruby Valley Treaty and associated legal cases surrounding the Dann sisters; gold mining, military activities, and other developments that are perceived to affect Western Shoshone interests; Timbisha restoration efforts; and a variety of other issues (Western Shoshone Defense Project 1999; Crum 1994: 163-83). The land claims of the Western Shoshones are by no means settled, as shall be discussed in later sections of this document, and the large number of federally recognized tribes involved in these cases contributes to their complexity.

Though the population of Western Shoshones who have lived in and utilized lands and resources in modern Clark County may have been somewhat small historically, the distribution of these people and their descendants has been arguably vast. The complexity of associations between the study area and various modern tribes is such that only genealogical information might definitively tie particular modern people to the study area. As these family histories are well known to the tribes, their assertions of traditional affiliation with the study area provide some of the best guideposts available on the subject. The southern Nevada Western Shoshone of the historical period are

Modern Western Shoshone Communities with Lands Claimed by Western Shoshone



Map 11

represented today, at minimum, by the Timbisha Shoshone Tribe, as well as the partially Timbisha communities of Lone Pine, Big Pine, and Bishop; the Yomba Shoshone Tribe of the Yomba Reservation, Nevada; and the Duckwater Shoshone Tribe of the Duckwater Reservation, Nevada. The written record consulted for this project suggests that the Ely Shoshone Tribe of Nevada, the Te-Moak Tribe of Western Shoshone Indians of Nevada, and other Western Shoshone tribes, as well as outlying populations such as Walker River Indian Reservation and Fort Hall also have families or individuals on their rolls who trace their roots to this general area. Although none of these tribes except Fort Hall claims affiliation with Clark County according to the National NAGPRA Consultation Database (updated Nov. 30, 2008), most of them have been involved to varying degrees in land claim cases against the U.S. government and in compliance activities addressing lands and resources within Clark County.¹⁷⁵

Recent consultation regarding lands and resources in Clark County, especially northern and western Clark County, demonstrates a continued strong interest in the region by Western Shoshone tribes, particularly those identified here. Nellis Air Force Base consultation, and compliance efforts related to Yucca Mountain have been especially revealing on the point of Shoshone interests in the region, indicating Timbisha, Yomba, Duckwater, and other tribes' continued ties to the area, and may be a source of guidance for other agencies wishing to assess consultation needs relating to various Western Shoshone tribes (e.g. Zedeño, Carroll and Stoffle 2003; Arnold 2003; Stoffle, Toupal and Zedeño 2002; Stoffle, Zedeño, et al 2000; Stoffle, Halmo and Dufort 1994; Stoffle, Halmo, Olmsted & Evans 1990; Fowler 1991).

Twentieth Century Influences

By the early 20th century, the general pattern of tribal distribution we know today was already largely in place. The Moapa Reservation was the only reservation in southern Nevada. Villages of Indian laborers known as colonies had developed on the edge of towns such as Las Vegas, Pahrump, and Beatty – derived significantly but not exclusively from what had been contact-period populations from those areas. The area tribal population was on the rebound – the Las Vegas Colony, consisting of largely Southern Paiute people from the Las Vegas region and beyond, doubled in population between 1885 and 1926, for example – but Southern Paiutes outside the region and most Western Shoshone communities had no land base at all.

If the tribal landscape was setting into its modern form, however, the human and physical landscape of southern Nevada was in rapid flux. The pivotal impetus to the growth of southern Nevada at the turn of the 20th century, though, was the railroad. In 1902 William A. Clark, a U.S. Senator from Montana who made his fortune in mining, banking, and railroads, signed a contract with Helen Stewart to purchase a large tract of the Stewart Ranch for \$55,000. Clark began surveying land for a rail line to connect the transcontinental railroad from Salt Lake City to Los Angeles through Las Vegas, calling it the San Pedro, Los Angeles and Salt Lake Railroad. Railroad construction started in 1903. The following year, during construction of the rail line, surveyor John T. McWilliams bought 80 acres of land from Stewart on the west side of the railroad right-of-way in what is today West Las Vegas. Lots in the McWilliams town site sold well through the winter of 1904-1905. Construction of the railroad was completed in 1905, making Las Vegas a small railroad watering stop with a depot and repair shops. The railroad company established a spinoff venture, the Las Vegas Land and Water Co., that also laid out a town site which became the core of present-day downtown Las Vegas. The company held a two-day auction in May 1905, and people travelled on reduced rail tickets from Los Angeles and Salt Lake City to buy lots. Block 17, between 2nd and 3rd streets, was designated for “non-white” residents, including but not limited to Indian residents of the rapidly growing community. Las Vegas quickly grew from a railroad depot into a town. In 1909 Clark County was carved out of Lincoln County, and named for William A. Clark, whose railroad opened the area to development; and the burgeoning young city of Las Vegas was made the county seat (Hopkins and Evan 1999).

If the developments in Las Vegas were rearranging the Clark County landscape, developments in the hinterlands were also having profound effects. Commercial mining continued to play a significant catalytic role in the region with continued discoveries of gold in such places as Searchlight (1897) and Bullfrog Hills (1905), and mining operations on growing scales. Meanwhile, the agencies that manage these lands were also taking shape and consolidating their holdings in southern Nevada. The National Reclamation Act of 1902 funded irrigation projects in thirteen western states, and created the U.S. Reclamation Service, housed within the U.S. Geological Service, to administer the program. The National Reclamation Act was later expanded to include projects in twenty western states, and the Reclamation Service became a separate bureau within the Department of the Interior. The program set the stage for the eventual damming of nearly every major river in the West, the Colorado among them. Congress created national forests in Nevada in 1906, and Theodore Roosevelt established eleven national forest units in the state between that date and 1909; Charleston National Forest was established in 1906 and Vegas National Forest in 1907 as part of this ambitious program. Charleston and Vegas forests were consolidated in 1908 to form Moapa National Forest, which was absorbed by Toiyabe National Forest in 1915.

Throughout this early history, the tribes were integral to the larger history of Clark County. In 1911 Las Vegas was incorporated, with original boundaries from Garces Street to Stewart, and from Main Street to 5th Street and, as discussed earlier, a ten-acre reservation of sorts was established for Paiute Indians in December of that year from remaining portions of the Stewart Ranch. Although Paiute bands were no longer able to move as freely between encampments and resource procurement areas as they did throughout the first half of the 19th century, strong linkages persisted between different Paiute communities. There is evidence of lively sharing of ritual traditions, and joint participation in ritual activities by area Paiute bands through the early 20th century, keeping each of these communities linked to the next.¹⁷⁶ Paiutes from Las Vegas maintained ties to the tribes some distance away from the city, traveling to visit these tribes, just as members of these tribes sometimes came to Las Vegas seeking work or social gatherings with family and friends who had gathered in the young city.

Their homeland was about to experience some of its most dramatic changes, altering the geography of the region in ways that scarcely could have been imagined by earlier generations. In 1922 Herbert Hoover – then serving as U.S. Commerce Secretary – initiated the Colorado River Compact, an agreement that forms the cornerstone of the

“Law of the River,” the collective name for numerous compacts, federal laws, contracts, regulatory guidelines, court decisions and decrees that manage the Colorado River among the seven Colorado River Basin states and Mexico. The Colorado River Compact of 1922 defines the relationship between the four upper basin states of Wyoming, Colorado, Utah, and New Mexico, from which most of the river’s water supply originates, and the three lower basin states of Nevada, Arizona, and California, where most of the water demands were developing at the time. The compact facilitated state and federal water works projects, such as the Hoover, Parker and Davis dams, which were administered by the U.S. Bureau of Reclamation.

Controlling the Colorado River was expected to enable unprecedented development of the American Southwest through flood control, generation of electrical power, water distribution, and irrigation. With this goal in mind, Congress appropriated \$165 million for the Boulder Canyon Project, located 25 miles from Las Vegas, in 1928. As the Great Depression dawned, more than 42,000 unemployed workers came to Las Vegas between the fall of 1930 and the spring of 1931 in hopes of securing one of the 5,000 jobs available for this project. The federal government built Boulder City to accommodate the people who would build the first and largest dam at Boulder Canyon. The first concrete for the dam (renamed Hoover Dam by Congress in 1947) was poured in 1933, and the last in 1935. Generation of electricity began in 1936, and Nevada initially received 18 percent of the power generated (Bowers 2006). The dam’s reservoir, Lake Mead, consumed the Colorado River canyonlands and riparian areas upstream, including the once densely settled lower reaches of the Virgin River Valley and considerable portions of traditional Moapa Paiute homeland, in addition to lands claimed by other Southern Paiute and Hualapai tribal members. The reservoir took six years to fill and almost immediately began drawing recreational visitors in large numbers. Lake Mead and its recreational uses were administered by the National Park Service from the onset; these recreational lands and waters became the focal point for the nation’s first National Recreation Area in 1964, also administered by the NPS.

The Parker Dam Power Project, 155 miles downstream from Hoover Dam, began construction in 1934 but was not authorized by the Rivers and Harbors Bill until the following year. The dam was completed three years later and the reservoir began filling, creating Lake Havasu, extending above the dam for 45 miles and submerging areas once used by Paiutes, Mohaves, Hualapais and others along the river corridor. The Davis Dam Project, situated between Hoover Dam and Parker Dam, was authorized in 1941. Construction began in 1942, was halted in 1943 for the remainder of

World War II, and resumed in 1946. Davis Dam was finally completed in 1951, forming the Lake Mohave reservoir. At high water stage, Lake Mohave extends 67 miles upstream to the tailrace of Hoover Dam power plant, effectively submerging almost the entire Colorado River riparian corridor of the contact period.¹⁷⁷ Thus, in less than twenty years, innumerable archaeological sites, historical village sites, and ceremonial sites were submerged or washed away by these dams and the lakes they formed, while local access to riparian resources largely disappeared, creating unique cultural resource management challenges for agencies and tribes that persist into the present day.

Meanwhile, other federal projects in the area were having more subtle and even compensatory effects upon the landscape. The concept of government protection of wildlife through habitat preservation has been part of the national dialogue since the latter half of the 19th century, at least. The national wildlife refuge system finally took shape when Theodore Roosevelt designated the first national wildlife refuge unit in 1903. Legislation passed between 1929 and 1934 created a refuge system to protect migratory birds, and authorized most federal water-resource agencies to acquire lands associated with water-use projects for purposes of mitigation and the enhancement of fish and wildlife. These lands would be managed by the newly formed U.S. Fish and Wildlife Service or state wildlife agencies. In southern Nevada, the Desert National Wildlife Refuge was established in 1936 principally for the protection, enhancement, and maintenance of the desert bighorn sheep.

By the onset of World War II, the region was drawing the attention of the military. In 1941 the U.S. Defense Plant Corporation signed an agreement with the owner of the newly formed Basic Magnesium Inc. to build a plant to produce magnesium for components used in aircraft, incendiary bombs, flares, and tracer bullets. The plant, with its considerable need for electricity as well as shipping facilities, was located halfway between the generating facilities of Hoover Dam and the railroads of Las Vegas. The town of Henderson was built to house the plant's 13,000 workers. The plant began production in 1942 and, by 1943, it was producing five million pounds of magnesium a day. Basic Magnesium was ordered to suspend production in 1944.

Meanwhile, the U.S. Army was exploring opportunities for an air base in the region, with its predictably clear weather. Two decades beforehand, in 1920, Anderson Field had become the first airfield to serve the Las Vegas area, situated on land bounded by present day Sahara Avenue and Paradise Road. The first airport opened on the site, renamed Rockwell Field, in 1926. Daily passenger air service began that year in

addition to airmail service by Western Air Express Airlines. In 1941 the U.S. Army Quartermaster leased the former Western Air Express field from the city of Las Vegas for the development of an Army Air Corps aerial gunnery school. The base was activated on December 20, 1941 as the Las Vegas Army Air Field. At the height of World War II, the Las Vegas Army Gunnery School graduated 600 gunnery students and 215 co-pilots every five weeks as part of the intensive B-17 training course. In early 1945 the gunnery school converted from B-17 to B-29 training, and the base population, including the expanded base lands on the north end of the Las Vegas Basin, stood at nearly 11,000. During the Second World War, the army air base and the Basic Magnesium plant combined brought more than 12,000 new residents to Clark County, many of whom stayed after the war, lured by cheap land being sold at \$5 per acre at the margins of urban Las Vegas (Hulse 2004).

The Army air base was deactivated in January 1947, and reactivated the following year as Las Vegas Air Force Base. The base was renamed Nellis Air Force Base in 1950. In late 1950 Harry Truman approved creation of the Nevada Proving Grounds within the Nellis Air Force Gunnery and Bombing Range. Located 65 miles northwest of Las Vegas and originally containing 680 square miles, it is the only nuclear testing facility established during peacetime in the continental U.S. Testing of nuclear devices, primarily underground, began in January 1951 and continued until 1992. Operated by the Department of Energy, the Proving Grounds (renamed the Nevada Test Site, and today called the Nevada National Security Site) has expanded to a 1360-square-mile site currently used for nuclear weapons work and radioactive waste management.

After the Second World War, major federal proponents of the Indian New Deal left office, and opponents of that Indian policy moved to definitively settle Indian land claims and grievances, and to terminate federal responsibility for Indian affairs (Prucha 1986: 340-341). In 1946 Congress created the Indian Claims Commission to decide land claims. The outcomes of the Indian Claims Commission will be addressed in more detail in sections below.

Also, in an effort to end trusteeship for American Indians nationwide, a federally sponsored program referred to as “termination” eliminated a number of heretofore federally recognized tribal governments and facilitated the transfer of lands belonging to these tribes to non-Indian owners. In 1953 the U.S. Congress passed House Concurrent Resolution 108, calling for the immediate termination of federal responsibilities to a number of specific tribes, as well as a significant number of tribes

based in the states of California, New York, Texas, and Florida – with provisions for the termination of additional tribes through legislative action. From 1953-1957 about 1.8 million acres of Indian land passed from Indian tenure. Utah’s congressional delegation was especially supportive of the policy of termination, prominently including U.S. Senator Arthur Watkins. While Cedar City Paiutes were not terminated under this policy, the Shivwits, Indian Peaks, Koosharem and Kanosh reservations were “terminated” from federal administration in 1954, cutting these communities loose from federal programs with a variety of adverse consequences.

Termination slowed during the 1960s, and effectively ended in 1970 when the policy was determined to be a failure and was reversed by the Nixon administration. Subsequently, some portion of the tribes that were terminated have been restored to federal status, with or without the benefit of tribal lands, through a combination of congressional action, executive orders, and decisions by the Bureau of Indian Affairs’ Office of Acknowledgement (formerly the “Branch of Acknowledgement and Research”) (Miller 2004; Gibson 1988). Indeed, the federal government began adding additional tribes – those who had not been terminated – to the list of those receiving federal recognition, in an effort to redress longstanding tribal claims. Reversing some 26 years of federal policy on the matter, the Shivwits, Indian Peaks, Koosharem and Kanosh reservations were restored to federal status in 1980 under the Paiute Indian Tribe of Utah Restoration Act, becoming constituent portions of the Paiute Indian Tribe of Utah. Tribes that had long sought federal status were also added to the list of recognized tribes near the study area, such as Chemehuevi (1970) and Death Valley Timbisha (1983). A small number of tribal communities declared their intention to seek federal recognition during this period too, most notably the Pahrump Band of Paiutes, who filed a letter of intent to petition the Bureau of Indian Affairs for federal recognition in November 1987. Even today, the map of Indian Country is being redrawn in southern Nevada. What follows is a short thematic overview of some of the major events that have contributed to that process, including the Indian Claims Commission hearings of the mid-20th century, the enduring Western Shoshone land claims, and the emergence of an urban American Indian population of diverse ancestry in metropolitan Las Vegas.

THE INDIAN CLAIMS COMMISSION

Many of the tribes associated with Clark County had unsettled claims against the United States government for the loss of lands and resources without compensation,

claims that persisted unsettled into the 20th century. The settling of such claims was no simple matter. Until 1855 the doctrine of sovereign immunity prevented individuals and tribes from suing the federal government without its consent. The only avenue to assert claims against the government was to do so before Congress. U.S. Congress created the Court of Claims in 1855 to hear monetary suits brought against the federal government, but in 1863 amended the bill to exclude any Indian claim dependent on a treaty between the tribe and the United States. This provision forced treaty tribes to petition Congress for a special jurisdictional act that would allow a tribe to assert its complaint through the courts. Generally tribes of the 19th and early 20th centuries did not have the financial resources to hire lawyers to do the necessary research, to draft a bill, and to recruit one or more legislators willing to introduce and advocate such a legislative effort. Those tribes that did obtain legal representation encountered a cumbersome congressional approval process so that, in practice, very few were permitted to go before the Court of Claims, even when they had compiled the defensible rudiments of claim legislation. Tribes who sought to bring suits against the government based not on treaties but on laws, contracts or agreements could do so directly through the Court of Claims but, more often than not, tribes received unfavorable judgments from the Court (Lieder and Page 1997: 52-56).

Throughout the early twentieth century, the U.S. government had received repeated recommendations to establish a separate body to deal solely with Indian claims. Just after President Franklin D. Roosevelt's election in 1933, newly appointed Commissioner of Indian Affairs John Collier began lobbying Congress to enact legislation that would allow Indian groups to seek compensation for past infractions by the federal government on tribal interests. While Collier's efforts did not result directly in the creation of a formal mechanism for hearing Indian claims, the events surrounding World War II gave political conservatives and progressives some shared ground on the issue, and resulted in a sympathetic reconsideration of Collier's proposals relating to Indian land and resource claims. In particular, the high number of Indians serving in the war effort was seen as a measure of Indian readiness for assimilation. The adjudication of land claims was perceived as a major step toward accomplishing this goal - of simultaneously "clearing the books" of Indian claims as a prelude to their seamless integration into the larger fabric of American society (Wallace 2002; Weist 1993; Lieder and Page 1997).

On August 13, 1946, the Indian Claims Commission (ICC) Act established a legal mechanism by which "tribes, bands and other identifiable groups of American Indians"

could bring suits for monetary damages arising from any legal violation committed by the United States, principally though not exclusively violations relating to the uncompensated taking of lands and resources. The Act also authorized the Commission to decide claims based on tribal contentions that a given treaty, contract, or agreement would not have been entered if not for the government's fraud, duress, or unconscionable actions. The Act provided that the Court of Claims and the Supreme Court would have appellate review over the Commission's decisions. In an attempt to include those groups that might not be recognized as a tribe or band, the Commission extended filing privileges to "other identifiable groups." Claims could be brought by any tribe, band or identifiable group of American Indians through their governing councils or, if lacking a formal organization, by any member acting in behalf of the tribe, band, or group. The term "identifiable group" facilitated the goal of bringing to finality all Indian claims, with the express purpose of freeing the federal government from further monetary obligations to any Indian population.¹⁷⁸ The Bureau of Indian Affairs was charged with informing tribes of their right to bring suit, and contacted only federally recognized tribes (Wallace 2002; Lieder and Page 1997: 66-88; Rosenthal 1990; Lurie 1978).

The 1946 Act permitted tribes five years to register claims with the Commission, which was expected to hear and adjudicate all cases by 1957. By the 1951 registration deadline, 370 tribal petitions had been filed, with 26 dismissals and only two awards made during the first five-year period. The complexity of the claims far exceeded Congress' expectations. Of the 370 petitions filed, many included more than one case or claim that needed to be separated into separate dockets. Bands and other identifiable groups filed an additional 852 claims. Congress had originally instituted the Commission for a ten-year period but extended the time frame five times, in 1957, 1962, 1967, 1972, and 1977. By September 1976, the Commission had gradually separated the original 370 petitions into 615 approved dockets, and these dockets were sometimes further subdivided into several issues (Wallace 2002; Lieder and Page 1997; Lurie 1978).

Initially the composition of the Commission was problematic. Prior to taking office, none of the three original commissioners had any significant prior experience with Indian legal affairs. This lack of prior experience was considered by Congress to be an asset - bringing a degree of "open mindedness" - even though one member, Commissioner Arthur Watkins, had been the foremost proponent of the termination policy while representing Utah in the U.S. Senate. The commissioners' early decisions

set a precedent for later cases, so that the influence of the initial commission was substantial (Lurie 1978).

Participating tribes were eager to establish their historical title to traditional lands through the ICC process. Many tribes, such as the Western Shoshones, asserted that their land titles, as delineated in their treaties, were never extinguished by cession or conquest and sought recognition of this, as well as various types of settlements. From the standpoint of the U.S. legal system, all but a few tracts in the Southwest had been purchased or acquired legally by treaty or other legal mechanism: even though the payment was often abysmally low, and the mechanisms were sometimes tenuous, title was secure. The Commission was originally established only to adjust inadequate compensation where such inadequacies could be demonstrated. The United States, through the Commission, sought to compensate the tribes for inadequate treaty payments and to secure uncontested "Indian title" through this process (Rosenthal 1990).

From the onset, the Commission encountered imposing evidentiary issues when adjudicating Indian land claims, particularly with respect to establishing the identity of tribal groups and territories. The tribes before the Commission did not possess written records from before contact that might help identify Indian tribes and lands, while oral traditions regarding these topics were considered inadmissible "hearsay" under judicial rules (Wallace 2002; Lieder and Page 1997: 269-270). As a result, tribal attorneys relied on the testimony of expert witnesses (primarily anthropologists and historians) to an unprecedented degree – despite the fact that, in most instances, this testimony was based in no small part on oral tradition, and to a great degree on information collected after the disruption of European and American intrusion. Tribal attorneys also interviewed tribal elders as expert witnesses in many cases.

The Commission developed a routine, three-stage format for trying land claims, involving 1) identifying issues of liability, 2) establishing the value of lands at the time of cession or taking, and 3) establishing the value of "offsets" to which the government was entitled, such as the value of lands put in trust status subsequent to treaty ratification. In the first stage, petitioners had to prove their identity as the rightful descendants of those tribes that had used and occupied the land addressed in a claim. The concepts of use and occupancy were originally vexing for the ICC in light of many complicating factors, such as overlapping territorial claims of particular aboriginal or contemporary tribal communities. In time, the Commission determined that they

would honor claims in which the petitioners could demonstrate aboriginal title to *exclusive* use and occupancy of the land claimed from time immemorial, even if use was only ritualistic or seasonal. However, an important point for understanding Clark County dockets is the fact that the Commission did not allow compensation for lands shared by tribes, even when an important portion of a tribe's subsistence came from such areas. Thus, in the many areas where overlapping use areas were apparent – such as along the Colorado River corridor or at the Paiute-Shoshone interface – claims were summarily denied by the Commission. Generally the ICC recognized shared tribal interests in lands only in those cases wherein government actions had resulted in more than one tribe living in an area, such as in the case of forced tribal relocations. In addition to the claim boundaries, the Commission determined the date the land was taken by or ceded to the United States. If such a date was ambiguous, based on the existing legal record, the Commission made a formal determination of that date to guide subsequent calculations of land value.

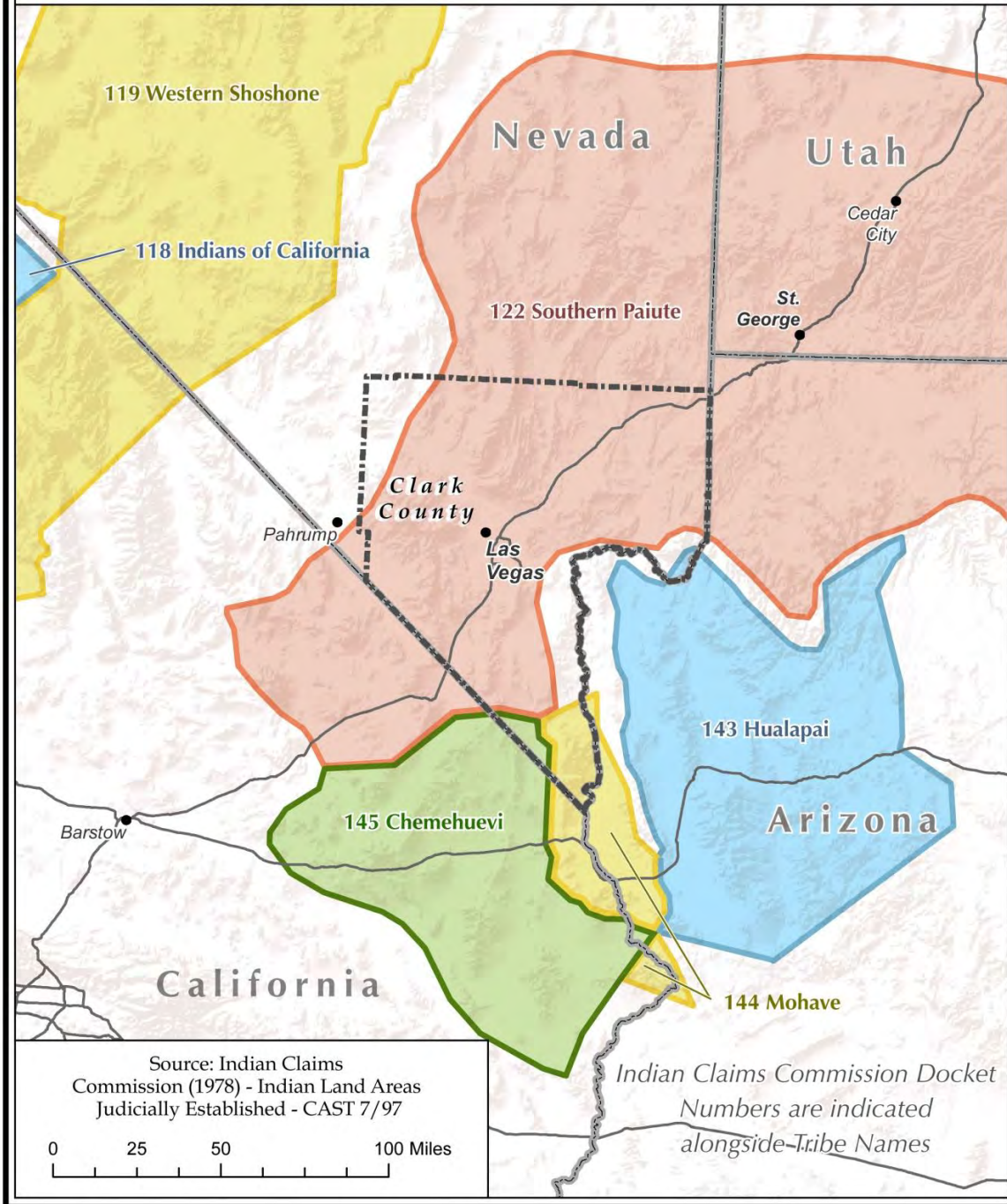
The second round of hearings considered the petitioners' and government's evaluations of the fair market price of ceded lands at the time they were relinquished. This stage of the ICC process was often contentious, as the ICC generally maintained that the lands had little monetary value prior to EuroAmerican settlement of an area. If a territory had been ceded in 1863, for example, it was appraised at 1863 prices – typically pennies per acre. In the third stage, the question of offsets was reviewed. The matter of offsets was frequently contentious, as the ICC often sought to deduct from tribal disbursements the cost of items such as farm implements that some tribes neither wanted nor would have purchased if given a choice. Also, tribes often raised the issue that their dependence on government gratuities, now deducted from their claim, typically would not have been required if they had not been forced to relinquish their lands and resources by federal actions. Nonetheless, these objections had a relatively small effect on ICC calculations, so that offsets commonly reduced the size of tribes' monetary awards, occasionally to the point of nullifying them. Tribes of the area used the monetary awards in various ways, often including *per capita* disbursements to tribal enrollees, investments in tribal programs such as housing, or some combination. Once claims were settled through the ICC, the United States government has generally treated Indian land and resource claims as being settled in perpetuity, barring exceptional circumstances (Lieder and Page 1997; Lurie 1978: 99-103).

The Commission, tribal lawyers, and government's defense created hundreds of thousands of document pages. These include expert testimony, briefs (petitions and

appeals), reports from the General Accounting Office, legislative history, docket books, and the Commission's journal. By 1976 the Commission's records comprised 39 volumes, each averaging well over 500 pages (Wallace 2002; Lurie 1978). The testimony from these proceedings is among the richest written records regarding past tribal occupation of the landscape, and has contributed significantly to the current report. The Commission decisions based on this testimony established a federally sanctioned map of tribal territories that – while wildly inaccurate in some cases – serves as a point of departure for discussions of tribal affiliation under NAGPRA and a variety of other federal laws and policies. The maps of the lands that were “judicially established” through this process – in other words, determined to be within the territories of particular tribes through the ICC process – though flawed in various ways, are widely used today to demonstrate areas of interest for tribes within various legal venues (Map 12). For these reasons, the outcomes of the Indian Claims Commission relating to the study area are reviewed here.

Tribes associated with Clark County were active participants in the Indian Claims Commission process almost from its onset. On January 10, 1951, petitioners in Docket 88, the Moapa Band, later joined by the Shivwits Band, filed a petition alleging various claims against the United States for the uncompensated taking of lands and resources (USICC 1978(15): 436). These claims were rooted in the circumstances of Indian removal described in earlier sections of this document, wherein the Southern Paiute were removed to the Moapa Reservation, in particular, without the benefit of a treaty or the settlement of Indian claims on those portions of Southern Paiute lands outside of the reservation. As noted previously, the executive orders creating the reservation had been understood by the federal government as a *de facto* cession of Southern Paiute lands yet contained no explicit language on the topic (Appendix A). On August 10, 1951, petitioners in Docket 330, four Utah Southern Paiute bands (Indian Peaks, Kanosh, Koosharem, and Cedar City) and the Kaibab Band of Arizona, filed a petition alleging various claims including the Kaibab Band's suit for general accounting. The Kaibab Band's accounting suit was severed from the original docket and filed separately as Docket 330-A (USICC 1978(15): 435). By 1956 attorneys for both groups (dockets 88 and 330) concluded that the seven separate clients, plus an eighth group who had not yet sought representation, the Las Vegas Colony, were in fact a single identifiable group – the “Southern Paiutes.” The eight bands agreed to pursue their claims under a cooperative agreement as The Southern Paiute Nation (USICC 1978(15): 439-440). The area claimed in the petition included much of Clark County, and was described as,

Judicially Established ICC Indian Lands



Map 12

bounded on the south by the Colorado River and extended northward. Its westernmost boundary touched upon Death Valley in California. It reached northward into Beaver County of Utah and eastward to the region of the Escalante River in Utah. The area claimed included the Virgin River drainage area, the Muddy River area, and around the present location of the city of Las Vegas, Nevada. Beyond the northern and western boundaries were the Shoshone Indians and beyond the eastern boundaries were the Ute Indians. To the south and southwest were the Navajo and the Havasupai, Walapai and Chemehuevi, the latter on the southwest.

(USICC 1978a (14): 618)

On August 11, 1951, the Chemehuevi Tribe filed a separate petition that included claims for their traditional lands, including some of the same lands that were included in The Southern Paiute Nation petition, where Chemehuevi interests overlapped with other bands. The Chemehuevi Tribe's petition, Docket 351, included a suit centered on concerns regarding general federal accounting, which was separated from the original claim to become Docket 351-A (USICC 1978(14): 618-619). The Chemehuevi petition claimed land described as,

Beginning at a point in southern Nevada six miles west of a place on the Colorado River where said river encloses a small island in the latitude of Mount Davis (this starting point being east northeast from Searchlight and slightly east of south from Nelson); thence southerly to the summit of the mountain called Avi-Kwame by the Mohave and Yuman tribes, and Agai by the Chemehuevi Indians; thence southerly along the crest of the Dead Mountain-Manchester Mountain range in California, generally paralleling the Colorado River.¹⁷⁹

USICC 1978a (14): 654)

The court consolidated the claims for the Southern Paiute and Chemehuevi, with a combined total of over 29,935,000 acres being included in the claim. During settlement negotiations, the plaintiffs agreed that the Southern Paiute Nation, including the Chemehuevi Tribe, should be treated as a single unit for settlement but with separate judgments and a division of the award between the Chemehuevi Tribe and the

Southern Paiute Nation. The claims were decided January 18, 1965 by an award of \$7,253,165 for the Southern Paiute Nation and an award of \$996,835 for the Chemehuevi Tribe. Significant portions of the traditional land base of the Southern Paiutes were excluded from this award. In Clark County this included much of the Colorado River riparian corridor, where the Commission demonstrated overlapping Mohave claims, as well as on the western boundary where the Commission demonstrated overlapping Western Shoshone claims (Map 13) (USICC 1978(14): 443, 648).

On August 10, 1951, Mohave members of the Colorado River Indian Tribes filed a petition alleging uncompensated federal takings of tribal lands and resources in Docket 283. On the same day, the “Mohave Tribe of Indians of Arizona, California, and Nevada” (i.e., the Fort Mojave Indian Tribe) filed a petition alleging similar claims, as well as filing a suit for general accounting that were filed as Dockets 295 and 295-A respectively. The court consolidated the two tribes’ dockets into a single hearing and settlement (USICC 1978(7): 219-220). With both tribes, land claims centered largely on the Mohaves’ core territory along the Colorado River riparian corridor, rather than a larger territory encompassing the deserts adjacent – in part due to prohibitions on claims for areas with overlapping tribal interests. The land claimed by the CRIT Mohaves was,

an area about 200 miles long and 100 miles wide in and adjacent to the valley of the Colorado River. Such area included on both sides of the river all the river bottom and irrigable areas...It also included the mesa and higher lands extending back not less than 25 miles on both sides. The northern or upstream limit of the area was approximately the Black Canyon below Hoover Dam, where Petitioner’s ancestral neighbors were the Walapais on the East and the Paiutes on the West; and the southern or down-stream limit was approximately half way between the present locations of Blythe, California, and Yuma, Arizona, where Petitioner’s ancestral neighbors were mostly Yumas (USICC 1978a (7): 221).

Meanwhile, the Fort Mojave claimants, the “Mohave Tribe of Indians of Arizona, California, and Nevada, identified their claim as including all of the following lands,

All of the Mohave Valley of the Colorado River, extending north to the Black Canyon in said river, extending south to the Mohave Mountains; extending east to the highest crest of the Black Mountains, to the Buck Mountains and to the Mohave Mountains; and extending west to the

Sacramento Mountains, the Dead Mountains, and to the Newberry Mountains.

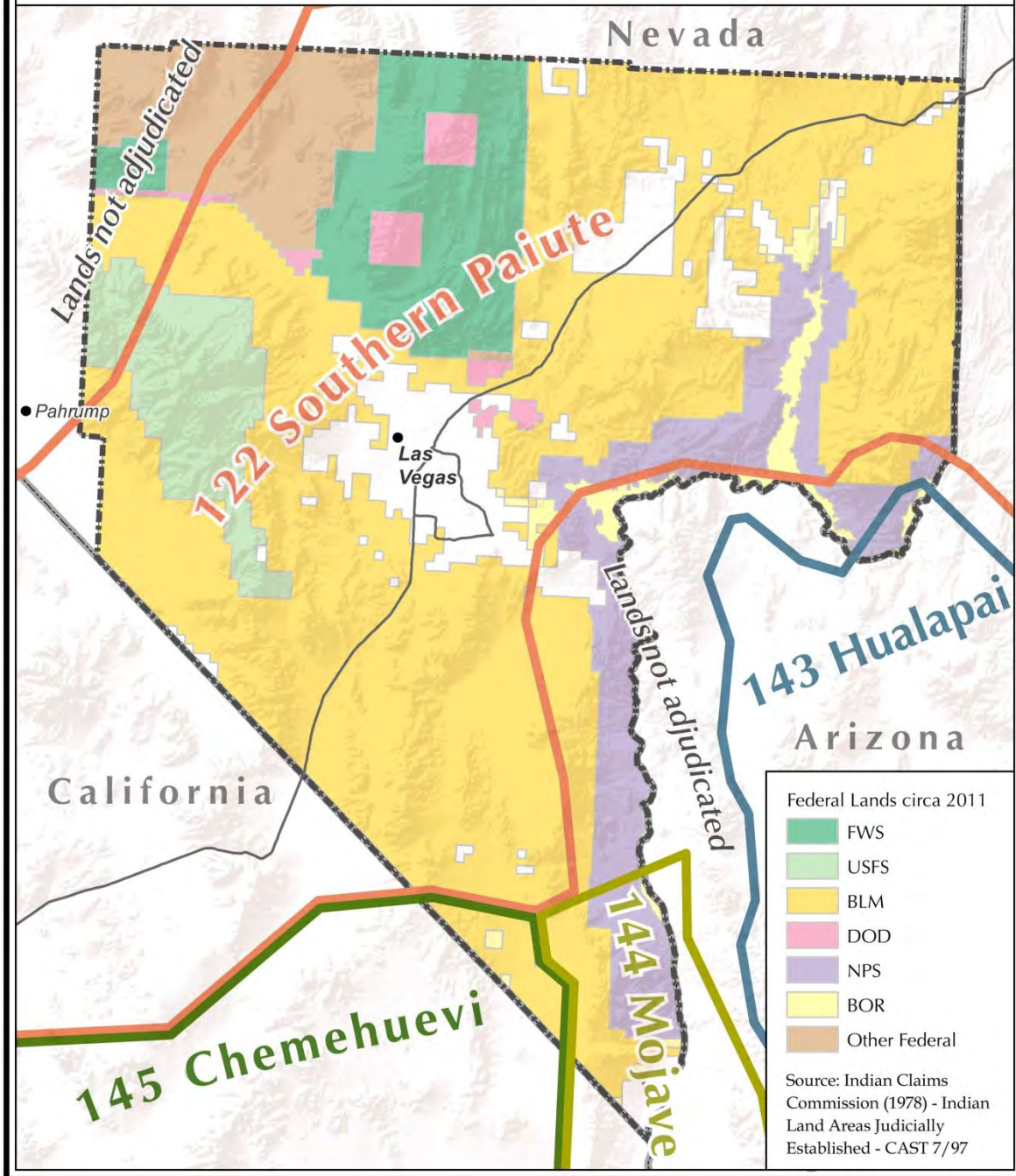
All of the lands on both banks of the Colorado River extending from the midstream of said river back on either side of said river to the crest of mountains bordering on said portion of said river, and extending north to the Mohave Valley in said river, and extending south to a point below what is now known as and called the city of Blythe, in the county of Riverside, State of California.

All of that part of what is now known as the Mohave Desert in the State of California, extending east to the lands above described located on the Colorado River, extending south to the Whipple Mountains, the Turtle Mountains, the Granite Mountains, the Eagle Mountains, the little San Bernardino Mountains, the San Bernardino Mountains; extending west to the San Gabriel and Tehachapi Mountains; and extending north as far as the Granite, Soda Lake, Providence and New York Mountains, including the valley now known as Paiute Valley extending north into the State of Nevada (USICC 1978a (7): 220-221).

The Mohave docket made claims for compensation for a total of some 1,006,300 acres. The claim was decided on December 29, 1976 for a sum of \$600,000 (totaling only \$468,358 after offsets) (USICC 1978(26): 569). The Mohave Tribe of Indians of Arizona, California, and Nevada filed a separate claim, alleging that the tribe was not compensated for an additional loss of lands flooded by Parker Dam that were not compensated as part of the original docket (USICC 1978(23): 356). The claim was designated Docket 283-A, and was decided on May 1, 1975 with an award of an additional \$550,000 to the tribe (USICC 1978(37): 142).

The Mohave were not able to establish a claim of exclusive use on the Colorado River north of the Cottonwood Island area due to overlapping areas of interest with the Southern Paiutes and Hualapais, while Hualapai claims to the Colorado River riparian zone were almost entirely rebuffed on the same basis. ICC adjudicated Mohave land claims included lands on the east bank of the Colorado, from roughly the Cottonwood Basin southward, including lands within the southern end of Lake Mead NRA and adjacent BLM lands. Meanwhile, ICC adjudicated Hualapai land claims (identified in Docket 90) included no portion of the Arizona bank of the Colorado except in the far northern portion of their territory.¹⁸⁰ The Indian Claims Commission also conceded

Judicially Established ICC Indian Lands in Clark County Nevada



Map 13

that, while the Mohave and Hualapai lands were not uniformly occupied by settlements, “these Indians traversed almost every portion of their country” in the course of resource procurement (Indian Claims Commission 1962; Dobyns 1954: 276). Similar issues emerged with overlapping traditional use areas at the boundaries of Southern Paiute and Western Shoshone lands (which shall be addressed in a separate section below), despite the intensity of use in some of these areas, such as the northern Spring Mountains, and traditions of intermarriage and shared resource procurement between these two tribal groups. Ironically, as a result of the ICC’s emphasis on “exclusive use,” some of the areas with heaviest Indian use and occupation at contact remained “unclaimed” through the ICC process (Map 13).

By September of 1978, when it was disbanded, the Commission had decided 616 claims brought by 170 Indian tribes, awarding more than \$818,172,600 for 274 claims on well over 50 million acres of the United States - declaring Indian title to those 50 million acres to be extinguished by this process. The Commission also dismissed an additional 342 claims. In 1978, 65 cases remained, which were transferred to the Court of Claims (Wallace 2002; Lieder and Page 1997; Luebben 1992: 195).

WESTERN SHOSHONE LAND CLAIMS

While all tribes have continued to question and contest the manner in which lands and resources were appropriated by the United States in the 19th century, perhaps none has done so as persistently and passionately as the Western Shoshone (Luebben and Nelson 2002; Crum 1994; Hanes 1982). This section provides a brief overview of some of the high points of the Western Shoshone claims to their traditional lands and resources. These claims remain active at the time of this writing and – until such time as these claims are settled to the satisfaction of the tribes – add a degree of urgency and complexity to tribal consultation matters on Western Shoshone interests that is somewhat unique in the study area.

As noted in earlier sections, the Ruby Valley Treaty of Peace and Friendship is essentially a pact of nonaggression.¹⁸¹ Among other things, the treaty language defines the territorial boundaries of the Western Shoshone bands, stating, “[T]he boundaries of the country claimed and occupied by said bands are defined and described by them as follows,” and then lists boundary landmarks in all four directions (Ruby Valley Treaty, Article V) (Map 7). Consistent with its principal goals, the treaty makes provisions for

the safe passage of Americans through Western Shoshone territory, including allowances for telegraph, overland stage and rail lines passing through the designated Western Shoshone territory, as well as the creation of military posts to protect travelers; provisions are also made for mining and the creation of ranches in this territory. The treaty also agrees to pay the Western Shoshones “annually for the term of twenty years, the sum of five thousand dollars in such articles...suitable for their wants and condition, either as hunters or herdsmen” (Ruby Valley Treaty, Article VII). The treaty also makes provisions for the creation of reservations by the President of the United States for Western Shoshone occupation when the President “deem[s] it expedient for them to abandon the roaming life, which they now lead, and become herdsmen or agriculturalists” (Article VI). The treaty does not, however, explicitly extinguish rights of the Western Shoshone peoples to their customary lands and resources. The only specific compensation for resources mentioned in the treaty includes financial settlements for “inconvenience resulting to the Indians in consequence of the driving away and destruction of game along the routes travelled by white men, and by the formation of agricultural and mining settlements” (Article VII). Still, the United States government has subsequently interpreted the treaty as the foundation for land cessions (Luebben and Nelson 2002; Crum 1994; Hanes 1982).

Long before there was an Indian Claims Commission, Western Shoshone leaders had contested the United States’ interpretation of the Ruby Valley Treaty, and any suggestion that the land claims of the Western Shoshone peoples have been settled. In 1932, at hearings before the Senate Subcommittee of the Committee on Indian Affairs, a group of Western Shoshone leaders presented grievances about unfulfilled treaty promises based on articles in the Ruby Valley Treaty, such as the provision for reservation development, as well as the United States’ contention that Indian title had been extinguished within Western Shoshone lands. The council sought acknowledgement of a Western Shoshone land base within the territory defined in the Ruby Valley Treaty, plus monetary compensation, including unpaid compensation stipulated by the Ruby Valley Treaty. These leaders elected an eight-man treaty council and contracted an Elko law firm to press their claims against the government. Four years later another group of Western Shoshones, the Te-Moak Band, contracted the same attorney to prosecute their claims against the United States. In 1940 the Te-Moak Band amended their contract with claims attorneys so that they could add attorney Ernest Wilkinson, one of the architects of the Indian Claims Commission Act, to their legal representatives on this effort (Clemmer 2004; Crum 1994; Clemmer and Stewart 1986).

As noted in the previous section of this document, the Indian Claims Commission Act passed in 1946, permitting tribes to sue the United States for the illegal seizure of land without compensation. The act established the Indian Claims Commission as a quasi-judicial body charged with investigating claims brought before it, and awarding money settlements to tribes with successful claims. Western Shoshone communities were somewhat divided by the prospect of bringing a claim before the ICC for a monetary settlement. There were those in favor of pursuing a monetary settlement before the ICC for their lands and resources, and there were those (sometimes referred to as the “traditionals”) who sought to retain their title to lands and to seek legal recognition of their land rights as described in the Treaty of Ruby Valley. By 1947 the bloc favoring a monetary settlement hired the law firm, Wilkinson, Cragun and Barker to bring a claim before the ICC. Meanwhile, the “traditionals” took an alternative route, hiring an Elko attorney to pursue legal avenues toward the assertion of Western Shoshone title to the lands within the Ruby Valley Treaty boundary (Crum 1994: 129-30).

Within the Indian Claims Commission hearings, the Western Shoshone’s attorneys argued that, aside from the Duck Valley Reservation, all the Western Shoshone lands had been taken by the “gradual encroachment” of white miners and homesteaders, railroads, and U.S. government actions (Clemmer 2004: 342). The law firm hired anthropologist Omer C. Stewart of the University of Colorado in Boulder to conduct research to provide evidence of Shoshone land use and occupation (Crum 1994: 131). In 1962, based on Stewart’s research, the ICC established boundaries for Western Shoshone lands. Observing the ICC claims criteria of exclusive use and occupation, the commission ruled that the Western Shoshone could not include overlapping claims areas, but that they still could assert a vast territory, quite different from what had been included in the Treaty of Ruby Valley (Map 7). The Commission noted that,

the Western Shoshone land tract extends through the east central portion of Nevada for almost the length of the state and continues through Inyo County, California. The tract includes all or part of the following Nevada counties: White Pine, Nye, Eureka, Lander, Elko, and Esmeralda.
(USICC 1978a (29): 61)

In response to arguments made by the Wilkinson firm, the ICC declared that 22,000,000 acres (later increased to 24,400,000 acres) had been inappropriately “taken” from the

Western Shoshone by the United States without adequate compensation. In 1972 the Western Shoshones' attorneys, government attorneys and the ICC negotiated the "stipulated date of taking" of Western Shoshone land. They eventually settled on July 1, 1872, and specified a valuation amount of \$1.05 per acre (Clemmer 2004: 341-42).

Many Western Shoshones, even those who were receptive to cash settlements, balked at this much reduced territory and the rate of compensation. In 1977 the Te-Moak Tribal Council fired the law firm of Wilkinson, Cragun, and Barker, instead joining forces with an organization representing multiple Western Shoshone tribal groups, and filed a motion to stay the proceedings of the ICC until these issues could be revisited. This group, the Te-Moak Band of Western Shoshone Indians, initiated a lawsuit against the United States and the Shoshone claimants who were prepared to settle, "the Western Shoshone Identifiable Group Represented by the Temoak Bands of Western Indians." The ICC rejected this request, with the support of the Court of Claims. In 1980 the Bureau of Indian Affairs met with Western Shoshone groups named in the ICC claim to determine award distribution. At this meeting the Western Shoshone "traditionals" were permitted to provide comment and to exercise some authority over the claims proceedings on their own terms and, not surprisingly, they rejected the entire ICC settlement (Clemmer 2004: 343).

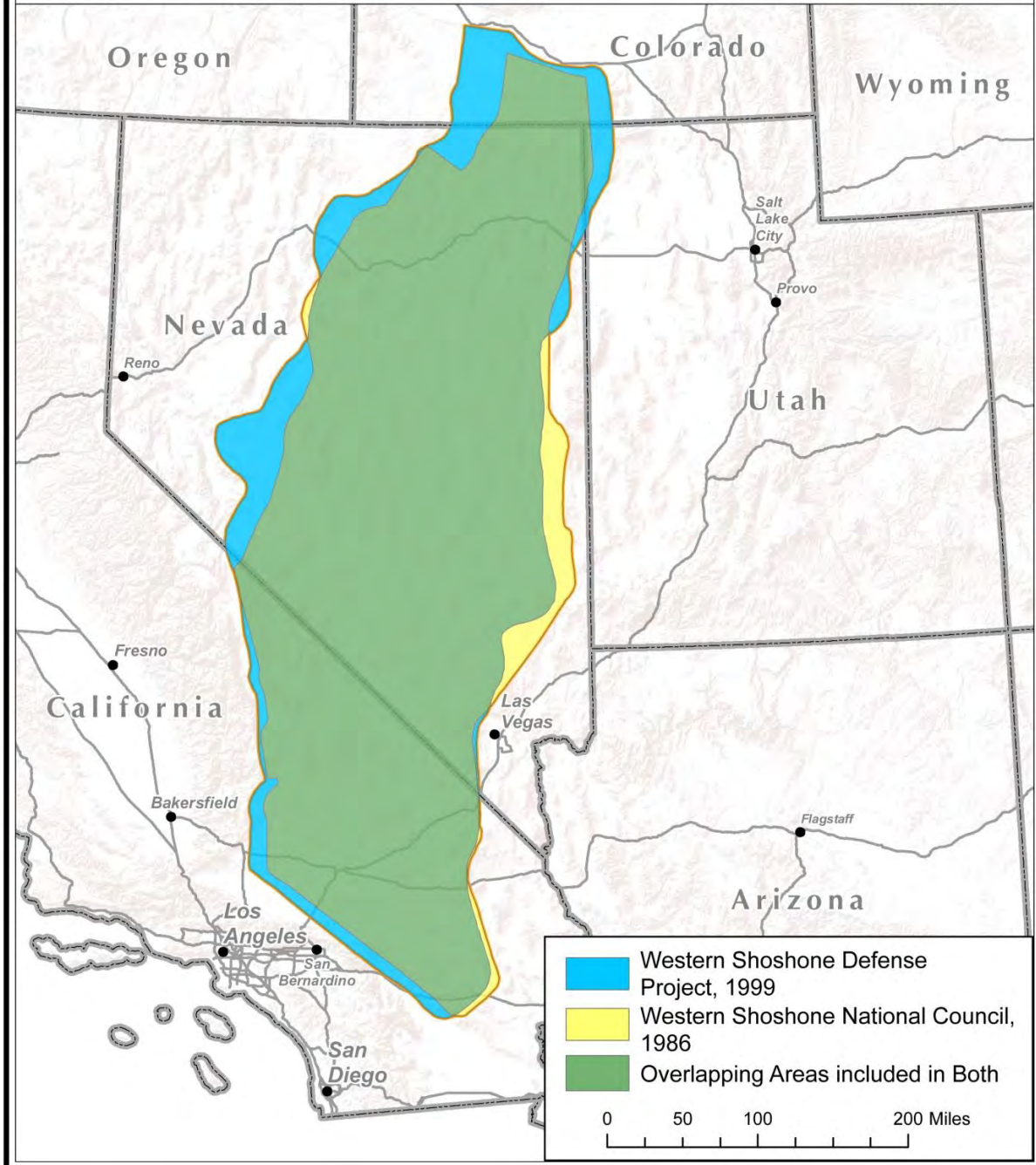
As a result of the ICC process and the Western Shoshone rejection of the outcomes, the monetary award for the purported extinguishment of Western Shoshone land claims was placed in trust in lieu of payment. Since 1979 the settlement award has continued to be held in trust by the U.S. Treasury, as the Western Shoshone have, as a group of claimants, refused to accept money for land they argue was never sold, ceded, lost or abandoned. The resulting deadlock, the absence of clear cession of Shoshone lands, and the ambiguous status of compensation for Indian lands still being used and occupied by the United States brought growing attention from international organizations, from Amnesty International to the United Nations (Amnesty International 2003: 32).

Western Shoshone leadership came together in 1984 and formed the Western Shoshone National Council (WSNC), a centralized political entity to represent the multiple Shoshone tribes in pursuing these land claims. The organization is discussed in more detail in later sections of this document. As Crum notes, "the council takes the position that the Western Shoshone Nation still owns most of its aboriginal land base in the Great Basin" (Crum 1994: 175). From its beginnings, the Western Shoshone National Council contested the ICC map of the tribe's boundaries. The Western Shoshone almost

universally rejected the original Indian Claims Commission boundary, prepared by Omer Stewart apparently without recourse to original interviews with Western Shoshone consultants. In 1986 the WSNC developed its own map of traditional territorial claims, and this map was reprinted by such authors as Crum (1994). The map reflects the Western Shoshone view of their traditional land claims, ranging from the Snake River in Idaho to southeastern California – including lands traditionally used and occupied by the Western Shoshone and apparently not excluding certain areas of overlapping claims, such as in the Spring Mountains, if those areas have been of enduring importance to Western Shoshones. In 1999 the Chair of the WSNC, Chief Raymond Yowell, revised the boundaries shown in the 1986 map. This revised map, depicting expanded boundaries, has been used and published by other Western Shoshone organizations, such as the Western Shoshone Defense Project as in Sewall (1999), and has informed the maps in the current document (e.g., Map 7, Map 11). Yowell’s revisions supersede earlier WSNC maps within many (though not all) of WSNC documents post-dating 1999. The history of these maps has, itself, been the topic of published accounts.¹⁸² Map 14 shows the configuration of the 1986 and the 1999 maps together, in order to show the maximum extent of lands generally claimed by the WSNC. The map outlines those areas that the WSNC and other Western Shoshone organizations actively continue to pursue as land and resource claims, sometimes extending beyond the Ruby Valley Treaty boundary. The configuration of this boundary is significant, as the Ruby Valley boundary did not include Clark County Nevada, but the current WSNC map boundary includes roughly one-third of the county (Map15).

The activities of the WSNC and other Western Shoshone land claim efforts in recent years have been inextricably tied to legal actions relating to the Mary and Carrie Dann case. Western Shoshone sisters Carrie Dann (born 1932) and the late Mary Dann (1923-2005) are members of an extended-family band who remained on their traditional land in Crescent Valley, Nevada and supported themselves by raising livestock. In 1974, five years before the Western Shoshone final judgment in the ICC case, the Bureau of Land Management sued the Danns, alleging trespass damages for grazing livestock on public domain lands without a permit. The Danns asserted unextinguished Western Shoshone title based on the Treaty of Ruby Valley. Asserting that the land in question was in Western Shoshone possession, the Danns and their counsel challenged the plaintiff, the United States, to prove superior title in accordance with American real property law. The United States was not able to do so. Over the course of seventeen years, the Dann

Alternative Depictions of Western Shoshone Territory by Tribal Organizations, 1986-Present



Map 14

case was before the U.S. District Court in Reno four times, the Ninth Circuit Court of Appeals three times, and the U.S. Supreme Court once (O'Connell 2002).

In 1978, prior to the ICC monetary award to settle the Western Shoshone land claim, the Ninth Circuit Court of Appeals agreed with the lower court, which had sided with the Danns in asserting that the ICC proceedings had not conclusively extinguished Indian title. ICC proceedings, they concurred, were undertaken with the intention of providing legal avenues for a taking of Western Shoshone land, but had never made a determination on the issue of whether aboriginal title had been previously extinguished under the Ruby Valley Treaty or any other legal instrument. The U.S. government's assertion that the ICC process had settled the issue of Western Shoshone claims was further undermined by the fact that the ICC's settlement award had not yet been paid to Western Shoshone claimants. Therefore, the Ninth Circuit ruled that, because the government could produce no convincing evidence that the land had been taken in accordance with the treaty, and because the treaty was still in force, the Danns could not be convicted of trespass on the land to which the Western Shoshone still technically held collective aboriginal title (Clemmer 2004: 341-42; Rusco 1992).

On these grounds, the Ninth Circuit Court of Appeals remanded the case back to the district court. The following year, on December 19, 1979, the status of this court case resulted in the ICC award of \$26 million being placed in a trust account in the U.S. Treasury for the Western Shoshone. The district court declared that, as of that date, Western Shoshone title remained unextinguished. Still, the court ruled that the "legal effect of the judgment" was to "extinguish the aboriginal Indian title to the lands of the Western Shoshone Indians upon which the [Danns] assert the right to graze livestock" (Clemmer 2004: 342).

The Indian Claims Commission Act contained a provision that the legal effect of the "determination of a claim by the ICC, and payment of the judgment, forever discharges the United States government, and bars any other claims on the matters at issue" (Clemmer 2004: 341). A 1961 amendment reiterated this point more strongly, stating that, once an award was made to a specified group of Indians, those Indians as well as the tribes to which they belonged would be forever barred from asserting any additional claims or demands against the U.S. government with regard to the particular tract of land in question. Thus, on this basis, the 1980 U.S. District Court ruling ended the right of any Western Shoshone group to claim jurisdiction, ownership, or prior use rights. The Danns appealed the district court ruling, noting that even though money

had been deposited into a trust account for the Western Shoshone, the Western Shoshone in council, in accordance with the law, had declined the \$26 million. Eventually the case reached the U.S. Supreme Court. The Court handed down its decision in *U.S. v. Dann* in 1985, holding that the Western Shoshone had been compensated for their lands because the government had placed funds into a trust account in the name of the Western Shoshone, and that such payment barred the Dann sisters from raising Western Shoshone title as a defense against the federal government's trespass charges. This Supreme Court decision continues to be invoked by various agencies in response to Western Shoshone challenges that emerge in response to federal actions within the context of compliance (Amnesty International 2003; Clemmer 2004; Rusco 1992).

In 1993 the Danns filed a petition with the Organization of American States Inter-American Commission on Human Rights (IACHR), alleging that their human rights were being violated by the United States under various articles of the American Declaration of the Rights and Duties of Man. The Western Shoshone National Council, Yomba Shoshone, Duckwater Shoshone and Ely Shoshone Tribes filed friend-of-the-court briefs in support of the petition. The Dann's petition stated that the United States claimed, in an illegal and discriminatory manner, the extinguishment of the Western Shoshones' right to their ancestral land. The petition further argued that the ICC process

violated their human rights by not allowing for a hearing on Western Shoshone land title, by not recognizing the request of the Western Shoshone to fire the non-Indian attorneys handling the case, and by not permitting the intervention of Western Shoshone individuals and groups to contest the presumed extinguishment of title.
(in Amnesty International 2003: 32)

In the IACHR's 2002 report, the Commission agreed with the petitioner's argument that the theory upon which the ICC determined the extinguishment of Western Shoshone land rights, namely "gradual encroachment" by non-indigenous settlers, miners and others, "constitutes a nonconsensual and discriminatory transfer of property rights in land away from indigenous people who continue in possession of their land" (IACHR 2002:12).¹⁸³ Despite the censure of the United States' position, this decision had little effect on American policy regarding Western Shoshone claims.

Meanwhile, Western Shoshone tribes were seeking other forms of independent review of their land claims case. Beginning in 1999, the Timbisha Shoshone Tribe, Winnemucca Indian Colony, Yomba Shoshone Tribe, and Western Shoshone National Council began submitting joint petitions for urgent action on the matter to the United Nations Committee on the Elimination of Racial Discrimination (CERD) under its Early Warning and Urgent Action Procedures. CERD is responsible for monitoring and promoting compliance with the International Convention on the Elimination of All Forms of Racial Discrimination, a treaty to which the United States is a party. In its 2006 decision, this United Nations committee, like the IACHR, took issue with the United States' position on Western Shoshone land title. As stated in the Committee's findings,

The Committee is concerned by the State party's [i.e., the United States'] position that Western Shoshone peoples' legal rights to ancestral lands have been extinguished through gradual encroachment, notwithstanding the fact that the Western Shoshone peoples have reportedly continued to use and occupy the lands and their natural resources in accordance with their traditional land tenure patterns. The Committee further notes with concern that the State party's position is made on the basis of processes before the Indian Claims Commission, "which did not comply with contemporary international human rights norms, principles and standards that govern determination of indigenous property interests," as stressed by the Inter-American Commission on Human Rights in the case *Mary and Carrie Dann versus United States* (Case 11.140, 27 December 2002). (UNCERD 2006: 2)

In 2004 Senators Harry Reid and John Ensign introduced Senate Bill 958 to resolve Western Shoshone land claims by formally transferring the contested lands to the United States in exchange for a financial settlement. This bill passed, becoming the Western Shoshone Claims Distribution Act of 2004. The Act effectively transferred 26,000,000 acres of land to the U.S. government in exchange for \$145 million in cash disbursements, to be distributed among roughly 8,000 Shoshone tribal members - a cost averaging approximately \$5 an acre, or \$30,000 per tribal member. Of the nine tribal government councils representing Western Shoshone enrollees, seven passed resolutions opposing the act and the cash settlement. In January 2006, the U.S. District Court for Nevada dismissed a lawsuit filed by the Western Shoshone National Council against the United States, again seeking title to lands defined in the Ruby Valley Treaty. Soon thereafter, the United Nations Committee for the Elimination of Racial

Discrimination reviewed U.S. federal actions on the Western Shoshone claim and censured the United States, noting that,

The Committee has received credible information alleging that the Western Shoshone indigenous peoples are being denied their traditional rights to land, and that measures taken and even accelerated lately by the State party in relation to the status, use and occupation of these lands may cumulatively lead to irreparable harm to these communities.
(United Nations 2006)

The U.S. was both censured and advised to reopen the Western Shoshone land claims case in these international decisions. United States non-compliance with these decisions has also been condemned by certain nongovernmental organizations including the International Foundation for the Protection of Human Rights Defenders, Oxfam America, Earthworks, and Amnesty International (Indigenous Peoples Law & Policy Program 2010).

The Western Shoshone continue to assert that they have never received a fair hearing on the issue of land title. With assistance from the Indigenous Peoples Law & Policy Program at the University of Arizona's James E. Rogers College of Law, the WSNC and the individual Western Shoshone tribes are using the decisions of the IACHR and CERD as a catalyst for further initiatives before other international institutions, as well as ongoing efforts to secure land rights through appeals to all branches of the U.S. government. These efforts continue to involve lands and resources within Clark County, Nevada, and to bring a complexity and intensity to Shoshone claims on these lands and resources that cannot be understood outside of the context of the broader Western Shoshone land claims effort. The potentially damaging effects of nearby developments on lands and resources of concern to the Western Shoshone, from southern Nevada mining proposals to planning for the Yucca Mountain Nuclear Waste Proposal, have only added fuel to the fire. Statements to the press that "Las Vegas is on Shoshone land," as asserted by WSNC Sub-Chief Allen Moss in 2007, reflect the larger struggle to assert Western Shoshone claims in spite of generations of challenges to those claims. Even where the Western Shoshone's claims might overlap or intersect with those of their neighboring tribes, such as in portions of Clark County, the Western Shoshone are eager to not be erased from the historical narrative, and eager to retain rights of use and access into the present day (Ritter 2007).

THE GROWING IMPORTANCE OF URBAN INDIANS

A growing percentage of the American Indian population in the United States consists of urban dwellers, living both in cities that have emerged within their traditional territories and in cities far from their homelands. For many American Indians, the urban migration is an important part of their personal histories, undertaken for work, school, and other opportunities – a journey that is temporary for some, permanent for others. As the National Urban Indian Family Coalition (NUIFC) describes it, “urban is not a kind of Indian, it is an experience – one that most Indian people today have had” (NUIFC 2008: 6). American Indian people have lived in cities for centuries but the process of urbanization for many was accelerated by federal Indian policy, such as the termination acts in effect from 1953 to 1970, resulting in the disappearance of some 110 tribal governments and, in some cases, government-subsidized relocation to urban areas for the members of terminated tribes (Walch 1983: 1185-87). Developments such as these, in addition to an overall U.S. trend toward increasing urbanization, are bringing unprecedented numbers of Indians to cities. According to the 2000 U.S. census, some 45 percent of those identifying as American Indian and Alaska Native only (i.e., those claiming single, as opposed to mixed, race) live in urban areas nationally (NUIFC 2008; U.S. Census 2002).

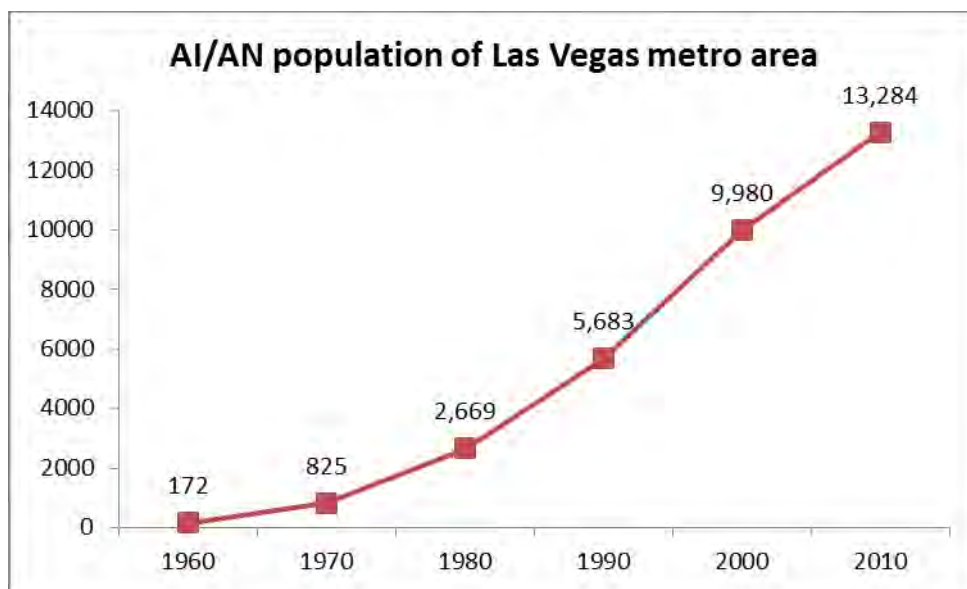
Table 3: Non-Reservation American Indian & Alaska Native Population of Clark County and Metro Las Vegas, U.S. Census, 1960-2010¹⁸⁴

Census Year	Clark Co. Indian and AK Native	% of Clark Co Pop.	LV metro Indian and AK Native	% of LV Metro Pop
2010	14,422	.0074	13,188	.0072
2000	10,895	.0079	9,958	.0077
1990	6,416	.0086	5,683	.0083
1980	3,041	.0066	2,669	.0069
1970	1,131	.0041	825	.0033
1960	387	.0030	172	.0027

The explosive growth of metropolitan Las Vegas in recent decades is reflected in a steadily growing urban American Indian population in Clark County. Between 1990 and 2000, the Las Vegas metropolitan area population increased by 83 percent. The

metro area continued this approximate rate of growth between 2000 and 2007, steadily increasing in population by nearly 70,000 people per year, or 5,800 people per month (Futrell, et al 2010: 5). In 2010 Clark County had a population of roughly 1.95 million people, and 45 percent of Nevada’s non-reservation American Indian population lived in Clark County. Of those urban Indians who live in Clark County, 91 percent lived in the Las Vegas metro area, meaning that 41 percent of Nevada’s total non-reservation American Indian population – over 13,000 people – lived in the Las Vegas metro area in 2010 (U.S. Census 2010). Growth appears to have been largely consistent since the era of termination, but especially accelerated during periods of generally rapid growth within the Las Vegas area.

Graph 1: Las Vegas Metro Area American Indian & Alaska Native Population in U.S. Census Records, 1960-2010¹⁸⁵



These American Indian people are distributed broadly throughout the Las Vegas metropolitan area. By most standards, they are largely integrated into the multi-ethnic fabric of the community, in sharp contrast to the Indian communities of a century ago (Table 4). While local Paiute, Mohave, and Shoshone tribal members are represented in these figures, the scale and growth of the overall American Indian urban population reflects the considerable diversity of the tribes now represented within the boundaries of metropolitan Las Vegas. Tribes of the Nevada and adjacent states are well

represented in the modern urban population, but American Indians from around the country are today found in Las Vegas too.

Table 4: Distribution of Non-Reservation American Indian & Alaska Native Population in Clark County, U.S. Census, 2010¹⁸⁶

Community	Am. Indian Population	Total Population
Las Vegas city	4,125	583,757
North Las Vegas city	1,680	216,961
Henderson city	1,683	257,729
Paradise	1,721	223,167
Enterprise	641	108,481
Spring Valley	1,087	178,395
Sunrise Manor	1,633	189,372
Winchester	312	27,978
Whitney	306	38,585
Total metro area	13,188	1,824,425
Clark Co Am. Indian	14,422	1,951,269

As America’s urban Indian population has grown, new institutions have developed to provide economic opportunities and cultural activities to the sometimes diverse Indian communities that take shape in cities. Indian centers are prominent among these institutions. The earliest urban Indian centers opened in the late 1940s and early 1950s, such as the Phoenix Indian Center (1947), Chicago Indian Center (1953) and the Intertribal Friendship House in Oakland, California (1954). The Las Vegas Indian Center, established in 1972, offers services and support to American Indians living in and around Las Vegas, Nevada. The Center is a 501(c)3 non-profit, with a stated mission “to promote the social and economic self-sufficiency and the culture of American Indian people and the community at large” (Padgett 2005: 3K). This mission is accomplished through a variety of services provided to the Las Vegas Indian community, including transitional housing, job placement, career counseling, substance abuse counseling, parenting education, and American Indian child-welfare programs. The Center is a USDA Women, Infants and Children program site, providing assistance on childhood nutrition, and reports that it is the only American Indian organization

accredited by the state to provide outpatient substance abuse services. The Las Vegas Indian Center sponsors an annual scholarship program for American Indian students attending the University of Nevada, Las Vegas and the Community College of Southern Nevada. Funding is obtained from state, local and federal agencies (Padgett 2005: 3K), as well as private and commercial donations (Las Vegas Indian Center 2011; NUIFC 2008; Padgett 2005). At the time of this writing, the Las Vegas Indian Center may be contacted at 2300 West Bonanza Road, Las Vegas, NV 89106, 702-647-5842.

Las Vegas also has been home to the Nevada American Indian Chamber of Commerce, which promotes economic development for Indians of the region, including resident reservation tribes and recent arrivals from other tribes now living in Nevada's urban areas. As is true of American Indian Chambers of Commerce across the country, the Nevada Chamber focuses on the promotion of Indian-owned business, providing business education and other services to American Indian clients living throughout Nevada but especially in Las Vegas. At the time of this writing, the Nevada American Indian Chamber of Commerce is located at 1785 E Sahara Ave., Suite 360B, Las Vegas, NV 89104, 702-693-6698.

These formal institutions represent just a fragment of the cultural, artistic, economic, and social organizations in which the urban Indians of Las Vegas now take an active part. Some portion of the American Indian community and the organizations of which they are a part sometimes become involved in public comment on agency management of lands and resources – often, but by no means always, in support of resident tribes' interests. Lacking local ties, American Indians from outside the region typically have little formal role in the federal compliance and consultation process.

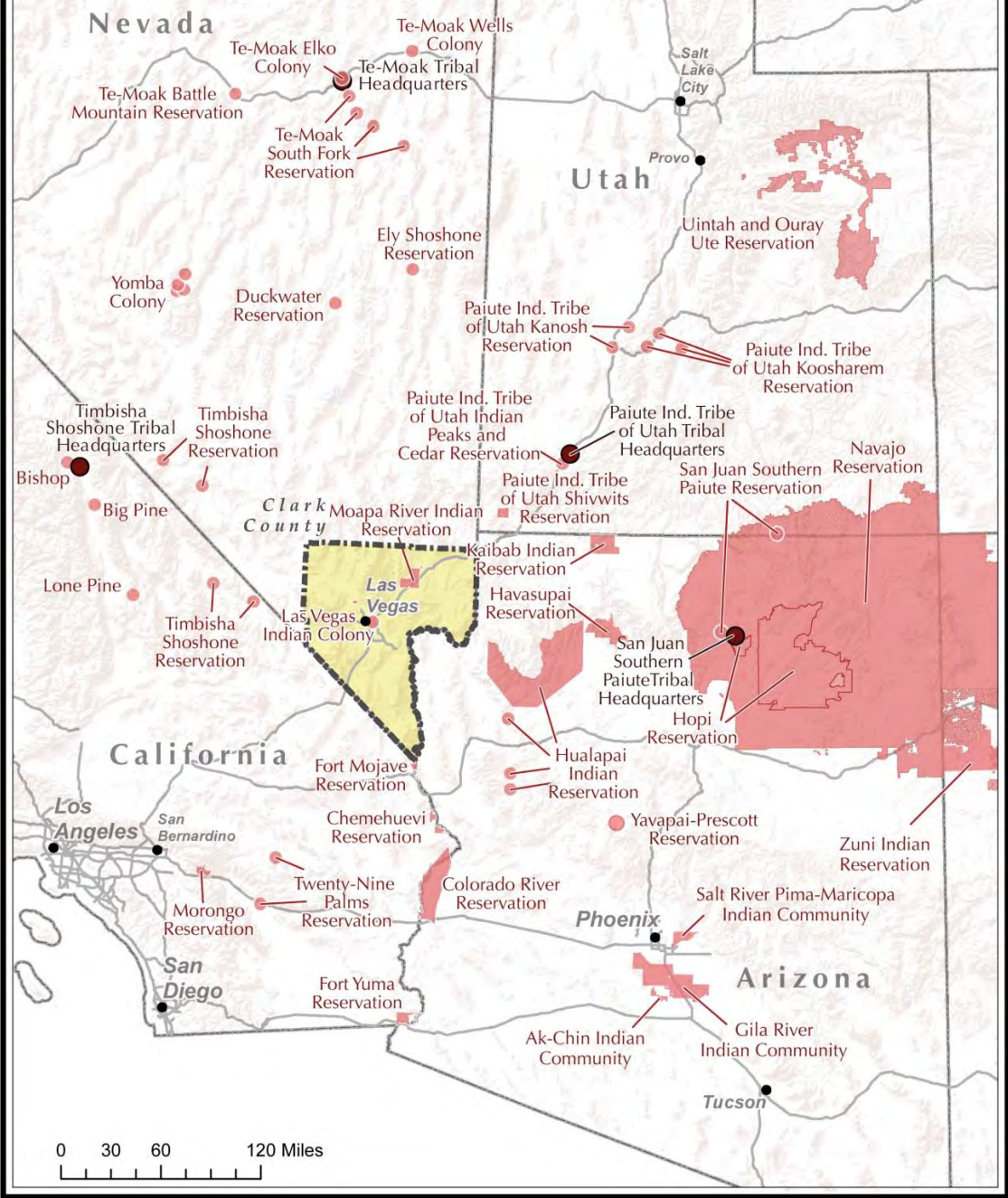
While American Indians are an important part of the social fabric of Las Vegas, these Indians must also contend with a city that has been growing very rapidly and in which they are a small (if persistent) part. For the first time in decades, recent U.S. Census figures suggest that the American Indian population became a smaller percentage of the total Clark County or metro Las Vegas population, owing to the rapid rate of growth among non-Indian segments of the population (U.S. Census 2011, 2002). American Indians continue to be a growing component of the overall Clark County and Las Vegas metro populations, drawn there by some of the same forces that have fostered this larger growth. Yet, there are now a little over 14,000 American Indians in a county with almost two million residents. American Indians must now navigate a much larger and more urban community, in which they are only a very small part.

Contemporary Tribes: An Overview

The pages that follow provide short synopses of the contemporary status and governmental organization of most of the modern tribes historically associated with Clark County, Nevada. The list includes no fewer than 27 tribes, in addition to one federally unrecognized tribe,¹⁸⁷ two organizations that represent multiple tribes on land and resource issues, and two multi-tribal organizations primarily devoted to cultural resource compliance and protection. The information that follows is meant to serve as a starting point for agency staff who might wish to communicate with, and better understand the organization of, tribes with interests in the lands and resources under their management. It is not meant to be the final word on any tribe's modern governance or places and issues of interest to the tribes. Indeed, recognizing that the particulars of modern tribal governance change frequently, agency staff who use the information that follows are strongly advised to follow up on their reading with direct communications with the tribes of interest, so as to be updated on recent developments and current issues involving those tribes (Map 15).

There has been an expanding appreciation among many of the agencies operating in Clark County that tribal interests are broader than originally anticipated. To cite one example, Lake Mead's 1986 General Management Plan was distributed for comment to only six federally recognized tribes, including the Chemehuevi Tribe, the Colorado River Indian Tribes, the Fort Mojave Indian Tribe, the Hualapai General Council, the Kaibab Band of Paiute Indians, and the Paiute Indian Tribe of Utah, while also including the federally unrecognized Pahrump Valley Paiute (NPS 1986). Following more than 25 years of consultation with area tribes, involving a number of NAGPRA and TCP investigations, Lake Mead now consults with no fewer than 23 different tribes.

Selected Tribes in the Greater Southern Nevada Region



Map 15

In this light, it is very important to note that the absence of a tribe from the section that follows does not necessarily imply that the tribe does not possess any interests in Clark County. For example, some Western Shoshone tribes are included here due to proximity or their stated interest in Clark County, but a portion of the Shoshone tribes are not discussed in detail below – mostly those living at some distance from the study area and without a larger membership hailing from southern Nevada. Still, it is clear that certain Western Shoshone families and individuals from the vicinity of the study area moved to Walker River Indian Reservation, Fort Hall, and other tribal communities some distance away and, though not discussed in detail here, these tribes may from time to time express interests in consultation and compliance within Clark County due to these connections. Owens Valley Paiute tribes, who sometimes visited the western fringes of the study area, may also express interest in certain consultation issues from time to time, but are not discussed in detail here. There are certainly other tribes who are in similar circumstances.

Matters of contemporary tribal affiliations with archaeological sites in the study area are similarly complex. Hopi, in particular, but also Zuni, generally claim affiliation with Virgin Anasazi sites, but still coordinate with (and sometimes defer to) more proximate Paiute tribes when addressing matters of NAGPRA repatriation associated with those sites. Some tribal members and agency cultural resource staff note that the modern O’odham are widely accepted as descendants of the Hohokam and, therefore, consultation pertaining to sites in the Hohokam area of interest (principally southeast of the study area) should include Tohono O’odham of Sells, Arizona. Despite occasional differences in their interpretation of the archaeological record and matters of affiliation, tribes are generally in agreement that NAGPRA repatriation and reburial are high priorities that should not be undermined by such differences. With this in mind, certain coalitions have developed between tribes of overlapping interests, in and around the study area, such as the Great Basin Inter-Tribal NAGPRA Coalition, which is discussed below. The list of tribes claiming association with Clark County within the National NAGPRA database reveals that some tribes with clear ties to the county are included, but a number are excluded as well. They include the Colorado River Indian Tribes of the Colorado River Indian Reservation, the Fort Mojave Indian Tribe, the Hualapai Indian Tribe of the Hualapai Indian Reservation, Kaibab Band of Paiute Indians of the Kaibab Indian Reservation, the Las Vegas Tribe of Paiute Indians of the Las Vegas Indian Colony, the Moapa Band of Paiute Indians of the Moapa River Indian Reservation, and the Paiute Indian Tribe of Utah. In addition, the Shoshone Tribe of the Wind River Reservation (Wyoming) and the Shoshone-Bannock Tribes of the Fort

Hall Reservation (Idaho) are included in this list, reflecting their general concern with Shoshone interests if not their proximity. The participation of these diverse tribes with NAGPRA compliance efforts has varied over time, reflecting their varying connections to the study area. Though local Southern Paiute tribes are especially well represented, many other tribes share interests in NAGPRA compliance in the region, as the contents of this report might suggest (Appendix D)

Simultaneously, Tribal Historic Preservation Offices (THPOs) are an important vehicle for cultural resource protection involving Indian tribes in and around the study area. Through the national THPO program, administered by the National Park Service, tribes may qualify to establish their own THPO programs that oversee some of the State Historic Preservation Office (SHPO) functions on tribal lands. In some cases, THPOs may assume responsibilities for compliance and consultation on non-tribal lands that are within a tribe's traditional area of interest. This program is outlined in the National Historic Preservation Act, and its authorities are specified in Section 101(d)2 of that Act. There are no THPOs currently operating in Clark County, but there are no fewer than seven that have some historical association with the study area: the THPOs of the Hualapai Tribe, Timbisha Shoshone Tribe, Big Pine Band of Owens Valley Paiute Shoshone Indians, Paiute-Shoshone Indians of the Bishop Community, Gila River Indian Community, Zuni Pueblo, and Navajo Nation. The contact information for these THPOs is provided in an appendix to this report (Appendix F). Updated lists of THPOs can be accessed via the National Association of Tribal Historic Preservation Officers at www.nathpo.org, by telephone at 202-628-8476, or by mail at P.O. Box 19189, Washington, DC 20036-9189.

In addition to THPOs, there are other tribal programs that may play a role in cultural resource protection efforts. There are a number of self-governance tribes associated with the study area, including Ak-Chin Indian Community, Bishop Paiute Tribal Council, Duckwater Shoshone, Ely Shoshone Tribe, and Gila River Indian Community. These tribes have qualified to assume responsibility internally for the management of certain programs, activities, and services once managed by the federal government (especially the Bureau of Indian Affairs), including functions related to trust resource management. They are approved to receive federal contracts to support these efforts, significantly streamlining their participation in collaborative endeavors with federal agencies. Federal agencies and tribes generally have conceptualized federal trust resource responsibilities more broadly now than was the case historically, to include culturally significant natural resources and other categories of resources (Wilkinson

2005; Clow and Sutton 2001). In addition, most of the tribes associated with the study area are members of Inter-Tribal Councils including the Inter-Tribal Council of California (ITCC), the Inter-Tribal Council of Nevada (ITCN), and the Inter-Tribal Council of Arizona (ITCA). These Councils are 501(c)3 non-profits that oversee grant development and administration for member tribes related to the health, research, and environmental quality needs of its member tribes. Consultation as well as less formal communications with tribes of the area may reveal not only resource management issues of mutual concern, but may point toward specific avenues for collaboration, using these programs and others like them.

CLARK COUNTY TRIBES

Las Vegas Tribe of Paiute Indians of Nevada

The administrative offices of the Las Vegas Tribe of Paiute Indians of Nevada are located on the site of the original colony, which was formally established in 1911 when local landowner Helen J. Stewart sold 10 acres within Section 27 to the United States “for the use of the Paiute Indians” (97 Stat. 1384 Public Law 98-203). The federal government paid \$500 to Stewart for the 10-acre tract and held title for the Las Vegas Colony, not placing the land in trust status, but allowing for the expansion of the colony to accommodate tribal needs in the years that followed. Today the downtown parcel contains 16 acres, and serves as the location of the tribal offices, housing, and other operations (Alley 1997: 9).

The survival of the Las Vegas Colony was by no means certain in the mid-20th century. In the post-war period, the Las Vegas Colony was being engulfed by the sprawling city of Las Vegas. Originally founded as an informal settlement on the city’s margins, with limited infrastructure and little formal planning, the Las Vegas Colony was not equipped for this transformation. In the 1950s, concerns about public safety, sanitation, and congestion led the Bureau of Indian Affairs to propose a policy that would dissolve the colony. Following the assimilationist and interventionist direction of much federal Indian policy at the time, the BIA proposed to deed the tribal cemetery to the City of Las Vegas, to provide funds to resettle the colony’s residents diffusely in metropolitan Las Vegas, and to dispose of the remainder of federal lands associated with the colony. Indians identified as being from historical tribes other than Southern Paiute were apparently living within the colony at this time. The BIA crafted its proposal so that only Southern Paiutes would be eligible for relocation funds, a provision that the

agency supported using the language of the original 1911 deed for the land from Helen Stewart which specified Southern Paiute use of colony lands. The Las Vegas Paiute *de facto* rights as an Indian tribe, and “are not an identifiable tribe or band” in which “most families are inter-tribal,” the Nevada Indian Agency took the unilateral position that the Las Vegas Colony would simply be disbanded, without any further federal



Map 16

obligations (Nevada Indian Agency 1958). The Las Vegas Paiute soundly rejected this proposal, which would have pulled apart their community (Stevens 1958). After what appears to be considerable internal debate within the BIA, some level of U.S. congressional attention, and protests from tribal members and their supporters, the BIA ultimately did not disband the Las Vegas Colony and the federal government continued to manage colony lands for tribal use. By 1961 the United States government, with the BIA as its representative, signed a Memorandum of Agreement with the Las Vegas Colony, stating that federal funds were to be obligated for the development of utilities and other infrastructure on the Las Vegas Colony lands (Las Vegas Paiute Tribe n.d.; Stevens 1958).

With the signing of this MOA and the redevelopment of the urban Las Vegas Colony, the tribe was on a much sounder footing. Tribal governance became more consolidated within the colony. By 1965 the Las Vegas Colony became a plaintiff in the Southern Paiute claim to the Indian Claims Commission, while in 1966 the tribe fought the City of Las Vegas jurisdiction over tribal lands for planning, policing, and other purposes based on assertions of tribal sovereignty. By the late 1960s, the modern tribal government was taking form; the Las Vegas Paiute tribal residents formed a government with a constitution and bylaws that were approved in 1970 by the Secretary of the Interior under the terms of the Indian Reorganization Act of 1934.

Though the Las Vegas Colony had successfully resisted forced relocation in the 1950s, many tribal members acknowledged that the location of the colony, increasingly engulfed by the tumult of downtown Las Vegas, was uniquely challenging. Tribal members noted the absence of land for growth of the community, while many lamented the increasing crime rate, congestion, and temptations for tribal youth associated with life on the northern edge of the Las Vegas Strip. Soon after organizing their tribal government, the tribe began to search in earnest for additional reservation lands - not to replace, but to augment the existing colony. With BIA assistance, the tribe went in search of "surplus lands." In 1983 the tribe acquired the 3850-acre Snow Mountain portion of their reservation under Public Law 98-203, sitting about 15 miles north of Las Vegas along the Reno-Tonopah Highway (Tiller 2005: 696). Situated near longstanding traditional use areas at Indian Springs, and with clear geographical associations with the Spring Mountains, this new portion of reservation became a welcome refuge for many families seeking to distance themselves from the bustle of Las Vegas life.

This resilient tribe is as strong as ever, following well over a century spent navigating the unique challenges of an urban Indian colony, situated in the core of one of America's most enigmatic cities. The contemporary population of the Las Vegas Tribe of Paiute Indians reservation is 108, according to the 2000 census, while tribal enrollment in 2004 was 56 individuals (Tiller 2005: 696). The tribe's reservation today consists of the two land parcels – the original downtown Las Vegas Colony and Snow Mountain. The tribal council consists of the Chair, co-Chair, and five council members, all of whom serve two-year terms. Most cultural resources matters are overseen by a formally designated cultural representative of the tribal council, who serves as cultural resource director to the tribe. The Las Vegas Tribe has been involved in a growing number of visible efforts to protect natural and cultural resources in the Las Vegas area. The tribe has been involved in responses to pictograph vandalism in Red Rocks Canyon (BLM), and in cultural resource efforts in association with the Nuwuvi Working Group. Meanwhile, the tribe directs increasing attention to regional environmental concerns, including efforts to protect and restore desert environments, maintain tribal and in-stream water rights, and increase stakeholder participation in air quality regulation (Tiller 2005: 697).

With a membership that includes descendants of the contact-period “Las Vegas band” as well as a number of other Southern Paiute populations, the Las Vegas Paiutes’ area of interest arguably extends over much of the county, with the possible exception of the core Mohave homeland in the south of the county. Tribal administrative offices are in the downtown location, which serves as the tribal headquarters, at One Paiute Drive, Las Vegas, NV 89106 (phone 702-386-3926). The tribe requests that communication regarding cultural affairs be directed to the tribal Chair and the Cultural Resources Coordinator (Nevada Department of Cultural Affairs 2010).

Moapa Band of Paiute Indians of Nevada

The Moapa Band of Paiute Indians of Nevada continues to occupy the Moapa River Reservation, established in Moapa band territory for all Southern Paiutes in 1873. As noted elsewhere in this document, the Moapa Reservation originally contained 200,000 acres but, two years later, was reduced to 1000 acres by unilateral federal action (Tiller 2005:698-99). In 1980, under pressure from the Moapa Band and the Bureau of Indian Affairs, Congress restored 70,656 acres to the reservation (94 Stat. 2561 Public Law 96-491). Thus, the modern reservation consists of just under 72,000 acres, straddling State Route 168 northeast of Las Vegas.

In 1941 and 1942, Moapa developed a constitution and bylaws in accordance with the Indian Reorganization Act of 1934. This constitution and bylaws declared the tribal Business Council to be a key governing body of the tribe, in response to both federal and tribal interests in promoting economic development on the reservation. At this time, the tribe also opted to place individual Indian allotments back into tribal control, so as to facilitate large-scale agriculture and other economic activities that might require large contiguous tracts of land. Prior to this time, some of the Indian allotments had been notoriously difficult to manage, being of such small scale as to preclude most agricultural activities or the development of suitable infrastructure to support such activities. With mixed success, the tribe leased significant portions of these reaggregated lands to a non-Indian dairy operation and other agricultural producers until the late 1960s. Along with their kin in other tribes, the Moapa Band participated in Southern Paiute claims before the Indian Claims Commission during this period. The 1965 ICC judgment funds were received by the tribe, which put 60 percent into a permanent capital fund to facilitate economic development and reservation improvements. With these funds, the tribe was able to assume growing responsibility for managing their own agricultural enterprises.

Today the population of the Moapa Band of Paiute Indians reservation is 295, according to the 2000 census. The tribe is governed by the Business Council, which performs the function of a tribal council, and is often referred to as the Moapa “tribal council” as well. The Moapa Business Council includes six members: Chair, Vice Chair, Secretary, and three general council members. Council members serve staggered three-year terms, with two members elected every year (Tiller 2005: 699).

Cultural resource compliance is overseen in part by a Cultural Committee, whose Chair serves as the officially designated cultural resource director to the tribe. The tribe’s Department of Environmental Protection is also involved in some compliance and consultation matters, especially when they involve natural resources of concern to the tribe. Especially in response to Yucca Mountain proposals, the Department of Environmental Protection has devoted considerable attention to threats to the integrity of natural and cultural resources associated with proposals to ship high-level nuclear waste across tribal or tribally-associated lands. Tribal representatives assert that tribal preparedness for a nuclear-waste disaster will have an impact on the tribe’s economy, community, social well-being, and spiritual values (Tiller 2005: 699). Employment opportunities, and the lack of them on and immediately adjacent to the reservation, continue to be a concern for Moapa leadership, which continues to seek opportunities

for job creation that are consistent with the tribe's cultural, environmental, and economic traditions.

Originally conceived as the single "Paiute Reservation" that would house Southern Paiutes from throughout the region, Moapa's enrollees are descended from a number of Paiute populations in addition to the contact-period "Moapa band." As such, the tribe's area of interest is especially focused in the eastern portion of the county but is in truth as expansive as any Paiute tribe in the region, including much of the county save perhaps the Mohave core to the south. The town of Moapa on the reservation is home to the tribal headquarters, and the business office is located at One Lincoln Street, P.O. Box 340, Moapa, NV 89025 (phone 702-865-2787). The tribe requests that communication regarding cultural affairs be directed to the Chair of the Business Council and the Chair of the Cultural Resources Committee (Nevada Department of Cultural Affairs 2010).

CALIFORNIA TRIBES

Fort Mojave Indian Tribe of Arizona, California and Nevada

The modern Fort Mojave Indian Tribe sits in Mohave Valley, and very near the traditional heartland of the Mohave people. In 1859 the U.S. Army established an outpost, Fort Mojave, on the east bank of the Colorado River in the densely settled Mohave heartlands, to give safe passage to American settlers traveling west. That same year, Mohave Chief Irrateba led a group from the Mohave Valley area south to the region that would become the Colorado River Indian Reservation. Despite considerable pressure from Indian agents and military officials, the remaining Mohave refused to leave their ancestral homeland in Mohave Valley (Stewart 1969). In 1890 14,000 acres of the army outpost were transferred from the U.S. Department of War to the Department of the Interior to establish a reservation for the Mohave people remaining in Mohave Valley. This Fort Mojave Reservation was confirmed by executive order in 1911, and expanded at that date to include a checkerboard pattern of tribal lands totaling some 31,300 acres of reservation land in and around Mohave Valley. Most of the checkerboard portion of the reservation lies in Arizona, while larger contiguous sections of the reservation are principally in Nevada; nonreservation land in the checkerboard was given to the Santa Fe Railroad. In 1947 the tribe bought additional lands for housing outside Needles that became part of the reservation, while other lands were

added to or removed from tribal ownership over the course of the 20th century (Tiller 2005: 412-413). The Fort Mojave Indian Reservation today totals nearly 42,000 acres stretching along the Colorado River in Arizona (23,700 acres), California (12,650 acres) and Nevada (5600 acres) (Tiller 2005: 413). The reservation fronts roughly 17 river miles of the Colorado River, allowing the Mohave to maintain an enduring relationship with this geographically and culturally central waterway.

The Fort Mojave Indian Tribe adopted a constitution in 1957, which specified that the tribe would be governed by an elected tribal council composed of the Chair, Vice Chair, Secretary, and four council members. Under the Indian Self-Determination Act (88 Stat. 2203 Public Law 93-638), the tribe contracts with the Bureau of Indian Affairs to administer key programs and services in Arizona, and they are partially self-governing in California (Tiller 2005: 413).

Tribal enrollment of the Fort Mojave Indian Tribe was 1150 in 2004, and the population of the reservation is 773, according to the 2000 census. All tribal lands remain in trust, unallotted, and a significant portion of the tribe's agricultural lands are leased to non-Indian operators growing alfalfa, cotton, and other crops that thrive in arid but well-watered country.

Several tribal departments are involved in cultural resource programming and preservation. The tribe's Cultural Preservation Department, managed through the Aha Makav Cultural Society, oversees most cultural resource compliance and consultation matters, often working directly in coordination with the tribal Chairman and members of Council. In addition, the Aha Makav Cultural Society offers various programs to tribal members, including language and crafts courses. The tribe also offers environmental educational opportunities with a cultural emphasis to local public schools and in public forums throughout the region. The Fort Mojave Planning Department also has a significant role in tribal consultation and compliance. The department's stated goal is to implement planning programs and services that support existing and potential tribal goals and objectives in architectural services, transportation, environmental, and land-use planning that is consistent with the protection of cultural and natural resources (Fort Mojave Indian Tribe 2010). Toward this end, the tribe works with federal and state agencies to restore riparian habitats, wildlife-travel corridors, and wetlands along the Colorado River and its basin (Tiller 2005: 414-15).

While the core Mohave homeland primarily occupies the Colorado River riparian corridor from Cottonwood Cove south, Mohave use of the Colorado as far upstream as the Virgin River confluence is widely reported, and travel and use within the remainder of the county is described in Mohave oral tradition. For these reasons, the tribe claims association with much of the county. When addressing issues of general concern to Mohaves, the tribe sometimes coordinates consultation with their kin in the Colorado River Indian Tribe and Quechan Tribe.

The tribal administration offices are located at 500 Merriam Avenue, Needles, CA 92363 (760-629-4591). The tribe requests that communication regarding cultural affairs be directed to the tribal Chair, though the Aha-Makav Cultural Society typically manages day-to-day cultural resource functions for the tribe (Nevada Department of Cultural Affairs 2010). According to the National NAGPRA consultation database, the tribal Chair is the point of contact regarding agencies' NAGPRA compliance activities (National NAGPRA 2011).

Colorado River Indian Tribes of Arizona and California

The Colorado River Indian Reservation was established in 1865 originally on the east bank of the Colorado River for the Mohaves under the leadership of Chief Irrateba. In its organic legislation, however, the reservation also was designated as a central reservation for other tribes from "the Colorado River and its tributaries," with the aim of producing a large, centralized reservation where other tribes, removed from their lands during the period, might be relocated. In 1874 the reservation was expanded to include lands on the west bank of the Colorado River that were occupied by the Chemehuevis. In 1945 the BIA began to encourage certain members of the Hopi and Navajo tribes to relocate to the Colorado River Indian Reservation – citing the ambiguous "tributaries" reference in its originating legislation as the legal basis for this effort. Though the Mohaves remain in the majority, today the reservation is home to all four distinct tribes, who together constitute the Colorado River Indian Tribes (CRIT).

The reservation of the Colorado River Indian Tribes contains just under 270,000 acres along both sides of the Colorado River between Parker, Arizona and Blythe, California. The largest portion of land, 226,000 acres, is located in La Paz County, Arizona, while the remaining 42,700 acres are in San Bernardino and Riverside counties, California. Some portion of these lands are leased or independently developed for agriculture, light industry, and recreational developments in the Colorado River corridor. CRIT initiated

a process of allotting land to tribal members soon after the passage of the Allotment Act of 1904, a process that continued until 1940. Today 5900 acres are in allotments, and tribal members commonly lease their lands for agricultural and other purposes. CRIT has senior water rights to 717,000 acre-feet of the Colorado River, which is almost one-third of the allotment for the state of Arizona (Tiller 2005: 294; InterTribal Council of Arizona 2003).

CRIT tribal members adopted a constitution and bylaws in 1937 under the Indian Reorganization Act of 1934. As specified in that constitution and bylaws, the tribe is governed by a tribal council of nine members including the tribal Chair, Vice Chair, Secretary, Treasurer, and five council members, all of whom serve four-year terms (Tiller 2005: 295). The tribal government includes more than 36 different departments (Colorado River Indian Tribes 2009) and a committee system to assist the tribal council (Tiller 2005: 295).

Since its inception, the Colorado River Indian Reservation has been home to a large tribal population. Today CRIT reports its tribal enrollment at around 3500, while the reservation's population was reported as 7466 in the 2000 census (Colorado River Indian Tribes 2009; Tiller 2005: 295; U.S. Census 2000).

The Colorado River Indian Tribes Museum commonly takes the lead on cultural resource compliance and consultation, usually in direct coordination with the tribal Chairman. In addition, the CRIT Museum offers a variety of cultural programs and maintains a tribal library and archives, housing primary and secondary research resources, such as books, gray literature reports, interview recordings and transcripts (Colorado River Indian Tribes 2009). Somewhat unique among tribes of the area, CRIT's legal codes include specific codes for the conduct of human and cultural research which, in part, establishes the ethics review board and the process for conducting human-subjects and cultural research on the reservation (Colorado River Indian Tribes 2009).

As with Fort Mojave, the Mohave membership has strong associations with the core Mohave homeland along the Colorado River riparian corridor from Cottonwood Cove south, but traveled and utilized landscapes within the remainder of the county before and after European contact. Simultaneously, the Chemehuevi membership has associations with conventionally designated Chemehuevi and Las Vegas Band lands in the central and southern county. Meanwhile, Hopi membership asserts some

association with Virgin Anasazi sites, while Navajo claim associations with the larger Colorado River corridor on the basis of oral traditions describing the use of that corridor by spirit beings and human travelers alike. For these reasons, CRIT has diverse associations with much of Clark County. Especially when addressing Mohave issues, the tribe sometimes coordinates consultation with their kin in the Fort Mojave and Quechan tribes.

The tribal administration complex is located at 26600 Mohave Road, Parker, AZ 85344 (928-669-9211). The tribe requests that communication regarding cultural affairs be directed to the tribal Chair, though it is customary to include senior museum staff in most consultation venues (Nevada Department of Cultural Affairs 2010). According to the National NAGPRA consultation database, the tribal Chair is the contact regarding NAGPRA compliance activities (National NAGPRA 2011).

Quechan Tribe of the Fort Yuma Indian Reservation, California and Arizona

The ancestral territory of the Quechan extends roughly from the confluence of the Gila and Colorado rivers north to the present vicinity of Blythe, California, and does not include Clark County proper (Stewart 1983: 1). However, as Yuman-speaking people who have long lived along the lower Colorado River - with strong kinship ties to the upriver Mohave and Hualapai, and a history of resource use in lands usually designated as Mohave - the Quechan Tribe has a number of interests in the federal lands of Clark County, including but not limited to the lands and resources of the Colorado River riparian corridor.

A reservation for the Quechan was established in Fort Yuma, Arizona by executive order in 1884. However, federal officials persuaded the Quechan to sign an 1893 agreement that limited their holdings to five acres per person and sold the remainder at public auction. The remaining reservation was then allotted in 1912 into ten-acre parcels per person. The tribe vigorously challenged the legality of the 1893 allotment agreement and, in 1978, 25,000 acres of the original 1884 reservation were restored to the tribe (Bee 1983: 94-95). Today the nearly 44,000 acre reservation is located along the Colorado River on the California-Arizona state line just north of the Mexican border. Approximately 42,000 acres of the reservation is located in Imperial County, California, and the remaining 1900 acres are in Yuma County, Arizona (Tiller 2005: 305; U.S. Census 2000).

Under the terms of the Indian Reorganization Act, the Quechan Tribe adopted a constitution in 1936, which has been amended occasionally in the years that followed (1974 and 1997). As specified in that constitution, the tribal council consists of a President, Vice President and five members at large. The President and Vice President serve four-year terms, and the council members serve two-year terms (Tiller 2005: 305). Tribal enrollment of the Quechan Tribe of the Fort Yuma Indian Reservation was 2668 in 2001, while the 2000 census reports the reservation population as 2376 (Tiller 2005:305). Overseeing many cultural resource compliance functions, the tribe has a Cultural Preservation Committee, whose Chair serves as a point of contact for committee functions. Also, the tribe has a Historic Preservation Office that is involved in cultural resource compliance functions. Though the tribe uses some of the THPO terminology and Quechan representatives express the intention to establish formal THPO status, the tribe's Historic Preservation Office has not, at the time of this writing, been formally recognized as a THPO by the National Park Service (which oversees designation of THPOs nationally). The Director of Quechan's Historic Preservation Office is also formally designated as the tribe's Section 106 Coordinator. The tribe owns and operates the Quechan Fort Yuma Museum, which provides support in certain compliance matters (Northern Arizona University 2008). According to the National NAGPRA consultation database, the tribal President is the contact regarding NAGPRA compliance activities (National NAGPRA 2011).

With strong ties to their Mohave kin upriver, the Quechan are especially interested in those consultation matters that center on Mohave resources and issues in Clark County. Commonly coordinating with CRIT and Fort Mojave on these efforts, Quechan 'stays in the loop' with consultation on these matters, while deferring to these upriver tribes on matters that are of more direct concern to them. The tribe can be contacted at P.O. Box 1899, Yuma, AZ 85366 (phone 760-572-0213) (Tiller 2005: 305).

Death Valley Timbisha Shoshone Band of California

The Death Valley Timbisha (also, Timbi-sha) Band is the southernmost federally recognized Western Shoshone nation, and Timbisha traditional territory is in the Death Valley region of south-central California, near the Nevada border. Utilization of the western portion of Clark County by Western Shoshones is widely documented, as discussed earlier in this report, and Timbisha were among those Shoshone bands to use and occupy these areas. After Death Valley National Monument was established in

1933, Timbisha band members continued to live within Monument boundaries on a 40-acre plot of land near Furnace Creek that became known as Timbisha Indian Village.

The Death Valley Timbisha Shoshone Band of California was federally recognized in 1983, but was not provided a land base at that time. This was rectified by the Timbisha Homeland Act of 2000 (114 Stat. 1875 Public Law 106-423), which transferred into trust status some 7,750 acres for the tribe. The land consists of five non-contiguous parcels in California and Nevada (though none of the latter is in Clark County) (Tiller 2005: 491). The Timbisha Homeland Act also mandates government-to-government consultations between the tribe, NPS and BLM for purposes of developing protocols and standards of planning, development, and resource protection within Death Valley National Monument.

The tribal constitution was approved by the general council and certified by the tribal council three years after federal recognition, in 1986. As specified in this constitution, the tribe is governed by a general council, which consists of all tribal members 16 years of age and older. The general council elects the tribal council, a five-member governing body headed by the council Chair, Vice Chair and Secretary/Treasurer. Tribal council members serve two-year staggered terms. All powers of the tribe are vested in the general council, and the general council delegates powers to the tribal council within specific parameters that are described in the tribal constitution (Tiller 2005: 491).

The Timbisha tribe has a Natural & Cultural Resources Program that is housed within the Tribal Historic Preservation Office (THPO) and directed by the Tribal Historic Preservation Officer. Among the THPO's responsibilities are NAGPRA and Section 106 consultation and compliance. In addition, the THPO is responsible for collaboration with the Tribal Historic Preservation Committee, and to work with the Economic Development Committee on plans for the development of a museum as part of development for the Furnace Creek land parcel (Timbisha Shoshone Tribe 2008). The tribe works with NPS and BLM to maintain the integrity of their surroundings and resolve environmental issues. The tribe seeks to develop its capacity to participate in the assessment of the cultural and environmental impacts of regional development proposals and agency operations, including proposed nuclear waste storage as well as the operations of nearby military bases, including Nellis Air Force Base (Tiller 2005: 492).

With a traditional territory of broad geographical scope, the Western Shoshone claim association with much of Nevada, including portions of Clark County. Minimally Western Shoshone have ties to the eastern and northern slopes of Spring Mountains, Indian Springs, the Pintwater Range, and points east, while broader connections are suggested by various sources. Historically Shoshone were well integrated into Southern Paiute communities, however, and more ambitious Shoshone territorial claims sometimes encompass the Sheep Range, Las Vegas Basin and other portions of the east and central county. Timbisha's claims reflect these general Western Shoshone patterns, though the strength of the tribe's ties and concerns is especially strong in light of historical ties to the study area. As Timbisha is most proximate to Clark County relative to other Western Shoshone tribes, and has enrollees with direct associations with this area, these other tribes sometimes defer to Timbisha on consultation and compliance relating to places and resources in Clark County.

The Timbisha Tribal Office is located at 900 Indian Village Road/P.O. Box 206, Death Valley, CA 92328 (phone 760-786-2374). The tribe requests that communication regarding cultural affairs be directed to the tribal Chair (Nevada Department of Cultural Affairs 2010). The tribe requests that communication regarding the Native American Graves Protection & Repatriation Act be directed to the tribal Chair and the tribe's officially designated NAGPRA contact (National NAGPRA 2011).

Owens Valley Paiute-Shoshone Bands

In 1912 an executive order removed tracts of land in California's Owens Valley from the public domain "until their suitability for allotment purposes to homeless Paiute or other Indians living on or adjacent thereto may be fully investigated" (Kappler 1913: 677). The order resulted in creation of reservations for the Big Pine Band of Owens Valley Paiute Shoshone Indians, Paiute-Shoshone Indians of the Bishop Community, and the Paiute-Shoshone Indians of the Lone Pine Community, all of whom had been living in communities along the Owens River. All three consisted of a mixed population of Northern "Owens Valley" Paiutes and principally Timbisha Shoshones. A congressional act in 1937 authorized the federal government to negotiate with the City of Los Angeles to exchange Indian trust lands and water rights for city-owned lands and water rights in Inyo and Mono counties (Kappler 1941: 512-513). This land exchange process shaped the present-day reservations of the three tribes.

The Owens Valley Paiute-Shoshone Board of Trustees was created by the three tribes in 1939 to receive and administer federal funds appropriated under an emergency relief act for the tribes. In 1962 the tribes developed an ordinance to govern the land assignments of their reservations. Referring to themselves as the Owens Valley Paiute-Shoshone Bands, they established the ordinance in order to work to promote the general welfare and safeguard the interests of the tribes, and conserve and develop tribal lands and resources. The governing body is the Owens Valley Paiute-Shoshone Board of Trustees, which consists of seven members who are elected tribal officials from the three constituent federally recognized tribes. The land ordinance was approved by a majority vote of tribal members residing on the Big Pine, Lone Pine and Bishop Reservations (Owens Valley Board of Trustees 1962). Throughout the years the Owens Valley Board of Trustees has received federal grants to administer social and economic programs for the three reservations (Owens Valley Career Development Center 2009). Today the three tribes are actively involved in cultural resource management issues within the traditional lands of the Owens Valley Paiute and Timbisha Shoshone peoples in particular. Two of the tribes – Big Pine and Bishop – now house Tribal Historic Preservation Offices that play an important part in that effort. All three tribes' interest in the study relates especially to Timbisha associations with the western portion of Clark County; Owens Valley Paiutes occasionally visited and utilized the western fringes of the study area as well.

Big Pine Band of Owens Valley Paiute Shoshone Indians

The Big Pine Reservation consists of 279 acres at the eastern base of the Sierra Nevada Range, 18 miles south of the town of Bishop, California. Members of the tribe are descendants of the Owens Valley Paiutes and the Timbisha Shoshones. In 2001 enrollment was 398 members. The tribe has a constitution and is governed by a tribal council that comprises a Chair, Vice Chair, Secretary, Treasurer, and Member-at-large. The elected members serve two-year terms (Tiller 2005: 373).

The Big Pine tribal office is at 825 S. Main St., P.O. Box 700, Big Pine, CA 93513 (phone 760-938-2003). The tribe maintains a Tribal Historic Preservation Office, and the Tribal Historic Preservation Officer can be reached at 760-938-2003 ext.228. The tribe's Environmental Department oversees tribal involvement with local, state and national permitting and compliance processes to better protect the water, air and land resources, and often is involved in cultural resource compliance as well; the Environmental Department can be contacted at 760-938-3036. According to the National NAGPRA

consultation database, the tribal Chair is the contact regarding NAGPRA compliance activities (National NAGPRA 2011).

Paiute-Shoshone Indians of the Bishop Community

The Bishop Reservation is an 875-acre tract at Bishop, California, at the eastern base of the Sierra Nevada Mountains. Members of the tribe are descendants of Northern Paiute and “Western Shoshone peoples of the Great Basin,” and current tribal enrollment is approximately 2000 (Paiute-Shoshone Indians of the Bishop Community 2011). The tribe is governed by a five-member council that includes a Chair, Vice Chair, Secretary, and Treasurer. The elected members serve staggered two-year terms (Tiller 2005: 378).

The Bishop Tribe has a Tribal Historic Preservation Office that has primary responsibility for section 106 (NHPA) consultation, monitoring construction and archaeological excavations, protecting burials, and building an archival database. The tribe’s cultural programming includes the Owens Valley Paiute-Shoshone Cultural Center & Museum, established by a resolution of the Owens Valley Board of Trustees in 1978. The tribe’s Environmental Management Office is fully equipped to study air and water quality as it pertains to the tribe and tribal lands, and is sometimes involved in cultural resource compliance matters as well (Paiute-Shoshone Indians of the Bishop Community 2011).

Tribal offices are located at 50 Tu Su Lane, Bishop, CA 93514 (phone 760-873-3584). According to the National NAGPRA consultation database, the tribal Chair and the tribe’s officially designated NAGPRA representative are the contacts regarding NAGPRA compliance activities (National NAGPRA 2011).

Paiute-Shoshone Indians of the Lone Pine Community

The Lone Pine Reservation consists of 237 acres about five miles north of Owens Lake on the eastern slope of the Sierra Nevada Mountain range. Members of the tribe are descendants of the Owens Valley Paiutes and the “Western Shoshones of the Great Basin” including Timbishas and others. In 2004 enrollment was 1400 members. The tribe is governed by a council of elected officers: Chair, Vice Chair, Secretary, Treasurer, and Trustee. The elected members serve two-year terms and oversee the monthly meeting of the tribal general council, composed of all registered tribal

members (Tiller 2005: 434). The Lone Pine tribal office is located at 975 Teya Road, P.O. Box 747, Lone Pine, CA 93545 (phone 760-876-1034). According to the National NAGPRA consultation database, the tribal Chair is the contact regarding NAGPRA compliance activities (National NAGPRA 2011).

Chemehuevi Tribe of California

As described in the preceding pages, a portion of the Chemehuevi who were being coaxed to move to the Colorado River Indian Reservation in the late 19th century hesitated to do so, but maintained a separate community in what was known as Chemehuevi Valley, near the banks of the Colorado River in southeastern California. The Chemehuevi Valley Reservation was created in 1907 to encompass this separate Chemehuevi community, and included some 38,600 acres of land (Clemmer and Stewart 1986: 532). The land in Chemehuevi Valley was set aside for a reservation by order of the Secretary of the Interior under authorization from Congress, but no executive order or act of Congress to establish the reservation followed. This situation created an ambiguous status for Chemehuevi Reservation lands that lasted for most of the 20th century (Beckham 2008: 4-5). Due to limited economic opportunities in Chemehuevi Valley and the offer of allotments on the Colorado River Indian Reservation to the south, many Chemehuevis in this community dispersed to other communities – especially the Colorado River Indian Reservation – by the mid-20th century (Roth 1976: 164-166).

In this ambiguous legal context, tribal lands were more easily condemned for alternative uses. In 1940 Congress passed an act for acquisition of Indian lands for the Parker Dam and Reservoir project, and the following year 7776 acres of Chemehuevi Reservation lands were redesignated for the construction of the dam and the creation of Lake Havasu. Still, despite continuing economic challenges, the community persisted and maintained a distinct identity. In 1970 the Chemehuevi Tribe officially gained federal recognition, and the present-day Chemehuevi Indian Reservation, containing 30,600 acres, was established by executive order (Tiller 2005: 392; USDI BOR and Chemehuevi Indian Tribe 2001: 1).

At the time of restoration, tribal members formed an official tribal government with a constitution and bylaws that was approved in 1970 by the Secretary of the Interior under the terms of the Indian Reorganization Act of 1934. The tribe is governed by a

tribal council that consists of the Chair, Vice Chair, Secretary/Treasurer, and six council members, all of whom serve three-year terms. Various standing committees report to the tribal council. The tribe has gradually developed employment opportunities, and about half of the enrolled population still resides on the reservation. In 2001 there were 708 enrolled members of the Chemehuevi Indian Tribe, while the population of the reservation was 325. (Tiller 2005: 392-93; U.S. Census 2000).

The mandate to protect cultural resources is integrated broadly throughout the Chemehuevi Indian Tribe government, so that several tribal departments have some role in cultural resource preservation. Most directly involved with cultural resource compliance and consultation is the Chemehuevi Cultural Center, with a Director who is involved in most consultation with federal agencies - often alongside the tribe's Chairman and members of Council. In addition to these functions, the Cultural Center offers various cultural programs for tribal members including language classes and the curation of a historical photo repository. The Chemehuevi Conservation Department's mission, though largely focused on natural resources, also includes a degree of responsibility for cultural resources, with a mission statement that calls for the protection of the tribe's cultural landscape, water, and wildlife, and a list of services that includes the conservation of cultural resources (Chemehuevi Indian Tribe 2009). The tribe's Environmental Department is also officially responsible for the protection of cultural resources in the course of other departmental operations.

The Chemehuevi Tribe continues to maintain a strong sense of attachment to places and resources within the larger Chemehuevi homeland, including much of central and southern Clark County. Tribal members continue to maintain oral traditions about places in the Las Vegas region, including but not limited to Salt Song sites. Tribal cultural staff often coordinates with other members of the Chemehuevi community - including CRIT, Twenty-Nine Palms, and Morongo - while also playing a role in consultation and compliance efforts regarding the larger Southern Paiute realm.

Tribal administrative offices are located at 1990 Palo Verde Drive, P.O. Box 1976, Havasu Lake, CA 92363 (phone 760-858-4219). According to the National NAGPRA consultation database, the tribal Chair and the tribe's officially designated NAGPRA representative are the contacts regarding NAGPRA compliance activities (National NAGPRA 2011).

Twenty-Nine Palms Band of Mission Indians of California

Members of the Twenty-Nine Palms Band of Mission Indians consist primarily of descendants of Chemehuevi, who took refuge at the familiar oasis at Twentynine Palms during their war with the Mohave in 1867. Following the end of hostilities, some families returned northeast, but some remained at this oasis, which sits a short distance away from the north boundary of Joshua Tree National Park. Those who remained were identified as a distinct band and were among the numerous small tribes that were technically within the jurisdiction of southern California Indian agencies, but in practice lived with relative autonomy at oases scattered in and around the Coachella Valley region.

Tribal enrollment is quite small; indeed, the enrollment was reported as 13 in 2001. The tribe's reservation consists of two land parcels - a 160-acre parcel in San Bernardino County and a 150-acre parcel in Riverside County at the intersection of Interstate 10 and State Highway 86S. The Twenty-Nine Palms Band is governed in accordance with the Indian Self-Determination Act (88 Stat. 2203 Public Law 93-638) and is managed by the tribal council Chair (National Congress of American Indians 2011; Tiller 2005: 498).

In 1997 the Twenty-Nine Palms Band established an Environmental Protection Agency office in cooperation with the EPA that oversees various cultural and natural resource compliance matters for the tribe. Through this program, the tribe owns a state-certified lab for water-quality testing of samples from nearby agricultural areas - a response to persistent concerns regarding pesticide runoff in and around tribal lands. On cultural resource matters, this office often collaborates with other tribes, including those of the Coachella Valley and of the larger Chemehuevi sphere (i.e., CRIT, Chemehuevi Indian Tribe, and Morongo).

Also in 1997, the Twenty-Nine Palms Band, in conjunction with other tribal communities in the Coachella Valley, proposed the formation of the Native American Land Conservancy (NALC), a nonprofit organization dedicated to the protective management of endangered Native American sacred sites and areas. The Twenty-Nine Palms Band has provided critical financial and technical assistance to NALC, through financial support and tribal members serving in key administrative roles. Salt Song sites are of interest to this organization and, in December 2002, NALC completed its first acquisition, the Old Woman Mountains Preserve - one of several landmarks along the Salt Song trails. The 2560-acre preserve is located in the Ward Valley, 40 miles west

of the Colorado River. The site was purchased in order to protect its traditional cultural properties, including the flora and fauna, which have cultural significance to the Native American communities of the region (Native American Land Conservancy 2010).

While the Twenty-Nine Palms Band is located some distance from Clark County, they continue to maintain a strong sense of attachment to places and resources within the larger Chemehuevi homeland, including much of central and southern Clark County. Tribal members continue to maintain oral traditions about places in the Las Vegas region and to promote the identification and protection of Salt Song sites in the vicinity.

According to the National NAGPRA consultation database, the tribal spokesperson is the tribal contact regarding NAGPRA compliance activities (National NAGPRA 2011). Again, the Tribal EPA Office conventionally has a role in supporting cultural resource compliance activities for the tribe. The tribe also maintains a strong relationship with the Native American Land Conservancy in the identification and documentation of culturally significant lands and resources, as well as consultation and planning efforts associated with such landmarks. The tribal administrative office is located at 46-200 Harrison Place, Coachella, CA 92236 (phone 760-775-5566).

Morongo Band of Mission Indians of California

The reservation of the Morongo Band of Mission Indians is located in south-central California along the Interstate-10 corridor near Banning. Chemehuevi joined the multi-tribal population of Morongo in the late 1860s, as they fled conflicts with the Mohave on the Colorado, and some portion of that population remained, becoming enrolled and largely integrated into the larger tribal community. Reservation lands were set aside by executive orders in 1876 and 1881, and patented to the Morongo band by the Secretary of Interior under authority of an act of 1907. Today the reservation comprises a total of 32,400 acres, of which 1280 are individually owned (Roth 1976: 108-111, Tiller 2005: 444).

As an urban reservation, sitting on the margins of the Los Angeles metropolitan area, the Morongo Band is integrated into surrounding urban communities. The total tribal enrollment was 740 in 2004 - 400 of whom lived on the reservation. Yet the U.S. Census suggests a sizable unenrolled population on the Morongo reservation as well - according to the 2000 census there are some 954 people on the reservation. Although

the majority of tribal members today identify as Cahuilla, members also include people of Chemehuevi, Serrano, and Cupeño ancestry (Tiller 2005; U.S. Census 2000).

The tribe is governed by a tribal council elected by the general membership. The council is composed of the tribal Chair, vice Chair and five council members, all of whom serve two-year staggered terms and serve on the Economic Development Planning Committee (Tiller 2005: 444).

The Morongo Reservation has the distinction of hosting the Malki Museum, the oldest non-profit museum founded by Native Americans on a California Indian reservation (Malki Museum 2007a). The museum strives to preserve traditional culture and practices, and offers tribal language and cultural activities programs. In 2005 the museum acquired Ballena Press and merged it with the Malki Museum Press, which has served as an academic outlet for Native American research since 1965 (Malki Museum 2007b). The museum press has published the *Journal of California and Great Basin Anthropology* in cooperation with the Anthropology Department of San Diego State University since 1979.

Like the Twenty-Nine Palms Band, Morongo is located some distance from Clark County. Still, due to their Chemehuevi membership, the tribe continues to maintain an interest in places and resources within the larger Chemehuevi homeland, including much of central and southern Clark County. Consultation on Chemehuevi matters is often conducted in cooperation with CRIT, the Chemehuevi Tribe, and Twenty-Nine Palms.

According to the National NAGPRA consultation database, the tribal Chair is the tribal contact regarding NAGPRA compliance activities (National NAGPRA 2011). The Morongo Tribe maintains a Cultural Heritage Program to promote and revitalize their traditional ways of life through education, site protection, and other mechanisms, and this Program plays a lead on certain compliance activities. The Morongo Environmental Protection Program seeks to protect lands and resources of concern to tribal members in a manner that is consistent with traditional cultural values, and often intersects with compliance issues pertaining to cultural resources. The Malki Museum does not typically have a role in compliance activities, but may provide information in support of the tribe's participation in such activities. The tribal administrative office is located at 12700 Pumarra Road, Banning, CA 92220 (phone 951-849-4697).

ARIZONA TRIBES

Kaibab Band of Paiute Indians of Arizona

The Kaibab reservation consists of 120,413 acres located in northwestern Arizona, with its northern border along the Arizona-Utah state line. The reservation is home to members of the Kaibab Band, but also is home to descendants of bands from the Shivwits Plateau and elsewhere in the Southern Paiute realm that were displaced to the relatively remote Kaibab region in the 19th century in the wake of EuroAmerican settlement. The reservation was first organized in the early 1900s and formally established by executive orders in both 1913 and 1917. Five tribal villages are contained within the reservation: Kaibab, Juniper, Redhills, Steamboat, and Six-Mile (Stoffle and Evans 1978).

The Kaibab Band of Paiute Indians was formally organized under the Indian Reorganization Act of 1934, and the current constitution was adopted by the tribe and approved by the Secretary of the Interior in 1987. The tribe is governed by a tribal council composed of the Chair, Vice Chair, Secretary, Treasurer, and three council members, each serving a three-year term. Tribal enrollment of the Kaibab Band of Paiute Indians was 270 in 2004, and the population of the reservation was 196 in 2000, according to the census (Tiller 2005: 324-25).

The Kaibab Band has especially strong associations with the Arizona Strip and the Colorado River region east of Big Bend, but has ties to the larger Southern Paiute region. The tribe maintains an active role in consultation and compliance in Southern Paiute territories throughout the study area.

A Kaibab Cultural Resources Department oversees most consultation and compliance matters relating to cultural resources in the tribe's areas of traditional interest. This department also provides support to a variety of initiatives including a volunteer language program and two ancillary programs, the Southern Paiute Consortium, and the Visitor Center and Cultural Museum at Pipe Spring National Monument. The Southern Paiute Consortium (SPC) was created in 1993 by and for its member tribes, the Kaibab Band of Paiute Indians and the Paiute Indian Tribe of Utah, with Kaibab often taking a lead coordinating role. The consortium's mission is to improve the participation of member tribes in the Glen Canyon Dam Adaptive Management Program, and to disseminate information on the relationship of Southern Paiutes to the

Colorado River and the region surrounding it (Kaibab Band of Paiute Indians 2008). The Visitor Center and Cultural Museum at Pipe Spring National Monument represents a collaboration between the Kaibab Band of Paiute Indians and the National Park Service. The center was funded and built by the tribe and NPS, and is operated cooperatively. Pipe Spring National Monument is located entirely within the reservation (NPS 2008; Tiller 2005: 325). According to the National NAGPRA consultation database, the tribal Chair is the contact regarding NAGPRA compliance activities (National NAGPRA 2011). The tribal headquarters is located at Fredonia, and the Tribal Affairs offices are at HC 65, Box 2, Fredonia, AZ 86022 (phone 928-643-7245).

Hualapai Indian Tribe of Arizona

The Hualapai Indian Reservation covers nearly one million acres, fronting some 108 miles of the southern side of the Colorado River and Grand Canyon in three Arizona counties. The Hualapai Indian Reservation was established by executive order in 1883 with 500,000 acres, encompassing a portion of the traditional Hualapai territory and a number of the largest 19th century villages. Acreage was added to the reservation by executive order or acquired from Santa Fe Railroad lands in 1911, 1943, and 1947. The tribe purchased additional land parcels in the late 1990s and early 2000s, bringing the total to 992,000 acres (Tiller 2005: 322).

The Hualapai Indian Tribe is organized under the Indian Reorganization Act of 1934, and adopted a constitution and bylaws in 1938. A new constitution was ratified in 1970 and amended in 1991. As stipulated in this constitution, the tribe is governed by an elected tribal council consisting of a tribal Chair, vice Chair and seven council members, who serve staggered four-year terms. The population of the Hualapai Indian Reservation was 1353 in 2000, according to the census, and tribal enrollment in 2004 was 1947 (Tiller 2005: 322; U.S. Census 2000).

The tribal Department of Cultural Resources houses the Tribal Historic Preservation Office (THPO) and is the lead agency for the identification, protection, preservation, and management of the cultural resources within Hualapai tribal lands and within the larger Hualapai traditional territory. In support of its mission, the Department of Cultural Resources is responsible for:

- Cultural compliance for Section 106 Work Clearance Projects on and off the reservation
- Federal/tribal consultation program for Section 106
- Cultural exchange programs and outreach
- Arts and language revitalization programs
- Historic preservation programs
- State/local government program consultation

The department Director also serves as the Tribal Historic Preservation Officer (Hualapai Tribal Nation 2011). The tribe has developed a “unique school program created by community member Lucille Watahomigie [that] integrates the school curriculum culturally and linguistically” (Hualapai Tribal Nation 2011).

Hualapai territory sits largely east and south of the Colorado River, but the tribe has some tradition of resource use and occupation on the opposite banks, as well as a history of using the salt mines at the mouth of the Virgin River – especially the northwestern Red Rock Band. In addition, the tribe identifies Spirit Mountain as a creation site. For these reasons, Hualapai is often involved in compliance and consultation in and around Lake Mead NRA and adjacent lands.

The Hualapai tribal administration office is in Peach Springs, and the tribe can be contacted at P.O. Box 179/941 Hualapai Way, Peach Springs, AZ 86434 (phone 928-769-2216). According to the National NAGPRA consultation database, the tribal Chair is the contact regarding NAGPRA compliance activities (National NAGPRA 2011). The Department of Cultural Resources can be reached at 928-769-2223.

Havasupai Tribe of Arizona

The Havasupai Reservation is located on the northwestern edge of the Coconino Plateau in Havasu Canyon, southwest of Grand Canyon National Park and northeast of Kaibab National Forest. It can be reached only by an eight-mile trail or helicopter. The Havasupais lost over 90 percent of their traditional territory in 1880 when a 518-acre reservation was established for them at the bottom of Cataract Creek Canyon within Grand Canyon. The tribe continued to advocate for a larger reservation that might encompass a greater portion of their traditional territory. In order to seek resolution of the Havasupai claim, Congress reallocated 160,000 acres of traditional Havasupai

hunting grounds in 1975, and designated an additional 95,300 acres within Grand Canyon National Park as a traditional-use area for the Havasupai people. The reservation's total acreage today is just over 188,000 acres (Tiller 2005: 314).

The Havasupai Tribe is governed by the Havasupai Tribal Council, which is composed of the tribal Chair, vice Chair and five council members. The Cultural Preservation Office manages most cultural resource compliance and consultation duties. In addition, the tribe maintains the Havasupai Tribal Museum and Cultural Center. The population of the Havasupai Reservation was 503 in 2000, according to the census, and tribal enrollment in 2001 was 674 (Havasupai Tribe 2010). While the tribe appears to have relatively little recent history of use of lands and resources in Clark County, the close association between Havasupai and Hualapai provide a basis for some of the tribe's interests in the study area; the tribe also recognizes Spirit Mountain as a creation site. The tribal administration is headquartered at Supai Village, and the tribe can be contacted at P.O. Box 10, Supai, AZ 86435 (phone 928-448-2731). According to the National NAGPRA consultation database, the tribal Chair is the contact regarding NAGPRA compliance activities (National NAGPRA 2011). The Department of Cultural Resources can be reached at 928-448-2271.

Hopi Tribe of Arizona

The Hopi Reservation is located in Navajo and Coconino counties in northeastern Arizona, approximately 65 miles north of Interstate 40, and is surrounded on all sides by the reservation of the Navajo Nation. The reservation was established by executive order in 1882 and contained acreage for use of "Hopis and other Indians." Soon after the original allocation of approximately 2.6 million acres, land claims of the Hopi Tribe came into conflict with those of the Navajo Nation, leading to reassessments of the original reservation boundary. As part of a stock-reduction plan to address overgrazing, the Hopi and Navajo reservations were divided into 18 grazing districts administered by the Bureau of Indian Affairs, and the Hopis were left with exclusive rights to a single district only. The Navajo-Hopi Land Act Settlement of 1974 led to partitioning of the other districts, a process that has continued with subsequent rulings. At present, following various adjustments to its boundary, the Hopi Reservation contains 1.6 million acres (Tiller 2005: 316; Dockstader 1979).¹⁸⁸

The Hopi Tribal Council was formed under the Indian Reorganization Act of 1934 and the first tribal constitution was adopted in 1936, although both the council and constitution had little administrative effect on tribal life for roughly 15 years due to lack of popular support for the new leadership structure (Dockstader 1979: 531). The tribal council was revived in 1950 in its current form, and is headed by the council Chair and Vice Chair, who serve four-year terms (Clemmer 1979:534). Council members serve two-year terms and come from four different districts of the reservation: First Mesa, Second Mesa, Third Mesa, and Moenkopi. Within the four districts there are thirteen villages, and each village is autonomously led by a village Chief. The Hopi villages are quasi-independent and each determines its own form of governance, which varies from village to village but involves some integration of traditional Hopi practice and western governing conventions. While these districts maintain a degree of autonomy, the Hopi Tribal Council is given the authority to represent the larger Hopi Tribe as a whole. The Hopi Tribal Council has the authority to represent the tribe in all matters that affect the tribe's welfare, and to consult and negotiate with federal, state, local, and tribal governments. The modern Hopi Tribe is large and influential, with a tribal enrollment of 12,053 in 2004, and a reservation population of 6,946 in 2000, according to the U.S. census (Hopi Tribe 2011; Tiller 2005: 317-18; U.S. Census 2000; Dockstader 1979; Clemmer 1979: 534).

The Hopi Cultural Preservation Office (HCPO) is part of the tribe's Department of Natural Resources, and houses the Hopi Tribal Historic Preservation Office. As part of its role as the THPO, HCPO program responsibilities include the maintenance of tribal archives, participation in consultation and repatriation efforts related to NAGPRA, and the administration of tribal language, archaeology and ethnohistory programs; the HCPO is also the point of contact for many federal consultation and compliance actions (Hopi Cultural Preservation Office 2009). This office continues to demonstrate strong interest in Virgin Anasazi settlement and use areas in and around Clark County, which many tribal members accept to be ancestral to modern Hopi. For this reason, the HCPO plays an active role in NAGPRA, ARPA, and other compliance and consultation efforts related to Virgin Anasazi sites and issues – often in collaboration with other tribes, including Paiute tribes living in and around Clark County. According to the National NAGPRA consultation database, the tribal Chair and the tribe's officially designated NAGPRA representative (typically the THPO Director) are the contacts regarding compliance activities under NAGPRA (National NAGPRA 2011).

The tribal government is headquartered in the village of Kykotsmovi on Third Mesa, and the tribe can be reached at P.O. Box 123, Kykotsmovi, AZ 86039 (phone 928-734-3000). The Hopi Cultural Preservation Office can be reached at 928-734-3612.

San Juan Southern Paiute Tribe of Arizona

The San Juan Southern Paiute tribe has long occupied lands on the far eastern edge of the Southern Paiute world, and is the only large and enduring Southern Paiute population whose traditional lands lie south of the Colorado River. The tribe long lived among their Hopi and Navajo neighbors, but was able to retain their distinct language and cultural traditions. In the 20th century, most tribal members have resided in several distinct communities within the Navajo Reservation, primarily in northern Arizona and southeastern Utah. The San Juan Southern Paiute Tribe gained federal recognition in 1989. At the time of federal recognition, the tribe did not have an independent land base. After years of negotiation with the Navajo Nation, the San Juan Southern Paiute Tribe signed a settlement treaty in March 2000 in which they received 5400 acres in two parcels of Navajo Reservation lands. A 5100-acre parcel is located at Hidden Springs, just north of Tuba City, Arizona, and a 300-acre parcel is in Utah just south of Lake Powell in the Paiute Farms area (Donovan 2000). At the time of this writing, the settlement has not yet been approved by Congress.

The tribe has a membership of approximately 254 individuals (2001). Today the two largest communities are located at Willow Springs, Arizona, and Paiute Canyon/ Navajo Mountain on the Arizona-Utah state line. Members also live on nine other reservations throughout Arizona, Utah and Nevada (Northern Arizona University 2008; Tiller 2005: 351).

The San Juan Southern Paiutes adopted a tribal constitution in 1996, and the tribe is governed by a seven-person tribal council. The council members include a President, Vice President and five council members. While the tribe has only limited ties to Clark County, it does appear to include members who are descended from aboriginal populations of Clark County, and has an interest in places that are of significance to Southern Paiutes generally (such as Spring Mountains). The tribe participates in cultural resource studies with other Southern Paiute tribes and has been developing its independent cultural resource protection capacities as well. According to the National NAGPRA consultation database, the tribal council Vice President is the contact regarding NAGPRA compliance activities (National NAGPRA 2011; Tiller 2005: 352).

The tribal administrative office is in Tuba City, Arizona, at P.O. Box 1989, Tuba City, AZ 86045 (phone 928-283-4589).

Gila River Indian Community of the Gila River Indian Reservation

The Gila River Reservation is located in Maricopa and Pinal counties within south-central Arizona, south of Phoenix, and encompasses nearly 372,000 acres. The reservation is occupied by members of the Pima Tribe (also called Akimel O'odham) and the Maricopa Tribe (also called Peeposh). Maricopa oral history indicates they are closely related to other Yuman groups who live along the Colorado River – a point supported by a wide range of linguistic, ethnographic, and archaeological evidence. While exact chronologies are uncertain, evidence suggests that the Maricopa people moved up the Gila River, encountering Pima groups who had long existed in the area (Harwell and Kelly 1983: 73-74).

The reservation was created by executive order in 1859 and originally consisted of 64,000 acres. The reservation was increased by seven subsequent executive orders to its present size. The cultural traditions of both Pima and Maricopa tribes are still observed and preserved somewhat independently within the tribe, but both groups are governed by a single tribal council. Under the Indian Reorganization Act of 1934, the community developed and voted to adopt a constitution and bylaws in 1939. The council consists of a Governor, Lieutenant Governor, and 17 council members, all of whom serve three-year terms of office. In 2001 tribal enrollment stood at 20,479, and the reservation population was 11,257 in the 2000 census (Tiller 2005: 306-307).

The tribe has origin stories that reference Spirit Mountain in Clark County, which has been among the focal points of recent consultation related to the study area. As such, the tribe has a strong interest in certain Section 106 matters as they relate to the Colorado River corridor and Spirit Mountain. There are multiple levels of involvement in cultural resource functions within the tribe. The tribe houses a Tribal Historic Preservation Office, which is the point of contact for many cultural resource compliance functions. Cultural resource compliance and consultation functions are also supported by a Cultural Preservation Representative, who is housed in the tribe's Department of Land and Water Resources. The tribe's legislative branch also includes a Cultural Resources Standing Committee. According to the National NAGPRA consultation database, the Governor is the contact regarding NAGPRA compliance activities

(National NAGPRA 2011). The tribe also has a cultural resource center called the HuHuGam Heritage Center that includes artifact collections, exhibits, libraries and archives. Tribal headquarters are located in Sacaton, AZ, and can be reached at P.O. Box 97, Sacaton, AZ, 85247 (phone 520-562-6000). The Tribal Historic Preservation Office can be contacted at P.O. Box 2140, Sacaton, AZ, 85147 (phone 520-562-3268) (National Association of Tribal Historic Preservation Officers 2011).

Salt River Pima-Maricopa Indian Community of the Salt River Reservation

The Salt River Reservation, like the nearby Gila River Indian Reservation, is home to members of the Pima Tribe (also called Akimel O'odham) and the Maricopa Tribe (also called Xalychdom Piipaash). Located in south-central Arizona east of Phoenix, the reservation encompasses nearly 54,500 acres. In the years immediately after the Civil War, EuroAmerican settlement intensified in the Middle Gila Valley surrounding the Gila River Indian Reservation, which was established in 1859. Irrigation upriver from the reservation reduced the water supply and, by 1878, the water on the reservation was not adequate to sustain its residents. A number of Pimas and Maricopas moved northwest to settle along the Salt River. To protect these farmlands from further intrusions on land and water rights, the Salt River Indian Reservation was created in 1879 by executive order (Harwell and Kelly 1983: 75).

The two distinct tribes share cultural values and are governed by a single constitution and tribal council created under the Indian Reorganization Act of 1934. The council is composed of a President, Vice President, and seven council members, all of whom serve four-year terms. Tribal enrollment was 7371 in 2001, and the reservation's population was 6405 in the 2000 census (Tiller 2005: 345).

As at Gila River, the Salt River Pima-Maricopa Indian Community has origin stories that reference Spirit Mountain in Clark County, which has been among the focal points of recent consultation related to the study area. As such, the tribe has a strong interest in certain Section 106 matters as they relate to the Colorado River corridor and Spirit Mountain.

Established in 1995, a Cultural Resources Department oversees most compliance and consultation duties relating to cultural resources in the tribes' traditional areas of interest. Cultural preservation programming includes the O'odham-Piipaash (Pima

and Maricopa) Language Program and the Huhugam Ki Museum. The department also oversees archaeological protection on tribal lands, repatriation and other compliance activities under NAGPRA, and a tribal antiquities ordinance (Tiller 2005: 345-346). According to the National NAGPRA consultation database, the council President is the contact regarding NAGPRA compliance activities (National NAGPRA 2011). A tribal archaeologist also serves as part of the Land Use Compliance section of the Environmental Protection & Natural Resources Division of the Community Development Department. The tribal campus is located at 10005 E. Osborn Road, Scottsdale, AZ, 85256 (phone 480-850-8000).

Ak Chin Indian Community of the Maricopa (Ak Chin) Indian Reservation

The Ak Chin Reservation is located in south-central Arizona, 58 miles south of Phoenix in the northwestern corner of Pinal County. In addition to having Maricopa ties, Ak Chin enrollees are in large part O'odham (Upper Piman), composed of Tohono O'odham (formerly called Papago) and Pima (also called Akimel O'odham) (Fontana 1983: 125). The Ak Chin community was founded in 1874 when a band of Tohono O'odhams settled in the area to farm at the mouth of Vekol Wash. In later years, Pimas from Gila River assisted with the harvest, and the two groups coalesced into the Ak Chin Indian Community. Established by executive order in May 1912, the original 47,600-acre reservation tract encompassed this mixed tribal community. The reservation was reduced to 21,840 acres by a second executive order issued less than four months later. In 2004 tribal enrollment was about 750 (Tiller 2005: 287; Fontana 1983).

The tribal government was organized under the Indian Reorganization Act of 1934. Articles of Association were approved in 1961 and define the governing body of the tribe as the Ak Chin Indian Community Council. The five-person council consists of a Chair, vice Chair, and three council members, elected annually to serve staggered terms. The tribe's participation in past consultation in Clark County has centered primarily on Section 106 compliance related to Spirit Mountain, which is of particular interest to some tribal members, as well as lands and resources nearby.

The Ak Chin Cultural Resources Department is the lead organization for the tribe on matters of cultural resource compliance and consultation. Also, the Ak Chin Him-Dak Eco-Museum and Archives contains some cultural resource data, and is operated by

and for the community, although it is open to non-tribal members as well. According to the National NAGPRA consultation database, the tribal Chair is the contact regarding NAGPRA compliance activities (National NAGPRA 2011). The community's headquarters are at 42507 W. Peters & Nall Road, Maricopa, AZ 85239 (phone 520-568-1000). The Cultural Resources Department can be reached at 520-568-1365.

Yavapai-Prescott Tribe of the Yavapai Reservation

Historically the four Yavapai subtribes that together comprise the Yavapai-Prescott Tribe lived in a vast region situated within central and west-central Arizona. Encroachment by miners and settlers throughout Yavapai territory in the mid-19th century, and hostilities surrounding the 1872 military massacre of Yavapais at Skeleton Cave, led to the forced relocation of Yavapai in 1875 from central Arizona to the San Carlos Apache Reservation in southeastern Arizona. By the early 20th century, most Yavapais had returned to their homeland, settling in the areas that would become the reservations of Prescott, Fort McDowell, and Camp Verde (Khera and Mariella 1983: 39-45). The reservation of the Yavapai-Prescott Tribe was established by an act of Congress on June 7, 1935, and initially consisted of just 75 acres. An Act on May 18, 1956 added 1320 acres to the reservation, located within the northern boundary of the city of Prescott in central Arizona.

The Yavapai Prescott Indian Tribe operates under Articles of Association Bylaws and is governed by a five-person board of directors consisting of a President, Vice President and three members. Tribal enrollment was 159 in 2001, and reservation population was 182 in the 2000 census (Tiller 2005: 356).

As one of the modern Pai nations, the Yavapai have origin stories that reference Spirit Mountain in Clark County, which has been among the focal points of recent consultation related to the study area. As such, the tribe has a strong interest in certain Section 106 matters as they relate to the Colorado River corridor and Spirit Mountain. The tribe also has strong traditional connections to the Colorado River region of Clark County through its historical kinship ties to the Mohave, Quechan, and Hualapai.

The tribe has a Cultural Research Department and Committee; the department Director is also the Chair of that committee, and plays an active role in cultural resource compliance and consultation activities for the tribe. According to the National

NAGPRA consultation database, the board President is the contact regarding NAGPRA compliance activities (National NAGPRA 2011). Tribal offices are located at 530 E. Merritt Street, Prescott, AZ 86301 (phone 928-445-8790).

Navajo Nation of Arizona, New Mexico and Utah

The Navajo Reservation, located in Arizona, New Mexico and Utah, contains 17,028,026 acres and is the largest Indian reservation in the U.S. The reservation consists of the main reservation and three satellite tracts in New Mexico: Cañoncito, Alamo, and Ramah. The original reservation was established by treaty in 1868, and contained 3,414,528 acres. Between 1878 and 1918 the reservation was expanded eleven times, and reduced once in 1911, all by executive orders. The reservation was expanded by Congress in 1930, 1931, 1933, and 1934. Court decisions reallocated some areas of the reservation to the Hopi Tribe in 1962, 1963, and 1977 (Tiller 2005: 326).

The Navajo Nation rejected the Indian Reorganization Act of 1934 and, instead, is organized under the federal regulations Rules for the Governance of the Navajo Tribal Council, issued by the BIA in 1938. The Navajo Nation is led by a legislative council of 88 delegates who represent the tribe's 110 local government subdivisions called chapters. The executive branch is headed by the tribal President, who serves a four-year term, as do the 88 council members. The council has twelve standing committees. Each chapter, in turn, has an elected President, Vice President, Secretary/Treasurer, and Grazing Committee member, who all serve four-year terms. The population of the reservation in the 2000 census was 180,462, of which 168,000 were enrolled tribal members. Another 80,000 Navajos live off the reservation (Tiller 2005: 326-328).

The Navajo have oral traditions describing the passage of spirit beings and humans down the Colorado River and beyond. Places visited by these beings are of cultural significance to the Navajo and, therefore, the tribe has been involved in consultation regarding Section 106 compliance and other matters along the Colorado River riparian corridor in Clark County. The tribe has a number of programs that deal with cultural resources. The Division of Natural Resources includes the departments of Archaeology and Historic Preservation. The Archaeology Department provides cultural resource services to project sponsors, including technical assistance concerning tribal historic preservation and antiquities legislation. The Historic Preservation Department is the Navajo Nation's THPO; it manages the Cultural Resource Compliance Section,

Traditional Culture Program, and Navajo Nation Museum. The Traditional Culture Program participates in consultation under ARPA, NHPA, NAGPRA, and Navajo Cultural Resource Protection Act (CRPA_ laws, and takes the lead on NAGPRA repatriation as well as the documentation of Traditional Cultural Properties (Navajo Nation 2011). Still, according to the National NAGPRA consultation database, the tribal President is the principal contact regarding NAGPRA compliance activities (National NAGPRA 2011).

Navajo Nation government offices are located in Window Rock, AZ. Contact information for the President's office is P.O. Box 7440, Window Rock, AZ 86515 (phone 928-871-7000). Contact information for the Traditional Culture Program is P.O. Box 4950 (phone 928-871-7000).

UTAH TRIBES

Paiute Indian Tribe of Utah

The Paiute Indian Tribe of Utah (PITU) consists of five constituent bands: Cedar, Indian Peaks, Kanosh, Koosharem, and Shivwits. The federal government recognizes the tribe and each of its five constituent bands as Indian tribal entities. The bands, formerly independent and possessing distinct territories, are all Southern Paiute people who historically spoke the same language and occupied a broad land base in southwestern Utah, northwestern Arizona, and southern Nevada. From 1891 through 1929, federal funds were appropriated to establish reservations for each of the five PITU bands, and reservations were, in fact, created for all but the Cedar Band. In 1954 all four reservations were terminated from federal control under an Indian termination act (68 Stat. 1099 Public Law 83-762), which severed the government's trust responsibility to the tribes. In 1980 the Paiute Indian Tribe of Utah Restoration Act (U.S. Code 94 Stat. 317-322) was signed into law, restoring the Shivwits, Indian Peaks, Koosharem, and Kanosh bands to federal trust relationships, and confirming the status of the Cedar Band as being under trust. The Act has assisted land acquisitions to restore reservations to the five bands, who reorganized into a single administrative entity called the Paiute Indian Tribe of Utah. Today the PITU reservation consists of ten separate land parcels, nine of which are owned by the constituent bands and one by the PITU tribe (Paiute Indian Tribe of Utah 2011a). The PITU land parcel consists of 45 acres at Cedar City,

Utah. Total tribal enrollment was 880 members at the end of 2009, and the 2000 census recorded a population of 270 on reservations lands (Tiller 2005; Holt 1992).

The tribe ratified a tribal constitution in 1991 that was approved the same year by the Secretary of Interior under the Indian Reorganization Act of 1934. The tribe's governing body is the six-person tribal council, composed of a council Chair and five council members. The tribal council Chair is elected by the entire tribe's eligible membership. Each of the constituent bands elects a band council headed by a band council Chair. The band council Chairs, in turn, serve as the five voting members of the PITU tribal council. All council terms last for four years. The tribal council is vested with all executive and legislative power, and the band councils have local governing authority for land use management, community development programs, and business development (Paiute Indian Tribe of Utah 2011b; Tiller 2005: 952).

The Paiute Indian Tribe of Utah has a wide range of cultural resource interests in Clark County. Some of its constituent bands' territories (especially Indian Peaks and Shivwits) included areas on the eastern edge of the county, but many of its members are descended in part from families that once dwelled or used resources in the Moapa area and elsewhere in the county. As a result, the tribe has an interest in most consultation and compliance matters affecting Southern Paiute communities, generally, within Clark County. The tribe's Cultural Resource Department is housed in the PITU tribal headquarters, and is overseen by a Cultural Resources Director who is responsible for a wide range of compliance and consultation duties as well as coordination with the individual bands on matters of direct relevance to them. According to the National NAGPRA consultation database, the tribal Chair is the principal contact regarding compliance activities under NAGPRA (National NAGPRA 2011). The tribal headquarters is located at 440 N. Paiute Dr., Cedar City, UT 84720 (phone 435-586-1112).

Shivwits Band

The reservation of the Shivwits Band, located on the Santa Clara River just west of Saint George, was the first Southern Paiute reservation. The reservation was created in 1891 by federal appropriation, the same year the Shivwits originally received federal recognition. The 100-acre reservation was expanded in 1916 and again in 1937 to a total of just over 28,000 acres, the largest of the PITU reservations. After termination in 1954, nearly 27,000 acres were eventually leased to non-Indians. Today the reservation contains 28,300 acres on a land parcel located west of Saint George, and there are 297

enrolled members (Paiute Indian Tribe of Utah 2011d, 2011c; Tiller 2005; Holt 1992; Kelly and Fowler 1986).

The Shivwits Band is governed by a council consisting of the Chair, vice Chair and three council members. The band has a Cultural Resources Committee, headed by the PITU Cultural Resources Manager based in Cedar City (Shivwits Band of Paiutes 2009). The Shivwits Band's primary contact is the band council Chair, and administrative offices are located at 6060 West 3650 North, Ivins, UT 84738 (phone 435-656-9002).

Indian Peaks Band

The reservation of the Indian Peaks Band was established in 1915 when the band originally received federal recognition. The reservation contained 10,240 acres and was located northwest of Cedar City, Utah. As a result of termination in 1954, the Indian Peaks Band sold its reservation and used the proceeds to establish its members in Cedar City and elsewhere. Today the reservation consists of 425 acres on a land parcel located outside Cedar City, and the band has 48 enrolled members (Paiute Indian Tribe of Utah 2011d, 2011c; Holt 1992; Clemmer and Stewart 1986: 532). The Indian Peaks Band's primary contact is the band council Chair, 940 West 526 South, Cedar City, UT 84721.

Koosharem Band

The reservation of the Koosharem Band was established in 1928 when the band originally received federal recognition. The reservation contained 440 acres and was located east of Richfield, Utah. After termination in 1954, 400 acres were lost in lieu of taxes. Today the reservation consists of three land parcels totaling 1274 acres in Sevier County, and there are 133 enrolled members (Paiute Indian Tribe of Utah 2011d, 2011c; Holt 1992; Clemmer and Stewart 1986). The Koosharem Band's primary contact is the band council Chair, P.O. Box 205, Richfield, UT 84701 (phone 435-893-8432).

Kanosh Band

The reservation of the Kanosh Band was established in 1929 when the band originally received federal recognition (Paiute Indian Tribe of Utah 2011c). Located near Kanosh, Utah, the reservation originally contained about 5300 acres and was later expanded to just over 13,300 acres. After termination in 1954, more than half the original acreage was no longer in Indian ownership and much of the remaining land was leased to non-Indians. Today the reservation consists of three land parcels totaling 1,342 acres in

Millard County, and the band has 132 enrolled members (Paiute Indian Tribe of Utah 2011d, 2011c; Holt 1992; Clemmer and Stewart 1986). The Kanosh Band's primary contact is the band council Chair, 476 South 700 West, Cedar City, UT 84720.

Cedar Band

In 1899 and 1925, federal funds were appropriated for reservation land for Southern Paiutes at Cedar City, Utah. However, the Mormon Church had already purchased ten acres outside town for that purpose. In addition, a rancher had granted permission for Southern Paiutes to reside on a small tract of his land near Richfield, Utah. Therefore, a federal reservation was not established for the Cedar Band, who continued to live in these two "villages" (Kelly and Fowler 1986: 389). Today the reservation consists of 2047 acres on a single land parcel outside Cedar City with enrollment at 270 members (Paiute Indian Tribe of Utah 2011d). (The Paiute Indian Tribe of Utah Restoration Act (94 Stat. 317 Public Law 96-227) changed the name Cedar City Band to Cedar Band.) The Cedar Band's primary contact is the band council Chair, 600 North 100 East, Cedar City, UT 84721 (phone 435-586-5915).

NEW MEXICO TRIBES

Zuni Tribe of the Zuni Reservation of New Mexico

The Zuni Reservation contains 588,093 acres in several land tracts located in three counties of west central New Mexico, and across the state line in Apache County, Arizona. The reservation was established by executive order in 1877, and expanded in 1917, 1935, 1949, and 1978. An act of Congress placed the tribe's land into trust status in 1978 (Tiller 2005: 769).

The Zuni Tribe organized in 1934 under the Indian Reorganization Act, and ratified its constitution in 1970. As specified in that constitution, the eight-person tribal council consists of a Governor, Lieutenant Governor, and six council members, all of whom serve four-year terms. Enrollment of the Zuni Pueblo Tribe was 9554 in 2001, and the population of the reservation was 7758 in 2000, according to the U.S. census (Tiller 2005: 769; U.S. Census 2000).

The Zuni Tribe is especially interested in cultural resource consultation and compliance in the Clark County area that relates to ancestral Puebloan archaeological sites and human remains. In Zuni Tribal Resolution M70-92-L164, passed in November 1992, the Pueblo provided a policy statement regarding the protection and treatment of human remains and associated funerary objects. In paragraph three, the policy states that the tribe claims “cultural affiliation with all pre-Puebloan, and Puebloan, and historic Zuni burials beyond the area of Zuni aboriginal title, within the entirety of the maximum geographic extent of the prehistoric Anasazi [Ancestral Puebloan] and Mogollon culture areas, and part of the Hohokam culture area.” This includes “Virgin Anasazi” sites. This careful attention to Anasazi territories and sites explains in part the strong interest of Zuni in cultural resource compliance matters – especially but not exclusively ARPA and NAGPRA matters – in and around Clark County.

Zuni has a Tribal Historic Preservation Office that oversees most compliance and consultation functions associated with cultural resources. According to the National NAGPRA consultation database, the tribal Governor is the contact regarding NAGPRA compliance activities (National NAGPRA 2011). The Pueblo’s cultural programs also include the A:shiwí A:wán Museum and Heritage Center Zuni. Simultaneously, a separate but informally linked organization, the Zuni Cultural Resource Enterprise, provides externally-funded cultural resource management services such as archaeological research, survey, site assessment, ethnographic assessment, site stabilization, and historic architectural documentary assessment. The Zuni Pueblo is headquartered in the village of Halona, and the tribe can be reached at P.O. Box 339, Zuni, NM 87327 (phone 505-782-7022).

OTHER NEVADA TRIBES

Te-Moak Tribe of Western Shoshone Indians of Nevada

The Te-Moak Tribe of Western Shoshone Indians of Nevada consists of four constituent bands: Battle Mountain, Elko, South Fork and Wells. Prior to contact, Western Shoshone peoples occupied a broad land base that covered southern Idaho, extensive portions of Nevada, northwestern Utah, and the Death Valley region of southern California. Te-Moak’s constituent bands originated from distinct extended-family groups who confined themselves to specific areas of Western Shoshone traditional territory for hunting and gathering, and shared certain areas communally. Battle

Mountain Band Colony is the only Te-Moak community not located within Elko County, Nevada. The Te-Moak Tribe of Western Shoshone Indians of Nevada is, therefore, a coalition government serving four distinct Western Shoshone colonies in Nevada: Battle Mountain, Elko, South Fork, and Wells. The Te-Moak Tribal Council has jurisdiction over all reservation lands owned or held by the constituent bands or by the tribe, though the colonies retain sovereignty over other affairs, and each has its own separate governing council (Tiller 2005: 683, 706-07).

The Te-Moak Tribe's constitution and by-laws were adopted and approved in 1938 and amended in 1982. The constitution provides for the addition of constituent bands of the tribe, provided that the band has at least 50 individuals who are members of the tribe and possesses a land base held by the United States in trust status. The tribe's governing body is the tribal council, composed of a council Chair, Vice Chair, and tribal council members. The tribal council Chair and Vice Chair are elected by the entire tribe's eligible membership. Each of the constituent bands also elects a seven-member band council headed by a band council Chair and Vice Chair. Band council terms are three-years, and some council members from each band serve as members of the tribal council (Te-Moak Tribe of Western Shoshone Indians of Nevada 1982).

As one of the Western Shoshone communities with some historical association with southern Western Shoshone territories, the Te-Moak Tribe has an interest in areas within Clark County, especially the western portion of the county. Te-Moak and other federally recognized Western Shoshone tribes sometimes collaborate with one another on consultation and compliance matters in the area, sometimes with the involvement of the Western Shoshone National Council and sometimes, on NAGPRA matters, as a party to the Great Basin Inter-Tribal Coalition. As with other Western Shoshone tribes, Te-Moak may defer consultation to the most proximate tribes (i.e., Timbisha for Clark County) on matters of local significance. The Te-Moak Tribe requests that communication regarding cultural affairs be directed to the tribal Chair (Nevada Department of Cultural Affairs 2010). According to the National NAGPRA consultation database, the tribal Chair is also the contact regarding NAGPRA compliance activities (National NAGPRA 2011). The Elko Band Reservation serves as the tribal headquarters for the Te-Moak Tribe of Western Shoshone Indians of Nevada. Tribal administration is located at 525 Sunset Street, Elko, NV 89801 (phone 775-738-9251).

Battle Mountain Band Colony

The reservation of the Battle Mountain Band consists of two land parcels located just west of the town of Battle Mountain, Nevada near Interstate 80. The original colony site of 677 acres was established by executive order in 1917, and six acres were added in 1967 by an act of Congress. The population of the reservation is 165, and enrollment stands at 516 (Te-Moak Tribe of Western Shoshone Indians of Nevada 2010; Tiller 2005: 683).

The Battle Mountain Band Colony was organized under the Indian Reorganization Act of 1934. The band is governed under the Te-Moak Tribe constitution, which was adopted in 1938 and amended in 1982. As specified in that constitution, Battle Mountain Colony affairs not related to tribal lands are governed by the seven-person Battle Mountain Band council, consisting of the Chair, Vice Chair and five council members, who serve three-year terms. The primary contact for the Battle Mountain Band is the Chair of the band council (Nevada Department of Cultural Affairs 2010). The administrative office is located at 37 Mountain View, Battle Mountain, NV 89820 (775-635-2004).

Elko Band Colony

The Elko Colony Reservation was first established near the city of Elko, Nevada by executive order in 1918. Shoshone residents later were forcibly moved to their present location, near the Humboldt River in northeastern, Nevada. A 1931 executive order established a new reservation on a 160-acre land parcel encompassing a portion of the new settlement area, and 33 additional acres were purchased by warranty deed a month later. Today these two land parcels are divided by Interstate 80. The band was organized under the Indian Reorganization Act of 1934 as a government entity on a “reservation-basis” only, with an enrollment and jurisdiction circumscribed by the geographical limits of the colony. The Elko Reservation serves as the tribal headquarters of the Te-Moak Tribe, and Elko Band enrollment is 1143 (Te-Moak Tribe of Western Shoshone Indians of Nevada 2010; Tiller 2005: 690).

The Elko Band is governed under the Te-Moak Tribe constitution, which was adopted in 1938 and amended in 1982. As specified in that constitution, Elko Colony Band business not related to tribal lands is governed by the Elko Community Council, consisting of the Chair and six council members, who serve three-year terms. The

primary contact for the Elko Band is the Chair of the Community Council (Nevada Department of Cultural Affairs 2010). The administration building is located at 1745 Silver Eagle Drive/P.O. Box 748, Elko, NV 89801 (775-738-8889).

South Fork Band Colony

The reservation of the South Fork Band encompasses over 13,000 acres located 28 miles south of Elko, Nevada. The reservation was established by executive order in 1941, and subsequent land purchases added to the colony's land base brought it to its present size. The population of the reservation is 75, and enrollment stands at 260 (Te-Moak Tribe of Western Shoshone Indians of Nevada 2010; Tiller 2005: 704).

The South Fork Band Colony was organized under the Indian Reorganization Act of 1934. The band is governed under the Te-Moak Tribe constitution, which was adopted in 1938 and amended in 1982. As specified in that constitution, any business of the South Fork Band Colony not related to tribal lands is governed by the South Fork Band council, consisting of the Chair, Vice Chair and five council members, who serve three-year terms. The primary contact for the South Fork Band is the Chair of the band council (Nevada Department of Cultural Affairs 2010). The band maintains a community center in the town of Lee, Nevada that houses the tribal administration. The band can be reached at P.O. Box B-13, Lee, NV 89829 (phone 775-744-4273).

Wells Band Colony

Members of the Wells Band are descendants of several Western Shoshone bands that once dwelled and utilized lands and resources throughout the valleys near the present-day town of Wells. Clover Valley served as a rendezvous spot among these bands. Although they were not members of the Te-Moak Band originally, these small bands were included in the Ruby Valley Treaty of 1863 between the Te-Moak Band of Western Shoshone and the United States, providing a historical and legal foundation for their inclusion in the Te-Moak Band. During the 1970s, the Wells Band organized the Wells Community council to address concerns about their insufficient land base and other issues. The Te-Moak Tribe of Western Shoshone Indians recognized the community council as a Te-Moak committee in 1976. The following year, the Wells Band Colony Reservation was established by an act of Congress, setting aside 80 acres of federal trust land for the Wells Band of Western Shoshone Indians. The band has identified BLM disposal lands for additional community expansion. The population of the reservation

is 34, and enrollment stands at 177 (Te-Moak Tribe of Western Shoshone Indians of Nevada 2010; Tiller 2005: 711).

The Wells Band is governed under the Te-Moak Tribe constitution, which was adopted in 1938 and amended in 1982. As stated in that constitution, any business of the Wells Band Colony not related to tribal lands is governed by the Wells Band council, consisting of the Chair, Vice Chair and five council members, who serve three-year terms (Te-Moak Tribe of Western Shoshone Indians of Nevada 2010). The primary contact for the Wells Band is the Chair of the band council (Nevada Department of Cultural Affairs 2010). The administrative office is located at 1755 Mountain View Drive/P.O. Box 809, Wells, NV 89835 (phone 775-752-3045).

Yomba Shoshone Tribe of Nevada

Yomba Shoshone tribal members are descendants of a number of Western Shoshone people who refused to move to federal reservations when treaties were written in 1863. The Yomba Reservation was established by an act of Congress in 1934 to house these unaffiliated Shoshone families, and is located in south-central Nevada in the upper Reese River Valley near the town of Austin. Reservation lands total approximately 4700 acres, and were obtained between July 1937 and February 1941 through the acquisition of four separate ranches: the Bowler, Doyle (Bolster), Dieringer, and Worthington ranches (Yomba Shoshone Tribe of Nevada 2011). Enrollment in the Yomba Shoshone Tribe of Nevada was 111 in 2005, and the population on the reservation was 206 in the census of 2000 (Tiller 2005: 715).

The tribal constitution, approved in 1939 under the Indian Reorganization Act of 1934, established the tribal council as the governing body. As specified in that constitution, the council has six members, including the Chair, Vice Chair, and four councilors; all serve three-year terms (Government Printing Office 1940).

As one of the Western Shoshone communities whose enrollees have some historical association with southern Western Shoshone territories, the Yomba Shoshone Tribe has an interest in areas within Clark County, especially the western portion of the county. Yomba and other federally recognized Western Shoshone tribes sometimes collaborate with one another on consultation and compliance matters in the area, sometimes with the involvement of the Western Shoshone National Council and sometimes, on

NAGPRA matters, as a party to the Great Basin Inter-Tribal Coalition. As with other Western Shoshone tribes, Yomba may sometimes defer consultation to the most proximate tribes (i.e., Timbisha for Clark County) on matters of local significance.

The tribe requests that communication regarding cultural affairs be directed to the Yomba Shoshone tribal Chair (Nevada Department of Cultural Affairs 2010). According to the National NAGPRA consultation database, the tribal Chair is also the contact regarding NAGPRA compliance activities (National NAGPRA 2011). The tribe can be contacted at HC 61 Box 6275, Austin, NV 89310 (phone 775-964-2463).

Duckwater Shoshone Tribe of Nevada

The Duckwater Shoshone Reservation is located in east-central Nevada, 75 miles southwest of Ely. The reservation was established in 1940 under the Indian Reorganization Act of 1934 after Indian leaders in Nevada petitioned the Bureau of Indian Affairs to purchase the Florio Ranch for use as a reservation. The reservation was expanded in 1943 and 1955 to a total of roughly 3850 acres. There were originally 21 Shoshone families who settled on the reservation, three-quarters of them originating from the Smoke Valley area (Great Basin National Heritage Area 2010). In 2005 the population of the reservation was 149, and tribal enrollment was 355 (Tiller 2005: 689).

The tribal constitution and bylaws were adopted in 1940. As specified in those documents, the tribe is governed by a five-member tribal council, headed by the Chair and Vice Chair, all of whom serve three-year terms. The tribe has a self-governance compact with the Indian Health Service (Tiller 2005: 689).

As one of the Western Shoshone communities whose enrollees have historical associations with southern Western Shoshone territories, the Duckwater Shoshone Tribe has an interest in areas within Clark County, especially the northwestern portion of the county. Duckwater and other federally recognized Western Shoshone tribes sometimes collaborate with one another on consultation and compliance matters in the area, sometimes with the involvement of the Western Shoshone National Council and sometimes, on NAGPRA matters, as a party to the Great Basin Inter-Tribal Coalition. As with other Western Shoshone tribes, Duckwater may sometimes defer consultation to the most proximate tribes (i.e., Timbisha for Clark County) on matters of local significance.

The tribe requests that communication regarding cultural affairs be directed to the tribal Chair (Nevada Department of Cultural Affairs 2010). The tribal office is located at 101 First Street/P.O. Box 140068, Duckwater, NV 89314 (phone 775-863-0227). According to the National NAGPRA consultation database, the tribal Chair is the contact regarding NAGPRA compliance activities (National NAGPRA 2011).

Ely Shoshone Tribe of Nevada

The Ely Shoshone Reservation is located in east-central Nevada, outside the town of Ely. The reservation was established originally in 1930 as the Ely Colony and consisted of just ten acres. At present the reservation consists of three land parcels, all within one mile of each other, totaling 111 acres. In addition to the original ten-acre parcel, the tribe received a 90-acre parcel in 1977, and bought an 11-acre parcel in 1992 (Great Basin National Heritage Area 2010). In 2006 four parcels of public land totaling 3,526 acres were transferred to the Ely Shoshone Tribe for traditional, ceremonial, commercial, and residential purposes through the White Pine County Conservation, Recreation, and Development Act of 2006 (120 Stat. 2922 Public Law 109-432). The population of the reservation was 85 in 2000, according to the census, and tribal enrollment in 2004 was 355 (Tiller 2005: 691).

The tribal constitution and bylaws were adopted in 1966 under the Indian Reorganization Act of 1934. As specified in these documents, the tribe is governed by a five-member tribal council, headed by the Chair and Vice Chair, all of whom serve two-year terms. The tribe has a self-governance compact with the Indian Health Service and with the Bureau of Indian Affairs (Tiller 2005: 691).

As one of the Western Shoshone communities whose enrollees have historical associations with southern Western Shoshone territories, the Ely Shoshone Tribe has an interest in areas within Clark County, especially the northwestern portion of the county. Ely and other federally recognized Western Shoshone tribes sometimes collaborate with one another on consultation and compliance matters in the area, sometimes with the involvement of the Western Shoshone National Council and sometimes, on NAGPRA matters, as a party to the Great Basin Inter-Tribal NAGRPA Coalition. As with other Western Shoshone tribes, Duckwater may sometimes defer consultation to the most proximate tribes (i.e., Timbisha for Clark County) on matters of local significance.

The tribe requests that communication regarding cultural affairs be directed to the tribal Chair (Nevada Department of Cultural Affairs 2010). According to the National NAGPRA consultation database, the tribal Chair is also the contact regarding NAGPRA compliance activities (National NAGPRA 2011). The tribal office is located at 16 Shoshone Circle, Ely, NV 89301 (phone 775-289-3013).

FEDERALLY UNRECOGNIZED TRIBES AND TRIBAL ORGANIZATIONS

Pahrump Band of Paiutes, Nevada

The Pahrump Band of Paiutes, also called the Pahrump Paiute Tribe, is a nonfederally recognized tribe of Southern Paiute people who identify a traditional territory that straddles the Nevada-California state border in the vicinity of Pahrump, Nevada, and includes western portions of Spring Mountains (Stoffle et al 2004: 74). The tribe has strong historical associations with other Southern Paiute communities, and while the core of the community is the historical Pahrump Band, some tribal members can trace portions of their ancestry to other Southern Paiute communities in the study area. Originating from a distinct band centered in the Pahrump area, the modern community developed on the margins of the town of Pahrump, where tribal members worked for ranches and other enterprises while retaining many elements of their traditional leadership and subsistence practices.

The Pahrump Band of Paiutes began exploring options for federal recognition in the 20th century, and filed a letter of intent to petition, dated 11/9/1987 (BIA 2008). The tribe is governed by a five-member tribal council headed by the tribal Chair. In 1992 there were 70 enrolled members, 50 of whom lived on their traditional land (Pritzker 2000:233). At present the tribe does not have reservation land.

The Pahrump Band has strong interests in cultural resource matters in Clark County, especially within their traditional band territories in the western portion of the county, but also within the larger Southern Paiute realm. Accordingly, Pahrump has played an important role in recent tribal cultural resource efforts. Even though they are not federally recognized, the tribe is often included in the government-to-government consultation process in Clark County and elsewhere. The tribal Chairman is listed among Nevada tribal contacts by the Nevada State Historic Preservation Office, and serves as the point of contact for a variety of tribal compliance and consultation activities (Nevada Department of Cultural Affairs 2010). The BLM Las Vegas field

office invited the Pahrump tribe to participate in the planning process as a “cooperating agency” for the Resource Management Plan of the Sloan Canyon National Conservation Area (BLM 2003), while Pahrump has also been called upon to participate in cultural resource planning in such federal lands as Spring Mountains National Recreation Area (USFS) and Nellis Air Force Base (including the USFWS Desert National Wildlife Refuge) (Stoffle et al 2011; Spoon et al 2011; BLM 2003). Local and state agencies sometimes consult with Pahrump as well; Clark County Department of Aviation, for example, included Pahrump among those tribes consulted for the site suitability study of a Southern Nevada regional heliport (Ricondo & Assocs. 2003).

The tribe requests that communication regarding cultural affairs be directed to the Chair of the tribal council, P.O. Box 3411, Pahrump, NV 89041 (Nevada Department of Cultural Affairs 2010).

Western Shoshone National Council and Western Shoshone Defense Project

As discussed elsewhere in this document, Western Shoshone land claims have never been settled to the satisfaction of Western Shoshone peoples, and remain unresolved at the time of this writing. Two organizations that are often involved in agency communications on Western Shoshone matters have grown out of this foment: the Western Shoshone National Council and the Western Shoshone Defense Project.

Their genesis can be traced back to Shoshone efforts to rectify their lands situation in the mid-20th century. The Indian Claims Commission (ICC) was established in 1946 to investigate tribal land claims brought before it, and award financial settlements to tribes with successful claims to compensate them for the taking of Indian lands. Western Shoshone leaders had spent the previous 14 years pressing their claims against the government, seeking acknowledgement of a Western Shoshone land base within the territory defined in the Ruby Valley Treaty of 1863. There were differing opinions among the various Western Shoshone communities as to the prospect of bringing a claim before the ICC for a monetary settlement. There were those in favor of pursuing a monetary settlement before the ICC; and those (sometimes dubbed “the traditionals”) who resisted a financial settlement in favor of recognition of their land rights as described in the Ruby Valley Treaty and sought reestablishment of some or all of their historical land rights within the bounds of the treaty territory (Crum 1994: 82-84, 123-29).

This schism persisted during the early years of the Indian Claims Commission process; as “traditionals” were opting out of the officially sanctioned process, many felt that their position was being marginalized by ICC. In response, the Western Shoshone Legal Defense and Education Association was formed in 1974 to press for the land claims position of the “traditionals” in the ICC process. The organization was an individual-membership association, open to any Western Shoshone individual. This attempt to intervene in the process that was already underway was rejected by the Court of Claims in 1976. The Legal Defense and Education Association later became known as the Western Shoshone Sacred Lands Association (Rusco 1992: 347-50). The organization arguably became a precursor to later organizations representing Western Shoshone land and resource interests.

In 1984, after a year or more of meetings on unresolved land and resource issues, and the need for a unified effort to resolve these issues involving the heterogeneous federally recognized Western Shoshone tribes, the Western Shoshone National Council (WSNC) was formed to address those issues that were of concern to all Western Shoshones. The WSNC suggests that it represents all independent, federally recognized Western Shoshone tribes on issues of mutual concern. The council operates under an organizational statement akin to a constitution, and has basic structural and procedural rules analogous to tribal bylaws. Council members are delegates or alternates selected by the member tribes, and led by a Chief, Sub-Chief and other officers elected by the council (Rusco 1992:350-351).

In the years since its founding, the WSNC has played a catalytic and organizational role in advocating for Western Shoshone interests throughout traditional Shoshone areas of interest. The organization has targeted for censure private companies participating in the destructive exploitation of traditional Western Shoshone lands, and other forms of retribution. The WSNC also has sought to negotiate for the minimization of impacts by certain, especially invasive, private developments on public lands, such as mining operations and large-scale energy projects in Nevada. The organization has also worked to ensure that Western Shoshone interests are taken into account by federal agencies, including both land-management and permitting agencies. This has involved both advocating for the protection of resources of cultural significance on federal lands, as well as advocating for the inclusion of Western Shoshone tribal representatives in consultation and compliance at enhanced levels. In Clark County, where the WSNC administration has been based, this has sometimes meant that Shoshone associations

with particular lands and resources are being asserted in areas that might be seen by non-Shoshone interests as peripheral to the traditional Shoshone “core areas” but are still of interest to individual Shoshone tribes and tribal members. The WSNC has also sometimes worked to bring federal land and resource issues to the attention of federally recognized tribes, who might seek consultation and compliance with agencies independent of the WSNC.

The Western Shoshone Defense Project (WSDP) was established in 1992 by the Western Shoshone National Council to provide support to Western Shoshones seeking to assert their unextinguished land rights – in particular, they sought to support Mary and Carrie Dann, Western Shoshone sisters involved in lawsuits against the BLM over use of Western Shoshone traditional lands in the public domain. The WSDP is “guided by Western Shoshone traditional and tribal leaders, a Newe advisory board, and the Western Shoshone National Council, the traditional Western Shoshone government” (Western Shoshone Defense Project 2009). The Western Shoshone Defense Project may be reached at P.O. Box 211308, Crescent Valley, NV 89821 (phone 775-468-0230).

Southern Paiute Consortium

The Southern Paiute Consortium (SPC) was created in 1993 by and for its member tribes, the Kaibab Band of Paiute Indians and the Paiute Indian Tribe of Utah. Over time, other Southern Paiute tribes have become involved with the SPC, including (but not necessarily limited to) the Las Vegas and Moapa bands. The consortium’s mission is to improve the participation of those federally recognized tribes in the Glen Canyon Dam Adaptive Management Program, and to disseminate information on the relationship of Southern Paiutes to the Colorado River and the region surrounding it (Kaibab Band of Paiute Indians 2008).

Over time, the SPC’s responsibilities have expanded somewhat, providing a kind of integrated Southern Paiute organization for certain compliance and consultation functions in the absence of similar “umbrella organizations.” The SPC’s expanded responsibilities have included participation in NAGPRA consultations as a representative of its constituent tribes. A 1998 notice of inventory completion (Federal Register document 98-12648) lists consultation with “Southern Paiute Consortium (on behalf of the Kaibab Paiute Band, Cedar City Paiute Band, Indian Peak Paiute Band, Kanosh Paiute Band, Koosharem Paiute Band, Las Vegas Paiute Band, Moapa Paiute

Band, and Shivwits Paiute Band).” Three notices of inventory completion published in 2000 and 2001 include the SPC, noting consultation was done “in coordination with Southern Paiute Consortium” (Federal Register documents 98-12648, 00-29807 and 01-8990). A notice published in 2010 includes consultation with “the Southern Paiute Consortium, a non-federally recognized Indian group” (Federal Register document 2010-17874). The presence of the SPC provides a convenient organizational structure for some agencies wishing to work directly with the organization’s member tribes – especially in the Colorado River region, which has been the principal geographical focus of SPC efforts. This is particularly true in such cases, as the NAGPRA examples listed above indicate, when sites, resources, or human remains are clearly “Southern Paiute” but are not readily assigned to any single Southern Paiute tribe due to overlapping interests between the various SPC member tribes.

Great Basin Inter-Tribal NAGPRA Coalition

In fiscal year 2000, the National Park Service announced grant awards made to assist with implementation of NAGPRA; one of the 38 funded projects was to “support the formation of a Great Basin Inter-Tribal NAGPRA Coalition to address mutual repatriation issues among federally recognized Tribes throughout the Great Basin Region” (NPS n.d.). This coalition is a non-federally recognized Indian group that includes the Inter-Tribal Council of Nevada. The number of tribes who participate in the coalition varies on a case-by-case basis, depending on the NAGPRA case under review, and the total number participating since the coalition’s founding has been described in NAGPRA documents as between 20 and 30 federally recognized tribes (FR Doc. E8-6557 2008 and NPS 2005:31).

Since 2008 the Great Basin Inter-Tribal NAGPRA Coalition has been listed in four notices of inventory completion as a consultation entity, representing 16, 19, or 20 tribes depending on the notice (FR Doc. E8-6557, E8-30895, E9-29297, 2010-21195). Two of these notices say that consultation occurred with representatives of the Paiute-Shoshone Tribe of the Fallon Reservation and Colony, Nevada, acting on behalf of the Great Basin Inter-Tribal NAGPRA Coalition (FR Doc. E8-30895, E9-29297). Pending repatriations in three of the four notices were to be made to the Great Basin Inter-Tribal NAGPRA Coalition or the Paiute-Shoshone Tribe of the Fallon Reservation and Colony, Nevada, on behalf of the coalition (FR Doc. E8-6557, E8-30895, E9-29297). The fourth notice indicated pending repatriation to the 19 tribes and bands in the coalition plus another 20 tribes and bands not listed in the notice as coalition members (FR Doc. 2010-21195).

As with the Southern Paiute Consortium, the Great Basin Inter-Tribal NAGPRA Coalition has provided a valuable vehicle for multi-tribal compliance efforts when sites, resources, or human remains are clearly associated with Great Basin tribes but are not readily affiliated with any single federally recognized tribe due to overlapping interests between the various member tribes, ambiguous provenience, or the absence of distinctive culturally identifiable materials. Thus, for example, in 2004 the U.S. Army Reserve Command asked the Great Basin Inter-Tribal NAGPRA Coalition to consider for potential repatriation a set of human remains in the possession of the army reserve. The army reserve had found that the remains were Shoshonean and, “as the Great Basin Inter-Tribal Coalition includes all Shoshonean Nations of the Great Basin, this repatriation would be appropriate.” By consensus of all member tribes, the coalition agreed to accept repatriation and submitted Great Basin Inter-Tribal NAGPRA Resolution 04-001 to claim the human remains. The U.S. Army Reserve Command requested at a 2005 NAGPRA Review Committee meeting that the review committee recommend disposition to the coalition, which the review committee did unanimously (NPS 2005: 31).

Similarly, in 2009 New York University College of Dentistry appeared before the NAGPRA Review Committee to request a recommendation for disposition of culturally unidentifiable human remains recovered from Lovelock Cave in Churchill County, Nevada. The university requested a recommendation for repatriation of the remains, estimated to be between 3500-4500 years old, to the Paiute-Shoshone Tribe of the Fallon Reservation and Colony, who were designated to act as the lead in this case on behalf of the Great Basin Inter-Tribal NAGPRA Coalition. The request was founded in the fact that the estimated age of the remains corresponds to the earliest known use of Lovelock Cave, and that the Northern Paiute occupied the region at the time of contact. The NAGPRA Review Committee unanimously adopted the motion to approve the request, with one recusal (NPS 2009: 18). With similar reasoning, the Great Basin Inter-Tribal NAGPRA coalition has also played a growing role in censuring and prompting renewed repatriation efforts by museums and other collection-holding entities that have not repatriated materials on the basis of their not being “culturally identifiable.” Provenience within the traditional territories of the Great Basin Inter-Tribal NAGPRA Coalition may be sufficient grounds, by their assertion, to warrant the repatriation of those remains and funerary objects through the coalition.

In published notices of inventory completion, the Great Basin Inter-Tribal NAGPRA Coalition has consulted and repatriated human remains on behalf of 25 tribes (including nine constituent bands). They include the following:

Alturas Indian Ranchería, California;
Big Pine Band of Owens Valley Paiute Shoshone Indians of the Big Pine Reservation, California;
Bridgeport Paiute Indian Colony of California;
Burns Paiute Tribe, California;
Chemehuevi Indian Tribe of the Chemehuevi Reservation, California;
Duckwater Shoshone Tribe of the Duckwater Reservation, Nevada;
Ely Shoshone Tribe of Nevada;
Fort McDermitt Paiute and Shoshone Tribes of the Fort McDermitt Indian Reservation, NV, OR;
Las Vegas Tribe of Paiute Indians of the Las Vegas Indian Colony, Nevada;
Lovelock Paiute Tribe of the Lovelock Indian Colony, Nevada;
Moapa Band of Paiute Indians of the Moapa River Indian Reservation, Nevada;
Northwestern Band of Shoshoni Nation of Utah (Washakie);
Paiute-Shoshone Indians of the Bishop Community of the Bishop Colony, California;
Paiute-Shoshone Indians of the Lone Pine Community of the Lone Pine Reservation, California;
Paiute-Shoshone Tribe of the Fallon Reservation and Colony, Nevada;
Reno-Sparks Indian Colony, Nevada;
Shoshone Tribe of the Wind River Reservation, Wyoming;
Shoshone-Bannock Tribes of the Fort Hall Reservation of Idaho;
Shoshone-Paiute Tribes of the Duck Valley Reservation, Nevada;
Southern Ute Indian Tribe of the Southern Ute Reservation, Colorado;
Susanville Indian Ranchería, California;
Te-Moak Tribe of Western Shoshone Indians of Nevada (Four constituent bands: Battle Mountain Band, Elko Band, South Fork Band, and Wells Band);
Washoe Tribe of Nevada & California (Carson Colony, Dresslerville Colony, Woodfords Community, Steward Community, and Washoe Ranches);
Yerington Paiute Tribe of the Yerington Colony & Campbell Ranch, Nevada;
Yomba Shoshone Tribe of the Yomba Reservation, Nevada

The Hopi are also reported to have worked with this organization on repatriation efforts in their western areas of interest. The current contact for the Great Basin Inter-Tribal NAGPRA Coalition is Ray Stands, Cultural Coordinator for the Paiute-Shoshone Tribe of the Fallon Reservation and Colony. Inquiries may be directed to Mr. Stands at the Education Department, 8955 Mission Road, Fallon, NV 89406, (phone) 775-423-8065, (fax) 775-423-8067.

Potential Traditional Cultural Properties

Among the multiple tasks involved with this research effort is the identification of places that may warrant consideration for further investigation as Traditional Cultural Properties. Traditional Cultural Properties are places of unique cultural or historical significance to a particular community (such as American Indian tribes, but including other communities as well) that warrant listing on the United States National Register of Historic Places by virtue of their enduring significance. Such places can be listed on the National Register if they are associated with cultural practices and beliefs that are understood to be rooted in the history of the community, and are important to maintaining the continuity of that community's traditional beliefs and practices into the future. Certainly particular places in Clark County, of enduring importance to American Indian tribes, meet that standard.

National Register Bulletin 38, *Guidelines for Evaluating and Documenting Traditional Cultural Properties*, specifies a "step-by-step" procedure for assessing the eligibility of properties for inclusion on the National Register as Traditional Cultural Properties (TCPs). The scope for the current study did not include the full evaluation of TCP eligibility for specific properties, but only the identification of places that, based on the project research and associated communications with tribal representatives, warrant further consideration through tribal consultation and possible future TCP studies. As such, this section of the report reads somewhat like "recommendations for further research" rather than as a conclusive statement on TCP eligibility.

Any assessment of possible TCPs within the study area requires a consideration of specific guidance on establishing the eligibility of such properties for National Register listing (NPS 1991, 1990). First, any place being considered as a TCP must meet the criteria for being a "property." This may prove surprisingly difficult in the case of certain TCPs. The National Register can only include districts, sites, buildings, structures, or objects, yet in the case of TCPs, "it is the beliefs and practices that may give the property its significance and make it eligible for inclusion in the National Register" (NPS 1990). "Sites" are typically defined as the location of historically significant events or activities. They include the locations of "prehistoric or historic occupation or activity... where the location itself possesses historic, cultural, or archeological value regardless of the value of any existing structure" (NPS 1990). In the

absence of clear physical traces of human activity such as structures, such sources as oral history and historical and ethnographic writings serve as the principal sources of data to verify a place's significance as a historical "site." "Districts" typically consist of groupings of individual properties that are somehow linked in terms of their cultural or historical significance, but are not geographically contiguous.

The second set of criteria for assessing the eligibility of a possible Traditional Cultural Property center on tests of "integrity." Integrity is somewhat challenging to define or to demonstrate in many proposed TCPs, and is often the primary objective of ethnographic studies undertaken in support of TCP nominations. As defined by the Code of Federal Regulations, integrity measures are defined as including "integrity of location, design, setting, materials, workmanship, feeling, and association" (36 CFR Part 60). National Register Bulletin 38 narrows these criteria to two that are directly pertinent to Traditional Cultural Properties: "integrity of relationship" and "integrity of condition." In the case of potential Traditional Cultural Properties, "integrity of relationship" suggests that the place continues to be viewed by particular historically associated populations (e.g., tribes) "as important in the retention or transmittal of a belief, or to the performance of a practice," usually for some significant portion of traditional practitioners within a community (NPS 1990). Secondly, "integrity of relationship" is meant to indicate that a site is singular and has a unique role in the retention or perpetuation of these cultural activities – that there are not, for example, a number of other sites in the traditional territory of a tribe that can be used for what are essentially the same cultural functions.

There are many factors that can erode the "integrity of relationship" over time in a way that might render a place ineligible for TCP status. Changing economic and cultural practices might result in the abandonment of certain kinds of sites, though they were historically quite significant. In other cases, the presence of competing users can displace tribal members from a place of cultural significance. The large concentrations of recreational visitors found in such places as the Red Rock Canyon National Conservation Area (BLM), Spring Mountains National Recreation Area (USFS), and Lake Mead National Recreation Area (NPS), for example, appear to have placed limits on cultural activities within certain portions of those jurisdictions in past decades in a way that has the potential to undermine TCP eligibility of historically significant sites, in whole or part, even while other portions of those jurisdictions might remain TCP-eligible. Popular attention and accounts of certain categories of sites, such as petroglyphs and pictographs, have arguably brought greater public appreciation but

also greater vandalism, looting, and other site disturbances (Bringhurst 1997). Accordingly, there has been widespread looting and damage of settlement sites on both private and public lands, so that the integrity – both of condition and relationship – within these areas is often limited (Lyneis et al 1989; Williams and Orlins 1983).

The third set of criteria for evaluating potential Traditional Cultural Properties centers on the National Register criteria as specified in the Code of Federal Regulations (36 CFR Part 60). There are four criteria used for this analysis, designated as Criteria A through D, and a property nominated for National Register listing must meet at least one of these. *Criterion A* specifies that National Register property can be associated “with events that have made a significant contribution to the broad patterns of our history.” As specified in National Register Bulletin 38, Traditional Cultural Properties can include places that are significant to the broad patterns of a tribe’s history, including history that has been transmitted orally, takes place during time periods that cannot be measured by conventional standards, and/or centers on the actions of beings who might be viewed as “mythical” by non-tribal members. *Criterion B* specifies that National Register property can be associated “with the lives of persons significant in our past.” Again National Register Bulletin 38 indicates that, in the case of Traditional Cultural Properties, this may include significant beings, such as gods or demigods that are significant within the oral traditions of tribes. *Criterion C* specifies that National Register property can embody “the distinctive characteristics of a type, period, or method of construction” represent “the work of a master,” possess “high artistic values,” or be “representative of a significant and distinguishable entity whose components may lack individual distinction.” The last of these four sub-criteria is most commonly employed in reference to Traditional Cultural Properties, applying in cases where the site in question contributes significantly to a culturally distinctive artistic tradition (e.g., basketry) or is an essential component of traditional verbal performances (e.g., a site that is part of ritual song cycles). Finally *Criterion D* specifies that National Register property can exhibit a “history of yielding, or potential to yield, information important in prehistory or history.” Traditional Cultural Properties often meet this criterion if they have been the focus of significant past ethnographic or archaeological research, or possess the enduring potential to yield new information through these kinds of analyses. Still, Criterion D, even when met by a property, “is secondary to [a potential TCP’s] association with the traditional history and culture of the group that ascribes significance to it”; a property that principally meets Criterion D is often placed on the register based on its archaeological significance alone, without reference to TCP criteria (NPS 1991).

The fourth and final criterion for assessing the eligibility of a possible Traditional Cultural Property center on traits that might cause a property to be excluded from the National Register under 36 CFR 60.4. There are seven exclusionary considerations under this regulation; most were written in reference to historic buildings and other structures, and have limited relevance to Traditional Cultural Properties. *Consideration A* indicates that the place cannot be owned by a religious institution or used for religious purposes. In the case of Traditional Cultural Properties, this consideration typically does not exclude natural features and places used as part of historically and culturally significant American Indian ceremonial traditions, of the kind associated with the study area (NPS 1990). *Consideration B* indicates that a National Register property cannot have been relocated from another place, in a manner that would detract from the property's significance. *Consideration C* indicates that a property cannot be significant exclusively on the basis of its being a birthplace or gravesite. *Consideration D* excludes cemeteries from National Register listing, unless cemeteries are incidental to a larger property with significance that is not contingent solely on the cemetery. *Consideration E* specifies that National Register properties cannot be reconstructions of historical sites or structures. *Consideration F* specifies that National Register properties cannot be landmarks that have been constructed specifically for commemorative purposes. *Consideration G* specifies that National Register properties cannot be places that have acquired their historical significance in the last 50 years. None of the properties considered in the section of this document that follows exhibit qualities that would prohibit them from eligibility for the National Register on the basis of these exclusionary considerations.¹⁸⁹

Determination of Eligibility documentation for the National Register requires that the "period of significance" be defined for listed properties. This is especially difficult to specify in the case of Traditional Cultural Properties, as the use of these sites has often been continuous, and is rooted in events and practices that predate conventional numeric dating. Still, there is often flexibility in how this information is presented and may include "stages" within tribal oral tradition in addition to, or in place of, conventional calendrical dating.

Increasingly, the National Register program is seeking to accommodate constellations of TCP-eligible sites with shared cultural significance through novel nominations that utilize the structure of an archaeological "multiple property nomination" or a cultural landscape nomination. Such multiple property nomination should be considered for certain places discussed in the pages that follow. A multiple property nomination

process typically involves producing a nomination for a large management area , such as the Spring Mountains. Working with traditionally associated tribes, the agency would then document and enumerate known contributing resources, develop a typology for additional resources that might be encountered (such as previously unreported sites) subsequent to initial listing of the property, and then develop context statements that explain the various archaeological, historical, and cultural values represented by these resources. Within such multiple property nominations, outer boundaries of the “district” can be defined, but the contributing resources within this boundary are typically discontinuous, and the entirety of the lands within the outer boundary are not necessarily all part of the National Register listed TCP. In order to propose an exact boundary for a multiple-property district TCP of this type, as well as to meet these standards for the National Register nomination process, extensive research is clearly required; potentially including archaeological survey, a review of existing documentation on existing or potentially eligible National Register properties, and ethnographic documentation to demonstrate perceived boundaries (in addition to the nature of cultural/historical significance of the area and its enduring “integrity of relationship”). Such investigations will allow agencies and tribes to delineate the full extent of essentially contiguous traditional use areas and to demonstrate their eligibility for National Register listing using a variety of criteria. Nomination materials should not only include descriptions of the archaeological values of sites, but should draw from ethnographic documentation, so that the cultural and religious significance of a nominated area might also be clearly represented in the National Register documentation.

A full Traditional Cultural Property study is a considerable undertaking. Tribes must be full partners in the research process from its beginning, and consultation between agencies and tribes must be ongoing throughout the nomination process. Full TCP studies were beyond the scope of the current study and were not undertaken here. However, in the course of this research, potentially eligible TCPs were identified during review of existing literatures regarding places of enduring importance to tribes, discussions with agency staff who have consulted with tribes regarding potential TCPs, as well as reconnaissance-level communications with cultural resources specialists working for a number of area tribes. Eligible sites appear to be potentially numerous in the study area, and their full identification will require consultation with participating tribes as well as careful documentation through original studies by agencies wishing to pursue such efforts. It is expected that the identification of potential TCPs in this study

may help agency and tribal cultural resource specialists in seeking to develop future studies of these places.

There are only two National Register listed Traditional Cultural Properties in Clark County, Nevada, at the time of this writing – Spirit Mountain and Goldstrike Canyon/Sugarloaf Mountain. Sitting northwest of Laughlin, on the boundary between NPS and BLM lands, Spirit Mountain (Newberry Peak or *Avikwame*) is a place recognized by all Yuman tribes as a sacred place, an origin site, and a place of enduring powers. As such, it is among the most important places on Earth for the many area tribes. The importance of this site is suggested by a number of archival sources for the Mohave, Hualapai, and other tribes, and is mentioned as a place of unique significance even in 19th century accounts of the study area.¹⁹⁰ Contemporary disturbances - from Christmas-tree cutting to the raising of cell towers – are seen as objectionable uses of this landscape by many modern tribal members, having adverse effects upon the solemnity and powers associated with this potent place. The mountain was placed on the National Register on September 8, 1999. The peak sits in the Spirit Mountain Wilderness area, managed by the BLM and the NPS (BLM & NPS 1999).

A short distance downstream from Hoover Dam, Goldstrike Canyon/Sugarloaf Mountain is a place of cultural and spiritual importance to Southern Paiute, Mohave and other peoples, documented in the course of Section 106 compliance efforts related to the Highway 93 Hoover Dam Bypass bridge. This TCP sits primarily on BOR withdrawn lands in the security zone surrounding Hoover Dam; the NPS has managerial responsibility for the Goldstrike Canyon portion of the TCP, and BOR has responsibility for the Sugarloaf Mountain portion of the TCP. The National Register listed place links Goldstrike Canyon, sitting on the western side of the Colorado River in Clark County, and Sugarloaf Mountain, on the eastern side of the Colorado River in Mohave County, Arizona. The TCP contains a concentration of ritual use areas, including a hot springs that may be used for rituals, ceremonial clearings or circles, a petroglyph, doctor rocks, medicine rocks, and other contributing elements that suggest its longtime ceremonial importance (NPS 2003). The cultural significance of both TCPs – Spirit Mountain and Goldstrike Canyon/Sugarloaf Mountain – relates in various ways to their connection to Salt Song traditions, as well as their proximity to the once densely settled and utilized Colorado River riparian corridor. Both of these TCPs are close to roads and are often accessed by recreational land users, resulting in a number of real and potential resource challenges.

While these two TCPs are clearly very important places, there are a number of other places of enduring cultural significance on federal lands in Clark County that might also warrant consideration as TCPs. Focused TCP assessments are especially recommended for certain key areas and themes. Certain categories are explored in particular detail below, including: Spring Mountains, numerous sites associated with Salt Songs, numerous sites along the Colorado River riparian corridor, spirit and salt caves, piñon gathering sites, and others. They are included here based on their apparent importance in archival and published literatures, as well as in the course of communications with tribal representatives and agency resource managers undertaken for this study.

Most of the places described below are not single, discrete properties, but include larger tracts of documented cultural significance. This is not to suggest that these entire areas, often encompassing several places of cultural significance, would necessarily be eligible as a unit for TCP status. However, these larger units are understood to be appropriate “study areas” for future TCP studies that might identify TCP-eligible properties within some portion of each study area. In a few cases, the outermost limits of an entire National Register nominated property may include the entire study area, such as in the case of a cultural landscape or multiple property nomination, but this eligibility is not presumed here. Confirmation and documentation required for a full “determination of eligibility” would, of course, require more detailed investigation. “Integrity of condition” is assumed to be sufficient for the places identified below so as not to be a barrier to nomination, unless otherwise noted. “Integrity of relationship” has not been established for all of the places identified below, and focused ethnographic investigation would be required to determine if the individual places mentioned would meet this standard.

SPRING MOUNTAINS/CHARLESTON PEAK

Of all of the places mentioned by tribal representatives and in written sources, perhaps none is as unambiguously eligible as the Spring Mountains/Charleston Peak area, with the U.S. Forest Service Spring Mountains National Recreation Area. When asked about potential TCPs, Charleston Peak was mentioned prominently as a potential TCP by tribal representatives. The cultural centrality of the Spring Mountains and Charleston Peak has been widely documented. For the Southern Paiute, but also for Western Shoshone, Mohave, and other tribal communities, the mountains had a special

significance: as a creation site for the Southern Paiute, as a critical gathering area for pine nuts and other natural resources, as a ceremonial center visited innumerable times, as a place of historical commemoration and the teaching of children (e.g., Spoon et al 2011; Stoffle, Arnold, Van Vlack, Eddy and Cornelius 2009; Stoffle et al 2004; Stoffle and Zedeño 2001). In addition to these focused treatments, there are many parenthetical references to these mountains within the corpus of classical anthropology, suggesting the general importance of this place historically.¹⁹¹ In his *Handbook of the Indians of California*, Kroeber (1925: 595) refers to Charleston Peak as “the most famous place in the mythology of both the Chemehuevi and the western bands of the Southern Paiute.”

Most central to its significance and National Register eligibility, arguably, Spring Mountain is recognized as a site of creation for the Southern Paiute people. As a place associated with the divine and cosmologically potent point of creation, this location has served as a place where powers (*puha*) are especially potent and abundant – where “the electricity will lie on sacred things,” as one Paiute elder put it (in Stoffle, Arnold et al 2007: 93; Stoffle and Dobyns 1983; Miller 1983).¹⁹² People seeking to tap into these powers do so through a variety of ritual means, including both group and solitary ritual activities; concentrations of ritual activity and ritual features at such places as Santa Cruz Springs, Slot Canyon, Yellow Plug, and elsewhere. Rabbit dance sites are reported on Spring Mountain, though the largest and best known site appears to occur on private lands. “Puha trails” extend from points in the Spring Mountains to landmarks both near and distant. Places where these puha trails pass, such as Kyle Canyon, might be considered as part of a larger TCP proposal.

Simultaneously, traditional encampments and resource use sites would also serve as important contributing resources to any TCP nomination for this area. Tribal members, both historical and contemporary, have noted that the Spring Mountains possess unmatched piñon gathering opportunities, with their unique productivity, quality, and ease of access. Tribal members continue to gather piñon seeds in a number of places such as Kyle and Telephone canyons, and in a number of other places.

The U.S. Forest Service has initiated a number of informative studies of the Spring Mountains area, including some that were taking place concurrently with the current study. As a result, a number of sources are already available that can be used to help substantiate a nomination process (e.g., Spoon et al 2011; Stoffle, Arnold, Van Vlack, Eddy and Cornelius 2009; Stoffle et al 2004; Stoffle and Zedeño 2001). Some level of data gathering has already been undertaken by the Nuwuvi Working Group that might

aid this effort. A nomination process for the Spring Mountains would require a significant synthesis of existing documentation, and is likely to require additional research to address certain data gaps relating to the National Register nomination process. In light of the number of tribes with interests in this area, such a TCP nomination process will also require ongoing, and presumably broad, consultation by the USFS, as well as some potential coordination at the boundaries with BLM lands. As a standing organization with broad tribal participation, the Nuwuvi Working Group may be well-situated to coordinate some significant portion of this data gathering and consultation effort. Perhaps the greatest challenge for TCP nominations relating to Spring Mountains is the particular richness of the cultural associations with this area.

In light of the large and diffusely distributed number of potential contributing resources, a multiple property nomination may be warranted. Simply establishing an outer boundary for such a TCP nomination might be problematic, if applying a conventional TCP nomination format (as opposed to a multiple property nomination format). Various approaches to TCP configuration might be considered in consultation with tribes, Nevada SHPO, and the National Register office in Washington, D.C. A Spring Mountains nomination might use the external boundaries of the National Recreation Area as the outermost boundaries of the TCP district, for example, and then identify specific places within that boundary that represent contributing resources within the nomination.

SALT SONG SITES AND PATHWAYS

Also of great importance to area tribes, and often mentioned in reference to potential TCPs, are the Salt Song sites and pathways in Clark County. As discussed in prior sections of this document, Salt Song sites are typically recognized as having their own distinctive powers, and are often the center of ongoing ritual traditions past and present. They are also typically linked by historical trails, developed and long utilized by Mohave, Chemehuevi and Southern Paiute peoples especially, and sometimes lined with more mundane campsites and resource harvest areas. While there are clearly challenges to nominating such a sprawling network of places in a Traditional Cultural Property nomination, it appears likely that these sites would be eligible for TCP status, either as part of a multiple property nomination that might incorporate several sites across agency boundaries, or individually. In Clark County an investigation of these landmarks would include, but not be limited to, Bunkerville Mountain/*Magarit* (located

in the Virgin Mountains), Gypsum Cave, Ivanpah Valley, Mormon Mesa/*Tumbi Karid*, Charleston Peak/*Nuva Kaiiv*, Sheep Mountain/*Naga Kaiiv* (located in the Sheep Range), Valley of Fire, and Sunrise Mountain/*Tasun Kaiiv* (on the edge of the Las Vegas Basin – reported at the south end of the Spring Mountains, but possibly just east of Las Vegas) (Klasky 2009). Some of these places are mentioned elsewhere in this document as potential TCPs based on additional layers of cultural significance.

While the aforementioned places are well known, the exact location of Salt Song sites and trails through Clark County is not completely or consistently documented. Yet, documentation of these sites is ongoing, somewhat independent of agency compliance efforts. The Salt Song Trail Project – a partnership between area tribes, the Storyscape Project and the Cultural Conservancy – has been undertaking extensive documentation of Salt Song cycles and the sites that they mention. This effort has been led by faculty at San Francisco State University, including Drs. Philip Klasky and Melissa Nelson, as well as tribal cultural specialists and Salt Song practitioners Vivienne Jake and Matthew Leivas, Sr. In communications regarding the current study, the members of the Salt Song Trail Project have expressed a strong interest in participating in a more focused investigation of potential TCPs in Clark County relating to the Salt Songs, with an interest in both site documentation and protection. As this organization has considerable expertise in these matters, a standing working group, and well-established protocols for this culturally sensitive research, their participation at some level would seem a necessary component of any such investigation. A number of other researchers (including the author of this report) have documented certain sites on the Salt Song route ethnographically and may have data to contribute to a larger effort of this type (e.g., Spoon et al 2011; Deur 2006). Other sources of contributing information are available diffusely in the published and unpublished literatures of the region.¹⁹³ Meanwhile, working in coordination with the Salt Song Trail Project and associated tribes, the Native American Land Conservancy also has been devoting considerable effort to the documentation of Salt Song sites, the purchase of private lands containing Salt Song sites, and the facilitation of management plans for these sites on public lands. National Register documentation would involve very close coordination with a number of tribes where Salt Song singers are still active, such as CRIT, Chemeheuvi, Fort Mojave, and others. As with Spring Mountains, the richness of this tradition may be difficult to capture in a National Register nomination and may require a step-by-step process involving synthesis of existing information, followed by research required to fill data gaps. A multiple property nomination appears to be appropriate; some level of

inter-agency coordination would be required among Clark County's federal agencies in order to complete such a nomination process.

COLORADO RIVER RIPARIAN CORRIDOR

When asked about potential Traditional Cultural Properties in the study area, some tribal cultural office representatives alluded in general terms to the Colorado River riparian zone. The Colorado River riparian corridor was central to the lives of almost all ethnolinguistic groups with traditional ties to Clark County. Clearly there has been a loss to the integrity of cultural sites within the Colorado River riparian corridor as a result of inundation and other development associated with hydroelectric dam development. Still, while the construction of the Hoover and Davis dams submerged much of the bottomland, the canyon walls, associated springs, caves, archaeological sites, and other features all remain on the margins of the river and, to varying degrees, below the water's surface. The prominence of Spirit Mountain and Goldstrike Canyon, as well as other listed National Register properties along the Colorado River corridor, attest to this enduring significance. While Spirit Mountain stands alone, it is clear that there are a number of sites along the Colorado River riparian corridor – especially in the Black Rock Canyon and downstream – that are of particular cultural significance to modern Mohave, Chemehuevi, Hualapai, Southern Paiutes, and others.

Critical among these, the Cottonwood Cove/Island area has been a place of critical cultural importance to the Mohaves, being their northernmost major settlement site in historic times, a fishing site and a ford. Cottonwood Island is also the place where Mohave oral tradition states their cremation rituals started at the instruction of the Creator, and the area is linked in various ways to Spirit Mountain. The Cottonwood Cove area is also key to the history of the Chemehuevi, arguably to their genesis as a distinctive cultural group, and was a settlement and resource use site of importance to the Chemehuevi and Las Vegas peoples in the 19th century (Stewart 1968: 17-19). Caves and springs in association with the Cottonwood area are said to be of traditional religious significance. The former site of Round Island, a few miles upstream, has also been mentioned as a place of traditional importance to area tribes. While the integrity of the Cottonwood Cove area – both of “condition” and “relationship” – may raise barriers to the nomination of this area as a Traditional Cultural Property, it is clear that the site possesses some degree of significance in spite of its inundation by Lake

Mohave, and further communications with area tribes may be warranted regarding its potential TCP status.

Tribal representatives mentioned a variety of other sites along the Colorado River corridor that might serve as contributing resources within a TCP nomination. A variety of oral traditions mention places throughout this portion of the Colorado, and place names are recoverable in part based on these oral traditions.¹⁹⁴ “Sacred springs” are reported by some tribal representatives to be numerous along the Colorado River canyon walls as well, associated with historical and occasional contemporary ritual uses.¹⁹⁵ A variety of sources also suggest specialized riverine bighorn sheep hunting, fishing, and the gathering of riparian plant materials that occurred there in rare abundance. A number of earlier studies of cultural resources along the Colorado River corridor of southern Clark County are available, especially in the gray literatures of the National Park Service and the Bureau of Reclamation, and are of use in assessing the dimensions and significance of cultural sites in this area (Brooks et al 1977).

Tribal representatives suggest that these places are all fundamentally “linked” so that the significance of individual sites along this portion of the Colorado River corridor cannot be understood outside the context of the larger constellation of sites of which they are a part. They should, in the view of some of these individuals, be assessed as a unit rather than individually. In this context, agencies might consider a cultural landscape or multiple property model for any TCP nomination relating to the Colorado River corridor from Black Canyon downstream (perhaps as far as Davis Dam), linking property types that are functionally and historically linked to one another. This approach has been applied in reference to other river reaches of unique cultural significance nationally, in order to accommodate a diversity of culturally and historically significant sites that are linked by virtue of their association with a river corridor; in these cases, TCP nominations of “riverscapes” have been proposed (King 2004). This is not to suggest that the entirety of the Colorado River corridor would be eligible as a TCP in this area, but that the area should be further investigated to determine if resources exist that meet TCP criteria. Within a portion of the corridor, or within its entirety, these resources could be aggregated into one or more nominations that might bind them together in light of their shared cultural significance and geographical proximity.

As almost all of these lands fall within the jurisdiction of the National Park Service and the Bureau of Reclamation, the two agencies might consider supporting a TCP

assessment, involving, minimally, the tribes known to be associated with this corridor. While the current study has focused on the Nevada side of this river, many of these sites have functional and aesthetic associations with a constellation of traditional use sites and areas on the Arizona side of the border as well. For this reason, it is recommended that any TCP study address both sides of the river, in both Clark County, Nevada and Mohave County, Arizona. Just underway at the time of this writing, the Bureau of Land Management (Kingman Office) has partnered with the Fort Mojave tribe to undertake a TCP study centered in Mohave Valley that will include the southernmost end of this river corridor. Directed by the principal author of the current study, this documentation effort may generate data that would be of use to a broader assessment of the riparian corridor – a stated goal of Fort Mojave’s Ahamakav Cultural Center staff.

MOHAVE CREATION SITES AND REVISITING SPIRIT MOUNTAIN

Closely related to an assessment of the Colorado River corridor, it is recommended that the BLM and NPS consider revisiting the Spirit Mountain TCP for a possible revised nomination. Mohave representatives and available literatures alike suggest a number of sites that are said to be linked to Spirit Mountain in Yuman oral tradition and ceremonial practice, yet lie a short distance outside of the existing TCP boundary.

Most of the outlying sites mentioned in the course of this research are associated with petroglyph and pictograph sites. For example, Grapevine Canyon (NPS) is perceived as a spiritual gateway to Spirit Mountain, through which spirits and spiritual forces travel to and from the uniquely powerful Mountain. The petroglyphs and pictographs at that location are said to have been created as part of rituals involving spirit quests at Spirit Mountain. While Grapevine Canyon might meet the standards for a stand-alone TCP, it is more coherently included as part of a larger district that would center on Spirit Mountain. The Mohave petroglyph site at Inscription Rock (BOR) near Laughlin has clear associations with Spirit Mountain, being used to engage the powers of that mountain remotely, or in conjunction with ritual visits to that mountain, and is of spiritual importance to some modern tribal members. Again, it is unclear whether this site would best stand alone as a TCP or be included in an expanded Spirit Mountain nomination. Tribal representatives allude to other sites of similar importance clustered close to, but not within, the existing Spirit Mountain TCP. Though not documented

here, these sites would be readily identified through additional consultation and research with tribes possessing ties to Spirit Mountain.

There may also be some value in a larger TCP assessment that would center on places from the Mojave creation cycle. Most of these critical places are along the Colorado River riparian corridor, anchored by three general areas that still loom large in Mohave cultural practices: Avikwame (Spirit Mountain) and Cottonwood Island close to the north end of a likely core assessment area, Avi Vasqui (Boundary Cone) near the middle, and the Topock Maze and the Needles on the southern end. The sites mentioned in the larger Mohave epic extend well beyond these landmarks, however, and a fully inclusive assessment area might range well beyond these boundaries. Recent efforts have been made to document the rudiments of the culturally significant landmarks that would contribute to such an area by Roberts (2010) on the basis of initial literature review and in the course of ongoing ethnographic research with the AhaMakav Cultural Society, directed by Douglas Deur, with BLM support.

SALT CAVES AND SPIRIT CAVES

Certain cave sites were said to be of particular importance by tribal representatives, and the available written record provides ample verification of this cultural association. A number of these caves may warrant investigation as potential Traditional Cultural Properties. Among the most significant are the salt caves on Overton Arm (BOR, NPS), which are of great historical and cultural importance to some area tribes. As has been mentioned elsewhere in this report, these salt caves served as important multi-tribal gathering areas. They were traditionally utilized for salt gathering by Paiute groups, especially Moapa area bands, for tribal use and trade.¹⁹⁶ These salt deposits were also utilized by a variety of other Paiute populations, as well as Mohave, Hualapai, probably Havasupai, and other tribes, who all gathered salt there for their own use or for trade historically, and who still recognize these caves as being of traditional cultural, religious, and economic importance (Dobyns 1956: 286; Harrington 1925, 1926: 222).¹⁹⁷ These caves are mentioned in Salt Songs and Bird Songs, recorded by Isabel Kelly and others, also suggesting their broader ceremonial significance (Fowler 2009: 88). These caves were impacted by commercial quarrying historically and are partially inundated by Lake Mead. Despite this, the cultural significance of these sites persists to varying degrees among area tribes today. While it is as yet unclear, these salt quarrying sites may prove to have sufficient integrity – of both condition and relationship – to warrant

nomination as a Traditional Cultural Property. Bureau of Reclamation staff have participated in some level of documentation regarding the salt caves, and this work might be expanded to a full TCP study if associated tribes express sufficient interest.

In addition, certain cave sites in the study area are traditionally used for ritual purposes, including spirit quests and other activities (Stoffle and Zedeño 2001; Stoffle et al 2000; Kelly 1939). Ironically, the cave site mentioned most frequently, and seemingly most eminently eligible for TCP status is not on SNAP agency lands. On lands managed by BLM, Gypsum Cave is one of those archaeological sites associated with a long period of human occupation that remains spiritually significant to some area tribes. Kelly and others have described the cave as a “*pua’rinkan*” or “doctor-cave,” where Paiutes sought and received spiritual powers from specific, named spirits (Inter-Tribal Council of Nevada 1976a: 127; Kelly 1936: 129).¹⁹⁸ The powers that an individual receive there are said to sometimes be revealed in the form of songs, and so there are occasional references to a “Music Cave” that is sometimes interpreted to be the same site (but sometimes interpreted as a separate cave nearby). Ritual use of these caves for spirit quests was reported in published documents well into the early 20th century (Kelly 1939: 161), while communication with contemporary tribal cultural office representatives suggests that the cave has continued to serve as a power seeking place. Archaeological materials have been reported in the cave, consistent with oral traditions of shamanic use, including the leaving of offerings (Stoffle and Zedeño 2001a: 241ff.; Harrington 1933: 325). The cave is mentioned in Salt Songs and other tribal song cycles relating to the area. The integrity of the site has been compromised significantly by mining, archaeological investigations, and recreational users, but the site may still possess sufficient integrity for nomination as a Traditional Cultural Property. Tribal members’ perspectives on its integrity vary, but there seems to be broad agreement that the place retains some level of cultural significance.

Tribal representatives have alluded to other caves in the study area that have had similar uses, though the exact locations of these caves were not usually discussed in detail. Pintwater Cave (Nellis AFB/USFWS) in the Pintwater Range was reported to be of great importance to Southern Paiute and Western Shoshone peoples, and might be considered for further investigations as a potential Traditional Cultural Property. (The site is already National Register listed due to its archaeological significance.) Firebrand Cave in the Gold Butte area is also a cave with a history of ceremonial use. The Nuwuvi Working Group or other standing consultation groups may be appropriate venues for the discussion of these sites and the tribes’ interest in pursuing a TCP nomination

process. Other potentially TCP-eligible ceremonial caves may be identified in the course of communications with this group or its constituent tribes.

RED ROCK CANYON

The geological formations of the BLM's Red Rock Canyon National Conservation Area clearly play an important role in the oral traditions of area tribes, especially Southern Paiutes. The complex geology is related in Paiute oral tradition to creation narratives linked to Spring Mountains with, for example, the red rocks being said to manifest blood spilled during the events of creation. Historical documents and tribal oral tradition note extensive encampments and resource procurement traditions (such as berry, agave, and piñon gathering) tied to the Red Rock Canyon area. Red Rock Canyon contains over 250 documented archaeological sites, attesting to these uses. Pictograph panels are reported to be linked to the extensive ritual use of this area before and during the contact period, while water features such as springs and waterfalls appear to have been integral to these uses. The recent involvement of Las Vegas Paiute in responding to vandalism of the rock art at Red Rock, including the funding of repairs of vandalized sites, only hints at the depth of concern for this area among area Paiute communities in particular.

While a number of influences, such as heavy recreational visitation and vandalism, are reported to have undermined the integrity of some portions of the Red Rock unit, there are still many places within this jurisdiction that are of enduring importance to tribal members and may warrant consideration as potential Traditional Cultural Properties. As at Spring Mountains, it is uncertain whether these sites might warrant individual listing, but they might be considered as part of an investigation for a potential multiple property TCP nomination based on their interdependence as contributing resources. Similarly, being linked to Spring Mountains functionally and cosmologically, Red Rock Canyon NCA might be considered either individually or as part of a larger effort involving Spring Mountains and two jurisdictions (BLM and USFS). Especially in the case of a two-jurisdiction effort, the Nuwuvi Working Group or some other standing consultation and research group with Southern Paiute membership might serve as an appropriate venue for assessing levels of tribal interest in pursuing a formal TCP nomination for Red Rock Canyon.

RESOURCE PROCUREMENT SITES

Enduring piñon gathering sites are of particular interest to many tribes associated with Clark County. These gathering sites and their associated encampments remain significant for a number of reasons today, providing opportunities for community-wide events and, for some tribal communities, are the venues for the most important traditional group subsistence activities remaining within their cultural repertoire. Interest in accessing traditional piñon gathering sites has persisted, and perhaps even intensified in some communities in recent times as families and individuals reclaim marginalized subsistence traditions and seek to restore traditional diets for diverse reasons.¹⁹⁹

Among the five SNAP agencies, many of the prominent historical piñon gathering sites identified in the course of project research, other than those mentioned previously in reference to Spring Mountains, were on BLM lands (though investigation on the distribution of such sites was not systematic). These include traditional gathering sites in the Virgin Mountains, certain BLM lands northwest of Moapa, McCullough Mountains and associated ridges in the south-central County, and certain ridges south of Spring Mountains. Mountains in the southern Sheep and Pahranaagat ranges (including BLM, DOD, and USFWS lands) continue to be of great interest to some area tribal representatives for pine nut gathering, though portions of those traditional gathering areas have been subject to variable and often highly restricted access due to their provenience in Nellis Air Force Base (Stoffle, Toupal and Zedeño 2002; Stoffle, Zedeño, and Halmo 2001). The Sheep Range is also said to possess spiritual and ceremonial sites of great importance, linked in oral traditions and in cosmological geographies to Spring Mountains. (No fewer than six potential TCPs are reported to be under investigation in the Sheep Range, some related to piñon harvests, and the findings of the current study suggest that there is considerable cultural and historical depth to the use of that area, though the implications of National Register integrity standards remain unclear in this area.) The New York Mountains (*Kaivʷaʷamanti*) are mentioned frequently if parenthetically in Chemehuevi and other Southern Paiute accounts; these mountains are an important landmark, a traditional pine nut gathering and hunting area, and a place of spiritual powers though their full significance remains unclear (see Laird 1976: 121). While each of these areas has been mentioned as a piñon gathering area of some historical importance, little information was obtained regarding the “integrity of relationship” between tribal communities and these sites – an

important point for any future documentation efforts that might lead to TCP nominations.

These places could be documented individually by those agencies that manage these traditional gathering areas. Simultaneously, there may be advantages to an integrated effort that seeks to identify the constellation of piñon gathering sites still used and valued by tribes today. Such an integrated approach might help to place these enduring practices in a broader context, and also reduce duplication of effort between various sites and jurisdictions. An integrated study of piñon gathering would ostensibly require the participation of the BLM, minimally, as well as other agencies with gathering sites in their jurisdiction. The Nuwuvi Working Group might serve as a starting point for this sort of investigation, in light of its recent efforts to facilitate documentation of piñon gathering sites in the Southern Paiute world. While it is possible that individual piñon gathering sites may warrant independent nomination as Traditional Cultural Properties, these sites might also be grouped together into a multiple property district within Clark County or some portion thereof.

Tribal representatives sometimes mention other types of traditional resource procurement sites as potential TCPs. Sites and areas that are principally of importance for traditional hunting, such as bighorn hunting areas in the mountainous BLM land in southern Clark County, are clearly of enduring importance to some tribal members. In many of these cases, however, it often may be challenging to meet the criteria for listing as TCPs in the absence of additional traditional associations with these areas. This reflects, in part, the mobility of traditional hunting practices (i.e., the use of preferential hierarchies of hunting sites for large game), the seeming ubiquity of hunting sites, and the specifics of National Register criteria as reflected in Bulletin 38 and other guiding documents. Exceptions might include concentrated hunting areas that have been understood to be “inherited” from male kin and are of considerable antiquity, thus serving as a link to past generations and a venue for the intergenerational transmission of cultural knowledge. Other exceptions might include traditional rabbit drive sites that have been used repeatedly, and in a way that brought together the entire community. Also, there are reports of ceremonial sites, used repeatedly and still known, that were used for ceremonial influence of game movements as part of the traditional hunt – a practice especially well documented for the Southern Paiute. Tribal representatives noted that such places exist, but did not necessarily advance them as stand-alone Traditional Cultural Properties. Further consultation might help to

establish levels of tribal interest in pursuing TCP nominations for this category of cultural site.

Aboriginal turquoise mining sites are found in certain locations in Clark County, Nevada. They include, but are not limited to, the former Sullivan mine site, near the present-day Hacienda Hotel in Lake Mead NRA. These were generally small mines, eclipsed in significance by larger turquoise sources, visited directly or accessed via trade, in the Kingman, Arizona area, central Nevada, and elsewhere in the Southwest. On the basis of available evidence, it is difficult to ascertain the levels of cultural significance ascribed to these sites by contemporary tribal members. Tentatively it appears that these sites might not necessarily warrant TCP designations independently, but might be considered as contributing resources to larger TCP nominations involving a range of additional contributing resources.

OTHER SETTLEMENT SITES

Traditionally settlement was significantly tied to springs, streams and rivers. For this reason, primary settlement sites were quickly dispossessed by arriving settlers and commonly entered into private rather than agency ownership. Major exceptions would be along the Colorado River riparian corridor, where hydroelectric development would eventually submerge a significant proportion of the former settlement sites. For this reason, major and undisturbed aboriginal settlement sites tend to be disproportionately outside of SNAP agency management. Yet, even on some agency lands, these former settlement sites were rapidly overrun by development both before and after the advent of agency management.

Still, there are exceptions. The settlement sites in aforementioned areas, such as Spring Mountains, Red Rock Canyon, and the Colorado River riparian zone may still be of great importance and represent “contributing resources” to a TCP nomination, even if they do not necessarily represent TCPs on the basis of their significance as settlements alone. The Virgin River Anasazi settlements in the Virgin and Muddy River basins are clearly of great importance to area tribes – Paiute and Puebloan – as tangible links to their ancestors. Some Paiute individuals, in modern tribes such as Las Vegas and Moapa, describe themselves as descendants of the Virgin Anasazi, while others do not. Matters of Anasazi settlements aside, these Paiute groups clearly do have strong ancestral ties to this valley. Meanwhile, many Hopi tribal members continue to view

the Virgin Anasazi as being among the many branches of the Anasazi 'family tree' from which they are descended. Despite the clear cultural importance of these sites, there was little unambiguous evidence encountered in the course of the study that the ruins and other Virgin Anasazi archaeological sites and features in the Muddy and Virgin River basins would necessarily warrant TCP status. Still, the tribes with ties to these settlements clearly view these places as important, and some dialogue regarding potential TCP eligibility could be considered by the NPS and BOR.

OTHER RITUAL SITES

Tribal representatives mentioned a diffuse assortment of ritual sites in certain types of locations, such as on certain mountains, buttes, and hills, within certain caves, or at certain springs. Ceremonial stone landmarks were mentioned in various locations, while tribal and agency representatives alluded to former dance sites and other ceremonial locations on federal lands. Spiritually significant peaks and caves are increasingly being identified in the course of agency consultation regarding proposed cell towers, energy transmission lines, off-road vehicle access, and other matters. The degree to which these places might be eligible for National Register listing as TCPs remains unclear, and would require additional consultation and research. All parties agreed that further investigation might be warranted, but would be best addressed in the course of consultation between agencies and tribes rather than in the course of a broad survey such as the current study.

Still, certain places warrant attention here. Of interest to Moapa and other Southern Paiute tribes is the Arrow Canyon area (BLM) which includes an altar rock, used ceremonially prior to contact but also of significance due to its association with Ghost Dance ceremonies of the late 19th century. The site is reported to be utilized still by some individuals for ritual purposes, and to be visited for historical commemoration and teaching – important thresholds for TCP eligibility. Ritual associations with water features in this area are also well documented. Places such as Warm Springs in Moapa Valley may warrant further evaluation as a potential TCP, due to past resource procurement and ritual uses associated with this area. (As noted previously, water features, such as springs and waterfalls, are also important potential contributing resources to possible TCPs at places such as Red Rock Canyon and Spring Mountains).

Prominent petroglyph and pictograph sites existing close to tribal communities, such as Muddy Mountain, Gold Butte, and Sloan Canyon (BLM), and Grapevine and Keyhole

canyons (B), are also reported to be spiritually significant and potentially worthy of consideration as TCPs or as contributing resources to larger TCPs. (Petroglyph Canyon and other sites in Valley of Fire State Park were also reported to possess such significance.) Each of these places appears to have played an important role in the oral traditions of area tribes and was said to possess spiritual powers relating to those oral traditions (Klasky 1999, 1998). Petroglyphs and pictographs are reported to be produced in association with spirit quest activities centered on adjacent landmarks (such as in the case of Grapevine Canyon's association with Spirit Mountain), implying traditions of ritual use and linkages to nearby landmarks that might be revealed through additional documentation efforts. Even in those cases wherein local peoples are not unambiguously associated, these rock art sites are often described as manifestations and indicators of the landscape's intrinsic powers. While each site would need to be evaluated individually, it is clear that these petroglyph and pictograph sites may minimally serve as contributing resources within a TCP nomination if tribes continue to recognize them as possessing singular and enduring cultural significance.

Intaglios, including those in the Las Vegas Wash and the "White Giant" site near Laughlin, are reported by tribal representatives to be connected to origin narratives of the Mohave and may warrant consideration. Tribal staff noted that these intaglios were linked to one-another, structurally and spiritually, and each was seen as a part of a larger whole, ranging from the Las Vegas area to points south of the Nevada border. Some suggested a separate intaglio study that would investigate these intaglios as being part of a single TCP district due to their cosmological and functional linkages.

In the end, tribes' interests as expressed to the agencies in the course of consultation and other communications must guide Traditional Cultural Property documentation and nomination efforts. Each agency has consulted, and certainly should continue to consult, with the tribes associated with the lands in their care regarding the tribes' interests in TCP investigations on these lands. Often an "unfunded mandate," and one requiring specialized research support and sometimes delicate consultation, it is understandable that the documentation and nomination of TCPs sometimes lag behind other cultural resource management initiatives. Still, the tribal interests in particular federal lands and resources in Clark County appear strong, and there may yet be considerable interest in pursuing Traditional Cultural Property studies for some of the places mentioned above, or others, in the years ahead.

Conclusions

At the onset of this research, the participating SNAP agencies expressed a desire to have this document achieve certain goals. These included a review of the written record regarding American Indian associations with Clark County that might be used to provide background to their consultation and compliance efforts, while also helping to contextualize modern tribes' claims to affiliation with particular lands and resources now managed by these agencies. This effort was to include information regarding the fundamentals of contact period tribal territories and land and resource use, as well as details regarding the historical transformation of contact period ethnolinguistic groups into the federally recognized tribes of today. The agencies' goals also included the tentative identification of certain potential Traditional Cultural Properties through a third party review of available written documentation and reconnaissance-level communications with tribal staff. This document, and the research reflected in it, was designed to achieve these goals.

Not surprisingly, the findings of this study show strong Southern Paiute ties to much of the county. While the exact configuration of Southern Paiute "bands" in Clark County at the time of contact has been a point of enduring debate, it is clear that some portion of the ancestors of most modern Southern Paiute tribes included Clark County residents of the contact period (Maps 4, 5 & 6). With the exception of the Mohave core homelands to the south and the principally Western Shoshone territories in the west, the Southern Paiutes occupied most of the county - overlapping considerably with these neighboring groups and others at their margins due to intermarriage and the traditional sharing of certain productive resource sites - so that the definition of tidy boundaries is an elusive task at best. The events of the 19th century brought considerable disruption to the lives of Southern Paiute people and to their distribution in and around the study area. The reservation at Moapa temporarily served as the destination for Southern Paiutes from throughout their aboriginal range, resulting in a reservation population made up primarily of Paiutes from the Moapa area but including families from throughout the Paiute portion of Clark County and beyond. Meanwhile, the Las Vegas and Pahrump communities were situated at aboriginal settlement sites, yet continued to grow considerably as Paiute families were drawn to these communities in search of work. Like Moapa, their residents were principally drawn from resident bands, but were augmented considerably by closely related Paiute

groups from outside each band's traditional range. Yet, Clark County resident bands also were part of larger social networks spanning across modern county and state lines. During the disruptions of the 19th century, some portion of the Clark County Paiute community also found their way to the constituent communities of the Paiute Indian Tribe of Utah, the Kaibab Band, and others. If the Southern Paiute people were somewhat seamlessly integrated across band boundaries at contact, this integration only increased in the 19th and 20th centuries, so that all Southern Paiute communities have grounds for claimed historical associations with Clark County. These historical associations, in addition to the prominence of Clark County landmarks such as Charleston Peak within the corpus of Southern Paiute oral tradition and cosmology, ensure that Paiute people maintain a very strong sense of attachment to much of Clark County.

Still, this is clearly not solely Southern Paiute territory. At contact, the Mohave occupied a densely settled corridor along the Colorado River riparian, centered on Mohave Valley but running at least as far north as the Cottonwood Cove area. With a concept of territoriality quite different than many of their neighbors, this large and powerful tribe viewed much of the surrounding desert as their *de facto* territory, utilizing lands and resources with little organized opposition from the tribes whose interests overlapped. Use along the Colorado River riparian corridor at least as far upstream as the Big Bend is widely reported, overlapping with Paiute use areas on the Clark County bank and Hualapai use areas on the Arizona side, while broader use of the adjacent deserts and mountains is widely suggested. In this context, arguably, the Mohave have traditionally viewed the bulk of Clark County as their territory, distinguishing between "exclusively Mohave" lands in their Colorado River homeland and "partially Mohave" lands beyond. During the 19th century, Mohave groups responded variously to federal efforts to relocate the tribe to the Colorado River Indian Reservation, and away from strategically important American transportation corridors. Roughly one-third of the Mohave people agreed to relocate, becoming part of the multi-tribal reservation, while the remainder resisted relocation from Mohave Valley, eventually receiving their own reservation lands from the defunct military fort, Fort Mojave, and becoming the Fort Mojave Indian Tribe. Today these two tribes continue to represent Mohave interests related to Clark County, often involving their close Yuman-speaking kin within Quechan Indian Tribe on the Fort Yuma Reservation.

Well before direct European contact, available sources suggest that the Chemehuevi may have been indistinguishably interrelated with their Southern Paiute "Las Vegas

band” kin. Details vary between accounts, but it is clear that the Chemehuevi lived within the southern portion of what is conventionally designated as Las Vegas band territory, and were socially integrated with the Las Vegas area population. Longstanding connections with the Mohave by both groups are suggested by various sources. By the late 18th century, however, the Chemehuevi migrated southward and their connections with Mohave intensified. By the early 19th century, they were living amidst their more numerous Mohave neighbors, in and around the core of Mohave territory. Various factors, including varying responses to American incursions, resulted in a schism between the Mohave and Chemehuevi that escalated to outright war by the 1860s. Retreating into the desert, the Chemehuevi sought refuge in various outposts to the west and south. Some took refuge at Twentynine Palms, California and continue to be represented by that tribe today. Others joined Cahuilla tribal communities as far away as Morongo Indian Reservation, and some portion of these tribes are descended from these Chemehuevi ancestors. At the end of the conflicts, some of the Chemehuevis returned to their home territory along the lower Colorado River; some ultimately becoming part of the multi-tribal Colorado River Indian Reservation, and others maintaining an independent existence nearby, being recognized eventually as the Chemehuevi Indian Tribe. Though none of these tribes is headquartered in Clark County, they all possess a strong sense of attachment to the county’s lands and resources.

Simultaneously, modern Western Shoshone communities’ connections to Clark County are numerous and uniquely complex. Available written sources suggest that the *Ogwe’pi* or Beatty Band occupied settlements along the western edge of the county and utilized lands and resources in a number of locations to the east, such as the northern Spring Mountains Range, where their interests overlapped with the Southern Paiute. While not necessarily depicted as being Timbisha Shoshone in written sources, various lines of evidence suggest very strong ties between these populations and Timbisha. Extensive intermarriage with Southern Paiutes, both during and after contact, as well as the tradition of sharing productive resource sites at their margins, make the tidy distinction of Western Shoshones’ eastern boundary challenging at best (Maps 11, 15). Shoshone were clearly present in some numbers in certain largely Southern Paiute Clark County communities in the years after contact, including Las Vegas. The circumstances of the 19th century made this picture even more complex. Federal policy regarding the Western Shoshone was haphazard – to put it mildly – resulting in complications that still plague Western Shoshone peoples (and the agencies that seek to understand the Shoshones’ historical associations with particular lands and resources).

With no local Shoshone reservations, Indian agents pressured local communities to locate to Shoshone reservations as far away as Fort Hall, Idaho. Resisting these pressures, most families remained close to their aboriginal lands, often working as wage laborers on the margins of EuroAmerican communities. In time, economic hardship and other pressures led some local Shoshone families to relocate to the reservations taking shape for Western Shoshone occupation in the early 20th century, such as Yomba, Duckwater, and others. Other families remained in their home territories, living independently, or joining Timbisha communities in Death Valley and beyond – eventually gaining federal recognition as part of these tribal communities, which possess perhaps the most immediate ties to the study area among modern Western Shoshone tribes. While the absolute numbers of Shoshones living in what is western Clark County may not have been relatively large, the number of tribes that can now claim some level of affiliation with this area are considerable, and their distribution is diffuse. The association of modern Shoshone tribes with Clark County, or any particular landmark in Clark County, could be the focus of an entirely separate study, tracing the patterns of use and paths of migration, before, during and after contact. The territorial claims of the Western Shoshone are considerable, and sometimes contested (Maps 7, 11, 14, 15). Lacking a satisfactory conclusion to enduring tribal land claims, and with a population spread over a vast territory containing numerous reservation communities, Western Shoshones have often organized into national umbrella organizations that address issues of shared concern among these communities; the Western Shoshone National Council is perhaps the most significant of these organizations today.

Meanwhile, other tribes clearly have interests in Clark County, especially along the Colorado River corridor. The Hualapai's western bands have traditionally occupied the southern and eastern bank of the river opposite from Clark County, but various sources suggest frequent use and occasional occupation of areas on the northern and western side of the river alongside Southern Paiutes and Mohaves. The salt caves near Overton were among the principal draws for the Hualapai. Meanwhile, Puebloan peoples – Hopi and Zuni – have oral traditions of their ties to the study area, including but not limited to the “Virgin Anasazi” sites of the lower Virgin River Basin, to which they claim affiliation. As with their Navajo neighbors, the oral traditions of these people describe spiritual beings and human beings traveling the lower Colorado River region in the course of journeys undertaken for trade and other purposes. Landmarks recalled through these oral traditions are still of enduring importance to these peoples today. So too, most Yuman peoples claim association with this area, in part due to oral traditions

describing their creation at Spirit Mountain in southern Clark County, and their migration from this region in distant times. These stories and origins are shared by Cocopah, Maricopa, Yavapai, Havasupai, Quechan, and others, in addition to the more proximate Mohaves and Hualapais. Certainly, ties between particular lands and particular modern tribes are complex and multifaceted, and cannot be fully appreciated by a review of official statements regarding tribal territories, as found in government documents, treaty language, ethnographic writings, or textbook accounts.

In light of these many historical associations, tribes share an interest in the landscapes of Clark County today. Certain potential Traditional Cultural Properties (TCPs) are suggested by a review of the historical and ethnographic literatures, as well as reconnaissance-level inquiries with tribal and agency cultural resource staff. This survey has resulted in recommendations for further consultation and possible documentation of potential Traditional Cultural Properties or Traditional Cultural Property districts. As outlined elsewhere in this report, these places include (but are not necessarily limited to): Spring Mountains/Charleston Peak, Salt Song sites and pathways in Clark County, the Colorado River riparian corridor from Black Canyon downstream, the Overton salt caves, Red Rock Canyon, and a small number of additional sites including piñon gathering areas and certain isolated ritual sites. These sites or areas have enduring importance to area tribes, and often tribes' interests overlap in these uniquely important places. In most cases, additional documentation would be required to determine the areal extent of potential TCPs, or whether these areas possess the "integrity of relationship" and "integrity of condition" required to meet National Register nomination standards. Again, this is not to suggest that the entirety of the these areas would be eligible for listing as a TCP, but that these areas should be further investigated to determine if resources exist that meet TCP criteria. Within a portion of these areas, or perhaps within their entirety, these resources could be aggregated into one or more nominations that might bind them together in light of their shared cultural significance and geographical proximity.

Tribal participation is essential to any TCP documentation and nomination process, and consultation with associated tribes would be required to determine whether there is indeed interest in pursuing TCP studies or nominations in these areas. In several cases, these potential TCPs straddle agency boundaries, and interagency coordination and cooperation would also be required to successfully carry out studies and nominations relating to these places. Even if the potential TCPs identified here do not warrant nomination to the National Register of Historic Places, they may still warrant

consultation and other considerations under various federal laws, policies, and regulations related to places of enduring significance to tribes (Appendices C & G).

While consultation with tribes is important, it is perhaps even more important that agencies maintain a rapport with tribes that extends well beyond the limits of consultation and compliance. Ideally agency managers do not allow their Section 106 process to define their relationship with a tribe, but let their relationship with a tribe define their Section 106 process. Only through regular and open communication can agencies and tribes identify the full range of shared concerns and interests between both parties. It is our hope that the current document is not seen as the final word on any aspect of tribal history or culture, but serves as context, and as a point of departure for mutually beneficial conversations about the lands and resources of Clark County – lands and resources that both agencies and tribes wish to steward and protect, though perhaps in ways that reflect the different histories and mandates of each group. The considerable knowledge of living tribal people is not reflected extensively in this document – with its focus on the written record – and agencies are well advised to seek that knowledge, either through consultation or through additional studies that record tribal members’ knowledge and perspectives firsthand, as it relates to particular lands and resources in Clark County. Such efforts would no doubt prove fruitful, and reveal an entirely new level of detail related to the many themes of the current document, no doubt including many facts never before put into writing. The tribes of the Clark County region have occupied and used these lands since time immemorial and will continue to play an important role in their stewardship into the foreseeable future. The federal agencies also have a long-term interest in the stewardship of these lands, and share many interests and objectives with these tribes. It is our sincere hope that the current report might assist these parties – even in small ways – in their ongoing efforts to care for these lands, and to develop mutually beneficial opportunities for dialogue and collaboration.

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Appendices

Appendix A: Legal Mechanisms related to the Establishment of Indian Reservations in Clark County

Appendix B: Treaties with Tribes proximate to Clark County

Appendix C: Selected Federal Law, Policy, and Other Legal Instruments related to Cultural Resources and Tribal Consultation

Appendix D: NAGPRA Notices of Inventory Completion in and around Clark County

Appendix E: Select National Register Listed Sites in Clark County

Appendix F: Current Contact Information for Tribal Historic Preservation Offices Associated with Clark County, 2012

Appendix G: Introductory Sections of the Draft Consultation Template for Lake Mead NRA

Appendix A:

Legal Mechanisms related to the Establishment of Indian Reservations in Clark County

Including

*Moapa River Indian Reservation
and
Las Vegas Indian Colony*

Moapa River Indian Reservation

EXECUTIVE ORDER, March 12, 1873.

Agreeably to the recommendation contained in the foregoing letter of the Secretary of the Interior of this day, the following-described lands in the southeastern part of Nevada are hereby set apart for the use of the Indians in that locality: Commencing at a point on the north bank of the Colorado River where the eastern line of Nevada strikes the same; running thence due north with said eastern line to a point far enough north from which a line running due west will pass one mile north of Muddy Springs; running due west from said point to the one hundredth and fifteenth meridian of west longitude; thence south with said meridian to a point due west from the place of beginning; thence due east to the west bank of the Colorado River; thence following the west and north bank of the same to the place of beginning.

U. S. GRANT.

EXECUTIVE ORDER, February 12, 1874.

In lieu of an Executive order dated the 12th of March last, setting apart certain lands in Nevada as a reservation for the Indians of that locality, which order is hereby canceled, it is hereby ordered that there be withdrawn from sale or other disposition, and set apart for the use of the Pah-Ute and such other Indians as the Department may see fit to locate thereon, the tract of country bounded and described as follows, viz:

Beginning at a point in the middle of the main channel of the Colorado River of the West, 8 miles east of the one hundred and fourteenth degree of west longitude; thence due north to the thirty-seventh degree of north latitude; thence west with said parallel to a point 20 miles west of the one hundred and fifteenth degree of west longitude; thence due south 35 miles; thence due east 36 miles; thence due south to the middle of the main channel of the Colorado River of the West; thence up the middle of the main channel of said river to the place of beginning.

U. S. GRANT.

Chapter 132

March 3, 1875. | 18 Stat., 445.

An act making appropriations for the current and contingent expenses of the Indian Department, and for fulfilling treaty stipulations with various Indian tribes, for the year ending June thirtieth, eighteen hundred and seventy-six, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

That the Pai-Ute reservation in Southeastern Nevada is hereby reduced to one thousand acres to be selected by the Secretary of the Interior in such manner as not to include the claim of any settler or miner.

[NOTE. — Selection made by Secretary of the Interior, July 3, 1875. See below.]

Department of the Interior,
Office of Indian Affairs,
Washington, D. C., June 28, 1875.

Sir: By the terms of an act of Congress entitled "An act making appropriations for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes for the year ending June 30, 1876, and for other purposes," approved March 3, 1875, the Pai-Ute Reservation in southeastern Nevada is reduced to "one thousand acres, to be selected by the Secretary of the Interior, in such manner as not to include the claim of any settler or miner."

I have the honor to submit herewith a report from William Vandever, United States Indian inspector, dated San Francisco, Cal., June 12, 1875, under office instructions of 26th of March last, submitting a report of the selection of the 1,000 acres (to which the Pai-Ute Reservation in southeast Nevada was reduced) made by Messrs. Bateman and Barnes, United States Indian agents in Nevada, under his instructions of April 12, 1875, which selection having met his approval, he forwards, with the recommendation that the following metes and bounds be established and proclaimed by Executive order as the boundaries of the Pai-Ute Reservation in southeastern Nevada, as contemplated by said act of Congress, viz:

Commencing at a stone set in the ground, extending 3 feet above, whereon is cut "U. S. No. 1," which stone marks the northeast corner of the reservation, standing on a small hill known as West Point, and set 18 feet in a northeasterly direction from the corner of a building designated as the office and medical depository located on said reservation and running thence north 60 degrees west 80 chains to a stone upon which is cut "U. S. No. 2;" thence north 70 degrees west 97 chains to a stone upon which is cut "U. S. No. 3;" thence south 56 chains and 50 links to a monument of stones on the top of a hill; thence south 70 degrees east 97 chains to a monument of stones at the base of a hill; thence south 60 degrees east 80 chains to a stone set in the ground rising 2 feet above, upon which is cut "U. S., S. E. corner;" thence north 56 chains and 50 links to place of beginning.

The act in question provides that the reservation shall not include any claim of settler or miner, yet the lands described above include the claim of Volney Rector. Inasmuch, however, as Inspector Vandever reports the improvements of Mr. Rector to be just what are required for the agency, and that Mr. Rector has relinquished the possession thereof

to the United States for \$1,800, the appraised value of two years ago, made by Commissioners Ingalls and Powell, I deem the law to have been complied with, and therefore submit the selection herein made for your approval, with the suggestion, if approved by you, that the lands herein selected be set apart for the Pai-Ute Indians.

The return of the letter of Inspector Vandever is herewith requested, with your directions in the premises.

Very respectfully, your obedient servant,
H. R. CLUM, Acting Commissioner.

The Hon. Secretary of the Interior.
Department of the Interior,
Washington, D.C., July 3, 1875.

Sir: I return the report of William Vandever, United States Indian inspector, which accompanied your communication of the 28th ultimo, in which are defined the boundaries of the Pai-Ute Reservation in southeastern Nevada, embracing 1,000 acres, to which are said reserve was by act of March 3, 1875, declared to be reduced; the land to be selected by the Secretary of the Interior.

The selection of the tract of country described in the report of Inspector Vandever is approved, and hereby set apart as a reservation for the Pai-Ute Indians.

Very respectfully,
C. DELANO, Secretary.
The Commissioner of Indian Affairs.

EXECUTIVE ORDER, July 31, 1903.

It is hereby ordered that the following-described tracts of land be, and the same are hereby, withdrawn from sale and settlement and set apart as an addition to the Moapa River or Paiute Indian Reservation in southeastern Nevada for the use of the Paiute Indians:

Lot 4, containing 38.75 acres, and lot 5, containing 11.62 acres, in sec. 36, T. 14 S., R. 65 E.
Lot 3, containing 39.20 acres, and lot 4, containing 13.71 acres, in sec. 31, T. 14 S., R. 66 E.
THEODORE ROOSEVELT.

EXECUTIVE ORDER 1606, September 16, 1912.

It is hereby ordered that the S. $\frac{1}{2}$ of the SE. $\frac{1}{4}$ and the NE. $\frac{1}{4}$ of the SW. $\frac{1}{4}$ of Section 25, Township 30 North of Range 58 East of the Mount Diablo Meridian, in the State of Nevada, be, and they are hereby, reserved from settlement, entry, sale or other

disposition, and set aside for Indian allotment purposes, subject to any prior valid existing rights of any persons thereto.

WM H TAFT

EXECUTIVE ORDER 1632, October 28, 1912.

It is hereby ordered that the following described tracts of land, aggregating 89.70 acres, namely, the Lots 3 and 4 and the NE. $\frac{1}{4}$ of the NW. $\frac{1}{4}$ of Section 1, Township 15 South of Range 65 East of the Mount Diablo Meridian in Nevada, be, and the same are hereby, reserved from settlement, entry, sale or other disposition, and set aside as an addition to the Moapa River Indian Reservation: Provided, That the withdrawal hereby made shall be subject to any prior valid rights of any persons to the lands described herein.

WM H TAFT

EXECUTIVE ORDER 1649, November 26, 1912.

Executive Order number 1632, dated October 28, 1912, making an addition to the Moapa River Indian reservation, in Nevada, is hereby cancelled, and it is ordered that the following described lands, containing 128.37 acres, be, and they are hereby, reserved from settlement, sale, or other disposition, and set aside as an addition to the said Indian reservation:

Lots 2, 3, and 4, of Section 1, Township 15, Range 65; SE. $\frac{1}{4}$ of the SW. $\frac{1}{4}$ of Section 31, Township 14, Range 66; all south and east of the Mount Diablo base and meridian in Nevada.

The withdrawal hereby made shall be subject to any prior valid rights of any persons to the lands described herein.

WM H TAFT

PUBLIC LAW 96-491, Approved December 2, 1980.

An act to provide for certain lands to be held in trust for the Moapa Band of Paiute and to be considered to be part of the Moapa Indian Reservation. Adds specified lands [approximately 70,500 acres of public land] to the Moapa Indian Reservation, Moapa, Nevada, to be held in trust by the United States for the benefit and use of the Moapa Band of Paiutes. Declares that such lands are subject to a right-of-way which shall be administered by the Secretary of the Interior and that all payments of fees for the use of such right-of-way shall be made for the benefit of the Moapa Band of Paiutes. States that nothing in this Act shall deprive any person or entity of any valid existing right-of-way, mining claim, grazing permit, or water right, including any water rights with respect to the Muddy River as decreed by an order of the district court of the State of Nevada on March 12, 1920. Reserves to the United States all minerals on such transferred lands which are subject to the Mineral Leasing Act and the right to enter upon such lands and remove such minerals. Allows restricted lands (whether tribally

or individually owned) of such Band to be leased, with the approval of the Secretary of the Interior, by the Indian owners for a term of 99 years or less.

Las Vegas Indian Colony

PUBLIC LAW 98-203 (97 STAT. 1384), Approved December 2, 1983.

Township 20 south, range 61 east, Mount Diablo base line and meridian, 10 acres of land within section 27 as acquired by the United States for the use of Paiute Indians by deed dated December 30, 1911, said deed being of record in book 2, page 246 in Clark County, Nevada.

Right or interest.

(b) Nothing in this section shall deprive any person of any right-of-way, mining claim, grazing permit, water right, or other right or interest which such person may have in land described in subsection (a) on the date preceding the date of enactment of this Act.

(c) Section 1 of the Act of August 9, 1955 (69 Stat. 539), as amended (25 U.S.C. 415), is further amended by inserting “, and lands held in trust for the Las Vegas Paiute Tribe of Indians,” immediately after “Chelan County, Washington,”.

(d) Section 164 of the Act of July 14, 1955 (69 Stat. 322, 42 U.S.C. 7474), as amended, shall be applied without regard to the provisions of subsection (a).

Appendix B:

Treaties with Tribes proximate to Clark County

Including

Ratified Treaties

TREATY WITH THE WESTERN SHOSHONI
(The "Treaty of Ruby Valley")

Unratified Treaties

TREATY WITH THE SHO-SHO-NEE NATION OF INDIANS

TREATY WITH THE UTAH, YAMPAH UTE, PAH-VANT, SANPETE UTE, TIM-P-
NOGS AND CUM-NM-BAH BANDS OF THE UTAH INDIANS
(The "Treaty of Spanish Fork")

TREATY WITH THE PI-EDE AND PAH-UTE TRIBE OR BAND OF INDIANS
OCCUPYING LANDS WITHIN UTAH TERRITORY
(The "Treaty of Pinto Creek")

TREATY WITH THE WESTERN SHOSHONI, 1863

Oct. 1, 1863. / 18 Stats., 689. / Ratified June 26, 1866. / Proclaimed Oct. 21, 1869.

Treaty of Peace and Friendship made at Ruby Valley, in the Territory of Nevada, this first day of October, A. D. one thousand eight hundred and sixty-three, between the United States of America, represented by the undersigned commissioners, and the Western Bands of the Shoshonee Nation of Indians, represented by their Chiefs and Principal Men and Warriors, as follows:

ARTICLE 1.

Peace established; depredations to cease.

Peace and friendship shall be hereafter established and maintained between the Western Bands of the Shoshonee nation and the people and Government of the United States; and the said bands stipulate and agree that hostilities and all depredations upon the emigrant trains, the mail and telegraph lines, and upon the citizens of the United States within their country, shall cease.

ARTICLE 2.

Routes of travel; offenders; safety of travelers.

The several routes of travel through the Shoshonee country, now or hereafter used by white men, shall be forever free, and unobstructed by the said bands, for the use of the government of the United States, and of all emigrants and travellers under its authority and protection, without molestation or injury from them. And if depredations are at any time committed by bad men of their nation, the offenders shall be immediately taken and delivered up to the proper officers of the United States, to be punished as their offences shall deserve; and the safety of all travellers passing peaceably over either of said routes is hereby guaranteed by said bands.

Military posts; stations.

Military posts may be established by the President of the United States along said routes or elsewhere in their country; and station houses may be erected and occupied at such points as may be necessary for the comfort and convenience of travellers or for mail or telegraph companies.

ARTICLE 3.

Telegraph and overland stage lines; railway.

The telegraph and overland stage lines having been established and operated by companies under the authority of the United States through a part of the Shoshonee country, it is expressly agreed that the same may be continued without hindrance, molestation, or injury from the people of said bands, and that their property and the lives and property of passengers in the stages and of the employes of the respective companies, shall be protected by them. And further, it being understood that provision has been made by the government of the United States for the

construction of a railway from the plains west to the Pacific ocean, it is stipulated by the said bands that the said railway or its branches may be located, constructed, and operated, and without molestation from them, through any portion of country claimed or occupied by them.

ARTICLE 4.

Explorations, mines, settlements, use of timber.

It is further agreed by the parties hereto, that the Shoshonee country may be explored and prospected for gold and silver, or other minerals; and when mines are discovered, they may be worked, and mining and agricultural settlements formed, and ranches established whenever they may be required. Mills may be erected and timber taken for their use, as also for building and other purposes in any part of the country claimed by said bands.

ARTICLE 5.

Boundaries of western bands of Shoshoni.

It is understood that the boundaries of the country claimed and occupied by said bands are defined and described by them as follows:

On the north by Wong-goga-da Mountains and Shoshonee River Valley; on the west by Su-non-to-yah Mountains or Smith Creek Mountains; on the south by Wi-co-bah and the Colorado Desert; on the east by Po-ho-no-be Valley or Steptoe Valley and Great Salt Lake Valley.

ARTICLE 6.

Reservations may be established.

The said bands agree that whenever the President of the United States shall deem it expedient for them to abandon the roaming life, which, they now lead, and become herdsmen or agriculturalists, he is hereby authorized to make such reservations for their use as he may deem necessary within the country above described; and they do also hereby agree to remove their camps to such reservations as he may indicate, and to reside and remain therein.

ARTICLE 7.

Annuity, acceptance of, as compensation for loss of game.

The United States, being aware of the inconvenience resulting to the Indians in consequence of the driving away and destruction of game along the routes travelled by white men, and by the formation of agricultural and mining settlements, are willing to fairly compensate them for the same; therefore, and in consideration of the preceding stipulations, and of their faithful observance by the said bands, the United States promise and agree to pay to the said bands of the Shoshonee nation parties hereto, annually for the term of twenty years, the sum of five thousand dollars in such articles, including cattle for herding or other purposes, as the President of the United States shall deem suitable for their wants and condition, either as hunters or herdsmen. And the said bands hereby acknowledge the reception of the said stipulated annuities as a full compensation and equivalent for the loss of game and the rights and privileges hereby conceded.

ARTICLE 8.

Presents acknowledged.

The said bands hereby acknowledge that they have received from said commissioners provisions and clothing amounting to five thousand dollars as presents at the conclusion of this treaty. Done at Ruby Valley the day and year above written.

James W. Nye.

James Duane Doty.

Te-moak, his x mark.

Mo-ho-a.

Kirk-weedgwa, his x mark.

To-nag, his x mark.

To-so-wee-so-op, his x mark.

Sow-er-e-gah, his x mark.

Po-on-go-sah, his x mark.

Par-a-woat-ze, his x mark.

Ga-ha-dier, his x mark.

Ko-ro-kout-ze, his x mark.

Pon-ge-mah, his x mark.

Buck, his x mark.

Witnesses:

J.B.Moore, lieutenant-colonel Third Infantry California Volunteers.

Jacob T.Lockhart, Indian agent Nevada Territory.

Henry Butterfield, interpreter.

**TREATY WITH THE SHO-SHO-NEE NATION OF INDIANS (COMMONLY CALLED
SNAKE DIGGERS), 1855**

August 7, 1855. / Unratified.

Treaty made and concluded on the 7th day of August one thousand eight hundred and fifty five between Garland Hurt Indian Agent for the Territory of Utah for and in behalf of the President and Senate of the United States of the one part and the Chiefs, head men, and warriors of the Sho-sho-nee Nation of Indians (commonly called Snake Diggers) occupying the northern, and middle portion of the Valley of the Humboldt River of the other part:

ARTICLE 1.

We the Chiefs and head men of the Sho-sho-nee Nation do hereby declare that all former disputes and feelings of hostility between our people and the people of the United States are this day amicably adjusted and settled.

ARTICLE 2.

We guarantee to the people of the United States perfect safety to life and property at all times when peacefully sojourning in, or traveling through our country.

ARTICLE 3.

We give the right of way through our country to the people of the United States, that said people may pass and repass without harm to themselves or property.

ARTICLE 4.

We will treat all persons claiming to be citizens of the United States who may settle in our country as brothers and friends, and not as enemies.

ARTICLE 5.

We acknowledge the supremacy of the laws of the United States and that all persons who may hereafter commit crimes within the limits of our country shall be accounted answerable to said laws.

ARTICLE 6.

We will use all diligence when called to aid the officers and people of the United States in arresting and bringing to justice, all persons who may have committed crimes within the limits of our country irrespective of the tribes or nations to which the offenders may belong.

ARTICLE 7.

And the said Garland Hurt for, and in behalf of the President and Senate of the United States, pledges hereby the friendship and good will of the people of the said States to the Chiefs and people of the said Sho-sho-nee Nation.

ARTICLE 8.

For, and in consideration of the faithful observance of all the obligations above stipulated on the part of the Chiefs and people of the said Sho-sho-nee Nation of Indians, the President of the United States will give to the Chief and people of said nation, through his proper agent, the sum of three thousand dollars in presents (such as provisions, clothing and farming implements &c) to be delivered to them at some convenient point within the limits of their country, on or before the 30th day of September 1857: *Provided however* that if any part of the above treaty shall be violated by any of the Chiefs or people of the said Sho-sho-nee Nation the above obligations on the part of the President of the United States shall be void, or held at his discretion until such time as ample atonement shall have been made for such violation: *Provided further*, that if the President and Senate of the United States shall refuse to ratify this treaty, the same shall be void.

In witness whereof the said Garland Hurt and the aforesaid Chiefs and head men have hereunto subscribed their names and affixed the seals.

Garland Hurt [seal]

Nim-Oh-Tee-Cah (his x mark) (Man Eater) [seal]

Sho-Cop-It-See (his x mark) (Old Man) [seal]

Pan-Tow-Guan (his x mark) (Diving Mink) [seal]

Tow-Juan-Davat-See (his x mark) (Young Ground Hog) [seal]

Sho-Cop-It-See Junior (his x mark)[seal]

Pow-Wan-Tah-Wah (his x mark) (Strong Smoker) [seal]

Jan-Oup-Pah (his x mark) (Chinning Man) [seal]

Ink-Ah-Bit (his x mark) (Head Man) [seal]

Ko-Too-Bot-See (his x mark) [seal]

Wot-Sow-Wit-See-Mot-Tow (his x mark) (The four Shians) [seal]

Signed in presence of

A. P. Hawes, Interpreter.

Peter Hawes,

C. L. Craig,

Van Epps Hugnuin,

Francis Gomas,

Joseph Kanois,

Leonard Wines,

Charles Woodard,

Kamosee Ortagan,

Henry Woodard,

Francis Woodard,

John Enos,

Orlo Whiteside,

Normon Day.

TREATY WITH THE UTAH, YAMPAH UTE, PAH-VANT, SANPETE UTE, TIM-P-NOGS AND CUM-NM-BAH BANDS OF THE UTAH INDIANS, 1865

June 8, 1865. | Unratified.

Articles of Agreement and Convention made and concluded at Spanish Fork Indian Farm, in the Territory of Utah, this Eighth day of June, Eighteen hundred and sixty five, by O. W. Irish, Superintendent of Indian Affairs for said Territory, Commissioner, on the part of the United States, and the undersigned chiefs, head-men and delegates of the Utah, Yampah Ute, Pah-vant, Sanpete Ute, Tim-p-nogs and Cum-nm-bah Bands of the Utah Indians occupying the lands within Utah Territory, on behalf of Said Indians and duly authorized by them.

ARTICLE 1.

The said bands of Indians hereby surrender and relinquish to the United States all their possessory right of occupancy in and to all of the lands heretofore claimed and occupied by them, as hereinafter mentioned, within the defined boundaries of the Territory of Utah as follows – to wit, Commencing at a point formed by the intersection of the thirty second degree of longitude west from Washington with the forty first degree of north latitude; thence due west on the forty first degree of north latitude to the thirty eighth degree of longitude; thence due south on the thirty eighth degree of longitude to the thirty eighth degree of north latitude; thence due east on the thirty eighth degree of north latitude to the thirty second degree of longitude; thence due north on the thirty second degree of longitude to the forty first degree of north latitude to the place of beginning.

ARTICLE II.

There is however reserved for the exclusive use and occupation of the said tribes the following tract of lands; viz “the entire valley of the Uintah River within Utah Territory extending on both sides of said river to the crest of the first range of contiguous mountains on each side” which said tract shall be, so far as is necessary, surveyed and marked out, set aside and reserved for their exclusive use and occupation nor shall any white person, unless he be in the employ of the Indian authorities, be permitted to reside upon the same, without permission of the said tribe, and of the Superintendent of Indian Affairs or United States Indian Agent. It is however understood that should the President of the United States hereafter see fit to place upon the reservation, any other friendly tribe or bands of Indians of Utah Territory, to occupy the same in common with those above mentioned, he shall be at liberty to do so.

ARTICLE III.

The said tribes and bands agree to remove to and settle upon the said reservation within one year after the ratification of this treaty, provided the means be furnished them by the United States to enable them to do so – In the meantime it shall be lawful for them to reside upon any land not in the actual claim and occupation of citizens of the United States, and upon any land claimed or occupied if with the permission of the owner.

ARTICLE IV.

The right of taking fish at usual and accustomed grounds, and stations is further reserved to said Indians in common with all white citizens of the Territory and of erecting temporary houses for the purpose of curing them, together with the privilege of hunting and gathering roots and berries on open and unclaimed lands.

ARTICLE V.

In consideration of the foregoing relinquishment of their right of possession the United States agree and stipulate as follows; viz:

First, To protect the Indians in the possession of the aforesaid tract of land reserved for their future homes, and their persons and property thereon, during good behavior on their part,

Second, To pay to them, or expend for their benefit the sum of twenty five thousand (\$25,000.00/100) dollars per annum for ten years; commencing with the year in which they shall remove to and settle upon the tract of land hereby reserved for their exclusive use and occupation, twenty thousand (\$20,000.00/100) dollars per annum for twenty years, from and after the expiration of the said ten years, and thereafter fifteen thousand (\$15,000.00/100) dollars per annum for thirty years; all of which sums of money shall be applied to the use and benefit of the said Indians under the direction of the President of the United States, who may from time to time determine at his discretion upon what beneficial objects to expend the same. It being understood that these several amounts are fixed as the amounts to be paid to, or expended for the said tribes and bands of Indians upon the basis of their number being five thousand (5,000) persons including men, women and children – If it should, however, hereafter upon a census being taken, be found that there is a material increase or decrease of the said Indians from the number as above stated, then and in that case the said amounts to be paid to them, or expended on their behalf, shall in the same proportion be increased or diminished as the case may be.

Third, For the purpose of making improvements in the Uintah Valley Reservation for the comfort of the Indians who may inhabit the same, to enable them to become self sustaining by means of agriculture, and to procure Cattle for stock raising, the United

States agree to expend in accordance with the terms of the Act of Congress approved May 5th 1864, and entitled "An Act to vacate and sell the present Indian reservations in Utah Territory, and to settle the Indians of said Territory in the Uintah Valley," the sum of thirty thousand (\$30,000.00) dollars, that being the sum appropriated for this purpose by the said act of Congress.

The United States further agree in pursuance of the aforesaid Act of Congress to sell for the use and benefit of the Indians, for the best price that can be obtained, the Indian reservations known as the Spanish Fork Reservation, containing fifteen thousand (15,000) acres, the San Pete Reservation containing ninety-two thousand one hundred and sixty (92,160) acres, the Corn Creek Reservation containing ninety-two thousand, one hundred and sixty (92,160) acres, and the Deep Creek Reservation containing ninety-two thousand one hundred and sixty (92,160) acres, the four Indian Reservations aforesaid containing in all two hundred ninety-one thousand, four hundred and eighty (291,480) acres. The amount realized from the said sale shall be applied, under the direction of the Secretary of the Interior, in the construction of improvements upon the said Uintah Indian Reservation, or to the purchase of stock, agricultural implements, or such other useful articles as to him may seem best adapted to the wants and requirements of the Indians settled thereon in pursuance of this Treaty: Provided, that if the United States should sell the said lands at an average price of less than sixty-two and one-half cents per acre, then and in that case the amount that the said lands would have realized if sold at that price shall be made up to the Indians and be expended for their benefit by the Secretary of the Interior as aforesaid.

Fourth, The United States agree to establish and maintain for ten years, at an expense not to exceed ten thousand (\$10,000.00) dollars per annum a manual labor school for the education and training of the Indian youth in letters, agriculture, the mechanic arts, and housewifery; which school shall be managed and conducted in such manner as the President of the United States shall direct; the said bands of Indians hereby stipulate to constantly keep thereat, during at least nine months in every year, all their children between the ages of seven and eighteen years. It is further agreed that such measures may be adopted, to compel the attendance of the children at the school, as the President may think proper and direct; and whenever he shall be satisfied of a failure to fulfil the aforesaid stipulation on the part of the Indians he may, at his discretion, diminish or wholly discontinue the allowance and expenditure of the sum herein set apart for the support and maintenance of said school.

Fifth, The United States agree to provide the Indians with a mill suitable for grinding grain and sawing timber, one or more mechanic shops, with the necessary tools for the same, and dwelling houses for an interpreter, miller, engineer for the mill, if one be necessary, farmer and the mechanics that may be employed for their benefit, the whole not to exceed in cost the sum of fifteen thousand (\$15,000.00/100) dollars, and also to expend annually, for ten years, an amount not exceeding seven thousand

(\$7,000.00/100) dollars, for the purpose of furnishing said Indians with such aid and assistance in agricultural and mechanical pursuits, including the working of said mill, as the Secretary of the Interior may consider advantageous and necessary for them; the tribe and bands of Indians hereby stipulating to furnish from their tribe the number of young men that may be required as apprentices and assistants in the mill and mechanic shops, and at least three persons to work constantly with each laborer employed for them in agricultural pursuits, it being understood that such laborers are to be employed more for the instruction of the Indians than merely to work for their benefit.

They do further stipulate and bind themselves to prevent any of the members of their tribe from destroying or injuring the said houses, shops, mill, machinery, stock, farming utensils, or any other thing furnished them by the Government, and in case of any such destruction or injury, or of any of the things so furnished being carried off by any member or members of their tribe, the value of the same shall be deducted from the tribal annuities, and whenever the President shall be satisfied that the Indians have become sufficiently confirmed in habits of industry and advanced in acquiring a practical knowledge of agriculture and the mechanic arts, he may at his discretion, cause to be turned over to the tribe all of the said houses and other property furnished them by the United States, and dispense with the services of any or all of the persons hereinbefore stipulated to be employed for their benefit and assistance. And it is hereby provided, That all of the expenditures and expenses, contemplated by this treaty, in the transportation of supplies, machinery &c shall be defrayed by the United States and shall not be deducted from any one of the several sums herein mentioned, which the United States agree to pay to or expend for the benefit of the said Indians, in pursuance hereof.

ARTICLE VI.

The United States shall have the right to establish and maintain such roads or Telegraph lines, as may be deemed necessary, within or running through the tract of country hereby reserved for the use of the Indians, but no greater quantity of land or timber shall be used for said purposes than shall be actually requisite; and if in the establishment or maintenance. of such roads, the property of any Indian shall be taken, injured or destroyed, just and adequate compensation shall be made therefor by the United States, and all roads, highways or telegraph lines authorized by competent authority, other than the United States, the lines of which shall lie through said tract, shall have the right of way through the same; the fair and just value of such right being paid to the said tribe and bands of Indians therefor by the party or parties authorizing the same or interested therein; to be assessed and determined in such manner as the President of the United States shall direct. And it is hereby further stipulated that any substantial improvements heretofore made by any Indian and which he shall be compelled to abandon in consequence of this treaty, shall be valued under the direction of the President and payment made accordingly therefor.

ARTICLE VII.

The President may hereafter when in his opinion, the interests of the Indians will be promoted by so doing, cause the whole or any portion of the lands hereby reserved to be surveyed into lots, and assign the same, under such terms and subject to such conditions as he may deem best for the Indians, to such individuals or families of the tribe or bands as are willing to avail themselves of the privilege and will locate on the same as a permanent home. The United States agree to build for the head chiefs of the Utah, Yampah Ute, Pah-vant, Sanpete Ute, Tim-p-nogs and Cum-um-bah bands, each, one dwelling house, and to plough and fence five acres of land for each, and to pay to each, one hundred (\$100.00/100) dollars per annum for the term of twenty years. The first payment to each of the said chiefs to commence upon his removal to the said Reservation. The United States further agree to give to each, within three months of his removal to the Reservation, two yoke of oxen, two yokes and two chains, one wagon, one plow, ten hoes, six axes, two shovels, two spades, four scythes and snaths, one saddle and bridle and one set of harness.

ARTICLE VIII.

The Annuities of the aforesaid tribes and bands shall not be taken to pay the debts of individuals.

ARTICLE IX.

The said tribes and bands acknowledge their dependence on the Government of the United States and promise to be friendly with all Citizens thereof and they pledge themselves to commit no depredations on the property of such Citizens, should any one or more of them violate this pledge and the fact be satisfactorily proven before the Agent, the property taken shall be returned or in default thereof, or if injured or destroyed, compensation may be made by the Government out of their Annuities! Nor will they make war on any other tribe, except in self defence, but will submit all matters of difference between them and the other Indians to the Government of the United States or its Agent, for decision and abide thereby, and if any of the said Indians commit depredations on other Indians within the Territory, the same rule shall prevail as that prescribed in this Article in cases of depredations against Citizens, and the said tribes agree not to shelter or conceal offenders against the laws of the United States, but to deliver them up to the authorities for trial.

ARTICLE X.

The above tribes and bands are desirous to exclude from their reservation the use of ardent spirits and to prevent their people from using the same, and therefore it is

provided, That any Indian, belonging to said tribe and bands, who is guilty of bringing Liquor onto said reservation, or who drinks Liquor, may have his or her proportion of the Annuities withheld from him or her for such time as the President may determine, also, that no person, not belonging to the tribe or tribes, or band or bands, occupying this Reservation as before stated, shall be permitted to take Liquor or any intoxicating drink on to Said Reservation without special permission from the Secretary of the Interior.

ARTICLE XI.

This treaty shall be obligatory on the contracting parties as soon as the same shall be ratified by the President and Senate of the United States.

In testimony whereof, the said O. H. Irish, Superintendent of Indian Affairs for Utah Territory, and the undersigned Chiefs, head-men and delegates of the aforesaid tribes and bands of Indians have hereunto set their hands and seals, at the place and on the day and year hereinbefore written.

O. H. Irish,
Supt. Ind. Affairs and Commissioner.
Sow-E-Ett (nearly starved) his x mark
Kon-Osh (man of white hair) his x mark
Tabby (the sun) his x mark
To-Quo-Ne (black mountain lion) his x mark
Sow-Ok-Soo-Bet (arrow feather) his x mark
An-Kar-Tew-Ets (red boy) his x mark
San-Pitch (bull rush) his x mark
Kibets (mountain) his x mark
Am-Oosh his x mark
An-Kar-Aw-Keg (red rifle) his x mark
Naup-Peades (foot mother) his x mark
Pan-Sook (otter) his x mark
Pean-Up (big foot) his x mark
Eah-Land (shot to pieces) his x mark
Nar-I-Ent (powerful) his x mark
Que-O-Land (bear) his x mark

Executed in the presence of—

Brigham Young,
Geo. A. Smith, Pres. Legislative Council.
John Taylor, Speaker House of Representatives.
H. C. Doll, Clerk.
D.B. Huntington, Interpreter Utah Superintendency.
Geo. W. Bean, Interpreter Spanish Fork Farm.

C.A. Huntington, Interpreter Uintah Agency.

**TREATY WITH THE PI-EDE AND PAH-UTE TRIBE OR BAND OF INDIANS
OCCUPYING LANDS WITHIN UTAH TERRITORY, 1865**

September 18, 1865. | Unratified.

Articles of Agreement and Convention made and concluded at Pinto Creek, in the Territory of Utah, this Eighteenth day of September, Eighteen hundred and sixty five, by O. W. Irish, Superintendent of Indian Affairs for said Territory, Commissioner, on the part of the United States, and the undersigned Chiefs, head-men and delegates of the Pi-edee and Pah-Ute Tribe or Band of Indians occupying lands within Utah Territory, on behalf of Said Indians and duly authorized by them.

ARTICLE 1.

The said Pi-edee and Pah-Ute bands of Indians hereby surrender and relinquish to the United States all their possessory right of occupancy in and to all of the lands heretofore claimed and occupied by them, as hereinafter mentioned, within the defined boundaries of the Territory of Utah as follows – to wit, Commencing at a point formed by the intersection of the thirty second degree of longitude west from Washington with the thirty eight degree of north latitude; thence due west on the thirty eighth degree of north latitude to the thirty eighth degree of longitude; thence due south on the thirty eighth degree of longitude to the thirty seventh degree of north latitude; thence due east on the thirty seventh degree of north latitude to the thirty second degree of longitude; thence due north on the thirty second degree of longitude to the thirty eighth degree of north latitude to the place of beginning.

ARTICLE II.

In consideration of the forgoing relinquishment of their right of possession, The United States agree and stipulate, to secure to the members of said bands of Indians all the rights and privileges guaranteed by the treaty made and concluded at Spanish Fork Indian Farm on the Eighth day of June A.D. 1865 between the United States and the several bands of Utah Indians, jointly with said bands or tribe of Indians. The said Treaty having been read and fully interpreted and explained to the chiefs, head-men and delegates of the said Pi-edee and Pah-Ute bands of Indians, they hereby agree to faithfully observe and abide by all of the provisions, stipulations and agreements contained in said treaty and to confederate with the several bands of Utah Indians, parties thereto agree to remove to and settle upon the Uintah Indian Reservation within one year after the ratification of this treaty, provided the means are furnished them by the United States to enable them to do so.

Whereupon they shall be entitled to and shall participate jointly with the Utah Indians, parties to the said treaty, in all of the annuities the advantages to be derived from the improvements and schools therein provided for. The United States agrees to build for

the head chief of the Pi-edee and Pah-Ute Tribe of Indians, one dwelling house and to plough and fence for him five acres of land, and to pay him one hundred (\$100.00) dollars per annum for the term of twenty years. The first payment to commence upon his removal to the said Reservation.

The United States further agree to give to him within three months of his removal to the Reservation, two yoke of oxen, two yokes and two chains, one wagon, one plow, ten hoes, six axes, two shovels, two spades, four scythes and snaths, one saddle and bridle and one set of harness.

ARTICLE III.

This treaty shall be obligatory on the contracting parties as soon as the same shall be ratified by the President and Senate of the United States.

In testimony whereof, the said O. H. Irish, Superintendent of Indian Affairs for Utah Territory, and the undersigned Chiefs, head-men and delegates of the aforesaid Bands of Indians have set their hands, at the place and on the day and year hereinbefore written.

O. H. Irish,
Supt. Ind. Affairs and Commissioner.
(Hardy)
(Sunrise)
(Wild Goose)
(Powder)
(Trout Hunter)
(Hair Lip)

Appendix C

Selected Federal Law, Policy, and Other Legal Instruments related to Cultural Resources and Tribal Consultation

Legislation related to Cultural Resources and/or Federal Tribal Consultation

The following synopses have been partially excerpted from a document prepared by the White House – Indian Affairs Executive Working Group (WH-IAEWG), Consultation and Coordination Advisory Group (CACAG), January 2009. For the full text of the Acts listed below, see <http://www.nps.gov/history/laws.htm>.

I. Government-wide

Federal Laws

American Antiquities Act of 1906 as amended (16 USC 431-433)

This act provides for the protection of historic or prehistoric remains and sites of scientific value on federal lands, establishes criminal sanctions for unauthorized destruction or removal of antiquities, authorizes the president to establish national monuments by proclamation, and authorizes the scientific investigation of antiquities on federal lands, subject to permit and regulations. The Archeological Resources Protection Act (1979) supersedes the Antiquities Act as an alternative federal tool for prosecution of antiquities violations in NPS areas.

American Indian Religious Freedom Act of 1978 as amended (AIRFA) (42 USC 1996 and 1996a)

AIRFA establishes the policy of the federal government to protect and preserve for American Indians their inherent right of freedom to believe, express, and exercise the traditional religions of the American Indian, Eskimo, Aleut, and Native Hawaiians, including, but not limited to, access to sites, use and possession of sacred objects, and the freedom to worship through ceremonials and traditional rites.

Archeological and Historic Preservation Act of 1974 as amended (AHPA) (16 USC 469-469c-2)

AHPA was originally known as the Reservoir Salvage Act when the initial legislation was enacted in 1960. With broadening amendments, the Act became known as the Moss-Bennett Act (after an early amendment) or the Archeological Recovery Act. AHPA requires that federal agencies provide for the preservation of historical and archeological data, including artifacts and specimens that might otherwise be irreparably lost or destroyed as the result of alteration to terrain caused by federal construction of federally licensed activities or programs.

Archeological Resources Protection Act of 1979 as amended (ARPA) (16 USC 470aa-mm)

ARPA requires federal agencies to consult with tribal authorities before permitting archeological excavations on tribal lands (16 U.S.C. 470cc(c)). It also mandates the confidentiality of information concerning the nature and location of archeological resources, including tribal archaeological resources. (Also refer to the ARPA implementing regulations concerning consultation.)

Historic Sites, Buildings, and Antiquities Act of 1935 as amended (16 USC 461-467)

This act directs the Secretary of Interior to carry out wide-ranging programs in the field of history and places with the Secretary the responsibility for national leadership in the field of historic preservation. It authorizes the Historic American Buildings Survey, Historic American Engineering Record, and National Survey of Historic Sites and Buildings.

National Environmental Policy Act of 1969 as amended (NEPA) (42 USC 4321, and 4331-4335)

NEPA requires the preparation of an environmental assessment (EA) or environmental impact statement (EIS) for any proposed major federal action that may significantly affect the quality of the human environment. While the statutory language of NEPA does not mention Indian tribes, the Council on Environmental Quality (CEQ) regulations and guidance do require agencies to contact Indian tribes and provide them with opportunities to participate at various stages in the preparation of an EA or EIS. CEQ has issued a Memorandum for Tribal Leaders encouraging tribes to participate as cooperating agencies with federal agencies in NEPA reviews. Section 40 CFR 1501.2(d)(2) requires that Federal agencies consult with Indian tribes early in the NEPA process. Other sections also refer to interacting with Indian tribes while implementing the NEPA process.

National Historic Preservation Act of 1966 as amended (NHPA) (16 USC 470 et seq.)

NHPA requires a Federal agency, in carrying out its responsibilities under section 106 of this Act, to consult with any Indian tribe or Native Hawaiian organization that attaches religious and cultural significance to properties described in subparagraph (A).(Section 101(d) (6) (B)) of the Act.

Native American Graves Protection and Repatriation Act of 1990 as amended (NAGPRA) (25 USC 3001 et seq.) (NAGPRA Final Rule, 43 CFR 10)

NAGPRA requires consultations with Indian tribes, traditional religious leaders and lineal descendants of Native Americans regarding the treatment and disposition of specific kinds of human remains, funerary objects, sacred objects and other items. Under the Act, consultation is required under certain circumstances, including those identified in Sections 3002(c), 3002(d), 3003, 3004, and 3005. (Also refer to the NAGPRA implementing regulations concerning consultation. Detailed information about NAGPRA and its implementing regulations is available at the National Park Service

(NPS) National NAGPRA website, which can be found at:
<http://www.nps.gov/history/nagpra/>

Executive Orders

EO 11593 – Protection and Enhancement of the Cultural Environment (1971)
EO 12898 – Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations (1994)
EO 13007 – Locating Federal Facilities on Historic Properties in Our Nation's Central Cities [“Indian Sacred Sites,” Protection of Religious Practices and Sacred Sites] (1996)
EO 13175 – Consultation and Coordination with Indian Tribal Governments (2000)

Federal Regulations

43 CFR 3 – Preservation of American Antiquities (1954)
43 CFR 7 – Protection of Archeological Resources (1984)
36 CFR 60 – National Register of Historic Places (1981)
36 CFR 61 – Procedures for Approved State and Local Government Historic Preservation Programs (1983)
36 CFR 63 – Determinations of Eligibility for Inclusion in the National Register
36 CFR 65 – National Historic Landmarks Program
36 CFR 68 – Secretary of the Interior's Standards for the Treatment of Historic Properties (1995)
36 CFR 79 – Curation of Federally-owned and Administered Archeological Collections (1990?)
36 CFR 800 – Protection of Historic and Cultural Properties (1986)

II. Department, Agency or Bureau Specific Policies and Regulations

DEPARTMENT OF AGRICULTURE (USDA)

USDA Departmental Regulation, 1350-001, September 11, 2008, Tribal Consultation

<http://www.ocio.usda.gov/directives/doc/DR1350-001.pdf>

USDA Departmental Regulation, 1340-007, March 14, 2008, Policies on American Indians and Alaska Natives

<http://www.ocio.usda.gov/directives/doc/DR1340-007.pdf>

USDA Departmental Regulation 1020-005, October 3, 2008 Native American Working Group

<http://www.ocio.usda.gov/directives/doc/DR1020-005.htm>

Forest Service

FSM (Forest Service Manual) – 1500 -External Relations

Chapter 1560 – State, Tribal, County, and Local Agencies, Public and Private Organizations

Forest Service Tribal Policies, Including Consultation, are contained in Section 1563, available at: http://www.fs.fed.us/cgi-bin/Directives/get_dirs/fsm?1500

DEPARTMENT OF THE INTERIOR (DOI)

1. Department-wide

(1) Departmental Responsibilities for Indian Trust Resources (1995) [Series: Intergovernmental Relations; Part 512: American Indian and Alaska Native Programs; Chapter 2: Departmental Responsibilities for Indian Trust Resources; 512 DM 2] - <http://elips.doi.gov/elips/release/3049.htm>

This DM requires consultation with potentially affected recognized Indian tribal governments in the event an evaluation reveals any impacts on Indian trust resources, trust assets, or tribal health and safety.

(2) Departmental Manual Departmental Responsibilities for Protecting/Accommodating Access to Indian Sacred Sites (1998) [Series: Intergovernmental Relations; Part 512: American Indian and Alaska Native Programs; Chapter 3: Departmental Responsibilities for Protecting/ Accommodating Access to Indian Sacred Sites; 512 DM 3] - http://elips.doi.gov/app_dm/act_getfiles.cfm?relnum=3214

This DM requires consultation with potentially affected federally recognized tribal government(s) when taking actions pursuant to this DM, which pertains to avoiding adverse impacts to and providing access to Indian sacred sites.

(3) ECM 97-2 Departmental Responsibilities for Indian Trust Resources and Indian Sacred Sites on Federal Lands <http://oepe.doi.gov/ECM/ECM97%2D2%2Epdf>
Requires DOI offices and bureaus to consult with tribes in the course of carrying out environmental compliance when potential impacts to Indian Trust Resources or Indian Sacred Sites are identified.

2. Agency-specific

U.S. Geological Survey

(1) U.S. Geological Survey Manual, Section 500.4 Policy on Employee Responsibility Towards American Indians and Alaska Natives. (1995) <http://www.usgs.gov/usgs-manual/500/500-4.html>

(2) U.S. Geological Survey Manual, Section 500.6 American Indian and Alaska Native Sacred Sites. (1997) <http://www.usgs.gov/usgsmanual/500/500-6.html>

National Park Service

(1) A compilation of NPS management policies pertaining to Native Americans. (2001)
<http://www.nps.gov/policy/NativeAmericanPolicies.htm>

(2) Native American Consultation Database.

<http://www.cast.uark.edu/other/nps/nacd/>

A compilation of NPS management policies pertaining to Native Americans. (2001)

<http://www.nps.gov/policy/NativeAmericanPolicies.htm>

National NAGPRA Online Databases: Native American Consultation Database.

<http://www.cast.uark.edu/other/nps/nacd/>

Bureau of Reclamation

(1) Protocol Guidelines: Consulting with Indian Tribal Governments

<http://www.usbr.gov/native/naao/policies/protguide.pdf>

(2) Guidance for Implementing Indian Sacred Sites Executive Order (September 16, 1998)

(3) Indian Policy of the Bureau of Reclamation. (1998)

<http://www.usbr.gov/native/naao/policies/indianpol.pdf>

Note: This list does not include all Bureau of Reclamation policies or guidance indicating that consultation with tribal governments should be carried out, but omits policies which merely augments other, higher level sources, such as statutes, CFRs, EOs, SOs or DMs, which require consultation under specific circumstances.

Bureau of Land Management

(1) Manual 8120 Tribal Consultation under Cultural Resource Authorities. (2004)

http://www.blm.gov/style/medialib/blm/wo/Information_Resources_Management/policy/blm_manual.Par.80216.File.dat/8120.pdf

(2) Handbook H-8120-1 Guidelines for Conducting Tribal Consultation. (2004)

http://www.blm.gov/style/medialib/blm/wo/Information_Resources_Management/policy/blm_handbook.Par.86923.File.dat/h8120-1.pdf

(3) Federal Land Management and Policy Act of 1976 (FLMPA)

Appendix D:

NAGPRA Notices of Inventory Completion in and around Clark County

Including

Clark County, Nevada

Mohave County, Arizona

Kane and Washington Counties, Utah (selected)

Notices of NAGPRA inventory completion* for remains and funerary objects from Clark County, Nevada

Notice no.	Publication date	Institution	Description	Provenience	Age/date	Tribes consulted	Stated Affiliation	Notes
00-29807	2000-11-21	Lost City Museum (with Nevada St Museum)	Human remains (HR) and associated funerary objects (AFO)	Several sites near Overton	Virgin Anasazi 300 BC - AD 1300	Moapa, Hopi, and "in coordination with Southern Paiute Consortium"	Hopi	"Although the locations from which these remains were removed are within the historic territory of the Moapa Band of the Southern Paiute Tribe, joint consultations with representatives of the Moapa Band of the Southern Paiute Tribe and with representatives of the Hopi Tribe of Arizona produced evidence agreed to by both parties that the Anasazi remains from this area are ancestral to the modern Hopi Tribe of Arizona. Archaeological evidence supports this conclusion."
01-8990	2001-04-12	Nevada State Museum	Human remains	Mesa above Muddy River, Valley of Fire State Park	Virgin Anasazi	Moapa, Hopi, and "in coordination with Southern Paiute Consortium"	Hopi	
03-18703	2003-07-23	Hearst Museum	HR and AFO	Cave 8 miles from Glendale	Post contact	Kaibab, Las Vegas, Moapa, PITU, San Juan Southern Paiute, Shoshone-Bannock of Ft Hall	All consulted	
E8-30895	2008-12-30	San Diego Museum of Man	Human remains	8 miles west of Moapa	Prob 20 th c.	Paiute-Shoshone of Fallon**, Duckwater (direct consultation), Moapa (direct consultation)	Moapa	"The museum finds the human remains to be reasonably culturally affiliated to the Moapa Band of Paiute Indians of the Moapa River Indian Reservation, Nevada, who, through Resolution No. M 07-11-32, agree to be part of the Great Basin Inter-Tribal NAGPRA Coalition, and therefore agree to be represented by the Paiute-Shoshone Tribe of the Fallon Reservation and Colony, Nevada, who are making claim to the human remains."
E9-29297	2009-12-09	Southwest Museum	Human remains	Cave near Moapa Reservation	19 th c. or later	Paiute-Shoshone of Fallon**	Moapa	"Pursuant to Resolution No. 7-001, the Moapa Band of Paiutes of the Moapa River Indian Reservation, Nevada is a member of the Great Basin Inter-Tribal NAGPRA Coalition and agrees to have the Paiute-Shoshone Tribe of the Fallon Reservation

								and Colony, Nevada represent their NAGPRA claims and repatriate these human remains on their behalf.”
Not pub'd	Listed in db of Culturally Affiliated Inventories	Cal State U anthro dept	Human remains	Fremont Point site, Moapa Valley	Unknown			“Descendants of the tribe(s) whose traditional territory was Fremont Point, Moapa Valley, Nevada: Owens Valley Paiute, Southern Paiute, Panamint Shoshone, Western Anasazi.”
Not pub'd	Listed in db of Culturally Affiliated Inventories	DOI, NPS, Lake Mead NRA	Human remains	Mesa House site, near Overton	“Puebloan”			

* Notices of intent to repatriate for unassociated funerary, sacred, cultural patrimony objects from Clark County, Nevada—none published to date.

** Paiute-Shoshone Tribe of the Fallon Reservation and Colony, Nevada, acting on behalf of the Great Basin Inter-Tribal NAGPRA Coalition

NAGPRA Notices for remains and funerary objects from Mohave County, Arizona

Notice #	Pub date	Institution	Description	Provenience	Age/date	Tribes consulted	Stated Affiliation	Notes
96-7816	1996-04-01	DOI, BLM, AZ state office	Human remains and associated funerary objects	(1) Reservoir site NA 13257 (2) AZ B:1:102	BMIII-PII AD 700-1150	Kaibab, Hopi	Kaibab, Hopi	Historical documents and ethnographic sources indicate Paiute people have occupied this area since precontact times. Kaibab-Paiute oral tradition supports this evidence, and the Kaibab Band's reservation is now located within eight miles of the recovery sites. Oral tradition evidence presented by representatives of the Hopi Tribe indicates cultural affiliation with Basketmaker and Puebloan sites in this area. Archeological evidence supports this affiliation.
00-18460	2000-07-21	DOI, BLM, AZ state office	(1) HR and AFO (2) HR	(1) AZ A:1:11 near Littlefield (2) AZ A:1:12 rock shelter near Littlefield	Puebloan AD 1000-1200 Puebloan AD 400-1150	Hopi, Zuni, CRIT, Navajo, Yavapai-Prescott, Kaibab, Ak-Chin, Gila River, Salt River Pima-Maricopa, Tohono O'odham, Fort Mohave	Hopi	Continuities of ethnographic materials, technology, and architecture indicate affiliation of sites AZ A:1:11(MNA) and AZ A:1:12(MNA) with the present-day Hopi Tribe of Arizona. Oral traditions presented by representatives of the Hopi Tribe of Arizona support affiliation with Puebloan sites in this area of northwestern Arizona.

*Notices of intent to repatriate for unassociated funerary, sacred, cultural patrimony objects from Mohave County, Arizona—none published to date; for a map of the Arizona State Museum archaeological survey grid system, see http://www.statemuseum.arizona.edu/crservices/az_quad_map.shtml

Selected notices of NAGPRA inventory completion from Kane and Washington Counties, Utah

Notice #	Publication date	Institution	Description	Provenience	Age/date	Tribes consulted	Stated Affiliation	Notes
02-12562	2002-03-20	DOI, NPS, Zion NP	Human remains and associated funerary objects	Near & within Zion NP	Unknown	Hopi Tribe of Arizona; Kaibab Band of Paiute Indians of the Kaibab Indian Reservation, Arizona; Las Vegas Tribe of Paiute Indians of the Las Vegas Indian Colony, Nevada; Moapa Band of Paiute Indians of the Moapa River Indian Reservation, Nevada; Paiute Indian Tribe of Utah (Cedar City, Indian Peak, Kanosh, Koosharem, Shivwits Bands); Ute Indian Tribe of the Uintah & Ouray Reservation, Utah; and Zuni Tribe of the Zuni Reservation, New Mex.	All consulted	HR & AFO considered culturally unidentifiable. Affiliation “based on demonstration of a cultural relationship with the Zion National Park area by means of a final judgment of the Indian Claims Commission and other sources.” Repatriation recommended by the NAGPRA Review Committee. Read full presentation to Review Committee and discussion. Search document for “Zion.” http://www.nps.gov/history/nagpra/review/meetings/RCMIN021.HTM
04-22835	2004-10-12	DOI, BLM, UT state office & S UT Univ	Human remains and associated funerary objects	42Ws392 Quail Creek 42Ws881 Little Creek mesa 42Ws920 Little Creek mesa 42Ws969 42Ws1712 vicinity of South creek 42Ka2664 Kitchen Corral wash	All 6 sites are Puebloan Virgin Anasazi within BMIII-PIII time periods (AD 400-1200)	Confederated Tribes of Goshute, Duckwater, Ely, Hopi, Kaibab, Moapa, Navajo, Northwestern Shoshoni (Washakie), PITU, Acoma, Cochiti, Isleta, Jemez, Laguna, Nambe, Picuris, Pojoaque, San Felipe, San Ildefonso, San Juan, Sandia, Santa Ana, Santa Clara, Santo Domingo, Taos, Tesuque, Zia, San Juan Paiute, Wind River Shoshone, Shoshone-Bannock of Fort Hall, Duck Valley, Skull Valley Goshute, Southern Ute, Te-Moak, Ute of Uintah & Ouray, Ute Mountain Ute, Ysleta del Sur of Texas, Zuni	Hopi	Oral traditions and oral histories presented by representatives of the Hopi Tribe of Arizona support affiliation with Puebloan sites in southwestern Utah in general and specifically with Virgin Anasazi sites, a specific regional manifestation of Puebloan archeology. The Virgin Anasazi sites of 42Ws392, 42Ws881, 42Ws920, 42Ws969, 42Ws1712, and 42Ka2664 are associated with the present-day Hopi Tribe of Arizona through continuities of styles of prehistoric material culture through time to historic ethnographic objects, and through technological and architectural continuities. http://www.nps.gov/history/nagpra/fed_notices/nagpradir/nic0794.html
E9-5346	2009-03-12	DOI, BLM,	Human remains and	42Ka1076, Bonanza Dune site	Virgin Anasazi	Confederated Tribes of the Goshute Reservation, Nevada and Utah;	Hopi	The Zuni Tribe of the Zuni Reservation, New Mexico; Hopi

		UT state office & UT Museum of Natural History	associated funerary objects			<p>Duckwater Shoshone Tribe of the Duckwater Reservation, Nevada; Ely Shoshone Tribe of Nevada; Hopi Tribe of Arizona; Kaibab Band of Paiute Indians of the Kaibab Indian Reservation, Arizona; Moapa Band of Paiute Indians of the Moapa River Indian Reservation, Nevada; Navajo Nation, Arizona, New Mexico & Utah; Northwestern Band of Shoshoni Nation of Utah (Washakie); Ohkay Owingeh, New Mexico; Paiute Indian Tribe of Utah (Cedar City Band of Paiutes, Kanosh Band of Paiutes, Koosharem Band of Paiutes, Indian Peaks Band of Paiutes, and Shivwits Band of Paiutes); Pueblo of Acoma, New Mexico; Pueblo of Cochiti, New Mexico; Pueblo of Isleta, New Mexico; Pueblo of Jemez, New Mexico; Pueblo of Laguna, New Mexico; Pueblo of Nambe, New Mexico; Pueblo of Picuris, New Mexico; Pueblo of Pojoaque, New Mexico; Pueblo of San Felipe, New Mexico; Pueblo of San Ildefonso, New Mexico; Pueblo of Sandia, New Mexico; Pueblo of Santa Ana, New Mexico; Pueblo of Santa Clara, New Mexico; Pueblo of Santo Domingo, New Mexico; Pueblo of Taos, New Mexico; Pueblo of Tesuque, New Mexico; Pueblo of Zia, New Mexico; San Juan Southern Paiute Tribe of Arizona; Shoshone Tribe of the Wind River Reservation, Wyoming; Shoshone-Bannock Tribes of the Fort Hall Reservation of Idaho; Shoshone-Paiute Tribes of the Duck Valley Reservation, Nevada; Skull Valley Band of Goshute Indians of Utah; Southern Ute Indian Tribe of the Southern Ute Reservation,</p>	<p>Tribe of Arizona; and San Juan Southern Paiute Tribe of Arizona have all made generalized claims for a relationship with the Virgin Anasazi peoples in southwestern Utah and northwestern Arizona. Archeological evidence indicates that Virgin Anasazi peoples began to leave the area by AD 1150, and abandoned most locations shortly after A.D. 1200. Some evidence suggests that Paiute ancestors entered the region or at least were in contact with Virgin Anasazi peoples by A.D. 1150, but there is a distinct archeological record showing two separate occupations by two peoples, and evidence for a direct relationship between Virgin Anasazi peoples and present-day Paiutes has not been shown. Cultural continuity from Basketmaker through Puebloan times and into the present shows cultural continuity of Virgin Anasazi (and other Anasazi expressions) with extant Puebloans. Based on general evidence, extant Puebloan tribes are culturally affiliated to Virgin Anasazi at some general level. There is specific evidence, especially oral tradition and folklore, with support from archeology and other lines of evidence, to link the Hopi Tribe of Arizona directly to Virgin Anasazi culture by a simple preponderance of the evidence.</p>
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						Colorado; Te-Moak Tribes of Western Shoshone Indians of Nevada (Four constituent bands: Battle Mountain Band, Elko Band, South Fork Band and Wells Band); Ute Indian Tribe of the Uintah & Ouray Reservation, Utah; Ute Mountain Tribe of the Ute Mountain Reservation, Colorado, New Mexico & Utah; Ysleta del Sur Pueblo of Texas; and Zuni Tribe of the Zuni Reservation, New Mexico.		
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Appendix E:

Select National Register Listed Sites in Clark County

Including Traditional Cultural Properties
and Other Sites

Reported by NV SHPO as Having Ritual Significance

Select National Register Listed Sites in Clark County

Including Traditional Cultural Properties
and other sites reported by NV SHPO as having ritual significance

Gold Strike Canyon

Sugarloaf Mountain Traditional Cultural Property (added 2004 -- #04000935)
Address Restricted, Boulder City

Grapevine Canyon Petroglyphs

(AZ:F:14:98 ASM) (added 1984 - - #84000799)
Also known as AZ:F:14:18 (ASM); CRNV-05-2502 (BLM); 26CK12; 26CK57 (UNLV)
Address Restricted, Laughlin
Historic Significance: Information Potential
Area of Significance: Art, Prehistoric, Religion
Cultural Affiliation: Amacava, Paiute, Shoshonean
Period of Significance: 500-1499 AD
Owner: Federal
Historic Function: Domestic
Historic Sub-function: Camp
Current Function: Landscape
Current Sub-function: Park

Gypsum Cave

(added 2010 -- #10000443)
Also known as Music Cave
6 mi E of Las Vegas, Las Vegas Field Office BLM, Las Vegas
Historic Significance: Person, Information Potential, Event
Historic Person: Harrington, Mark Raymond
Area of Significance: Prehistoric, Native American, Religion, Social History,
Education
Cultural Affiliation: Chemehuevi, Southern Paiute, Archaic (middle)
Period of Significance: 4500-4999 BC, 1500-1924 AD
Owner: Federal
Historic Function: Domestic, Domestic, Landscape, Religion
Historic Sub-function: Camp, Ceremonial Site, Natural Feature, Single Dwelling
Current Function: Landscape, Recreation and Culture, Religion
Current Sub-function: Ceremonial Site, Natural Feature, Outdoor Recreation

Sloan Petroglyph Site

(added 1978 - - #78001720)

Address Restricted, Las Vegas

Historic Significance: Information Potential

Area of Significance: Prehistoric, Historic - Aboriginal

Cultural Affiliation: None Given

Period of Significance: 2000-2499 BC

Owner: Federal

Historic Function: Recreation and Culture

Historic Sub-function: Work of Art (Sculpture, Carving, Rock Art)

Current Function: Landscape

Current Sub-function: Underwater

Sloan Petroglyph Site (Boundary Increase)

(added 2004 - - #02000114)

Also known as 26 CK2240

Address Restricted, Las Vegas

Historic Significance: Information Potential, Event, Architecture/Engineering

Area of Significance: Prehistoric, Historic - Aboriginal

Cultural Affiliation: Native American

Period of Significance: 499 BC-1900 AD

Owner: Federal

Historic Function: Agriculture/Subsistence, Funerary

Historic Sub-function: Graves/Burials, Processing

Current Function: Recreation and Culture

Current Sub-function: Outdoor Recreation

Spirit Mountain

(added 1999 -- #99001083)

Also known as Avi Kwa 'Ame

Address Restricted, Laughlin

Historic Significance: Event

Area of Significance: Native American

Owner: Federal

Historic Function: Religion
Historic Sub-function: Ceremonial Site
Current Function: Religion
Current Sub-function: Ceremonial Site

Tim Springs Petroglyphs

(added 1974 - - #74001142)
Address Restricted, Indian Springs
Historic Significance: Information Potential
Area of Significance: Prehistoric
Cultural Affiliation: Mohave Desert
Period of Significance: 1499-1000 AD
Owner: Federal
Historic Function: Recreation and Culture
Historic Sub-function: Work of Art (Sculpture, Carving, Rock Art)
Current Function: Recreation and Culture
Current Sub-function: Work of Art (Sculpture, Carving, Rock Art)

The current list does not include those National Register listed sites that are found within Clark County Nevada but are not identified by Nevada SHPO as being of “ritual” significance according to their database as of 2012. A full listing of National Register properties in Clark County can be accessed at <http://www.nationalregisterofhistoricplaces.com/nv/Clark/state.html>

**Appendix F:
Current Contact Information
for Tribal Historic Preservation Offices associated
with Clark County, 2012**

Current Contact Information
for Tribal Historic Preservation Offices associated with Clark
County

Hualapai Tribe

Loretta Jackson-Kelly, THPO
Department of Cultural Resources
PO Box 310
Peach Springs, AZ 86434
Tel: 928.769.2223
Fax: 928.769.2235
Email: lorjac@frontiernet.net

The Navajo Nation

Dr. Alan S. Downer, THPO and
Department Manager, Historic Preservation
PO Box 4950
Window Rock, AZ 86515
Tel: 928.871.7136
Fax: 928.871.7886
Email: alan.downer06@gmail.com
Website: www.hpd.navajo.org

Timbisha Shoshone Tribe

Barbara Durham, THPO
PO Box 206
Death Valley, CA 92328-0206
Tel: 760.786.2374
Fax: 760.786.2376
Email: dvdurbarbara@netscape.net

Zuni Pueblo

Kurt Dongoske, RPA
Director/Tribal Historic Preservation Officer
Zuni Heritage & Historic Preservation
PO Box 1149
Zuni Pueblo, NM 87327
Tel: 505.782.4814 and 928.289.9259
Fax: 505.782.2393
Cell: 928.587.1901
Email: kdongoske@cableone.net

Updated lists of THPOs can be accessed via the National Association of Tribal Historic Preservation Offices at <http://www.nathpo.org/>, by telephone at 202-628-8476, or by mail at P.O. Box 19189, Washington, DC 20036-9189.

Tribal cultural staffs not affiliated with THPOs are identified, with contact information, in the sections of the "Contemporary Tribes" section of this report.

Appendix G:

Introductory Sections of the Draft Consultation Template for Lake Mead NRA

Lake Mead National Recreational Area Draft Tribal Consultation Plan

Purpose and Organization of this Document

The purpose of this Tribal Consultation Plan is to outline a program and procedures for conducting effective consultations between Lake Mead National Recreation Area (LAKE) and park-associated American Indian tribes. By virtue of their traditional associations with the park and their status as federally recognized Indian Tribes, certain tribes possess unique relationships with the park and its resources that are addressed through the consultation process. Thus, as a unit of the National Park Service, LAKE must consult regularly with Indian tribes in the normal conduct of NPS business. This Plan is intended to foster two-way communication between the park and those Native American communities having an interest in park planning, interpretation, research and management. This plan will assist the park in meeting their government to government responsibilities to federally recognized Indian tribes; it will also aid the park in meeting a variety of compliance mandates effectively and in a timely manner, as well as to enhance trusting and on-going relationships with Tribes in a manner that is consistent with applicable federal law and policy.

This Consultation Plan elaborates upon the directives given in a variety of federal laws, executive orders, NPS policies, and park-specific plans and regulations. Under these guidelines, consultation is understood to be a formal process, involving government to government relationships with Indian tribes, which is required to carry out the full range of park management activities under appropriate laws and policies. Simultaneously, consultation is understood to represent an ongoing process of dialog, information exchange, and, at times, negotiation between NPS staff and representatives of American Indian tribes, carried out within a framework of cooperation, collaboration and partnership, to inform and enhance park planning, interpretation, research and management.

This Tribal Consultation Plan is organized into five parts. Part 1 provides information that applies to all tribal consultations. Part 2 describes procedures for establishing and maintaining relationships with Indian Tribes. Part 3 describes the consultation process for plans and projects conducted in the park. Part 4 presents procedures for park construction projects. Part 5 discusses NAGPRA consultation procedures related to planned excavations and inadvertent discoveries. Part 6 outlines the technical assistance available to parks and regional programs through the Pacific West region (PWR) Regional Anthropologist and the NPS Ethnography Program.

1 CONSULTATION AUTHORITIES

There is a special relationship between the U.S. government and Indian tribes, originating in the U.S. Constitution and reaffirmed and clarified within numerous federal laws, regulations, court decisions, Executive Orders, agency policies and Director's Orders. This is described as a government-to-government relationship, between the United States and Indian tribes possessing inherent sovereignty. As stated in the U.S. Constitution, Congress has the authority to regulate commerce between the United States and Indian tribes, as with foreign nations and with interstate commerce. From the beginnings of U.S. history, Indian tribes possessed certain rights and status as independent nations, and the Supreme Court has asserted that these rights persist, describing tribes' special status as "domestic, dependent nations" within the United States.

When NPS officials interact with Indian tribes, they do so on the basis of these authorities, serving as representatives of the Executive Branch of the United States government. Numerous laws and regulations address the need for federal departments and agencies to engage in consultation with federally recognized Indian tribes, and *NPS Management Policies 2006* provide specific guidance on tribal consultation for units of the National Park Service.

The key guiding federal legislation, executive orders, and NPS policies identify consultation requirements pertaining to American Indian tribes, and are addressed in turn (and in chronological order) below. Additional mandates are implied in the park's enabling legislation and are briefly addressed in this section as well.

Certain agencies and organizations have produced guidelines describing how to implement the letter and spirit of the authorities listed below. One particularly useful source, developed by NPS staff and tribal historic preservation specialists, is the National Association of Tribal Historic Preservation Officers' document, "*Tribal Consultation: Best Practices in Historic Preservation*." It is available at: http://www.nathpo.org/PDF/Tribal_Consultation.pdf.

Federal Indian Laws, Executive Orders, and NPS Policies

Federal Legislation

- ***National Historic Preservation Act 1966, as amended (NHPA) (P.L. 91-190).***
This law exists to facilitate the documentation of historical properties, the nomination of such properties to a National Register of Historical Places, and to

provide for the consideration, minimization, and/or mitigation of federal actions that might affect such properties. Section 110 of the NHPA makes federal agencies responsible for the identification, evaluation and nomination of properties in their jurisdiction to the National Register of Historical Places; that such properties be managed in a way that considers the preservation of their historic and cultural values; and that similar considerations be given to historical properties that are beyond an agency's jurisdiction but potentially affected by agency actions. Section 106 of the NHPA requires that for any federal undertaking (including any project funded or permitted by the NPS), the NPS must consult with Indian tribes at the planning or scoping stage of a project to identify any properties or resources of significance to the tribes that would be eligible for listing on the National Register of Historical Places. Such properties are often, though not exclusively, Traditional Cultural Properties as defined in National Register Bulletin 38. If, through this consultation, it is determined that National Register-eligible properties may be affected by the proposed undertaking, the agency must consider the effects of the undertaking on them and consult with the interested tribes about ways to "resolve" adverse effects. If adverse effects are expected, the process will involve the development of an agreement document (PA or MOA) in consultation with the Indian tribes regarding the means that will be employed to consider and to resolve them.

- ***National Environmental Policy Act of 1969, as amended. (NEPA)(P.L. 91-190; 42 U.S.C. 4321-4335 and 1979 regulations).***

This law is directed at the impacts federal or federally-permitted development causes to the human environment, including the social and cultural relationship of people to the physical environment. Under NEPA, federal agencies have an obligation to consult with Native Americans concerning planned actions including potential impacts to culturally important sites. Consultation should be initiated early within the planning of a proposed action in order to avoid delays, to give sufficient time for adequate decision making, and to avoid potential conflicts [40 CFR 1501.2(d)(2)]. Under *NPS Management Policies (2006)* tribes can be invited to participate in the project scoping process. NEPA requires that federal agencies request tribal comments on draft Environmental Impact Statements that affect lands and resources of concern to the tribes. The law also authorizes Indian tribes to be cooperating agencies in NEPA compliance.

- ***American Indian Religious Freedom Act of 1978 (AIRFA) (P.L. 95-341).***

This law affirms that the constitutionally guaranteed religious freedoms shared by all U.S. citizens also apply to American Indians. The law is in many respects a corrective action undertaken after almost two centuries of federal efforts to undermine traditional American Indian religious practices. This law states that it is the "policy of the United States to protect and preserve for American Indians

their inherent right of freedom to believe, express, and exercise [their] traditional religions...including but not limited to access to sites, use and possession of sacred objects..." that are needed for the "exercise [of] traditional religions of the American Indian, Eskimo, Aleut, and Native Hawaiians."

- ***Archeological Resource Protection Act of 1979 (ARPA) (PL 96-95).***

This law provides protection for archeological sites and mechanisms for assessing and minimizing or mitigating federal impacts on such sites. The preservation of archaeological sites is justified within this law on the basis of the importance of the information that can be retrieved through scientific archaeological evaluation; the importance of archaeological sites to American Indian culture is not addressed by this law. Section 4 of this law requires federal agencies to notify federally recognized tribes of any permit for excavation on federal land that are anticipated to harm or destroy sites of religious or cultural importance to tribes [16 U.S.C. 470cc(c)]. In order to identify sites of religious or cultural importance that might be affected by federal permitting, the federal land manager shall seek to identify those Indian tribes having aboriginal or historic ties to the lands under the agency's jurisdiction.

- ***Native American Graves Protection and Repatriation Act of 1990 (NAGPRA) (P.L. 101-601 and implementing regulations).***

This law exists to repatriate Native American human remains, funerary objects, and certain types of cultural items from federal or federally supported collections to appropriate Native American communities; and to protect the integrity of Native American burials on federal lands or on lands that might be affected by federal permitting. NAGPRA requires federal agencies and museums receiving federal funds to consult with Indian tribes, inventory their collections, and repatriate Native American human remains, funerary objects and other cultural items to lineal descendants or the culturally affiliated Indian tribes. The law also seeks to protect Native American graves and encourages *in situ* preservation of archeological sites containing human remains and associated funerary objects. The law includes provisions for the disposition of human remains and cultural items discovered inadvertently, either accidentally or through planned excavations, on park lands. Under Sections 3002(c), 3002(d), 3003, 3004, and 3005, NAGPRA regulations require consultation throughout certain processes: before intentional excavations, immediately after inadvertent discoveries, before the completion of inventories, and upon the completion of summaries of those inventories.

- ***Tribal Self-Governance Act of 1994 (P.L. 103-413; 25 USC 458a).***

This law allows for American Indian tribes to assume responsibility for certain governance functions formerly managed exclusively by other federal entities. Tribes that choose to assume these responsibilities are designated as "self-

governance tribes. To be so designated, a tribe must first be accepted by the U.S. Department of the Interior's Office of Self-Governance as meeting certain requirements to negotiate annual funding agreements. Self-governance tribes with a demonstrable historical or cultural connection to a national park unit can negotiate an annual funding agreement for the tribe to provide programs, activities, services or functions, or a portion thereof, identified as eligible by the NPS. These services can include, but are not limited to, natural resource restoration and enhancement activities, participating in cultural resource studies and programs, and the development and delivery of park interpretation.

Federal Executive Orders and Presidential Memoranda

- *Executive Order 12898 (Environmental Justice), February 11, 1994.*
This Executive Order limits federal actions that might have a disproportionately negative impact upon minority populations, including but not limited to Native American communities. Specifically, this EO specifies that "to the greatest extent practicable and permitted by law...each Federal agency shall make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations in the United States" including populations that utilize resources affected by federal lands and permitting actions. The EO explicitly references federally recognized American Indian tribes and give the Department of the Interior primary responsibility for insuring compliance with this EO within programs affecting these tribes.
- *Executive Order 13007 (Sacred Sites), May 24, 1996.*
This Executive Order protects Native American access to sacred sites, as well as the physical integrity of such sites. Specifically, this EO specifies that federal agencies to "(1) accommodate access to and ceremonial use of Indian sacred sites by Indian religious practitioners and (2) avoid adversely affecting the physical integrity of such sacred sites." In order to accommodate this provision on lands managed or affected by federal agencies, the identity of such sites must be identified through consultation and be substantiated through information provided by federally recognized tribes or an Indian individual of such a tribe "determined to be an appropriately authoritative representative of an Indian religion."

- ***Executive Order 13175 (Consultation and Coordination with Indian Tribal Governments), November 6, 2000.***

This Executive Order directs federal agencies to operate within a government-to-government relationship with federally recognized Indian tribes, to recognize the inherent sovereignty of Indian tribes, and to develop a consultation process with tribal governments. This EO was developed in response to concerns that tribal consultation was not be conducted in a manner that was timely, consistent, or consistent with prior federal guidance by some federal offices. In developing and implementing policies relating to tribes or tribal interests, the EO directs agencies to respect Indian tribal self-government and sovereignty, to honor tribal treaty and other rights, and to meet the responsibilities that arise from the unique legal relationship between the Federal Government and Indian tribal governments.

- ***Memorandum for the Heads of Executive Departments and Agencies, issued by President George W. Bush on September 23, 2004.***

This memorandum reaffirms the unique government-to-government relationship between federal agencies and federally recognized tribes. It also seeks to insure that federal agencies respect tribal sovereignty and self-determination when working with federally recognized tribal governments on an intergovernmental basis: “it is critical that all departments and agencies adhere to these principles and work with tribal governments in a manner that cultivates mutual respect and fosters greater understanding to reinforce these principles.”

- ***Memorandum for the Heads of Executive Departments and Agencies, issued by President Barack Obama on November 5, 2009.***

This memorandum reaffirms EO 13175, prescribing “regular and meaningful consultation and collaboration with tribal officials in the development of Federal policies that have tribal implications” for executive departments and agencies, and holds them responsible for strengthening the government-to-government relationship between the United States and Indian tribes.” Toward this end, the memorandum required each agency head to submit a detailed plan of action to implement EO 13175, as well as to designate an official responsible for the implementation of this plan. The Director of the Office of Management and Budget (OMB) will receive these plans and report back to the president on how agencies’ tribal consultation can be improved.

NPS Management Policies Pertaining to Tribal Consultation

- *NPS Management Policies, 2006*

Section 1.11.2 of the NPS Management Policies establishes agency policies that responds to the agency's requirement to engage in formal consultation as specified in federal laws such as Section 106 of the National Historic Preservation Act (NHPA), the Native American Graves Protection and Repatriation Act of 1990 (NAGPRA), and the National Environmental Policy Act (NEPA). This section also specifies that formal consultation with federally recognized American Indian tribes is done on a government-to-government basis and will be respectful of tribal sovereignty. NPS managers are instructed to notify appropriate tribal authorities (such as tribal historic preservation officers) about proposed actions when first conceived, and by subsequently consulting their appointed representatives whenever proposed actions may affect tribal interests, practices, and traditionally utilized resources. NPS managers are also instructed be open and candid with tribal governments during consultations regarding proposed agency actions, so that the affected tribes may fully evaluate the potential impact of any proposal and the Service may fully consider tribal views in its decision-making processes. NPS Management Policies 2006,

Section 5.2.1 directs that government-to-government consultations on proposed NPS actions will take place as soon as practical within the planning process and in an appropriate forum that ensures effective communication. Specifically, "the Service will establish and maintain continuing relationships with outside parties to facilitate future collaboration, formal consultations, and the ongoing informal exchange of views and information on cultural resource matters."

Section 8.5 provides guidance to parks on the appropriate use of park lands and resources by American Indian tribes and other "traditionally associated groups," including certain consultation steps required to review requests for access to such lands and resources.

Additional consultation procedures relating to American Indians, tied to various specific potential park actions, are presented in the following sections and their subsections: 1.11 (trust resources), 2.1 and 2.3 (tribal involvement in park planning), 4.1 (consultation regarding natural resource management), 4.4 (game

harvests), 5.3 (natural resource collection, burials and repatriations under NAGPRA, museum collections, uses of traditional areas, and ethnographic resources), 5.5 (public exhibit of sacred objects), 6.3 (wilderness uses), 7.5 (interpretation and cultural demonstrations), 8.5 (fee waivers and resource access), and 10.2 (sale of Native American handcrafts).

- ***NPS Director's Order #71A - Draft (Government-to-Government Relationships with Tribal Governments)***

This Director's Order establishes a coherent framework by which the NPS will integrate the concepts of tribal sovereignty and government-to-government consultation addressed in existing federal laws, agency policy, and other legal instruments (identified above into park and program management. The DO directs Regional Directors, Superintendents, and Program Managers to "1) Interact directly with tribal leaders; 2) Collaborate and cooperate with tribal governments and their representatives regarding Service activities and programs; 3) Request tribal governments to identify formal and informal points of contact to represent them; 4) Develop, in consultation with tribal governments, mutually acceptable protocols to guide government-to-government relationships; 5) Encourage tribal governments and their representatives to participate in Service programs that affect them and work with them in activities associated with planning, interpreting, and protecting park resources; and 6) Acquire personal knowledge of tribal cultures so that programs and activities may be administered most effectively." The DO also offers the assistance of the NPS American Indian Liaison Office in undertaking these actions; directs parks to consider effects of management actions on tribal trust resource responsibilities; and to develop consultation protocols that are mutually acceptable to tribes and agency staff. Moreover, the DO instructs that "NPS managers will be open and candid with tribal governments during consultations so that the affected tribes may fully evaluate the potential impact of the proposal and the NPS may fully consider tribal views in its decision-making processes. This means that government-to-government consultation should begin at the earliest possible stages of planning." The DO concludes by noting that the NPS will provide training opportunities to its staff to support their adherence to these guidelines.

Lake Mead NRA Park Enabling Legislation

- Within the enabling legislation of Lake Mead National Recreation Area, (Pub. L. 88-639, § 2, Oct. 8, 1964, 78 Stat. 1039), there are explicit references to Hualapai tribal lands, allotments, and land users in the Arizona portion of the park.

Section § 460n-2 notes that these lands and allotments will be retained and a 1976 amendment to this legislation (§ 460n-6) stipulates that there are limitations on the park's jurisdiction of Hualapai access and activities in those portions of the park: Nothing in this subchapter shall modify or otherwise affect the existing jurisdiction of the Hualapai Tribe or alter the status of individual Hualapai Indians within that part of the Hualapai Indian Reservation included in said Lake Mead National Recreation Area." While the legislation does not stipulate specific consultation requirements in association with this Hualapai ownership and use of park lands, this reference within the park's enabling legislation implies the need for an enduring consultation relationship between the Hualapai and the National Park Service on matters of access, use, and ownership of lands.

Lake Mead NRA General Management Plan (1986)

- ***Volume I: Administrative and Legislative Constraints***
Invoking the park's enabling legislation, the GMP notes that the NPS has no jurisdiction over Hualapai lands within the park's external boundary. Inclusion of these lands within NPS-managed portions of the NRA would require Hualapai Tribe approval (p.5, 51).
- ***Volume II: Environmental Consequences***
The GMP notes that "preconstruction or pre-mineral leasing surveys" shall be conducted "for all lands that could be affected by specific construction or leasing proposals" to avoid impacts on previously unidentified cultural resources, though mechanisms of consultation are not specified (p.273).

Lake Mead NRA Resource Management Plan (1999)

- The LAKE RMP states as one of its goals/objectives that "Relations with Native American groups with ties to Lake Mead NRA will continue to be explored and solidified. Formal consultation needs to be established with both Yuman and Numic-speaking groups, and possibly Pueblo groups with linkages to Lost City and Willow Beach. Existing and new ethnographic information, on-site tours, and dialog should be used to identify culturally sensitive areas in the park and to facilitate sensitive issues. Formal and informal consultation also will be necessary in, and reassessing management policies for Spirit Mountain and

other culturally sensitive areas in the park.” The RMP reasserts the tribal consultation responsibilities of the park under various federal laws and policies; in order to facilitate NAGPRA and ARPA consultation especially, the RMP identifies a number of tribes that have pre-contact ties to park lands and resources. A number of programmatic proposals are advanced that may have a bearing on tribal consultation, such as the increased integration of cultural and natural resource programs when they have shared goals, including NHPA consultation and compliance tasks.

NOTES

¹ At the time of this writing, this document can be accessed at:
http://www.cr.nps.gov/history/online_books/nps28/28chap2.htm

² The definition of environmental regions within the study area has a long history, ostensibly beginning with American Indian traditional ecological knowledge that organized the region into known habitat types and resource use zones. The work of John Wesley Powell provided important reference points along the Colorado River, and some of the earliest written documents alluding to floral and geological patterns in the region. The most influential early accounts of the larger study area can be traced to an 1891 Death Valley Expedition by the U.S. Department of Agriculture, which sent a team of biologists to conduct a survey of parts of California, Nevada, Arizona, and Utah. Under the direction of C. Hart Merriam, they spent three months systematically collecting and documenting the desert biota of eastern and southern California and Nevada. A two-part report was produced, although only part II was published, containing seven reports: birds, reptiles and batrachians, fishes, insects, mollusks, desert trees and shrubs, desert cactuses and yuccas, and a list of localities visited (Merriam 1893). The volume serves as a baseline for southern Nevada flora and fauna, exclusive of the mammals as that report was included in the unpublished part I.

³ Virgin Anasazi Puebloan settlements were not just restricted to the Muddy and Virgin River drainages, but were found throughout the larger county. Virgin, Mormon, and Spring mountains have sherds of Virgin Anasazi pottery and other items of similar antiquity, for example, suggesting some Puebloan associations with these areas as well (Lyneis et al. 1989). The question of who the descendants of these Puebloan peoples are today is, therefore, significant, as it relates to questions of tribal affiliation for much of Clark County.

A variety of theories has been advanced for the decline of Virgin Anasazi settlements, but growing aridity following roughly 1050 y.b.p. appears to have been a decisive limiting factor for these agricultural communities (Jones et al. 1999). The period of climatic change was marked by expansion of less sedentary communities and intensification of resource management in productive riverine environments, and corresponds to both the Virgin Anasazi decline and what is widely depicted as a Numic expansion into the region (Rager 2001; Miller 1966).

Earlier generations of archaeologists posited a variety of conflicting theories regarding relationships between the Paiutes and the Puebloan Virgin Anasazi at the time of this transition. Some (e.g., Harrington 1937) proposed that hostility must have existed between these two presumably discrete populations, while more recent theories suggest that the populations may have blended with, or transitioned into, some portion of the

Southern Paiute population resident at contact. The older theories still hold considerable sway in academic circles and beyond. For example, Harrington suggested of the Virgin Anasazi,

Where did the people go? It is hard to say exactly, but probably they went back to northeastern Arizona and the adjacent parts of Utah, Colorado, and New Mexico, where the Pueblo civilization reached its height a little later in such settlements as the famous cliff-dwellings of Mesa Verde and the four-story apartment house of Chaco Canyon. Perhaps among them were ancestors of the Hopi, Zuñi, or other Pueblo tribes of the present day. (Harrington 1937: 24)

Shutler speculated of the Virgin Anasazi,

Perhaps they drifted north and east, introducing their culture which already displayed mixed Basketmaker and Pueblo traits to the Desert Culture people of Northern Periphery. This contact may have given rise to both the Puebloid and the Fremont cultures.
(Shutler 1961: 66)

It is true that artifacts and technologies found at Virgin Anasazi sites from Moapa Valley and vicinity suggest a lively exchange of goods and ideas with the communities of the larger Anasazi Puebloan world in the years prior to site abandonment, suggesting that the Moapa region was part of the Puebloan sphere, even as genetic connections remain somewhat more difficult to establish (Lyneis et al. 1989; Shutler 1961; Harrington 1937). Meanwhile, using tentative linguistic evidence alongside archaeological and ethnographic indicators, authors such as Miller (1966: 31) have declared the Virgin Anasazi to be “Hopi or Hopi-related.”

Yet, the blurring of these Puebloan people at least partially into the Numic Southern Paiute communities was suggested by some of these earlier studies. Shutler dates Southern Paiute reoccupation of the Lost City Puebloan lands between A.D. 700 and 1100, and noted an abundance of Paiute pottery mixed with late Puebloan materials at Virgin Anasazi sites, suggesting direct interaction and Numic reoccupation of these valleys. Still, he noted that these two peoples may have shared similar cultural origins and were not wholly distinct at the time of contact. It is important to note that Paiute oral traditions note interactions with presumably Puebloan people who occupied the lands of southern Nevada prior to their arrival (Meighan et al. 1956; Hayden 1930).

⁴ Speaking of the Colorado River region, early Indian agents such as Herman Ehrneberg of the Colorado River Indian Reservation noted considerable diversity and integration:

[The Colorado River] is occupied by tribes either kindred in origin, or at least affiliated by intermarriage, frequent intercourse, barter, and similar agricultural pursuits. Of common (supposed Aztec) origin are the Pimos, Papagoes, Moquis, Mojaris and Yumas; affiliated with them are the Maricopas, Hualapais, and Yurapeis; of the Yurapeis but little is known as yet; they seem to be few in numbers, and vegetate in the deep and dismal but sublime chasms and canons of the upper Colorado.
(Ehrenberg 1866)

⁵ Testimony to the Indian Claims Commission included references to this migration, "The Paiutes come into this area [Havasupai territory south of Grand Canyon] in considerable numbers following the appearance of the Mormons, a little farther north, 1855-1870s" (ICC n.d.: 414).

⁶ Steward (1937b) for example, noted strong concurrence with Kelly's findings, "On the east, the Shoshoni adjoined Southern Paiute in southern Nevada, where the boundary according to my informants differed but slightly from that given by Kelly."

⁷ As Shulter notes, "The pine nut tracts were owned by individual men and inherited by their sons. A woman gathered on her husband's tract" (Shutler 1961: 69).

Various sources note that many mountains had pine nuts but that their quality was said to not match that of the Spring Mountain pine nuts (e.g., Van Valkenburgh 1976: 239).

⁸ Lowie (1924a: 201) notes,

The Moapa gathered various seeds growing round the mountains and prepared them for the winter. Among these were sunflower seeds. When the mesquite ripened the people would come down from the mountains and dry them for the winter.

⁹ Omer Stewart (1942), for example, made this case on the basis of both historical records and ethnographic interviews. He noted that "Indians now at Moccasin, Arizona, told me that agriculture was introduced among the Kaibab Southern Paiute from south of the Colorado just before the Mormons settled near Kanab" (Stewart 1942: 235).

¹⁰ Certainly, there had been many EuroAmerican influences on Southern Paiute life by this time, including abortive efforts at Mormon missionization in the Las Vegas area, as

shall be discussed in later sections. Still, this vignette is consistent with many early written accounts and is no doubt suggestive of pre-Mormon settlement and subsistence.

¹¹ The mobility of the Southern Paiute and Shoshone established a pattern of relationships with ceremonial sites that is arguably distinctive. The process of recognizing sites as being powerful, even in unfamiliar terrain, by observing patterns in preexisting ritual landscapes and features, is arguably a Paiute tradition. Those who were proximate to a uniquely powerful spiritual site – as evidenced by rock art, rock structures, and the like – established ritual relationships with these places even if the individuals in question originated elsewhere. To some extent they became stewards of these places as well. Modern Southern Paiutes often look after petroglyph and pictograph sites in their area, for example, even if they are not descended from local bands. By residing there today, these individuals are said to bear that responsibility, recognizing that the landscape’s power is intrinsic and the question of pictograph “authorship” is not especially consequential. True, their ancestors certainly may have been the creators of some of these sites, but so were other peoples’ – often kin to these local Paiute communities – who now live some distance away. The question of whether these local communities can be associated directly with a site does little to diminish their concern regarding its integrity.

¹² Some tribal representatives note that, generally, the Southern Paiute groups north of the Colorado River shared friendly relations, hunting and gathering in each other’s territory, visiting, trading, and occasionally intermarrying. Las Vegas/Chemehuevi, Pahrump, and Moapa were sometimes said to share similar arrangements. These correspond roughly with dialectical divisions in the Southern Paiute language. Minor dialect differences distinguished some of the southern Southern Paiute bands (Las Vegas, Moapa) from their kin to the north and east (Shivwits, Kaibab) (Lowie 1924a: 312).

¹³ One of Kelly’s Kaibab consultants elaborated on this point,

A man owned a little land around a spring and lived there with his relatives and friends. If someone else came around he could camp there too; a man liked to have company. He liked to move around and change springs too; he knew where he wanted to camp. But if he moved away, he would come back later to his own spring.
(in Park 1938: 634)

¹⁴ On band terminology of Nevada’s Southern Paiutes, Nevada Indian Agent G.W. Ingalls reported in 1873 that,

The Indians of this agency are divided into thirty-one different tribes or bands, and are known among white men as Pai-Utes, but, among

themselves and by other Indians by as many different names as there are tribes, each tribe taking the name from the land which they occupy. (Ingalls 1873)

¹⁵ Julian Steward suggested that,

Horticulture did not permit large or stable populations which greatly affected sociopolitical groups. Kelly (1934) divided the Southern Paiute, including the Chemehuevi, into 15 subgroups, bands, or tribes, which are "dialectic units with political concomitants." It is questionable whether all of these groups fulfilled the requirements of "bands" according to the present definition. Dialectic distinctiveness is an insufficient criterion of a band. Band members must habitually have cooperated in a sufficient number of economic and social activities under a central control to have acquired a sense of community of interest. It is difficult to understand how people who were scattered over such vast territories and often separated by wide, waterless deserts could, when traveling on foot, habitually have joined forces in any important communal undertaking. (Steward 1938: 181)

Elsewhere, Steward suggested that,

[I]t is not certain that a more complete definition would correspond with [Kelly's definition of fifteen Paiute bands]. So long as the Southern Paiute remained on foot, it is difficult to see how people inhabiting so vast a region as that allotted to some of the bands could possibly have cooperated with one another in a sufficient number of enterprises to produce a truly centralized political control and a sense of solidarity with other occupants of the territory. Data have not been advanced to show that the bands were functional in other respects... These bands were not unlike those of the Shoshoni of the Death Valley region, except that the villages were given somewhat greater fixity by the practice of a small amount of horticulture. It is likely that a greater number of political units existed among pre-horse Southern Paiute than the fifteen bands recorded by Kelly and that Powell's and Ingall's list of thirty-one "tribes" may have been more nearly correct. There are indisputable records that political groups were consolidated into larger units among all other Shoshoneans after the influence of the White man was felt. (Steward 1937b: 634)

¹⁶ Kelly then went on to note that,

Within Kaibab territory [and other Southern Paiute bands] there were local clusters, functionally economic in character, whose people moved freely within the Kaibab area but returned eventually to the series of springs which was regarded as the property of one of its members. If there was any sense of solidarity, it held for the larger unit (band, as I have used the term), not for the smaller component clusters. Such solidarity was not crystallized by the necessity of repelling foreign invasion, for there seems to have been little incursion in pre-horse days. With the surrounding Paiute the Kaibab appear to have lived on good terms, with occasional visiting and occasional intermarriage.
(in Park et al 1938: 634)

¹⁷ On the basis of linguistic evidence, Sapir viewed the Southern Paiute as essentially a single population,

a large number of tribes or bands in southwestern Utah, northwestern Arizona, southern Nevada, and southeastern California that have been loosely grouped together as Paiute proper or Southern Paiute. The linguistic differences found in the speech of the various Paiute bands are slight.
(Sapir 1930-31 (I): 5)

¹⁸ This was an impediment to Southern Paiute claims to the Indian Claims Commission, where certain researchers supported the U.S. Government's effort to diminish Southern Paiute claims by asserting that the Paiute defied the conventional definition of "tribes" due to their flexible political structure and the apparent absence of formal mechanisms for group defense against external enemies (Manners 1974b).

¹⁹ Two Southern Paiute names with similar meaning have been recorded for the Moapa group, and both are references to the Muddy River valley (Sapir 1930-1931: 572, 574-575).

²⁰ The Moapa (as well as the Shivwits and Saint George Paiutes) sometimes crossed the Colorado River, and were not always greeted warmly. This changed in the historical period, when both populations were at war with the United States, as shall be addressed elsewhere in this document. The Moapa also reported receiving blue corn agriculture from the Hualapai (Kelly and Fowler 1986: 368-377).

²¹ Moapa appears to have shared seed available through early agricultural efforts at the reservation with kin and friends in other communities, becoming the point of

introduction for new kinds of agriculture throughout the region (Stewart 1942: 338). Ditch irrigation of cultivated plots was reported among the Moapa, Shivwits, and certain other *Nuwuvi* (Kelly 1932-33).

²² The name Kaibab is reported to be an Anglicized form of the native *qa'iva-udci* "mountain-lying, plateau"" (Sapir 1930-31 (I): 5). Sapir (1930-31) recorded considerable Kaibab Paiute oral tradition, but regrettably provides very few geographical reference points for the events contained in this collection.

²³ As Steward noted,

The total population for Kelly's Las Vegas area, omitting Ash Meadows and Amagrosa, is 332. The total area is about 9,450 square miles; the density, 1 person to 28.5 square miles. Though the population was doubtless somewhat reduced by 1874 and Powell and Ingalls probably overlooked a few Indians, this estimate is reasonable as compared with the Shoshoni area, for the territory is exceptionally infertile. (Steward 1938:181-182)

²⁴ Specifically Lowie (1924a: 193) reported that his Moapa consultants enumerated the following four main divisions of the region's Paiute population:

1. *Mu+ápötsö*; from the head of the Muddy River to the other side of the railroad station at Moapa, Nevada.
2. *Tandü'waitsu*; from Moapa to Las Vegas.
3. *Tö'intesà+u*; from Moapa to Caliente.
4. *Suwü'ntsu*; the St. George Indians.

One Shivwits consultant provided a different list, accentuating local subdivisions:

1. *Sü'Büts*; the Shivwits, referred to as St. George Indians at Moapa, with an agency at Shem, near the post-office of Santa Clara, Utah.
2. *QanāB*; the Kanab of southwestern Utah.
3. Grass Valley Paiute.
4. Cedar City Paiute.
5. Moapa Paiute.
6. *Qónto'qait*; in the mountains.

A second Shivwits consultant enumerated the following bands:

1. *Ma'tu'sats*; they used to live near Panaka, from Enterprise, Utah, northward, "but only Alice and three others survive."

-
2. *Mo 'apa*, formerly known as *Parano*, Put-foot-into-the-water; they lived near their present territory, Moapa, Nevada.
 3. *Qaibabitc*; the people of Moccasin, Arizona.
 4. *Yu+ita*; not really Ute, living round Cedar City, to the number of twenty-five or thirty.
 5. *Qanaec*; northeast of Milford, Utah.
 6. *Subu' ts*; south of their reservation, on both sides of the Colorado.

²⁵ Elsewhere, Lowie (1924a: 193) reported that the Moapa referred to the Paiute population living from Moapa to Las Vegas as *Tandü'waits*^u.

²⁶ Alfred Kroeber noted in his *Handbook of the Indians of California*,

In fact, the Chemehuevi are nothing but Southern Paiutes and all their bands have at one time or another been designated as Paiutes, Payuchis, and the like.

Conversely, the term Chemehuevi has been applied to several more eastern bands, in Nevada and Arizona, on whom custom has now settled the name Paiute. The Mohave and other Yuman tribes follow this nomenclature consistently: Chemehuevi is their generic term for Paiute. Thus that remarkable pioneer Garces, who in 1776 entered Shoshonean territory from the Mohave and with Mohave guides, speaks not only of the *Chemegue* and *Chemeguaba*—our Chemehuevi—but of the *Chemegue Cuajala* and *Chemegue Sevinta*, that is, the *Paranuh* Paiute of Muddy River in Nevada and the Shivwits Paiute of Shivwits Plateau in Arizona, the *Kohoalcha* and *Siovinta* of the Mohave. In fact, the name Chemehuevi, whose etymology is uncertain, would seem to be of Mohave or at least Yuman origin.

At the same time, the appellation is a convenient one to distinguish the Southern Paiute of California from their brethren of Nevada, Arizona, and Utah; and it will be used here in this geographical rather than in any essential ethnic sense.

(Kroeber 1925: 593)

²⁷ Kroeber, for example, noted,

The drift of Southern Paiute southward to become Chemehuevi had already occurred within the desert by the latter half of the eighteenth

century [while their move to the Colorado] dates from 1830-1840 and following.
(Kroeber 1959: 294)

Elsewhere, Kroeber noted,

The Chemehuevi are one of the very few Californian groups that have partly altered their location in the historic period, and that without pressure from the white man. Their shifts emanated in disturbances of the still more mobile and more compact Yuman tribes on whom they border.
(Kroeber 1925: 593-94)

²⁸ The Chemehuevi are first mentioned as a separate population in written documents dating from 1776, in the works of Father Garces – the basis for Kroeber’s use of that date (see Roth 1976: 93 ff.).

²⁹ Kenneth Stewart went so far as to suggest that,

The migratory Indians of the desert who were known to the Mohave as Chemehuevi were definitely not a tribal entity before they began to infiltrate the country along the west bank of the Colorado River...An incipient national consciousness began to stir among the Chemehuevi once they were on the river.
(Stewart 1968: 26)

³⁰ On Chemehuevi band and geographical terms, Kroeber (1925) reports,

The Chemehuevi and Southern Paiute name for themselves is only Nuwu, "people," corresponding to Mono and Northern Paiute Numu. The Chemehuevi proper are sometimes called by their kinsmen: *Tantawats* or *Tantuwach*, "southerners," an appropriate enough term; and they accept the designation; but it has local, not tribal reference. The various Serrano groups call them *Yuakayam*. The Yuma are said to name them *Matevach*, "northerners," and the Pima: *Ahalakat*, "small bows."
Tribes or local divisions that may fairly be included among the Chemehuevi are the following:

Mokwats, at the Kingston Mountains.
Yagats, at Amargosa.

Hokwaits, in Ivanpah Valley.

Tumpisagavatsits or *Timpashauwagotsits*, in the Providence Mountains.

Kauyaichsits.

Moviats on Cottonwood Island in the Colorado River.

Shivawach or *Shivawats* in the Chemehuevi Valley; it is not certain whether this is the name of a band or of a locality.

There must have been others farther west and south.
(Kroeber 1925: 595)

³¹ Specifically, Laird notes regarding Chemehuevi settlements along this portion of the Colorado River,

“nother bend in the River, situated on the Nevada side, was called *Wiyaaan²nik²aaati*, and its inhabitants were *Wiyaaan²nik²aatitsiwi*. There were enough of them to have a chief. This place was about two miles down the road from the Hardyville Ferry [near Laughlin] at the point where the road to Paiute Hill left the main road. All the little valleys from [the Laughlin area] on up the Colorado had Chemehuevi names and were occupied by clusters of families.

(Laird 1976: 23-24)

³² As Alfred Kroeber summarized in his preface to Phillip Drucker’s Culture Element Distribution study for southern California,

[T]he Chemehuevi are historically part of the Las Vegas band or division of the Southern Paiute, who within tribal memory drifted southward into relations with the Mohave...they accepted a patchy veneer of river Yuman culture. Where they remain different from the Yuma (and Mohave), they often agree with the southern California Shoshoneans, but at other points with the Great Basin or Southwestern peoples.

(in Drucker 1937: 2)

Sapir somewhat dismissively stated, “the Chemehuevi are probably nothing but a Paiute band that have been subjected to strong Yuman influences” (Sapir 1930-31 (I): 5).

³³ For example, Drucker’s Chemehuevi consultants asserted that “‘No one but Mohaves eat fish,’ perhaps referring to the ‘old times’ before his people occupied the river bottom” (Drucker 1937: 42).

³⁴ Kroeber noted,

The Shoshonean Chemehuevi have been considerably influenced by the Mohave on the side of religion, but apparently without appreciable effect on their economic life. It is not clear whether or how far this influence antedates the Caucasian period.
(Kroeber 1939:43)

³⁵ Early Indian agents noted these continued linkages between Las Vegas and Cottonwood Island Paiutes,

They belong to the tribe of Pi-Utes, or Pah-Utes, as do all the Indians at Cottonwood Springs, Vegas, along the Muddy, and at Saint George...At Cottonwood Springs and Las Vegas there are quite a large number, who move backward and forward between the two places, according to their fancy. They had small farms or gardens, and besides the corn, pumpkins, melons, &c., raised by themselves, obtain scanty supplies from the Vegas ranches for what little work they do...I should estimate that these met with at Cottonwood Springs and Las Vegas would number about two hundred.
(Humphreys 1872: 75)

³⁶ A number of authors, Kroeber in particular, has recounted aspects of this history,

Cottonwood Island, above Fort Mohave, was but intermittently inhabited by the Mohave. The same is true, perhaps in even greater measure, of Chemehuevi Valley below them. After the Mohave drove the Halchidhoma out of the country about Parker and below, the Chemehuevi began to drift into the valley now named after them. The Mohave probably maintained some claim to the land, although they did not use it; for they tell that they came in numbers, and by persuasion or compulsion induced the Chemehuevi to remove to Cottonwood Island at their northern limit. Here Chemehuevi and Mohave lived more or less together until about 1867, when, war breaking out between them, these Mohave outposts felt it safest to rejoin their main body below, just as certain Chemehuevi who had reoccupied Chemehuevi Valley fled from it back to the desert from which they had come.
(Kroeber 1925: 726-27)

³⁷ The Inter-tribal Council of Nevada reported of the importance of this place from a Southern Paiute perspective,

Nuwuvi territory extended south along the Colorado River to the Cottonwood area. South of this were the Mohaves, with whom the Nuwuvi occasionally fought. Only the Chemehuevis, a Nuwuvi-speaking band who had moved south, normally lived at peace with the Mohave. (Inter-Tribal Council of Nevada 1976a: 7)

³⁸ For example, Chemehuevi man Mike Tobin reported being born there in the early 1880s (ICC 1953).

³⁹ Dobyns (1954 III: 233) describes this as “the thickly settled area of Mohave Valley itself where the Mohaves enjoyed sole and exclusive use and possession of the flood plain and lower bajada slopes.”

⁴⁰ Writing in the 1860s, Arizona Territory Indian agents commented on this sense of territorial hegemony in the riparian corridor, “The Mojaves and Yumas claim all the bottomlands on both sides of the Colorado River, the whole extent of the [Arizona] Territory” (Leihy 1865).

⁴¹ On this point, Kroeber notes,

The settlement is the political and social basis of life in California. The tribe, at least as a larger unit, exists hardly or not at all. The reverse is the case with the Mohave. They think in terms of themselves as a national entity, the *Hanuikhava*. They think also of their land as a country. (Kroeber 1925: 727)

⁴² This depiction agrees with, and draws significantly from, the work of Kroeber (1974: 25 ff.) and others.

⁴³ Homes were located within the floodplain, but larger permanent structures were located so as to avoid annual floods. Quoting Castetter and Bell,

Anciently, Mohave homes stretched along the river in groups for thirty miles, usually as much as half a mile apart. Most families had a fragile summer house on the mud flats and a winter home on higher ground. (Castetter and Bell 1951: 45)

Cremation places sat a short distance away, so that they aggregated on landmarks on the edges of these settlements, “At some distance from each village, wherever it was located near the Colorado River, the Mohaves had a cremation place” (Smith 1977: 50).

⁴⁴ Sherer commented on these divisions occasionally in works on Mohave social structure,

In pre-United States days the Mojaves had three geographical subdivisions; the *Matha lyathum*, or people of the north whose domains lay between Black Canyon and Paiute Wash; the *Hutto-pah*, or people who lived in the middle (Mohave Valley), and the *Kavi lyathum*, or people who lived south of the Needles Peaks. Each year, usually in May, when the first crops were harvested, “the people got together” to feast, dance, and give their young folks a chance to mix. One year they met in the north, the next in the south or middle, and so on, rotating the meeting place. (Sherer 1965: 80)

Similarly, 20th century tribal leaders have alluded to these geographical divisions: “*Matalydom* (northern Mohave), *Topa* (central Mohave) [and] *Kavalyadom* (southern Mohave)” (Llewellyn Barrackman in ICC 1968).

The boundaries of the *Matha lyathum* population’s territory was described in ICC testimony,

The northern Mohave, *Matalydom*, controlled the river and both sides, the west bank of the river to the mountains taking in Newberry Mountains [northwest of Laughlin, NV], down to what we call *Mawadha* River or either Paiute Wash [in the southernmost corner of Clark County, NV] continues to the Arizona portion, and going south to north on the Black Mountains or Boundary Cone, *Avaveysque*, going to the point of Mount Perkins [just northeast of Cottonwood Cove] is of the northern Mohave which we call *Matalydom*. (ICC 1968: 23-24)

⁴⁵ In the delineation of Mohave territory, some sources follow the map of Meyers and Kleinman (1973), which shows Mt. Perkins, Arizona, as the northwestern corner of Mohave lands, with the northern boundary thence running west-by-southwest, passing north of Cottonwood Island to their territory’s northwest corner, sitting a short distance west of the modern Lake Mead entrance station on State Highway 164 (east of Searchlight), thence passing south-by-southeast to Spirit Mountain, and from there south along the crest of the Sacramento Mountains.

⁴⁶ Kenneth Stewart similarly suggests that, “the Mohave considered that the desert was theirs to traverse at will for trade purposes, whether it was actually in their possession or because the thinly-scattered Chemehuevi and other Shoshoneans feared to hinder them” (Stewart 1969b: 269).

⁴⁷ Contemporary tribal members still celebrate desert travel as a source of information, goods, social activity, and adventure rather than as a source of hardship. Some retell heroic stories of Mohave travelers of the past, who ran for miles through the desert, often at night, wearing little more than a layer of mud spread on the skin and hair to deflect the sun and wind.

⁴⁸ Summarizing his findings, Stewart reported, “To the north Mohave territory ended at *Tavúku*, at the Southern Paiute boundary just above Cottonwood Island” (Stewart 1969b: 270). It is unclear that the Mohave would recognize this as an enduring northern boundary to their cumulative territory, but only to their area of contiguous settlement.

⁴⁹ As Henry Dobyns noted in his Indian Claims Commission reports, “Postulating Mohave land use farther upstream [to the Great Bend] rests on historic evidence that the Mohaves obtained rock salt from the deposits in the lower Virgin River Valley” (Dobyns 1956: 286).

⁵⁰ In Indian Claims Commission testimony, Hualapai elder Auggie Smith (b. 1876) seems to allude to this when asserting that the Hualapai claimed the eastern shore, but the “Mohave lived across the river on the other [west] side” (ICC 1950).

⁵¹ A small number of sources imply Mohave occupation along much of the Colorado River riparian corridor now located within Clark County without much analysis, such as Smith “The Mohaves lived in small villages along the Colorado River, extending from its emergence from the Grand Canyon southward as far as Parker. The most heavily populated area included all of the great Mohave Valley” (1977: 1).

⁵² Kenneth Stewart described the Cottonwood Island settlement as follows,

Some fifteen miles north of the site of Davis Dam was a northern outpost for the Mohave, Cottonwood Island, and the little Cottonwood Valley around it, now drowned under Lake Mohave...Cottonwood Island was distinctly a northern outpost for the Mohave, and it may have been occupied only intermittently. (Stewart 1969b: 263-64)

On Mohave’s recollections of Cottonwood Island, Kenneth Stewart reported,

“Cottonwood Island was distinctly a northern outpost for the Mohave, and it may have been occupied only intermittently. The northern limit of Mohave country was at *Tavúku*, a site just above Cottonwood Island, which Isabel Kelly has indicated as the southern boundary of the Las Vegas band of Southern Paiute. North of *Tavúku* are El Dorado Canyon and Black Canyon, which are devoid of river bottomland suitable for floodwater farming.

“One of my Mohave informants, Pete Lambert, who was born about 1866, stated that in his youth some Mohaves were living on Cottonwood Island. According to Lambert, these Mohaves were known as *Matocopa*, and they did not farm, but lived on fish.

“Just how long Mohaves had been living on Cottonwood Island is not known. Ives in 1858 found a few scattered Mohaves on the island, but he saw no fields under cultivation there. When he proceeded north of the island, he was told by his Mohave guide, Irrateba, that they were now in Paiute country. Shortly after 1858 (at a date which cannot be pin-pointed), the Mohave brought some Chemehuevis from the Chemehuevi Valley to live on Cottonwood Island. Mohaves and Chemehuevis lived side by side on the island until war broke out between them in 1865, apparently precipitated by individual killings. The Chemehuevis then fled back into the Mojave Desert, while the Mohaves retreated from their island outpost to the more populous Mohave Valley. When peace was restored in 1867, both Mohaves and Chemehuevis returned to the island.
(Stewart 1969: 265)

⁵³ Indian Claims Commission testimony, for example, referred to traditional Mohave farmland running along the Colorado River riparian, between a point roughly 15 miles north of Davis Dam to Cottonwood Island, though this was referred to as “part of an isolated outpost” separate from the core Mohave territory in Mohave Valley and southward (ICC 1955: 33).

⁵⁴ In 1858 Ives reported visiting the Cottonwood area, perhaps the first non-Indian to provide a detailed report of Indians in this area. As Alfred Kroeber summarized this contact, “he found...a small group in the valley, and he saw no farms, and they were gathering, however, mesquite. ...I think it would be near the point of Cottonwood Island” (ICC 1955: 106).

⁵⁵ Eldorado Canyon is described as being at the center of the Earth and a central point in the creation of the world. In a dream cycle described in Mohave oral tradition, it is reported that,

The first were Sky and Earth, male and female, who touched far in the west, across the sea. Then were born from them Matavilya, the oldest; Prog, his daughter, who was to cause his death; his younger brother or son Mastamho, his successor and greater than he; and all men and beings. In four strides Matavilya led them upward to *Aha'-av'ulypo*, "house-post water," in Eldorado Canyon on the Colorado, above Mohave land; the center of the earth, as he found by stretching his arms. There he made his "dark round," the first house.
(in Kroeber 1925: 770)

In a separate "Great Tale" addressing the creation of the Colorado River, *Avikwa'ame* – Newberry Mountain – is mentioned as a powerful locus of creation,

In four steps Mastamho strode far north, plunged his cane of breath and spittle into the earth, and the river flowed out. Entering a boat, *Mastamho* journeyed with mankind to the sea, twisting and tilting the boat or letting it run straight as he wished wide bottom lands or sharp canyons to frame the river. He returned with the people on his arms, surmounted the rising waters to the mountain *Akokahumi*, trod the water down, and took his followers upstream to the northern end of what was to be the Mohave country. Here he heaped up the great pointed peak *Avikwame* – more exactly *Avikwa'ame* – Newberry or Dead Mountain as the Americans call it, where he, too, built himself a house. It is of this house that shamans dream.
(in Kroeber 1925: 770-71)

Other oral traditions mention these beings traveling elsewhere across southern Clark County: "Mastamho took all the people downstream to *Avi-kutaparva*, to the New York Mountains, and far west to *Avi-hamoka*, "three mountains," which is toward Tehachapi from Mohave station" (Kroeber 1925: 777). While of great importance, these sites are not described as being equal to Newberry Mountain and Eldorado Canyon in their cosmological centrality.

⁵⁶ Sources generally suggest that most Southern Paiutes historically did not identify this mountain as being of greater importance than a number of other spiritually potent

mountain peaks in the area. Laird (1976: 121) notes of Spirit Mountain that “The Chemehuevis attached no special importance to it.”

⁵⁷ For example, Sherer (1965: 82) recorded a spirit power song by one Fort Mojave elder, who she calls Oach, who went off by herself to view a mountain – apparently Spirit or Newberry Mountain – and sang, as translated into English,

I draw my strength from the mountain
I draw my strength from the mountain
I could live here forever
I draw my strength from the mountain.

⁵⁸ The Inter-Tribal Council of Nevada presents a rich image of the seasonal migration to and from these summer camps,

Since the Newe harvested plants in the same areas year after year, the various Newe groups travelled to well-established summer camps. When they returned to a camp in the summer, the frames of their *hekikahni* (shade houses) remained from the previous year. They covered the frames of the summer houses with fresh, sweet-smelling branches. In each summer home, the Newe kept the tools they needed to harvest and prepare the foods. Each family had an assortment of baskets, water jugs, and cooking pots. They also kept a large grinding stone, a small handstone, and a flat willow basket, which they used to prepare pine nuts and seeds.

(Inter-Tribal Council of Nevada 1976b: 7).

⁵⁹ Burial customs varied across Western Shoshone territory. Bodies were cremated in designated multiple cremation sites in Death Valley and Lida, among other areas (Driver 1937: 99; Steward 1941: 256), while in mountain areas, bodies often were buried in rock slides or talus slopes (Steward 1943: 343).

⁶⁰ Thus, as Steward summarized,

Aggregates of people larger than the village were not only necessarily transient but, in successive years, often brought together very different families under different leaders. From southern Nevada to southern Idaho, consequently, Shoshoni society resembled a vast net, the people of each village being linked to those of villages on all sides by varied economic and social activities as well as by marriage.

(Steward 1938: 630)

⁶¹ Although Northern Shoshone and Eastern Shoshone peoples of the Great Basin adopted the horse for transportation beginning in the mid-1600s, the Western Shoshone did not (Malouf and Findlay 1986: 500). Horses competed for many of the same food resources consumed by native people; in the environment of Western Shoshone, use of the horse was comparatively sparing.

⁶² On trade, Euler notes,

My Las Vegas informants, the four elderly Paiute left in that area, claimed that the Shoshone held the Tonopah, Beatty, and Death Valley (Furnace Creek) regions, and that they traded with Shoshone at Ash Meadows. One, however, maintained that they were afraid of the Shoshone and "didn't get along with them."
(Euler 1966: 110).

⁶³ Steward suggests that this group was linked with the Shoshones dwelling in similar environments within the Belted Range,

Some detailed information is available concerning two population centers, the vicinity of Beatty and the Belted Range, where, because there was an unusual number of springs, winter villages were clustered. Each of these centers is, in a sense, a district, for the residents naturally found it most convenient to associate with their nearest neighbors. But the two were somewhat interlinked through considerable intermarriage and some cooperation.

(Steward 1938: 93)

⁶⁴ Steward also adds,

The second and third camps were headed by two brothers from Gold Mountain, each of whom had married one of *Tst's* father's sisters. One brother, *Tuwunsugu* (*tuwu*, black -*ftsugupiitsi*, old man) had three daughters; the other, *Na : sonimuju* (*na : sonip*, grass -*f-muju*, head ?), had four sons.

(Steward 1938: 94)

⁶⁵ Terminology for Western Shoshone bands is notoriously inconsistent in historical and ethnographic writings. Timbisha, for example, are commonly called the California

Shoshoni, Northern Death Valley Shoshone, or Panamint in addition to a variety of phonetic variations on "Timbisha" proper (Steward 1938; Coville 1892).

⁶⁶ Kroeber reached similar conclusions regarding the veracity of maps of Western Shoshone territory, noting that

Difficulty is encountered in attempting to determine the more exact boundaries of the various groups... This is due primarily to the loose political organization of the Shoshoneans, among whom, both in California and on the Plateau, the more definite tribal organization of the Plains did not exist... These circumstances have rendered the discrimination of bodies without political coherence or distinctness difficult.

(Kroeber 1907: 105-07)

⁶⁷ As summarized by Lowie, Shoshone people could obtain powers in such places that allowed them to heal, or to avoid harm in battle,

Power such as that possessed by these men is obtained in dreams. Some being appears and tells the person favored that he should do so and so, go to the mountains, and so forth. He would obey and receive the blessing of a charmed life. Similarly the power of curing disease was obtained through dreams. Long ago the Shoshoni would go to the hills or rocks in the mountains where there was "a kind of writing." There they would sleep for from one to three nights in quest of a dream, but without fasting; in the morning they went back home. Some animal or person might appear to the would-be visionary and tell him he was to be a physician.

(Lowie 1924a: 295-96).

As with the Southern Paiutes, the mobility of Shoshone established a pattern of relationships with ceremonial sites that arguably differed from other, more sedentary peoples. Medicinal plants associated with sites perceived to have spiritual power are commonly believed to have unique properties and enhanced powers. On Shoshone healing traditions and the plants that are part of them, see Crum 1997.

⁶⁸ It is generally agreed that the Hualapai and the Havasupai tribes derive from the same broad ancestral group but there is disagreement over when and why the divergence of the two occurred (Martin 1985:136). Kroeber is vague on the time of the split, attributing it to agricultural resources that were more readily available, and

consequently more important, to the Havasupai. Dobyns and Euler place the split in the late 19th century, arguing that the creation of two separate tribes was a political result of historical conflict with whites and the subsequent development of reservations. These sources suggesting a later date propose that the Hualapai were a band of the Plateau People, only becoming separate once they were on their own reservation (Dobyns and Euler 1970, see analysis in Martin 1985). In contrast, Schwartz originally dated the fission to well before European contact, hypothesizing a division based on archaeological evidence. Schwartz had posited that the Havasupai are descended from the Cohonina branch of the Upland Patayan tradition, but later came to agree with others who theorize that both the Hualapai and the Havasupai are descendants of the Cerbat branch of the Upland Patayan tradition (BLM 2011: H-5). Regardless of when the separation between the Hualapai and the Havasupai occurred, a case can be made that if the Hualapai tribe is consulted on certain matters, then the Havasupai tribe, by the nature of its relationship to the Hualapai tribe, may be considered a potential consultation partner as well.

There was some apparent confusion in the designation of Hualapai and Yavasupai in early written accounts, complicating the differentiation of the two groups in historical writings without recourse to contextual evidence (Manners 1974b).

⁶⁹ During Indian Claims Commission hearings, elder Viola Jimulla (b. 1878), apparently a Yavapai, noted of the Yavapai and Hualapai that "...from the beginning they were cousins, the Hualapais and the Yavapais were cousins because their language was almost the same" (ICC 1953: 194). Robert Manners also noted that "The linguistic evidence suggests that Walapai, Havasupai and Yavapai were once the same" (Manners 1974c: 8).

⁷⁰ In past literatures they have been more commonly associated with nonagricultural peoples in cultural origin. As Kroeber suggested,

Yavapai, Walapai, Havasupai...These three tribes are closely similar in speech, forming a distinct subgroup of the Yuman family...All three tribes farmed where they could. This, however, they did sporadically and insignificantly, the Havasupai excepted...The culture shows many resemblances to that of Peninsular California (including the Diegueño) as well as to that of the Great Basin Shoshoneans, especially the Southern Paiute across the great chasm of the Colorado...We have in this group, then, a culture related primarily to the nonfarming desert cultures of the region.
(Kroeber 1939: 41)

⁷¹ Cremation and burial sites are commonly found in association with these settlements. The Hualapai have traditionally cremated their dead, but in the late 1800s, burial practices increasingly involved interment in rock slides and cairns due to pressure from EuroAmericans as well as the adoption of the Ghost Dance movement in the 1880s and 1890s (McGuire1983: 35).

⁷² In Indian Claims Commission expert testimony, Henry Dobyns noted that,

“The lineages of the Hualapais recognized that labor expended by one lineage, or family, if such were the case, on a particular plot of land, gave that group the right to come back to that particular plot year after year and continue to expend its labor there and cultivate crops, raise crops, produce its own food there, and then decide what to do with that food.

“Now, as for ownership of the land itself, in its familial sense, the native concept would not have been, or was not, that the land could be disposed of in the way that the products of labor could be disposed of. This is a general property concept in this culture.
(ICC 1957:323)

⁷³ Indian Claims Commission expert testimony by Henry Dobyns, for example, alludes to this ford,

Another major north-south trail, which was clearly marked in the country, was that from the ford of the Colorado River at the place known in recent times as Pierce [Pearce] Ferry, just below the Grand Wash Cliff escarpment...into Truxton Canyon.
(in ICC 1953: 288)

⁷⁴ One such story, for example, involves the spirit being Cottontail, who travels from the Arizona Strip toward the Pacific Ocean, following a trail that passes through Moapa Valley (Lowie 1924b: 143).

⁷⁵After reviewing Hualapai cultural practices, Manners (1974: 143) concluded, “The territorial lines between any Walapai and their non-Walapai neighbors are vague and shifting and in some cases actually represent areas of joint occupation or of non-occupation” (Manners 1974: 143). Similarly, Kroeber (1935) noted of Hualapai territory,

The centers of population, the largest villages, lay fairly close to the center of Walapai Territory. On all sides there was a considerable strip of

territory before the villages of other tribes were reached. The sites favorable to permanent habitation lay fairly bunched, surrounded by country decidedly inferior in resources. For most of the Walapai boundary the line might well represent the areal limit of utilization by the neighboring tribes.
(Kroeber 1935: 38)

⁷⁶ Occupation of Willow Beach has been a point of some debate. Frequent historical sightings of Mohaves at this location, as well as correspondence between Willow Beach pottery and Mohave styles have led some authors to hypothesize Mohave predominance at the site until recent times, when Paiute and Hualapai occupied the landscape (e.g. Schroeder 1951). Others (Dobyns and Euler 1976) depict the area as principally Hualapai based in part on accounts of Hualapai cultivation and settlement during the contact period. Ethnographic patterns for this region might succession joint or alternating occupation.

⁷⁷In his Indian Claims Commission assessment of Hualapai territory, Henry Dobyns (1956) noted,

The Hualapais appear to have reached the approximate limits of their territory toward the northeast about 1100 to 1150A.D. and toward the southeast after about 1300 A.D., and to have then established in about the same position for about six centuries. It is this period of stabilized territory after the exterior limits of historic Hualapai territory were reached which is suggested as the operational definition of time immemorial in Hualapai prehistory.
(Dobyns 1956:197-198)

⁷⁸ For example, Indian Claims Commission testimony from Hualapai elder, Fred Mahone (b. 1887) asserted that "Hualapai country extended to around what is now Lake Mead because they got salt this side [south] of the river" (ICC 1953); while Reed Wellington (b. 1886) alluded to Hualapai placenames, gardens, and other signs of cultural activity in the vicinity of what is today Boulder Dam (ICC 1950; 1953: 149-52). See also ICC (1957: 395-98).

⁷⁹ The absence of "exclusive" occupation along the Colorado River riparian corridor from this bend southward later complicated Hualapai claims to the Indian Claims Commission for this portion of their territory. As Dobyns (1956) noted in his ICC research,

The actual western boundary of territory used and occupied exclusively by Hualapais lay at the crest of the first range of mountains east of the Colorado River. It may be accurately described as a line from The Needles northeastward across Sacramento Valley's lower course to the southernmost tip of the Black Mountains, thence following the summit or crest of said range of mountains in a generally northward direction to the summit of Fortification Hill inside the Great Bend of the Colorado River where it changes its direction of flow from westward to southward, thence easterly along the crest of the first range of mountains south of the Colorado River to a point due south of the confluence of the Virgin River with the Colorado River, thence in a straight line to the mid-stream of the Colorado River at said confluence, thence through the center of the Colorado River.

(Dobyns 1956: 286)

Elsewhere, he notes of the Hualapai exclusive use area,

The Hualapai Indians enjoyed from time immemorial sole and exclusive use and occupancy of a territory bound as follows – Beginning at a point midstream of the Colorado River marked by the intersection of said river with a line projected northward from the northernmost tip of the plateau ridge between Prospect Valley and Mohawk Canyon...thence generally northward along the crest of the Black Mountains to Fortification Hill inside the Great Bend of the Colorado River; thence in a line to the midstream of said Colorado River.

(Dobyns 1956: 678-679)

⁸⁰ This may represent part of the riparian utilization described in Indian Claims Commission testimony by Hualapai elder Reed Wellington (b. 1886). When questioned about the western edge of Hualapai territory, Mr. Wellington recalled that the Hualapai “maintained gardens near Boulder dam, the Big Mountain, and up by the mountains north of White Hills” (ICC 1950). Elsewhere in the ICC records, Henry Dobyns noted that the Hualapai band from the northern Cerbat Mountains, “had an inundation farm at *Ha' Masipa*, around the Great Bend of the Colorado River, on the south bank of the river, where it flows from east toward west” (in ICC 1957: 307).

⁸¹ Collections of Mohave oral traditions indicate that many, if not most, stories are tied to specific landscape features; while rock art sites are usually not mentioned specifically, these collections can provide guidance in the analysis of the cultural significance of rock art sites at these landscape features (Kroeber 1948, 1972).

⁸² Hualapai, in particular, is only addressed parenthetically in footnotes, though the events of the 19th century clearly brought Hualapais to modern Clark County due to such developments as the “Walapai War” of the late 1860s, the Ghost Dance of the 1890s, and the efforts of individual families to avoid the effects of battles and reservation development by establishing homesteads on the western side of the Colorado River.

⁸³ For example, when crossing through southern Nevada and southwestern Utah, one of Frémont’s guides, Kit Carson, bought a Southern Paiute boy from the Ute, to serve as an “apprentice” (Malouf and Findlay 1986: 507).

⁸⁴ The General Land Office (GLO), established within the Department of the Treasury in 1812, administered all public land transactions (including surveying and map work as of 1836). The GLO was transferred to the Department of the Interior when that department was created in 1849. Nearly a century later, in 1946, the GLO merged with the Grazing Service to form the Bureau of Land Management.

⁸⁵ Lead was mined sporadically at Potosi too, but was too brittle and flaky to be profitable. The Colorado Mining Company operated a smelter near Potosi Springs and mined silver there from 1861 to 1863. In 1870 the Silver State Mining Company reopened the mine.

⁸⁶ Still, shortly after mining commenced, the site was abandoned due to its low-grade ore. The town reemerged in the 1890s when prospector Joe Good opened a new mine in the area; Goodsprings was named for him. In 1893 the population stood at 200, and most of the residents worked in the Keystone Gold Mine that opened in 1892.

⁸⁷ As Indian Agent J.A. Forney reported,

Almost every band yearly cultivates small patches of wheat, corn, beans, &c., along the banks of the streams...An intelligent gentleman, who was guide to the first emigrant company which passed through the southern part of the Territory to California, twelve years ago [1847], informs me that he then saw wheat and cornfields, with at least six acres in each, successfully cultivated by those southern Pah-Utes, and that his company would have fared badly but for the wheat, corn, peas, and beans purchased by them from the Indians.
(Forney 1859: 366-67)

⁸⁸The Inter-Tribal Council of Nevada suggested that no single band of Southern Paiutes had always occupied Las Vegas, although the “*Pegesits* band” - apparently of the

Callville area – sometimes lived there longer when emigrant travel through the area was not heavy (Inter-Tribal Council of Nevada 1976a: 76).

⁸⁹ In 1865 miner Octavius D. Gass occupied the abandoned mission buildings, later buying the property and operating a farming and cattle-ranching operation until 1882, when he lost the property to Archibald Stewart (Lyman 2004).

⁹⁰ As reported by the Inter-Tribal Council of Nevada, at that time,
[T]he area was largely returned to Nuwuvi control, but a few whites did continue to live at Las Vegas following the Mormon departure. These few ranches provided some employment, and as the white population slowly grew, more and more Nuwuvi settled there in search of work. Those who came from the Moapa Valley were added to the *Pegesits* who already lived in the southwestern section of Nevada surrounding Las Vegas. Other groups of Nuwuvi moved up gradually from the mining settlements near the Colorado River in extreme southern Nevada.
(Inter-Tribal Council of Nevada 1976a: 120)

⁹¹ As summarized by the Inter-Tribal Council of Nevada,

The Chemeuevis were a Nuwuvi-speaking group who had moved south of the Mohave Indians in the early nineteenth century. Before this move they may have occupied areas as far north as Las Vegas. They had extended contacts in the area and with the Nuwuvi who lived there and consequently were not strangers when they joined the other Nuwuvi groups at Las Vegas.
(Inter-Tribal Council of Nevada 1976a: 120)

⁹² By 1859, this geographical realignment was suggested in the accounts of Indian agents. Jacob Forney of the Utah Territory Superintendency reported that the southern Paiute were increasingly

scattered along the California road, generally adjacent to the settlements, from Beaver valley, along the Santa Clara, Virgin, Los Vegas, and Muddy rivers, to the California line and New Mexico. These bands number about two thousand and two hundred.
(Forney 1859: 364-65)

⁹³ The names Pah-Ute and Pey-Ute seemed to be used somewhat interchangeably or, at least, unsystematically in Office of Indian Affairs documentation in the 19th century.

Utah Superintendency field staff eventually referred to the Southern Paiute bands as Pey-Ute or Pi-Ute to distinguish them from the Northern Paiutes whom they called Pah-Utes, for the most part. The term Pah-Ede refers to some of the Utah bands, apparently of Paiute.

⁹⁴ The 1865 annual report of the Utah Superintendency, for example, noted that they were spontaneously relieved of responsibility for this poorly serviced fringe of their jurisdiction by these changes,

The Pah-utes, who formerly constituted a considerable portion of the Indian population of Utah, have, by the late change in the boundary between this Territory and Nevada, been thrown for the most part in that State, although they have been visited and looked after by [Utah] Special Agent Sales, sent to them by Superintendent Irish, at the urgent appeal of citizens.

(Utah Superintendency 1865: 18)

⁹⁵ In 1864 a patrol operated from Camp Cady to Camp Rock Spring to quell Indian unrest, and in 1865 Cady was regarrisoned. The post was abandoned briefly in 1866 and then permanently in 1871. Throughout this period, Camp Cady served as the base for a series of redoubts located at springs along the Mojave Road eastward to Fort Mojave: camps Soda Springs, Marl Springs, Rock Spring, and Piute Creek. Troops at these installations escorted mail wagons and protected mail stations along the road, waging campaigns against the Paiutes and Shoshones in the process (Casebier 2006: 119-131). Casebier (2006) provides the following information regarding these outposts:

Camp Soda, also called Camp Soda Springs, Fort Soda Lake, and Hancock's Redoubt, was an outpost established in 1860 and abandoned three months later. In the spring of 1867, an outpost was maintained there for a few weeks. Then, beginning in August 1867, the site was manned almost continuously as an outpost of Camp Cady until May 1868, when it was permanently abandoned by the army. A total of 18 men served at the post throughout its existence. *Camp Marl Springs*, located about halfway between Camp Cady and the Colorado River, was first garrisoned in October 1867 by troops from camps Cady and Rock Spring. It was occupied continuously as an outpost of Camp Cady until May 1868, when it was abandoned permanently. Only about a half dozen troops were stationed there at any particular time. *Camp Rock Spring* was an official army camp that maintained post records and was commanded by a commissioned officer. Established in late 1866, it was manned continuously by a total of 73 men serving at various times over the 15-month life of the post. The camp was abandoned in May 1868. *Piute Creek*, originally called Fort Beale, was first established in late 1859 by Capt. James H. Carleton. It was located near Piute Springs about 25 miles west of Fort

Mojave and a few miles west of the California-Nevada border. The post was abandoned during the Civil War. In late 1867 troops from Fort Mojave rebuilt and reoccupied the outpost, calling it Piute Creek, Fort Piute or Fort Piute Hill. Nineteen men served at Piute Creek before it was abandoned in 1868 (Casebier 2006: 138, 156, 164, 192-193).

By 1865 the Department of California army command encompassed the states of California and Nevada, and the territories of Arizona and New Mexico. Department commander Gen. Irvin McDowell divided Arizona Territory into several districts including the District of Upper Colorado. The district's geographic and administrative center was Fort Mojave, and its northern region extended north to Camp El Dorado and Callville, including Las Vegas ranch (Casebier 2006: 74). Two army installations and associated outposts were located in present-day Clark County during the 1860s. In 1861 Fort Baker was established by J.H. Carleton, then a colonel, on the site of the stockade of the old Mormon mission at Las Vegas. The fort was used as a decoy to cover freight shipments to Fort Yuma, for use in support of securing the greater New Mexico region for the Union cause in the early years of the Civil War (Lyman, 2004: 213-214).

⁹⁶ As reported by Utah Superintendent of Indian Affairs, F.H. Read,

Some trouble occurred between a small band of these Indians and a party of miners at Pahrnagat valley, originating in some of the whites, under false pretences, dispossessing the Indians of a small valley where they had been accustomed to raise corn. The Indians stole several horses in retaliation. The miners pursued and killed four Indians, after which peace was again established. No whites were killed. With this exception the tribe has been friendly, and in this instance the fault was entirely that of the whites.
(Read 1866: 124)

⁹⁷ Somewhat conveniently for military authorities and Indian agencies, the poverty of the tribes was attributed to the barrenness of their landscape, rather than displacement, "for the most part the country occupied by them is a barren desert, unfit for the habitation of man, and the Indians are in many cases in a starving condition" (Maltby 1866: 29). In turn, this led for calls to relocate the Paiutes, which opened up mining districts and other coveted areas for reoccupation.

⁹⁸ For example, the California Superintendent of Indian Affairs Charles Maltby reported in 1866 that,

The more southern portion of these Indians nearer the center of the State are in a very destitute condition. Late exploring expeditions... show that for the most part the country occupied by them is a barren desert, unfit for the habitation of man, and the Indians are in many cases in a starving condition. By the report before us it is evident that Superintendent Parker thinks the Indians resident in the Pahranaगत mining country, in southeastern Nevada, (a part of the country recently taken from Utah and annexed to Nevada,) are Shoshonees, but it is probable, from other sources of information, that they are Pai-Utes, a different people from the Pi-Utes hereafter referred to. The superintendent recommends that a reservation be set apart for these Indians of the southeast, whatever be their proper name, somewhere in the Pahranaगत valley.
(Maltby 1866b: 29)

⁹⁹ The Southern Paiutes had never caused any problem in the Callville area, and the request for troop presence has been interpreted by some as an effort to generate economic activity at this struggling frontier settlement (Casebier 2006).

¹⁰⁰ As noted by Captain Charles Whittier and Brevet General James Fry, who toured the area as part of a military appraisal in 1868,

They [the Paiutes] come to the camp, associating with the Mohaves, and receive food from time to time. There are very few white settlers in their country. A mail station at El Dorado canon, and three citizens at las Vegas, are all I can call to mind; but the small detachments at El Dorado canon, las Vegas, and Colville, indicate no offensive movements on the part of the Pi-Utes.
(Whittier and Fry 1868: 141)

¹⁰¹ As an example of this transformation, one can revisit the descriptions of authors such as John Wesley Powell, who described the state of these coalitions as they existed in 1873,

Of the Indians known as Pai-Utes there are thirty-one tribes. Ten of these are united in a confederacy, having for their principal chief, Tau-gu'.

The *Kwa-an'-ti-kwok-ets*, who live on the eastern side of the Colorado River, are nearly isolated from the other tribes, and affiliate to a greater or less extent with the Navajos.

Seven other tribes of Pai-Utes are organized into a confederacy under the chieftaincy of To'-Shoap.

The *Pah-ran-i-gats* were formerly three separate tribes, but their lands having been taken from them by white men, they have united in one tribe under *An'-ti-av*.

In the same way the Indians of Meadow Valley were formerly four separate tribes, but now one, under *Pa-gwum'-pai-ats*.

Four other tribes are organized into a confederacy under the chieftaincy of *Ku'-ui-kai'-vets*, and seven under the chieftaincy of *To-ko'-pur*.

(Powell 1873: 53).

¹⁰² Takopa is mentioned briefly in a number of sources, which suggest these kinds of functions for this important multi-band leader. Pahrump oral tradition suggests that Takopa or "Tecopa" was born in the Las Vegas area and relocated to Pahrump sometime in the 19th century. He is sometimes depicted as the *pakwinavi* or multi-village leader and spokesperson for the communities at Pahrump, Tecopa, Potosi Spring, and Horse Thief Springs, and was a noted character for maintaining peaceful relationships between the people of these communities and non-Indian settlers during a tumultuous time in these communities' histories. The murder of his son, Charlie Tecopa, by a white rancher in 1910 nearly resulted in interethnic warfare – perhaps the last major incident to do so in the Pahrump area (see McCracken 1990a, 1990bb).

Julian Steward mentioned stories of Takopa among Las Vegas Paiutes as well, suggesting his important intermediary role with non-Indians,

Informants from both Pahrump and Las Vegas regarded Takopa as chief of "all the Southern Paiute" but could name no function of his which did not involve dances or transactions with the white man. Benjamin, a veteran scout of the United States Army, who had lived at Tule Springs near Las Vegas, succeeded Takopa in his position.

(Steward 1938: 185)

¹⁰³ Powell goes on to note that,

It was found that it was impossible, without using force, to induce the Paiutes to join the Utes, and it was determined to adopt the course indicated in the alternative presented in your instruction, viz : And in case it should be found impossible to induce them to look with favor upon a removal to that point, then to make a thorough examination as to the condition of affairs in the Muddy reservation, and report the result to the Department.

(Powell 1873: 47-48)

As explained by the Inter-Tribal Council of Nevada, this action was unanimously rejected by the Southern Paiutes because,

the Utes of Uintah had been their enemies from time immemorial; had stolen their women and children; had killed their grandfathers, their fathers, their brothers and sons, and . . . were profoundly skilled in sorcery (Inter-Tribal Council of Nevada 1976a:95).

¹⁰⁴ The Nevada Superintendent of Indian Affairs sought to use these frictions as the basis for renewed calls for the placement of Southern Paiutes on reservations, possibly including Uintah. In 1872, the Superintendent reported,

The Pi-Utes, numbering probably 2,500, inhabit the southeastern part of the State. They have no reservation set apart for them, nor have they any treaty with the United States. They roam about at will, are very destitute, and obtain a living principally by pilfering from the whites, although a few of them are engaged in a small way in farming. But very little can be done for these Indians by the Government in their present unsettled condition. They should be brought upon one of the reservations set apart for the Indians in Nevada, or upon the Uintah reservation in Utah, where they could receive suitable care and proper instruction in the arts of civilized life.

(Nevada Superintendency 1872: 59)

¹⁰⁵ Indian Agent George W. Ingalls expressed the sentiment then common in 1873 when he asserted of the Paiutes that,

no organized effort agreeable with the present policy of the Government for improving their condition could be put forth without concentrating all the Indians at some place to be mutually agreed upon, as at present they are scattered over the southern half of Utah, Northern Arizona, Southern Nevada, and Southeastern California.

(Ingalls 1873)

Together, Ingalls and John Wesley Powell made similar assertions in their reports to Washington, D.C.,

the most important difficulty in the way of collecting these people on reservations, is the fact that each small tribe desires to have a reservation somewhere within the limits of its own territory, which is manifestly

impracticable, as the Indians could not thus be protected in their rights, except at a great expense.
(Powell and Ingalls 1873: 43)

¹⁰⁶ Writing in 1866, the California Superintendent of Indian Affairs, Charles Maltby, noted,

By the report before us it is evident that Superintendent Parker thinks the Indians resident in the Pahrnagat mining country, in southeastern Nevada, (a part of the country recently taken from Utah and annexed to Nevada,) are Shoshonees, but it is probable, from other sources of information, that they are Pai-Utes, a different people from the Pi-Utes hereafter referred to. The superintendent recommends that a reservation be set apart for these Indians of the southeast, whatever be their proper name, somewhere in the Pahrnagat valley.
(Maltby 1866: 29)

¹⁰⁷ The large number of Paiutes living on the lower Virgin River Valley and Las Vegas Wash, in what is now Lake Mead NRA, was the basis for reservation proposals that included Saint Thomas and vicinity.

¹⁰⁸ Writing of the Parhanagat in 1870, C.W. Wandell noted that they had already been largely displaced from their villages of agricultural rancherías,

When we first came to this [Parhanagat] Valley the Indians had several Rancherías here – one large one near Crystal Springs; on these they cultivated wheat, corn, sun flower seeds, the squash and the melon. Besides these they harvested the abundance of grass seeds which were abundant in the Valley their season. These with what rabbits they could catch made them not only a living, but gave them a surplus to trade with the neighboring mountain bands. These latter exchanged buckskins for food, and in this way the *Pahrnagats* procured their clothing.
(Wandell 1870)

¹⁰⁹ District Attorney for Lincoln County, C.W. Wandell, and other residents of the region initiated legal action in response to the apparent misappropriation of funds. Writing to the Commissioner of Indian Affairs in Washington D.C., Wandell and his contemporaries wrote,

The undersigned respectfully inquire whether during the last four years any provision has been made by the Government for the Pah-Ute Indians in South Eastern Nevada? Humanity compels us to ask this question. During that time we are not aware of a single dollar's worth of the Government gratuities having been dispensed to the Indians in Lincoln County, and the Indians say there have been none.
(Wandell 1870)

¹¹⁰ In 1872 Commissioner of Indian Affairs, F.A. Walker summarized the status of the Paiute population for the Secretary of the Interior, and proposed appropriations for the Paiute reservation at Moapa,

“These Indians, divided into various bands, and numbering some three or four thousand souls, are scattered through Eastern Nevada, Southern Utah, and on the Colorado River in Arizona and Eastern California. They are represented, with a few exceptions, as a quiet, peaceable people, well disposed toward the whites; and there are good reasons for the belief that they may, if encouraged by the Government, be led to adopt the habits and pursuits of civilized life. In their present scattered localities it would, however, be impracticable without a very heavy expense, to make any systematic efforts with this object in view, and the agent suggests, in order to remove this obstacle to their civilization, that they be gathered upon a reservation selected for them in Lincoln County, Southern Nevada, in what is called “Muddy Valley,” extending from Saint Thomas, on the South [today in Lake Mead NRA], to West Point, on the North [near the modern town of Moapa], and the full width of the valley east and west.

“There are a few settlers and improvements on this tract of land; of the latter a system of irrigating ditches, which are said to have cost the Mormons who formerly occupied that part of the country many thousands of dollars, but which are now offered to the Government without any consideration, while the other improvements may be purchased for a moderate sum. I have carefully considered this matter, and fully concur in the views expressed by the agent in his present report, and respectfully ask that the subject-matter may receive the favorable consideration of the Department and of Congress.

“An estimate of the probable cost of establishing these Indians upon the reservation, and of paying for the improvements thereon, amounting to \$35,000, is herewith inclosed, with request that it be submitted to Congress.

(Walker 1872: 2)

¹¹¹ John Wesley Powell reported to the Commissioner of Indian Affairs on these deliberations,

In obedience to the first part of the second clause of their [the Commissioner's] instructions, viz: That some of the chiefs and principal men of Pai-Utes be induced to visit Uintah reservation, and encouraged to make their homes at that place, the commission sent for Tau-gu, the principal chief of the Pai-Utes, of Utah and Northern Arizona, and a number of subordinate chiefs. The only ones who could be induced to meet it were Tau-gu and Mo-ak-Shin-au-av, chief of the U-ai-Nu-ints, who live in the vicinity of Saint George.

(Powell 1873)

¹¹² Apparently the Santa Clara were not included in these original councils. As explained by Powell,

There is a small tribe of Pai-Utes in Northern Arizona, on the east side of the Colorado River, known as Kwai-an-ti-kwok-ets, which was not visited by the commission. This little band lives in a district so far away from the route of travel that your commission did not think it wise to occupy the time and incur the expense necessary to visit them in their homes.

(Powell 1873: 47-48)

¹¹³ Powell elaborated further on these meetings,

"Finally, delegations of all these tribes were collected at Saint George for general consultation, concerning the reservation for the Pai-Utes in Southern Nevada. The result of this talk was, in the main, satisfactory, and a delegation was sent by them to go with the commission to see the country.

"From Saint George the commission proceeded to the reservation on the Mo-a-pa, (Muddy,) arriving there September 10, and here met about 400 Pai-Utes who had previously been collected in the valley. It remained eleven days for the purpose of conferring with the Indians already here, and with such delegations from other tribes as could be induced to meet here. Quite a number of conferences were held with the Indians, both by day and by night, for more than a week.

(Powell 1873: 48)

George Ingalls also provided separate summaries of these events:

The Special Commission had collected up to September 20 [18]73, between four and five hundred Pai Ute Indians, representing 6 different tribes or bands, in the Moapa or Muddy Valley on the Reservation. After several days council, these Indians all consented to remain on the reservation, and expressed a willingness for all the other tribes or bands scattered over Utah Arizona Nevada and California to be brought to the reservation the following season.

(Ingalls 1874d)

¹¹⁴ George Ingalls reported in 1872 that he was receiving a number of urgent requests for such relocations concurrent with his councils at Moapa. For example, he reported to the Commissioner of Indian Affairs in November of that year,

I am in the receipt of a recent communication from General Crook, of Arizona, urging me to withdraw several bands of P-Utes in Arizona and California across the Colorado River and into the Muddy Valley, as they are not now attached to or provided for by any agency; they are very destitute, and at present causing serious trouble. General Crook further informs me if these Indians are gathered across the river, as indicated and provided for, it will do much to shorten the Indian war in Arizona. These Indians and others similarly conditioned number nearly fifteen hundred...

(Ingalls 1872d)

¹¹⁵ As Ingalls reported on that first year's labors,

Our instructions authorized a crop put in on the Pai Ute Reservation, and to do this, seed wheat, barley and corn and farming utensils were purchased and the white settlers living on the reservation employed to assist in making ditches and plowing the ground for the Indians.

(Ingalls 1875b)

¹¹⁶ As Powell himself admitted, the reservation was a challenging place to dwell, especially for a people who were accustomed to traveling broadly and drawing sustenance from diverse resources across the desert landscape,

“The reservation, though large in territory, is composed chiefly of arid, barren mountains and deserts of drilling sands. The only part of the valley fit for agricultural purposes is the few acres – not more than 6,000 – which can be redeemed by the use of the waters of the Mo’-a-pa, and some grass-lands of no greater extent, for the climate is so arid that agricultural operations cannot be carried on without artificial irrigation...

“The census taken shows that there are 2,027 Pai-Utes. Adding to this number the Chem-a-hue-vis of Southern California, about 300, and we have 2,327.

“It is the opinion of the commission that there is enough water in the Mo’-a-pa Creek to irrigate lands to an extent sufficient to support that number of people for the present, but it would not be wise to take any greater number of Indians there.

“The boundaries of the reservation should be extended to the east to a point where the river emerges from the mountains through a canyon. (Powell 1873: 54)

¹¹⁷ At this time, the Arizona Superintendency of Indian Affairs provided the following estimates of Southern Paiute populations, spread between some 31 named “bands,”

[T]he number of this tribe is placed at 2,027, exclusive of those in Oregon, being distributed as follows: 528 in Utah, 284 in Northern Arizona, 1,031 in Southern Nevada, and 184 in Southeast California. They are divided into 31 bands.
(Arizona Superintendency 1875)

¹¹⁸ Specifically, Powell identified the proposed boundary as follows:

It is recommended...[t]hat the boundaries of the Pai-Ute reservation be established as follows: Beginning at a point on the Colorado River of the West eight miles east of the one hundred and fourteenth meridian, and continuing from thence due north to the thirty-seventh parallel of latitude; and continuing from thence due west along said thirty-seventh parallel of latitude to a point twenty miles west of the one hundred and fifteenth meridian; and continuing from thence due south thirty-five miles; and continuing from thence due east thirty-six miles; and continuing from thence due south to the center of the channel of the Colorado River of the

West; and continuing from thence along said center of the channel of the Colorado River of the West to the point of beginning
(Powell 1853: 69)

¹¹⁹ It is perhaps revealing that John Wesley Powell and George Ingalls reported to the U.S. Commissioner of Indian Affairs,

With regard to the...question, What division of the roaming tribes do their linguistic and other affinities indicate? much has yet to be learned. The names by which the tribes are known to white men and the Department give no clue to the relationship of the Indians; for example, the Indians in the vicinity of the reservation on the Muddy and the Indians on the Walker River and Pyramid Lake reservations are called Pai or Pah Utes, but the Indians know only those on the Muddy by that name, while those on the other two reservations are known as Pa-vi-o-tsoes, and speak a very different language, but closely allied to, if not identical with, that of the Bannocks. The tribes of Pai-Utes, mentioned in the former part, should be taken to the Muddy.
(Powell and Ingalls 1873: 45)

Andrew Barnes (1874) provides a good history of the Paiute Reservation and its development through 1874 from the Indian Agency's standpoint.

¹²⁰ George Ingalls noted,

The Indians who have received supplies from the Pai-Ute Reservation come not alone from Nevada but Arizona Utah and California and I would respectfully submit to the Department the claim of these Indians and their reservation to the benefits extended to Indians of Utah California and Arizona as well as Nevada.
(Ingalls 1874d)

¹²¹ The U.S. Commissioner of Indian Affairs instructed field staff on how to address the Indians of "Utah, Nevada, and Southern Idaho, who have not yet been collected on reservations,"

With a view to the ultimate removal of said Indians to such reservations as have already been established, you recommend as follows...That some of the chiefs and principal men of the Pai-Ute tribe be induced to visit the

Uintah reservation and encouraged to make their homes at that place; and in case it should be found impossible to induce them to look with favor upon a removal to that point, then to make a thorough examination as to the condition of affairs on the Muddy reservation and report the result to the Department, preparations in the mean time being made for raising a crop the coming year to such an extent as circumstances will permit.
(E.P. Smith 1873)

¹²² Surveyor A.A. Humphreys reported thriving Paiute settlements at traditional village sites located near Las Vegas, Pahrump, and Cottonwood Island, the first two sitting alongside fledgling EuroAmerican ranch communities, "The Pah-Utes in Pah-rimp Valley, and around Cottonwoods and Las Vegas, raise...corn, melons, squashes, and gather large quantities of wild grapes, which grow abundantly near the springs" (Humphreys 1872: 89).

Of Pahrump, Humphreys notes,

I...moved southward and crossed a low range into another sandy and gravelly desert, (Pah-rimp Desert,) which extends south for miles, and skirts the Spring Mountain Range. This desert contains several beautiful little oases, the principal one being at Pah-rimp Springs, at which point are located quite a number of Pau-Ute Indians, very friendly and quite intelligent. These Indians raise corn, melons, and squashes. Great quantities of wild grapes were found around these springs.
(Humphreys 1872: 84)

¹²³ A.A. Humphreys reported that the Spring Mountains population was often recruited for wage labor as guides and messengers, but this area was also not entirely safe for EuroAmerican travel in the early 1870s due to continued Paiute autonomy in this area,

From among the Pah-Utes, in the Spring Mountain Range, often as many as seven or eight guides and messengers were employed at one time. These Indians have been considered friendly for some years, but frequently prospectors, in parties of two, going out into the mountains, never return.
(Humphreys 1872: 28)

¹²⁴ Nevada Indian Agent Andrew Barnes and other agents repeatedly complained that Indian Affairs was ignoring the plight of the "Nevada Indians" in the southern corner of the state,

[T]heir pitiable condition and extreme destitution and the necessity of a more liberal provision by the Department, not simply for those Indians now off of a reservation and scattered throughout the State but also for those already on [the Paiute] Reservation...It is a matter of fact that no Indian Agencies of the United States have suffered more, and struggled harder, for an existence than the one in Nevada, an opposition, and for what purpose, I have never been able to learn has urged against these agencies that had all the time keep the Indians nearly wrecked and on the point of starvation.

(Barnes 1875b; emphasis in original)

¹²⁵ This same point is made by a number of other Indian Affairs employees during the period (e.g., Barnes 1874).

¹²⁶ As George Ingalls reported to the Commissioner of Indian Affairs in January of 1874,

The agricultural lands on the reservation are very limited and these Salt Mines are needed as a source of revenue for the support of the Indians themselves. They have signified their willingness to work the mines and the initial steps have already been taken by which their labor can be made of avail.

(Ingalls 1874a).

¹²⁷ As noted in the annual report of the Arizona Superintendency of Indian Affairs in 1875,

A reservation of 3,900 square miles was set apart for their use by Executive order in 1873, of which less than 1 percent, was valuable for either tillage, timber, or grazing. This large reserve has recently been reduced to one thousand acres of fine farming-land in the upper part of the Moapa Valley, the abandoned site of an old Mormon settlement, whose irrigating ditches require but little repair to make them of great value in the effort to bring the Pi-Utes to self-support by agriculture. Only 400 have as yet been gathered on the reserve.

(Arizona Superintendency 1875)

¹²⁸ As Nevada Indian Agent, A.J. Barnes reported of the reservations in his district, including Moapa, in 1876,

Fair crops have been raised upon the Pyramid Lake and Moapa River reservations and Shoshone farms this season, though the floods have destroyed the larger portion of the grain planted this spring...a thing liable to occur any year, and yet not occurring very often. This baffles all attempts to prevent, as no one can foresee the time of its coming; and yet with this adversity the Indians are hopeful for the future, and will, if encouraged, renew their efforts to repair the waste places and make new trials for success...Farming is being adopted for a livelihood by both the Pah-Utes and Shoshones pretty generally upon these reserves, and every year shows the gradual abandonment of the old nomadic custom. A large number upon each reserve can plow, drive teams, chop, mow, and, in fact, can do all manner of farm-work, and all have adopted citizens' dress.
(Barnes 1876)

¹²⁹ Military efforts to take authority for Southern Paiutes created great tensions with Indian Affairs staff working at Moapa and elsewhere. On November 19th, 1875, Southeast Nevada Indian Agent Andrew Barnes proclaimed,

[I]f it is the policy of the Government to blot them out from the face of the earth, and cause their utter extinction, and that this shall be accomplished in one year, we can resort to no better method than to place them under military rule.
(Barnes 1875i: 2)

¹³⁰ Spencer further notes,

As this reserve possesses some peculiarities of condition different from the other two belonging to this agency, it deserves special mention. It is located in Lincoln County, in Southeastern Nevada – a most sterile, uninviting section of country, whose valleys are almost treeless and often waterless deserts; and consists of 1,000 acres cut out by only imaginary lines from the middle of Moapa or Muddy Valley and is without a fence or fencing material.
(Spencer 1880)

¹³¹ There were also efforts to establish a tribal church. No missionaries had worked among the Moapa communities since the dissolution of the Mormon missions and, ironically, federal employees were given the task of missionization; as one 1911 report

to the Superintendent of Indian Affairs noted, "they have had to depend for their religious instruction on the Superintendent" (Las Vegas Paiute Tribe n.d.).

¹³² Tribal members maintained many horses and these sometimes grazed on agricultural lands, much to the dismay of the Indian Agency employees who sought to curb horse ownership and devote most pasturage to alternative uses: "These Indians have always valued their ponies too high, and have refused reasonable policies for them" (Asbury 1915).

¹³³ As explained by Steward (1938: 184),

The annual fall festival was probably the outstanding activity which in aboriginal days united several villages... In recent times festivals were held at places where the population had been concentrated, for example, Manse, Pahrump, Las Vegas, or Moapa. [One consultant] said that in a given year only one of these places would hold the festival and that visitors came from Beatty, Ash Meadows, Pahrump Valley, Las Vegas, etc., and even from San Bernardino.
(Steward 1938: 184)

¹³⁴ Even when the two populations were designated as ethnically separate, they were still said to be interconnected. For example, the Utah Superintendency suggested close connections between the "Pah-Edes" - apparently the northernmost Paiutes with some Ute connections - and the "Pah-Utes" of Clark County and vicinity,

"The country occupied by [the Pah-Ede] Indians is almost a desert. They are disposed to follow agricultural pursuits, cultivating small tracts of corn and potatoes. They are the poorest Indians in the Territory, and it is necessary for them to be in great part supported by the government and the settlers. They will be located on a reservation without difficulty so soon as the advantages of that system can be practically demonstrated. They occupy nearly all the southern half of the Territory, and are all friendly...

"[The Pah-Ute] Indians range principally in the southwestern portion of Utah and the southeastern portion of Nevada. They closely resemble the Pah-Edes, with whom they constantly mingle and intermarry. They are equally destitute and in need of aid.
(Read 1866: 124)

Before white settlement, a large number of Southern Paiutes were concentrated in the southwestern part of Utah along the Santa Clara River and the central section of the Virgin River. In 1873 J.W. Powell and G.W. Ingalls (1873) reported 528 Southern Paiutes living in Utah. See also Inter-Tribal Council of Nevada (1976a: 109).

¹³⁵ For example, the Indian Claims Commission records note that this was a challenge for the Kanosh Band of Paiute Indians in Utah,

In the case of the Kanosh Band of Paiute Indians of the Kanosh Indian Community, Utah, he [John S. Boyden, attorney] performed research into the genealogy of the leading families of the band, to determine that the Kanosh were properly classified as Southern Paiute and not Ute. This action resulted in protecting the rights of the Kanosh, who on the mistaken advice that they were Utes, had planned to abandon their claim as Southern Paiutes.

(Indian Claims Commission 1978a (15): 442)

¹³⁶ The Koosharem band may also include Western Utes from the Sanpits group, which was evicted from the San Pete Valley and then integrated with nearby populations, eventually ceasing to identify as a distinct entity (Clemmer and Stewart 1986: 531).

¹³⁷ From time to time, Southern Paiutes retreated to the opposite bank of the Colorado River, living in Hualapai territory to avoid contact with the growing tide of Mormon settlement and mining, or moved into remote mountainous locations in southwestern Utah (Dobyns and Euler 1970; Stoffle and Evans 1978).

¹³⁸ Portions of this wagon road intersected with the famous "Mojave Road." The Mojave Road is an ancient trade trail spanning the eastern Mojave Desert from the villages of the Mohave Indians on the Colorado River in the vicinity of Needles to the California coast. After the U.S. acquired what is now the southwestern U.S. in 1848, the War Department dispatched surveying teams along various parallels of north latitude in search of potential railroad routes. In the late 1840s, the "Mormon Battalion," under the command of Lieutenant-Colonel Philip St. George Cooke, working on behalf of the United States government, made improvements along the "Southern wagon road," also known as the Mormon wagon route, which followed portions of the Old Spanish Trail. Running from Salt Lake City to the Pacific coast west of Los Angeles, this road was an overland route used heavily from the onset of the California Gold Rush through completion of the transcontinental railroad in the late 1860s.

The Mormon wagon road corresponded roughly to the western half of the Old Spanish Trail, a trail suited to pack-mules and horses. The middle one-third of the road passed

through southwestern Utah and southern Nevada. Travelers' accounts refer to frequent emigrant interaction with the "*Tonequints*," apparently part of the Saint George group of Southern Paiutes. These accounts also frequently note contact with the "*Parrusits*" along the Nevada segment of the Virgin River, "*Moapas*" in the Muddy River basin, and "*Kwiengomits*" in the vicinities of Las Vegas and Red Rock Canyon, and probably Cottonwood Island. Ambiguously identified Native communities were contacted on the road between Mountain Springs, Nevada, and Bitter Spring, California - most likely Pahrump Paiutes or combined Paiute and Shoshone communities (Lyman 2004).

¹³⁹ In the 1860s, the period of heaviest traffic across the road, the army created a chain of small redoubts across the desert to protect traffic along the roadway (Casebier 2006: 26). The Mojave Road, also known as the Old Government Road, connected the seaport at Wilmington (Drum Barracks), California, to Prescott (Fort Whipple), Arizona, and was the most important military route between California and Arizona Territory from 1860 into the 1870s (Casebier 2006; Sherer & Stillman 1994).

¹⁴⁰ Whether or not the Mohave headmen fully understood what was being requested in these negotiations is highly questionable due to the complex process of translation. Hoffman's statements were translated into Spanish by a captain, which were then translated into Quechan by a Digueño man, and finally was translated into Mohave by a member of the Yuma Quechan.

¹⁴¹ As reported by the Arizona Superintendent of Indian Affairs in 1891, with some minor errors,

The post was established in 1858 as protection for emigrants from the East over the southern overland route to California, the Mojave and other tribes of Indians being then hostile. The Indians remained hostile until severely whipped by Maj. Armistead, who encountered them in the valley below the fort. They then sued for peace. The fort was abandoned in 1861 and regarrisoned in 1863 by two companies of California volunteers. (McGowan 1891).

The fort was abandoned in 1861, regarrisoned as "Camp Mojave" in 1863, redesignated as "Fort Mojave" in 1879, and permanently abandoned by the army in 1890 when it was transferred to the Department of the Interior for use as an Indian industrial school (Casebier 2006).

¹⁴² California Indian Superintendent, J.P.H. Wentworth witnessed this transformation of the region and reported,

That portion of my department for which I feel the most anxiety is lying between Beal's crossing of the Colorado river (sometimes called Fort Mojave) to Fort Yuma, at the mouth of the Gila, a distance of at least twenty-five miles. In this region gold and silver mines and gold placers have been discovered of such rich report as to attract to that portion of the country a very large emigration. These unprotected miners will undoubtedly offer to the numerous and warlike tribes of Indians of that country a temptation which they will find it impossible to resist. Almost the entire emigration to these mines will have to pass through the country occupied by the Mojaves, Kanawawahs, and Wallipes, who are not only numerous and hostile, but of unquestioned courage, and I venture the prediction that, unless Fort Mojave be re-established, we shall hear of the massacre of unoffending and unprotected miners at and on the road to the new placers. It will be very easy to prevent this by placing three or four companies of soldiers in garrison at Fort Mojave; but a war once inaugurated with these important and powerful tribes would not only cause a great loss of life, but the expenditure of vast sums of money by the government. I cannot too earnestly press upon you the necessity of reorganizing that military post and thereby insuring the peace of that portion of my department.

(Wentworth 1862d: 327)

¹⁴³ Poston continues his report with the following observations,

"An old and valued friend, writing from there in February, says: The Mojaves and the other Indians live right in our midst. They are the best and most extraordinary Indians I have yet seen, and I have seen various tribes, nearly all on the North American continent; they do not steal, and but few drink, they are jovial, singing and dancing a good deal. They sell us hay, mesquite beans, melons, pumpkins, &c., and do some work, but know nothing of mines or mining; we have one for an under-cook, who speaks Spanish and a little English.

"Lieutenant Ives gave a very good account of the Mojaves he met with on his exploration of the Colorado. In view of any further difficulties with the Mormons, the friendship of the Indians of the Upper Colorado would be very important. An agent for the Mojaves and neighboring tribes should be appointed to reside in their midst at some convenient point on the Upper Colorado.

(Poston 1863: 388)

¹⁴⁴ Describing Mohave Valley in this same report, he notes,

The Mojave Valley below Ives Point is oval shaped about 20 [?] miles in length and midway about 18 miles wide, it is the home of a large majority of the Mojave Indians, it has a rich soil and they cultivate the land. They have small farms of corn, wheat, beans, pumpkins and melons.
(Atchinson 1864)

Despite the original willingness of Irrateba to consider these proposals, there were other challenges to reservation development. In particular, agents feared that the lands below Black Canyon were alternately so arid or prone to flooding that intensively irrigated EuroAmerican agriculture had a high chance of initial failure, leaving Mohaves destitute and bringing new strategic instabilities to the region (Ehrenberg 1866).

¹⁴⁵ As Sherer summarized these events,

The rift [between the two Mojave populations] can be pinpointed as of 1865 when the Congress of the United States created the Colorado River Reservation for Mojaves and other Colorado River tribes. Those Mojaves who favored appeasement went down to this new reservation at the southern extreme of their river holdings. And others joined them during the century. Those Mojaves who refused adamantly to leave their ancestral homes in the Mojave Valley and who clung tenaciously to their lands in the vicinity of the fort were dubbed the "Fort Mojave" Indians. In the eyes of the United States Department of the Interior they were legally "trespassers," who belonged on the new Colorado River Reservation under the jurisdiction of the Indian agent there. In the eyes of the Fort Mojaves they were the original inhabitants who should not be evicted from their home-place, so, the Fort Mojaves stayed in Mojave Valley maintaining peaceful coexistence with the troops at Fort Mojave and with whites who filtered into the valley.
(Sherer 1965: 9-10)

¹⁴⁶ In this report Feudge expanded on the details of daily life at the new reservation,

"In the month of June last a large number of this tribe, who never before had been on the reservation, visited me for the purpose of seeing the irrigation canal, and the portion of their tribe laboring on the same, of which they had heard a great deal said by their friends, and left with an apparent good feeling of the work going on for their benefit.

“Early in the month of June, an epidemic, at first supposed to be scarlet fever, but which proved to be whooping cough, broke out among the portion of this tribe who stay at Fort Mohave, about 100 miles above the reservation on the Colorado river, the ravages of which were so great as to carry off about 100 of the tribe.

“Six of their doctors, or medicine men, who attempted to cure those who were attacked with this disease, having failed of success, were put to death, according to the custom of the tribe. About 20 cases of this epidemic on the reservation came to my knowledge, probably half of which proved fatal, the casualties being children. The bodies, with all the effects of the deceased, were immediately burned. This epidemic has now almost disappeared from among this tribe.
(Feuge 1868: 137-38)

¹⁴⁷ By the late 19th century, the Colorado River Indian Reservation was described as being “occupied by the Chemehuevi, Walapai, Kowia [Cahuilla], Cocopa, Mohave and Yuma tribes” (Kappler 1902: 803).

As will be discussed in more detail in later sections, the Mohave had permitted the Chemehuevi and Las Vegas Southern Paiute to farm along the river in the early 19th century, but conflict broke out between them in 1865. The Mohave intermittently drove the Chemehuevi back into the desert for the next six years, finally allowing them to return in 1871 when the conflict was finally ended (Roth 1976: 108-110). Eventually many of the Chemehuevi joined the Mohave on the Colorado River Indian Reservation, while other populations persisted independently at Chemehuevi Valley, Twentynine Palms and elsewhere. Hualapai presence at CRIT was largely limited to their incarceration during the “Walapai War” of the 1870s.

¹⁴⁸ The Hualapai remained relatively isolated from European and American contact until encounter with exploring expeditions in the 1850s, when they encountered U.S. Army forces searching for railroad routes, and later building a road, through northern Arizona. The expeditions of Sitgreaves (1851), Whipple (1853-1854), Aubrey (1854), Beale (1857-1858) and Ives (1858) reported varying contacts with Hualapai bands they met, both peaceful and otherwise. Hualapai contact with whites began to increase with the opening of the Beale wagon road through northern Arizona in 1858. California Volunteers, who re-garrisoned Fort Mojave in 1863, discovered gold near Prescott, which brought large numbers of miners rushing into northwestern Arizona. Hostilities quickly developed between Hualapais and the settlers and miners rushing into the area. When a white freight operator killed the revered leader Wauba Yuma in 1866, Hualapai retaliation by the western and southern bands was swift and fierce (U.S. Senate 1936: 91-92). The “Walapai War” waged between the tribe and the U.S. Army from 1866 to

1869. U.S. military concern about the war reached a fever pitch when, for a time, it seemed that the Southern Paiute were taking up arms in sympathy with the Hualapai, threatening a much larger conflict that could cut off supply lines and effectively crush white settlement in the fledgling mining districts of southern Nevada. As noted in the 1867 Annual Report of the Secretary of War,

[The Hualapai] have also affected with a spirit of hostility the Piutes, heretofore friendly, and there is danger of this hostility extending up the Colorado and to the Salt Lake and Los Angeles road...The country is... very much broken, and the Indians very active, and have become well armed...the mining operations seemed to have been, at least for the present, suspended or abandoned at El Dorado, and the trade to Salt Lake, by way of the Colorado, seemed to be broken off.
(McDowell 1867: 127)

With a large number of men, detailed knowledge of vast landscapes, and access to firearms from a broad trade network, this multi-tribal force briefly threatened the U.S. military with defeat on multiple fronts. Hualapai efforts were supported by their elaborate trade networks, which crisscrossed the Colorado River area including the study area. Dobyns and Euler (1976: 35) describe how Hualapai leaders of the 1860s, responding to the American threat, “energetically assembled buckskins to swap to their Cataract Canyon band trading partners for Navajo blankets. These they traded to Moapa Band Paiutes for guns and ammunition obtained from Mormons in Nevada and Utah. [They] also traded blankets to Chemehuevis near Cottonwood Island for horses. (Dobyns and Euler 1976: 35)

At the height of the war, some Hualapai bands with ties to the Black Canyon area were induced to relocate to the Colorado River Indian Reservation in 1868, joining friendly Mohave and other tribes, while staying out of the fray. Experiencing poor crop yields and food shortages, they soon departed back to Hualapai country. The continued movements of tribal members of uncertain sympathies in and out of the reservation resulted in calls for a standing military presence there (Feudge 1868: 138).

The principal campaigns lasted until 1869 when the two Hualapai leaders, Cherum and Leve Leve surrendered. The war resulted in the internment of surrendered Hualapais first at Camp Beale Springs (Fort Mojave), from 1871 to 1874, and then at La Paz on the Colorado River Indian Reservation (McGuire 1983; Dobyns and Euler 1970; U.S. Senate 1936: 93; Arizona Superintendency 1872: 58; Tonner 1873: 284). These prisoners left the reservation and returned to Hualapai territory; despite objections from military and civilian authorities, they were not pursued. The episode was described by the Commissioner of Indian Affairs in his annual report to Congress,

Eighteen months ago the Hualapais were removed from Beale's Springs, in Arizona, to the southern part of the Colorado River reserve, in the vicinity of a military post established to prevent their return to their old haunts. On the approach of the planting season, the agent removed them without difficulty thirty miles nearer the agency, with the intention of compelling them to labor in return for rations; but soon after, owing largely to bad influences from without, they suddenly left the reservation in a body. The commander of the post refused to pursue, and the Indians having been supplied with arms by that officer, the agent was powerless to prevent their escape. It has been decided, in accordance with the recommendation of the general in command, to allow them to remain in their old range during good behavior. They number 620.
(1875: 63)

On the reservation, cattle grazing had degraded the vegetation, destroying traditional Hualapai subsistence, and the land was unsuited to agriculture (McGuire 1983: 27). Most tribal members left the reservation to pursue wage labor in nearby mines, ranches, and railroad towns between Kingman and Seligman (McGuire 1983: 28). During the Depression, many Hualapais returned to the reservation to work for the Civilian Conservation Corps and stayed there after the program was terminated. During their short absence, white ranchers and miners had taken over the springs and started herding cattle in the Hualapai's homeland, making their traditional subsistence activities impractical. On July 8, 1881, Gen. Willcox issued an order setting apart a tract of land of nearly one million acres "as a military reservation for the subsistence and better control of the Hualapai Indians" (U.S. Senate 1936: 144). The executive order was signed by the president in early 1883 establishing this tract of 1142 square miles for the use and occupancy of the Hualapai Indians. A 518-acre reservation (60 square miles) was created for the Havasupai by executive order in 1880, and revised in 1882. Dobyms and Euler maintain that the political process of disaggregating the Havasupai from the other Hualapai bands occurred during the period of military control (1970: 69). The process was completed by the establishment of two separate reservations, creating two separate political and land-use entities (Dobyms and Euler 1970; U.S. Senate 1936).

The Hualapai of the historical period are today represented by the Hualapai Indian Tribe of the Hualapai Indian Reservation, Arizona. The tribe claims affiliation with the study area (National NAGPRA Consultation Database, updated Dec. 11, 2011), and this association is demonstrated in part by the Hualapai origin narratives describing their oral tradition tracing their origins to the sacred peak, *Wi Kahmé*, also called Spirit Mountain or Newberry Peak (BLM & NPS 1999; Hinton and Watahomigie 1984: 3; Talieje 1984: 15-41).

¹⁴⁹ As reported by one CRIT agent in 1873,

Continual trouble is being experienced by the squatting of Mexicans near the boundary-line of the reservation, who tamper with the Indians, and attempt to introduce liquor among them. The only remedy I can suggest is to extend the reserve to the south to take in the abandoned town of La Paz, and to the east to include in its limits all the bottom-land between the river and the edge of the mesa. The proposed increase would take in all the land which has any value, and would inclose the reservation within natural boundaries. By this extension no rights would be interfered with, as no claims are recorded; consequently no difficulty will result from taking in this land.

(Tonner 1873:284)

¹⁵⁰ The Arizona Superintendency reported on the Mohaves in 1872,

These Indians have a reservation of 75,000 acres, located on the Colorado River, and set apart for them and other tribes in the vicinity of said river, under the act of March 3, 1865. The Mohaves number about 4,000, of whom only 828 are on the reservation, the rest either roaming at large or being fed at other reservations in the Territory. An irrigating canal has been built for them at great expense, but farming operations have not as yet proved very successful. Over 1,100 acres, however, are being cultivated by the Indians. The crops consist of corn, melons, and pumpkins. These Indians show but little progress in civilization. The parents objecting to the education of their children, no schools have been put in operation on the reservation, as they could be conducted only on a compulsory system. The Mohaves have no treaty stipulations with the United States, but they are partly subsisted and are largely assisted in their farming operations from the general incidental fund of the Territory. (Arizona Superintendency 1872: 58)

¹⁵¹ A 1867 report by Arizona Superintendent of Indian Affairs, George Leihy, notes of the Mohave,

This tribe claims both banks of the Colorado, almost from the northern boundary of the [Arizona] Territory to Bradshaw's ferry, some six miles below La Paz. Their principal point of concentration is Fort Mojave, but they are much scattered along the river, between this place and the fort.

There are, perhaps, from 600 to 800 in the vicinity of La Paz, a portion of whom have planted this season on the reservation. An unusual rise in the river destroyed their first planting, and rendered the second too late to permit of its being extensive; yet of this latter planting, although they did not get any seed into the ground until about the 25th of July, the yield has proved excellent. The land planted by this tribe on the reservation this season does not exceed 20 acres all told, much of it in scattered patches of a few square yards each, that happen to be clear of growing bushes, and drift left by the falling waters. In planting they scoop out a little hole with a butcher knife, in which the seed is placed and covered. Cultivation consists only in chopping down such weeds as threaten to overtop and shade their crop; they never stir the ground either before or after planting. What success has attended the agricultural operations of this tribe higher up on the river towards and at Fort Mojave, I am unable to say, the condition of the treasury of the superintendency not permitting a personal investigation of the matter, either on the part of myself or the special agent. The war between the Mohaves and Chimehueves still continues, and has resulted during the season in the killing of six or eight on either side, but the high water of the Colorado river, by rendering its passage difficult, has prevented for several months past any operations of a serious nature on the part of either tribe against the other. The Mojaves number at present about 4,000.
(Leihy 1867: 152)

¹⁵² Writing in 1866, Colorado River Indian Agent John Feudge reported to the Commissioner of Indian Affairs in Washington, D.C., "The military force stationed at the two Forts, Yuma and Mohave, on the Colorado River, is entirely inadequate to subdue and keep in check any portion of the river Indians that are, or may become disaffected and inimical" (Feudge 1866b).

¹⁵³ By 1866, the policy toward the Mohaves was seen as something of a success by Indian agencies of the region, leading the California Superintendent of Indian Affairs to report of the Mohave and their Yuma kin that,

They are peaceable and inoffensive, cultivating the soil to some extent, and furnishing wood in quantities to the steamers navigating [the Colorado] river. Their isolated location, peaceable and quiet demeanor towards the citizens, and the mutual advantages derived from furnishing the steamers with wood, suggests the policy that they remain as at present located. They should receive from the government some agricultural implements, for which they have made a request.

(Maltby 1866: 29)

¹⁵⁴ In 1870 Helenas Dodt, Indian agent on the Colorado River reservation, reported,

This reservation was established four years ago. The then officers of the Indian Department tried to get the whole Mohave tribe on the reservation, but failed to accomplish it, and so far only about one-third of the whole tribe, has located here. The tribe is divided in three principal parts, whose chiefs are Sickahut, Iritaba, and Aschuket, the former being the head chief of the whole tribe. Each one of these parts is again divided into a number of hereditary captaincies. Owing to a certain influence exercised by parties at Mohave City, and to the fact that the military at Fort Mohave were until lately permitted to issue subsistence stores to the Mohaves not on the reservation, the whole tribe has not yet been located here. There has always some rivalry existed between the two chiefs Sickahut and Ititaba. To be away from the former, the latter removed with his Indians to the reservation, and is, in my opinion, now doing his best to keep the rest of the tribe away.

(Dodt 1871: 10)

¹⁵⁵ As noted in the Arizona Superintendency of Indian Affairs annual report for 1875, for example,

“The Mojaves are divided into two bands with rival chiefs. Several years ago, those under Iretaba, now numbering 820, removed from the vicinity of Fort Mojave, on the Colorado River, in Arizona, to the Colorado River reservation, one hundred miles lower down.

“The agent believes that the other portion of this tribe still at Fort Mojave, numbering seven hundred, who often visit the reservation, will see the advantage it offers, and gradually settle thereon without any compulsion other than the encroachments of settlers on their present camping-grounds.”

(Arizona Superintendency 1875)

¹⁵⁶ The fort buildings at Fort Mojave were converted to an Indian school, initially called “Fort Mojave” but later redubbed “the Herbert Welsh Institute” which, according to Arizona Superintendent of Indian Affairs, S.M. McGowan, occupied

the reservation and buildings of what was formerly known as Fort Mojave. The reservation and buildings were formally transferred to me as the representative of the Interior Department by Lieut. Hersey, commanding, on the 22d day of August 1890. The school retained the name of the post until March 9, 1891...The school is situated on a gravel bluff, on the east bank of the Colorado River...There are two reservations containing, jointly, about 15,000 acres, 10,000 of which is rich bottom land. (McGowan 1891)

¹⁵⁷ Before the war, Chemehuevis are described as being largely unknown to Indian Superintendency staffs. For example, Arizona Indian Superintendent, Charles Poston, reported in 1863 that,

The Chemihuevis live on the Colorado river, above the Bill Williams fork, a small tribe and quite unknown. They number, perhaps, two thousand to two thousand five hundred souls, and cultivate the valley of the Colorado for subsistence, finding also some game and fish. A reservation of their lands should be made at an early day, and some assistance given in agriculture. (Poston 1863)

A decade later, John Wesley Powell noted that,

These Chema-hue-vis speak the same language as the Pai-Utes, and claim that they formerly lived among them. They still associate with the Pai-Utes farther north in California and at Cottonwood Island, and are intermarried with them. A delegation of these Indians met the commission at the Vegas, in Nevada. They estimate the whole number of Indians belonging to the confederacy at about 300, and this is believed to be approximately correct. (Powell 1873: 53)

¹⁵⁸ Before white contact and settlement, the two Chemehuevi groups also had a somewhat different relationship with the Mohaves. The Mohave-Chemehuevi conflicts occurring during this time seem to have been more severe with the "northern Chemehuevis" (i.e., the southern Las Vegas Paiute, as defined by Steward and others) than the southern Chemehuevis (Roth 1976: 87).

Kroeber and Kroeber (1973: 39-46, 82-89) provide an enlightening account and analysis of the Mohave-Chemehuevi conflict as recalled by Chooska homar, a Mohave

consultant. By this account, the Mohave had been enmeshed in a series of wars with Cocopa, Maricopa, Yavapai, Hualapai, and Americans during the years preceding the war. The Mohave perspective suggests that the Chemehuevi decided to strike when the Mohave were already battling on multiple fronts. Kroeber and Kroeber (1973: 83), in contrast, seem to speculate that the war was sparked by the divergent agendas of these two groups relative to growing white hegemony in the region.

¹⁵⁹ As reported by Special Indian Agent J.Q.A. Stanley in his 1866 report to the U.S. Commissioner of Indian Affairs,

“The Chimchinves on the Colorado river, and the Pah-Utes of the desert, have been quite troublesome during the last year. Several persons have been killed by them, and many animals stolen. These Indians are composed of roving bands, having no fixed habitation, but changing from one watering place to another on the desert, in order to pick up a precarious living. I can suggest no other course to pursue with these wandering tribes than to gather them together in a reservation at some point on the Colorado river and compel them to stay there. They will be much more difficult to manage than the other Indians west of the Colorado, but I think by judicious management they can, in a short time, nearly, or quite, support themselves. These Indians have lately made a foray and driven off the government stock from the military post at Camp Cady, on the Mojave river. They were pursued by the soldiers, when they turned and gave battle, killing three of the soldiers and mortally wounding one, the remainder being obliged to retreat. Re-enforcements have been sent from Drum barracks, but the damage is done, and it will cost the government more to replace the property stolen and chastise the Indians than it would to have fed them all on a reservation for a year.

“The Chimchinves are undoubtedly a branch of the Pah-Ute tribe, and I am satisfied they are concerned in running off the stock from Camp Cady. They have been for some time at war with the Mojave Indians on the Colorado river, and are in a state of starvation. They have no means of subsistence except lizards, desert rats and mice, and occasionally a jack rabbit, if they can kill it. I have in a former report represented the condition of these Indians, and suggested the only remedy I can see. I have had no authority or means of providing for them, and it would be of no use to go among them without both. I think there would be no difficulty in getting nearly or quite all of them on to a reservation on the Colorado, and when once there, by proper management, they can be kept and taught to work.

(Stanley 1866)

¹⁶⁰ As George Leihy, Arizona Superintendent of Indian Affairs noted in 1865, at the onset of the conflict,

Since the establishment of settlements by the whites on the river above Fort Yuma, the Chimehuevas and Piutahs have to a certain extent been suffered to come in and settle on the west bank, from time to time thefts and petty depredations have been committed by these Indians and by them charges against the Mojaves and Yumas – hence the cause of war, and the determination of the Mojaves and their allies to drive their foes from the river. These Chimeheuevas and Piutahs extend over a large tract of country south as far as Utah Territory though their lands are chiefly in California, many of their ranches or settlements being on the road between the Colorado River and Los Angeles there is therefore strong reason to apprehend difficulty between these Indians and the whites as this war will to a great extent cut off their crops and supplies, which will most undoubtedly lead them to pillaging where acts of violence must soon follow.
(Leihy 1865)

¹⁶¹ On these influences, see Price (McDowell 1867: 127). As noted in the 1867 Annual Report of the Secretary of War, the Paiutes were having a growing impact upon regional military operations,

The roving Indians on the desert come to the road to pick off any unguarded traveler, or kill or run off any animals they may find not well cared for. The troops have had several skirmishes with them, and have killed and wounded several.
(McDowell 1867: 184)

¹⁶² Commenting on the battle in 1866, Major General Irvin McDowell noted,

“There has been a good deal of uneasiness within the year at several points along the river, particularly at La Pas, the mouth of Bill Williams's fork, Hardyville, and El Dorado canon, and it has been impossible to furnish the protection asked for, except to a limited extent. The hostility existing between the River Indians and certain bands of the Pi-Utes and Chemehuevis has caused alarm to the white inhabitants who have been, and are, friendly to the Mojaves...

“The hostilities on the road from Camp Cady to Fort Mojave with the PiUtes seem to have extended their effects to the Indians of that or kindred tribes further to the north, and there have been offensive movements against the important mining settlements at El Dorado canon. This has given alarm to those engaged in the enterprise of opening a line of trade by way of the Colorado river to Utah, and they fear their boat with its supplies may be in danger. At their repeated and earnest request I have ordered a guard of ten men to be detached from Fort Mojave to be stationed for sixty days in El Dorado canon. This, I since learn, will take every man, not on special duty, away from the post, the others being absent escorting cattle to Fort Whipple.
(McDowell 1866: 35)

¹⁶³ As ordered by Brevet Brigadier General Gregg in April of 1867,

“The increasing number of Indian depredations committed throughout this district renders it necessary, in order to remove doubt, to announce what tribes are considered hostile and against whom hostilities may be carried on.

“The following tribes are announced hostile, viz: The Hualapais, the Chemehuevis, the Tonto, the Apache Tonto and the Apache Mohave [Yavapai], and all other tribes or parts of tribes within the limits of this district, including the Mohaves and other Indians, purporting to be friendly, except when the latter are found within the limits of the reservations on the Colorado river, or when acting in conjunction with the troops as guides or otherwise.
(Hooker and Coster 1867: 109)

¹⁶⁴ By April 24, 1867, Brevet Brigadier General Gregg issued a decree on this point,

It having been brought to the notice of the brevet brigadier general commanding this military district that passes or permits are granted to Indians living upon reservations to pass beyond the limits of the same for the purpose of hunting, and that passes or permits signed by the Indian agent have been found upon the persons of Indians killed in hostile attacks on trains, it is hereby announced that hereafter, until further orders, no such passes or permits will be recognized within the limits of this district.

(Hooker and Coster 1867b: 109)

Some Indian Affairs staff objected strenuously to the military's unilateral elimination of the pass program, as well as the declaration of the friendly Mohaves as enemy combatants, resulting in a revision of the decrees in the summer of 1867. For example, B.C. Whiting, California Superintendent Indian Affairs, wrote to his superiors in May of 1867,

"I exceedingly regret that General Gregg has seen fit in his Order No. 3, declaring hostilities against the Indians in his district, to include the Mohaves, occupying the left bank of the Colorado river, and the Chemehuevis, occupying the right bank. These two tribes are now friendly towards each other, and especially so towards the whites. The former are within Mr. Dent's superintendency, and the latter within my own; and we are both exceedingly desirous of maintaining peace between them and the whites, and also between the two tribes. On the 21st day of March last a pro forma treaty was made with them, of which the enclosed is a copy, and in accordance with the stipulations of that treaty Mr. Dent informs me he has furnished the Mohaves with supplies, seeds for planting, &c. And I have furnished the Chemehuevis with seeds and provisions, by the aid of which I am informed they were likely to raise a bountiful crop the present season. I have every reason to believe that if they were unmolested they would provide well for themselves the coming season, and give the whites and Indian department no further trouble.

"General Gregg's Order No. 4 is still more objectionable in disregarding the passes and permits given by the Indian superintendents and agents to trusty Indians to leave reservations on business or for purposes of hunting game. If General Gregg has found a written permit on a hostile Indian, it is an extraordinary and not a common occurrence, and perhaps an investigation might prove that it was surreptitiously obtained from a trusty and useful Indian servant of some officer of the Indian department. At all the Indian reservations under my charge, the utmost caution has been observed in the issuance of permits to Indians.

(Whiting 1867: 106)

On June 11th, and under pressure due to Office of Indian Affairs complaints, General Gregg issued the following revision of his policy,

In accordance with instructions from the department commander, General Orders Nos. 3 and 4 from these headquarters, dated April 23 and 24, 1867, are hereby modified as follows:

I. The various tribes of Indians designated in General Orders No. 3 as hostile are to be assumed as meaning peace, except when acting in concert as tribes and confederate tribes in obstructing the roads and in attacks upon the settlements. Attacks upon trains and travellers and the stealing of stock by individual or small parties of Indians cannot be regarded as hostile acts, but as offences against the common law, the same as if committed by white citizens.

II. All passes or permits to Indians from the Indian agent at La Paz will be respected.

III. Indians will not be molested while engaged in hunting or pursuing other peaceful avocations.

(in Hobart 1867: 111)

¹⁶⁵ Quoting at length from the Annual Report of the Secretary of War for 1867, "At a convention held at the office of the Arizona superintendency at La Paz on the 21st day of March, A.D. 1867, in the presidency [sic] of G.W. Dent, superintendent of Indian affairs, between delegations of the Mohave tribe of Indians and the Chemehuevis tribe of Indians, for the purpose of concluding peace between these two bands, and restoring and confirming amity:

"The Chemehuevis were personally present by Pan Coyer, their head chief, and certain of his captains and head men, and the Mohaves were personally present by Iretaba, their head chief, and certain of his captains and head men, and after full conference the two bands agreed upon the following terms, to wit:

"1st. All hostilities heretofore existing between Mohaves and Chemehuevis cease on and after this day, and perpetual amity shall exist between the two bands.

"2d. The Mohaves shall occupy and cultivate the lands on the left bank of the Colorado river, and the Chemehuevis the lands on the right bank of the Colorado river; provided, that Indians of either band may freely visit and travel over either country, and shall not be molested therein either in their persons or their property.

“3d. It is also agreed between the parties to this agreement that they will use their best exertions to prevent the members of either of the tribes from committing any depredations upon the persons or property of American citizens in the country occupied by them, and should any such depredations be committed that they will endeavor to recover property taken and bring the offenders and deliver them to the superintendent of Indian affairs at La Paz.

“In testimony of the above agreement we have set our hands and our seals at La Paz, Arizona, on the day and year first written.

IRETABA, his + mark. [seal.]
Head Chief of Mohaves.

PAN COYER, his + mark. [seal.]
Head Chief of the Chemehuevis.

Signed and sealed in the presence of—
G.W. Dent, Special Indian Agent, Colorado River Indians.
Charles Hutchins”
(in Coster 1867: 107)

¹⁶⁶ Indian agent J.A. Tonner somewhat overstated his success in this task in his 1874 report of the Colorado River Reservation, “I have induced the Chimehuevis to settle down on the California side of the river, and give up their migratory habits” (Tonner 1874: 289).

A year later, the Arizona Superintendency of Indian Affairs reported of the Chemehuevi,

They number 350, and formerly ranged through Southern California, and as far north as Utah, but were last year induced to settle down on the California bank of the Colorado River, and the Colorado River reservation was so extended as to include them within its boundaries.
(Arizona Superintendency 1875)

¹⁶⁷ There are numerous references to this split within the Western Shoshone’s loyalties to headmen in the north and south within the Indian agency reports relating to tribal identity and reservation development. For example, in 1936, the Superintendent of the Carson Agency wrote that the Shoshone people who live in the southern part of Nevada, south of Austin,

feel themselves quite distinct from the Te-Moak Bands. They apparently rendered allegiance not to Te-Moak, but to an Indian chief who was called 'Kawich'. At least he was the one who is said to have made a treaty with Government representatives on their behalf at about the same time that Te-Moak made the one for the northern bands.
(in Rusco 1982: 188)

Descendents of Kawich moved to a number of reservation communities, including but not limited to Walker River and Yomba (Rusco 1994, 1991).

¹⁶⁸ Indian agents were especially aware of gatherings that took place within the Southern Paiute communities where they were stations. For example, many agents noted Shoshone-Paiute participation in gambling and ceremonial dances at Paiute communities, "With the Shoshones they used to have a big gambling contest and have a Squaw Dance" in some communities (Sapir 1992: 787).

¹⁶⁹ Anne Smith noted of the Western Shoshone "shanties" that she encountered on the edge of non-Indian towns in the late 1930s,

The Indians live just beyond the shanty town on the outskirts of the village in a collection of disreputable huts and broken down tents surrounded by garbage, tin can dumps, parts of old cars, and refuse of every description. (in Fowler 1993: xix)

¹⁷⁰ Fowler, for example, addresses some of these "complications," especially as they related to off-reservation populations,

Far worse conditions obtained for the people who were living on the outskirts of towns but not on reserved lands. For the most part, these Western Shoshone people were not entitled to any federal assistance...Although there was supposed to be an effort on the part of state and county managers of some of the [New Deal] programs to reach landless Indian people and provide them jobs and better housing, local efforts were usually bogged down in politics, and there was open discrimination against Indian people. (Fowler 1993: xix)

¹⁷¹ The O.J. Fisk/San Bernardino County Museum Association photo collection at UNLV contains numerous photos of tribal members in Pahrump identified as mixed Shoshone and Paiute from roughly this period.

¹⁷² For example, Slater recorded Timbisha accounts of families from Furnace Creek collecting bulrush at Ash Valley and camped there for extended periods of time (Slater 2000: 75).

¹⁷³ Continued economic ties between the Timbisha of Death Valley and the Beatty area is suggested by various sources (e.g., Miller 2004: 126; Sennett 1996).

¹⁷⁴ As summarized by Elmer Rusco,

in May and April 1937, agents of the Technical Cooperation-Bureau of Indian Affairs (TC-BIA) made a study of the land needs of central Nevada Shoshones. This report concluded that various groups of Shoshones preferred reservations near their present residences and proposed creating new reservations in the Reese River and Duckwater valleys for Nye County Shoshones and the Fish Lake Valley for Shoshones living in the Beatty Pahrump area...The Carson Indian Agency thereafter established reservations at the first two locations but never tried to organize one in Fish Lake Valley. (Rusco 1991: 83)

¹⁷⁵ Two Shoshone tribes claim affiliation with Clark County within the National NAGPRA consultation database, including the Shoshone Tribe of the Wind River Reservation, Wyoming, and the Shoshone-Bannock Tribes of the Fort Hall Reservation of Idaho. Both tribes claim affiliations with large territories associated with the Shoshone, and seek to represent Shoshone interests broadly within these territories.

¹⁷⁶ Lowie, for example, witnessed Bear Dance ceremonies in 1915, recently adopted at Moapa Reservation, involving both Moapa and Shivwits participants (1924: 299). Kelly, who depicted travel between band territories as minor at the time of contact, noted that, by the mid-20th century, "Paiute from Moapa to Moccasin gather for 'big times'; there is a good deal of informal visiting and intermarriage and some patronage of extra-band shamans" (1964: 33). Despite sometimes limited economic opportunities in the late 20th century, many Southern Paiute families were able to persist through reciprocal exchanges of goods and labor within and between families, and through such traditional mechanisms as food sharing. As such, persisting traditional social ties have helped to partially overcome displacement from lands and resources and "function as adaptive mechanisms to counteract economic instability" (Knack 1980: 91).

¹⁷⁷ Congress officially authorized consolidation of the Davis Dam Project with the Parker Dam Power Project in 1954, creating the Parker-Davis Project (Linenberger 1997).

¹⁷⁸ However, the Commission found this term problematic and seems to have employed varying interpretations of the definition (Wallace 2002: 747).

¹⁷⁹ The description continues in detail on Chemehuevi traditional boundaries in California and Arizona, ending, “thence northeast to a place on the California-Nevada State Line about three miles east of Nipton; thence easterly to the point and place of beginning” (USICC 1978a (14): 654).

¹⁸⁰ The Hualapai Tribe was one of the first tribes to file a petition under the ICC, doing so on the day the Act went into effect (USICC 1978a (11): 447). The territory for which they tribe sought claims was,

estimated, generally speaking, to contain in excess of 6,000,000 acres of land but since the reservation area of about 700,000 acres is included therein and is not involved in this action, the total acreage for which recovery is sought approximates 5,500,000 [later found to be 4,459,500] acres. The claimed area is located in northwestern Arizona. It is bounded roughly to the north and west by the Colorado River, on the east by an irregular line running from the Colorado River at the mouth of National Canyon southeast to about Ash Fork, Arizona, then southwest to the north fork of the Santa Maria River and on the south by Bill Williams Fork...Parallel mountain ranges running in something of a south-northwest direction intersperse the claimed tract such as the Black Mountains, White Hills, Cerbat Mountains, Hualapai Mountains and the Aubry Cliffs.
(USICC 1978a (11): 459)

The Hualapai claim was given Docket number 90. After an initial settlement ruling in 1962, the Hualapai Tribe contested the valuation of mineral resources within the tract and received a higher settlement in 1966 (USICC 1978a (17): 456). In 1967 the Tribe contested the boundaries determined by the ICC, specifically the areas bordering the Havasupai on the northeast and the Mohave to the west, and the Tribe sought to have the northern boundary shifted from the southern shoreline of the Colorado River to the middle of the river (USICC 1978a (18): 395). The Hualapai maintained that, even though some border areas were used jointly with other tribes, joint use did not preclude “Indian title” as determined by recent cases. The commission ruled,

[T]o the northeast of the Hualapai tract, the lands were variously used and occupied by Hualapai and by Havasupai. Such lands were not exclusively used and occupied by the Hualapai. The lands were not part of the ancestral homelands of the Hualapai. The Hualapai clearly did not have Indian title to those lands...There was between the Mohaves ancestral homelands and the Hualapai tract a small intervening area which was variously used and occupied by both the Mohaves and the

Hualapais. Since this area was not exclusively used and occupied by the Hualapai, that tribe did not have Indian title to the area.
(USICC 1978a (18): 387-388)

In addition to the land claim (Docket 90), the Hualapai Tribe filed a claim of trespass (Docket 122) that, by 1968, had not moved forward before the commission. The commission and the Tribe negotiated a consolidated compromise settlement of the claims set forth in the two dockets. A final judgment was entered on May 21, 1968 for the mutually agreed upon award of \$2,950,000 for a total of 4,459,500 acres (USICC 1978a (19): 178a).

¹⁸¹ The findings of the Indian Claims Commission (ICC) offer a succinct description of the treaty process between the United States and the Shoshones. On July 5, 1862, Congress enacted an appropriation of \$20,000,

“for defraying the expenses of negotiating a treaty with the Shoshonees ...The President appointed a special commission consisting of Superintendent Doty of Utah Territory, Luther Mann, Indian agent in Utah Territory, and Henry Martin, former Superintendent of Indian Affairs in Utah Territory to negotiate with the Indians. They were instructed by the Commissioner of Indian Affairs to negotiate a treaty to establish amicable relations with the Shoshone or Snake Indians and to obtain articles of agreement to render the overland mail routes and emigrant routes secure for free travel and ‘also a definite acknowledgment as well of the boundaries of the entire country they claim, as of the limits within which they will confine themselves.’ The Commissioners were directed to arrange the times and places of their councils so that ‘so far as practicable the entire nation shall be represented.’ The treaty commissioners were unable to meet with the Shoshone in the summer and winter of 1862-1863. They did negotiate five treaties between July 2, 1863 and October 14, 1863...Doty said the Treaty of October 1, 1863, at Ruby Valley was made with the western Shoshonees represented by the two principal bands, ‘the *Tosowitch* (White Knives) and *Unkoahs*.’ The western bands who he said were sometimes called ‘Shoshonee Diggers’ he estimated at 2500 but this figure did not include all western Shoshone.
(USICC 1978a (11): 395-399)

¹⁸² Specifically, Crum (1994: 175) noted,

“Since 1984 the [Western Shoshone National Council] has expressed dissatisfaction with the Shoshone land base boundary determined by the Indian Claims Commission. The ICC map was the work of anthropologist Omer C. Stewart of the University of Colorado. Without consulting the Shoshones, he drafted his map based on a few available government documents. Unfortunately, Stewart’s delineation of Shoshone territory was much smaller than what was recognized by the Shoshones themselves. The WSNC therefore drafted a new map in 1986, showing a much larger aboriginal land base of the Shoshone people. Unlike the ICC map, which identified northern Nevada as the northern-most boundary, the WSNC map placed the northern boundary at the Snake River in southern Idaho on the grounds that the Treaty of Ruby Valley had referred to the “Shoshone River Valley,” which is today’s Snake River. The larger area claimed by the WSNC extended into southeastern California.

“The biggest concern of the WSNC is the issue of land claims. Since its formation in 1984 the council had been deeply involved in the entire claims process – the main reason why it was established in the first place. The council takes the position that the Western Shoshone Nation still owns most of its aboriginal land base in the Great Basin.
(Crum, 1994: 175)

Some six years later, Luebben & Nelson (2002: 817) expanded on this account,

“In the 1970s, the Western Shoshone Sacred Lands Association prepared a map of Western Shoshone Country based upon the boundary calls in the 1863 Treaty of Ruby Valley... Northwest Economic Associates, Vancouver, WA, transferred the Association map to an electronic file and computed the area at 62 million acres in Idaho, Nevada, and California...

“The Indian Claims Commission determined the total area of Western Shoshone Country to be 24 million acres based upon a map prepared by the plaintiffs' expert witness anthropologist, Dr. Omer C. Stewart. Among the differences between Dr. Stewart's map and the Association map are that Dr. Stewart apparently believed the ‘Shoshonee River’ (the northern boundary call in the Treaty) was located in northern Nevada. The elders assert unequivocally that it is the modern Snake River in Idaho. Yowell interview, *supra* note 35. The Association map also includes much more land in California than Dr. Stewart's map. Dr. Stewart described his work in preparing trial exhibits and maps of Shoshone ancestral lands in The

Shoshone Claims Cases, in *Irredeemable America: The Indians' Estate And Land Claims*...A striking aspect of Dr. Stewart's work is that he does not mention any effort to interview Western Shoshone people about the location of their ancestral boundaries” (Luebben & Nelson 2002: 817).

¹⁸³ Specifically, the American States Inter-American Commission on Human Rights findings suggested,

Based upon the record before it, the Commission finds that the determination as to whether and to what extent Western Shoshone title may have been extinguished was not based upon a judicial evaluation of pertinent evidence, but rather was based upon apparently arbitrary stipulations as between the U.S. government and the Temoak Band regarding the extent and timing of the loss of indigenous title to the entirety of the Western Shoshone ancestral lands. In reaching this conclusion, the Commission has considered in particular the 1983 judgment of the U.S. Court of Appeals for the Ninth Circuit in which that Court concluded on the evidence available that Western Shoshone title had not been extinguished. In this respect, the Ninth Circuit was the only judicial body to review the substance of the ICC’s finding of “extinguishment” of Western Shoshone title, but its findings were reversed by the U.S. Supreme Court without consideration of the merits of the Ninth Circuit’s findings on this point. This effectively left the issue of title to Western Shoshone lands without definitive substantive adjudication by the U.S. courts.
(IACHR 2002:36)

¹⁸⁴ Data derived from Census Bureau (2011, 2002, 1992, 1981, 1973a, 1973b). “American Indian” includes respondents claiming one racial affiliation, including the indigenous peoples of North, Central, and South America. Those claiming two or more are not included in this category. This figure does not include AI/AN reservation populations. The Las Vegas “urbanized area” according to U.S. Census reports does not include Henderson.

¹⁸⁵ Data derived from Census Bureau (2011, 2002, 1992, 1981, 1973a, 1973b).

¹⁸⁶ From Census Bureau (2011).

¹⁸⁷ It is important to bear in mind that, while extending federal recognition to some tribes, U.S. policy has been inconsistent in the treatment of different communities. For

example, the absence of federal recognition for the Pahrump Band – even as other communities with comparable histories have achieved recognition - ostensibly reveals some of these inconsistencies, and the inability of the federal acknowledgement process to account for communities, such as certain Paiute cases, that defy conventional Western notions of nationhood due to their historical mobility and dynamism (Chmara-Huff 1996; Knack 2001). Agencies may choose to work with federally unrecognized tribes, but certain laws and policies apply exclusively to federally recognized tribes.

¹⁸⁸ The federal government attempted to implement an allotment program on the Hopi Reservation in 1910 but succeeded only at the village of Moenkopi before abandoning the effort. See Dockstader (1979).

¹⁸⁹ Despite statements regarding the “sacredness” of certain landmarks within the study area and evidence suggesting a history of ceremonial activity in some of these places, it appears that these sites possess cultural and historical significance extending beyond these religious functions; moreover, these functions would not typically result in a determination of ineligibility based on *Consideration A* (“use for a religious purpose”).

¹⁹⁰ For example, in Indian Claims Commission testimony, Hualapai elder Auggie Smith (b. 1876) noted that “Across the river [near Davis Dam] is a high mountain – high range of mountains called ‘*Wi Kame*’. This is the legendary site of the Creation of our people” (ICC 1953: 130). *Avikwame* is said to be made from the material excavated by the Creator when fashioning the Colorado River. An entire multiauthor volume of literary and scholarly texts, *Spirit Mountain*, has been devoted to this place (Hinton and Watomigie 1984). Bourke (1884: 80) noted that “The Mohaves, Apache-Mojaves (Yavasupai), Hualapais, Pimas, Yumas, Cocopahs, and the Camilya...sprang from the same stock and from a point on the river above Cottonwood Island, near a big stone.” See also Bourke (1889).

¹⁹¹ See, for example, the Southern Paiute stories recorded by Lowie (1924b: 118).

¹⁹² Spring Mountain and the concept of power places of this type are mentioned in a number of sources, including Stoffle, Chmara-Huff, et al. (2004: 27-39), Fowler (1992: 170-79), Miller (1983), Fowler and Fowler (1971: 73-78).

¹⁹³ Some documentation of Salt Song trails is not readily available in the published or archival record, but is in the possession of individuals within agencies, tribal representatives, and others. Tribal representatives mentioned that Richard Stoffle and his research team from the University of Arizona’s Bureau of Applied Research in Anthropology have field checked certain Salt Song sites and obtained GPS coordinates for their locations, but that this data has not been published to date.

¹⁹⁴ Place names of cultural significance along this portion of the Colorado River include *ʔAvaʔapah* ('many mortars' near Eldorado Canyon), *Sawʔwiioʔa* (Round Island - now submerged), *Waasa* (a waterfall below Cottonwood Island, now submerged), *Hunaorapi* (Badger Hole, about six miles below Cottonwood Island), and many others (see Laird 1976: 122-25).

¹⁹⁵ Similarly, some of the documentation of this area by the University of Arizona's Bureau of Applied Research in Anthropology mentions springs used in rituals downstream from Hoover Dam (Stoffle and Zedeño 2001). This provided partial justification for the inclusion of Goldstrike Canyon as a part of the Goldstrike Canyon - Sugarloaf Mountain TCP (Pat Hicks, pers. comm. 2012).

¹⁹⁶ Clearly, Paiute communities from beyond Moapa utilized these caves, directly and indirectly. Speaking of the Shivwits, for example, Drucker noted, "Salt came from deposits in Moapa country. Sometimes the Shivwits got it themselves, sometimes they got it from the Moapa" (Drucker 1941: 172).

¹⁹⁷ Citing Harrington (1925, 1926) as well as ethnographic interviews with Hualapai consultants, Dobyens notes, "Hualapais crossed the Colorado River to mine salt from the rock salt caves in the lower Virgin River Valley...most probably the one about six miles up that stream from its confluence with the Colorado River" (Dobyens 1956: 300).

Robert Euler noted that the Havasupai traveled to this general area based on historical accounts (ICC 1961: 1035-38).

¹⁹⁸ More recent treatments have noted this place without seeking to provide specific geographical information. The Inter-Tribal Council of Nevada, for example, notes that "near Las Vegas...toward Sunrise Mountain" is a place which is very sacred to all of the Southern Paiutes. This place is reported to be called "Music Cave," and it is noted that this is where Southern Paiute healers and storytellers go to learn from Shinau-av all those things they need to know. The cave has been destroyed by non-Indians, this volume suggests, but its importance in Southern Paiute tradition has not been lost. It is big and black inside, where the one to receive information must go alone, seeing nothing – no light of any kind to guide him. He must find his way in the dark and make his bed and sleep. As he slept, Shinau-av would visit him and tell the things he wanted his people to know; what medicine to make to cure different ailments, and where to find the herbs to make the medicine. Shinau-av would tell him all about the tribal stories and beliefs. As a spirit quester slept, this volume suggests, he would hear music, the tunes and songs of the Pah-Ute Tribe which he must carry back to his people (Inter-Tribal Council of Nevada 1976a: 127).

¹⁹⁹ Pine nuts have been demonstrated to have a number of beneficial health effects, such as regulating blood pressure and lipids, and providing nutritional benefits that augment a subsistence diet. Conversely, the loss of pine nuts from the diet appears to have had adverse and destabilizing impacts upon the health of populations that formerly depended on these nuts as a staple food (Yu and Slavin 2008).