Organ Pipe Cactus Nat'l Monument
Historical Research
Administrative

Wilton Hoy - October 1970
Abbreviations used

OTT or OPC  Organ Pipe Cactus Nat. Mon.
NPS  National Park Service
CPR  Cabeza Prieta Range
Sept.  Superintendent
PD  Phelps Dodge
LIST OF SUPERINTENDENTS
Organ Pipe Cactus National Monument
1939 to Present

William R. Supernaugh
(Custodian).

Bates E. Wilson
(Custodian)

William R. Supernaugh
(Supt. 1950)

James W. Eden

Monte E. Pitch

Paul Judge

James F. Felten

Foy L. Young

Matt H. Ryan

Edward C. Rodriguez

Ray L. Martinez

From Rocky Mt. NP
To Army furlough
8/20/42

From
To Seabees
5/1/42

From Army furlough
To Platt NP
7/30/43

From
To Glen Canyon RA
8/24/54

From Big Bend NP
To Saguaro NM
6/28/59

From Bandelier NM
To Saguaro NM
4/3/62

From Zion NP
To Retirement
5/7/63

From Bents Old Fort
To Grand Teton NP
5/22/63

From Canyonlands NP
To Retirement
9/22/68

G. AZ. State Dir. Office
To Amistad N.A.
1/7/73

From Cabalos N.M.
10/12/75
The Lew Frontier land north of the boundary had been acquired by the U.S. as a portion of the Gadsden Purchase of 1852-54, the purchase being early 3000,000 sq. miles or 18,988,800 acres.

On March 5, 1849 the Department of Interior was created, then called the Home Department, being the 6th government with cabinet status. It included the General Land Office, Office of the Census and Office of Indian Affairs. In earlier times the undeveloped American lands were generally considered to be inexhaustable, but this myth gradually came to be recognized as that, a good example being the New Frontier days during the depression.

In 1946 the General Land Office and the Grazing Service (the latter being treated under the Interior Dept. to help manage grazing lands and stabilize the livestock industry) were combined into a new agency and named the Bureau of Land Management, or, to those who are in frequent reference to it, BLM.

The responsibility of the Bureau of Land Management was (and is) to manage such federal lands not already set aside for specific uses, e.g., national forests, national park areas, wildlife refuges, etc. These unspecified government lands have long been known as Public Domain, lands that served as multiple use areas by individual ranchers, miners, etc. until converted to other formal uses, e.g., BLM, Bureau of Sport Fisheries & Wildlife, national park lands, etc.

Legally, most of the land comprising today's National Monument comprised the ancestral Public Domain, however, a few tid bits of the land had earlier been withdrawn for specific uses.

In May 27, 1907, President Theodore Roosevelt signed a proclamation to protect a 60 foot strip along the American side of the boundary to allow unrestricted access along the border for Customs Agents (later to be joined by the Border Patrol and others) for patrolling purposes to prevent smuggling into the U.S. The proclamation read:
A PROCLAMATION

WHEREAS, it is necessary for the public welfare that a strip of land lying along the boundary line between the United States and the Republic of Mexico be reserved from the operation of the public land laws and kept free from obstruction as a protection against the smuggling of goods between the United States and said Republic;

Now, therefore, I THEODORE ROOSEVELT, President of the United States, do hereby declare, proclaim and make known that there are hereby reserved from entry, settlement or other form of appropriation under the public land laws and set apart as a public reservation all public lands within sixty feet of the international boundary line between the United States and the Republic of Mexico, within the State of California and the Territories of Arizona and New Mexico; and where any river or stream forms any part of said international boundary line this reservation shall be construed and taken as extending to and including all public lands belonging to the United States which lie within sixty feet of the margin of such river or stream.

Excepting from the force and effect of this proclamation all lands which are at this date embraced in any legal entry or covered by any lawful filing, selection or rights of any duly of record in the proper United States Land Office, or upon which any valid settlement has been made pursuant to law, and the statutory period within which to make entry or filing of record has not expired; and also excepting all lands, which at this date embraced within any withdrawal or reservation for any use or purpose to which this reservation for customs purposes is repugnant; PROVIDED, that those exceptions shall not continue to apply to any particular tract or land unless the entryman, settler or claimant continues to comply with the laws under which the entry, filing or settlement was made; or unless the reservation or withdrawal to which this reservation is inconsistent continues in force; PROVIDED FURTHER, that the said strips, tracts, or parcels of land, reserved as aforesaid, may be used for public highways but for no other purpose whatever, so long as the reservation of same under this proclamation shall continue in force.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this 27th day of May, in the year of our Lord one thousand nine hundred and twenty, and of the Independence of the United States the one hundred and thirty-first.

By the President:

[Signature]

(Seal) THEODORE ROOSEVELT

Secretary of State.

D-5
President Calvin Coolidge made the next withdrawal from the free-for-all "order of Public "main when on Nov. 21, 1923 he used his powers of withdrawal" to create Public "ater Reserve No. 88, a 40 acre tract surrounding the Quitobaquito pond. Such an act created a public watering place, a noble thing to benefit all men in such desert country. The Order of Withdrawal read:

ORDER OF WITHDRAWAL

PUBLIC WATER RESERVE No. 88

During and pursuant to the provisions of the Act of Congress approved June 23, 1910 (36 Stat., 817), entitled "An act to authorize the President of the United States to make withdrawals of public lands in certain cases", as amended by act of Congress approved August 24, 1912 (37 Stat., 627), it is hereby ordered that the lands hereinafter listed be, and the same are hereby withdrawn from settlement, location, sale, or entry, and reserved for public use in accordance with the provisions of Sec. 10 of the act of December 29, 1910 (39 Stat., 662):

ARIZONA

Gila and Salt River Meridian

T. 17 S., R. 3 W., All lands within one-fourth mile of an unnamed pond located in what will probably be here surveyed the SW^1/4 of NE^1/4, Sec. 17, T. 17 S., R. 3 W.

MONTANA

OREGON

(signed) Calvin Coolidge
President.

November 21, 1923
It is an interesting observation of New Frontier values that, aside from the above mentioned land withdrawn by executive order, that the New Frontiersmen regarded, in a frontier sense, these valleys and mountains as essentially their own. They had grazed their skinny cattle on it, sought and worked ephemeral mining claims, dug and drilled wells, established bootleg liquor stills in the mountain recesses, hunted the game and collected the fruits and connected their interests by scratching a variety of bad roads from interest to interest. Any of these interests were tenuous and precarious and seldom did a man make much from any of them. Now, to such men as Tom Childs, John Cameron, Charlie Bell, Elmer Montgomery, John Merrill, Robert Louis Gray and the others, the land was, to their frontier thinking, theirs. These men used this land with intensity and were masters of its every aspect—every aspect of it. Many still talk of its beauty and their love of it, with all its difficulties and one can scarcely deny them a sort of ethical right to it.

So, it was in such a deep-rooted man-land cosmos, an area little known outside the Arizona Sonoran Desert, much less understood, that in the early thirties, the first cursory tremors of a change in the role of the land began quietly establish a course that was to take on earthquake proportions. The following five pages are from Organ Pipe Cactus National Monument A Study of Conservation Objectives Relating to its Establishment, Boundary Adjustments and Private Interest in the Area by John H. Davis, National Park Service Trainee, Ninth Departmental Management Program; Nov., 1957.
There appears to be no official Service records prior to 1931 concerning the establishment of Organ Pipe Cactus National Monument. In 1931, the Service, prompted by the interest of Congresswoman Frances B. Doggett of Arizona, General Hitchcock, the Tucson Natural History Society and the University of Arizona, authorized the late Roger Toll, Superintendent of Yellowstone National Park, to investigate and report on the suitability and feasibility of establishing a national monument in the southeastern desert country.

The trip Mr. Toll made in 1932 was very much a reconnaissance journey and a few lines from the letter of transmittal that accompanied the report indicate that the idea of preserving suitable desert areas was in the formative stage.

"In accordance with your instructions I spent the latter part of February in southern Arizona for the principal purpose of visiting various areas of the giant sahuaro and other varieties of cactus and to submit data regarding the best areas that might be available for national monument purposes.

"Notable Plants of the Desert Region: There are three species of the semi-arid vegetation in the United States which are sufficiently spectacular to warrant the establishment of a national monument. These are as follows:

1. The sahuaro, or giant cactus (Carnegiea gigantea).
2. The organ-pipe cactus (Lobivia hirsuta intermedia).
3. The Joshua Tree, or tree yucca (Yucca brevifolia) not a cactus but a member of the lily family."

Mr. Toll felt that the area west of the Ajo Mountains would be the best as it had good stands of organ pipe cactus and an excellent representation of other desert plants, and many interesting animals. Furthermore, practically all public domain and could be easily reserved. It was suggested that the area should be bordered on the west and north by the Fort Apache Reservation and on the south by the Arizona Territory. Although no title was taken in this report, it was implied that it could be used as the basis for a title. The area covered approximately 50 square miles.

Although Toll believed that there would be little difficulty obtaining the Ajo Mountain area, he did state, "In case the State of Arizona should be unwilling to make any further reservation for the purpose of a reserve for a national monument, then consideration might be given to a national monument in the Fort Apache Reservation". Since the land in the Fort Apache Reservation was already withdrawn, Toll felt that the Indian Service and the Park Service..."
could work out a satisfactory agreement for establishment of an area here. This area would be 36 square miles, south of Sells in the Artesia Mountains. The area did not receive serious consideration after the original report of 1932. (See Appendix A-4) (See Map Section, M-1)

Mr. Toll believed that the formal suggestion for establishing Organ Pipe Cactus National Monument should come from Arizona. He stated the following:

"If it is felt desirable to establish a national monument south and west of the Ajo Mountains it is believed that the suggestion should come from Arizona and not from the National Park Service. The Tucson Natural History Society is willing to cooperate in urging the establishment of such a national monument and the University of Arizona would also assist. Mr. Frank Hitchcock said that he believes that Governor Hunt, while opposed to any extension of federal areas, is nevertheless deeply interested in the protection of native Arizona plants and animals." 3/

The movement to establish Organ Pipe remained inactive except for a brief recommendation for its establishment in Toll's desert area report of 1933. (See Appendix A-6) In the fall of 1933, there was an exchange of letters between Mr. W. P. Taylor, Mr. T. B. Mallory of the Tucson Natural History Society, and Mr. Roger Toll of the National Park Service. From this correspondence came the conclusion that the National Park Service would support the establishment of Organ Pipe Cactus National Monument if the people of southern Arizona indicated their desire for such action through their congressional representatives.

The following resolution was drawn up by the Tucson Natural History Society:

"January 9, 1934

To Whom It May Concern:

In view of the fact that the acreage of public domain is rapidly diminishing in Arizona; that it is becoming more and more imperative that sample tracts of our native vegetation and animal life be protected and preserved for educational, recreational, and scientific purposes; and more especially, that the rapidly vanishing and nearly extinct forms of desert plant life such as the unusual and interesting species of cactus, Lemaireocereus thurberii (organ pipe cactus) must be given immediate protection if we are to save any of them for future generations;

Be it therefore resolved that we as a group in our official capacity and as individuals give our whole-hearted support to the establishment of a National Monument in southwestern Arizona the primary purpose of which will be to preserve the best available stand of the Organ Pipe Cactus (Lemaireocereus thurberii)

2
and do all in our power to encourage and aid the National Park Service in carrying out this project;

"And, be it further resolved, that in as much as an area in Southwestern Pima County, Arizona, contained within the following boundaries: Mexican Boundary (S), Pagago Indian Reservation (E), Sonoita Road (W) and Ajo Road (N), in our opinion best meets the requirements set forth above as most desirable for this Monument, we go on record as favoring the establishment of an Organ Pipe Cactus National Monument within the above mentioned boundaries."

The Pima County Board of Supervisors adopted the resolution along with an endorsement from the Ajo Chamber of Commerce. On January 9, 1934, the Board of Supervisors and the Tucson Natural History Society sent the adopted resolution to the Arizona Congressional delegation, Senator Carl Hayden, Senator Henry F. Ashurst, and Congresswoman Isabella Greenway.

The members of the Arizona Congressional delegation individually queried the National Park Service about this area. They were told that the National Park Service had the area under consideration and had made preliminary studies and would make a thorough study of the organ pipe cactus area and would make a report at a later date. It is interesting to note that this was the only time that the Arizona Congressional delegation was informed of the proposed area until after it had been established. This naturally did not go very well with Senator Hayden when, at a later date, grazing and mining problems came about.

The proposed establishment of Organ Pipe Cactus National Monument lay rather dormant for the remainder of 1934. However, in December of 1934, the Secretary of the Interior assured the Park Service that commitments on the Department's grazing program would not affect pending surveys or reports recommending a national monument in the Organ Pipe Cactus region.

In May of 1935, the Director of the National Park Service requested that Superintendent Pinkley of Southwestern National Monuments direct an intensive survey and recommend boundaries for Organ Pipe Cactus National Monument. This report was completed and transmitted to the Director through Mr. Roger Toll on September 7, 1935.

The report considered three areas of different size. The larger area comprised 3,000 square miles. The medium-sized area was 1,260 square miles and the area strongly recommended contained 600 square miles. (See Map Section, M-2, M-3, M-4) The two largest areas were primarily for the purpose of wildlife refuges. It was felt that the Bureau of Biological Survey would be primarily concerned with
the larger areas and that the national monument boundaries should be confined to the area of approximately 600 square miles.

On December 28, 1935, the Director requested permission from the Secretary of the Interior to draft a proclamation for the establishment of Organ Pipe Cactus National Monument. This permission was granted on January 7, 1936. (See Appendix A-7) During the remainder of 1936, time was spent on land problems within the proposed area. It was felt that there was little land in private ownership and that it could be easily purchased after establishment. (See the Land Status Map included in the map section of this report, showing private lands at the time of establishment.)

In May of 1936, the Indian Service requested that the eastern boundary of the proposed monument be adjusted to exclude the Menagers Dam area. This boundary change in the proposed area was adopted by the National Park Service. The boundary now followed the crest of the Ajo Mountains and in the southeast section ran between Sections 5 and 6, of T. 13 N., R. 3 W. G. & S. R. Meridian. (See Map Section M-5; and Appendix A-9)

The submission of a proclamation was delayed pending the Bureau of Biological Survey’s action on establishment of the Cabeza Prieta Game Refuge. It should be noted that when the Cabeza Prieta Game Refuge was established, its boundaries approximated the larger area considered for establishment as the Organ Pipe Cactus National Monument. (See Map Section M-2)

ESTABLISHMENT OF ORGAN PIPE CACTUS NATIONAL MONUMENT

On February 13, 1937, the Director of the National Park Service sent the following letter to the Secretary:

"February 13, 1937

"Memorandum for the Secretary:

"Attached is a letter to the President for your signature, transmitting a draft of a proclamation for the establishment of the Organ Pipe Cactus National Monument, Arizona, in accordance with Item No. 1 of our memorandum of December 23, 1935, approved by Acting Secretary West, January 7, 1936, a copy of which is attached.

"Also attached is a copy of our memorandum of February 11, 1937, in which we have stated our reasons for presenting the form of proclamation at this time independently of the proposal by the Department of Agriculture for the establishment of the adjacent area as a game refuge.

4
"The attached letter of May 22, 1936, to the Office of Indian Affairs, states that the National Park Service is willing to comply with their request that a small portion of the proposed monument as originally approved be excluded and kept available for addition to the Papago Indian Reservation. Commissioner Collier's reply of June 2, (Copy attached), indicates his concurrence in our proposal to revise the boundaries as indicated on the attached map and insert a proviso in the proclamation permitting the Papago Indians to harvest the fruits of the organ pipe cactus.

"It is respectfully recommended that you approve the proclamation and sign the letter to the President.

"(SGD) Arno B. Cammerer, Director

"Approved: Mar 26, 1937

"(Sgd) Charles West

"Secretary of the Interior."

On April 13, 1937, President Franklin D. Roosevelt signed the proclamation establishing Organ Pipe Cactus National Monument. For a copy of the proclamation and all other orders affecting the establishment, see Appendix B.

An area opened to mining

In 1939, Mr. Albert J. Long, President of the No. Chapter of the Arizona Small Mine Operators Association, Mr. W. K. Morrow, and other local people complained to their Congressional delegation about the hardships imposed upon them by the establishment of Organ Pipe Cactus National Monument. Basically they were trying to reopen Organ Pipe Cactus to mining and prospecting. They felt that the area was too large and its being closed to mining deprived many local prospectors of a livelihood. Mr. Long was the individual who continued to voice his opinions and keep alive the movement to open Organ Pipe Cactus to mining. He felt that the local people had not been given a chance to voice their opinions before the area was established and that the Park Service was very "secretive" about establishing Organ Pipe Cactus. Mr. Long found a sympathetic ear in Senator Hayden who had not been informed when the National Park Service was taking final action to establish the monument in 1936.

After a series of letters between Mr. Long, Senator Hayden, and the National Park Service, bills were introduced to permit mining within the monument. This took place in 1941. Senator Hayden introduced S. 260 in the Senate and Congressman Murdock introduced H.R. 2675 in the House of Representatives.
ORGAN PIPE CACTUS NATIONAL MONUMENT—ARIZONA

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

(No. 2232 - April 13, 1937; 50 Stat. 1627)

WHEREAS certain public lands in the State of Arizona contain historic landmarks, and have situated therein various objects of historic and scientific interest; and

WHEREAS it appears that it would be in the public interest to reserve such lands as a national monument to be known as the Organ Pipe Cactus National Monument:

NOW, THEREFORE, I, FRANKLIN D. ROOSEVELT, President of the United States of America, under and by virtue of the authority vested in me by section 2 of the Act of June 8, 1906 (ch. 3560, 34 Stat. 225; U.S.C. title 16 sec. 431), do proclaim that subject to existing rights, the following-described lands in Arizona are hereby reserved from all forms of appropriation under the public-land laws and set apart as the Organ Pipe Cactus National Monument:

Gila and Salt River Meridian

Beginning at a point on the southern boundary of the Papago Indian Reservation which is the point for the corner of secs. 5, 6, 31 and 32, tps. 17 and 18 S., R. 3 W., thence south approximately five and one-half miles to the International boundary; thence northwesterly along the International boundary to the intersection with the position for the third meridional section line through unsurveyed T. 17 S., R. 8 W.; thence north on the third meridional section line through Tps. 17, 16, 15, and 14 S., R. 8 W. (unsurveyed), to the point for the corner of secs. 15, 16, 21 and 22, thence east on the third latitudinal section line through T. 14 S., R. 8 W., to the corner or sections 13, 18, 19 and 24, T. 14 S., R. 4 and 5 W., on the west boundary of the Papago Indian Reservation to the point for the corner of secs. 5, 6, 31, and 32, Tps. 17 and 18 S., R. 3 W., which is the point of beginning, containing approximately 330,690 acres.

Warning is hereby expressly given to all unauthorized persons not to appropriate, injure, destroy, or remove any feature of this monument and not to locate or settle upon any of the lands thereof.
The Director of the National Park Service, under the direction of the Secretary of the Interior shall have the supervision, management, and control of the monument as provided in the act of Congress entitled "An Act To Establish a National Park Service, and for other purposes", approved August 25, 1916 (ch. 408, 39 Stat. 535; U.S.C. title 16, secs. 1 and 2), and acts supplementary thereto or amendatory thereof; Provided, that the administration of the monument shall be subject to: (1) Right of the Indians of the Papago Reservation to pick the fruits of the organ pipe cactus and other cacti, under such regulations as may be prescribed by the Secretary of the Interior; (2) Proclamation of May 27, 1907 (35 Stat. 2136); (3) Executive Order 5462 of October 14, 1930; and (4) Executive Order of November 21, 1923, reserving a 40-acre tract as a public water reserve.

The reservation made by this proclamation supersedes as to any of the above-described lands affected thereby the temporary withdrawal for classification and other purposes made by Executive Order No. 6910 of November 26, 1934, as amended.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the city of Washington this 13th day of April in the year of our Lord nineteen hundred and thirty-seven and of the Independence of the United States of America the one hundred and sixty-first.

/s/ Franklin D. Roosevelt
By the President

/s/ Cordell Hull
The Secretary of State
Even though the Monument had been officially established, the National Park Service, Dept. of Interior and other advocates of the new monument had not reckoned with the dynamic infuriating of Albert I. Long claimant of four claims in the Growler Mine complex and then president of the Arizona Small Mine Operators Association, Ajo branch. Long, upon learning that the mineralized hills between Ajo and the border and been "locked up" to the prospectors and small miners of the region, led a campaign with such force that he succeeded in accomplishing a near legislative impossibility—having the mine reopened for mining. Long's principle complaints were that the proceedings leading to the establishment of the Monument had been carried on secretly without allowing the small miner to raise their objections. Again, Long opined that the Monument was much too large; that only a square mile or two would suffice to preserve the cactus. His letter to Washington office is worth reading: (See reverse of page). Even small miners raised the voices of protest (see reverse for W.K. Harrow's letter to Arizona Senator Hayden).

Long continued his protests through Arizona Senator Carl Hayden who, along with Congressman Murdock introduced twin, identical bills to enact legislation to reopen the Monument for prospecting and commercial mining. On June 2, 1941 Congressman spoke before the House on the bill:

"It is one thing to demand that the primitive conditions which we are trying to preserve in national parks, monuments and wilderness areas be not commercialized or destroyed, and I am for exactly that. It is another thing, however, to demand that great natural wealth be locked up over 400 square miles and left untouched, simply because designated regions may be said to remain in their primitive condition, especially when it is entirely unnecessary that any such locking up be done.

"As I understand it, the school of Mines at the University of Ariz. has reason to believe that at least a fourth of this great area is mineralized, and that there is a fair chance of finding something worth
From the outset of the Monument establishment it was Bert Long who took every course possible to protest the Monument mining policy, or what he assumed to be the policy. He contacted several congressmen, NPS men in Santa Fe (Region III) and asked many, many questions. It was Long who carried the ball of protest first to Pinkley at Coolidge, Hugh Miller, Regional Director at Santa Fe and NPS director Arno B. Cammerer in Washington and Bill Supernauh, Bates Wilson and Jim Eden at Organ Pipe and also had four claims of his own up in the Growler which he finally sold to the Park Service in July of 1957 for $11,000.00. Thus he continued to be a major headache for the NPS administrators, surpassed only by the long-term headache of the Gray Partnership, until his death in Ajo on Feb. 6, 1958.

Long wrote Ariz. Representative John Murdock in Feb. 1940 for information on legal matters regarding land withdrawal procedures. Long was out to go to every source for his cause. He told Murdock: "Enclosed is a copy of the Ajo News which will clearly show the stand that the Ajo Council is taking on the withdrawal of land from Public Domain to a cactus monument."

"The State Organization is getting behind us in this fight and we are desirous of obtaining all possible information relating to the manner in which such withdrawals should be made." (Long 19403023)

Long was unable to catch the Park Service with its factual pants down. Sophisticated studies of the Monument had been made, and careful files had been maintained and Long was supplied with the answers he sought, both from Pinkley and the Washington office. See p. 3.

A. J. Wirtz, Acting Secretary of Interior wrote Representative J. W. Robinson, Chairman of the Committee on Public Lands in the House of representatives on 4/14/41: "There are mineralized zones within the Organ Pipe Cactus National Monument, but it is not an important mineralized area. Geologists of this Department have made a careful study of the monument and
they report that no mineralization was found that resembles in any respect the type of copper deposit found at Ajo. No important mines have been produced within the area and no mines are being operated therein today."

Wirtz also recommended that the proposed bill to reintroduce mining in the Monument include a clause to allow prospecting and mining for only a period of seven years. The bill should end with the sentence: "Any location made after seven years from the effective date of this Act shall be void." No such seven-year time limit was included however.

This 7-year time limit introduced in Hayden's bill, who offered it as a wartime need, but it was defeated by mining interests.
Dear Sir:

The Ajo Council, Arizona Council of Churches Association, is interested in finding out what steps can be taken to the withdrawal of 141 square miles of Petrified Forest, adjacent to the精灵 Park, by the proclamation in April, 1937, under which the land is now included in the national park service administration. I therefore wrote to Mr. Elkinley regarding the information. I have now received a letter from Mr. Elkinley in response to the request asking to inspect the records and such information as Mr. Elkinley subsequently informs us, in the office in Washington. No member of this council can afford to go to Washington to inspect the records and get the desired information so the Council is asking your cooperation in obtaining it.

We understand of course that the lands of operation by persons proposing the monument and finding it all the process is first of record and such record is open to public inspection as Mr. Elkinley extensively informs us, in the office in Washington. No member of this council can afford to go to Washington to inspect the records and get the desired information so the Council is asking your cooperation in obtaining it.

We are all familiar with the Petrified Forest and alike acknowledging Mr. Elkinley's aesthetic and commercial interest in preserving for posterity the beauty and value of the organ pipe cactus, we can find only a laughable parallel in this comparison of the withdrawal of 141 square miles, enclosing the world's most spectacular manifestation of petrified wood, the colored glory of the Red desert, the fossiliferous remnants of animal and plant life of immense aesthetic and value, not only to paleontologists and other scientists, but to appreciating people, the hundred Indian ruins and the thousands of picturesque lands of the legends of vanished inhabitants of the area, with the 454 square miles devoid of any such scientific and popular interest, withdrawn for the purpose of protecting a plant which animals will not eat or destroy and which is entirely without any practical value to mankind. Just as odd is the way stating making comparisons regarding the value of the land for grazing purposes. There is the comparison between the 141 square miles of Petrified Forest with its barren soil composed of the erosion from the chutes and sandstones of the Hamaki Formation and lacking the essentials for vegetable growth, and the broad valleys in the 454 square miles withdrawn for the Organ Pipe Cactus National Monument, valleys, the falls which consists of the erosion of volcanic rocks and intrusive granite and porphyries making the Bolson deposits of the Ojia Conglomerate and lacking the elements essential for normal plant life.

We brought the Council's attention the fact that there are only a few places in the Organ Pipe area where there are growing thickly and that one or two minds would control and prevent, for the 1.5 million other Americans all the time. They would need or be interested in seeing - - and allow us within to remain in other 452 square miles for prospecting, hunting and grazing. There are areas of 452 square miles where it is hard to find even such organ pipe cactus. ...
This Council desires the following information:

1. Who by name proposed this monument?
2. Who by name were the experts who examined it?
3. Why were not the owners of property which would be detrimentally affected by being surrounded by the monument, such as Miller, Gray, Jenkins, Montgomery, Cameron, Long, and Bell, not notified of the proposed withdrawal so that they could register a complaint? The surrounding of these places by the monument, cutting them off from public domain, has ruined them for cattle ranches.

4. What procedure can we use to go about getting a reduction in the area of this monument, or at least restoring the rights to prospect and mine on it.

We would appreciate an answer to these questions and also your advice.

Yours very truly,

(sgd) ALBERT I. LONG

Chairman, Ajo Council,
A. S. M. O. A.
The Honorable Barry Goldwater
U. S. Senator from Arizona
Phoenix, Arizona

Dear Sir,

I am taking the liberty of sending you this letter with its enclosure—newspaper clippings and copies of correspondence with federal and county officials—in the hope that you will be interested.

I feel certain that the method by which the 517 square miles which was withdrawn from public domain to make the Organ Pipe Cactus National Monument will be a surprise to you.

I have been trying for some years to get some interest aroused in restoring the land of the State of Arizona to the control of the State of Arizona but so far have not been very successful. It's much as Mark Twain said about the weather.

I can—have the documentary evidence—prove everything I have written. You, of course, have no need of me pointing out that a movement, made by presidential proclamation instead of by an Act of Congress, was by the act which legalized such a proclamation supposed to protect objects of historic, prehistoric or scientific and that the smallest area necessary for protection shall be proclaimed. By no flight of imagination does the taking of the monument comply with the law.

In early days it was probably advisable for the Federal Government to step in and protect such things, but Arizona has grown up—as she has fully shown—and is perfectly able to look after such things.

It seems probable that the entering point of any area used to separate, or at least reduce control of such vast areas would be this Organ Pipe Monument due to the manner in which it was taken up and the lack of anything to protect which is not already protected on the Papago Indian Reservation and the Saguaro Monument.

It might be a good move for the Republicans to promote such a campaign for though the Democrats have often spoken of it, they have not done anything. It would be something of a progressive move.

There is much available support here.

Yours truly,

/s/ Albert I. Long
Mr. Albert I. Long,  
Chairman, Ajo Council,  
Arizona Small Mine Operators Association,  
Ajo, Arizona.

Dear Mr. Long:

We have received your letter of September 28, requesting certain information regarding the establishment of the Oran Pipe Cactus National Monument.

The first study of the monument was made in 1932 by the late Dr. Peter T. Toll at the request of the Director, Mr. Horace M. Albright. The principal purpose of this study was to visit various areas of giant saguaro and other varieties of cacti and to collect data regarding the best area that might be available for national monument purposes. Although the most characteristic and outstanding form of plant life within the monument is the Oran Pipe Cactus, the area was set aside to preserve also an outstanding example of a unique desert.

The present biological character of the area is a direct result of the geological forces which have kept the area as a desert since the beginning of the Paleozoic era. Considerable information regarding distribution of the cacti in the United States was secured from Dr. Forest Shreve of the Desert Laboratory of the Carnegie Institution of Washington, at Tucson, Arizona, and from Mr. Walter F. Taylor, at the University of Arizona, regarding the best area suitable for the protection of the Oran Pipe Cactus.

Our files indicate that in 1934 the Tucson Natural History Society, the board of supervisors of Pima County, Arizona, and the Ajo Chamber of Commerce recommended the establishment of an Oran Pipe Cactus National Monument within the present monument. The written endorsement of the Pima County Board of Supervisors and the Ajo Chamber of Commerce was transmitted to this Service by Senators Ashurst and Hayden and Congressman Greenway.

During the summer of 1935, the area was investigated by State Park Supervisor Herbert Wilson, Assistant Wildlife Technician Russell Water, Assistant Landscape Architect L. H. Koelling, Park Naturalist Robert H. Hoes and Park Engineer John R. Diehl.

The names of property owners were not available to the office at the time the area was established. However, a very small portion of the area concerned is privately owned. The proclamation was prepared subject to all valid existing rights and accordingly, the private property is thus protected, also entries under the public land laws, whether they be marked or otherwise. It is our understanding that no one with the exception of the Gray family, was grazing stock in the monument area at the time of its establishment. This Service has issued a permit to the Gray family to continue grazing. Therefore, the only ranch being used for cattle raising has been permitted to continue.
Likewise, any patented mining lands and mineral entries can continue as before. Prior to the establishment of the national monument, the records of the General Land Office at Phoenix contained no reference to active mining operations in this area.

With reference to what procedure is necessary to reduce or open the monument to mining, it is necessary to secure an act of Congress.

With reference to Superintendent Pinkley's letter, we note your questions have been answered in the order asked, and therefore do not understand why you feel that his letter is non-committal. I am confident that a better understanding can be reached in personal conversation than is possible by correspondence, and I hope that Superintendent Pinkley will have an opportunity to confer with you in the near future.

Sincerely yours,

(SGD) Arno E. Cammerer

Arno E. Cammerer, Director

cc: Supt. Pinkley, with cc. of Mr. Long's letter
Mr. Albert J. Long
Chairman, Ajo Council
Arizona Small Mine Operators Association
Ajo, Arizona

Dear Mr. Long:

I was a little surprised to have Mr. Jo N. Meadows tell me in conversation on the morning of the 10th, that you had told him you invited me to attend any meeting of the Small Mine Operators Association, that I was welcome to come at any time, etc., that you had the secretary write me to that effect, but that I had never put in an appearance.

My surprise was due to the fact that I never got such a letter from you as far as I could remember and I told Mr. Meadows so. Since my return to headquarters I have checked over our files and find that my memory seems to be correct.

In my letter of July 26, my first letter to you, I said: "Would it be of interest to you or to your organization to discuss any problems which might come up in regard to claims lying within the Organ Pipe Cactus National Monument?" Again, I said: "Will you please pass the word wherever you can, that I will be very glad to talk over or take up any case they may have, and that, as far as I know, their legal rights are just as good now as they were before the monument was made if they have any claims within the monument which were valid at the time. About the only way they have been bothered by the proclamation is that they cannot enter any new claim, but we will be glad to help them get straight on the old ones, and, whether we can do them any good or not, we will be glad to have them ask questions and I think better to talk to them.

September 5, you replied to my letter with a two-page answer, asking me very questions, but there is no invitation to me to come down and talk it over with you or the association. I answered your questions as well as I could in my letter of September 1, and in that letter I said: "I would like, some time when we could arrange it, to come over and attend one of your meetings and do my best to explain what the Organ Pipe Cactus National Monument is all about and how we have not infringed on anyone's rights as far as we know. Would that be possible?"
Since then I have not heard from you nor from the Association. Possibly you have written me a letter which has gone astray. If so will you please write me again.

We are still anxious to meet and talk with any man who has, or thinks he has a claim inside our boundaries and to help him on to set him straight on his rights.

Cordially,

[Signature]

Frank Pinkle:
Superintendent

our Region III
The Director
Custodian Spernauh
Mr. Albert I. Long,
Ajo, Arizona

Dear Mr. Long:

I thank you very much for your good letter of September 5 regarding the feeling of the Ajo Council of the Arizona Small Mine Owners Association toward me, the Service, and the Organ Pipe Cactus National Monument.

I can sympathize with you and the Council in some of the feelings you express because my long residence in the country allows me to view the situation through local eyes. I do not think you are correct in assuming that the Government through the President and the Park Service has trampled on any local legal rights, but, understanding the way you view things, I rather despair of being able to prove that to you in a letter; it will probably take a lot of talking to do it. I would like, some time when we can arrange it, to come over and attend one of your meetings and do my best to explain what the Organ Pipe Cactus National Monument is all about and how we have not infringed on anyone's rights as far as we know. Would that be possible?

I wonder if your Council could help us to find out the names of all owners of claims within the monument boundary lines and just what legal status the claims might have; that is, when they were filed, if the work has been done on them, and so on. I don't have much idea how many men are involved; do you? Would there be ten or twenty or thirty or forty? So far as I can learn, the only patented mines within the boundaries are those held by yourself around the old Growler Mine. Do you know of any others? We expect to have a man in charge of that monument within the next couple of months and in the meantime I would like to gather all this information possible and begin clearing things up and see what we can do for these individuals.

You say that no one in the district was informed in regard to the proposed withdrawal; that it was done quietly. I can assure you there was no intention of doing anything under cover; reports were made by several experts; examinations were made covering many months and the whole thing was gone over very carefully. We thought we were infringing upon no local legal rights. So were careful to reserve all existing legal rights. Then change in the wording of the proclamation and you will find that the reservation was made "subject to all existing rights" in that proclamation.

You say that no one who had property which would be vitally affected detrimentally by the withdrawal had been asked or notified concerning it. I would have to know the class of cases you are talking of and we would have to look into the individual cases to see if any injustice had been done. I am not aware of any case at present.
Your statement that approximately 464 square miles of ground has been withdrawn from public entry, from prospecting and mining except on claims held prior to the proclamation making the withdrawal, is essentially correct.

Your fourth statement, that instead of possible taxable property being developed by the discovery of mines or some other enterprise which would pay taxes to the State or County, the taxpayer will be taxed to keep up a monument to protect a cactus which is valueless to man or animal, is a rather hard statement to meet. Suppose I meet it with the flat statement that the deposed cactus and desert vegetation, which is so worthless in your eyes, is more valuable, and I am speaking from a dollars and cents standpoint, to the State and County, in the long run than all the prospects which have been or could be found inside the boundaries of the monument. We are both making statements which are incapable of proof for several years and I am just as sincere in mine as you are in yours and plenty of people will say we are both crazy. This business of selling scenery to tourists in a real business. If you think I am crazy, just go up and try to sell the Chamber of Commerce and business men of Holbrook on the idea that turning the Petrified Forest National Monument into a cattle ranch would be a better thing for their local community than handling it as a tourist attraction! I was in on the development of the Petrified Forest twenty-odd years ago and I can still remember local men telling how crazy we were to try to hold that place in its original natural state and not let the cattlemen get some real money out of it.

How would your Ajo businessmen look upon a small group of men who did their best to detour fifty carloads of tourists per day around their town instead of inviting them in? Yet the Organ Pipe Cactus National Monument means much more than 50 carloads per day of tourists to the town of Ajo in the not-far-distant future. Which all sounds crazy to you doesn't it?

You say the Ajo Council would like information on several points.

A. The presidential proclamation on the Organ Pipe Cactus National Monument was issued April 15, 1937. If you wish, I will send the Council a copy of the proclamation.

B. The National Park Service, after much study, recommended its withdrawal to the Secretary of the Interior. He in turn recommended it to the President who signed the proclamation.

C. If you are thinking, in asking to whom you can write to find out the vital facts concerning this withdrawal, that you will uncover something sour about it, you are putting me on the spot; I don't know. We have quite a file here in the office covering the reports and studies of the preliminary work and there is probably a heavier file in our Washington Office. The Secretary's office would also have a file, probably not so large, due to things being boiled down before the proposal got up to him. These files are of course public documents open to your inspection in our office or that of the Park Service in Washington during business hours, or, if you care to have me do so, I will bring ours over to Ajo and talk them over with you at some convenient time.
D. There is no standard form of withdrawal for national monuments. Sometimes proposed national monuments are brought to our attention by individual letters, sometimes they are proposed by our own men as they go about the country on business trips, sometimes they are proposed by State, civic, county, city, or other organizations. Such proposals go on a list and eventually we get down to sending our experts to study and report on the project. These reports are worked over in the Washington office and the proposed monument may be rejected as of no importance or the decision is reached to put it up to the Secretary and the President who makes the final decision.

F. No hunting is allowed on the monument. All national monuments are game preserves under the law.

H. Visitors are allowed to bring dogs on the monument but they are kept on leash.

G. Concessions are not open to bid in the sense you suggest. That would be a very poor way of handling our permits. If there was a demand for hotel facilities, such permits would not be let by bidding but would be a matter of negotiation through the office of the Secretary of the Interior and the National Park Service. This is a general statement, but if you have a particular case in mind I will be glad to go into it in detail with you.

I have tried to answer your questions. If I have failed, please feel free to go into more detail if I have missed the point or let us try to find a time when we can get together and talk this over. I want you to feel that we in my office and our men in our Washington Office are trying to shoot square. We are working for the people of the United States and are handling their property in their interest as a whole to the best of our ability. So long as your interest as a local organization or as an individual runs with theirs we are also working for you. The time, however, sometimes comes when the local interest becomes a selfish interest and then we have to work for the good of the national interest. If, as a trust will not happen, an case should arise between us and yours or your organization, I do consider that we are working not only for you but for the other 150,000,000 people who are not directly concerned with the monument.

Sincerely,

(signed) Frank Binkley,
Superintendent
while there.

"What I am attempting to do has been suggested by several Councils of small mine operators in Arizona, which organization has probably 4,000 members in the state made up of prospectors and small claim-holders."

The Park Service was not alone in his battle to preserve the dignity of the new, controversial Monument by keeping mining out. The National Parks association and many other conservations in the nation came to its support. However, the two bills passed both houses and on Oct. 27, 1941, President Roosevelt approved the act, and the right to prospect and mine was again legally returned to the area. Interestingly enough, however, only slight, scattered minerals of any value have been taken from the Monument, although considerable destruction of the landscape and its flora occurred since 1941. The new act included the right to develop a claim and the access to it as would be necessary for its operation.

"Occupation and use of the surface of a mining claim is restricted by the act to such as is reasonably incident to the exploration, development and extraction of the minerals in the claim." 

In 1940 the Gila Bend Lions Club sought to close the Monument to mining by having it changed to a national park. They wrote to Senator Hayden on June 8, 1940:

"We, the undersigned citizens of Gila Bend and vicinity, wish to call to your attention to a proposal of the National Park Board that the Organ Pipe National Monument be made into a national park, and also, that this area be kept closed to mining.

"This area, contained within the boundaries of the National Monument, is unique in many respects. The animal life is very different from that in other parts of the country. Several species of birds are found no other place. The vegetation in that area is very prolific and harder than in
Commercial Invasion of National Monuments Seen in Pending Bill

LEGISLATION on the verge of passage by Congress is being vigorously opposed by conservation and scientific organizations, which see in it a threat to the integrity of the nation's system of national monuments. The legislation in question is incorporated in the Hayden Bill, S. 263, passed by the Senate on May 23, and the Murdock Bill, H. R. 2675, now on the House calendar. The latter bill has come up for a vote by the House on two recent occasions, but has been passed over upon objections from the floor. Both bills are identical and are designed to open the Organ Pipe Cactus National Monument in Arizona to prospecting and commercial mining. Passage by the House will make the legislation effective unless it should receive a presidential veto.

Leading the opposition is the National Parks Association, defender of maintaining the sanctity of national monuments and national parks. The Association holds that passage will set an opening precedent for the commercial invasion of other national monuments and it is calling upon all adherents of national park and national monument standards to make a last minute fight against the bill by recording their opposition with their congressmen.

"The legislation would be unnecessarily destructive and set an undesirable precedent for mining in other national monuments," the National Parks Association declared in a statement issued last month.

"According to the organic act that created the National Park Service in 1916, the purpose for which national parks, monuments and reservations are established is 'to conserve the scenery and the natural and historic objects and the wildlife therein and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for future generations.' On the sound basis of that act, it has been the settled policy of the federal government that mineral development be forever excluded from these areas.

"Sponsored by Senator Hayden and Congressman Murdock of Arizona, the pending bill to permit mining would, in the opinion of conservationists, nullify the purposes for which the Oregon Pipe Cactus National Monument was established by Presidential proclamation in 1937. The monument is a remarkable scenic area comprising over 300,000 acres of outstanding Sonoran Desert Country. It is situated on the international boundary between the United States and Mexico, and was set aside for administration by the National Park Service to preserve a large variety of plant and animal life peculiar to this desert region."
Circular No. 1592

Regulations to Permit Mining Within the Organ Pipe Cactus National Monument in Arizona

United States
Department of the Interior
General Land Office
Washington

January 20, 1932

Sec. 165.33h Statutory authority. By the Act of Congress approved October 27, 1931 (65 Stat. 702, 16 U.S.C. 467), all mineral deposits of the claims and lands then subject to location, entry and patent in the United States mining laws within the Organ Pipe Cactus National Monument in Arizona, exclusive of the land containing that portion to disposal under such laws, with right of preemption and use of so much of the surface of the land as may be required for all purposes reasonably incident to the mining or removal of such minerals, and under such general regulations as may be prescribed by the Secretary of the Interior.

165.33i Mining Locations. The lands within the Organ Pipe Cactus National Monument as established by Proclamation No. 2358 dated April 13, 1931 (56 Stat. 1367), are open to prospecting for the value of mineral subject to location under the United States mining laws, and upon discovery of any mineral, location may be made in the manner and upon the terms and conditions prescribed for mining locations. In no case, excepting that they will be subject to location to the land within their boundaries, or any part thereof, except the right to occupy and use so much of the surface of the land as may be required for all purposes reasonably necessary to mine and remove the minerals.

165.33j Occupation and use of mining. Occupation and use of the surface of a mining claim in regulation, the act to such use as is necessary and incidental to the exploration, development and extraction of the minerals in the claim, exclusive of any location or portion of a mining claim located under this Act, will be entitled to such right. The prospectors and miners shall at all times continue to explore and prospect, or which may be made payable by the Secretary of the Interior in this monument, upon the lands in the State of Arizona, or any portion within the boundaries of the monument.

Cross References: For occupations of lands within the Interior affecting the monument see 29 U.S.C., Chapter 1, Part C (Federal Register, March 30, 1933, Vol. 5, pp. 1620-1624).

165.33k Termination of right to use of surface of mining claim. The right of occupation and use of the surface of the claim.
entrance in the boundaries of a location, entry or patent pursuant to this Act will terminate when the minerals are mined out or the claim is abandoned.

185.31 Title to minerals only. Applications for patents and final certificates—where therefor for mining claims located under the Act should be noted "Organ Pipe Cactus National Monument Lands," and all patents issued for such claims will convey title to the minerals only, and contain appropriate reference to the Act and these regulations.

185.32a Destroying vegetation prohibited. The location of a mining claim within the monument area shall refrain from destroying or disturbing vegetation within the boundaries of the claim except as necessary for the proper development thereof for mining purposes.

185.33b Construction of trails and roads. Roads of trails shall not open or construct roads or vehicle trails without obtaining a permit from the Director of the National Park Service. Applications for such permits may be made through the officer in charge of the monument upon submitting a map or sketch noting the location of the property to be served and the location of the proposed road or vehicular trail. The permit may be conditioned upon the road or vehicle to be used or the road or trail in a passable condition, satisfactory to the Director, so long as it is used by the permittee or its assigns.

185.33b Lands containing certain features in a national monument.

Location. Lands containing open water, water supply, or water supply, monument boundaries, or provisions for the water supply, are subject to location.

(19.) Fred. L. Reedy
Commissioner

Assistant: W.M. Beckey
Superintendent, National Park Service.

Approved: January 26, 1941.

Gene R. Chapman
Assistant Commissioner.

These regulations are issued under the authority of... in the Act of October 2, 1932 (Public Law 26).
other localities in this desert region. The mountains are very beautiful and of easy access for tourists.

"We respectfully urge that the Congress be prevailed upon to designate this area as a National Park and call it "Desert National Park."

While the Park Service appreciated the Gila Bend Lions Club interest in the proper use of the Monument, the Service felt that they should prefer to retain their Monument status until they additional experience should indicate whether a change in status could better serve their cause. They suggested that a better change might be to the new, more flexible recreation area such as Boulder Dam (now Lake Mead) Recreation Area where a multiple use program is permitted. An change in status for the Monument appeared and Senator and Congressmen Hardy continued with their mining bills.

On Nov. 28, 1946 the Ajo Chamber of Commerce, and all people, were a surprise move to have the Monument changed to a National Park. A long passionate letter to Mr. Secretary Kenton Drury and to their congressional representatives. Several other towns of southern Arizona supported the mine as did the Park Service and the Dept. of Interior. However, no attempt was made by the Arizona delegation to initiate such a change. The issue lay quite until August of 1949 when again the Ajo Chamber of Commerce wrote Congressman Harold Pat "remind him that they were still waiting for appropriate action on the park status to be taken. In Oct. 1949 Mr. Ratten introduced a bill in the House of Representatives "to establish the Arizona desert National Park, Arizona and for other purposes."

However, by this time the Ajo Chamber of Commerce had elected new officers and apparently was no longer interested in the suggested change. Since such a change to park status would automatically eliminate mining in the Monument, the vociferous Mert Ang and his Arizona Small Miners association reared its vociferous head and the bill was again put on the legislative shelf.
Frank "Bons" Pinkley superintendent of the Southwestern National Monuments with headquarters at Coolidge, Ariz. had been the closest official contact to the new Monument and it was he who had the difficult role of whipping boy for the small miners association and other Ajo residents who resented the Monument creation. After several long pieces of correspondence between Washington NFS office, the Arizona representatives in Washington and the Washington NFS office with Pinkley in the middle, the latter accepted the invitation of the Ajo branch of the Arizona Small Mine Operations Association at the Moose Hall in January of 1940.

Naturalist Nat Dodge and the young new custodian for the Monument attended. Bert Long apparently had a field day with the detailed and provocative examination of Pinkley. Long pointed out that the Monument formation had been made secretly and that no mine owner or claim owner had first been notified. Pinkley admitted to the secrecy of the formative studies and creation, but reminded Long that the Gray family still had their rights, and that, in fact, he, Long, still had his mining claim; and John Laron, although he then was running no cattle on Monument lands, would, if he so desired, be permitted to do so. Long then objected to the great size of the Monument, and Pinkley informed him of a fact, not always understood by local residents today, that there are other features—geological, archeological, botanical and faunal—that were deemed worthy of preservation, not just organ pipe cactus. Long was also reminded that Ajo would benefit greatly from the large tourist trade that would come with improved access roads and added conveniences, a fact that most of Ajo would care less a snot. Long announced that his association would soon look, through congressional representation, the reinstatement of their mining rights and a reduction of the size of the Monument. (Ajo Copper News 1/19/40)
Pinkley late wrote of the meeting: "Natt and I forgathered with some 15 members of the Arizona Small Mine Operators Association the other night down in ‘jo. "all, we had a good time with those prospectors, taking and giving some lively verbal blows, both sides enjoying it very much, the result being something like a dog-fall: neither side convincing the other, but both sides getting a clearer idea of what the other was thinking.

"Prospectors are, when you study them, a little different subspecies of mankind. They are a happy-go-lucky, hopeful class of men, resourceful and self-reliant, who are accustomed to working out their own conclusions from the facts as they find them. Although their conclusions may be wrong (just as are the conclusions many of the rest of us reach), they stay with them like a hound pup on a root." (National Parks Magazine July-September, 68)

Frank Pinkley was one of the grand old men of the National Park Service and it was through him that many if not most of the National Monuments of the Southwest were created and it was he who nurtured, protected and interpreted each one and became the idol of the staff under.

It was in 1906-08 that Pinkley hired on as helper to Smithsonian Institution archeologist J.W. Fewkes in the excavation of the Casa Grande Ruins. Pinkley’s consuming interest, enthusiasm and rare ability to interpret the ruins to the public soon gained him the command of the ruins. In 1916, a scattering of national parks, monuments and historical and natural odds and ends were combined under the National Park Service, including the Casa Grande Ruins. In 1924 the Southwestern National Monuments, was created to administer the growing number of National Monuments in the Southwest. Frank Pinkley was placed, hands down, in charge of the office, headquartered at Coolidge as superintendent over 14 National Monuments, each area headed by a custodian (now called
superintendents. The organization continued until July of 1957 when it
was phased out and its function was absorbed into NPS Region Three (now
Southwest Region) at Santa Fe. Pinkley has frequently been referred to as
"Boss" Pinkley after his work in the Monuments in the "avajo country where
the Indians referred to his as Natani, meaning "chief" or "boss," hence
the informal title for Pinkley. The force of Pinkley's personality and
abilities has made him as former Organ Pipe Cactus superintendent once
put it: "a great man; they don't make like Pinkley any more." See Reverse

The first custodian of the new Monument was William (Bill) Ross
Supernaugh, who took charge on October 3, 1939, where he remained until
August 20, 1942 when he entered on duty with the Army and Bates Wilson
filled in during the military interim until Supernaugh's return to Organ
Pipe Cactus on July 8, 1953 and remained until his transfer on July 30, 1954.
Supernaugh is a graduate in forestry from Washburn College in
Topeka, Kansas. His first assignment was at Rocky Mountain National
Park in northern Colorado from 1936-1937, married Ann, son, Tom, 12-41.

Supernaugh's job was hardly an enviable one. With the rumblings
and soon the presence of World War II money was hard to come by for the
needed development of the Monument, in fact, Bill early lived in Ajo and
commuted to the Monument, a wearisome job on the beat-up road of the time.
He and the Monument was beset by unenlightened and disgruntled New Frontiersmen from every side. The NPS regulations that protect a national park
area in its (more or less) natural state meant little or nothing to the pot
collector, weekend hunter, prospector, cattleman, etc. who drove across
country when ever the route appealed to them. The caves (or overhangs)
that cut into the northern ajos were, with the completion of the ajo-
donoyta mesa on the eastern side of the valley, were frequently "pot
hunted," included water ollas, metates and manos, and prayer sticks (?)
inkley had long had a dream of getting all of the Southwestern custodians together at one time to discuss their mutual interests, and problems. At last the dream was approaching reality in Feb. of 1940 when his custodians, wives and all had gathered at Casa Grande (or Coolidge?) he had completed his welcoming when he suddenly died of a heart attack and his funeral was held at the Casa Grande Ruins where he had first become a custodian. He had given 35 years of service to the NFS.
and turned up in Ajo homes. One Ajoite explained to the writer that "the

tribal rules were not recognized by Ajo people." Botanist A. A. Nichol noted
several artifacts included a number of "carved sticks" high in the walls
surrounding Montezuma's Head. Nichol appealed to archeologist Bryan Cummings
to investigate the artifacts, but he was never forthcoming and the caves
were soon cleaned out for Ajo mantel pieces. (CPA correspondence to Nichol, 1942)

Dr. Charles Vorhies during his formative studies on the bighorn sheep
wrote in his field notes of 1937: "In these lonely lands only accidents
happen. There are 1,500 miners, which on their days off, are now busy
sweeping the desert clean of all bird and animal life....new trails are
continually being made into the desert and old ones pushed a farther and
lizards and signs, rabbits and bottles and quail and deer and mountain sheep
are continually being killed under the year-long fusillade of these miners.
No attempt is made to hide these actions and quail and whitewing are
openly brought into town. One resident went out hunting whitewing and re-
turned with a bighorn sheep." (Vorhies, 1937)

Supernaugh looked around his area and found it did not have the juris-
diction and protection a national park should have. By 1941 Bert Long and
his miners had succeeded in reinstating mining in the Monument, not that
there hadn't been claims prior to this date. By December 10, 1939 sent to
Finkley a list of extant claim holders in the Monument. There were:
Jenkins, Meadows and *ruitt with lead claims some four miles west of
Dripping Springs, W.C."Boots" Barnham, Charlie Bell and John Cameron with
gold claims near the same sites as above, Cordor Baker, had a gold claim
southeast of Dripping Springs, Jeff Milton had a gold claim south of Dripping
Springs, Frank Brown and Boots Barnham had claims two miles west of the
Victoria Mine, and Elmer Montgomery had claims near Dripping Springs
and near Bates Well.
and welcomed and assisted, when possible the visiting scientists. Dr.
Lawrence Heye and his assistant Charles Harbison of the San Diego
Monument study collection.

In 1951 San Diego archeologist Paul Szell made an archeological survey
of the Monument, completing the study in 1952, the results of which remain
in dusty boxes in Globe, Arizona—and the field notes made by Szell remain
just that.

Dr. Charles T. Vorjies made his earlier mentioned bighorn sheep study
in the summer of 1937.

Although new backwash National Park areas should be sought after studying
grounds for advanced students of all sorts, the little known Monument received
few such students. The next serious study was made by Max Hensley, a young
zoology student from the graduate department of Cornell University. Hensley
made a successful pursuit of his PhD degree in ornithology by living at the
Monument in July and August of 1948 and again from February to August of 1949.
Supernaugh and his diminutive crew were rewarded for their cooperation
with a copy of the dissertation on the ornithology of the Monument for the
library.

Bill Supernaugh was, for 13 accumulative years, the Park Service strong
man. He was "Mr. Organ Pipe Cactus," as a former subordinate ranger saw him.
He alone was the field man, the spokesman & lawman for the Park Service to the
tri-cultural New Frontiersmen who watched/listened to the new giant land owner
in disbelief. Their were now being told that they could no longer use "their
land" for grazing, mining, hunting, driving anywhere across country they pleased.
Some forces like Bert Long's small miners rose up and sought legislative
removal of their mining rights while hevy of misl. cattlemen, hunters,
artifact hunters were confused and angered and were terribly slow in coming
around to the new law of the land. From what one hears of the formative years
After the establishment of the National Monument Supernaugh and the NPS began to delve into the realities of a variety of mining claims, land inholdings, wells, and squatter's rights that they had inherited from the frontiersmen of the region. Supernaugh and all of his successors have, from time to time, pulled their administrative hair to acquire the inholdings and various "rights", or to simply enforce the new regulations of the area that were so strange and resented by the frontier vestiges. Supernaugh was the unquestioned strongman of the monument and made every effort to run his area in proper NPS fashion. However, the young custodian from the Colorado Rockies nor many of his successors who followed him were about to much of a communicative bond between the National Park Service and the old-school frontiersmen who could never understand why the rights they had always known had to be taken from them in order to protect a few organ pipe cactus for the tourists. While Supernaugh would probably not have won a regional popularity contest, he applied a purposeful strong administrative hand to operating his new area. For subordinates recall he admitted to no problems that could not be handled by he and the Park Service. Sometimes he would sit incommunicative and sullen at his desk for long periods of time. Any government man would have found it difficult to assume the leadership of such an area at such a time. Perhaps Supernaugh did as well as anyone could.

A good case in point of the running communication gap between the Park Service and the frontiersmen was the case of Mrs. Birdie Del Miller who, as earlier noted, settled in the area around 1909 and in the Monument by 1913 or so. Birdie & William Miller appear to have acquired the Walls Well ranch of 320 acres in July 6, 1922. Walls Well (later known as the Miller Ranch) is located in one of the most picturesque parts of the Monument at the northern end of the Ajo "ts. Here the broad aboreal Kuakatch drainage, a tributary drainage drains from the Monument into the Papago Reservation via the Papago temporal of Kuatach just east of the Monument boundary and through the Kuatach Bass.
Kuatach was a seasonal (summer) camp for collecting saguaro and other fruits, but today appears to have largely been abandoned. When Bill Miller separated from Birdie to search for (and reportedly find) greener pastures pastures in the "longlass, Ariz. area, he deeded the Miller Ranch to Birdie, she acquiring a sale deed on Sept. 29, 1927 (Pima County Recorder 1/11/43). Mrs. Miller then lived at the ranch for about two years with her mother then alone for some six years. In or close to 1936 she moved to Ajo to live with her mother until her death there in 1969 (check here).

Supernaugh and the Park Service began to study the Alamo Canyon and later the Wells Well-Miller Ranch complex. Robert Louis Gray, who was interested in the water for cattle at Alamo Canyon where the Millers had settled shortly after the first decade of the century. Queries to the Land Commissioner at Phoenix revealed that Mrs. Miller did not apparently own the land, but she did have rights to the improvements they had developed at the mouth of the multi-branched canyon with its available water. When Supernaugh's initial contact with Mrs. Miller was made she countered, after the fashion of miner Bert Long, mentioned earlier, by seeking congressional help. On Jan. 17, she wrote the following letter to Senator Carl Hayden:
Senator Carl Hayden,
United States Senate,
Washington, D. C.

Dear Sir:

I am writing you to see if you can help me.

In 1914 I paid $750 for a well that wouldn't water our saddle horses, so we put down another well, put up a windmill, corrals, a large tin tank and a two room ranch house.

We keep this place as a mining claim. A few years ago, this place was on the Cactus Forest. The Cactus Ranger here is trying to take the place away from me. I told him if he did take it, I would move my improvements off. He said I had nothing to move.

Four years ago I rented the improvements to a cow man for $5.00 a month. I let this cow man use it for ten years for nothing.

If you can't help me, and know of someone who can, please let me know. I surely hate to bother you with my troubles.

Yours truly,

(rgd) Birdie Del Miller.

Box 52.

P. S. I understand you can't mine on a cactus forest, so I quit doing the work on the claim.
Senator Hayden inquired to then National Park Service Director Newton Drury who replied to Hayden that Mrs. Miller had misunderstood the NPS plan and that the NPS representative has again called on Mrs. Miller and clarified the situation. The Park Service then temporarily left the Alamo Well interests and had an appraisal made of the Miller Ranch at Wall's Well, and began to make inquiries about buying the land. Since 78.5 acres of the Miller Ranch extended over into the Papago Reservation the Park Service wrote Mr. Burton Ladd, superintendent of the Papago Indian Reservation at Wells to let their interest in joining the Park Service in purchasing the land. Ladd replied that that they would like to "share in the option," but he was "not overenthusiastic about the possibility of acquiring an option." In 1942 the Indian Service worked on this deal and after months of effort and the accumulation of a rather large file, we gave up." (Lili, 15) Actually, Mrs. Miller owned 260 acres, but 78.5 acres extended into the reservation. Burton Ladd and his Indian Service offered $1,178.50 for the land and improvements. or the 78.5 acres of land and offered 1.00 per acre since the Papago Indians already had wells and a small village (Kuatach) a short distance from the Miller Range and actually had little need for the little tract.

The Park Service had an appraisal made of the 318.5 acres of Miller land inside the Monument. The land was appraised at 2.00 an acre and with improvements it was valued at a total of $2,037.00. After careful preparation with such factors as the Arizona Ground Water Code and discussions with the Indian Service, Park Planner John E. Kell, Burton Ladd & Joe Wa., one of the Indian Service, Organ Pipe Cactus Supt. Bill Supernauo and Ranger Glen Bean called on Mrs. Miller at her home in Ajo. Kell's memorandum to his chief in Santa Fe relays the the meeting with Mrs. Miller. Digging wells in the rocky soil of the frontier was one of much disappointment, effort and expense, a value that would not be readily comprehended by the newly arrived government agency. Cactus Man.
UNITED STATES  
DEPARTMENT OF THE INTERIOR  
NATIONAL PARK SERVICE  
WASHINGTON  
25, D. C.

Memorandum

To: Regional Director, Region Three

From: Assistant Director

Subject: Acquisition of Birdie Del Miller Property, Organ Pipe  
Cactus National Monument

This refers to your memorandum of August 2, 1949, reporting  
that the Indian Service is willing to spend $1,178.50 for the 78.5-  
acre portion of the Birdie Del Miller property situated in the Papago  
Indian Reservation. The total acreage of this property is 315.5  
acres, of which 230 acres are in the monument. The improvements are  
all on that portion in the Indian Reservation. The appraisal by  
D. A. Johanna made December 21, 1948, gives a value of $2,037.00  
for the entire property. With the Indian Service paying $1,178.50  
for its portion, the monument portion, based on the total value,  
would be $858.50. However, in his appraisal, Mr. Johanna states  
that the land is worth but $2.00 per acre, which would be $480.00  

In view of the low value of the land within the monument,  
our inability to purchase it separately from the remaining portion  
of the property in the Papago Reservation, and in view of the cost  
of a condemnation proceeding, plus the probability of severance  
damages, this Office feels that it would be justifiable for us to pay  
separately the increased sum.

It is therefore suggested that you attempt to reach an  
agreement with the owner on a total price for all the property  
within the appraised value. If this is not possible, we feel you  
would be justified in offering two or three hundred more than the  
appraised value. Upon reaching an agreement as to total price, you  
could then obtain an option for the Indian Service portion of 78.5  
acres in the amount of $1,178.50 and a second option covering the  
lands in the monument, for the balance of the purchase price. Since  
Superintendent Ladd of the Papago Indian Agency has asked that you  
carry on the negotiations with Mrs. Miller, you should obtain copies  
of the form of option used by the Indian Service and be guided by
such suggestions as he may make in obtaining an option on behalf of that Service.

Conrad L. Wirth
Assistant Director
UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
Region Three
Santa Fe, New Mexico

October 27, 1949

Memo

To: Regional Chief, Land and Recreational Planning

From: John E. Iell, Park Planner

Subject: Report of field trip to Organ Pipe Cactus National Monument

On October 19 a meeting was held at the field office of the Papago Indian Reservation,olla, Arizona. The meeting was attended by Superintendent Burton A. Ladd and Mr. Joe Wagoner of the Indian Service. Superintendent Supernaugh and Ranger Glen Bean and I represented the National Park Service.

The purpose of the meeting was to secure background information and the forms required by the Indian Service on a proposed joint option and acquisition of the Birdie Del Miller property at Organ Pipe Cactus National Monument. Mrs. Miller owns a tract of 318.50 acres of land in sections 9 and 10, T. 15 S., R. 4 W., G. & S.R. & R. The boundary line on the east side of the monument divides the property so that 240 acres are within the monument and 78.50 acres with most of the improvements lie within the boundaries of the Papago Indian Reservation.

An appraisal made by Mr. D. A. Johannes established a price of $2,037. for the property. By an exchange of correspondence the Indian Service had agreed to pay $1,178.50 for the 78.50 acres with the improvements. This was to be their portion of the joint acquisition. We had been advised by the Washington Office that because of several circumstances involved, we could pay two to three hundred dollars over the appraised price.

During the conference at Mr. Ladd's office it was agreed that extra copies of our option form could be obtained and delivered to the Indian Service and we would not further complicate matters by trying to obtain separate options for the joint purchase. Mr. Ladd stated that he was pessimistic toward the outcome of the conference with Mrs. Miller. However, Mr. Wagoner indicated that the Johannes
On Wednesday morning, October 19, Mr. Superamaugh, Mr. Bean and I called on Mrs. Miller at her home at Ajo, Arizona. Mrs. Miller related the past history of the claim since they settled there in 1909. She recounted in detail the history of the Indian Reservation and related the history of the loss of the house on the property by fire and indicated that the Indians may have intentionally or carelessly burned the house. She also related in detail the history of a lawsuit in which the Indians had attempted to secure her land. This suit was unsuccessful and Mr. Superamaugh has title to the property. Eventually we arrived at the purpose of the visit which, of course, Mrs. Miller had already prepared. She insisted that I make the initial offer that the National Park Service was willing to pay. I made an offer of $25,000, and Mrs. Miller registered disgust. She countered with, "Yours may, but have any idea of what water costs in this country?" then she related in detail at least five locations where Mr. Miller unprofitably explored for water. The depth of the wells ranged from 150 feet to 220 feet and the exploratory work was undoubtedly expensive before the present water was discovered. Mrs. Miller indicated that she feels the exploratory costs are a part of the value of her property. Later, she told us that the Government (presumably, the Indian Service) had offered her $1,000 for the property and at one time was willing to pay her an additional $1,000 for the house. This was the house that was burned.

Soon after my initial offer Mrs. Miller regained her temper. She informed us that she had a land contract with the Greys and this contract stipulated that the Greys would have first chance to purchase the property. If our initial offers had been successful, or if we could have raised our prices (which, then Mrs. Miller, according to her contract, would have to raise the satisfactory offer known to the Greys and they would have the privilege of purchasing the property ahead of any other buyer.

During the return trip to Government headquarters with Mr. Superamaugh and Mr. Bean, we discussed the failure to acquire the property. Mr. Superamaugh feels that he would prefer to have Mrs. Miller own the property than to have it acquired by the Greys. At the present time most of the stock owned by the Greys water at Alamo Canyon. The improvements are owned by Mrs. Miller and leased to the Greys along with grazing rights. During the conference with Mrs. Miller
at Jo we asked if at some future date, when we might have funds set aside to secure water rights, would she be willing to dispose of the Alamo Canyon tract even though she desired to retain the rest of her property. She replied that she had no rights in Alamo Canyon and stated that she owned only the improvements. The improvements consist of a two-room, adobe shack, a corral, a concrete watering tank, a galvanized iron storage tank. A windmill is over the well and has a gasoline pump for extra power. Some of these improvements may have been constructed by the Grays. Mr. Supernau explained that the reason he had placed the Miller property at first priority is the acquisition of water rights and improvements in Alamo Canyon. He also explained that if we were successful in securing an option, the deed and option for the 318.50 acres could be written to include the Alamo Canyon improvements and we would be able to eliminate stock watering in this area and eventually develop the water for camping use. It is probable that Mrs. Miller could secure a water right in Alamo Canyon but it is doubtful if we could purchase it from her as long as the present contract with the Grays exists. She did not indicate when the present contract expires.

John J. Bell
Park Manager

Copy to: Director (2)
Superintendent, Organ Pipe Cactus
To: Superintendent, Organ Pipe Cactus
From: Acting Regional Director
Subject: Water rights and other property of Birdie Del Miller, Organ Pipe Cactus National Monument

We have attached a copy of Mr. Demarey's memorandum of January 16 regarding the Birdie Del Miller property at Organ Pipe Cactus National Monument and especially her "rights" and the well in Alamo Canyon.

After reviewing the correspondence, it is our suggestion that as soon as convenient you call on Mrs. Miller at her home and reaffirm her statement that she owns no land in or adjacent to Alamo Canyon. At the same time, explain to Mrs. Miller that our Service might eventually need the water from this well for a campground development. We suggest that you explain to Mrs. Miller that it is necessary for the Service to go on record in writing that only the improvements in Alamo Canyon belong to her. We would like to give Mrs. Miller a reasonable length of time, say five years, in order to remove the improvements or dispose of them to some other party. In the event Mrs. Miller decides to dispose of the improvements, probably to the Grays, the purchaser should understand that the improvements must be removed from the property within the initial period of five years or they would revert to the United States. We believe that the use of the water and the location for the improvements should be covered by a special use permit. The five-year period would be defined in the special use permit and Mrs. Miller should understand that the improvements must be removed before the expiration of that period or they would revert to the Government. She should also understand that if she were to dispose of the improvements to a second party, say after a period of two years, the improvements must still be removed by the new owner before the expiration of the initial five-year period.
It is the consensus of opinion in the Regional Office that the improvements are not of sufficient importance to make much difference to the Service if they were removed. We believe that a better relationship would remain between Mrs. Miller and the Service if she were given a reasonable length of time to remove the improvements and since she is in technical trespass at the present time, it seems advisable to bring the improvements and well under a special use permit.

Please review this proposal and if you anticipate any objections by such an arrangement or if you have any objections in your own part, please advise us before you approach Mrs. Miller. If you concur in this suggestion, we would like to have an accurate description of the improvements and a sketch plan showing their arrangement so that this could be incorporated into the special use permit. The location of the well and improvements should be described, if possible, to the nearest 40-acre tract. After you have reached an understanding with Mrs. Miller, the required number of copies of the special use permit will be prepared in this office.

[Signature]

I. P. Intraw
Acting Regional Director

Attachment
March 17, 1960

To: Regional Director, Region Three

From: Superintendent, Organ Pipe Cactus

Subject: Water rights and other property of Birdie Del Miller, Organ Pipe Cactus National Monument

Today we had the opportunity to contact Mrs. Birdie Del Miller in accordance with instructions from your office of February 5, 1960. Ranger Glen Bean and I made the contact.

Enclosed is a copy of a letter which we delivered to her in person and discussed with her after leading us to it as diplomatically as possible. It was decided that a letter in which we stated our position was best for the record.

Mrs. Miller confirmed the fact that she claims no land in the Alamo Canyon site but does claim that she has a squatters right in the buildings, windmill, and well along with the right to maintain and use the buildings. She stressed the well in our discussion. She said that they bought this place under squatters rights for $750 in 1910. They later dug the present well as the one originally near the house did not supply sufficient water. She claims continual use of the water since 1914.

While we kept everything friendly she did state that she did not like this and that she were trying to make this one work. She refused giving us any answer she wishes to consult her attorney. She wished she should do this with the hope that he may better explain our position to her.

She stated that the five year limitation was not enough time as she could not convince her that this is actually a period of grace since she is in trespass now.

She has promised to let us know when she has consulted her advisors so we will keep in touch with her. If you have any other thought in the meantime please let us know.
While it seems to have been covered by the Washington Office, it still should be carefully checked as to the possibility of Mrs. Miller ever establishing a water right. She has had this under continuous use since 1914 and in this circumstance of a well only 15 feet deep does this make it underground water or is it dependent upon the stream flow which has been the main source of stock water for several months of the year.

William R. Supermaugh
Superintendent

In duplicate
Enclosure
The National Monument desired Mrs. Miller's Alamo Canyon for several reasons: It is a National Park area that would benefit from additional services to the public. Miller's improvements to the water system in the area of Alamo Canyon would be an opportunity to retain visitors and possibly others to cover the cost of Miller's improvements, and provide water for use by cattle.

Miller, who resides on the land, has received several letters from Miller about the water situation. Miller's improvements, and possibly others, are needed. Miller argues that the water system is not adequate to serve the needs of cattle and the remainder of the water should be used for public purposes.

In 1956, Miller writes a letter to the National Monument Service, requesting that the Alamo Canyon be used as a public camping ground. However, in 1976, it was delivered to Miller's attention that Miller's improvements were not complete. Miller also states that it is their intention to claim the land and remove the improvements.
MARCH 17, 1960

Mrs. Birdie Del Miller
Ajo, Arizona

Dear Mrs. Miller:

In view of the fact that the mouth of Alamo Canyon has been proposed as a campground development site, we believe it wise to have a clear understanding with you regarding your claim in Alamo Canyon and to make it a matter of record so that we will both have common agreement on the situation. This should be for your protection as well as ours.

It is our understanding that in Alamo Canyon you claim only the buildings and windmill located on government land. We think it best to clarify the situation and to give you a reasonable time either to remove the improvements or to dispose of them to another party.

In the meantime, since regulations require that all private development of that nature in the National Park System areas be covered by a special use permit, we would like to issue you a permit for a reasonable period of five years.

If you dispose of these improvements to another party, the purchaser should understand that they must be removed at the end of the permit period or they would revert to the government.

Sincerely,

William C. Burnough
Superintendent

Region Three (dup.)
Sen. Carl Hayden,  
United States Senate.

Dear Senator Hayden:

I am writing you, I am in trouble. You helped me out in 1943.

The Organ Pipe Cactus National Monument men were here, they want to build cabins on my place, which is called the Alamo, they want the water, I have two wells and cattle and tank, a large tin tank cannot touch, I payed seven hundred & fifty for one well & one rock corral, no house, in 1934.

I held this as a mining claim until the Organ Pipe National Monument came in effect.

I have always had some one on place, A cow and has some cattle there now, this cow man has ranche on the Cactus Park since 1920.

This Cactus man said he would give me five years to get my improvements off of place.

I certainly can't remove wells from place, & this place certainly is helping the cattle out.

I think it is awful to just take something away from some one.

Mr. Hayden, if you can help me to keep place I will appreciate it more than you know.

I hate to bother you, but don't know any one, that can do what you can.

Yours sincerely,

Mrs. Birdie Del Miller,
Box 52, Ajo, Ariz.
of that nature in
permit, we would
a special use
Mrs. Miller told the owner five years is not enough, but that she would like
to talk to her attorney before giving them an answer. Actually, Mrs. Miller
was at the time "in a period of grace," since she was at the time in trespass.
She had apparently been continually using the 15 ft. well since its digging
in 1914.

Mrs. Miller then wrote a letter (again the First War in 1943) to help
her out of trouble with the "bystanders." Again HPS Director Newton Drury
wrote a long explanation to Senator Hayden.

Mrs. Miller then secured the very able services of Phoenix attorney Mr.
Elmer C. Coker, then (and now) the attorney for the Grey Partnership. Coker
would also attempt to secure a homestead right for Robert Louis Grey. Such
an application had earlier been disallowed.

Two or three attorneys and much correspondence between land and
investment companies, the National office at Santa Fe, the NPS Washington
and some attachments to the Miller Ranch later, Mr. John E. Kelly Regional Chief
of Lands, received a call from Mr. Leo Rich with addresses in Calif. and
Tucson concerning "two half-sections of private land I own in Organ Pipe Cactus"
and inquired about an exchange of the former Miller land for land in Calif.
Rich was an interesting land speculator acting under Jonathon Investments
Co. of Tucson. The Pima County Recorder (1/11/70) notes that William
Miller had deeded the Miller Ranch to his wife, Birdie on Sept. 29, 1927
before leaving her for the Douglas, Ariz. area. Mrs. Miller sold her 35 acres
to Rich on 12/17/27 for what he termed "future appreciation and for tax
reasons," i.e., for an exchange for BLM land that he had specifically located
in Tucson. One such land area that Rich was eyeing was a portion (160 acres)
of high value land within Saguaro National Monument, probably value at $1500
an acre. Such an exchange would, of course only transfer the land headache.
from Organ Pipe to Saguaro and could not be considered by the NPS.

Another complication of the Rich-NPS land tangle was the 73.50 acres of the former Miller land that lay on the Papago Reservation that could not be pur chased by the NPS, so the Papago Reservation became necessarily involved. If the land exchanged desired by Rich could not be satisfactory made, they had he would sell his land to the NPS for $50.00 to $500.00 per acre outright. Then if the Park Service refused his price he threatened to sell his two tracts to the Gray Partnership for $150.00 an acre—a proposal that should move the Park Service into action as the latter had no desire for the Trays to acquire, and certainly not to own, any more Organ Pipe land.

The BLM people, who had become directly involved since the land Rich was seeking was BLM land had a professional appraisal made of the Rich Organ Pipe Tracts. The appraisal indicated a value of $60.00 an acre or $33,500 for the two half sections. Then the Park Service had their appraisal made and reached a value of $50.00 an acre. An offer of the latter value was offered to Rich who promptly refused, insisted on his $150.00 to $500.00 price or the specified land exchange the latter being already under such use that it could not be withdrawn. Other BLM land tracts that were available for exchange were also refused by Rich. Rich, the Park Service and BLM and finally Ariz. Congressman Morris K. Udall continued correspondence and office visits. In November of 1973 State BLM director Fred J. Weiler wrote Congressman Udall: "... I am a little inked over Leo's statement that he feels he has had 'four years of run around.' I and members of my staff have devoted several monuments of time and effort to work something out, but we always run up against the same block, that Leo wants $50.00 - $500.00 an acre for $150.00 - $180.00 acre land." (O.T. files L11.25)

And so the efforts to secure or retain Arizona land as seen by men with contrasting land values. Rich continues at this writing to obtain his land on his terms and BLM & NPS remain equally adamant.
The second privately owned land tract involves Mr. Abraham Armenta who appears to have acquired his 320 acres (one-half section; a section being one square mile of land or 640 acres) as an "Enlarged Homestead Entry on July 21, 1934 and the patent was issued on March 21, 1938 (Phoenix Land Office 12/12/37). He seems to have built the limited improvements between 1930 and 1935).

This tract was, in a sense, a twin tract with the Miller property, being of the same size and one that the NPS could have a chance of acquiring. There was also the twin concern that the Gray Partnership might purchase Armenta's land. Organ Pipe Cactus had about as much luck purchasing the Armenta property (the tract has since been referred to as "Armenta's Place.") Since Armenta had probably moved to Calexico before the Park Service arrived on the scene, the initial contact was made by correspondence. Then Superintendent Eden managed to locate his address and wrote Armenta on 5/28/55 of his willingness to sell his land to the Park Service. No answer was received and Eden wrote again on 6/10/55. He then received a reply that he was interested in selling his tract and had not answered Eden's inquiry because he was waiting for a "potential buyer." Period. The NPS then had Armenta's Place appraised on 6/27/55. They found little of value. It contained an ocotillo-adobe hut and an adobe stucco & clay brick two-concrete-lined unlined room cottage, two wells, one/40 ft. well near the houses and another/299 ft. well 3/4 mile south, both dry; a dry dirt tank (charcoal) and a dilipated fence. The appraisal deemed the property at 900.00. 1200.00 later authorized, but...
Armenta valued his land at 10,000.00 since he hoped to find adequate water in his now dry well(s) and he felt he would profit from a Tucson-Yuma highway that possibly had been proposed and would pass through or near his property.
Leo Rich Land Exchange Administrative History

In the fall of 1970 Leo Rich, ended his long, persistent efforts to effect the land exchange between the two plots in ORPI and a desirable federal land acreage elsewhere, a right authorized by the Taylor Grazing Act of June, 28, 1934. The exchange was recorded on Nov. 19, 1970. Rich also notified the Gray Partnership of the automatic cancellation of their use of the well (Miller Ranch).
While Leo Rich provided the *Varieties of the U.S. government agencies* with a different sort of confrontation than the New Froniersman would, he has proved to be as tenacious and recalcitrant pursuer of his land interests as the most ardent New Froniersman. 

(update. Rich may have accepted land offer from BLM.)
The tenure of Jim Felton was a brief one notable for the development of Monument facilities and periodic, non-violent no-no's to the Gray Partnership. There was, however, a brief administration-frontiersman battle that was concluded with a victory for the U.S. and resulting bitterness towards the governments combatants: the Bureau of Sport Fisheries and Wildlife (Cabeza Prieta Game Range), the U.S. Air Force (Luke Air Force Base at Phoenix and Organ Pipe Cactus National Monument).

Corner Well (also known as "Needmore" Well because they always seemed to need more water than the well could provide) is located in the very southeast corner of the CPGR just a few yards beyond the southwest corner of the Monument and was drilled in August of 1949 by Jim Havins of "ajo. Havins applied for a grazing permit in Dec. of 1941 and was issued a license in March of 1942 for 100 cattle and six horses for the period Jan. 1, 1942 to August 15, 1942. His partner was his son Harld ("Hank"). In April of 1942 an application for a 10-year permit was requested for the period July, 1942 to June 1952, but the permit was promptly suspended because of the withdrawal of the area for use by the Air Force as a gunnery range. In March, 1951 Havins filed for grazing privileges again and was denied a permit. Soon after the Air Force decided that the area was no longer needed, however, the lands were quickly withdrawn again and Havins was denied grazing privileges.

Then, to add insult to injury, Superintendent Felton decreed that Havins and his son must no longer use the boundary road from highway 85 to Quitobaquito and on to the CPGR because such cattle operations constituted a commercial use of Monument roads, a violation of Section 1.37 (b) Commercial Trucks, Title-36, Parks, Forest & Memorials Code of Fed. Regulations. Havins applied for a permit from Felton to use the road and was denied. Havins complained: "This road has been the only access road to this part of the ranch for at least 40 years and we do not believe he has the right to close an
access road just because a Monument was made of the place some few years back.

Havins offered to sign waivers releasing the government from any responsibility in case of accidents to livestock and personnel. He asked only for permission to go out once every two weeks to check the water and run their cattle. Besides employees of the CPGR periodically spent time out in the Game Range. Then a man named Stouts from Gila Bend continues to run cattle on the gunnery range (though not on the CPGR proper) where there is a danger to cattle.

Nonetheless, Congress had condemned the land for a bombing and gunnery range and that was that. The Havins were checkmated from every side, however, the were reimbursed $1,800.00 for their loss on May 22, 1952. However, Havins regarded this sum as payment for damages in lieu of restoration and that he got nothing for the loss of his grazing privileges. They and their cattle must be removed from the CPGR (Corner Well area) by June 30, 1963, with the threat of impoundment of the stock by the Fish & Wildlife Service people.

In the latter part of October, 1962 Havins moved his cattle onto the CPGR-Williams Bombing & Gunnery Range with a permit. (See Norman Simmons or Claud Lard for results). Possibly the continuing running of Henry Gray's cattle onto the Game Range led Havins to believe that he would not be cited for trespass. Both he and Henry Gray were wrong. (See Simmons) (L2H, Encroachments)

On Dec. 19, 1962 Claude Lard wrote the Commanding Officer of Luke Air Force Base that Havins had moved his cattle on the CPGR in late October, 1962 and were there at the writing. He also pointed out that Henry Gray of Bates Well was continuing to run his cattle, roughly a hundred head at that time, on the CPGR. He also opined that because Henry was instructed on April 16, 1962 (over) The Air Force seems to have early wanted a bombing range as well as a gunnery range, but the BSFW people did not want the bombing of an area that was set aside to protect wildlife, so the bombing use was abandoned.
the CPR, to remove his cattle from the Range by June 1 of that year, and had
failed to do so, that Havins could also get by with the same violation.
It was earlier mentioned that Alfred Jenkins had settled in 1936 or 37 on the banks of Aguajita Wash a broad, sandy drainage with scattered smoke trees and irrigated a few potatoes with his well and sought the lost Jabonero mine until he and his friend Elmer (Monty) Montgomery collided with the National Park Service. Since Jenkins was sick, Montgomery wrote to the Secretary of the Interior to protest about his assumed intention of the NPS to rid the Monument of himself and Jenkins. When the letter returned to Frank Pinkley, Supt. of headquartered at Coolidge the Southwestern Monuments, he drove out to Ajo and had a fruitful talk with the two men. He then wrote the Director at Washington of his findings. The letter is entered here for two reasons: (1) to give the capsule story of the Montgomery-Jenkins clash with the NPS and (2) to offer a prime example of the extraordinary administrative insight into people, particularly the down and out frontiersmen, of Pinkley. As ORPT superintendent James Felton once coined of Pinkely: "Pinkley was a great man. They just don't make them like that any more."

With the death of Jenkins in early 1940, Regional Director Miller recommended that Pinkley's recommendation to allow the permit to live and mine in the Monument be withdrawn as it was Jenkins who was the most involved. This was done, and the confrontation was ended.
November 10, 1933

Elmer Montgomery-Jenkins

Memorandum for the Director:

While I was in Ajo on October 3 I looked up Mr. Elmer A. Montgomery, who lives in Remoed, which is a suburb of Ajo.

Mr. Montgomery is the gentleman who wrote the Secretary of the Interior under date of October 1, 1933 regarding a squatter's right which he claims on Organ Pipe Cactus National Monument. Copy of his letter was sent to me together with copy of a letter from Mr. Demaray to the Commissioner of the General Land Office, dated October 28.

Mr. Montgomery and his friend, or partner, Mr. Jenkins, are now living in the edge of Remoed in a tent camp a short distance from the Ajo-Tucson Highway.

It seems that Mr. Jenkins went down on the border some four or five years ago and built a shack east and a little north of Quitobaquito. He put down a well and struck water at 30 or 40 feet. He then talked to Mr. Montgomery and persuaded him to put down another well and plan to settle close by. This Mr. Montgomery did, paying Mr. Jenkins for digging the well. Mr. Montgomery then found a job with the highway department and has lived at his border location very little. Mr. Jenkins developed what I am told is cancer on the side and back of his head and is now a pretty sick man, though he told me that when he had gone over to Tucson, the county seat, some 150 miles away, and had a little treatment he expected to go down to their border location and establish his home there again. He is undoubtedly a sick man and someone's questions and assumed at first that I was there to tell him he could not go to his 'claim' then he found that I had no particular objection to his plan he quieted down considerably.

Mr. Montgomery told me that he had made inquiry at the Phoenix Land Office at about the time he made his improvements and was aware that all federal lands had been withdrawn from the operations of the homestead act. He also knew that the land he was on was unsurveyed and that, were the homestead act operative, he could not enter that land until it had been surveyed and the survey had been accepted. He said that he had, nevertheless, gone on with his improvements on the theory that the homestead act would again be operative some time and that this land would be surveyed and that he would then have a first chance to make his entry and obtain title. This is what he calls his 'squatter's rights.'
The Government has now made a national monument of all this land and he seems to understand that a survey will never be made, that the homestead law will never be operative, and that he can never obtain title, yet he feels he has a sort of moral right, by virtue of his investment in the well, made in good faith, to go down there and live. Mr. Jenkins, of course, takes the same stand.

You have to know the country to know how far out of the world these two men are going down they settle near Quitaquaite, which is a large spring with one or two Indian families living nearby. I told Mr. Montgomery that it was none of my business but I was interested in knowing how they were going to make a living down there. He explained that they would both be drawing old age pensions which, with a few chickens and the small garden they might raise by irrigating from their wells, would give them all they needed to get along.

You will note that Mr. Montgomery says, in his letter to the Secretary, that Mr. Pinkley says he cannot have it and he is writing to find out if it is legal or not.

I told him that I had no knowledge of him or his claim until I saw his letter, and asked him where he got his idea. He told me he was a member of the local chapter of the Small Mine Owner's Association, a state wide organization of prospectors and small mine owners, and that Bert Long, who is head of the chapter this year, had reported that as my stand.

Mr. Long came the group of Crawler mining claims, which he bought at a tax sale and now speaks of as a cattle ranch. We have had correspondence with him concerning the destruction of his so-called 'rights' to run cattle on the monument because of his ownership of the patented mines within our boundaries. I have written him asking him to allow me to appear before his organization at some of its meetings and talk to its members as to their rights on our monument, but thus far he has not allowed me to do so.

As to the particular cases of Mr. Jenkins and Mr. Montgomery, I have no objection to allowing them to live on the monument as they wish to do, giving them a permit to do so without charge. I think they are law abiding men who will give us no trouble. If you can see your way to agree with me and issue the permit mentioned, such action will certainly spike the guns of any local person who may try to build us up as a high handed arbitrary and bureaucratic group of Government officials. Mr. Jenkins and Mr. Montgomery laid their plans and made their investment before we entered the picture with our national monument proclamation, and, as they seem to be sincere and honest in their plans, I cannot see why we should refuse to let them go ahead.
The Superintendent,
Southwestern National Monuments,
Coolidge, Arizona

My Dear Boss:

In reply to your letter of November 27th in regards to Mr. Elmer A. Montgomery's claim in the National Monument, I have found his status to be as follows.

He has not at any time lived on the place he claims but hired the well dug by Mr. Jenkins, who lives about one-half mile south of his location. The well was dug in 1936 he claims but the Grays state that it was not until 1937. He has never made any improvement at the well but had it dug with the intention of building a small place there when his work ran out with the Pima County Highway Department on which he is still working.

The well was dug to about twenty-six feet striking water at twenty-four and the top was cemented. The well was left open and is now saved in below the cement and almost filled up.

This is all the facts that I have been able to find to date but will try to get exact dates and complete information as soon as possible.

Yours respectfully,

William R. Supernaugh,
Custodian

Because Montgomery's rights to occupy & dig 20x100 rested in Jenkins who died during correspondence, Hugh Miller suggested that the issuance of a permit be withdrawn 2-20-30. Hugh Miller.
Then custodian Bill Supernaugh and some seven subsequent superintendents frequently found their administrations to be plagued with a variety of inholders who resented being engulfed by a government whose dedicated use of the land conflicted with their interests. Miller, Armenta, Montgomery, Jenkins, Orosco, et. al. rose up in occasional stormy confrontations, but largely remained on the Monument silent and immobile.

The Gray family, or Partnership as it was to be called, had a large number of ubiquitous Herford cattle that roamed over most sections of the Monument, cleaning the vegetation from the water sources, spreading scatterings of cow and horse droppings everywhere. They sauntered onto the highway, creating collisions with cars, resulting in occasional fatalities. In general the purity and dignity of the National Monument was heavily marred by their presence.

Communications between local superintendents, cattlemen, NPS regional office at Santa Fe and the Washington office directors, and a variety of Secretaries of Interior and congressmen tell the ever frustrating and sketchy story of the efforts to resolve a problem of a vestige frontier cattle raising family and of a newly arrived government agency.

By the time Bill Supernaugh at OPC, "Boss" Pinkley at Southwestern National Monuments in Coolidge and their superiors at Region Three at Santa Fe, N.M. and at the Director's office in Washington had acquired a more or less comprehensive perspective of the grazing status at the Monument, the Grays had moved out to their respective ranches as earlier noted. However, the pivot man for the Gray cattle operations was Robert Louis Gray Sr. or Bob, as he preferred to be called, or simply "the old man" as he was informally referred to. He continued to live out his lifetime with his wife, Sarah or 'Sallie," as she was called, a charming, hospitable and intelligent woman who died on 8/12/58 in a Tucson rest home. Supt. Jim Eden was a pallbearer.

Regional director Hugh Miller wrote an informal of condolences to Bob (L3019:21-63)

CRAY
The Gray Ranch named by him as "Dos Lomitas," but generally referred to by Park Service people as Blankenship Ranch, but by most local people as "the Old Man's Place," consisted of a four room adobe house with a ramada (also called portico or locally an arbol) on the south and east sides, a two-room, frame saddle and grain storage shed, an 85 ft. dug well with a windmill and pump, three corrals, concrete water trough and two miles of pasture fence. The setting is out "in the southeast corner," a very flat area overgrazed and consisting largely of creosote, and saltbrush. The view, obscured only by the two small hills "Dos Lomitas" just northeast of the ranchstead, is a beautiful one allowing great vistas of the higher ranges in the Monument and those across the border.

Bob Gray was first and last a frontier cattleman who, in his latter days found his greatest pleasures sitting under the ramada accompanied by a large clay water olla, perhaps 5-gallons in size, on a forged stand covered with wet burlap that kept the water cool. Every visitor that arrived was promptly offered a drink of water with the metal dinner. Bob and Sally were also known to cook dinner for many visitors. One friend of the family remarked: "The thing the old man wasn't tight with was water, mescal and food" (Worsham). Although Bob made infrequent trips to Ajo or Sonoyta for shopping he usually rode right back to the comforts of the Ramada. Bob would periodically ride horseback to Sonoyta to buy mescal, another ever present convenience of the Gray household. Lionel Vasquez, son of longtime Sonoyta liquor dealer, Manuel, recalls Bob usually bought the cheapest mescal available which ran about $2.00 a gallon. Even at this price, he enjoyed talking Manuel down to 2.00. Bob, like most bona fide mescal drinkers preferred the classic Bacanora brand which costs 8.00 a gal. Bob, on one occasion, talked Manuel down to 7.00, and then insisted on sampling the brew first, bought the gallon and walked out with the glass with the sample. (Vasques). Sipping mescal was a part of his way of life.
in his late years

and ever sipped it from a tin cup held in his trembling hand. His friends

were often greeted with some thing like: "Fred, have a drink of mescal; good
stuff, cost 2.50 a gallon!" (Greer)

Bob insisted on being called Bob and not Robert Louis. Once when a cattle
buyer wrote out his check to Bob he made it out to "enbert Louis Gray. Gray
quickly tore it up and pronounced: "My name's Bob!" (Greer)

Soon after the establishment of the Monument the Gray family and the Park
Service soon realized that both sides who had conflicting interests in the
same land were going to have to live together for some time and they might as
well get along where possible; at the same time both sides began to muster
their forces and legal rights to protect their interests.

Five months after the establishment of the Monument, the Gray family hired
Ajo attorney Alton C. Netherlin to represent them. Netherlin promptly (8/18/37)

wrote to Senator Carl Hayden of their opposition to the establishment of the
area and for a permit to continue grazing as they had done for the past 17
years. Hayden and other representatives were to be written to and heard from

on several occasions in the years ahead. He and hundreds of others, via a
petition, requested that the Monument be moved west to the Agua Dulce Range.

By September of 1941 the Grays had switched to the highly competent Phoenix
attorney Elmer C. Coker who was to represent them to the present.

Meanwhile, the NPS needed some facts about the effect of grazing on
the Monument and so initiated some studies at the area to provide a measuring
stick for future action and to curtail any increase of such grazing.

On Oct. 7, 1937 Dr. W. B. McOugal, Regional II (Santa Fe) Biologist,

reported at the request of Director Demaray his observations of the grazing:

"The area is entirely unsuited for grazing purposes and, at best, could
support only a very small number of domestic animals, and the area should

be opened for grazing of domestic animals because (a) due to the great
scarcity of both food and water it is not in any sense adapted to grazing, and
b) the presence of domestic animals in the area would modify the environment eventually destroy the very thing for which the Monument was established.

In early June of 1942 the region III soil conservationist, accompanied by a geologist and a hydraulics engineer from the Geological Survey made a study of water development for stock and wildlife. He reported: "areas within 3 or 4 miles of present watering places are severely overgrazed, while some areas have little grazing because of the lack of water." He then made an interesting observation: "The already overgrazed monument is being further overgrazed by an estimated 1000 head of wild burros and horses coming up from Mexico. This type of overgrazing in the southern half of the Monument is very noticeable by the stock trails and the condition of the vegetation (L3019)"

On April 16, 1941 NPS Wildlife Assistant Clifford C. Presnall wrote that: in April 30, 1936 Dr. McDougal reported: "Overgrazing is evident around Bates Well and around a seep spring in the SE end of the Agua Dulce Mts, but away from the limited areas the range is in good condition." See reverse.

Botanist A.A. Nichol reported on 7/5/39 "...at this season there is a good range reserve over the entire Monument."

In April of 1941 Ben Nelson, assistant Range Examiner of the SW Forest & Range Experiment Station, USFS, concluded in his report on grazing on the Gila drainage that there should be no grazing in the new Monument.

Pressure began to come down from Senator's Harden's office in Washington for the continuance of grazing in the Monument.
Presnall concluded his report: "The area is apparently not being excessively damaged by existing practices. No change from existing practice is recommended, other than the boundary adjustment already mentioned. The Grays clearly understand that they must quit upon the death or departure of all of them, and must not increase the size of their herds." He also opined: However, Pinkley's work must be considered, remembering that people in that country accept a man's word as his bond, once they trust him as Bob Gray did Frank Pinkley. By fostering good relations with the Grays it may be that within the next few years they can be persuaded to abandon most of their cattle business in favor of dude wrangling. (Presnall 4/41).

It was Frank Pinkley, more than any other NPS man who chose to compromise what he considered to be the moral obligation of the Park Service to the Grays with the legal obligation of the Service to run the Monument without such non-conforming uses as cattle grazing. Pinkley wrote in a report to Washington in Feb. 3, 1933: "I feel that there is no question that grazing permits as a matter of justice, should be issued to Mr. Robert L. Gray and certain relatives of his, forming a group, who have unquestionably been deriving their livelihood from grazing cattle on lands now within the boundaries of the Organ Pipe Cactus National Monument. Such permits should, I feel, permit no increase over the numbers of cattle previously grazed within the area and I have been investigating to determine the proper number of head of stock for which permits should be issued. Pinkley 1/3/19"

It was becoming clear to every one that grazing permits for the Grays were to be the present compromising answer. Pinkley wrote to Hayden in August of 1938: "I told him (Ralph Gray) that I thought we could issue a nominal permit at a rate of about ten dollars a year and they could run (then about 500) cattle there indefinitely at that rate, but that they would probably not be allowed to sell the brand and range; they would have to sell off the cattle and quit sometime before the last of them dies." (Pinkley 1938) Pinkley continued
to Hayden that they might be wise to hang onto their cattle business for a few years and then try to work into a dude wrangling operation on the Mon.

"We don't want (a hotel) down there; but we would just as certainly be willing for the Grays to handle the visitors on their ranches." (Pinkley).

Correspondence picked up from both sides. On Feb. 2, 1939 Jack Gray wrote Ariz. 'overnor 'ob Jones: "help us to get rid of this park...the object of the park people is to get rid of us, and the park is a detriment to us."

On 6/19/11 Gray Attorney Elmer Coker wrote a long impassioned letter to then Secretary of Interior Oscar Chapman and outlined a history of the Grays at the Monument, in an effort to evidently secure legal titles to the Gray rights. "I am writing you this letter on behalf of the Gray family, I do not wish it to be interpreted that I am in any way appealing or arguing matters of law on behalf of the Grays, but that my plea is for administrative relief and justice which the department, in its descretion, may exercise for the promotion, maintenance and protection of the rights of innocent parties." After a sketchy outline of the Gra; s existence in the Monument he concluded: "I sincerely trust that in the interest of justice and equity that the department can recognize the claims of these innocent people and protect their hard earned investments to the end that they and their children may have a home and means of livelihood so long as they shall desire."(Coker 1941 L3019)In Sept. of that year Secretary Chapman denied Coker's request for "administrative relief" but noted that since 1/1/39 the Rays had been issued annual grazing permits to graze 550 cattle and to maintain existing improvements concerning grazing operations and that "the granting of permission to make use of the lands in question will prevent any hardship that may result from a denial of the alleged rights to acquire title thereto." (L3019)

With Pinkley's formative investment and virtual commitments to issuing grazing permits to the Grays at hand NPS Director Cammerer wrote to Pinkley that the NPS would issue the permits and that: "...you should, of course, inform
Mr. Gray of the policy of this Service that the elimination of all grazing in the national parks and monuments is contemplated and the permit issued to him terminate upon the disposal of his ranch interests by sale, or, in the event of his death, by will or the interstate laws of the State. It should also be impressed upon Mr. Gray that the establishment of a permanent custodian and further study of the grazing situation in the monument may justify revision of the fee as well as the carrying capacity of the range, in the interest of the Federal Government."

On April 17, 1939 a grazing permit was issued to Robert Louis Gray and on 1/31/40 was extended to include the sons. The initial permit covered all of 1939 and was for 520 cattle. The fee was $10.00 annually. "The granting of this permit shall establish no precedent and it shall be subject to termination upon the death or removal of the permittee." The permit was for 520 cattle, 25 bulls and 9 horses.

In January of 1940 Henry led the request to increase the number of allowable head of cattle. Jack had told Pinkley that the father and four sons (incl. Ralph) were at the time running about 500 head in the Monument, so the NFS made the permit out for about that number. Evidently the number had been too small. Henry was holding out for 1,150 head for the 1940 permit. Supernauh, now on duty, made a count at a round-up and reported 1,146 head after the sale. On 7/20/42 a new permit was issued for 1,050 head at 10.00 p.a. "the Taylor grazing rates for Public Domain." He was instructed in the future to ride with the Grays during the spring roundup and check the cattle numbers. After all, the Service could not be continually changing the number of cattle the permit was issued for.

While the Gray cattle easily commanded the nonconforming use attention, there were a couple of minor grazing problems that readily resolved, with the exception of the Orosco situation at Quitobaquito which will be discussed later.
Although John Cameron of Ajo had grazed a little over 100 head of cattle around the Growler mine vicinity and had watered them from the water in the mine shaft, but had withdrawn the cattle because of the difficulty in obtaining food during dry years. This was probably just a few years before the establishment of the Monument, so was not a problem. In July of 1939 Mr. Charles "Charlie" Bell was noted by Pinkley to be grazing 161 goats near the Growler Mine with the impression that he had a permit from the Grazing Service. Pinkley allowed Bell to graze there a few more weeks so as to locate water and range elsewhere. (L3019)

One other minor grazing problem involved a request on 5/22/39 by the Indian Service to allow the Papago Indians to graze in the southern end of the Ajo Mts. as the land was topographically within the Papago Reservation, if not legally, and the Indians had long used the land for grazing. The Park Service allowed the use of the land provided that the Indians grazed only cattle and built drift fences at the low passes. (L3019)

In order to secure the Gray grazing permit for their lifetimes attorney Coker wrote Senator Hayden to seek a lifetime permit for the Grays. Hayden then wrote NPS Director Drury for the assurance of such a permit for "the youngest of the brothers" (presumably meaning Bobby). Acting Director Demaray wrote back to Hayden: "It is our intention to continue to issue permits, on an annual basis, during the lifetime of the Grays, or their survivors, so long as they do not dispose of their ranch interests by sale or, in the event of death of any of them, by will or the intestate laws of the State to other than the survivor or survivors of them." (Demaray (L3019)

Regional biologist McDougal recommended in his report of Nov., 1941 that the permit be issued for a definite number of stock, dependent upon the carrying capacity of the range and that the number be adhered to and second that the fee be comparable to that charged by the Grazing Service under the Taylor Grazing Act on lands adjacent to the Monument. The Grays were paying
only 10.00 per annum while the Grazing Service would have charged them 332.40 per annum. Also, they had to be mindful of the commitment made by Pinkley previously for the 10.00 fee. In May of 1942 Superneauah informed the Grays that beginning with the permit for 1943 would conform to fees established on public domain under the Taylor Grazing Act, which they would have been paying had not the Monument come along.

Roundups in the Monument were—and are—made by trapping the cattle at given water holes surrounding by a corral and a gate through they may enter but cannot leave. The roughness of the terrain over the Monuments makes a general roundup near impossible. Custodian Superneauah and the Grays made the count in early June of 1942. He estimated the extant grazing cattle to be between 1000 and 1100. This was about twice the number estimated when the first permit for 5500 cattle was allowed. The new permit was then for 1050 head.

Supernaugh left for the Army and Gates Wilson entered on duty as acting custodian. He quickly learned that there was dissent on the Gray's new permit. The fee was now 5$ a month per head or 630.00 a year. Bob Gray objected on the grounds that Pinkley had promised the Grays the permit at that time "would be continued through the lifetime of any or all of the permittees." Gray, wanted to run the 1050 to be run at the 10.00 fee. NPS ecologist Harold M. Ratcliff wrote to the Regional Director that: "It appears to be general practice of Desert Cattlemen" in all sections of the country around Tucson, Ariz., to run all the range can carry in good years in the hope that during unfavorable seasons such as the last winter and present summer season, enough of them will survive the drought and lack of feed that they can make up the difference in good years."

The Grays all (except Henry) objected to the increased grazing fee. Regional Director Tillotson, recalled the promises made by Pinkley to the Grays and Senator Hayden and wrote: "Any other action would rightly subject us to severe criticism as an organization which does not keep its promises. I therefore specifically recommend that the permit be issued in such a way as to
Harold M. Ratcliff, Regional Forester recounts a cattle count during a roundup in June of 1947: The cattle were 'trapped' or 'caught' at each well and held in the corrals until it was thought that all cattle watering at that particular well had come in to water. The cattle were then counted and we moved to the next well. A total of seven wells were counted in this manner. Whenever it was thought that all cattle watering at any well had not come in, the Frays estimated the number that should be using that particular well. We generally counted two nights at each well, but in some cases we took three nights in order to try and get a more complete count. As the cattle watered at night we, "worked" until about midnight or in some cases 1:00 to 2:00 a.m. to get all stock coming in."

In accordance with regulations appearing in the Federal Register and effective May 1, 1947 which raised the Frays fees to 490.00 per year.

The 1952 permit was also increased to 10¢ per head for all cattle over 550 head.
make an annual charge of 10.00 for 500 head with an additional permit not to exceed 500 head on which the fee will be in accordance with the current charges made by the Division of Grazing. (Tillotson 3019)

After a stormy collection of the 1943 fees, Supernaus (returned from the Army) it was agreed by the N'S and the Grays that from 1944 on the fee would be 10.00 for the first 550 head and 60¢ per head per annum for each extra head (up to 500 head) making a total of 310.00 for the partnership per year.

In 1947 the permit again caused a confrontation. The standard regulations in parks and monuments prohibit the carrying of fire arms, letting dogs and cats run loose and the collecting of firewood. The Grays had always engaged in these activities without giving a thought to their being against any regulations. They learned of them through their 1947 permit and protested through Coker. He wrote acting Regional Director E.T. Scoyen in Santa Fe that the Grays had always carried firearms to protect themselves against "any laced animals" and "against renegades from Mexico which cross over the border quite frequently." He sought a permit to carry such fire arms. One official opined: "This is a fairly common statement made by cattlemen who are anxious to eliminate the coyote from the face of the earth." Coker also requested a wood collecting permit and that the Grays would take only "dead wood suitable for such purpose." Again he requested a permit for the dogs and cats because "Again they assure me that these dogs and cats will not destroy natural wildlife." In April of 1947 Acting Associate Regional Director John Davis, while suspicious of the 3 special requests gave permission to issue permits for firearms, dogs & cats and tile collecting of firewood. "...we are reluctant to make these concessions we will go along with the Grays in order to further improved relations with them." (Davis)
Organ Pipe Cactus National Monument was established by Presidential Proclamation on April 13, 1937.

The Robert Gray family consisting of Robert Gray, Senior; Henry, Jack, Ralph, and Robert Louis, were operating a cattle "outfit" on lands included in the monument.

There was also a Papago Indian, Jose Juan Orceo, living at a spring near the international boundary in the southwestern portion of the monument. Mr. Charles Bell also grazed goats near the Crotzer mine.

The first resident custodian entered on duty in October 1939.

In April 1939 the first grazing permit was issued the entire Gray family for 550 cattle, at a nominal fee of $10.00 per year. The permit subject to termination at the death or removal of the youngest member of the family.

In 1942 the Gray's put up strong arguments that they had more than 550 cattle when the monument was established. After much discussion and searching thru records, it was determined that the Gray's had approximately 1,000 to 1200 head of cattle when the monument was established in 1937. On this basis the number of cattle was raised to 1050 head and an attempt made to raise the fees to 0.05 $ per head per month to conform with Grazing Service fees on adjacent allotments.

After much "stalling" the Gray's insisted on the $10.00 fee for the 550 head of cattle as they had been promised and agreed to pay the $0.05$ per head on the remaining 500 head, making a total fee of $311.00 per year.

Heavy cattle losses and damage to monument vegetation in 1946 resulted in the first accurate cattle count being completed in June 1947 at which time 19 days were taken to count a total of 606 head.

In accordance with regulations appearing in the Federal Register and effective May 1, 1947, the fees were raised to $0.08 per head per month, which would raise the total fees paid by the Gray's to $490.00 per year.

Jose Juan Orceo died early in 1946 and his family have been living at Quitobaquito. Negotiations are under way to purchase their water rights at Quitobaquito, which should result in the termination of their use of monument lands.
In a bureaucratic system where a variety of administrative, offices usually located in distant offices must make observations and resulting decisions on a given problem, especially a complex one not easily resolved, like the Gray partnership, the administrative heads will not always arrive at the same conclusion.

Supernaugh more or less concurred with the decision to allow the three requested permits he had some reservations: He wrote the regional director in March, 1947: "There is no serious objection to granting the requests which they want for the firearms if they use them only as they say. As for protection against the renegades from Mexico I have never heard of any that bothered them. The Monument personnel is in more danger than they are as we do occasionally apprehend criminals for other agencies, but I have not found it necessary as yet to do any shooting.

"I am wondering just what kind of cats and dogs they have that do not disturb wildlife. This is a natural request though and if their dogs are kept at home ranches they are a protection against prowlers, but they should be honest in their request.

"The wood cutting should be for a limited time only. They are doing some damage around their places by cutting and should not be allowed to continue indefinitely, but be given a set time to convert to some other fuel of purchase and any one else has to. Wood for camping should of course be allowed as it is for others.

"There has been some infection of rabies in the coyotes in this area and it is one of the things that we have to watch for. I have asked them before to watch for this and destroy any infected. [Rabies outbreak in vicinity of coyotes, discussing with June, 1947]

"With all this we seem to have lost ground in the grazing instead of gaining anything. (Supernaugh)"
In June of the same year Acting Director Hillory A Tolson up in Washing-

ton learned of the John Davis decision and wrote to the latter and orined,

possibly in somewhat subdued words: "We note that Mr. Davis advises Mr.

Coker that, while the Region Three Office is reluctant to make the concessions

requested by the Grays, it is willing to go along with him in order to improve

relations with them. We do not understand what is meant by giving the members

of the Gray family permission to "carry firearms. Why is it necessary for

them to carry firearms and what types of firearms do they carry? Are they

authorized to carry firearms on their persons at all times while they are in the

Monument?

"We should appreciate having a further explanation of this matter for our

records. We should also like to know for what period the permits have been issued

to the Grays to carry firearms, retain their dogs and cats at their home within

the Monument, and cut and haul dead wood for their domestic use.

"We believe that it would be advisable to see how the Grays use the

authority granted to them under the provisions of the permit which has been

issued to them to do these things, and consider carefully whether the permit

should be renewed when it expires." (Tolson 6/13/47)

Regional III Forester mad a "field inspection" trip to the Monument

lasting from May 31 to June 4, 1945. His observations via a memorandum

illustrate the directions and concerns of NPS personnel and somewhat of

the Grays during these years. (See next copied page.)
MEMORANDUM for the Regional Forester.

The following report covers a field inspection at Organ Pipe
Cactus National Monument May 31 to June 4.

Range conditions at Organ Pipe Cactus were dry and forage some-
what scanty as usual during periods of dry weather.

The Greys had attempted to remove some of the wild horses and
burros by trapping them; however, their efforts were not too suc-
cessful and they had postponed the completion of the work until
summer weather. To date, they had caught and "reported" 26 Mexican
horses and had trapped only 19 burros.

Gray's record book showed 442 calves borned between September,
1947, and June 1948. They also sold a total of 226 head up to June 1
and said they expected to sell at least 100 more this fall.

This would leave a total increase of 123 head of stock. If we
take the stock of 223 head as of June 1947, the permitted number will
be 1042 head. We know also that there has been some loss due to
drought but we have no count on the total number.

The fencing of the boundary westward has been a big help in keep-
ing out trespassing livestock. If we can now eliminate the wild
horses and burros the area should show some signs of recovery.

This year the ironwood blooms were very prolific and added a
lot of color to the landscape as well as furnishing considerable
feed for livestock.

The caterpillar infestation that hit the Palo Verde and Mesquite
around Tucson was also heavy at Organ Pipe and while it did not
seriously damage the trees, it destroyed the foliage, thereby destruc-
ting the bean crop which furnishes considerable feed for cattle.

While at Organ Pipe, we made a patrol to the southeastern corner
of the Monument where the Papago Indians have grazing privileges.
The terrain here is hilly and rough, the soil is largely volcanic
origin and there is little ground cover except Creosote brush and Palo-
verde, mesquite and catclaw in the washes. It appeared to us that
the only time there would be much use of this particular area would be following a good bean crop.

To complete the control of trespass grazing along the southern border of the Monument, the fence from the Custom House eastward to the Ajo Mountains should be reconstructed.

Mr. Bob Gray, Sr., has rebuilt some of this fence during the past two years. However, it is only a three-wire fence and should be all reconstructed up to more standard specifications.

The Kincaid or Williams Spring north of Quitebaquita has been filling up with reeds and has been trampled until it is practically useless as a watering place. We have thought of repairing this spring for several years and have never had the funds to do so. Custodian Superintendent suggests clearing out this spring and fencing it to keep stock out of it. This project should receive early attention.

Concrete tank about 5 miles north of Bob Gray's headquarters, is an old watering place. It has become silted full and washed full of legs, etc. Some rehabilitation of watering facilities in this location should be provided. Last year we suggested a well and windmill but it will require additional study to determine the best type of development for this location.

HAROLD E. BATECLIFF

Harold E. Batecliff,
Forester.

M. R. TILLSTEDT
Regional Director

June 18, 1948

ee-The Director,
Organ Pipe Cactus N. M.
Permission is hereby granted Robert Louis Gray as Agent for the Partnership of Robert Gray, Jack Gray, Henry Gray and Robert Louis Gray to graze 1050 head of cattle on park lands within the above-mentioned national park during the period January 1, 1952 to December 31, 1952, within the area described as follows: Organ Pipe Cactus National Monument, Arizona, and to maintain and continue wells, waterholes, cattle trails and ranchsteads now used by the Gray family as follows: Alamed well, Fonito well, Guachara well, Salt well, Quitobaquito well and spring; Rincon spring, Cement tank, Wildhorse tank and Agua Caliente spring; all in the unsurveyed portions of the national monument, subject to the conditions on the reverse hereof, and to the payment to the Director of the National Park Service, through the Superintendent of the Park, in consideration of this use, of the sum of six hundred seventy-five dollars ($675.00), in advance; and this permit shall have no force or effect until such payment is made, said payment to be made by express or postal money order, certified check, or draft payable to the Treasurer of the United States; PROVIDED, That nothing herein shall be construed as conferring upon said permittee the right to exclusive use of the land, or any part thereof other than above specified.

Signed at Ajo, Arizona the 24th day of January, 1952.

(Sgd.) John M. Davis
General Superintendent

The undersigned hereby accepts the above permit and the right to exercise the privileges granted, subject to the terms, covenants, obligations, and reservations, expressed or implied, therein.

Two witnesses to signatures:

(Sgd.) J. F. McMahan
Box 395, Ajo, Arizona

(Sgd.) J. C. Dukett
Box 302, Rowood, Arizona

Approved: January 31, 1952
M. R. Tillotson (Sgd.)
Regional Director, National Park Service
Special Conditions of this Permit

1. The permittee shall comply with the laws of Congress and all the rules and regulations for the government of the park and such others as may hereafter be prescribed by the Secretary of the Interior.

2. The permittee and his employees shall use all possible care in preventing forest fires and shall assist in the extinguishing of forest fires within the vicinity of the tract of land heretofore described, as well as in the preservation of good order within the metes and bounds of said National Park.

3. Stock will be allowed graze only on the range designated herein.

4. The permittee shall file with the Superintendent of the Park a true copy of the Brand or other marks used in distinguishing his cattle from others.

5. This permit is not transferable (Sec. 3737, U.S. Rev. Stat.), and shall terminate upon breach of any of the conditions herein, or at the discretion of the Director of the National Park Service.

6. Neither Members of, nor Delegates to Congress, or Resident Commissioners, officers, agents, or employees of the Government shall be admitted to any share or part of this permit or derive, either directly or indirectly, any pecuniary benefit to arise therefrom.

7. The words "National Park" and "Park" as used in the re-joining agreement shall be construed as referring to Organ Pipe Cactus National Monument.

8. The granting of this permit shall establish no precedent and it shall be subject to termination upon the death or removal of the permittee.

9. It is understood that Robert Louis Gray is to act as the Agent and representative of the above-mentioned partnership in dealing with the National Park Service in matters relating to their grazing privileges and their use of the designated range, and that power of attorney has been issued Robert Louis Gray by all the partners, authorizing him to act in their behalf.

10. It is understood and agreed that the Regional Director, or his authorized representative reserves the right to reduce the number of stock under this permit whenever it is considered by him, or his authorized representative, necessary to do so to prevent damage to the range during periods of drought or at any time when range conditions warrant a reduction. In such event a refund of a proportional amount of the annual grazing fee will be made.
11. The Regional Director reserves the right to adjust the annual fees specified in this permit to accord with any changes made by the Bureau of Land Management in the fees for use of nearby grazing districts. The permittees will be furnished a notice of any change in the annual fee prior to the beginning of the grazing season. In the absence of such notice, the permittee shall pay the fee specified on the reverse side hereof.

12. The fee to be charged for this permit is at the rate of ten dollars ($10.00) per year for 550 head of cattle, and ten cents ($0.10) per head per month for all cattle above 550 head up to 1050 head, the maximum number allowed under this permit. (a) Cattle grazed in excess of permitted numbers under year-long permits, including natural increase short-season stock, up to 10% excess must be removed at the earliest practicable date and actual damages therefor paid at the regular trespass rate. (b) Any additional excess over and above 10%, must also be removed with payment of damages, but in addition to this, the grazing preference will be reduced in the same proportion as such numbers under (b) relate to the permitted numbers. For example, if there is 20% excess, the first 10% will be handled under (a) and the remaining 10% under (b), resulting in a 10% reduction in preference.

All livestock six months or over will be counted as a part of the total number of livestock under this permit and fees will be charged accordingly.

13. This permit shall be automatically renewable each year for a period not to exceed five years, upon payment of the annual permit fee, unless the permit is sooner terminated by the Government or the permittees.

14. Count of all cattle shall be made at the spring round-up which shall be held annually. When the permittee plans to round-up or count his stock, written notice shall be given the Superintendent or his representative sufficient time in advance of the date so that a National Park representative can arrive to assist in the count. If the permittee fails to hold the round-up at the usual time each year, he shall take immediate steps to do so when written notice of the Superintendent and at a time to be specified by this official. At all round-ups all cattle must be gathered at a designated locality within the limits of their respective ranges where they will be counted by park rangers.

15. A tally book shall be maintained by the Gray family, which shall be open for inspection at any time by either the National Park Service or members of the above-mentioned partnership.
16. Range improvements, fences, "charcoos", regional wells, or waterholes, shall be made only upon written permission from the Regional Director, and upon completion shall become the property of the United States Government.

The United States reserves the right to perfect title to all rights to water which may be developed or used in connection with this permit and shall furnish water to the permittee, when available.

Should such water service be unavailable or inadequate, the permittee may, with prior approval of the Regional Director, provide the same at his own expense, subject to such special requirements as may be prescribed.

17. All uranium, thorium, and all other materials determined by Section 5 (e) (1) of the Atomic Energy Act of 1946 (60 Stat. 711) to be peculiarly essential to the production of fissionable materials contained in whatever concentration, in deposits in the lands covered by this contract are hereby reserved for the use of the United States, together with the rights of the United States through its authorized agents or representatives at any time to enter upon the land and prospect for, mine, and remove the same, making just compensation for any damage or injury occasioned thereby.

18. It is also understood and agreed that when in the opinion of the Regional Director, or his authorized representative, certain areas are better suited to public use, and when the value to the people of the United States is being seriously impaired by the presence of livestock, then, livestock may be excluded from these areas.
NPS-Gray partnership relations appear to have fluctuated through all the years from just fair to bad, dependent on the current inconvenience to the Grays. Supernauh wrote in Dec. of 1946 to the Regional Director about a drop in these relations: "This Mrs. Miller's rights in Alamo Canyon is one of the present complaints of the Grays as they claim they are paying rent to Mrs. Miller and that the Service and Monument visitors have no rights in Alamo. I have been told by visitors that they were discouraged from camping or hiking in this vicinity.

"The Grays are at the present time very hostile toward us. Part of this is the tourist using the monument and part the request which the Ajo Chamber of Commerce made to change the area. My horses have always run in the fenced canyon behind Bates Well, but Henry Gray has now turned them into the open desert. They will not even talk to us long enough for us to explain that the area is for public use." (Supernaugh 12/20/46)

Adequate water sources are as important a resource to successful cattle grazing as the feed itself. Such water forms seemed to accompany the NPS-Gray controversy throughout the years since the Monument establishment. The main problem was that of wells and especially of the insistence of Henry on digging new wells sans permit way out in the arid almost waterless Growler Valley at Bates Well. See reverse.

Supernaugh had only been on duty for two months when Henry wrote Pinkley for permission to dig (drill?) a new well about three miles north of the international boundary in the La Abra valley. Supernaugh and Pinkley concurred to allow the well to be dug, although records do not indicate the outcome, but there is no well at this location.
One of the earlier NPS-Gray battles over water took place in the office of Regional Director M. R. Tillotson on 1/22/53. The primary combatants were Robert Louis Gray and the Gray attorney Elmer Coker and Tillotson, however regional authorities Patraw, Barton, McColl Kell, Carlson, Ratcliff, King and Supernauh were present. Tillotson later that afternoon the director: "At the conference which lasted some three hours, we went "round and round" but without conceding to the objection raised by Mr. Coker in his long distance telephone conservation of December 27 with me, later covered by his letter of the same date, copy attached." Tillotson 52: L3019 51-63).

The Grays and Coker had objected to the U.S. reserving the right to perfect (explain "perfect"here) title to all rights for water that might be developed or used in connection with the Gray's permit. The Grays wanted to be able to be-able-to perfect their own name title to the water that they had been using since 1919. They (the Grays) were told, in essence, that since the only need the Grays had for the water was for their cattle and the permit already gave them the right to use the water when available, so they had no need for title to the water. Coker could get nowhere with Tillotson, except to not object to Coker's appeal to the Director of the NPS. This battle was soundly won by the Park Service.
October 29, 1950

Memorandum

To: General Superintendent, Southwestern National Monuments

From: Superintendent, Organ Pipe Cactus

Subject: Grazing Permit, L20mp-934

We concur in your suggestion that the Gray grazing permit be continued until time for renewal, at which time the water rights clause will be included. This was discussed with Mr. Coffman on his visit, and he was informed on all our grazing problems while here.

We feel that the Grays are familiar with the water right clause as it affects any water development since it is included in their permit for water development west of Quitobaquito, and would have made no difference in their present applications for water rights on the old wells. I noted in my previous Memorandum that no wells were included which were developed since the establishment of the Monument.

The wells which they have filed on are all wells on which they claim to have purchased rights from former grazers.

Your attention is called to statements concerning the present water right filings in which Mr. Demarmy states there are no spring flows involved. In my Memorandum of August 9 it is shown that two claims are on springs.

Below is a review of all rights claimed:

Gachado Well: Located 3 miles east of Customs House on International Boundary. Approximately 85 feet to water. This was dug by Blankenship sometime between 1911 and 1920 as near as can be determined.

Des Lenitas Well: Located 3 miles east of Customs House on International Boundary. This is the present home of Bob Gray and was the residence of Blankenship whose rights the Grays purchased. Depth to water about 85 feet.
Dowling Well. Located ½ miles west of Customs House on International Boundary. Time of development not known, but prior to 1916. This well was used in connection with the old Victoria mine. This well is on the homestead now allowed to Robert Lewis Gray.

Growler Wash Well; Section 38. This is the original Bates well location. A well at this site was dug by Bates about 1880 with depth given as 66 feet. This well was abandoned because of seep-in and another well dug beside it by Rube Daniels.

Growler Wash Well; Section 38. This well, I believe, was dug by Daniels about 1918. Daniels sold out his holding to a man named McDaniels. This well is located on a state owned section under lease to Henry Gray. Henry Gray bought out the rights of McDaniels who had filed homestead on the Bates well location. Mr. Gray failed to make proper entry and his homestead was not allowed.

Williams Wash Spring: This is a ground flow spring located about ½ mile NW of Quite-baquit. Also known as Nineteen Spring. This is a very good spring and was developed at one time by a man named Williams. He irrigated a few acres of alfalfa from this water. The Grays claim to have bought his equipment, but it was practically unused until we fenced the International Boundary along this section. All formerly cultivated land has since reverted to natural vegetation.

Aguajita: This is a seep in a large wash ½ mile east of Quite-baquit. Very small spring flow but permanent water.

Statement on the back of NPS Form, Alien Water Right folders, covering Aguajita and Williams Wash should be corrected. (WR 5 and WR 6)

I think that the Regional Attorney should immediately come here and see over this situation, then contact the state office. It is felt that an attorney can accomplish much more by personal appearance than written protests.

William E. Supernaugh
Superintendent

Organ Pipe Cactus Nat. Mon.  2
In early August of 1953 Henry began to redrill the old Jose Juan (also Juan's Well & Pozo Nuevo) well about 5½ mi. north of Quitobaquito, a good location to catch the drainage of one of the washes terminating the enormous San Cristobal Wash coming in from the W. It is the CPER.

The well had been dug by Papago Jose Juan Orosco of Quitobaquito fame, in 1903 (according to Henry) or 1910 (according to the Papago agency at Sells). Jose Juan had drawn water from the well with a windlass and poured it into a trough with a bucket. The new well, according to Henry, began to cave in, so he moved some 60 ft. to the north and began to drill a new well 200 ft. deep which he hoped would be the main well and the old one would be used to supplement the new one. Supernough, with the order from John Davis, told Henry to stop where he was until he came in and signed a written permit. Although Henry had a bill of sale from Jose Juan, the well was still within NPS jurisdiction as the Park Service saw it. Supernough then wrote Henry a letter instructing him to hold off on his drilling and to make no improvements until he could get further orders from his superiors. The custodian then took the special use permit for Henry's new well to Bob Gray and he too, would not sign until he could talk to the others. In between inspection trips Henry went ahead and completed his drilling, so was told by Supernough to make no improvements.

Then, on Aug. 14, 1953 Park Ranger Albert G. Henson (at the time acting superintendent) and maintenance man Arthur Guinn were up on the northwest boundary checking the fence and stopped in to see Henry about signing the special use permit. There, in Henry's front yard, was a brand new well that had been drilled on July 21 of that year. Henry was then informed by Henson that the well would require a special use permit to which Henry replied that this well was a replacement well, i.e., one to replace the old Daniels Well about ½ mi. south on the bank of the Growler Wash dug
by Rube Daniels probably in 1912. The well was destroyed in 1951 by a flood in the Growler Wash and was never cleaned, so Henry sought to replace it (in his front yard.) Then a long series of memorandums begin to circulate between OPC, Region III at Santa Fe and the Washington office. The correspondence went on and on with little concrete progress. In Oct. of 1953 Assistant NPS director Thomas J. Allen wrote the regional director of the administrative bog that had occurred in the Henry Gray well matter:

"Our copy of the memorandum has been in circulation so long without a reply that the first question is whether Mr. Gray has signed the permit. A number of factors were involved. The State Land Commissioner had received the NPS protests about "other wells used by the Gray Partnership; the commissioner was at the time, ill and besides he, when he got to them, might be unwilling to take action. Then the U. S. Solicitor could be asked for an opinion in the matter, but this might be difficult for him at the time as federal legislative changes on water matters were pending and were, at that time, unsettled. Washington could, also, as an alternative, cancel the Gray's grazing permit for deliberately violating condition 16 on permit I-20-93."

Acting Regional Director P. P. Patraw replied to Washington's memo with equally complex involvements, e.g., the case of Bristor vrs. Cheatham, the significance of the Arizona law of perlocating ground waters, type of appeal to the U.S. Solicitor should he be involved in the problem and, again he wondered if Henry had by this time, relented and signed the permit. Patraw wrote "we have written two memorandums," since Henry had drilled two wells for which Allen replied from Washington "one reply in quadruplicate was made to reduce stenographic service." (Allen & Patraw 1953). Detailed maps of Henry's residence and well locations were also sent to Washington. More questions came up regarding the well(s) legalities. Does the Arizona
In reply refer to:

[Handwritten note: 13315-1]

MAY 17 1954

Honorable Harry G. Colombo
United States Senate
Washington 25, D.C.

By dear Senator Colombo:

The letter of April 9 from Dr. Henry Gray at Ajo, Arizona, which you transmitting on April 12, constitutes the last of a long series of letters of the Gray family to establish that interests in Cuyama Pipe Contina National Monument which would be incompatible with laws and regulations under which the Monument was established, the rules and regulations under which it is administered, and the permit under which he and other members of his family are permitted to graze their stock in the area. The situation has become so complex that we have decided to cancel the permit if there is not immediate compliance with its terms. One of our major problems is their disregard of the terms of the grazing permit relating to necessary supplemental permission for range improvements.

Dr. Gray has requested your assistance in obtaining permission to erect a standard and compatible other stock watering facilities at one of several wells located without permit authorization. The Department has been attempting to have Dr. Gray's accredited agent, Robert Loflin, survey a prescribed permit to validate the well and authorize the very structures which he says he has not been permitted to construct. The rest of Dr. Gray's letter is equally confusing.

Mr. Gray's authority to have been using part of the Federal lands which now constitute the Monument, and the adjacent Cuyama Pipe Contina National and Undeclared state school estates, since about 1915, but he and his sons had not established entries or title to any of the Federal land which were acceptable to the General Land Office, now the Bureau of Land Management, when the area was withdrawn for federalization in 1914 and established as a monument by the Proclamation of April 13, 1915 (39 Stat. 1337). On appeal, a patent has been granted for one homestead entry since the Monument was established.
Dear Mr. Calvinsauer:

I am writing to ask if you can assist me in getting the Superintendent of the Ogusa Pipe Reservoir to allow us to pump water from a well I drilled a year ago on the eastern part of it.

I am Harry Gray, a member of the Gray family which has the reservoir under grazing lease. The western part is very dry and a well, part of the improvements I bought, was bad, and last year I drilled another one, bought pipe, pump and a windmill, but before I could see it up I was notified by the Superintendent that I would either have to give the Reservoir a quit-claim deed to it or, if I did not and set it up and pumped I would lose my lease taken away, in fact not only my lease but as the lease is jointly held by myself, my father and two other brothers all we would have no place to press our cattle.

He did this under a clause in the last lease we signed, which was done under duress, so our representative was informed in the regional office, in. Baca, New Mexico that if we refused to sign the lease with the new clause in it, we would not get a lease.

As land was available for us to move to, our homes were here on the moment for fifteen years before it became a moment, so our representative signed.

If the moment have a quit-claim deed than they can tell me anytime that I must not pump water from the wall and I will have to haul water as I am doing now.

I am hauling water 15 miles over a rough - in some places, soft - road. It is very expensive. Frequently I have to make two trips a day. With the price of cattle as it is now I can get nothing for them, they are too poor. In the last month I have lost 19 head and three registered pull-thorow bulls.

We have not had a good rain here since September 1952. Several light showers. There's very little feed and the cattle got too weak to come back to the ranch so I have to haul water to tanks I have not since the area surrounding where I have drilled the well I cannot pump from.

If as Mr. Long has been working for several years, a reduction could be made in the size of the moment, then when the land went back to the public domain it would I suppose come under the bureau of Federal Land Management which is now a bureau under the control of the Department of the Interior, but which I am satisfied to want work something out with.
Mr. Swagger said that there were no important changes, and that there were not supposed to be any cattle on the mound.

There is not an organ pipe castanet to be seen as far as the eye — with a pair of binoculars — can reach, even from the top of a windmill.

The only people who travel this northerly and westerly part of the mounment are local people and an occasional prospector.

If the drought here keeps up, with cattle at the price they are, if I have to haul water as I am doing now, as well as the food I have to haul, I will lose everything I have made in the 2h years I have been here.

The whole Gray family will deeply appreciate it if you can do anything to help us in this matter.

Yours very truly

(Sgd) Henry Gray

Henry Gray
Ground Water Code of 1918 take cognizance of such replacement wells such as the one in Henry's front yard? What was the distance of the replacement well from the old Daniels' Well; how much water would it be permissible to pump, precisely who has the right to use the water from the new well, and does the new well derive its water from the underground water as the old one on the Growler Wash, etc? Finally, on March 2, 1954 Tillotson wrote Henry to sign the two special use permits or "it will be necessary to cancel your grazing permit # I-20-934."

Then Henry broke the silence at Bates Well with a passionate letter to Senator Goldwater on 4/9/54 telling of the NPS treatment of him regarding his wells. The letter, somewhat typical of those by Mrs. Miller and others to their representatives, is attached to fully illustrate the mind of the leasee, at least as it went to Senator Goldwater.

A letter of inquiry by Goldwater led to a long letter by NPS Director Conrad L. Wirth on May, 17, 1954. (see both letters next page.)

On June 30, 1954 Supernaugh transferred to plat not, Park OKla.

On August 24, of the same year James M. Eden arrived to replace Supernaugh as superintendent, as they were now called (from the earlier "custodian.") Eden proved to be a very able administrator and an affable personality who worked as well with the Grays and others as could be expected.

In Sept. of 1954 Eden saw through the signing of the special use permit for the two wells of Henry, a notable and conspicuous victory for the NPS. Eden wrote to Region on 10/3/54: "It gives me considerable satisfaction to be able to submit the enclosed permits and I hope that we are on the way to establishing a more cooperative and satisfactory working relationship with the Gray family (Eden 154)."

Throughout what was left of the 50's the grazing and grazing permits continued with only minor ups and downs. Eden wrote on 1/7/55: "Members of
the Gray family are evidently becoming more receptive to new ideas and may perhaps in time adopt most of the basic principles of range management that are accepted elsewhere. Some good work has been done in the past toward good management and perhaps additional educational work on our part in the future will work to the benefit of all concern (Eden L3019 51-63). One must glean from such correspondence of Eden's a bit of the administrative and personality grandness of Boss Pinkley.

The tone of communication between Supt. Eden and the Grays seemed to improve during his tenure at the Monument. He wrote in Jan. of 55:

"As cattle trails converge on the various watering places, damage to the range increases proportionately, more through trampling than for any other reason. Because of this condition I am highly in favor of the development of additional watering places, even if they are only in the form of earth tanks that will provide seasonal water."

Bobby had earlier approached Eden on the idea of building such a tank. Eden recalled: "I was favorably inclined toward the idea. He stated that if they were given a permit to build such a tank they would like to fence it with a small enclosure and would work with us in closing off access to the tank by cattle whenever we felt it should be done. This is only reasonable, of course, but evidently reflects somewhat of a change in attitude."

On April 22, 1959 Superintendent Eden transferred to Glen Canyon Recreation Area and Monte E. Fitch moved in as Supt. on 6/28/59.

In May of 1961 Monte wrote a memorandum to Region indicating that the Gray family could have ups and downs with other forces that the NFS. Only 2.41 in. of rain had fallen in the previous 9 months amounting to a severe drought. At least 24 cattle were found starved. The Gray family appeared to have had a split in operational procedures and Jack had in that month
another of several heart attacks that left him unable to participate in
the annual spring roundup. Old Bob Gray was close to 88 and could do
little if any on the roundup nor could he guide the Gray partnership with
any great strength. More carcasses of the Grays continued to be counted
in July because of the continuing drought.

In March of 1962 the NPS initiated a helicopter survey to count the cattle
and hopefully wildlife with the former being more successful. Chief Ranger
Chuck Budge felt that the count had an approx. 80% accuracy and was far
better that the counting in the corrals where it was so difficult to separate counted from uncounted cows.

By 1962 everyone suspected that the old man (Gray) was getting on
in years and, as Spartan as he was he was not apt to last much longer.

He had continued to live alone at the Old Man's Place refusing to allow
anyone to stay with him. In June he was found near his home where he had
fallen and lain for two days with his head down hill, an arm broken and
in the torrid June sun. He was taken to a Tucson hospital in critical con­
dition. Bob died in Tucson on Saturday evening on July 11th and was buried
in Ajo on the 18th.

The Gray Partnership now consisted of the three brothers, Bobby or Robert
Louis Jr., at Rowling, Jack at the Alamo and Henry the elder at Bates.

On March 3, 1962 Monte Fitch transferred to Saguaro Nat. Mon and was
replaced by Paul A Judge on 4/3/62 from Bandera Nat. Mon. in New. Mex., but
was again transferred to Saguaro right behind Fitch.

Felton was an experienced Administrator in park lands and, like the others,
would soon have his "lands" work cut out for him.

Bobby, the spokesman for the partnership visited Felton and indicated
that the three brothers now wanted the partnership divided into thirds without
widow of "old man."
A patrol report briefly mentions the fall of "the Old Man" in late May of 1962. "Rangers Graf and Wendt drove out to Bobby Gray's and talked to him. He said that old man Gray went out of his house east of Dos Lomitas to get something and fell down. The old man couldn’t get up and since he was alone had to lay out there all day, all that night and part of the next day. Apparently when the senior Gray fell down he broke his elbow and was laying with his head downhill with the blood running out of his eyes when Bobby found him. Bobby said that he thought another two hours would have been the end of the old man. At the time of this report is being written, the old man is in the hospital recuperating and building up his strength so that the elbow can be set."
a reduction in stock.

Assistant NPS Director Jackson E. Prise deemed otherwise. He wrote with lucidity to the regional direction in June, 1963:

The only interest which could transfer would be ownership of the stock, since Robert Gray did not, in fact, own any real property.

The grazing permit issued to the Gray partnership is a privilege—not an interest. It cannot be inherited by surviving partners. Correspondence through the years has repeatedly emphasized that the original basis for this permit was to obviate the hardship which would have been forced upon the Gray family had grazing of Monument lands been terminated. The Service has consistently retained the right to regulate the number of head of livestock to be grazed under the permit and to effect such management practices as were necessary to protect the land and the vegetation.

The NPS insisted that upon the removal or death of any of the partners that they would suffer a reduction of 252 head of cattle from the current permit. It would also be expected that the grazing would be phased out to termination by this procedure.

By June 1963 the Washington office began to formulate a new grazing permit which would dictate that there would be a one-fourth cut in the livestock due to the death of Robert Louis Gray sr. However, again the NPS discovered they were still tied to earlier administrative commitments. Director Demaray had stated to Senator Carl Hayden on 10/10/61 that the NPS would continue to issue the permits during the lifetime of the Grays ..."so long as they do not dispose of their ranch interests by sale or, in the event of death of any of them, by will or the intestate laws of the State to other than the survivor or survivors of them." In other words the number of cattle allowed to graze as allowed the original partners'ip would not be reduced because of the death of a partner, but the privilege would continue to be honored as long as any of the original partners were alive. Only when the last partnership member died
would the permit be terminated. Of course the permit could not be extended to
any of the Gray heirs. (L3019 64-65)

Meanwhile, the roundups were hitting snags. The normal spring roundup
for 1964 was not made by the Grays as required by the permit and it was estimated
that 300 to 50 cattle in excess of the allowed 1050 cattle were running the
Monument. In early Oct. Acting Superintendent Duane Graf wrote Bobby that since
the normal spring roundup was delayed because of low market prices that he should
for sure make the roundup sometime that month. Bobby wrote Graf back that the
recent general rains had prohibited the roundup at that time and they could not
find a buyer, but when the rain water dried up and they could find a buyer
they would roundup and sell. These events were the normal ups and downs of the
NPS-Gray relations.

However, such annoyances as delayed roundups were soon to be overshadowed
by two major conflicts. Norman M. Simmons, the Refuge Manager Assistant of the
Cabeza Prieta Game Range, began on June 30, 1964 to notice cattle in the same
Range. Two normally locked gates were found unlocked and cattle had been passing
through the gates to drink from Jose Juan Charco, in the CPGR, now withdrawn
as the Luke-Williams Air Force Gunnery Range as noted in the Jim Havins case.
Cattle were prohibited from the Range. Henry had been order on June, 30, 1963
to remove his cattle from the CPGR by Simmons and by Mr. Arthur Ross, Assistant
U.S. Attorney. Simmons continued to observed the trespass including Henry
driving his truck in the forbidden area with his cattle.

Attorney Elmer Coker again rose to the defense of the Grays (i.e., Henry)
He wrote Miss Jo Ann D. Piamos in early April of 1965 that the injunction "will
be humanly impossible for the Gray Family to comply with the Court's injunction
unless three conditions which are in the full control of the government are met:
(1) The CPGR-ORPI fence must be repaired and maintained to be stock-proof and
the gates be kept locked or a cattle guard installed. (2) A water gap or lane
constructed from Jose Juan Tank to the Monument or if economically feasible, be pumped from the tank to steel tanks on the Monument side of the fence.

(3) Stockwatering and domestic wells be drilled with the permission of the NPS in the vicinity of the fence near the tank so the cattle "will not jump over and break the fence in order to reach the waters of the Jose Juan Tank." It was the last "condition" that directly concerned the National Monument for the moment. Coker noted that the NPS had been denied permission to drill wells or stock watering tanks in that section because "...they are not in the grazing business and that they do not want to encourage further development of watering facilities for grazing purposes." While the Grays wanted to install such watering places out in the Growler Valley they (Coker) felt "that the cost of drilling wells should be borne by the government or at least the government should share in the cost because the waters of these wells would provide domestic waters for park visitors as there is no water whatsoever available in the Jose Juan Tank area for such park visitors, the closest drinkable water being Bates well which is owned by Henry Gray...."

Superintendent Jim Felton met with Coker, Bobby and Henry in Feb. 1965 and listened to Gray Partnership proposals to build the lane to the tank and fence it in themselves and pay the cost. Regional Director Daniel B. Beard was adamant about it. He recommended against the CPGR allowed any sort of use of Jose Juan Tank waters which would strengthen the Gray grazing permit in the Monument. He wrote the Director in early March 65: "As for negotiating with the Grays for their imagined water rights, we are opposed to it on the grounds that our "left-handed" implication that they have any vestige of rights for which we might negotiate would strengthen their case. We must assume that they have no rights—merely the privilege of using land, forage and water."

By May 6, 1965 the cattle still had been removed from the CPGR although the order provided for the removal of the Gray stock from the range by May 15. Coker claimed in a meeting that the removed cattle would bunch up and break..."
the Alamo; Ralph moved to the later Miller place at Wall's Well and
then left the region for a ranch out by Calexico, across the border from
Mexicali. Bobby, the younger moved first to Ajo where he worked for
the Mine as a carpenter and probably in late 1942 moved down to the
historic lowing Well. The three Gray girls finished school in Ajo
while staying at a boarding house; they have since moved to Tucson and
California. (Gray, Henry 1963)

In the late thirties Robert Louis filed a homestead application under
the Taylor Grazing Act for 317.55 acres surrounding his ranch. The
General Land Office noted that he had earlier been granted a homestead
and rejected and closed his case on 6/2/38. Gray then sought a lease
application under another section of the Taylor (outcome unknown) (ORPI
Land file L3019).

Even though everybody still wore pistols, the Grays, who speak good
Spanish generally had good relations with their Mexican neighbors. (Henry 63 )

North of the ranch Gray a few acres of flat land that, during rains,
was watered by sheet flooding and planted squash and corn below a small
check dam that served to disperse the rain run-off. Planting was in
August; no crops were generally good.

During the thirties Henry built a large cement collar at Wild Horse Tank
earlier used by a partnership
to deepen by a couple of feet or so the stagnant plunge pool that held
water for long periods of time.

The Gray partnership brand was an L and probably that of the early
Wild West.

Jose Juan Tank (Charco), a natural depression in the vast flats of the
Gr wler Valley had long been used as a charco and deepened from time to
time by such local cattlemen as Jose Juan, Tubé Daniels and the Gray family.
Jose Juan Tank or Charco is a natural depression in the flat terrain 3/4 mi. west of the western Monument boundary at the isolated conical hill known as Antelope Hill out in the Growler Valley. James Havins reported that he had first visited Jose Juan Tank in the fall of 1917 when it held water, being used, at the time to water Rube Daniels' cattle. He recalls two fresnos (slip scrapers) there at the time. Fifty to 100 head of cattle were watered there then. Probably the fresnos were used to deepen the natural depression or charco, perhaps by Jose Juan Orosco sometime before 1917.

(Havins Testimony—USA vrs. Henry Gray 1965)

Henry Gray believes his father used to ride to and around the Jose Juan Tank area soon after their arrival in 1920. Henry first saw the tank in 1921 and thought it was an old tank then. By 1921 Rube Daniels, Jose Juan Orosco and Robert Louis Gray were running cattle in the J. J. Tank area. He then held much water, enough for 100 head of cattle for one-two months. (Gray, H. Testimony—USA vrs. H. Gray, etc.)

Henry notes that he ran 400 head of cattle west of the CPGR-GRIT boundary and they would range over 8 mi. west of the fence. i.e., 7 1/2 mi. west of J. J. Tank & reliable water
down the fence to get back the tank's water. "He claimed that the fence had not been properly maintained in the past and the gates were opened to permit cattle to move onto the Monument." Harthon ("Spud") Bill assistant director opined: "It is a responsibility of the Grays to see that the fence is not breached."

However, the BSP&WL and the NPS cooperated in repairing the fence.

On June 1, 1965 Regional Director Dan Beard wrote to Coker on the NPS decision with his usual lucidity and finality: "We believe we would be remiss in our responsibilities as defined by the Congress, if we permitted any further expansion of the grazing industry in Organ Pipe Cactus National Monument." He concluded the letter: "However, all privileges must have a limit. We believe the grazing privileges at Organ Pipe Cactus National Monument have reached a limit beyond which we cannot, in good conscience, proceed. The request for development of additional stock-watering facilities is therefore denied."


During these problems the Grays made a roundup and by 6/21 had sold 70 head of cattle. Park rangers made a helicopter count of the cattle. Young ruined this method "to be the most expeditious and accurate method to obtain the necessary livestock count."

Coker protested in a long letter to the Director of the NPS. "I emphatically deny the statement made in paragraph four that: 'The Gray Family grazing privileges at the Monument have reached a limit beyond which we cannot proceed.' Also he complained "It appears that the denial of the Grays request for such additional watering facilities is most unreasonable and harsh, particularly in view of the circumstances which they are now facing by reason of the Court's injunction."
From all information, the Gray brothers have concluded their cattle roundup and selling operations for the year. The following facts and figures are for your information at this time. A more complete and detailed report will follow in the future.

**Total Number of Cattle Sold - period, June 21 - August 19**
- Gray Bros. Cattle Co. = 167
- Jack Gray = 107
- Robert L. Gray (Bobby) = 192
- Henry Gray = 285
- no brands = 26
- **Total** = 777

Of the total 777 head sold, the approximate(*) components were as follows:
- Steers = 62% = 482 head
- Cows = 13% = 101
- Heifers = 8% = 62
- Bulls = 12% = 109
- Calves = 5% = 23

A couple of items of interest are reflected in the above figures. Almost all of the 23 head of calves sold this year were sold with the mother cow. These cows were old and in weakened condition with small calves at their sides. These calves were too young to fend for themselves. Roughly 30 of the bulls marketed were shipped from Bates Well. No doubt, these were animals which had been removed from the Game Range as evidenced by lack of brands, large size and age, and extremely wary. No other attempt can be made to estimate the number of cattle received from the Game Range at this time.

In talking to various men who are in the cattle business, the general view is that a cattle herd sold this year would average "at least one hundred dollars a head." By using this figure then it is assumed that the Gray partnership sold their cattle for a gross income of $77,700.00 minimum.
From the Service standpoint, the 1965 roundup cost the taxpayers $2,211.80. This figure does not include administrative office work, fence material, or other such items. It includes only the wages of ranger personnel in the field on inspection trips, vehicle use, and the helicopter survey.

- **Man Hours (field only)** - 274.5
  - wages paid (OS7.5) - $ 933.48
- **Vehicle, miles** - 2,520
  - x .067 - 151.50
- **Helicopter Survey, rental** - 1,156.82

**Total** - $2,211.80

Sincerely yours,

Richard H. Begeman

(*) This figure is a projected percentage, using an actual count of 454 head of cattle. That is, of 454 head, 62% were steers, 13% were cows, etc. This figure may be used as the type breakdown is fairly constant through out the entire 777 head.

Grades cows & horses; burros were at least on one occasion rounded up. Bobby got 5 burros near his place at Dowling in July, 1964. Dog food concession paid $5 a pound for burros at that time.

Organ Pipe Cactus National Monument
an Beard was unimpressed and unyielding by Coker's protest. He wrote the Director in early August, 1965: "Mr. Coker's emphatic denial that a limit has been reached is not for consideration. It is our limit that has been reached. The market, the lack of cattle buyers, and the court's termination of the Grays' trespass operations on the Game Range are not our concern. The market situation is something all producers face. The sudden termination of trespass grazing is a calculated risk the Grays took in their illegal use of the Game Range. The fact that the Grays worked 'hard and diligently removing their livestock' is not to their credit—the court ordered it."

"Again, we feel the 'inevitable trespass on the Cabeza Prieta Game Range' is the Grays' problem. We do not believe the prevention of trespass on the Game Range should be at the Monument's expense." (Beard L3019 64-65)

Again, during an interlude the Grays held a roundup during mid summer of 1965. A report by Park Ranger Richard Begeman describes some of the facts of life of such a roundup. (see next page)

In the early winter of 1966 probably the most significant government decree in the history of the Gray-NPS relations occured. On Jan. 3, 1966, Secretary of the Interior Steward Udall decreed that the Grays must reduce their 1050 head of cattle down to the original 550 head by the end of 1966. Assistant Director Howard Macker wrote the Regional Director of the news on Jan. 12, 1966. "(1) the National Park Service must practice more intensive management of livestock grazing and insist upon full compliance with all special conditions of the revocable special use permit No. 14-10-0333-859; and (2) arrange with the permitee to accomplish the reduction of the preference from 1,050 to 550 head by the end of this year. It was Assistant Secretary of the Interior Stanley A. Cain who on Jan. 12, 1966 decided that the stock must be reduced to 550 by the end of the year. Foy Young wrote the Partnership head Bobby Gray on 1/15/66: On the basis of findings by competent authorities on plant colony we have been Permit for 1-1-67 would be for 550 cows only.
16. The granting of this permit shall establish no precedent and shall be subject to revocation upon the death of the permittee or removal in accordance with any local, state, or federal law or contract which may be in effect during the period of this permit.

17. It is understood and agreed that the Regional Director, or his authorized representative, reserves the right to reduce the number of stock under this permit whenever it is considered necessary to do so to prevent damage to the range (during periods of drought) or at any time when range conditions warrant a reduction. Upon the death of any one member of the partnership, the total allotment will be reduced by 350 head of cattle to 700 head total on the range. Upon the death of one of the remaining two the allotment shall be reduced by another 350 head leaving 100 head for the surviving partner.

18. It is understood that Robert Louis Gray is to act as the agent and representative of the above-named partnership in dealing with the National Park Service in matters relating to their grazing privileges and their use of the designated range and that power of attorney has been issued Robert Louis Gray by all partners, authorizing him to act in their behalf.

19. The Regional Director reserves the right to adjust the annual fees specified in this permit to accord with any changes made by the Bureau of Land Management in the fees for use on nearby grazing districts.

20. The fee to be charged on this permit is at the rate of ten dollars ($10.00) per head for 550 head or less and at the same rate per head per month as charged by the Bureau of Land Management on nearby grazing districts for all cattle above 550 head up to 1000 head, the maximum number allowed under this permit.

21. (a) Cattle grazed in excess of permitted numbers under yearlong permit, including natural increase or herd stock up to 10% excess must be removed at the earliest practicable date and actual damage therefore paid at the regular trespass rate.

(b) Any additional excess over and above 10% must also be removed with payment of damages, but in addition to this, the grazing preference will be reduced in the same proportion as such numbers under (b) relate to the permitted numbers. For example, if there is a 12% excess, the first 10% will be handled under (a) and the remaining 2% under (b) resulting in a 10% reduction in preference.

All livestock excesses hereafter will be counted as a part of the total number of livestock under the permit and fees will be charged accordingly. In the event livestock are removed from the range in accordance with other conditions 16 or 17 above, a refund of a prorated amount of the annual grazing fee will be made, this to be computed on a monthly basis.

22. A count of all cattle shall be made annually at the spring roundup (or any subsequent roundup) and is to be completed by July 1 of each year for the term of this permit. Such the permittee to plan his roundup or count his cattle, written notice shall be given to the permittee or his representative, sufficient time in
in advance of the date, so that a National Park Service representative can arrange to assist in the count. Cattle must be gathered at each established trapsite within the limits of the respective ranges where they shall be counted by Park Service personnel. An annual count shall be taken at each trapsite on every range. The permittee will furnish to the Superintendent on July 1 of each year, a certificate of the number of cattle on each of the above mentioned ranges. Cattle listed shall be classified by sex and age group, i.e., calves, yearlings, 2 year-olds and adults (mature).

22. A tally book shall be maintained by the Gray family, which shall be open for inspection at any time by either the National Park Service or members of the above mentioned partnership.

23. Range improvements, fences, "charcos," wells, waterholes or structures shall be made only upon written permission from the Regional Director, and upon completion shall become the property of the United States Government.

24. Portable stock watering facilities will be permitted in the following places:
   - Site #1 on the Alamo Canyon road approximately 1.1 miles east of State Highway 85.
   - Site #2 on the old Wall's Well road approximately 0.2 miles east of State Highway 85.
   - Site #3 known as Palo Verde Tank northwest of Bates Well, secondary road #41.
   - Site #4 along the west boundary adjacent to the Jose Juan charco gate secondary road #42.
   - Site #5 approximately 3 miles north of Juan Well, adjacent to secondary road #35.

Permission to relocate and continue in service any of these tanks from their approved location must be obtained in writing from the Superintendent in advance.

25. It is also understood and agreed that when in the opinion of the Regional Director, or his authorized representative, certain areas are better suited to public use, and when the value to the people of the United States is being seriously impaired by the presence of livestock, the livestock may be excluded from these areas by fencing.

26. The permittee agrees to observe the following nondiscrimination provision, Attachment A, of this permit.

27. This permit is issued without prejudice to the rights of the permittee to appeal from any decision of the Regional Director in the interpretation of the conditions thereof.

Note: Attachment A to be attached to final
advised repeatedly of the deterioration of native plants in Organ Pipe Cactus National Monument as a result of the disruptive influence of intense cattle grazing for an extended time. The objectives which prompted establishment of this national monument are not being met, namely: the preservation of a representative sample of the Sonoran Desert of southwestern United States." (L3019 1966)

"Flm Coker came roaring back with a long letter to Foy Young, the former being twice "suprised and shocked" and and spelled out his objections.

Thomas S. Jay, Chairman, Board of Supervisors, of Pima County wrote Ariz. Senator Paul Fannin of the matter. "The Grays cannot exist on the basis of the 550 head which they have recently been allotted; and it is difficult to understand how 1050 head of cattle can seriously damage the area in which they now exist."

On Feb. 9, 1966 a discussion on the Monument grazing was held in the office of Under Secretary of the Interior John A Carver Jr.. Attending the meeting were Coker, Bobby Gray, Assistant Secretary for Fish and Wildlife and Parks, Stanley A. Cain, Morris Burge, Assistant to the Under Secretary, Edward E. Davis, Administrative Assistant to Senator Carl Hayden, Marthon (Spud) L. Bill of the NPS Washington office. Part of the evidence of the reasoning for the cattle reduction was the range study currently in progress by the Bureau of Land Management which was expected to state, upon its completion in March of that year that the range was overgrazed. (This the report did.)

While the grazing correspondence continues through a variety of widespread office the roundups also continue with ranger Richard Begeman reporting with welcome informal language. In late May of 1967 Begeman makes misc. notes:

"This one factor [heavy rain on the 24th] has suspended trapping until the desert water holes dry up and the cattle become dependent upon wells again. This rain is no doubt sufficient enough to bring about new vegetative growth. This will also effect the cattle's dependency on water but will serve to increase their body weight and improve their condition."
"At this report, Henry has not entered into the activity. Some time ago two of his Indian helpers got drunk in town and haven't shown up for work. This leaves only Chico [Gomez] to help Henry on the west side. Up to now most of Henry's time has been taken up in hauling water to the various sites."

Again Begeman reported from his on-site participant-observer position:

"Bob and Jack had a disagreement with Mr. Crow on payment for a couple of cows. Seems Mr. Crow had two old cows die on the truck and he doesn't want to pay for them. Said they were old and weak to begin with and only took them as a favor to the Grays. The Grays say he bought them and if they died that's Crow's responsibility. Bob and Jack were looking for a new buyer at the end of the week.

"One old weak cow was shot at the Alamo, Henry had to leave two weak cows at Bates and one was brought into the scale laying down." (L3019: 67)

The Gray cattle brands are as follows:

E Gray Brothers Partnership
K- and A Robert Louis (Bobby) Gray
T
/ Jack Gray
I-T Henry Gray

To return to the high level negotiations on the reduction of the Gray stock to 550 from 1050, the protests were, as usual forthcoming via strongly worded letters. Senator Hayden was, again writing protests. He wrote to Secretary of the Interior Steward Udall on 2/19/66: "I was shocked and disturbed by the January 12, 1966 decision rendered by "assistant Secretary Stanley". Gain of your department, which cuts the Gray family co-partnership grazing permit on the Organ Pipe Cactus National Monument from 1,050 to 550 head of cattle by the end of the current permit which expires December 31, 1966. This order was entered without any prior notice to me in spite of past Departmental assurances that no such steps would be taken without advising me."
Hon. Carl Hayden,
United States Senate.

My dear Senator Hayden:

This will acknowledge your letter of September 26, enclosing Mr. Elmer C. Coker's letter of September 19 to you, regarding the issuance of a lifetime permit to Mr. Robert Gray and his sons, covering the use of Federal lands in the Organ Pipe Cactus National Monument.

This Service has issued annual permits to Henry, Ralph, Robert Louis, Robert and Jack Gray, as a co-partnership, to graze approximately 500 head of stock on Federal land, and to maintain and continue such wells, water holes, horse trails, truck trails, and ranch steads as were used by the Gray family in connection with its grazing operations within the monument. It is our intention to continue to issue permits, on an annual basis, during the lifetime of the Grays, or their survivors, so long as they do not dispose of their ranch interests by sale or, in the event of death of any of them, by will or the intestate laws of the State to other than the survivor or survivors of them.

We appreciate your recognition of the fact that this Service can not issue a grazing permit that will run to the heirs of the permittees. Furthermore, there is no authority under which we can issue a lifetime permit in this instance. We feel, however, that there is no occasion for the Grays to become concerned. This Service appreciates the position of the local ranchers and will cooperate to the full extent of the law in the adjustment of grazing problems affecting them as they arise in the monument.

Mr. Coker's letter is returned herewith in accordance with your request.

Sincerely yours,

[Signature]

A. E. Demaray
Acting Director.

Enclosure 2369802
Honorable Julia Butler Hansen
Chairman House Subcommittee on Appropriations
for National Parks
House of Representatives
Washington, D.C.

Re: Gray Family - National Park Service

Dear Mrs. Hansen:

I am writing you for the purpose of giving you a brief background to the proposed acquisition by the National Park Service of all of the grazing rights and holdings of the Gray Partnership, consisting of Henry Gray, Jack Gray and Robert Louis Gray, on the Organ Pipe Cactus National Monument as evidenced by a Land Purchase Option and Contract dated August 30, 1966, and signed by all of the Gray Partners and their respective wives and to request your Subcommittee's approval of the reallocation of monies already appropriated to the National Park Service for the purchase of these holdings.

The proposed acquisition involves fee lands consisting of approximately 160 acres of land lying along the Mexican border immediately to the West of the small settlement known as Lukeville which is a Port of Entry to Mexico, which fee lands are owned by Robert Louis Gray; two sections of State of Arizona grazing lands held under grazing lease by Henry Gray and the Gray Partnership; grazing rights on the federal land within the Organ Pipe Cactus National Monument approximating 516 sections and numerous water rights owned or claimed to be owned by the Gray Partnership which were acquired long prior to 1919 either by the Gray Family or their predecessors-in-interest. The agreed purchase
price of $360,000.00 was reached by considerable negotiations by officials of the National Park Service, former Under Secretary John A. Carver and the Gray Partners and is considerably lower than appraisals made by competent appraisers employed by both the Gray Partners and the National Park Service. In my opinion the purchase price is a fair and just offer both to the Gray Partners and to the Government and it would be in the public interest for the Government to accept this figure and acquire their interests on the Monument.

A brief history of the nature of the Gray Partners' rights on the Monument is of importance to fully understand the nature and reason for the proposed acquisition.

The Gray Family moved from Texas to the area in 1917 led by their father, Bob Gray, and purchased existing range rights and water rights from persons then living and grazing cattle in the area. This was all open range country at that time and remained so until the passage of the Taylor Grazing Act in 1934. Because of their long use of these federal lands for the grazing of their livestock which numbered at times around 3,000 head, and the waters which they had acquired and developed under the water laws of Arizona, the Gray Partners would have, under the mandatory provisions of the Taylor Grazing Act, been issued and granted either a grazing permit under Section 3 of the Taylor Grazing Act or a grazing lease under Section 15 of the Taylor Grazing Act. However, before the administering agency, the Grazing Service, could commence administration of this area under the Taylor Grazing Act and issue either leases or permits, this large area of public land was being considered by the Secretary of the Interior as a
national monument or park and as the result of these studies and considerations the Secretary caused to be established the Organ Pipe Cactus National Monument by executive order of April 13, 1937. Under the provisions of the Executive Order the lands withdrawn were subject to vested rights and these vested rights insofar as the Gray Partners were concerned consisted of the water rights, homestead rights and their range rights or grazing rights as recognized by the Taylor Grazing Act. It became apparent that either the rights of the Gray Partners would have to be condemned or purchased or that their continued use of the public lands within the Monument would be authorized and permitted. I am informed that funds were not available at the time for the acquisition of these rights and as a result it appears that considerable negotiations and discussions were had between Senator Carl Hayden of Arizona and Secretary Ickes which finally resulted in a firm commitment by Secretary Ickes to Senator Hayden that in lieu of compensation for the vested rights of the Gray Partners that their grazing and water rights would continue to be recognized by permits extending through the lifetime of the Gray Partners and the survivor of them. Although the original permits issued the Gray Partners from 1938 through 1941 were only for 550 head, they were revised after 1941 to permit 1,050 head for the reason that the latter figure represented the true number of cattle on the range after the creation of the Monument and the true number that could be realistically supported by the land. Senator Hayden has confirmed more than once this understanding that he had with Secretary Ickes. By letter dated February 19, 1966, addressed to Secretary Udall, Senator Hayden again called the Secretary's attention to this original agreement and for your in-
formation I am enclosing a copy of this letter from Senator Hayden.

Without attempting to impose upon you my opinion as to the legal effect of the conditions contained in the Monument executive order "subject to vested rights," the Taylor Grazing Act and the agreement between Senator Hayden and Secretary Ickes, I submit to you that a moral obligation exists on the part of the Government of the United States to the surviving members of the Gray Partners that their grazing privileges shall continue for the remainder of their lives down to the last survivor of them. I am informed that the oldest brother, Henry Gray, is now seventy; Jack Gray will soon be fifty-eight; and Robert Louis Gray will soon be fifty-five. According to composite mortality tables, the average life expectancy of the last survivor of the Gray Partnership is eighteen years hence while the life expectancy of the younger partner is 22.20 years. Therefore, if grazing operations are to continue on the Monument and the lifetime permit commitments made by the Government are honored the existing grazing permit will continue for another eighteen to twenty-two years. Based upon this commitment which I hold and maintain to be a firm moral commitment on the part of the Government to be honored, I have requested and been advised by the National Park Service of the estimated expenditure of public funds which will be required to extend this permit for an initial five-year permit period in order to put into immediate effect good range management practices; to protect the traveling public by the fencing of the existing heavily traveled State Highway 85 which is the main highway running about twenty-two miles through the Monument between the United States and Rocky
Point, Mexico; and to develop additional water sources and related facilities and the relocation of existing facilities. These cost figures have been broken down for me by the National Park Service as follows:

(Information relating to "least cost" alternatives to proposed acquisition of inholding and other interests of Gray brothers, extracted from Memorandum of December 29, 1966 to Director, Office of the Budget, from Director, National Park Service, Subject: Gray Family Inholding — Organ Pipe Cactus National Monument. Comments and modifications by Monument Staff as noted.)

Water Resources Management

Development of water sources and related facilities at 10 additional sites minimum $120,000

Relocate stock water facilities at Monument Headquarters to more favorable location 6,000 126,000

Grazing Management for 5 Years

Proper management and supervision of permit will require full time grazing and land use specialist and one-half time of a second man plus significant expenditures for personal services, travel, equipment and supplies 75,000

Protection of the Public

Fencing — 44 miles at $1,500 per mile* 66,000

Cattle underpasses — 5 at $15,000 each 75,000

Access for prospecting and mining activities:*

10 cattleguards @ $1,800 ea.; 8 gates @$250 ea. 20,000 161,000

* In referenced memo miles of fencing was mistakenly doubled. Correct highway distance through Monument is 22 miles. Area staff believes $1,500 per mile is more realistic than original $1,200 figure due to restrictions on construction necessary to protect natural features. Est. cost due to mining added by staff.

Relocation of Road to Avoid Gray Inholding

Estimated 3 miles at $4,200 per mile required 12,600
Pence Headquarters Area (added by area staff).

Necessary to exclude livestock from areas of heavy visitor use and management activities:

<table>
<thead>
<tr>
<th>Description</th>
<th>Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fencing - 4.5 miles at $1,500 per mile</td>
<td>6,750</td>
</tr>
<tr>
<td>Cattleguards - 2 at $1,800 each</td>
<td>3,600</td>
</tr>
<tr>
<td><strong>Total cost</strong></td>
<td><strong>$384,950</strong></td>
</tr>
</tbody>
</table>

Unfortunately, the figure previously submitted by Deputy Director Harthon Bill as to highway construction costs was in error mileage-wise as there are only twenty-two miles of highway through the monument rather than forty-four each way, or a total of forty-four miles on both sides, but the estimate of $1,200.00 per mile was low, and the figure of $1,500.00 per mile is believed to be more realistic due to restrictions on construction necessary to protect natural scenic features. Furthermore, the cattleguard requirements have been added together with access facilities for prospecting and mining activities within the Monument which will require installation of cattle guards rather than gates through the proposed highway fence.

An examination of these cost figures, and I believe them to be very accurate, necessary for the continued use of the public land within the Monument if grazing is to be continued and good range management practices observed, shows a minimum of $384,950.00 and the Government cannot expect the Gray Partnership to undertake this capital outlay or any portion thereof. To do so would be to discriminate against them as a permittee of the National Park Service in comparison to the holders and owners of Taylor Grazing Act leases or permits on public lands.

As indicated above, long and difficult negotiations took place by the members of the Gray Partnership and officials of the National Park Service and particularly former Under Secretary
John A. Carver, who personally spent long hours and time negotiating with the Gray Partners and their attorney to finally reach an agreement which culminated in the Land Purchase Option and Contract dated August 30, 1966. The only reason that this Agreement was not executed at least two months prior to that date was due to the prolonged airline strike in the summer of 1966 which prevented representatives of the United States Government and the Gray Partners sitting across the table and placing their signatures on the written agreement.

Due to the complicated nature of the grazing operations on the Monument and the large area, it was agreed by all parties that it would take at least three roundups to remove the cattle from the Monument and even then there would be some strays and remnants left which would have to be moved as they were found and held in corrals. As a result of this mutual understanding it is noted that the Land Purchase Option and Contract Agreement provides that they shall remove their livestock from the Monument before December 31, 1967, or one year from the acceptance of the Option, whichever was the latest.

When the Option and Contract was finally signed, the Gray Partners were assured that it would only be a short time to further process the closing of the transaction. That approval would have to be obtained but that money had been appropriated for such purposes and was only a matter of securing Congressional approval of the reallocation of existing appropriated funds. And that in view of these circumstances undoubtedly the money would be paid over to complete the transaction before the 1st of January, 1967.
These assurances were given by officers of the National Park Service and accepted by the Gray Partnership in utmost good faith and the Gray Partnership has relied upon these commitments and assurances by not waiting until they received their money in order to commence their phasing out operations. As a result last Fall and this Spring they gathered and sold some of their breeding stock that they would not have otherwise sold but for the pending acquisition proceedings. Furthermore, they sold cattle in order to initiate their phasing-out program at a monetary loss for if they had held these cattle in each of the two sales they would have benefited by the rise in the price of cattle by holding these cattle for later sale. The Gray Partnership will shortly be in the process of another Fall roundup and at present they are in a quandry as to how to proceed. They cannot afford to cut down on their breeding herd if they are to continue under a grazing permit arrangement. On the other hand, if the acquisition of their holdings is to be consummated they do not want to be forced to sell at the Fall roundup if the market should weaken or sag.

The gathering and rounding up of cattle on the Monument is a tremendous task and a semi-annual roundup has been conducted throughout the years. Any successful roundup can be accomplished only through the employment of additional cowboys and extends over an unusually long period of time due to the vastness of the area. These facts can all be attested to by rangers stationed on the Monument who have been most cooperative in assisting in the semi-annual roundups.
As a part of the phasing-out program undertaken by the Gray Partners, they collectively and individually from and after the signing of the Land Purchase Option and Contract on August 30, 1966, spent many days in traveling all over the State of Arizona looking at other comparable ranches to purchase whenever they received the money in order that they could move their cattle out and off the Monument to their own holdings, if and when they received their money from the Government rather than being compelled to sell their stock in order to remove them from the Monument. Several potential ranches have been negotiated for and the prospective sellers have held ranches open for sale to the partners pending the consummation of this acquisition.

Since the execution of the Land Purchase Option and Contract and the voluntary extensions thereof, Louis Gray, the owner of the fee land along the Mexican border has been offered fantastic prices for parcels of his fee land ranging from $1,000.00 to $2,000.00 an acre in one to five-acre parcels. These offers have come from people who either want to build a winter home on the land because of the climatic and scenic conditions or commercially develop it. These offers have been firm and greatly exceed the appraised value set upon this land by either of the appraisers for the Gray Family or the Government. The strategic location of this fee land to the Mexican border has greatly enhanced the value of this land. However, Mr. Gray has steadfastly refused to consider any of these offers because of the good faith commitments made by himself, his brothers and officials of the National Park Service.

In conclusion, I therefore submit that due to the good faith commitments made by the National Park Service and their
acceptance and reliance thereupon by the Gray Partners to their hardship and injury at this point and the fact that a conservative estimate by the National Park Service that it will cost $384,950.00 (being $24,950.00 higher than the purchase price) to continue the existing permit for another initial five-year period in order to accomplish the goal of good range management, I respectfully urge that you and your good committee approve and ratify the Land Purchase Option and Contract of August 30, 1966, and authorize the reallocation of funds for the purchase of the Gray Partnership’s holdings in the amount of $360,000.00.

Respectfully yours,
Hayden reminded Udall of the often referred commitment made to him in October of 1961 which he wisely retained. The letter is here reprinted due to its role as a milestone in the NPS-ray relations.

Congressman Morris K. Udall had hoped to write to "brief memorandum to Mrs Julia R. Hansen, Chairman of the House Subcommittee on Appropriations for National Parks, but was too busy at the time and suggested that Coker write the memo which he did consisting of ten pages (here copied to any any clarity for this vague period). See Reverse.

The grazing fees had by 1968 gone up to $1,990.00 for the partnership and was mailed to Superintendent by Coker. Again, Coker sought to deepen the Blankenship and Gachado wells in the southeast corner since Mexican wells on the other side had lowered the water table. He also asked to pump water from Quitobaquito pond for to eliminate long hauls and also hoped to get permission from the PS&L to pump via a plastic line to portable tanks.

Coker wrote Deputy NPS Director Harthon Fill on 5/24/68 that "due to opposition in the House Subcommittee, it appeared very definite that the government was not going to be able to exercise the Option and Contract dated August 30, 1966, to purchase their interests in the Organ Pipe Cactus National Monument." L3019 1968)

Foy Young allowed the Grays to deepen Blankenship and Gachado Wells but, of course not to pump water from Quitobaquito pond as the area was much too sensitive to the public and as an important ecological area.

The reduction of 500 head of cattle from the Gray's permit was not going to allow a continuance of their livelihood in the Monument. To shorten matters the Interior Dept. under John A. Carver, offered $60,000 to compensate the Gray partnership for their loss and was all but ready to help them pack, then discovered they had no authority to use federal funds for such purposes.

(Over)
Congressman Morris Udall had early been a strong force in pushing the Gray settlement through to a fair conclusion. By Feb. 8, 1968 he wrote Coker: "I believe that as a result of this arrangement of a meeting with Hansen, NPS Director Geo. Hartzog and other officials we will get the money for the Gray settlement. It will take a few more weeks, however, and there could be some more difficulties." (L3019)

The Park Service carefully made an appraisal at $378,000.00, but the price was boiled to $360,000.00. Actually, the appraisal reports ranged from $365,000 to $500,000 for the property and interests, but after negotiations was reduced to 360,000.

Then it was discovered that the Grays could not be compensated for Bobby's homestead and the price was dropped to 292,000.00
August 12, 1968

Honorable James O. Eastland
Chairman
Senate Committee on the Judiciary
United States Senate
Washington, D. C.

Dear Jim:

On July 17, I introduced S. 3837, a bill to direct payment of $292,000 to Jack, Henry and Robert Gray as damages for revocation of a grazing permit within the boundaries of the Organ Pipe Cactus National Monument, Arizona.

The equity of the Grays in their permit has been a matter that has occupied myself and my office staff for some thirty years. When the Organ Pipe National Monument was established in the late 1930's, I had several discussions with the then Secretary of the Interior, Harold Ickes, who assured me that the Gray family grazing and water rights would continue to be recognized by renewable permits extending through the lifetime of the Gray co-partnership and their survivors. This fact is documented by a letter written to me by A. E. Demaray, Acting Director of the Park Service, dated October 10, 1941, a copy of which is enclosed.

The original permits issued the Grays in 1933 through 1941 for 550 head were revised after 1941 to permit 1,050 head. However, about three years ago, the Park Service felt it necessary to recommend the termination in order to preserve the ecology of the Monument. Thereafter, my staff and I were instrumental in arranging conferences between the Grays' attorney and representatives of the Department of Interior to resolve this problem. Accordingly, in the summer
of 1966, after obtaining a report from reputable appraisal firms, an agreement was reached between Under Secretary John A. Carver and the Gray family to compensate the Grays for their lifetime grazing permit and inholdings in the amount of $360,000. A copy of this agreement and announcement of solution by Secretary Udall are also attached.

Efforts to obtain a reprogramming of Park Service funds were halted earlier this year when it was found that the Department of Interior had no authority to expend Federal funds to acquire grazing rights. The enclosed letter dated July 12, 1968, indicates the existing grazing permit will not be extended after its termination date of December 31, 1968. I am of the opinion that a Federal obligation exists with respect to the promises given the Gray family over the years by responsible Federal officials. Therefore, I introduced S. 3837 which compensates the Grays for their lifetime permit. The Park Service has authority to acquire the lands held in fee simple by the Gray family.

I am hopeful that your Committee will give every possible consideration to this bill.

Yours very sincerely,

[Signature]

Enclosures

cc: Hon. Morris K. Udall
    Elmer C. Coker
A BILL

For the relief of Jack Gray, Henry Gray, and Robert Louis Gray.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

That the Secretary of the Treasury is authorized and directed to pay out of any money in the Treasury, not otherwise appropriated, to the said Jack Gray, Henry Gray, and Robert Louis Gray the sum of $292,000 as damages or compensation because of the refusal of the United States of America to renew permit numbered 3:157:0010 issued to them for grazing cattle within the confines of Organ Pipe Cactus National Monument, Arizona, which permit will expire December 31, 1968. No part of the amount appropriated in this
Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.
A BILL

Authorizing the Secretary of the Interior to take certain action with respect to grazing permits involving the Organ Pipe Cactus National Monument.

By Mr. FANNIN and Mr. GOLDWATER

FEBRUARY 25, 1969
Read twice and referred to the Committee on the Judiciary

FEBRUARY 28, 1969
The Committee on the Judiciary discharged, and referred to the Committee on Interior and Insular Affairs
A BILL

Authorizing the Secretary of the Interior to take certain action with respect to grazing permits involving the Organ Pipe Cactus National Monument.

1. Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,
2. That, within one year following the date of the enactment of this Act, the Secretary of the Interior is authorized and directed to receive and consider any claim filed by Jack Gray, Henry Gray, and Robert Louis Gray, in writing, against the United States arising out of the refusal by the United States to renew permit numbered 3:157:0010 issued to the said Jack Gray, Henry Gray, and Robert Louis Gray, for grazing cattle within the confines of Organ Pipe
Cactus National Monument, Arizona, the said Jack Gray, Henry Gray, and Robert Louis Gray having been informed by the Secretary of the Interior that their grazing and water rights pursuant to such permit would be recognized for a period extending through the lifetime of the last survivor of them.

SEC. 2. If the Secretary of the Interior, after considering any such claim filed in accordance with the first section of this Act, determines that the said Jack Gray, Henry Gray, and Robert Louis Gray were in fact denied a renewal of permit numbered 3:157:0010 referred to in the first section of this Act, the Secretary shall certify that fact to the Secretary of the Treasury. Upon receipt by the Secretary of the Treasury of that certification, the Secretary shall pay, out of any money in the Treasury not otherwise appropriated, to the said Jack Gray, Henry Gray, and Robert Louis Gray the sum of $292,000 in full satisfaction of their claim against the United States for its refusal to so renew such permit.
The next step to attempt to more or less rectify this clumsy and embarrassing delima was for Senator Hayden to introduce a bill on July 17, 1968 to compensate the partnership with 292,000.00. Hayden then wrote Senator James C. Eastland on the Committee on Appropriations on August 12, 1968. The letter is included here to offer a little clarity as to the awkward Interior Dept. and Gray partnership situation.

With this explosive grazing status that could go any way it was imperative to have the most accurate cattle count possible and it must be made by the Park Service staff. Helicopters had proven to be the best, if most expensive route. Former ORPI superintendent James Eden, now assistant regional director in Santa Fe wrote to Foy Young at ORPI on the latter's report on the April helicopter battle count, the third one to be made, the first in March of 1962 and the second in June of 1965. "We wish to emphasize again that our desire is to obtain as complete an annual livestock census as possible through actual count. This should be done well in advance of any cattle round-up or sale, and at a time when ground cover will offer least visual obstruction to an air borne survey team."

"We believe the $3,000.00 cost for the 1968 cattle count was money well spent." (Eden L3019)

The significance of an accurate and documented cattle count during these high strung days is indicative in the six-page memorandum on the subject on June 17, 1968 to the Regional Director by superintendent Foy Young.

In June, 1970 the NPS requested the BLM to redo the vegetative study done by them in 1965 in order to update the conditions on the Monument lest such expert testimony be needed should the case wind up in court. Since BLM estimates $7,000.00 to do the job, the survey is presently pending.

Meanwhile, the park visitor whether he is a camper, hiker or simply driving through the Monument on highway 85 to reach Lukeville or Sonoyta has potential contact with the cattle presence.
During the winter of 1965 a five-man Bureau of Land Management NPS, a Forage Resource Inventory, made at request of Chief of the party Robert L. Schultz noted in his report completed in February of 1966, that the cattle were poorly distributed. The 16 species of grasses were indeed overgrazed. Cattle wandered some distance from the waterholes; cattle were seen by the crew to be eight miles from water and a good cattle trail was seen four miles from water. Cattle on a range like this one will eat more than grasses. The team reported seen bush muhly, range ratany, palo verde (many broken branches here), white bursage, saltbush, mesquite, iron wood, courtesia, fairy duster and jojoba had been browsed upon. The cattle were generally in poor condition and several carcasses were noted; however, the survey was taken during a drought, not during one of the wetter times of the year. Bates Well appeared to be the most overgrazed. Both sheet and gully erosion were observed. Such over grazing of cattle had trampled the soil so as to prevent proper absorption of rainfall. While cattle and wildlife were not thought to be in direct competition, it was thought that the cattle could effect the wildlife since the stock were forced to eat browse normally used by wildlife; and that there could be more wildlife around if the grazing was lessened. Schultz recommended that, because the Monument was not adequately watered for cattle, that water sources should not be over three miles apart. The team felt that the grazing capacity of the Monument was 314 head and these should be distributed over the Monument on a yearly basis. By placing salt away from water sources the cattle would be better distributed. The Monument-Grays could try to regulate grazing in different corners of the Monument while closing off other sections. Also, periodic inspections should be made to ascertain compliance of the grazing discipline.
In regard to the discrepancy between the originally proposed $360,000.00
ered by the Interior Dept. as compensation for the Grays and the later bill(s)
introduced for $292,000.00 and still pending the original sum was rejected by
the U.S. since the sum was for the inclusion of the Dowling Well Homestead of
Bobby Gray of 157 acres. The 292,000.00 provides only for the cessation of
grazing. (Carothers L3019 1969)

Deputy NPS Director Harthon Bill Senator Goldwater on Jan. 24, 1969 a
summary of the Gray matter which sheds some light on the more recent develop­
ments which is attached. (See next page)

On March 14, 1969 Elmer C. Coker, always a most cooperative attorney in
dealing with the Park Service when his responsibilities allowed sent to the
ORPI superintendent copies of four bills that had been introduced in Congress
by all of Arizona's representatives in Washington. They included: (1)
February 25, 1969 by Senators Paul Fanin and Barry Goldwater; (2) January 30, 1969
by Congressman Morris K. Udall; (3) February 18, 1969 by Congressman John J.
Rhodes and (4) Feb. 18, 1969 by Congressman Sam Steiger. (All bills available
in ORPI files.) The Fanin-Goldwater bill is attached as it is the longer of
the four. The other three bills are identical.

So, at this writing (8/70) the matter is hanging to the inconvenience and
anxiety of all concerned parties. The Gray ranchers would like to make ex­
pensive repairs to their ranch improvements if they are to remain there for
an adequate time, but hesitate to spend the money if they must move out and
leave the improvements.
Hon. Barry Goldwater
United States Senate
Washington, D. C.

Dear Senator Goldwater:

From a review of our file on the question of livestock grazing at Organ Pipe Cactus National Monument, under revocable special use permit issued to Robert Louis Gray and his brothers Henry and Jack Gray, we have found that you have been interested in this matter in the past. It has still not been resolved.

Briefly the situation today is as follows:

At various times throughout the history of grazing on the relatively fragile Arizona Sonoran Desert in Organ Pipe Cactus National Monument, there has been a realization by scientists, park managers, and others interested in the perpetuation of the unique ecological resources that the livestock grazing has caused significant deterioration of the resources. Consequently, attempts have been made to find a method to close out the grazing privileges in an equitable way.

In 1954 and 1955 efforts were accelerated to develop methods to this end as a result of the obvious increase in the amount of damage to the land by the cattle use. The former Secretary, after close examination of the reports and correspondence from interested and concerned ecologists of national stature, ordered reductions in the number of cattle early in 1955. This created an untenable situation for the Grays and led to complaints, and as a result of discussions by the Grays and Under Secretary with former Under Secretary John Carver there was a consideration of alternatives. One of the alternatives was to purchase the Grays' land and interest in land in order to terminate the cattle operation. This, however, failed to gain approval.

The Solicitor of the Department of the Interior issued an Opinion dated April 5, 1959, that since Organ Pipe Cactus National Monument was established and is to be administered for the protection and preservation of the unique flora and fauna found within its boundaries, and the overwhelming evidence indicating that continued livestock grazing threatened a permanent destruction of these ecological values, there
not only is no obligation to renew the Grays' revocable grazing permit, but there is an affirmative responsibility on the part of the National Park Service to terminate this detrimental use of monument lands. Pursuant to this Opinion, the National Park Service was directed by former Under Secretary David Black to terminate the grazing privileges at the close of the permit period December 31, 1968. The permittees were notified by letter from former Assistant Secretary Clarence Pautzke on July 12, 1968. This letter was sent in care of their attorney, Elmer C. Coker of Phoenix.

At meetings held after the termination notice to Mr. Coker, it was determined that a bill for the relief of the Grays would be introduced, and this was done in the 2nd Session of the 90th Congress. It, however, failed to receive consideration due to the work of the Judiciary Committee. The rationale involved was that the legislation would be referred to the Court of Claims for determination of the damages sustained by the Grays through the loss of their grazing privileges.

Representatives of the Regional Director, Southwest Region, met about a week ago with Attorney Elmer Coker in Phoenix to review and discuss termination procedures.

Timely notification was given to the Gray partnership concerning the end of the grazing privileges, but there were no arrangements, to our knowledge, for the relocation of the livestock. The National Park Service has willingly and conscientiously taken a generous viewpoint with respect to the realistic fact that cattle cannot be moved easily during the winter season, but it would be necessary to have some indication of interest in affirmative action by the Grays. In fairness to the Grays, they claim lack of resources to relocate their operation without compensation for the property and for damages incidental to termination of grazing privileges. It is our belief that the solution to the problems involving the national monument can best be reached through a reintroduction of legislation on behalf of the Grays, and its consideration by the Congress, as previously decided. We are anxious to bring this matter to an orderly conclusion as soon as possible.

We should be very glad to meet with you at your convenience for a detailed explanation of the case and to answer any questions.

With warm regards and every good wish.

Sincerely yours,

[Signature]

Deputy Director
Since both the Gray family and the National Park Service are honorable entities, there are, to the historian, no heroes and villains, but conflicts.

Since the state highway 85 that passes through the Monument to Lukeville and "exico is open range, cattle wander onto the road and contentedly chew their cud while a car speeds down the road, perhaps at night when a cow in a dip cannot be seen and vice versa and the collisions occur with injuries and rarely fatalities. In 1966 there were 66 car-cow accidents; 35 in 1967; 18 in 1968; 38 in 1969 and 17 by mid August of 1970. Even if it were economically feasible to build a fence the 22 miles of Monument road on both sides would greatly mar the wild, unfenced nature of the area.

The campground is also unnecessary and so suffers the presence of cattle in and around the area, a disturbance hardly compatible with the sought desert experience. During roundups in the spring and fall water is cut off except for the corrals used for trapping, so the cattle wander into the campground and manage to turn off the spring faucets with their horns and drink their fill. Occasionally a cow will break the standpipe and you have a sizable geyser spurting into the air until it is discovered and shut off sometime the next morning. By then numerous cows have stomped, and drunk during the night. Complaints from campers were frequent, indeed more so than solutions.

There are a few springs in the Quitobaquito vicinity that are little known to the park visitor, e.g., Aquajita, Williams Springs and the Burro seep all of which are potentially lovely verdant birding or picnicking spots were they not trampled down, grazed out and defecated all over by two generations of cattle.

Then there are dramatic old frontier structures such as the old Gray (Dos Lomitas) Ranch in the southeast corner, the jacales at José Juan Well belonging to Henry or the little adobe structures up at the mouth of the watered Alamo Canyon and the lonely ranchstead of Hates Well of "Henry Gray.
out in the Growler Valley all of which represent a frontier border architecture that have housed Mexican, Papago and Anglo American frontiersmen and when interpreted by the NPS would serve well to tell their stories to the visitor. However, the NPS doesn't own these historic structures (the Grays do).

So, we all continue to wait.

The Grays are far from being immune to this anxiety that has plagued them since the Monument's inceptions in April of 1937. Every new development, a well, windmill, the right to pets, fuel for cooking, the number of cattle to be grazed must be oked through a permit (or likely rejected). The expensive services of attorney Elmer Coker must be frequently sought and paid for to have the simple rights they naturally had before the coming of the Monument.

Park rangers when patrolling the Growler Valley always stop to chat with Henry or he may stop to pass a few minutes with 'Obby or Jack up at the Alamo. The ranger is likely to be queried each time about the news from Washington on their status in the Monument. The Grays would like to make repairs on their places—if they can remain there long enough to make it worth the expense; otherwise they hesitate to do expensive work if they are to have to seek ranches elsewhere in the near future.

Jack Gray, in a recent conservation with Dave Rees of Ajo said: "I am realistic enough to know that this fight can go against us, but win, lose or draw, the years have given me many memories, and many a story to tell (Rees 19:9)"

Matthew H. Ryan arrived from Canyonlands National Park in southeastern Utah as the ninth superintendent of Organ Pipe Cactus on Sept. 22, 1968 as the replacement who transferred up to Grand Teton Nat. Park in Wyo. Matt, still the superintendent at this writing, is a big hospitable, easy-going, and deliberate man who laughs easily at the frequent bits of humor around the area. He possesses a measured, pragmatic and simplified approach to the disposition of his administrative tasks. During his 21 years in Death Valley
National Monument he acquired much insight and communicative savvy with the scatterings of endemic old timers, particularly the picturesque hard rock miners of the remote corners of the Monument. One senses here a reflection of the Boss Pinkley mind and personality here, however, Matt has had little opportunity for the personal vis-a-vis involvement that Pinkley, due to the virtual abandonment of the squatters, miners, week-end hunters, and misc. frontiersmen that Supernough and other early superintendents had to contend with. Also, the Gray situation is currently being handled in Washington on high echelon Park Service and Interior Department levels. Matt is waiting, like the Gray Brothers and everyone else with any concern for the problem, for the decision from Washington and we all hope they can be given a just monetary compensation (of course, revoking their permit because of the damage the cattle are doing to the lands) cannot, by the action alone, be considered just and will locate respectable ranches elsewhere. It seems roles of clear at this point of NPS-Gray history that by the nature of the polarity of the two land users firmly entrenched within the same limited fragile desert cosmos, a chance of permanent peaceful coexistence was really never possible, no matter what the brand of cattle or of the personalities or institutions involved.
Two other setbacks were struck at the 'rays during August of 1970.

During the unusually heavy rains, often of heavy flooding capacity, the old Blankenship (Los Lomitas) well was filled to be unusable with silt from the flooding. Bobby asked Matt Ryan on Aug. 25 for permission to drill an tanker well at the same site. Matt made a call to the appropriate NPS office in Washington for the permission. Such permission was denied on the grounds that as it was, the 'rays were already in trespass on the Monument (since their grazing permit had not been renewed for 1970) and consequently they would have no/right to drill a well of any sort.

Then, the Organ Pipe Office was shocked to learn of a letter written by then Acting Secretary of the Interior "Russell T. Train to Wayne N. Aspinall, Chairman of the Committee of Interior and Insular Affairs of the House of Representatives in answer to the latter's request for the former's views on the pending bills to compensate the 'rays for their rights. He wrote: "We recommend that none of the bills be enacted." He then gave a detailed explanation of his thinking on the matter. (letter attached). Everyone was shocked, the Gray bitterness further embittered.
Dear Mr. Chairman:

Your Committee has requested the views of this Department on H.R. 5799, H.R. 7150, and H.R. 7162, identical bills "Relating to cancellation of an agreement issued to Jake Gray, Henry Gray, and Robert Louis Gray for grazing cattle within the confines of Organ Pipe Cactus National Monument, Arizona."

We recommend that none of the bills be enacted.

This legislation could authorize and direct the Secretary of the Interior to pay to Jake Gray, Henry Gray, and Robert Louis Gray out of funds authorized for the work of the National Park Service of this Department the sum of $15,493.50 damages or compensation because of the refusal of the United States to renew a permit numbered 3157;0010 issued to them for grazing cattle within the confines of Organ Pipe Cactus National Monument, Arizona, which permit expired December 31, 1968.

We oppose enactment of this legislation on the basis that the Gray's grazing permit was revocable, and that they are not entitled to compensation upon termination of the privileges. Under the provisions of the act of August 25, 1919, 39 Stat. 432, as amended, 16 U.S.C. 635, the Secretary of the Interior is authorized to renew outstanding grazing permits, does not have the power to grant an estate or interest in monument lands, and cannot issue a permit for the use of monument lands.

The facts surrounding illegality of grazing permits in the Organ Pipe Cactus National Monument were fully set out and considered in an opinion by the Solicitor of the Department on April 5, 1968 (4-36734). That opinion concluded that the Grays had no equity entitling them to a continuance of their grazing privileges, and that they were not entitled to any compensation upon the termination of such privileges.

As to the conduct of the Grays which gave rise to the revocation of their grazing permit, the Solicitor's opinion cited the following facts:

They have demonstrated a continued course of conduct over a period of more than 25 years of willful refusal to adhere to the terms of their grazing permits, by grazing far more
cattle than the permits allowed, by building corrals and water holes and digging wells without permission; by refusing to conduct cattle counts, by failing to protect the Monument's facilities from cattle damage, by misusing a key provided to open a gate to remove cattle from the neighboring Game Range, by allowing cattle to move onto the Game Range, by attempting to perfect water rights in the Monument, and by knowingly committing contempt of a United States District Court Order to keep their cattle from trespassing on the neighboring Game Range. While the Park Service has been as forgiving and cooperative with the Grays as the limits of human endurance could expect, they have been rewarded by continued abuse of every privilege granted.

The Solicitor's opinion pointed out that there is no statutory provision by which the Secretary of the Interior is bound to recognize any interest or estate in the use of a National Monument other than those expressly created by valid contract. The only contract which this Department has made with the Grays was that set forth in a grazing permit issued in 1962 which by its terms reserved the right of discretionary termination.

Thus, in view of the revocable nature of the Grays' grazing permit, they are not entitled to any compensation upon termination of the grazing privileges, and they have no equity entitling them to a continuance of such privileges.

The Bureau of the Budget has advised that there is no objection to the presentation of this report from the standpoint of the Administration's program.

Sincerely yours,

[Signature]

Acting Secretary of the Interior

Hon. Wayne N. Aspinall
Chairman, Committee on Interior
and Insular Affairs
House of Representatives
Washington, D. C.
Mr. Robert L. Gray  
e/o Mr. Elmer C. Coker  
Suite 840  
Security Building  
Phoenix, Arizona 85004

Dear Mr. Gray:

On July 12, 1968, you were notified by letter from the Deputy Assistant Secretary that the National Park Service had been directed by the Secretary of the Interior that livestock grazing at Organ Pipe Cactus National Monument must be eliminated.

You were also advised that Special Use Permit 3:157:0010 issued to the Gray Partnership on June 6, 1968, would expire by time limitation on December 31, 1968, and that it would not be extended nor reissued and that appropriate planning arrangements should be made to have all cattle belonging to the Gray family removed from monument lands by January 1, 1969.

At about the same time, several bills were introduced in the Congress which would, if enacted, permit a monetary settlement between the Government and the Gray family.

Subsequent to the above actions, Messrs. James M. Eden and Monte E. Pitch of this office met with your attorney, Mr. Elmer Coker, at his office in Phoenix on January 15, 1969, to discuss what action would be taken. It was agreed that the Gray Partnership would not be required to remove its livestock from monument lands until Congress had had an opportunity to act on the pertinent bills then introduced. However, it was made clear to Mr. Coker that grazing permit 3:157:0010, which expired December 31, 1968, would not be renewed. This action was taken by the Service to avoid placing undue hardship on the Gray Partnership.
Twenty-one months have now elapsed since the National Park Service agreed to postpone action on the removal of livestock from monument lands by the Gray brothers until Congress had an opportunity to act. As you know, Congress has failed to act on any of the bills that were introduced for relief of the Grays.

The National Park Service has been patient in trying to find a solution to this situation and we realize it has been a difficult period for you. However, we must now request that the instructions contained in the Deputy Assistant Secretary's letter of July 12, 1963, be initiated.

The action to remove all livestock belonging to the Gray Partnership from federally owned lands within Organ Pipe Cactus National Monument should begin promptly and be completed by December 31, 1971.

Sincerely yours,

(SIGNED)

Frank F. Kowalski
Director
Southwest Region

Blind copies to:
Deputy Director Bill, WASO
Superintendent, OrPi, w/c Mr. Bill's ltr to Hon Barry Goldwater, dated 11/6/70
At the end of 1968, the cattle grazing privileges of the Gray family at Organ Pipe Cactus National Monument were terminated by the Secretary of the Interior.

Cattle grazing began about 1919 and the practice was in effect when the monument was established in 1936. These privileges were managed from 1941 to the end of 1968 by revocable (grazing) use permits. Grazing fees, based partly on Bureau of Land Management rates in the vicinity, were collected; the fees totalled about $1800 in 1968. Cancellation of the permit was based upon evidence of progressive deterioration of the vegetative cover of the national monument as a result of overgrazing.

During the several years before the cancellation of the grazing permit, every reasonable approach was made to purchase the interests of the Gray brothers and thus enable them to become established outside the national monument. These efforts were not approved.

Shortly after the grazing permit cancellation—at the outset of the 91st Congress in 1969—there were bills introduced in Congress for the relief of the Gray brothers. No action has been taken on them. The National Park Service has been lenient during this period and has not forced the Gray brothers to remove the cattle from the national monument while awaiting action on the proposed measures to eliminate hardship for the Gray brothers. The Department of the Interior has submitted a negative report on H.R. 5799, H.R. 7150, and H.R. 7162, identical bills. We have explored all possible alternatives for the Gray interests and have none to suggest but to close out the grazing.

It is our firm belief there has been every reasonable consideration shown to the Grays. The original reason for the termination of grazing privileges still exists; i.e., the condition of the vegetative cover has continued to decline; therefore, we must insist on the livestock being systematically removed beginning no later than November 30, 1970, and
completed by the end of 1971 at the latest. Notification to the Gray brothers will be sent soon. This advance notice of intent confirms discussions with members of your staff.

Sincerely yours,

(SGD) HARTHON L. BILL

Harton L. Bill
Deputy Director

Identical letter to:
Hon. Paul J. Fannin, United States Senate
Hon. Morris K. Udall, House of Representatives
Hon. John J. Rhodes, House of Representatives
Hon. Sam Steiger, House of Representatives

cc:
Director, Southwest Region (2)
F. Rhodes H.R.T.
B. Doster H.R.T.
P. Panain & 1138
B. Goldwater +

Assembly Rooms Oddfellows
Hoover Building
Washington, D. C. 20515

Dear Mr. Goldwater,

I have received a copy of a letter dated January 22, 1963, signed by Russell Leake, Acting Secretary, Arizona State Association for Conservation, addressed to Honorable Wayne Aspinall, Chairman of the Interior and Insular Affairs Committee, relative to the matter of compensation for the Gray brothers for removal of Cactus from the Green Pipe Cactus National Monument.

The Arizona Cactus Growers' Association has had an interest in this case, since the Park Service first announced its intention to remove the first commitment given the Gray family at the time the monument was created. In March, 1966, our Association appointed a committee to have the monument checked on the cactus at some places which had been made by the Park Service. A copy of the Committee Report is enclosed. I assume that these findings were expressed by the members of the committee, for which service, the expense and on their own time, and without pay.

It is difficult to understand the intransigence of the Interior Department in this case, unless it is a determination to "punish" the Grays for some imagined or exaggerated transgression; or to cover up for what is now interpreted as an improper commitment to water. Haynes, made by Secretary Leake and later confirmed by Mr. A. E. Denney.

The legislation introduced by you and the rest of the Arizona Delegation seems to be a reasonable solution to the problems of the Interior Department, the Park Service, and the Gray brothers.

I hope you will continue to work for the passage of this or an equivalent measure.

Said regards,

Bill Davis,
Executive Secretary
By BUS E£8£$ ttf '  

LUKEVILLE - The Gray brothers, ranchers in the Organ Pipe Cactus National Monument area, say it now appears the Interior Department has no intention of entering an earlier agreement to pay them partial compensation for cancellation of their cattle leases on federal land.


Truax, who has since been appointed to head the President's Special Committee on Public Land Policy, reportedly told Arizona in the letter, "We reassured that none of the bills (to compensate the Grays) be enacted."

In 1969 the Grays and the Interior Department negotiated their differences and the department indicated in a letter of intent the government would compensate itself in the amount of approximately $300,000 as compensation for improvements made on the land during 12 years of occupancy by the cattle.

In 1934, Henry Gray, now 71, oldest of the brothers, purchased rights to a portion of land contained within the boundary of what is now Organ Pipe Cactus National Monument.

The purchase of the land rights was confirmed in the same year in Pima County Superior Court.

Letters: Robert Louis Gray purchased from Pat Dowling the homesteaded township of Dowling in the southern part of the monument area. Jack Gray obtained land and water rights from Mrs. Bertie Miller in the Alamo Canyon section of the monument.

The father of the Gray brothers had run cattle from Blankenship Wells, east of Lukeville, as early as 1913. This land also was absorbed into the monument area.

After the monument was established in 1937, a permit to run cattle was given to the Gray brothers and was renewed periodically until Dec. 31, 1968. At this time the Interior Department refused to renew the lease on the grounds cattle were damaging the vegetation within the monument.

The three Gray brothers are bitter about the Truax letter.

Henry Gray said, "The government is just trying to get away with it. They have no right to leave the Grays like this."

Robert Gray said, "We have never asked for anything but to be left alone."

All three brothers agreed that the case is proving a hardship in legal fees.
BROTHERS' GRAZING PERMIT NOT RENEWED

Organ Pipe Cattlemen Face Dilemma

By JULIE GREENE
Citizen Staff Writer

Robert, Jack, and Henry Gray are hauling water to 110 of their 1,000 head of cattle.

The ranchers are former southern Arizona cattlemen who have been grazing their cattle in most of the 200,000-acre Organ Pipe Cattle Management area in far west Pima County since 1917 before the monument was created in 1937.

A few weeks ago one of the nine wells on the land was destroyed during heavy rains. They would replace the 50-year-old well if it weren't such a poor investment, says one of the brothers, Robert.

Although the Grays have been grazing cattle on the land since their father began the practice in 1917, they may be ordered to remove their cattle at any time.

Their last permit to use the public land for grazing purposes expired Dec. 31, 1968, and for the first time in 31 years, it was not renewed.

Two and a half years before expiration of the permit, the government decided it no longer wanted cattle grazing within the monument area.

According to the Gray's attorney, Henry J. Ickles of Phoenix, John Carver, U.S. General Accounting Office maintained they had no rights and should be given no money.

Carver, "a man of utmost integrity," says Coker, returned to Washington to determine a purchase price, telling Coker "if your people agree it's just a question of writing out a check."

The price was settled upon nearly $100,000 and the Grays signed a contract. However, says Coker, "the government never got around to signing it."

On Dec. 31, 1966, the Grays were notified their grazing lease in the monument area had been terminated.

"At that time U.S. Rep. Morris K. Udall, D-Ariz., who felt the brothers' interest in the land should be recognized, said the U.S. General Accounting Office maintained they had no rights and should be given no money."

Since then, three identical bills have been pending in the U.S. House of Representatives, one by each of Arizona's House members, seeking appropriation of funds for compensation to the Grays for not renewing the permit.

In addition, two bills are before the Senate asking the U.S. Court of Claims to determine the amount of funds due the brothers.

Last Jan. 27, Russell Train, then an Interior Department official, advised House Interior Committee Chairman Wayne Aspinwall against clearing legislation that would compensate the Gray brothers.

According to Roger Lewis, administrative assistant to Udall, Train's letter noted that the Grays' grazing permit was revoked and that they are not entitled to compensation upon termination of the privileges.

"A lot of cattlemen use public land for grazing," said Lewis, "and this is one of the usual terms of a grazing permit."

What was different about this one, he adds, "was that in 1937 there was an understanding between then Secretary of Interior Harold L. Ickes and Sen. Carl Hayden."

A memorial to Congress on Feb. 21, 1959, says Udall, detailed the understanding, that after consideration of a water shortage between Hayden and Ickes, a consultant was made to Udall that in lieu of condemning their grazing area, the government would compensate the Gray brothers, their grazing and water rights would continue to be recognized "throughout the lifetime of the last surviving Gray partner."

This was a verbal agreement between Ickes and Hayden, says Lewis.

Lewis is pessimistic about any of the bills passing either the House or the Senate. In the event that the House fails to pass one of the bills, they probably will be reintroduced in January, he said.

The cattle continue to graze. "They never have ordered us off yet," says Robert Gray. "I don't know what they're going to do.

Right now the three brothers, ages 71, 63 and 57, are busy driving 500-gallon water trucks to Coker's ranch.
Although mining in the Monument was legalized in 1941 due to the great efforts of Bert Long and his Arizona Small Miners Association and they must be lived with indefinitely (although Long died in Feb. 1958 and eased the pressure on the NPS considerably). Most of the mining claims were made largely in the southwestern section of the Monument in and around the once mineral-rich Sonoyta Hills that produced silver and gold for pre-1900 Sonoyta River Valley residents. In Dec. 1939 Supernauagh compiled a list of current claimants in the Monument for Pinkley. Actually, the mining damage was relatively innocuous enough appearing—a handful of hard rock miners who produced no sizable mines, managed to get in Supernauagh's hair.

(over)
In June of 1956 Superintendent Eden wrote to the regional director:

"As you all know, Bert Long has never been particularly friendly toward the Service and I feel sure that if we do not complete the purchase of his claims under this option that he can never be persuaded to sign another one. He has not been easy to deal with."
The Arizona Small Miners Association seemed to be terribly upset at the loss of some of their prospecting-mining grounds, especially since the area was so well known in the Ajo Mining District and was producing so little in mineral wealth. A few, however, were, at the time scrapping a little silver and gold from the hills. W. K. Morrow, the prospector who in Sept. 16 of 1939, wrote Senator Ashurst to protest the closing of the area to mining through the establishment, had by May of that year, removed $54.63 in gold and $38.02 in silver—hardly enough for much of a living. (See p. 149.)

To spend time at the county Recorder's Office where all county (Pima in this case) mining claims are registered is one thing, but to accurately find the past & present claims for, say, Organ Pipe Cactus N.M. is another thing. Paul L. Beaubien, a Saguaro Nat. Mon. ranger attempted to do this service for ORPI in late Dec., 1944. He noted that at the Recorder's Office the location notices were indexed by the owner's name or the name of the mine. Baubier estimated that some 3,000 mine locations had been location in Pima County since Oct., 1941. The task was made somewhat easier, however, by checking the given mining districts, thereby eliminating about 2,500 entries. Still, some 500 entries cannot be eliminated where the mining districts are not given. He concluded that if one was willing to spend three full days in the recorder's office, he might be able to accurately locate about 90% of Organ Pipe's mining claims. Needless to say, such a route to access the Monument's claims was a discouraging one.

The prospector, when delineating his claim in the field, will place a 1" x 1" post in a rock carin at each corner of the claim. A copy of a "Notice of Location" from, filled in, is placed in a container in the carin. Sometimes a jar or other container will be used, but frequently a tobacco can will hold the notice. Monument explorers continue today to run across a few of these old claims and find the tobacco can so rusted as to be crumbled with the hands while
My dear Senator,

finde enclosed a letter from the National Park Management. See what he sais and i am also enclosing a Assay Certificate from the mining claim that i have located there. NO three is the best one but they are all from this Mineral district.

please see if there is a way to cut this Mineral district from that monument ground. this is certainly hard on me as i am past seventy years old now and broke hav prospected for the last 40 years and now found something that would make me independant and aint allowed to work it and to see the poor fellows that i could put to work at once and so many of them that surely needs the work and it would only take a few sections of land to cut this mineral district loose from that Monument.

Thanking you for what you have done for me.

i am sincerely yours.

W X Morrow

COPY
the claim notice is of almost equally fragility and must be unfolded very carefully lest it too fall apart. Since most of such claimants have since died, the claim becomes one of minor historic and not of administrative interest, except to remind the park manager that the mining potential is still there, and that such activity, while now dormant, could at a given moment develop into volcanic destructiveness.

Since the passage of "An Act to permit mining in Organ Pipe Cactus Nat. Monument" in Oct. of 1941, there have been only a handful of respectable mineral discoveries in the area and many of these claims were little more that the reworking of old abandoned mines, usually in the Sonoyta Hills vicinity, historically, the most highly mineralized area of the Monument.

One such mediocre strike was made by W. G. ("Boots") Burnham, a long-time and well known resident of the Ajo area who had earlier established mining in and about the Monument. Burnham opened in 1948 three gold claims in the old "Cliden Eagle group of old claims in a southwestern valley of the Sonoyta Hills. His was the first respectable, if short lived, money producer since the reopening of the area for mining in 1941. His gold assayed at 251.00 a ton. Burnham took on a partner named W. J. Koller, also of Ajo and after Burnham's death around 1961, Koller has continued to work the claim on an occasional basis and continues to do so at this writing.

Park rangers have attempted to maintain the proper usage of the mining in the Monument, but the area is big and wild and cannot, under any conditions be patrolled adequately to keep up with all prospecting. In March of 1961 Superintendent Monte Fitch discovered a tractor, backhoe end loader. Monte was "quite surprised" and shot a page and a half letter to the men advising them of their violation of of Section 185.33n Construction of trails and roads, Regulations to Permit Mining Within Organ Pipe Cactus National Monument Arizona, 36 CFR, Chapter 1, part 2 (Federal Register, March 26, 1941, Vol. 6 pp. 1626-1634).
ORGAN PIPE CACTUS NATIONAL MONUMENT
Box 38
Ajo, Arizona

March 11, 1961

Mr. W. C. Burnham
Mr. W. J. Koller
1504 Jefferson Ave.
Ajo, Arizona

Gentlemen:

On Thursday March 9, 1961 we had occasion to be in the vicinity of and to visit your claim, Golden Eagle #3, which is located within the exterior boundaries of Organ Pipe Cactus National Monument. We were quite surprised to find a tractor, backhoe end loader combination there.

According to Section 185.33n Construction of trails and roads, Regulations to Permit Mining Within Organ Pipe Cactus National Monument Arizona, 36 CFR, Chapter 1, Part 2 (Federal Register, March 26, 1961, Vol. 6 pp. 1626-1634), the use of this road was a direct violation.

185.33n Construction of trails and roads. Prospectors or miners shall not open or construct roads or vehicle trails without first obtaining a permit from the Director of the National Park Service. Applications for such permits may be made through the officer in charge of the monument upon submitting a map or sketch showing the location of the mining property to be served and the location of the proposed road or vehicle trail. The permit may be conditioned upon the permittee maintaining the road or trail in a passable condition, satisfactory to the officer in charge, so long as it is used by the permittee or his successor.

We also noticed where two other violations had occurred. A fire had been built and a small supply of native wood was in evidence adjacent to the coals and ashes of the fire. This was in violation of the General Rules and Regulations as promulgated by the Secretary of the Interior, 36 CFR 1.0. Section 1.8(g) under fires states: "All persons making trips away from established camps are required to obtain written fire permits from the nearest Ranger before building camp fires." Section 1.3(f) states in part "The gathering of dead or fallen wood for fuel is prohibited."
There is no excuse for these flagrant violations. We suggest that before you continue your operations in this area that you:

1. Come into the office at your earliest convenience, 8AM to 5PM Monday through Friday, where you can become fully familiar with the Regulations To Permit Mining Within The Organ Pipe Cactus National Monument Arizona and

2. you also become familiar with the General Rules and Regulations governing areas administered by the National Park Service.

The violation of any of these regulations constitutes a misdemeanor which can carry a rather severe penalty.

Sincerely,

Monte E. Fitch, Jr.
Superintendent
He also reminded them that they had built a fire of native wood—two more violations, again quoting the proper authority for the men's liability. He wrote "There is no excuse for these flagrant violations," and told them to report to his office to "become fully familiar with the regulations...." "The violations of any of these regulations constitutes a misdemeanor which can carry a rather severe penalty." (Fitch 1961) Unfortunately, we do not have the verbal comments of the two miners to such a letter to a couple of Ajo frontiersmen.

While these scatterings of weekend prospectors, vestiges of an earlier frontier mining era annoyed the Monument people, consumed their time and paper, with their weekend pick & shovel made a few minor scars of the hallowed Monument land and were an affront to the sophistication of a National Park area, they were not so potential a threat as the Gray cattle. Also, of greater realistic concern were the increasing numbers of large professional mining companies who miningwise, dominating the 1960's. These companies came in and usually announced their intentions, went out and drilled deep holes, sometimes between two and three thousand feet, scraped spur roads to their sites, sometimes cleaned up their mess (and sometimes not) and quietly slipped away leaving no clues as to what they had found.

Regional Director wrote the Director in late February of 1964 about the current mining status at the Monument. In contrasting the hard-rock miner with the high powered professional drilling miners, he quoted an anonymous paragraph from former representative John H. Murdock: "Those prospectors and their burros have done no more hurt in traversing this cactus-covered region than do the coyotes, jackrabbits, and rattlesnakes which prowl, hop, and crawl through this same area.

"In the light of modern mining technology, these remarks are even less convincing today than they were then. Today, the Monument lands, when sub-
To this over simplified emotional plea by representative Murdock the Organ Pipe report replied in Sept. of 1962: "We are not concerned with the prospector and his burro—he is not found here. We are concerned with the prospector who brings four-wheel drive trucks, dynamite, bull dozers and core drilling rigs. He is found here, and he leaves a mountain of unsightly evidence of his activities for all to ponder. Too, we must consider "the hidden mineral wealth which lies beneath the surface." (9/11/62)
ject to mining exploration and removal, are exposed to four-wheel drive 'ucks, bulldozers, dynamite, and core-drilling rigs, and the resultant debris and unsightly evidence. Recovery of the natural landscape is almost impossible under such conditions, which create conspicuous scars to the absolute detriment of the significant values originally intended for the preservation." (L3023)

The administrative anxiety continued to rise as the big mining companies continued to increase in numbers. Chief Ranger James W. Carrico wrote to the Regional Director in Nov. of 1966 concerning the increased copper explorations: "By the thickness of our L3023 file alone, it is becoming readily apparent that we are playing Russian Roulette with the national scene, and two of the six cylinders are loaded. Sooner or later somebody will make a hit, or the price of copper will rise enough to put Organ Pipe's sub-ore into the profit arena. Alamo, Grass and Pitayaha Canyons would be drastically affected by a huge open pit. The northern extremity of the "Jo Ran e with splendid Montezuma's Head will be somewhat less than inspirational. It would be impossible to determine the effect of a mining operation here on the Monument's largest population of the Desert Bighorn. We must be resolutely adamant in our efforts to eliminate mining as are the eternally optimistic prospectors hopeful of making their fortunes." (L3023)

During late 1967 and 1968 there occurred an increase in the number of the large corporations operating with the Monument looking for copper. Since techniques for the recovery of low grade ore are continually being re-fiend and the fact that the Monument contains such copper ore, the companies were seeking it. In 1967 the DeNiza Mining Corporation alone dug over 100 pits in ORPI soil with a bulldozer out in the northwest part of the Monument in order to validate 200 claims. The pits measured 12 ft. by 6 ft. by 6 ft. deep. These pits were dug to comply with a law that requires $100.00
An event occurred on Jan. 6, 1968 that indicates what can happen to a valuable part of the area if the NPS people are not attentive. Seasonal ranger James Brown, while on a routine patrol at the old Victoria Mine, discovered two men cleaning up the area as they were preparing to reopen the mine in hopes of finding more silver. Including in their cleaning up was the removal of the roof from the stone cabin, formerly a frontier store during the M. G. Levy ownership of the mine. The store had been designated a "primary historic site" and was destined to be restored and stabilized. The loss or alteration of the building would have been a major loss of a frontier historic site. Happily, the miners agreed to let the building be.

Probably the most difficult big mining outfit was Organ Pipe's neighbor to the north Phelps Lodge who periodically drilled in various parts of the northern section of the Monument. The Growler claims of Bert Long and Gordon T. Alley for which the Park Service had paid $11,000 and $15,000 in 1956 and 1957 respectively were sought by Phelps Lodge. The Superintendent wrote the company that these claims had been acquired and therefore were not open for but did issue them a road building permit for access purposes prospecting. R. W. Ludden of the Douglas, Ariz., headquarters challenged the legal right of the NPS to withdraw the claims since the Monument had been opened to mining per se since Oct. of 1941, and challenged the NPS to produce the proper documents. The tricky question was sent to the Field Solicitor, Gayle E. Manges at the regional office in Santa Fe and to the Associate Solicitor for Public Lands for an opinion. The solicitor's ruling or "opinion" was that act permitting mining within the Monument in 1941 extended its laws only to such lands as were open for mining prior to the 1941 act, i.e., public, not acquired lands. Phelps Lodge was so informed of the decision and they cleaned up their mess and left.

Superintendent Matt Ryan, in a survey of the mining situation in April of 1957 notes that there are some 12 mining sites in the Monument and they
If we can generalize a little, there appear to be roughly three types of mining activity in the Monument of today. (1) the small, hard rock miner, probably an individual or a pair, likely from Ajo, who drive down on occasional weekends to scratch at their small claims on weekends, take a little bit of gold and/or silver out and at worst, leave a small mess at the site. (2) The second mining type, also probably an individual, does a little more serious work, makes minor improvements and may sometimes hire drillers or laborers or even lease his claim, probably one of copper. He is some cause for concern, since he is armed with somewhat more than a pick and shovel and is not apt to inform the NPS of his finds. (3) The most worrisome miners are the large mining companies with their dangerous drilling rigs who may drill over 2,000 ft. into virgin earth and discover who knows what, and then like the professional gambler that they are, politely thank the superintendent for his cooperation (as if he had any choice), leave a clean site and not telling what their hand of core samples told and depart, letting the Monument worry a little. It is the latter, of course, who are on the increase and have the potential and, at present, the legal right to develop an open pit copper mine in the Monument.

A little less than two miles from Mountain Lion (Rabbit Fars) Pass and about that far to the east is a small, isolated hill known as Copper Hill, a feature that is indicated as far back as 1891 (?) on a crude Pima County map (check copy of map w/maps). William Knox, owner during the second decade of the century of the Cardigan Mine near Ajo early made a claim on Copper Hill (Mt.) and in fact drove a tunnel through one of the formations. He then worked the claims with his son William Jr. The first recorded claim at the hill was located on April 1, 1949 and called the April Fool. Other April Fool claims were located in subsequent years. see reverse
William Knox Sr. was the owner of the Cardigan Mine near Ajo along with several other mines in the region. Upon his death he willed them to his son William Jr., incl. the Coppern Hill.
The hill appears to have been early owned by A. I./Long of the Growler Mine earlier mentioned. Phelps' Lodge also became interested in the claim and soon located 150 claims surrounded those of William Knox, the son who now continues to work the mine. In October 27, 1959 Phelps' Lodge drillers struck an artesian well that shot up the 1,400 ft. drilled shaft and some four ft. above the ground, but with continued drilling, soon finished. By April of 1959 PD had 59 claims west of Knox's 91 claims and in that year PD took an option to thoroughly explore the Knox claims.

In 1962 Knox leased with the option to buy some of his Copper Hill claims to the Hidden Splendor Mining Co. Today, the confusing drilling, digging, leasing, exchanging of claims on and around the little hill does little to lessen the worries and anxiety of the Park Service as to what is really under Copper Hill.

Little is known of Gerald (Jerry) Hess and his mine a couple or so miles north of Copper Hill and a short distance west of the spectacular Montezuma's Head. Hess filed his claim "Montezuma" on Oct. 17, 1959. By December 31, 1961 the Monument people had issued him a special use permit for his mine. Hess, a resident of Hayden, Ariz. In July 5, 1962 he was issued another special use permit to do some improvements on the access road so he could move in his drilling rig. This access road is a portion of the old Tucson-Yuma Road that passes through Walls Well. Hess also built a metal tool shed near his location and painted it white so as to make it seen in the desert sun for miles away. Little is known of Hess's progress on the Hess wrote to BLM in Phoenix mine. On Sept. 14, 1963 to withdraw his patent application on his Montezuma #1. In answer to an ORPI query for the withdrawal of his claim, BL" could only guess that it was to reestablish his claim with more security. In Sept. of 1964 Hess had indeed requested renewal of his special use permit. The Hess case remains confusing.
Another short-lived small mining operation was that of Henry Jarvis, owner of the bedragled Lukeville complex and a graduate mining engineer, Jack Worsham ORPIT truck driver and equipment operator and John Burke of Lukeville. Actually, they took on two projects in the Senita Basin area. First they began to rework the old Milton Mine. Also, a cement leaching vat was constructed and the ground leveled to build a small house before the Monument rangers told him the house was going too far. By mid June of 1960 the trio had shipped the first carload of copper ore from the Milton. They also had to be told not to build a road through the lovely lush vegetated Senita Basin; and they were told they must not carry fire arms while in the Monument.

Then in July of 1962 the Victoria Silica Mine was in operation by Jarvis and Worsham and in that month delivered 450 tons of silica to Ajo for use in lining the smelter there. The latter mine consisted of scraping or strip mining a long scar just south of the historic Victoria Mine. Cactus and other vegetation including a number of organpipe cactus plants were torn up to get at the silica or quartz. However, both the work on the Milton mine and the silica pit soon faded away, the Milton mine being none the abandoned, the worse while the silica scar is seen clear back some 1 3/4 mile northwest from the little hill above the campground.

So it appears that the Jarvis & Worsham small enterprises, the Hess and possibly the Knox claims are the middle class mines to worry over, however, the PD drilling all around the Knox claims could put it into the third class of big frightening mining explorations.

In June of 1962 the Advisory Board on National Parks, Historic Sites, Buildings and Monuments saw that the cumulative impairment of the Mon. that resulted from prospecting and assessment work with big equipment, e.g., bulldozers was doing more damage that was anticipated at the time of
On September 26, 1961 Henry Jarvis stopped in the office of Superintendent Monte 'itch to announce that he, Sam Hocker and Jack Worsham had just signed a contract with PD for a supply of silica (quartz), a mineral earlier hauled to Ajo from Yuma area, that had long been a problem for the Ajo mine. Silica sand is used in the copper smelting process to coat the furnace (must be 90% pure) and as a flux to remove the iron oxide (must be 80% - 85% pure). Jarvis and company had that day hauled a compressor and end-loader to the site.

Fitch later visited the site and wrote the Regional Director of his impressions, probably not notably different than those of any dedicated Park Service Man. "After visited one of these mines, one is left with a feeling of disgust. Miners, in general, appear to have little or no consideration for the appearance of their areas and none at all for the natural features. Litter, trash, broken and worn out tools, etc. cover the area. Vegetation is wantonly destroyed to make room for tailing dumps, roads, etc."(Fitch L2h23 61)

One vein some 50 ft. wide had been cut through a small hill. On the south side of the hill the vein was about 100 ft. wide and bisected several small hills near the Victoria Mine. The silica pit was visible from Highway 85, the lower Puerto Blanco Drive and the campground the latter being only 1½ miles from the pit and an occasional object of visitor hikers.

The working of the Silica Pit continued into 1964 and gradually tapered into termination, leaving the scars for many years to come.
the mining act of 1941. The board then advised on April, 1962 that
the Secretary of Interior take steps to prevent further destruction on this
scale. Everyone (on the side of the NPS) wanted to push for elimination of
mining in the Monument, but such was not politically feasible at the time.
They plans were made to withdraw certain lands such as those adjacent to
Monument headquarters & residential areas, the campground and a "road
corridor" that would withdraw land a given distance (300 ft. to ½ mile)
on either side of the road. Such withdrawals were hard to come by, however,
although the politics involved are not known here. Fortunately, a clause
in the circular: Regulations to Permit Mining within the Organ Pipe Cactus
National Monument In Arizona of January 20, 1942 allow the Monument to
save at least some of its more important parklands. Section 185.330 reads:

"Lands containing certain features not subject to location. Lands
containing springs, wells, water holes, other sources of water suppl,
monument headquarters, and recreation areas are not subject to location."
(see p. 36) It is legal tools which the Service hopes to be able to, at
least for the present, to preserve bits of its natural jewels until, hopefully
in the not too distance future, mining can be legally removed from the Mon.
entirely.
Superintendent Ryan, in surveying the extant mining situation in April of 1970, notes that there some 12 mining sites in the Monument and they, at that time, were inactive. During the previous decade, about 30 sites had been core drilled. There were approx. 10 miles of access roads, i.e., roads built exclusively to a claim. He opines there somewhere in the neighborhood of 2,000 mining claims in the Monument. He sees how the New Cornelia Mine "hazes the view in Organ Pipe much of the time. To have a smelter in the Monument is just unthinkable." (May 30 1970).

The question is often asked, even by NPS administrators, why the absurd unconforming use of mining in the Monument cannot be legalized out the way it was reinstated in October of 1941. Wars seem to demand large amounts of copper and the New Cornelia Mine at Ajo is diminishing to a lower grade each year and a rich copper core body would be most welcome, National Monument or not. The Park Service and Interior Department and those who value the National Park values in this country dearly want all mining out, and could have this with a National Park status—along with the cattle removal, but for complex political and mining lobbying reasons unknown to the lower levels, the present is not the proper time to push for either Park status or mining removal.
A Brief History of Important Mines and Prospects in Orocopia Hills

Centro National Monument

VICTORIA MINE (Sec 28, T27S, R5W)
Discovered in the early 1890's by an American prospector who later sold the claim to Cipriano Ortega, a Mexican. Ortega is reported to have made several thousands of dollars ($30,000?) from silver and gold during this period. Ortega was frightened that Americans in the area would take the mine away from him, so after several years (?) he covered the mine in.

M.G. Levy took over the mine on January 7, 1899 and renamed it, "La Americana." He added; Victoria #2 & #3, and Mexican in March 19, 1909.
Levy, with J.D. Hilton and Louis Carl located the Monte Cristo in 1914. Levy added Victoria #4 on February 19, 1915.
During this period; Levy, Hilton, and Carl are reported to have sold $60,000 worth of ore.

The last carload of ore sold by Levy totaled $2,376.82 per gross of 30,860 pounds of ore.
Silver = 321 ounces per ton @ 48.75
Lead = 325 per ton @ 62.75
Copper = 125/1225 per ton @ 17.50
Gold = $4.50 per ton @ $19.50 per ounce

1925 - Victoria Mining and Smelting Company added; Victoria #2-10; Alexandria #142; St. Patrick #1,2,3,432; St. Gabriel #1-5; St. Finan #1-3.
Very little valuable ore was extracted at this time.

1925-1967 - All improvements except the ruins of one rock building have disappeared.

1941 - J.R. Hedworth located four claims.
1956 - Victoria #2-7 added by above men.
1958 - Additional claim by Larrimore and Netherlin
1961 - Several claims relocated by Henry Jarvis, Jack Worsham and Sam Hocker.

SILICA MINE (Sec 29, T27S, R5W)
1961 - Jarvis, Worsham and Hocker (Arizona Metal Mines) located claims on Silica Mine #122. Shipped ore to Phelps-Dodge in Ajo.
38.79 wet tons - SiO2, 97.15; Fe, 1.15; Al2O3, 1.05; CaO, 0.65.
First worked in 1863 by Frederick Hall who named the mine after his friend, John Cameron.

1867 - 36 claims patented by General Copper Company.

1876 - Extensive work done. Mine reached peak population.

1877 - (early) Hall bought patented claims.

1877 - (late) Marshall shot down the mines (Creeker and Yellowhammer).

1878 - various owners.

1879 - Claims taken over by East Long and Charles Creeper.

1930 - John Cameron leased mine from Long.

1934-36 - Long and Alley sold patented claims to Park Service.

1936 - Minerals Trust Corporation filed claims on old Creeper Mine.

Recipient by Park Service that claims were acquired and therefore withdrawn.

1936-37 - Phelps-Dodge Corporation filed claims on acquired land, notified the Park Service that they contest the right of withdrawal. Special use permit issued to construct roads on acquired land but not to explore. Park Service asks Solicitor for opinion.

GUNNELL MINE (prospects point-see 4G, 7399, 2393)

Allamaka located first claim, April 26, 1869.

April 26, 1870, 1873

Ajo Butte (42-2), 1873

has a total of 50 or 51 claims in March, 1961.

Adams mine was in 1878.

1936 - P.D. Burcher leased 31 claims from Knox.

possible patent application by P.D. Burcher (El Packers Mining Company, etc.)

1940 - Phelps-Dodge ore drills on Knox claims.

1946 - Phelps-Dodge file of 150 claims on south and west of Knox claims.

1947 - Phelps-Dodge ore drills on their claims. Now have 150 claims.

1946 - Nevada-American Copper Mining Company ore drill at Copper Hill.

1947 - Hidden Splendor Mining Company leased certain of Knox claims, and ore drill drilling in 1961.

1947 - Bear Creek Mining Company doing geophysical survey.

1951 - New Jersey Zinc Company ore drills on Knox claims.

1955-66 - American Smelting and Refining Company does geophysical survey work.

1966-67 - American Zinc, Lead, and Smelting Company ore drill and add additional block of claims in cooperation with Knox.

Organ Pipe Cactus National Monument
1962 - Stated quotas for operation is 450 tons of ore per month delivered to Ajo. Arizona Metal Mines stated that they have outside money, source not known to Service.


Present - All improvements and equipment have been removed from the area.

**MILTON MINES (SE¼ Sec 4, T17S, R6W)**
Originally named Monodnoc Claims - seven claims by J.D. Milton, Sturgis, and George W. Webb on January 3, 1911.

1912 - Milton, Sturgis and Webb relocated and enlarged and renamed the group - Camerone #1-5. Unknown as to the amount of ore shipped.

1917-18 - W.F. Schoonmaker worked the claims and shipped 10 carloads of ore.

1920 - Schoonmaker enlarged and relocated claims as Camerone #1-23 which took in all of original Monodnoc and Camerone claims of Milton, Sturgis and Webb.

1946 - Associated Mining and Milling Company relocated on the group.

1947 - Mr. Paul Gallin staked claims on the group.

1953-54 - Charles Anderson worked the claim group.

1960 - Arizona Metal Mines (Jarvis, Worsham & Burke) staked 11 claims on the group and shipped one carload of hand picked ore.

1966 - C.A. Withers and Jim Gabouda claimed old Milton Mine and renamed the area "Copper Giant." No work done to the present.

**GOLDEN EAGLE CLAIMS #1, 2, & 3 (SW¼ Sec 23, T17S, R6W)**
1948 - W.G. Burnham opens three gold claims. Ore assayed at 351.00 per ton. First gold strike since the Monument opened for mining. Annual assessment work to present. Glory hole only slightly larger than in 1948. Burnham now working with W.J. Keller.

**MAMETRUM #1 (NW¼ Sec 8, T15S, R6W)**
Claim located by Gerald Hess in 1959.
1963 - Application withdrawn. Annual assessment work conducted.
Located nine gold claims on March 9, 1961
Later that year they are questioned about apparent abandonment of their claims. Reply that they are waiting for cooler weather and attempting to obtain water.
1962 - some activity.
1963 to present - no activity.

SINGLE VENTURES Known and unknown dates.
1936 - J.W. Cameron & C.S. Bell, claim Golden Bell (Sec 23, T17S, R7E)
1939 - Jenkins, Meadows & Pruitt, claims about four miles west of Dripping Springs.
- W.O. Burnham, gold claim SW of Dripping Springs.
- Jeff Milton, gold claim E of Dripping Springs.
- Frank Brown & W.O. Burnham, claims about two miles west of Victoria Mine (Golden Eagle?)
- Elmer Montgomery - Dripping Springs.
- Elmer Montgomery - lime claim near Bates Well.
1941 - Hassayampa Sand & Rock Company prospected the area.
1954 - a total of three letters received regarding uranium prospecting in the Monument.
1960 - Union Carbide Nuclear Company prospected for fluorite clays.
- Arizona Metal Mines (Jarvis, Worsham & Hocker)
  3 Gringos, six copper claims in Milton Mine area.
  Victoria, one copper claim - Victoria Mine.
- Bonanza Hilltop, two gold claims, Victoria Mine area.
- Quarta Hill Group, three copper claims west of Victoria Mine.
- Bonanza, one copper claim west of Victoria Mine.
- Bonanza Dulch #2, two copper claims west of Victoria Mine, plus 210 claims in the Senita Pass area.
1962 - Ochoa brothers reopened old claim west of Dripping Springs.
1965 - New Jersey Zinc Company located a block of claims in Acuna Basin.
- Bear Creek Mining Company prospecting the area.
1966 - Kennicott Copper Company did geophysical work in Acuna Basin.
- Minerals Trust Corporation staked claims in sections 19, 20, 21, & 22; T17S, R6W.
At the present time, five known companies are active in and around the Monument: Kennicott, Anaconda, American Zinc, American Smelting, and Phelps-Dodge. In addition, many individuals are prospecting the area.

UNKNOWN AREAS
Baker Mine (Sec 3, T17S, R6W)
White Elephant (Sec 16, T17S, R6W)
Bowing (Sec 1, T18S, R6W)
Quitobaquito Hills /Jenkins Mine/ (Sec 7, T17S, R7W)
Martinez Mine (Sec 14, T17S, R6W)
Ocean Pine Cactiig National Monument
Circular No. 1502

REGULATIONS TO PERMIT MINING WITHIN THE
ORGAN PIPE CACTUS NATIONAL MONUMENT IN ARIZONA

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office
Washington

January 20, 1942

Sec. 185.33h Statutory authority. By the Act of Congress approved October 27, 1941 (Public Law 281 - 77th Congress), all mineral deposits of the classes and kinds then subject to location, entry and patent under the United States mining laws within the Organ Pipe Cactus National Monument in Arizona, were made, exclusive of the land containing them, subject to disposal under such laws, with right of occupation and use of so much of the surface of the land as may be required for all purposes reasonably incident to the mining or removal of the minerals and under such general regulations as may be prescribed by the secretary of the Interior.

185.33i Mining Locations. The lands within the Organ Pipe Cactus National Monument as established by Proclamation No. 2232 dated April 13, 1937 (50 Stat. 1827), are open to prospecting for the kinds of mineral subject to location under the United States mining laws and upon discovery of any such mineral, locations may be made in accordance with the provisions of the mining laws and regulations thereunder. Such locations duly made will carry all the rights and incidents of mining locations, except that they will give to the locator no title to the land within their boundaries, or claim thereto, except the right to occupy and use so much of the surface of the land as required for all purposes reasonably necessary to mine and remove the minerals.

185.33j Occupation and use of surface. Occupation and use of the surface of a mining claim is restricted by the Act to such as is reasonably incident to the exploration, development and extraction of the minerals in the claim. Accordingly, any locator or patentee of a mining claim located under this Act will be entitled to such right. Prospectors and miners shall at all times conform to any rules now prescribed or which may be made applicable by the Secretary of the Interior to this monument. Special attention...
is directed to those regulations prohibiting hunting, trapping, and the carrying of firearms within the boundaries of the monument.

CROSS REFERENCE: For regulations of the Secretary of the Interior affecting this monument, see 36 CFR, Chapter 1, Part 2 (Federal Register, March 26, 1941, Vol. 6, pp. 1626-1634).

185.33k Termination of right to use of surface of mining claims. The right of occupation and use of the surface of the land embraced in the boundaries of a location, entry or patent pursuant to this Act will terminate when the minerals are mined out or the claim is abandoned.

185.33l Title to minerals only. Applications for patents and final certificates issued thereon for mining claims located under the Act should be noted "Organ Pipe Cactus National Monument Lands," and all patents issued for such claims will convey title to the minerals only, and contain appropriate reference to the Act and these regulations.

185.33m Destroying vegetation prohibited. The locator of a mining claim within the monument area shall refrain from destroying or disturbing vegetation within the boundaries of his claim except as is necessary for the proper development thereof for mining purposes.

185.33n Construction of trails and roads. Prospectors or miners shall not open or construct roads or vehicle trails without first obtaining a permit from the Director of the National Park Service. Applications for such permits may be made through the officer in charge of the monument upon submitting a map or sketch showing the location of the mining property to be served and the location of the proposed road or vehicle trail. The permit may be conditioned upon the permittee maintaining the road or trail in a passable condition, satisfactory to the officer in charge, so long as it is used by the permittee or his successors.

185.33o Lands containing certain features not subject to location. Lands containing springs, wells, water holes, other sources of water supply, monument headquarters, and recreation areas are not subject to location.

FRED W. JOHNSON
Commissioner.

I concur:

NEWTON B. DRURY
Director, National Park Service.

Approved: JAN 20, 1942
OSCAR L. CHAPMAN
Assistant Secretary.

These regulations are issued under the authority contained in the Act of October 27, 1941 (Public Law 261 - 77th Congress).
1. Double Tent Frame (Bureau of Animal Industry)
2. Shack Made of Scrap Tin
3. Tent Frame (Bureau of Animal Industry)
4. Corral (33' x 33')
5. Two Adobe Houses
6. Out House
7. Remains Of Stone Shed (In Mexico)
8. Former Home Of Jim Oroso (Made Of Saguaro Ribs - Completely Fallen Apart)
10. 1880 Ft. Of Ditch North Of Pond
11. 1575 Ft. Of Ditch In Cultivated Area Within U.S.A
12. 720 Ft. Of Ditch In Mexico (Approx. Lengths)
Orosco - Quito.

Ouitobaquito and its resident family the Oroscos was, until the late 50's, an administrative problem that Supernauqger Eden never quite resolved until the usual prerequisite tool, money, could be procured.

The Orosco story at the pond, as earlier noted, is a long one. If we can believe Tom Childs, Luis Orosco settled at the pond in or near 1887 and Jose Juan was born there. After the death of Luis, Jose Juan continued to live at the pond, except for the spring and summer of 1907, until his death (Childs) and became during his long residence there the venerable patron of the pond. It was, for all practical purposes, his and his son's although he had no deed to the oasis. Jose Juan was also a citizen of the US, according to the Indian Service, under the Indian Citizenship Act of June 2, 1924.

Jose Juan's life at the pond was, like most squatters of the region, simple enough. He made his living by running about 15 head of cattle about the pond. He also irrigated about 5 acres of corn, melons, squash, watermelons, figs, and his crops ran across the fenceless border a short distance into Mexico. Also, 5 1/2 airline miles to the north he had dug a shallow well (about 35 ft) and placed a crude windmill over it and ran a few cattle up there, still known as the Jose Juan Well (also Juan's Well) and a later source of controversy over between Henry Gray and the Park Service. Jose Juan reported that he had not basically altered the pond-dam and ditches put in by Andrew Dorsey back around 1860. Orosco had few modern conveniences, but did, from time to time, own a few functional things such as a dipping vat for cleasing the cattle of whatever might be ailing them (externally. He also had his picturesque grinding mill (molino de piedra) which turned, one circular stone upon the other giving the meal a stone ground character as it dropped into the little trough. (see photograph).

Jose Juan had, as far as we know, a brother, Antonie and two sons, Jim(Jaime) and Francisco. Jim was born at Cipri no Well, a little over 1
Jose Juan was known by most everybody in the region, short laconic closed-mouthed to strangers but a man with many friends, of all three regional cultures. One might stereotyped him, perhaps not too inaccurately, as resting in the shade of his house or cotton wood while his burro turned the disk-stones of the molino de piedra. His friends learned to not rush into conversation with him, but to make small talk slowly, and then he could enjoy his stories, which many did, but evidently never wrote down.
airline north, just below Jose Juan Well, probably sometime around 1905.

Jim married a Papago woman, Maria Antonio, born at Quitobaquito and daughter of the Augustine Antonio (also Jose Augustine) brother of Tomas, both being sons of Juan Jose, also an ancient pond dweller.

The other brother, Francisco, married Suzy — the latter moving with him to Quitobaquito around 1920. Francisco died in 1926, evidently of a respiratory disease that plagued others of the Orosco family. Suzy, now widowed, moved back to Ajo at her mother's request (to avoid the respiratory disease) and remarried a Papago-Mexico Felix Jesus.

Jose Juan seemed to have handily survived what few legal land actions that took place. Because he had settled the pond before the order of withdrawal of the pond as a Public Water Reserve no. 88 (disallowing settlement of the pond he was immune to the order. When Theodore Roosevelt decreed in 1907 the 60 ft. strip along the Mexican border to be left undisturbed, the irrigation ditches of Jose Juan continued to cross the strip without much of a disturbance.

Supernaugh began (according to the files) in 1941 with his customary energy and dedication to law and order to rounding this sometimes recalcitrant Sand Papago in line with the Monument rules and regulations—an unlikely feat of communication since he had all his life and his father since 1887, had lived from that part of the desert and the intervention of the Park Service mind would probably create a greater cultural gap than did the other inholder frontiersmen.

Supernaugh wrote to Hugh Miller of the Southwestern National Monuments (Hugh had replaced Pinkley upon the latter's death) that Jose Juan was not behaving at all in accord with National Park thinking and cited the variety of violations that in retrospect gave considerable cross cultural color to the Supernaugh era. His letter to Miller is attached.

The Orosco family was given the right to continue his use of the
pond as his ancestral way of living (but not the use of the land and its life forms surrounding the pond). The pond was then averaging about two ft. deep (Dec. 0 1950) and about $\frac{1}{4}$ to $\frac{1}{2}$ acre in size. The buildings, ancient structures, included one single room adobe, one double room adobe, a Papago type-saguaro rib jacal (the latter built by Jim Orosco in 1947), two corrals, about 2,000 ft. of ditches, 22 pomegranate trees (9 being in Mexico) and 8 fig trees.

On August 1, 1941 Supernauh, three officials of the Sells Papago Agency and a regional forester from Phoenix in cooperation with the Park Service, visited Quitobaquito to inform Jose Juan of his rights and obligations as decreed by the National Park Service that had just surrounded him. Jose Juan was that afternoon elsewhere so after a period of waiting informed his brother Antonio through an interpreter of their message to Jose Juan. The National Monument was aware, the explained, that Jose Juan had torn down and rebuilt elsewhere the old Jenkins shack, he had killed deer and these activities were now against regulations. Too, he had been observed collecting native wood for his corral and home use and these things too were now illegal. He must not put up any more buildings, shoot animals or gather native wood unless Mr. Supernauh said he could. If he continued in these activities the Park Service could and would remove him from his place at the pond.

Just how Jose Juan was to survive from living from the land as he and his father had done since 1887 was made clear, nor unfortunately for our historical perspective, was the reaction of the Orosco Family to the Park Service law available to add to this narrative.

Antonio Orosco appeared to understand the message, said he would relate it to his brother and the government men left.
The Superintendent,
Southwestern National Monuments,
Coolidge, Arizona

Dear Hugh:

In reply to your request for information in regards to Jose
Juan Orozco and his violations of regulations I can give the following
cases that are known.

In July 1940 it is known that four deer were killed near
Quitobaquito as sign was noted and hides from four deer found where
he had made camp. In August it was also noted that he was making
jerky of deer meat at his home but he claimed to have killed all
deer in Mexico. This has also happened since and in taking these
cases up with the U.S. Commissioner at Tucson he assured me that it
was almost impossible to get any convictions on Indians hunting.

On the death of Mr. Jenkins who was allowed to remain
as a squatter near Quitobaquito, his home was torn down by Juan
and rebuilt at his well six miles north of Quitobaquito. I told him
this would not be allowed and he would have to move it. After some time
I did get him to tear it down but after a few months rebuilt it.
He again promised to move it but instead has since built more build-
ings there.

Wood cutting and crash for corrail building is continually
going on in that part of the monument.

All law violations are not only against the Park Service
as he has been known to harbor persons deported by the Immigration
Service and also is an inlet of smugglers from Mexico against
Customs regulations.

So far none of us have been able to get a case that will
be sure in the courts and he so tended to do as he pleases there.

Respectfully,

William R. Supernauh, Custodian.
The solution to the ancient resident and patron of Quitobaquito Jose Juan Oroscos was a tricky administrative problem that was to add to the gray hairs of superintendents Bill Supernauq and Jim Eden and their colleagues and superiors. Here was another case (re Birdie Bel Miller) where a family had been at the location all their lives, but had never acquired a title or deed of any sort. In the early days of NPS administration the Oroscos, like the other inholders of various sorts, had been allowed to continue as they were, at least for the present. Acting NPS Director Hillary Olson opined from Washington that Jose Juan and his family be allowed to continue irrigating his approx. five acres (on the US side) of land surrounding Quitobaquito, to water the horses, cows and sheep at the pond and to continue living at the site, at least "until further notice." For one thing the rights of Jose Juan at the pond were the result of inheritance from his father. Also, his heirs (e.g., sons Jim and Francisco) could not receive these privileges unless unforeseen "special factors" came up.

Jose Juan died at his birthplace of Quitobaquito on April 23 or 24, 1916 and was apparently buried up with the other Oroscos and various Papagos with his meager belongings in a nearby Papago graveyard. Son Jim was now the sole inhabitant (with his wife & son) of the pond and he showed no signs of moving. Now they must decide what to do about Jim with being too terribly unfair and especially bringing down more local wrath on the Park Service. Hillary Olson's wrote a memo on April, 23, 1946 to the effect that Jim could continue to use the waters of the pond to irrigate his fields on the Mexican side of the border where he would also have to confine his stock. However, he could live in the Monument and use
Pioneer Ajo resident R. O. ("Bert") Binnion recalls that Jose Juan was buried in the Papago cemetery along with his saddle, overcoat and a supply of canned goods. Before long, however, and typically, these were all stolen. (Binnor 6/3/60)
the pond's waters for their domestic use. In other words Jose Juan's grazing rights were uninheritable to Jim or other heirs. Supernauugh was confused about the ensuing disposition of Jim. If Jim did not use the water in the U.S., what rights would he have if he irrigated only in Mexico. Also, what, in any water rights did Jim have? It seemed from long searches that Jim had never had any legal water rights. Anyway Supernauugh believed that the elimination of Jim's grazing in the Monument "should be the first step. Jim Orosco has always been a law violator and constant trouble to the Monument. With the area already overgrazed this would cut down considerably as he has approx. 100 head of cattle and about that many horses." (L1425)

Hillary Tolson thought that the Park Service should attempt to buy all of Orosco's claims to the water, including that used in Mexico. By doing this they could then build a fence along the boundary and eliminate the ditch that crossed into Mexico. The fence would also eliminate the many trespassing cattle.

Supernaugh then went out to talk to Jim (through an interpreter) and told him about the proposed fence through his fields. Jim, according to Supernauugh was confused about the construction of such a fence without even a gate and continued to graze his stock without a permit, although he was told he no longer had any rights to graze his cattle on the U.S. side.

Again in late Oct. of 1947 Supernauugh took his interpreter out to the oasis and once more explained to Jim that his grazing permit had expired with his father's death and he must no longer run stock there and very soon the boundary was to be fenced likely without a gate. He was informed that he had six months at the latest to remove his stock from his stock from Monument lands. Also, the Monument was not "running him off from Quitobaquito and they did recognize his right to use the water there." The only thing was that he would live in his Quitobaquito home, but would have all his stock on the Mexican side and with a long length
of fence cutting his farm into two, he would be forced to climb and haul whatever equipment he had over a four-strand barb wire fence that had inexplicably severed his farm into two. With the likelihood of this logistical barricade, Jim was then advised that probably the best way to resolve this problem would be to sell all his rights to the National Park Service and move elsewhere, say, over to the Papago Indian Reservation somewhere.

Acting Regional Director John M. Davis, a little closer to the situation than Tolson in Washington (and perhaps than Supernaugh) opined that "we would be justifiably criticised if we should arbitrarily divide Jim Orosco's farm by a fence." He suggested that a gate be installed for Jim's use, but he must be informed that the gate must be kept closed and not abused or "it will be necessary for us to reconsider the problem in view of these circumstances."

Supernaugh disagreed. He had just told Jim that the fence would not have a gate and they should go ahead and build the fence without a gate, and if criticism arose, then they could put in the gate. Besides, Jim had expressed a faint willingness to sell (Supernaugh) and the fence plan might "hasten his decision to sell." (Supernaugh) Supernaugh thought the the NPS could probably buy Jim's water rights for about 2500.00 or 3000.00, an estimate that was to fall some 10,000.00 short.

Supernaugh was correct about local sentiment rearing its head on the Orosco side. Tom Childs, as non violent a local as any one, still an opponent of the Monument's establishment, wrote his opposition to Senator Carl Hayden on March 23, 1948 (attached), protesting the fence. NPS Director Newton Drury wrote Hayden assuring him that a gate would be installed and gave a detailed explanation of the situation. By June 22, 1948 the gate was installed. Jim was then told by Supernaugh that he now had a gate and he must keep his cows and horses all in Mexico which had been watering as far north as Pozo Nuevo some 5 1/2 miles north and possible at Jose Juan Charco, another 6 1/4 miles to the northwest.
Mr Carl Hayden
United States Senate
Washington D. C.

Dear Carl;

I was down on the Mexican Border last Sunday, while there a resident living at Quitevaquita, one named Jim Cressce a full blood Papago Indian, born and raised at Quitevaquita, asked me to help him retain his home Ranch, where he lives and farms, he tells me that the Government, will not let him use the water any more, for Farming Purposes, and that they have run the line fence that cuts Mexico off from the United States, is running some 60 or more feet into the United States side of the line, I was up to the National Monument, that lies to the East of his farm, and I should judge, that the line fence is running some 60 or more feet to the North of National Monument, and while there I saw one of the riders that ride the fence, and heard him say that the fence was running some sixty or more feet off the true line, so this poor Man is unable to do any farming there he has a few Cattle that runs along the line, and waters around Quitevaquita, if you will turn back to the first white man that ever came to that place, you will see by Father Kines history that the ancestors of this Man was living there when No Father came there on his first visit to that place, and this same Man is a descendant of those same Indians, and in my life time here I have always seen a same group of Indians living and farming there, if there is any way that you can obtain permission for him to still live and farm there, I believe that you will have done a nobel deed for the one who rightly owns and most ashurdley deserves his rights taken care of, he says they have ordered him to leave the place take his cattle away, if they allow the American Cattle man that live and run there Cattle on that Cactus reserve, the Jim Cressce is more deserving of a right than the Americans that are there now. Want you please see what can be done to give this Man back his rightful possession to this property I thank you.

As ever yours truly

(Sgd) Thomas Childs
He then wrote "anything we can do will in all probability well be opposed by Tom Childs. I have been unable in the past to get any satisfactory talk with Mr. Childs since he is very much opposed to the NPS. (Supernaugh 6/15)"

On August 29, 1945 Organ Pipe Cactus was given a copy of an outline of the history of Quitobaquito by Mr. Lusher of the Indian Service (presumably of wells (attached) who received it from Tom Childs. One wishes a historian had been around when Tom wrote it so as to gain elaboration, but it still remains the best chronology around. see next page

By October Ajo Attorney Alton Netherlin of Ajo had become Jim's legal representative and it was he who saw Jim through the legal morass and happy conclusion of the NPS-Quitobaquito-Jim Orosco matter.

The Park Service now concluded that it must make every effort to acquire "all property interests belong to Jim Orosco who lives in a shack on Monument Land." It also appeared that a suit of condemnation would be required to move Jim away from the pond.

In the first place neither Jim or his father or grandfather had ever obtained any sort of title to the pond; certainly a long search for such records proved fruitless. So it would be necessary to bring suit against Jim in order to secure a good title to the pond and land. The situation was explained to Jim and he made his mark (x) on the consent of condemnation of property form on June/28/55.

Another factor entered the picture that could add to the complications. On Aug. 13, 1952 Jim and his wife sold the Pozo Nuevo (Jose Juan Well) for $5000.00. He and his wife made their marks on a "quit-claim deed" on 8/13/52 to Henry Gray. A year later when the Park Service looked at the well and were confused since they wanted to condemn this well along with other of Jose Juan's holdings. However, it was not now Jose Juan's property to be
HISTORY OF QUITOBAQUITO

About 1830, there were Papagos living at Quitobaquito, but they started killing Spaniards for their possessions as they passed through as this was one of their main routes of travel. As a result the Spanish came and took those whom they caught to Caborca and the others fled into the sands toward Yuma and Gila City. Later, these same Indians drifted back and the Spanish did not bother them as they had stopped their killing. Louis Orosco, Jose Juan Orosco's father, was one of this group.

In the sixties, an American named Andrew or Adolph Dorsey settled at Quitobaquito. He built the pond, developed the springs and dug the ditches. Juan Jose, a Papago, and his two sons Tomas and Jose Augustine were there during this time. They left because a Mexican named Cipriano Ortega, an outlaw, told Juan Jose he would kill him if he wouldn't tell him the location of a gold mine. The father of Tom Child's wife was Tomas. She is a cousin of Jose Juan Orosco.

In the seventies, two Americans, Steinfeld and Waterman had a mill at Quitobaquito and a store. During this time the Papagos were living about 1/2 of a mile below the spring but got their water from it.

After Steinfeld and Waterman left, a Mexican family named Lopez moved to the pond and lived there for a few years. They had some goats and did not work on the pond or ditches.

In about 1887, after the Lopez family had left, Jose Juan Orosco's father, his moved to the pond from his place about 1/2 of a mile below.

About 1886, there was a Mexican Jew named Mikul Levi living at Quitobaquito and he had a little store there. He stayed for three or four years. A Papago named Louis Ortega married Juan Jose's youngest daughter and lived at Quitobaquito from about 1885 until about 1898 or 1899. They then moved to Ajo and stayed at Darby Well.

Tom Childs, Rube Daniels and John Merrill, all Americans married to Papago sisters, were living at Quitobaquito when Hornaday stopped there with Jeff Milton in his party. Jose Juan Orosco and his family were also there.

Tom Childs rebuilt the ditches at the pond as they had all washed out. This was in 1903 or 1904.

Tom Childs and all the others, including Jose Juan Orosco, moved away from Quitobaquito in the spring of 1907. In the fall of 1907, Jose Juan Orosco moved back to Quitobaquito and has been there since that time. No other family has lived at the spring since that time.

I certify that, to the best of my knowledge, the above is a true account of the history of Quitobaquito.

Tom Childs
condemned and now such condemnation would involve the Grays and their Coker
defendants in such a suit. The Service wasn’t even sure just how to legally
locate the well since that area had not been surveyed, but they added the
well to their list of condemnations anyway. Wrote Patraw in 3/6/53:

"It is part of our purpose to eliminate from the Monument area all
claims of the Orosco Family." How they reckoned the well, now a legal
belonging of Henry Gray to still be Orosco property is not clear.

Now the NPS had to determine by a neutral party the value of the
Orosco holdings. On 6/15/53 Phoenix land appraiser Frank Mosshammer was
contracted to make the appraisal. On Aug. 6, 1953 he wrote in his appraisal
report that the fair market value of the Orosco property was in his opinion
$3,500.00.

Senator Hayden was asked for permission to initiate the condemnation
suit since he had been involved in the Gray Partnership matters. Hayden
okied the suit provided that the action would not be used to acquire
private interests in the Monument and would not "disturb" for Director
Demaray’s assurances of 1941 that the Grays would be allow to continue
their grazing permits.

In the meantime Jim had gotten together with his attorney. On 12/14/54
Netherlin wrote Superintendent Jim Eden that his client had decided to offer
his rights for sale to the U.S. for 15,000.00, nearly five times what
Mosshammer had appraised them for. Netherlin reminded Eden (unnecessarily)
of a law relating to the American Indian he had found. Netherlin felt
that the government had a moral obligation to "compensate him Jim for any
taking of the land; that he would have the right to patent the land he then
occupied" and that "he has a valid and vested water right which may be the
subject of sale or inheritance." He further reminded Eden that such a sylvan
oasis would make "an ideal site for a Guest Ranch." Had such a possibility
been a realistic one the latter would be the most frightening.
Besides Jim had been having a series of thefts of his personal property—a factor that may have led to his decision to sell.

On June 29, 1955 attorney Netherlin with Jim Orosco and a Papago interpreter called on Superintendent Eden to discuss the sale of Jim's rights. The men communicated by Eden speaking English to Netherlin who spoke Spanish to the interpreter who spoke Piman to Orosco and in reverse order back down the line. It was then and there that Jim made his mark (x) on the Consent of condemnation of Property document. Then when all seemed to be off on the right foot, Jim suddenly announced that he also held claim to the nearby springs of Aguajita and Williams. However, these waters were properly claimed by the Gray Partnership and Jim got nowhere with this effort.

It was also decided not to attempt to condemn Pozo Nuevo Well since his action would place the Grays (Henry at least) as defendants and the NPS was having problems enough trying to resolve the Orosco case.

In April, 1956 the Justice Dept. was asked to begin the condemnation procedures of the Orosco interests--24,699.22 acres. The U.S. Attorney's office felt that the requested 15,000.00 for the Orosco interests were too high; that they should not be worth more than 5,000.00.

Now the appraisal of the "Orosco interests" had to be updated to carry any legal strength since the Mosshammer appraisal had been done in July of 1953. On April 30, 1957 Vern A Englehorn of the Western Farm Management Co. submitted his appraisal report of the Orosco interests and opined that the "market value" of the property to be 13,000.00. Although this was 2,000.00 less than Netherlin-Orosco request of 15,000.00, Netherlin asked his client in early June of 1957 if he would accept the 13,000. The latter sum was satisfactory to Jim. This was, of course, great news, but NPS
A. van Dunn of the Water Resources Section questioned whether Jim had relinquished all rights to the entire 6½ acres which he had irrigated or just those rights in the U.S. as opposed to the 2½ acres in Mexico. Anyway the possibility proved to be no problem. On July 8, 1957 the final stipulation was completed with Jim making his "X" and all seemed to be happy. The 2½,699.22 acres used by Jim Orosco was now government property and legally withdrawn from further use of this kind, however it was "subject only to the interests of the Gray Partnership."

Sometime between 10/15/57 and 10/31/57 Jim, his wife and 16 year old son (check son existence) moved up to Pozo Redondo to live with a married daughter (Ariz. Republic 9/6/57).† The Monument Ll:25 Land File was closed and retired to the "dead file" section.

It's said one of the first things Jim did with his money was to buy a nickel: fill the bed with many bottles of wine and drive about the region for a while giving bottles of wine to his friends. Henry Gray recalls: "He shore was a happy Indian."

Just as the first settlers of the pond were probably Papago or proto-Papago at an unknown time in the past, it now seems to be fitting that the last Papago to live at the pond should also be Papago. In a way it was a saddening silence of scatterings of doddering old jacales left to the whims of Park Administrators and bevys of tourist bird watchers from another world who would come to the pond and see very little of the Quito-baquito story.
One of the grave invasions that threatened the U.S. from Mexico was the so-called foot and mouth disease, a virus-caused disease that causes blisters on the hooves and mouths of hooved animals eventually causing death. The U.S. had experienced such outbreaks before, so when, in the late 1910's the disease (need scientific name here) began to threaten the Mexican-Arizona border the Bureau of Animal Industry set up a station in Ajo in 1917 to combat the disease, i.e. prevent it from crossing the border. The BAI continued operations until Sept. 1952. There were several ways of working against Mexican cattle crossing the fenceless border. The BAI wanted Supernaw to round up all the horses and burros from the Monument and build a fence to keep the horses with "Dourine" out as well as Mexican cattle. Fencing the entire Monument, especially the Mexican boundary was indeed desirable, but money was lacking and the fence went up, piecemeal, over the years as elsewhere noted. The course chosen by cooperative agreement the FPS & BAI was to establish a border base of operations out of Ajo on the border. By 1949 Ruf Allen was in charge (and remains in the post today) and lived at Lukeville. Other camps included a camp of four tent-frame houses built among the old adobes on the north side of the pond at Quitobaquito, over the objections of Jim Orosco who felt his property was being violated. The two main springs were improved with cement spills being built at the springs overflows. They also ran pipe from the springs to their tent-frames. A third camp was set up at Poulting Well, present home of Bobby Gray. The line riders rode the border on horseback with a station roughly every 15 miles. Also rabies seems to have broken out in 1917 among coyote, fox, and bobcat. Men were stationed at Lukeville, Davis Canyon, La Playa, Los Lomitas. Men rode in two shifts 16 hours a day. A rider furnished his own horse and stayed in the "line camps" riding the 60' strip on the border. A water boy nailed water to the dry camps. Allen, in charge, traveled from Yuma to Sasabe by
The work on the outbreak took place on the Monument border from Feb. 1947 to Sept., 1952. No outbreaks in this area have occurred since.
SONORAN DESERT NATIONAL PARK PROPOSAL

On several occasions efforts, largely outside, have been made—in 1940, 1946, 1949 and 1954—to change the status of the National Monument with none of them being successful.

In January of 1965 Arizona Representative Morris Udall introduced a bill to create a 1.2 million acre Sonoran Desert National Park, an enormous area that would include the present national monument, the Cabeza Prieta Game Range and some 30,000 acres west of the CP&RG to include the scenic and historically dramatic Tinajas Altas Mountains, a proposal that would include 1,272 acres. Also, there was sporadic efforts including those of the NPS to work up an "international peace park" with Mexico based on the Waterton-Glacier International Peace Park on the Montana-Canadian borders. The idea was to persuade Mexico to set aside the vast, extremely interesting volcanic field visible from and southwest of Sonoyta. Such a proposal had been kick around at Big Bend National Park on the Texas-Rio Grande border and the scenic lane on the adjacent Mexican side, but the idea made little progress. Nor for that matter, did the Sonoran Desert-Pinacate Park idea. The proposal was occasionally discussed among NPS administrators, but the limited contact with Mexican officials indicated a definite disinterest in such a proposal.

Udall's bill, intended "to open the door to public discussion of the proposal in Arizona," was followed a year later by a strong endorsement by his brother, Secretary of the Interior Stewart Udall. Soon a 52-page publication, Sonoran Desert National Park, Arizona, a Proposal was published by the NPS in May of 1965 and presented a survey of the variety of features of the area(s). Writer-conservationalist Weldon Heald of Tucson was the principal non-NPS researcher and worked closely with the Park Service on the project.
To park oriented people such a vast scenic and historical area would add a wonderful new land, but to those of other interests the proposal represented another locking up of public land that would prevent hunting or possibly settlement, grazing, etc. and the opposition was strong. Wendell C. Spant, director of the Arizona Game and Fish Department opposed the proposal. He wrote: "The primary management objective of national parks is to please and accommodate people, not wildlife." Such is a common complaint among professional wildlife managers. The necessity of compromising the park for both "people" and "wildlife" is often difficult for the non park manager to understand.

In March of 1966 the Arizona Game Protective Association held its 13rd Annual State Convention in “ouelas, Ariz. Norman Herkenham, regional chief of National Parks System Studies in Santa Fe and ORPT Superintendent Roy Young attended the meeting, and found themselves to be in hostile territory of a hunting oriented organization/ Needless to say, the meeting was in absolute opposition to the park proposal since they would be cut off from future hunting in the area, particularly of the desert bighorn sheep.

Again, at the 10th Annual Desert Bighorn Council in April of 1966 the prestigious Council voted to opposed the park proposal. Ben Avery outdoor editor for the Ariz. Republic also wrote his opposition in his newspaper column. The Bureau of Sport Fisheries and Wildlife, remained officially silent, but could hardly be expected to approve of the transfer of their game range over to the park service and its roads and tourists. Their primary function had been to protect the bighorn sheep and the endangered "Sonoran antelope (pronghorn) and they were just beginning to issue a limited numbered of permits.
Common reference is made by the hunting sponsored organizations to the penchant of the Park Service to develop too many roads (or any roads) into otherwise undeveloped land and to its hesitancy to develop artificial watering places for wildlife. CPGR & State Game & Fish employ both predator control and artifical water holes.

On the other (conservation) side of the coin, the influential Council of the Wilderness Society made a field trip in mid April of 1967 accompanied by CPGR & NPS administrators into the CPGR. The Council was obviously impressed and appreciative but took no official position on the proposal.

During the winter of 1968 the Bureau of Sport Fisheries and Wildlife opened the CPGR for the first time since its establishment in 1939 to a limited bighorn hunting, as if in timing with the desired use—or potential future use—of the area. Four permits to hunt desert bighorn were issued; two hunters were successful and a third hunter wounded a ram but lost it in the sierra.

A third factor remained a strong force in the CPGR that appears to thwart both the wide open use of the range for hunting, national park or people use—the use of the range as an air-to-air missile range for Luke Air Force Base and the Marine Corps Air Station in Yuma. As long as the Department of Defense continues to maintain a tenacious foothold in the area, particularly with the Viet Nam situation unfinished, the range will likely remain pretty much as, and for that matter, a fairly good protection for the wildlife.

The proposal and its accompanying controversy is now on a shelf somewhere dormant and seldom talked about anymore.
UDALL ENDORSES PROPOSAL TO COMBINE ORGAN PIPE CACTUS NATIONAL MONUMENT AND Cabeza Prieta GAME RANGE AS SONORAN DESERT NATIONAL PARK IN ARIZONA

Secretary of the Interior Stewart L. Udall today endorsed enthusiastically a proposal to combine Organ Pipe Cactus National Monument and Cabeza Prieta Game Range in Arizona to form the Sonoran Desert National Park. "This area would provide a national park of superlative quality," the Secretary said.

Organ Pipe Cactus National Monument and the Cabeza Prieta Game Range, which make up the major portion of the study area, represent the last sizeable expanse of relatively unspoiled Sonoran Desert remaining in the United States. The study area also includes an 80,000-acre extension west of the Game Range which contains the spectacular Tinajas Atlas Mountains. The total size of the proposed park would be approximately 1,242,000 acres, making it one of the largest in the National Park System.

In 1962, the Advisory Board on National Parks, Historic Sites, Buildings, and Monuments urged the Secretary to take positive steps to prevent further damage to the Organ Pipe Cactus National Monument from mining activities. A preliminary analysis of the mining problem indicated the need for a broader study covering also the grazing problem and a reevaluation of the purpose of the Monument.

The Sonoran Desert National Park proposal resulted from this broader study. It recommends that the establishment of the new national park be contingent upon the termination of military use of the Game Range, which now precludes public use, and the elimination of grazing and mining activities in the monument which seriously threaten the values which need to be preserved.

The report to the Secretary is based upon investigations made by National Park Service staff members of the Southwest Regional Office and Organ Pipe Cactus National Monument and by Weldon F. Heald, Departmental consultant and well-known
Conservationist of Tucson, Arizona. Norman Simmons, Assistant Manager of the Cabeza Prieta Game Range for the Bureau of Sport Fisheries and Wildlife, served as guide and consultant to the group throughout its study of the Game Range.

"Copies of this study report will be given wide distribution, to permit the greatest possible number of citizens to develop informed opinions on the subject, and to let the Department of the Interior have the benefit of their thinking," Udall said.

Recognizing the great economic promise of recreation in this part of Arizona, the report describes the area as within an easy day's travel of a great segment of the Nation's population, including southern California with 10 million people and the Phoenix-Tucson area with close to one million.

The 330,874-acre Organ Pipe Cactus National Monument in southern Arizona was established in 1937 by Presidential proclamation to protect and preserve fine examples of Sonoran Desert vegetation—especially the organ pipe and senita cactus—plus wildlife and the desert scenery.

The adjoining Cabeza Prieta Game Range—about 860,000 acres—is an area larger than the State of Rhode Island without a single permanent human inhabitant. Administered by Interior's Bureau of Sport Fisheries and Wildlife, the Game Range was established in 1939, primarily for the protection of desert bighorn sheep. It also provides an undisturbed habitat for a remnant population of pronghorn (antelope), the collared peccary (wild pig), Gambels quail and white-winged dove.

The Refuge gets its name from lava-capped Cabeza Prieta ("dark head") Peak, 2,650 feet high near the south end. The dappled, pinto-like combination of brown volcanic rock superimposed on gleaming white granite is a spectacular feature of these mountains. Natural rock basins called "tinajas," or "tanks," scooped out by centuries of violent but infrequent cloudbursts, provide drinking water for wildlife. These tinajas have been life savers to desert travelers for nearly 400 years.
Golden shiner removal

National Park wildlife managers, do, when they deem it wise to maintain national park wildlife policy, manage the wildlife, however, the functions and objectives of such agencies as State Game and Fish and Bureau of Sport Fisheries and Wildlife are not entirely the same.

A good illustration of NFS wildlife management efforts to maintain a natural, habitat under threat of an outside (exotic) threat is the Quitoraqito golden shiner removal. Sometime during the summer of 1969 a new and introduced (exotic or unnatural) species of fish was discovered to be, for unknown reasons, in large numbers in the ponds. This golden shiner (Notemigonus crysoleucas) could be a threat to the little pup-fish (Aubryndon maculatus) by virtue of its competition for food. The pupfish, besides being native to the pond (probably originally swam up the silt ditches or drainages connecting the Sonoyta river with the pond (Lumholtz) or may have been placed in the pond from the river by early settlers (Quirce). At any rate, this particular species is found, within Arizona, at least) only at Quito, and at a spring called "Monkey Spring" over by Patagonia, Ariz., and their continued existence in the pond was of utmost importance. The pupfish that formerly existed in the Sonoyta River have been replaced by another unknown species and the former appear to be extinct there.

In the fall of 1969 a meeting was held in Superintendent Ryan's office at the Monument with able fish technicians from the University of Arizona, Arizona State University, Arizona Fish and Game Dept. and the Bureau of Sport Fisheries and Wildlife and the National Park Service. After the consideration of a variety of alternatives, it was decided to use the technical ability and cooperation of the State fish and game people to remove the shiners. On Dec.
1969 the Game and Fish technicians and the NPS drained the pond after removing the pup fish to several other tanks for temporary safe keeping and placed rotenone, a strong fish and insect poison, in the pond. The pond was allowed to dry for 30 days after which the spring water was recirculated into the pond to fill its approx. one million gallons and the pup fish replaced in the pond where today, and some 52, 53.00 later they again received, along with a few mud turtles, the sole fish in the pond and the NPS and its sympathizers can only hope that such a disturbance will not happen again, but also strong in their belief that the effort and money was worth retaining the purity and dignity of the little pond.
Organ Pipe Cactus Physical Development

The frustrating rounding up and branding of the Monument's variable inholders was not the only vexatious problem the succession of Monument's managers. The development of the physical facilities, both for both the area's employees and the increasing numbers of visitors. With the impending World War II and then the actual throes of the war, Superanough, along with all the rest of the National Park areas, was sorely hit by shortages of constructions materials and money so everyone made do with what they had. But then shortages of other things like gasoline kept many people out of the NPS areas anyway. Amazingly small staffs ran strikingly large areas. At Organ Pipe the area ceased to be a one-man area in May of 1943 when Arthur W. Quinn was added to the staff as Maintananceman. In December of 1950 Ray Hingenbac became the first supervisory ranger. Seasonal rangers were first hired during the winters of 1949, 55 and 56. In, April of 1956 Winthrop H. Haskell assumed the job as the first administrative assistant. In Nov., 1958 Charles F. (Fred) Ohannon became the Monument's first naturalist.

Far and away the most significant approach to modern Park Service development of facilities is through a monument project known as "Mission 66." During and for sometime after World War II NPS facilities were in very bedraggled shape; things had literally fallen apart and there was little money to keep them going. Soon after the War the nation's economy began to soar and people were out on the road pouring into the National Park areas, as if to make up for lost time. The areas suddenly found themselves overwhelmed. Park Service personnel morale was as low as their salaries. Appropriations remaining about the same, Rangers ran about trying to solve the endless bog of problems mumbling such trap old adages as "Be a ranger: hunt, fish and live in a cabin!" --As he did his myriad of errands and late evening and early morning visitor contact chores.
John Ise, author of Our National Park Policy recalled: "The result was

that rangers were worked and yet the visitors ran wild. Vandalism flourished,
even to the stealing of precious and irreplaceable objects. There was some
discussion of the "erosion" of our parks, and predictions that some of them,
for instance Yellowstone, would be largely ruined in fifty years. Bernard
De Voto, the able and tireless friend of the parks, urged as the only way to
save them, 'Let's close the national parks', because 'so much of the price-
less heritage which the Service must safeguard for the United States is be-
inning to go to hell.'" (Ise 1961:534)

The National Parks designed for 25 million visits were, by 1955, having
to take care of twice that many. In 1955 a plan was worked out to properly
serve the 50 million expected in the next ten years. It was given the
noble sounding name of "Mission 66", a ten-year plan for the areas to
be developed in such a way as to be able to care for the expected
visitors within the next ten years—1966, also the Service's fiftieth
anniversary. The total expenditure for the ten-year program ran at an
estimated 786 million dollars. (Ise: 547.) The program was pushed
by Secretary of the Interior Chapman (?) and others of the
Eisenhower Administration.

The NPS employee housing has been so bad that it had been given
priority for the appropriations. Fine three-bedroom homes sprang
up everywhere, but without the cozy fireplaces for the northern areas or
back yard patios for the sunny southwestern areas. At least the personnel
began to move out of their "slums," as the liked to call the residence areas.

Happily, Organ Pipe got early attention from Mission 66 with 1957
being the gold year for the Monument and its very able superintendent
Jim Eden.
Just as it had been the roads and emergence of automobiles that open up the old Ajo-Sonoyta frontier, to in and out travel, it was the same roads that limited travel, at least of the tourist type, in the Monument. By the time the Monument had been established there had been scratched in a vast network across the desert a variety of roads. There had long been a road connecting Ajo with Sonoyta and there was the portion of the Old Tucson-Yuma Road that came to Wall's Well and continued over to the Bates Well-Quitobaquito-Ajo Road. However, most of these roads had been made or just happened from driving by the generations of miners, cattlemen and assorted travelers. Initially, the Monument wanted to get a decent road from Ajo to the boundary (now highway 85) to at least get the visitor into the Monument. Securing road oil during the war years of the early 40's was not easily done, nevertheless, road construction was begun in 1942, and by 1944, after oil hold-ups, the 40-mile road between Ajo and Lukeville had been graded, drained, base coated, and surfaced with a bituminous treatment in three contracts between the NPS and the Bureau of Public Roads at a cost of $420,000. Then, after two years of post construction and maintenance by the NPS and BPR, the road was turned over to Pima County for continued maintenance. Pima County, however, was in no financial shape to maintain the road. Thomas (Tommy) S. Jay Pima County supervisor of the Ajo district wrote Senator Carl Hayden for help. "Insofar as the Ajo-Lukeville road is concerned, I simply do not have the money necessary to put on this road for maintenance and certainly none for improvement" (P30:1954). Finally, the Arizona Highway Dept. agreed to assume the responsibility for the road between "the Y" and Lukeville, and such
is the case today. In Feb., 1961 a concrete bridge was built over Alamo Canyon by the State Highway Dept.  

Then, the visitor needed a limited system of scenic roads to get into part of the more scenic desert country. In 1953 the "Nine Mile Drive" was completed via Teddy Bear Pass (the present southern loop of the Ajo Mt. Fr.) to near the mouth of Estes Canyon beneath the Bull Pasture. In June of 1957 the drive was completed into the "Eighteen Mile Loop later to have the more sophisticated name of the Ajo Mountain Drive. By 1954 a mimeographed leaflet was produced to make a self-conducting drive. Traffic was compelled to drive the one-way road counterclockwise, but in 1958 the direction was changed to clockwise to offer more direct viewing of the scenics such as the "Arch" in the "Ajos.  

The western scenic drive, known today as the Puerto Blanco Drive was created by tying together odds and ends of old roads of old frontier roads. Earlier there was the road from a mile north of Lukeville to Quitobaquito. Then Quitobaquito was connected by the ancient route northward to Cipriano Well, Pozo Nuevo (of Jose Juan Orozco-Henry Gray fame), Bates Well, Darby Well (north of the Monument) and Ajo. There was also a spur road from this route that led to Dripping Springs. (See Kirk Bryan map 1917.) Maintnanceman Art Quinn and his bull dozer created enough virgin road to meet the existing roads and soon had a road circling the Puerto Blanco Mts./some 40 miles around. It was soon called the "Forty-Mile Loop Drive." Later it was noted if the traveler took such spur roads as the ones to Dripping Spgs. Quitobaquito and Senita Basin that the route was actually 51 miles, but this time they managed to avoid naming it the "fifty-one mile Loop Drive" and called it the Puerto Blanco Drive.  

Puerto blanco, the source of the small rambling of mountains stems from the rock formations near Dripping Springs. The rock is made from a volcanic tuff, of a contrasting tan color. Some sources attribute the name to the
Summary of Highway 85 thru Monument road

In 1939 it was becoming evident that the old Ajo-Sonoyta road would have to be reconstructed and surfaced, for at least two reasons. First, Mexico was already in the process of building a bituminous surfaced road from Sonoyta to Puerto Penasco (Rocky Point), so to avoid embarrassment and other inconveniences the U.S. (Arizona) must reconstruct and surface the beat-up Ajo-Sonoyta road, so as to meet Mexico with equal quality. Secondly, the new National Monument did not, at this time, have a respectable access road and sooner or later the tourist traffic would demand such a road; the Monument was going to be too popular a spot to spend the winter.

When the Monument was established the road was the problem of Pima County. However, at this time Pima County allowed to road to revert to the U.S. (NPS) since it now was on government-owned land and also as a gift of a portion of the right-of-way over privately owned land (see Luke & Lukeville). In 1941, before the NPS began reconstructing the road, a cooperative agreement was drawn up between Pima County and the Department of Interior under which the County agreed to accept, repair and maintain this road without any cost to the U.S. within two years after the completion of the reconstructed road. After the completion of the reconstruction of the road by the NPS and the Bureau of Public Roads between 1942 and 1944 the same two agencies handled post construction and maintenance for two years. It was then turned over to Pima County for maintenance in Sept., 1946. However, by June of 1954 Pima County could not handle the finances required to maintain the road, hence the letter by Tom Jay to Senator Hayden. There seemed to be no agency willing or able to maintain the highway and prompt action was needed. During 1953 272,621 people passed through the little Lukeville Port of Entry—not counting the visitors who went only to the Monument. (Less than 20% of the highway traffic stopped at the Mon. So Hayden wrote the NPS, who answered Hayden that, in effect, it was the State's job to help the county, not the NPS.)
all rock towers of tuff on the saddle above the springs while others believe it to stem from the neat U-shaped saddle some ½ mile southeast from the springs over which earlier travelers passed via a narrow trail from Sonoyta to Ajo. Bootleggers also appeared to have used the route during this era. Today, the trails appear to be forgotten and abandoned except for the small herds of burros.

Other frontier roads such as the ones branching out into the Growler Valley, and in fact into all four corners of the Monument are occasionally used by the Grays, misc. cattlemen, backpackers, prospectors, etc. Walking trails in the Monument have never been much of a source of construction within the Monument. There are many old roads and besides, the open nature of the desert allows relatively free access and viewing of the Monument. By far the most significant (and longest) trail is the popular Full Pasture Trail beginning about half way around the Ajo Mt. Fr. and climbing the steep slopes via amateurishly steep switchbacks 960 ft. up to a broad grassy basin at about 3,360 ft. for 1 & 3/4 miles. The "old Miller Trail" was likely the first regularly used if not partially maintained trail up to the pastures climbing the relatively gentle slopes of the northern slopes out of Estes Canyon. In 1953 a new trail was carved out of the high-angle rocky slopes to the rim overlooking the pasture. Then, during April of 1963 a four-man crew worked 10 days rerouting some of the steeper switchbacks and put in an "alternate trail" through Estes Canyon up along the general route of the Miller Trail to the upper part of the main trail, thus giving the hiker a choice of another route back to the road. During the winter of 1968 the trail was converted to a self-guided nature trail with the creating of a memorandum leaflet for the matching numbered stakes.
Probably the most demanding constructions of the Monument that took much attention, money and all kinds of employee attention was the campground. The old catch-as-catch-can creosote flat about ½ mile southwest of the present Visitor Center and in the area of the old headquarters area was virtually exhausted and overflowing since there was no camping time limit. In 1954 a small well planned campground was created about a mile southwest of the old headquarters area on a broad knoll with superlative views and among a lovely forest of organ pipes. Even with this encouraging, progressive move Supernaugh continued to have his frustrations. He wrote in his January, 1954 monthly report: "We received a low blow this month when we were notified that the Secretary's office had deferred construction of the new campground comfort stations. It is hard for us to understand that these are not necessary when all we have is two one hole pit toilets for an average of 75 people a night."

However, in his April report for the same year he wrote more joyously of the pit toilet construction: "The best news of the month was receiving word that our comfort stations are back on the program for construction. We are now awaiting revised plans."

The new trailer-oriented campground was opened to the Public in Nov. of 1954 with 63 sites. During 1957 32 new sites were added; 63 sites were added in 1958 and 50 new sites in 1963 making 144 campsites under the Mission 66 program or a total of 208 sites, a total that remains at this writing although winter camping is overwhelmingly overflowing.

As earlier noted, camping in the earlier days had been without limit and many retired people had been "homesteading" the little campground rent free for years. When the 1960 season began, a NPS-wide 14-day limit was placed on its campgrounds and the complaints, verbal and written, came thick and fast; occasionally a camper would refuse to leave when his time was up. Such long-term camping was not the intent of NPS campgrounds, anyway.
Certainly, such long term use (like all winter sometimes) was hardly the intent of a National Park campground in the first place and the was a proper one. The crowds continued to pour into the campground and in 1966 (?) the camping limit was lowered to 10 days and remains so today. In 1962 a small campground contact station (known as "the doghouse") and a group camp picnic area were developed. A 5,000 gal storage tank was placed up on the hill in Oct. of 1954 to serve the original 63 sites. Presently a 50,000 gal tank provides for the 208 sites.

Today, during the summer months the campground is all but deserted; perhaps an average of one to three sites will be taken. However, in the winter season, people are turned away (referred to Lukeville, Gunsight Wash some 20 miles to the north, or Why, another two miles since the campground will probably be full from about three p.m. on. Current NFS rules forbid any overflow camping, a hard policy to see for the camper who has driven 400 miles that day and he can see vacant spots for his self-contain rig all around. But he doesn't see that the fragile Monument could eventually be inundated if all available space were used each night. Hillary Brown the exhausted campground ranger and the seasonal interpreters must explain to tired irate visitors that the must go elsewhere for the night.

The Visitor Center

The doddering old frame museum that sat just east of the well(s) facing the highway was long out of date and inadequate, certainly not befitting current NFS Mission 66 standards. In January, 1957 ground was broken for a new "visitor center" as they were to be called and by July of that year the building was virtually completed, minus exhibits. It was a happy bit of designing, sitting inconspicuously in tune with the surroundings down on the sweeping bajada of the "coyta Valley about ¼ northeast of the bedraggled old headquarters area. A fine set of exhibits were installed in 1968. The new type of Mission 66 exhibit did away with the old dusty collections
and their accompanying long dry scripts that few read. The new type was
draft, attractively colored and had smart exhibits with a brief idea of
the subject. The visitor was designed to have the administrative offices,
uniformed men at an information desk, interpretive literature, post cards
for sale and the exhibits to get the visitor basically informed as to what
he may (and may not) do in the area. The Visitor Center was not designed to
be self-contained, but to orient him as to what lay "out there" for him
to see—to experience. It was a grand scheme and worked beautifully.

Public Relations are extremely important to the NPS and it often
goes to great lengths and expense to establish proper relations with the local
outside world. Deductions of new visitor centers are such a tool. On
January 25, 1959 the Organ Pipe Visitor Center was officially dedicated
through the efforts of the Ajo Chamber of Commerce, Phelps Dodge and the
Park Service. Guests were officially welcomed by Superintendent Jim Eden;
Ajo Chamber of Commerce Secretary Meade Cole represented Ajo. Regional
Director Hugh Miller introduced Assistant Secretary of the Interior Roger
C. Ernst. Some 300 persons attended the ceremony.

With such development and shiny professional new facilities the
Monument visitation soared. For example, visits increased from 10,000 in
1951 to 35,000 in 1958. Then all sorts of seldom seen, little thought of
aids went up: LP gas tanks and lines, water and sewerage systems, 12 fire
hose caches, house trailers for seasonal employees. In Sept. of 1964 a
Floride removal plant was completed in the housing area. As evidenced by
native people of the Sonoyta-Ajo region, children who drink the otherwise
good water during extended periods of their infancy find the heavy flourides
in the water melt their teeth and leave "stained" teeth for life. At this
little plant the children are able to carry their own water home.
The pleasant new visitor center, did, not, however, have an auditorium. Evening programs were given either in the campground amphitheater, cold weather and all, or in the little visitor center lobby where talks were nearly always crowded and the visitor had to bring his own chair. By June of 1966, it became time to build an auditorium of some sort to hold the people at the programs. People were being turned away, watched the slides through outside windows, adjacent offices. Besides, the visitor center needed more office space. So in June, 1966 two additional administrative offices were tacked onto the building and a small auditorium was added, the latter after stormy battles with the contractor. The auditorium was way too small, and soon people were again standing or being turned away during the peak season.

During the summer of 1970 the old exhibits in the visitor center were removed and replaced by a series of audio-visual "push button" type with the theory (of the Washington park planners) that such exhibits should be of the simplest form and the real guts of the area should be found in the printed material and "out there." Park people are divided as to the values of "push button exhibits" vs. the still type. Certainly the audio visual exhibits create many problems to the overworked park interpreter who has little knowledge of the electrical end of such machines.
NOTICE OF LOCATION

E.O.D.

(Secs. 2301 to 2324, Public Records Cont.)

TO WHOM IT MAY CONCERN: Please take notice that:

1. The name of this claim is:

2. The mining claim is situated in the

3. The district, county of:

4. The date of discovery is:

5. The claim is:

6. The location is:

This notice is intended as an official notice of location and is posted on this claim and other notices is to be recorded with the County Recorder of this County.

The all-dips, variations, points, roads and all marks, lines, or demarcations within the limits of this claim together with all water and timber and other appurtenances to the location of the United States are hereby claimed.

[Signature]

[Date]
Erect Claim
Claimant of Workings
Discovery Block
Claimant

[Signature]

Mining District
County

[Date]
By 1957 Tom Alley and Bert Long of Ajo had sold their Growler claims to the NPS and had abandoned their developments (what remained of them) at the Growler. Also, in that year Jim Orcsco sold his rights at Quitobaquito to the NPS and it too, remained cluttered and both sites needed a management decision of some kind. Superintendent Monte Fitch decided that the entire structures and debris at both sites were unsightly and should be cleaned up completely. At Quitobaquito the approx. 15 acres of the Orosco debris were cleaned up, the dike on the pond was strengthened and the pond deepened to what was thought to be the original (Dorsey) depth (at least the silt gave out at this point). The deepening of the pond was done with bull dozer by placing the pupfish in a special hole in one corner of the pond. Then the ancient adobes were bulldozed over and the pond was returned to a natural oasis without a trace of the historical or ethnological values.

Although some advisory advice against denuding the area was given, the history buffs complained long and loud about such razing without first consulting the such authorities who expert knowledge would have been given.

What effects had the bull dozer made on some of the potential "early man" site at the pond, the well established ecology. Jim Orosco once told an Ajo resident that one of the adobes (possibly the "old Frenchman's place—Sestier?" was there when his grandfather (Luis Orosco) arrived there in 1887. A few inquiries across the border would likely have revealed that the two adobes were of considerable historical antiquity and indeed should not be wantonly torn down. By late 1962 the pond had become a lovely sylvan oasis with its cottonwoods, bulrushes—a verdant jewel in the desert, where the birds sang, fed on mistletoe berries and rabbed insects from the air. But no real effort had been made (aside from the gift of Tom Child's "History of Quitobaquito" to run down the guts of this exciting little oasis.
Even the National Park Service, if it is to exist self sustained out in the desert, must be at the mercy of finding adequate wells and adjusting itself accordingly. After Supernaugabandoned efforts to drill a well up near the north boundary, another attempt was made by the nameless wash at the present well site. Of four attempts only two drilling attempts were successful.

Well No. 1 was drilled at its present location in July to a total depth of 348 ft. Depth to water in that year was 306 ft. The other (southern) well, Well No. 4, was drilled in the fall of 1957 to a depth of 310 ft. to water. These two wells are used today. Well No. 2 was drilled at the campground in May of 1954. The well was drilled to a depth of 305 ft. without finding water. Well No. 3 was drilled to 291 ft. in May of 1954, some 300 ft. south of No. 4 well, but, although water was found at 279 ft., but dry at 296 feet, not good enough for the required use. A 100,000 gal. reservoir was built above headquarters area in May, 1958. Today, the No. 4 well serves the 50,000 gal. tank above the campground and no one is pumped up to the residential-utility tank.

The wide open Organ Pipe Cactus was an ideal location for winter camping, especially for the retired people with lots of leisure time. In the formative days of the forties the camper could camp most anywhere in the sparsely occupied Monument. Bates Well, Alamo Canyon and Agujita Spg. were popular camping spots. However, Supernaugah saw the increase in this sort of camping and soon regulated camping to the campground (such as it was) by headquarters. The campground that he "designated" meant that you drove in to the creosote flat, perhaps found a crude homemade picnic table, found some rocks with which to make a fire place, used the rickety old water tank at the area (see photo). Probably the most notorious aspect of this shifty campground was the doddering outhouse, rank with long use, beset with swarms of bees.
Up on the north boundary Supernaugh had a hole drilled to 350 ft. in April, 1940 and found no water. In June of the same year he drilled another hole closeby to 500 ft. and again finding no water, gave up.
Maine.* "aintenance man Art Quinn recalls that Supernaugh, ever frustrated in his
efforts to get money and materials during these tight wartime years, had
the campers line up in front of the ragtag old outhouse and he photographed
the scene and sent it to his superiors in an effort to secure more materials.
Complaints about the outhouse were many, some oral, others by mail to the
Monument and their congressional representatives.

Attempt at campfire programs were made by hanging up a bed sheet and
rangers would show what few slides they had. Programs were held "ever so
often," and usually after the ranger's working hours.

Louis Kirk, recalls the core of "permanent" campers who drove in during
early winter, established themselves at a "site", blocked up their trailers
or cars, covered their tires from the sun and settled down for the entire
season, usually until driven out by the late spring heat. Many of the
"campers" were so anchored to their site, that they relied on rides from other
people to go to the store for supplies.

Papago laborers were employed for projects. The Indians lived at the
Monument, probably in tent frame houses, during the week, but were picked
up at GuVo by Louie Kirk at the Reservation on Mondays and returned by him
to GuVo on Fridays.

Certainly, to the Organ Pipe Cactus employee, it was housing that
he was anticipating. During August of 1958 five handsome, three-bedroom
homes were constructed on the gentle slope below the eastern face of
Twin Peaks. Again in 1959 two more homes of the same type were added.
Then, in mid Feb., 1965, three adobe residences were added making a
dozen homes in this pleasant slope. Also, the large, metal utility building
was completed in this year. Now, the very dilapidated old maintenance
area over by the old headquarters was razed and cleaned up. The old
museum-headquarters building, converted to a storeroom was hit by lightning
and burned in the summer of 1963.
Then, in November and December of 1961 the old structures (largely crumbled) at the Growler-Yellowhammer Mine area up by Growler Pass were cleaned up with the same thoroughness. The concrete foundations were blasted, the big hoist tower knocked along with Bert Long's big, adobe kitchen and three other abandoned buildings. The debris was stuffed down the 144 mine shafts ranging from a few feet to 300 ft and the area was left immaculately clean with no sign of its past, not even a historical reminder. While the razing of the Growler area was not so destructive as the Quino area, the old buildings should have some qualified attention before being bulldozed down mineshafts. Stabilization and rehabilitation of historic structures is also a part of the NPS skills.

Fencing of the 51 3/4 sq. mile monument was accomplished, something like the roads, in piecemeal, according to available money, and man power. Certainly, one of the best ways to secure the values of the Monument was through fencing. Mexican cattle and horses constantly strayed up from Mexico into Monument lands, as well from other sections, eg. Papago cattle from the east and misc. cattle from the north, where a charco just north of the boundary led cows to grazing into Monument lands. Also, during the 40's the Bureau of Animal Industry requested NPS cooperation (i.e., fence) in keeping horses also foot & mouth disease from entering the U.S. / The first fencing was accomplished in the Monument in 1939 and 1940 in cooperation with the Division of Grazing CCC program and the NPS, with about 14 miles of fencing, leaving 13 miles unfenced. So, bit by bit, the 4-wire, steel post with cedar corner and strain posts begin to define the Monument boundary through the 40's, at, according to Supenaugh's figures, 500.00 per mile.

The first variety of shortages caused by World War II were felt in
The great variety of shortages caused by World War II were felt in more ways than construction shortages. During these lean years the OPA had established rationing in American Papagoeria as well as elsewhere. However, there was some compensation for the people of the Ajo District who could simply drive down to Sonoyta to do their shopping, even Christmas shopping.

But, such items that were rationed in the US became scarce in Mexico. By May of 1943 ration stamps were collected at the border for the US citizen returning from Mexico with pertinent articles.

In July of 1940 a bus line connecting Ajo with Sonoyta opened although the road would not be completed until Dec. of 1942 and oiled until Nov., 1943. In Feb. of 1946 Art Latham announced the opening of his Ajo-Sonoyta bus line.

In May 1946 H. A. Dalton and his son purchased the Tucson-Ajo bus line and two 29 passenger busses. Also, during the war the Ajo-Phoenix bus line continued to make two round trips daily to help relieve the car-gas shortage.

WHY

The little development some 22 miles north of Monument hqtrs, 11 miles south of Ajo and some 123 miles east of Tucson has long been known as "the Y," where Ajo, the Monument, Mexico and Tucson are separated. More formally, it was known as Rocky Point Junction. There can be no question that the leading personality in the development of this little junction has been Mrs. Peggy Water. In 1949 she and her husband (James or Jack) arrived in Ajo and then hauled an old garage to the junction began to fix things up, working mostly on evenings and weekends. They early opened the small XY Bar (since sold to its present owner, Bill Burke). Then they hauled in a small trailer and turned it into a small store. Frank ("Brownie") Brown ran the early store near the present store before going to work in the maintenance division for the National Monument. Next, the Waters established a service
nation. Yet, they, like all pioneering desert dwellers were at the mercy of
the water supply, or the lack of it, as in this case. Peggy, a large
strong woman tanned from the years working around the place, and often be-
overalled, hauled water over the years from Ajo to keep the little dev-
elopment in existence. She remarked in Sept. of 1968: "Been hauling water
for 20 years and I'm getting tired of it." The small community has had
a relatively high cohesion and they worked hard to develop water. By March
of the well drillers had hit water at 855 ft. at a cost of $91,000. The men
of the village resolved to grow beards during the drilling until water was
struck. A 32 ft. high, 20,000 storage tank was placed on the hill and Why now
has its own water supply.

Peggy Water says she had for so many years listened to tourists stop
by her store and ask the frequent question, to the effect of "Why do you live
out here?" The "why" part became so frequent that Peggy decided to call
cir. 1965 P.O. also called Why,
the junction "Why." Now people want to know why the village is called Why.
WHY—1971

The little crossroads of Why did not get its serious growth underway until the beginning of the 1971 winter season arrived. The initial spark that served as the launching pad for Why development was the successful well dug in March, 1969 and the life blood for the village was established and Peggy Cater no more had to haul water from Why.

Then an unexpected series of events occurred to create a market for Why enterprisers. The Bureau of Land Management closed down the "Wash" or the broad Gunsight Wash where the winter snowbirds had long squatted for free. They were now turned out into the paying campgrounds of some sort and the best potential appeared for the moment to be at Why. The "Wash" had no sanitary facilities of any sort. Also the expected large, if temporary labor force that would build the Acid Plant in Ajo would seek some sort of housing space and Why had the space. Then the biggest economic bomb shell hit when Congress passed a bill that cancelled the long cherished Golden Eagle Passport, a ticket that had allowed the park visitor to use NPS campgrounds so long as he was armed with the $7.00 Passport. The new bill banned the Golden Eagle Passport for a camping fee and allowed only entry into an NPS area, hence, the retired campers on social security income were shut out of the Organ Pipe Campground and they angrily sought neighboring cheaper campgrounds for their winter migration.

So the Why Utility Company, the official non profit/civic organization of Why water users (water users automatically become members) quickly capitalized on the sudden market and scratched out a hasty campground adjacent to the eastern development, built a restroom and offered cheap camping, for $1.00 a night, 5.00 a week and 10.00 a month, and the campers came thronged the newly created campground.
The Why holdings consisted of a plot running one mile north-south and one-half mile east-west plus a small parcel of Bureau of Land Management land.

Bill Burke, a Bostonian turned owner of the XY Bar, recalls the slow development of the village, especially the bar. It was, as above noted, the venerable Peggy and Jack Cater who first turned a garage into the bar in 1949. The bar consisted of a tub of beer cooled with ice. The cash register was a belt-type coin changer. She later converted the garage into a bona fide bar and in 1961 sold it to Bill Burke. Papago Indians comprise at least 90% of the clients; then some 7% are Ajo based and about 1% transient. At any rate, Bill notes that business is the best ever.

Other Why business include a restaurant, the Y Grocery, another Peggy creation, two bars, four gas stations, just created Pozo Resondo Estates, a motel and adjoining trailer court and a newly built laundry. Near future plans include a combination curio shop-used furniture-and other miscellany, a new BLM roadside park (no camping) and a new trailer park and a de-fluorination plant (to remove fluorides harmful to the teeth of young children). Why has even had its few streets named and when brought up to accepted standards, will be maintained by the county.

Present assessment then, indicates that Why, along with Lukeville (Gringo Pass and chip & oil private enterprises), can only profit, provided they remain alert and professional to the rapidly increasing market. They, very likely will do just this.
LUKEVILLE

Probably the earliest cultural activity in the vicinity of present-day Lukeville was the activity and well dug by Lon Blankenship between 1911 and 1917 in the vicinity of the present Customs-Immigration station. Then a little known named Herbert J. Kilpatrick patented the 69.21 acres (now held by Ray) on 6/2/38, although he did not register the land with the General Land Office—a good way to avoid paying taxes. He appears to have a watchman-manager named Guadalupe Burriel from Sonoyta who took care of a small adobe right square on the boundary just south of the present Gay complex where he sold a few odds and ends such as gas. Then Kilpatrick sold his property "a tough old German" according to Kalil to Charles S. Luke, a store manager of Phoenix and Ajo in 12/19/38. Luke did not make a permanent residence of his border property, but did call the place "Lukeville," either after himself or his more famous brother Frank Luke, the "balloon buster" of World War I who was killed in action. Luke was one of what might be called the "big three" of Lukeville, and certainly the most active in developing and commercializing his property. The other two were Syde J. Kalil and to a lesser degree, Ike Hocker.

Syde Kalil must be considered the real frontiersman of Lukeville. He lived in Ajo where his uncle owned Kalil's Boston Stone. He married a girl named Josie in Ajo and began a series of small business enterprises such as running with Mike Hannigan the famed (or ill famed) Hotcha Club just south of Ajo mentioned earlier. Also, he hauled sea bass from Holla Bay during the thirties. In 1924 Syde and Josie built a small adobe on the border, where the planted island in front of the Customs-Immigration is today. Here he dug a well by hand (evidently the old well just behind the customs, but no longer used some 65 ft. deep later deepened to 90 ft. Blankenship also dug a well near this locality which at one time had a windmill. Here, at Syde's was the first gasoline station on the border and possibly water.
Syde began with squatters rights of some 160 acres, or 154.4 acres since re- 
sold 5.68 acres to Pima County in 1901. He ended up with 132.56 acres and called his site "Kalilville." However, two parties 
began to move in and crowd the Kalils. The customs people moved from from 
Ajo to be closer to their work and took 10 acres in 1940 where they built 
a customs station and residence. Syde then moved over to his present location. 
In 1938 Charlie Luke moved in and began to plan to develop his holdings. He 
even succeeded in calling the place Lukeville, and according to Kalil, went 
through Senator Hayden to have the post office, established there in August of 
1949, called Lukeville, and Kililtonscon dissolved into Lukeville and has been so ever since. Luke was in and out of the border settlement, mostly out 
with his interests in Phoenix. The two men long remained friends, but occasionally 
had legal bouts over land. Luke finally got his patent on his land in 1938 
(probably) from Franklin D. Roosevelt, and has remained a Democrat ever since. 
Through the years it was Luke who tried to develop the place with stores and 
... and ends, but the market, capital and the time never seemed to have been just right for a real economic success. 
Luke worked well with the NPS through the years since the Monument was concerned 
with the appropriateness and quality of its nearly 200 acre inholding. The 
major relationship with Luke involved the reconstruction of the road in 1941 
to run straight onto the US & Mexican Customs stations. The new road would 
run through Kalil's and Luke's property. Kalil sold his right of way or 
scenic easement to the county who in turn gave it to the government in 1941. 
Luke, however, agreed to donate his scenic easement to the county (and NPS) 
for the right to establishment a concession. The deal was okey'd and 
in Oct. of that year, Luke and his wife, Eunice and the Luke lessee at the 
time the Gillespie Land and Irrigation Co. granted the land for this purpose. 
Meanwhile, Kalil made no effort to develop his land as Luke had done. However, by mid January of 1957 the Monument learned of Kalil's 
efforts to develop his property. The inter-Luety Realty of Phoenix about
When "up nough and other concerned parties learned of Luke's attempts to name his holdings and the post office after himself, several complaints were written to higher offices, since there were other names in the area that were historic and colorful such as San Marcelo after Kino's mission, but it still became Lukeville.
their plans to develop a 250 unit trailer park. Syde recalls that the expenses, such as electrical problems in the pre-public service days were too much for their plans. In March of 1960 Kalil began to discuss new plans with his Tucson attorney Ray C. Brown to develop his property, perhaps to include a motel. Brown also expressed an interest in trading the Kalil-Lukeville property for property elsewhere "that would be more readily salable that the Lukeville property." Again the plans withered away.

During December of 1967 and January Kalil and the Monument had a brief row over Kalil's cutting the natural vegetation on the 200 ft. right of way belonging to the NPS. Kalil replied that he needed to clear the area so people could see his place. Then what about the time the NPS put the airstrip on his property? Syde was tired of long legal battles with the Customs, Luke, the General Land Office, and a succession of monument superintendents.

Now at 73 years, Syde had let his son-in-law and daughter take over the development while he retires on the land that he settled 46 years ago and which he loves more than any place he has ever been.

The third member of the Lukeville "Fig Three" and not as big as the other two, was Conrad "Ike" Hocker. Ike leased some of Luke's developments during the late '50s such as the wonderfully colorful bar with its great horseshoe-shaped counter and the blaring jukebox and the lusty, joyous shouts of Mexican and "hillo American beer drinkers. Later there was the smell of deep fried shrimp and chicken and the battered, but cluttered store. During late 1958 and 1959 Ecith Garrison ran the little cafe and the equally tiny gas station was run by E. I. Kennedy. Hocker soon gave up on his lease from Luke ailing health. The bar and restaurant were then subleased to Henry and Eda Jarvis, who hung on until Nov. of 1965 while doing extracurricular work bearing up the Monument's land at the "silica pit over west by the Victoria Mine. So Luke seems to have managed most of his developments through lessees none of whom reaped great financial success.
Ike, ever a frontiersman of cattle interests, besides his early days with his uncle Bill Miller and Tom Childs and a stint in Gila Bend has been in and out of Lukeville (and Sonoyta). Perhaps Ike's principle contribution to the Lukeville area was his ownership or managership of the ice house. However, because of the duty required to sell ice in Sonoyta he sold it and it presently rests on the west side of town enroute to Rocky Point (check here). Now resides in Lukeville.
In late 1964, Luke, not far from death, sold his holdings to Robert K. Altherr, owner of the A-1 Construction Co. of Phoenix. Altherr and his wife worked hard to make the business go, but because of lack of capital or whatever, it like the others, just wouldn't "go."

Jim Eden wrote Region in May of 1956 of the Lukeville condition.

"The operation of facilities at Lukeville that could be of benefit to visitors continues in the normal state of confusion and uproar. Irresponsible management of existing privately owned facilities, including housing, led to a decision by GSA and Customs and Immigration Services to construct government owned residences there to house federal employees." 

Again Superintendent Jim Felton, superintendent of the early 60's wrote his usually outspoken views of the Lukeville development to Region in late March of 1966: "In the interim operations are haphazard and below standards required of any business known to be in a national park area. Some might consider Lukeville quaint. Actually, the place is a slum and has been since the establishment of the Monument 27 years ago."

In December of 1967 Bob Altherr, could not meet his payments and sold his holdings for a reported $135,000 in cash to two Phoenix entrepeneurs Al. E. Gay and Rôbert Hamilton. Gay has a background as an Alaskan bush pilot, a fish cannery and miscl. rental property and a large apartment housing in Phoenix, his current home. Hamilton, an architect remained in the business only a short time, selling out to Gay probably in 1967.

The Lukeville complex under Gay was named *Organ Pipe City*, and then a handsome slumb block complex was built and renamed Gringo Pass, a name that Gay would like to secure to the entire development, post office and all, but is not apt to succeed with such a name. Most people feel that Lukeville is bad enough without changing it to Gringo Pass. Here is today housed a post office, laundry, supermarket, gift shop-dry goods store, bar, cafe and a filling station. Most every one is reasonably happy with the quality and variety of services
cept for the somewhat high prices which is expected at such an outpost some 450 mi.
from the Phoenix-Lucson area. The park service is pleased at the services,
particularly the campgrounds of Gay's and Kalil's and Gay's Motel which
serves handily as an overflow for the campers of the winter season who often
cannot find camping room in the NPS campground during the winter season.
THE LUKEVILLE AIRSTRIK

The Lukeville area was early recognized as a desirable place for a landing strip and there were early, long and frustrated efforts do do so with the resulting strip bordering on the ludicrous.

The first known efforts to secure such a strip began in mid Dec., 1946 when a party inquired of Regional Director Tillotson for a permit to construct a strip near Lukeville in order to land his commercial load of fish from Puerto Penasco in order to meet the requirement of the U.S. Customs to declare their possessions at the border. The nearest extant landing field was then at Ajo, some 48 miles away. The man was refused, since the strip would be incompatible with NPS standards. Other pilots sought to establish such a field. Supenaugh soon came to be convinced of the need of the field and recommended to Region that it be made. Soon pilots were writing U.S. Senator Ernest W. McFarland and NPS Director Newton Drury became involved and refused the permission. Even the Pima County Board of Supervisors requested a strip, but after minor correspondence, withdrew their request. Regional Director Tillotson wrote Director Drury that the pressure was continuing to mount; that they might, after all end up with such a strip; besides the vegetation at the desired spot was "inconsequential" anyway. Then in Nov. of 1953 the Bureau of Animal Industry requested permission to land their planes near Lukeville. The Washington office replied that such practice was incompatible with the park's purpose, they would be allowed to do so. Besides President Truman had approved in May of 1950 for the development of airports "outside, but close to the entrances of these areas." Patraw of Region II remained adamant: "In fact a landing strip anywhere in the Monument would be extremely undesirable." Anyhow, Supenaugh and the BAI sought "an old road" which they could use for emergency use only, that was not to be thought as a landing strip as such.
LUKEVILLF (School)

As Lukeville began to grow, the school-age children increased, but there was not a pragmatic system for getting the children to school daily so another function of Lukeville came into being—the Lukeville school. A special use permit was signed for the school years of 1950 and 1951. The teacher, Mrs. Jim Hogue 1st, was tied for the school years of 1950 and 1951. The earliest school was a short distance east of Lukeville and consisted of an adobe building with tin chairs and an old locomotive building. Much volunteer work 20′ x 50′ donations. Then a Army surplus barracks type one-room building was hauled in for use. Again in August, 1959 the old school barracks had become deteriorated and abandoned. Then in August, 1959 another special use permit was issued for the use of for an abandoned No. 3 headquarters building.

LUKEVILLE (Customs)

Sonoyta—During the many years since the abandonment of the Santo Domingo hacienda the celedores wandered about their garitas checking the variety of entries at the border. There was a garita de inspeccion at or near the present border station which in May 26, 1953 became a full fledged customs or aduana. Lukeville—Of Lukeville's 187.92 acres, 10 acres belonged to Customs. Before the establishment of the U.S. customs station, the customs was located in Ajo—upstairs (presently the Ajo Improvement Co. and formerly the Valley National Bank. Customs men such as Bill Keyte would wander down to the border at the present customs site in his Model T Ford "every week or two."

The first legal efforts to establish Customs authority at the present site occurred on October 14, 1930 when President Herbert Hoover issued an executive order for "withdrawal of Public Land for Customs and Immigration and Inspection Purposes." The withdrawal excluded the 60 ′ border already set-aside by Theodore Roosevelt in 1907. The present Customs station and port capitán's home was built in 1940-41. There still remained a housing shortage and, as earlier noted, Lukeville did not own or could not supply housing for...
In 1945 one immigration inspector wrote the NPS for permission to build a home on Monument land since they could not find housing in Lukeville or Sonoyta. Acting NPS Director Tolson replied that the NPS was trying to remove the inholdings they already had and indeed would not allow any new ones.

By 1947 there were three immigration inspectors, one custom inspector and two cattle inspectors all with families and each family requested a five-acre plot on which to build their homes since none were available in Lukeville or Sonoyta and Ajo was 40 miles away. Tolson was sympathetic but again refused them the housing permits. In April of 1942 the immigration office was established and in May of that year a duplex apartment had been completed at the Lukeville customs-immigration.

Then, Lukeville Customs-immigration along with the rest of Lukeville, Sonoyta, the roads and the National Monument began to grow. As of September, 1970 the little station is the focal point for three customs inspectors who man the station, five customs agents who patrol the border at any hours for illegal entries of people and/or contraband and three immigration inspectors. Other lawmen who man the area include one Pima County sheriff who is assigned to the Lukeville area out of Ajo, an assortment of border patrolmen out of Cila Bend, a couple of State Highway Patrolmen and a bevy of park rangers who drive and hike around the Monument checking anything from miners and trap cattle cattle activity to wet backs and rain spigot up on tops of mountains. To law and order, or at least the protective end of it as comes naps to the Lukeville-border area. On most any night anyone from a marijuana smuggler to a Monument visitor returning from duck hunting at midnight to may, after dark, suddenly finds his car checked in the road and a blinding red light flashed in his eyes and left von, probably Customs agents who will search his car for marijuana or other contraband stretching end to end the fence.
Sonoyta--One must wonder how Kino would regard his little San Marcelo if he could see it today, completely demolished and covered into a mound of dirt, with a scraped out parking lot in front of the mission and a stone monument with a bronze plaque commemorating Padre Ruen, as if waiting for the archeologist and historian to excavate the site and present the buried remnants of the walls to modern Sonoyta and all those interested on both sides of the border. The growth of Sonoyta is measurable each year with modern development and more people--about 5,000 according to the signs. The village also contains four modern, quite adequate restaurants, two sizable grocery stores, two doctors, one dentist, three or four curio shops, two liquor stores, two gas stations and a new giant station on the way up to be owned by Mario Saldido the current Sonoyta Comisario, along with his automobile parts store, one drug store and one large long standing cat house, the "famed (or ill famed) Cocacabana night club.

Sonoyta seems today to serve the same basic function as it did when first visited and improved upon by Kino, that of a oasis in the desert and a jumping-off place for trips to Arizona or California where one may find rest and food and other needs before heading off into the desert. The giant busses constantly arrive and depart in the town along with the huge trucks. Essentially, it is "Sonoyta where one leaves/the so-called "free-zone" of the border; here, if he is going south he must check with customs and immigration at the border. The efforts of the 40's to build a modern highway to Puerto Penasco has paid off economy-wise. Every weekend speeding cars from Phoenix, Tucson, etc. stream through Sonoyta pulling boats to the rocky Point-Cholla Bay for weekends and holidays.

Out by the dam about 1 mile from present Sonoyta near the mission ruins and "Old Sonoyta, a new dam is being built to replace the silted old one, probably in 1957 to replace the old dirt and brush dam that washed out during summer floods.
The town's highly popular and very able doctor Rafael Cota, a native of Nogales and in Sonoyta since Nov. 2, 1952 has a small-too small—office on the village plaza.
The Papago Ejido, one of eight in the Sonoyta region, is a cluster of jacales or shacks west of Sonoyta on the north side of the Sonoyta River. Since ejidos, a product of the Mexican revolution (especially of Emiliano Zapata), are sponsored by the federal government, the little group is relatively independent of the Sonoyta city government. The ejido has its own civic organization including its own comisario who discusses the village matters with the men and goes to and is responsible to the state capital of Hermosillo to resolve its matters. The ejidatarios have wandered up from much of the Mexican interior such as Chihuahua, Chih., Guanajuato, Gua.

The over crowded conditions of the interior, the low price paid for marketable produce, low wages (sometimes 10-12 pesos a day) and the stories of higher wages, sometimes room and board up on the U.S.-Mexican border have spurred many discontent farmers, up to vacant land on the border.

My wife and I first made initial contact with the Papago Ejido in April, 1970 when we asked directions to cross the river (which was right in front of us). The farmer who had his jacal just above the river and was the logical person to ask, was Jesus Duran from the state of Chihuahua. He and his wife and six children live in a rag-tag, two room tiny jacal made from saguaro ribs and mesquite with some of the gaps more or less patched by cardboard. Wire held the weaker places together. The roof was made of saguaro ribs and covered with tar paper and dirt. A simple stove made of burnt adobe bricks and concrete, a small wobbly home-made table & chairs made up the front room. Beds filled the wind-ry back room. Six well behaved children milled about the house sometimes playing with toys made from wheels of other abandoned toys and boxes and were pulled about with a string by the younger children. About a dozen chickens, and a goat
scurried about the house. The chickens wandered in and out of the house and Jesus said the goat would come in sometimes and knock over the items from the table and stove. Corn was occasionally tossed to the chickens.

Soon after the query for road directions, my wife and I returned to bring a box of discarded clothes and toys. Duran then asked me for information on purchasing a 1/4 in. pump to irrigate from a well the ejido hoped to have dug. Then the only extant well was the 24 ft. deep well in the center of the ejido operated by a windlass. Duran preferred to buy the pump in a town such as Mexicali so as to save a little money. We brought the Durans a Sears catalogue and we became known in the ejido as *la gente del catalogo*—"the catalogue people."

When we visited the Durans in Nov. of 1970 Jesus had abandoned the pump idea since the large Sonoyta dam (*la cortina*) was being adjusted to supply the ejido with water via concrete-lined canals. Also, by this time Duran and other men of the ejido were being employed by the federal government at the dam. He was earning 48 pesos (US $3.14) a day and worked from 7:00 am until 4:00 p.m.

Earlier that fall Duran had planted a crop of beans in nearby mountains after a late rain with the hope of getting perhaps a ton of beans for a late season harvest, realizing the gamble with a fall frost. A cold snap did indeed occur and they lost all but expenses on the crop.

The hunting season for big game occurs in Dec. and only males (*machos*) are permitted. Such game as javelina, mule deer, and perhaps antelope are sought by the relatively affluent people from the south. Some species, like the bighorn (*corrango*) are hunted primarily for the trophy head. The more impoverished people around Sonoyta have only contempt for these people since most of them cannot afford such a hunting permit. Duran and others of the river valley hunt on their own and hope to avoid detection. Duran
removes the head after killing a sheep so as to avoid detection. Such illegal hunting seems to be a requisite for survival on the impoverished, often unemployed river valley.

During the summer of 1970 both Jesus and his wife became ill, he being so sick that he had to go to Caborca for medical help. As they had no money for medical bills, they sold their chickens to meet the expense.

One day in 1979 Duran, while hunting in the hills to the south, discovered some surface gold and copper deposits. He has made no effort to mine the site, but collected some samples and asked me to have a geologist examine them to determine if they were working the site, on his day off. He guards the location carefully, but will be willing to take on a partner, provided the latter owns a vehicle to transport the men and hopefully the ore. He has since returned to the mine in a pick up with friends, but during three trips has been unable to relocate the vein. His wife says the mine is encantado or haunted and he will find it only when he returns alone.
Although travel and tourism are picking up in Sonoyta, probably the most significant disruption in the normally quiet, bucolic is the current inroads of ejidos, small plots of farming land alloted and sponsored by the federal government as long as they work it. A fact of life long known by Sonoytenos is the limitations of the little Sonoyta River; however, today government engineers are attempting to stretch the river reality for the ejidatarios many of whom now sit high and dry on the banks of the stream they cannot use in a region where dry farming is impossible.

Engineers from the Federal Secretario de Recursos Hidraulicos with its central office in Mexico City, and state office in Hermosillo are living in Sonoyta while they proceed to bring water to the ejidos. Their present construction is a result of some 20 years research in the region, efforts that were born and are paid for by federal offices. The technical staff is divided into engineers who are constructing wells, those who are constructing canals and the builders of canals and the bipartisan planners.

At this writing stone work is in progress to bring water directly from the dam through cement and stone canals to beyond Sonoyta to the Ejido Papago some two to three miles west of town on the north banks of the river, so the migrants from the south can irrigate their milpas. At present they are sitting high and dry waiting for such water. At odd times the men of the Ejido are employed to work on the dam, but such work is infrequent and the ejido is impoverished. Thus, the brook-sized little river that now bubbles beneath the dilapidated bridge will be dry since all the water will be used from the dam 1\frac{1}{2} miles upriver. For the present, only the Papago Edido will receive the canals, however, other ejidos, e.g. Santo Domingo, Morelia, Josefa
Ortiz de Domíngus and other ejidos west of Sonoyta must, for the time being, perhaps 100 ft. deep, either wait for shallow wells to be planned and developed by the engineers or use the dredges of the Sonoyta waters. The canals cannot supply all western ejidos.

The other part of the water producing project involves the drilling of five already approved wells that will be roughly 600 ft. deep, but for the use of stock and probably potable only, i.e., not for irrigation purposes. This project will be located east of Sonoyta and the dam and in the vicinity of the historic Papago ranchería La Nariz, a massif of hills south of the regular Ajo Mountains and located in Mexico. Nariz, Spanish for nose, refers to the more or less nose shaped face of the hills.

Original plans called for another dam to be built at La Nariz, but after studying the filtration and evaporation of such a reservoir, the plan was dropped in favor of the wells. Early considerations also involved a reverse.

The water planners from the south would like to grow cotton in the region since this crop requires employees and could absorb some of the large wandering men from the south, but ironically, cotton requires a great amount of water and Sonoyta cannot expect to turn out the cotton or other crops like the Mexicali area with the dredges of the Colorado River.

These plans to supply the invasions of ejidatarios have been made around and over the heads of the Sonoyta jefes and cuidadores; probably the best route to implement such a project, otherwise Sonoyta would not have allowed such claims on their ancestral and life giving water supply. It is such claims on their water and land "rights" that forms the nucleus of angry Sonoyta. One long-time resident of Sonoyta tells in terms of strong conviction and the resentment of a Mexican revolutionary that the water has always been just enough for the town, in fact, in historical times, has not
of the dam, but such construction would likely inundate the spring, presently above the dam reservoir and river bed, thus possibly clogging the springs, on the idea was scratched.
To the west of Sonoyta along the river banks new subdivisions are growing with the name of ejidos, a land holding system that became important to the rural Mexican resulting from the breakdown of the hacienda system and the Mexican Revolution of 1910. Ejidos are plots of arable land varying in size and belonging to a man and his family as long as he worked them. This land of the ejidatario (ejido owner), inalienable and indivisible is still practiced and important in Mexico, including the Sonoyta River Valley.

Several miles west on both sides of the river is the Santo Domingo Ejido that is located all around the old hacienda of Don Cipriano Ortega, but far from the monolithic river valley empire of Ortega. The sad jarcules of adobe and saguaro ribs do not indicate an economic success of the migrants from many parts of Mexico, but show that the little river may have done about all it can for the people. Small sand dams, usually less than a foot high, back up a little water to allow a pump hose to remove the water to irrigate the small milpas (fields) of the area. Then the newer Paparo Ejido on the north side of the river is a cluster of saguaro rib huts made alike with a community well in the center which would be picturesque were the site not a sign of import due to poverty and a failure at farming in a new land. The local established Sonoytanos remain permissive about the farming efforts (some of the ejidatarios plan to drill wells using the Sonoyta River drainage) but are concerned about the outsiders lowering the water table for the town.

Cotton has been proposed in the river valley, but again the river is far from adequate for such water-demanding crops and deep wells would be required to do much good—again risking lowering the water table to the detriment of the town. While the new dam upriver will improve the extant irrigation, it may be that the rural livelihood may have reached its near limit in the Sonoyta River Valley while tourism, transportation and services may be on the upswing and continue to grow, for better or worse.

(Cover) 174
Venerable Moises, veteran Sonoyteno and foreman on the present dam
opines that the new ejidatarios will do one thing, by trying to irrigate
their paltry milpas down river, they will be living in shacks. Bob
Montgomery, Sonoyta mechanic, offers no better hope for them. He says
they "are going to starve to death and maybe kill each other."

Some of the Sonoyta pioneers such as 85 year old Arturo Quiroz who
recalls the details of lay outs and life in old Sonoyta and Santo Domingo
leans on his cane outside the hovel in which he exists in abject poverty
and recalls the healthier, wholesome days of the decades before and just after
the turn of the century. He is disgusted at having to pay 4.00 to attend
a dance and another 4.00 for a table when at Santo Domingo, before the turn
of the century, the little band played quietly and with dignity most of
the night and afterwards the band members were simply tipped a few pesos.
He wholly disapproves of miniskirts which "come up to here." Pack in his
day skirts seldom came above the ankle. He emotes: "Es una cosa muy fea."
The life of Sonoyta, where he has spent all his life, is evil and bad in
every way along with all phases of government and economics. "No vale
un cacahuate todo." "It's not worth a whole peanut."
Traffic of all kinds is increasing at increasing through the little CUSTOMS-IMMIGRATION port. In 1969 430,664 people passed into the United States through the station (should be updated through 1970) and the staff continues to increase, particularly along the hinterland border area away from Lakeville. Of the greatest alarm is the illegal traffic of a variety of contraband from more than a liter of booze per person per 31 days to marijuana and narcotics. Then too, wetbacks continue to crawl through fences (properly called alambristas—fence climbers, but usually "wet backs" or mojados de la espalda or just mojados. By July of 1970 4,363 wet backs or Mexican nationals or aliens were picked up and turned over to the Border Patrol. Several means are being worked on to diminish the drug traffic through the fence. Operation Intercept was begun on Sept. 2, 1969 and ran a short time until the Mexicans got fed up with the indignity of constant searching and the Gritos with the long line of waiting to be searched and the commercial business at the border towns who were losing business from the lack of crossings. The plan was a failure except for whatever drug traffic it stopped. A relatively new band of customs agents now roam up and down the border fence, especially the road to Quitobaquito to pick up legalities of whatever kinds. The system, still, is incompatible with a national park area and the privileges of its winding dirt roads. Any car driving down the road at night (when there is presumably no Monument to see) will be stopped. That is, a visitor returning from an evening of birding at dusk at Quitobaquito or a summer evening of watching sidewinders in the sands of Senita Basin or whatever may have attracted him to a desert evening, will likely find himself suddenly blocked in the road with a red light in his eyes and a couple of men stop the car and identify them—
The old contraband types such as tequila and mescal have, in recent years, been replaced with a variety of drugs. The primary drugs include the relatively innocuous marihuana, the increasingly popular cocaine and the third-ranked, but potent heroin-opium complex. Earlier officers from the sheriff's department, Arizona State Highway Patrolmen and park rangers would patrol the fence and roads, particularly when a "bust" appeared likely, often from a tip. As the contraband traffic continued to increase the special Customs Agents began to quietly wander up and down the border in civilian dress. Soon innocent nature lovers began to find themselves stopped with a red light vehicle as they returned from Quitobaquito, since this was a prime route for smugglers. Since the original agent entered on duty in April, 1969, three additional agents have been added to the force. Customs agents normally attend a seven-week basic training school in Washington D.C. and often a variety of other schools conducted at Hofstra University on Long Island, N.Y., enrolling in such courses as Spanish, and secret service agents courses. However, even with the additional staff and the training school the men remained frustrated with too few men (three) and too much country to cover (from Sasabe to Yuma country line) and travel problems with too few and inadequate roads. Although the job is hazardous enough (more smugglers, included a few wet backs are beginning to carry guns), however, the inspectors themselves are armed with guns ranging from shot guns to 357 magnum pistols. Only one agent was shot (wounded in Nogales) in 1970.

Today's special agents have evolved through a long series of reorganization beginning with a prototype of a 60 member investigative organization established in 1770. In 1886 a patrol of mounted inspectors was established along the U.S-Mexican border, featuring the earlier discussed, intrepid "eff Hilton. Today, the Lukeville port operates under the jurisdiction of Nogales sub office which is, in turn, responsible to the Los Angeles regional office.
In May, 1970 Jim Creasy, manager of the Cabeza Prieta Game Range, the rain gauge at Saguaro Gap, 70 miles east of Yuma, had been stolen, evidently by Mexican nationalists to carry water on their return to Mexico. The following note was found on the back of a Mexican cigarette carton:

"Favor de dispensarnos eramos dos Mexicanos que queríamos atravesar el desierto que queríamos trabajar aquí en los EE. UU. y se nos acabo el agua. Y nos la vimos muy trabajoso y tuvimos que regresar para México porque yo no podiamos caminar y para poder llegar con vida nos tuvimos la confianza de llevarnos el objeto que guardaian ustedes aquí y dispénsenos, pero teníamos que salvarnos.

gracias

In translation:

"Please excuse us. We were two Mexicans who wanted to cross the desert as we wanted work here in the United States and we have run out of water and we found ourselves under hardship and we had to return to Mexico because we could no longer walk and in order to stay alive we had to take the liberty of taking the object you keep here and forgive us, but we must save ourselves.

Thank you

Translation: Marina Hoy
The Border Patrol, an agency of the Justice Department, continues to be a major law enforcement along the U.S.-Mexican border, probably the major law body, essentially performing the same duties required of it since its establishment in 1924. Their primary duty concerns the apprehension of the "illegal alien," that is the Mexican who has illegally entered the U.S. via illegal fence climbing. He is informally known as "wetback," after his ancestral procedure of swimming the Rio Grande River and jumping in the U.S. with his back wet. He may also be called a "wet," or in Spanish, cruzador de la esclava, or simply nojado; even alambrista, meaning wire or fence climber. The patrolmen are also empowered to act as customs agents to inhibit the flow of such contraband as drugs, and in fact, often join the Los Angeles A agents on their patrol.

The Border Patrol is presently headquartered at the Yuma main station, which is in turn under the Tucson sector. Six men handle the section of border of the scope of this book, with Yuma as the pivot point and with the border jurisdiction on the west (Yuma County line) for 112 s and the same distance to the east.

The patrolman is a trained professional. He must attend a 12-week training course at Los Fresnos, Texas. Besides the variety of law enforcement training he receives an average of about 5 hours a day of Spanish and leaves with a solid command of Spanish acceptable to every class of Mexican.

Although the job has its built-in occupational hazards, there is seldom any violence in apprehending the average alien. The vast majority of them originate from farming communities in the interior of Mexico and are simple and highly "ineducated," and, as one patrolmen insists, are "fine people." He are, as a group, simply looking for work, will "do anything," and if
they make it as far as any appropriate farming community they are apt to locate work with reasonably recent wages.

The route of the apprehended alien is to be returned to Mexico by way of the "alien detention facility" at El Paso or Nogales where the reality of things are explained to him. He is then put on a charter bus assigned for this purpose or a train or regular bus, all depending upon the most practical schedule. He was formerly journeyed to Leon, Guanajuato, but today he is sent to his home town or the closest terminal to it.

The offense for the first timer alien is only a misdemeanor and no court proceedings are filed, and if he agrees to a "voluntary departure." If, in the unlikely event he does not agree to such a departure, he is "deported" and if caught again illegally in this country, he is charged with a felony.

Patrolmen find such illegal traffic to be on the increase. A relatively new role of the alien is to serve as a "mule" or a stooge who agrees for a price to sneak over a parcel of drugs through the fence while the real culprit drives innocently through the port empty handed and then drives out to where the alien is waiting with the haul and proceeds northward, that is, if the Customs Agents or Border Patrolmen aren't waiting for him.

No doubt the strings of hapless migratory job seeker would lessen in numbers if the popular "Bracero" program were to be reinstated, however, the several bills that have been introduced into Congress for such reinstatement will continue to fail to get legislative approval as long as the "do gooder" ladies and the labor unions continue to hold their legislative power on congress.
Man Survives Five Days In Desert Without Water

A strong constitution kept Vincente Chavez, 30, alive for five days without food or water in the Growler Valley, but he was near death when an Ajo search and rescue party found him Sunday night. Lying on his back in full sun near a tree that had evidently offered him shade that morning, he was semi-conscious when Carlton and Mark Mosley, Jack Garrand, Gene and Sterling Talley and Wayne Spencer found him just before dark.

Chavez had left Mexico with two companions ten days before in an attempt to enter the United States illegally by walking up the Growler Valley. After five days of walking, they ran out of food and water, and turned around to head back to Mexico. The two companions made it, but were forced to leave Chavez when he became too weak to walk and apparently suffered a heat stroke. When found, the soles of his feet were masses of blisters.

They and a party of friends from Sonora came through the border station at Lukeville but to search for him, but Sun- days requested assistance through the local sheriff's office. At that time the local party set off in a four wheel drive vehicle to look for him. They found his footprints, and followed them during the afternoon to the point where they found him. It was then five days since the food and water had run out.

Along the trail, they found slashed cactus with handfuls of pulp taken out for moisture, and the remains of mesquite beans which Chavez had chewed. About five miles from the Growler Valley, he had passed within 100 yards of one game and flat water hole, which was stagnant but full, without seeing it. He was within five miles of the Charley Bell well, and had passed near other water sources he did not know about.

The rescue group gave him small amounts of water on the way to Ajo, where they took him to the New Cornelia hospital. He was sent back to Mexico by Mexican ambulance Monday night. The local sheriff's office filed no charges against him.

Chavez lives in Ajo, Michigan, Mexico, where he has a wife and three children. He is expected to recover.
selves as Customs Agents and proceed to ask for drivers licenses, search
the car and so on—not a very appropriate end to an evening in a lonely
desert road in a national monument.

ORGAN PIPE CACTUS

The people of the National Park Service are largely a fully dedicated,
staff who think their cause is just and must be maintained against whatever pressures. After the Mission 66 completion the pressures of sheer masses of people and, in some areas, vandalism continue to increase while the severe cuts stemming from the Vietnam War hold, at this writing NPS appropriations back to those of 1963. There are daily pressures to use for overflow camping and other uses bits of parking lots and of the as yet undisturbed desert to handle the camping problem, but the Monument remains admirably adamant in restricting the crowds to the currently designated places.

ORGAN PIPE CACTUS (CONT'D) Page 178

Park files show that during the calendar year 1970 415,380 people at least entered the National Monument, including the crowds that pour into and out of Lukeville and Mexico for a variety of non Park Service reasons. The annual "overnight visits" (each night a visitor or camper passes a night in the monument) register 61,861 excluding the 38,959 people who camped at the two commercial Lukeville courts. 38,959 people traveled the scenic, self guiding Ajo and Puerto Blanco Drives. Also, 19,148 people attended the interpretive talks of one kind or other and 1,367 people accompanied the naturalist on "nature walks. Some 40,476 people watched three kinds of automatic push button programs and 47,912 people were greeted at the visitor center and 21,553 people took self-guiding nature walks.

(UNDE R)
does not have to contend with the severe law enforcement problems of drugs, patrols of hippies, and outlawry form vandalism to rapes and murders like those found at such parks as Yosemite, Grand Canyon and Yellowstone National Parks and Lake Meade Recreational Area. Nevertheless, veteran campground ranger Hillary Brown and the little staff of interpreters who spend most of their time in the office, managing the sales of soda pop, post cards and a variety of educational literature must bear the brunt of the couples who generally by three if not by noon, drive in to find the campground full and no overflow camping allowed. They are, for the moment, perplexed and irrate. and incomprehensive to grasp the significance of allowing overflow camping in the unused spots of the Monument and of the likelihood of the snowballing into the fragile, precious unred parts of the desert. Such a tight management policy, will, nevertheless, continue to preserve the desert although the complaints from the people about these restrictions and others such as the Golden Eagle permit increase in price and likely other changes to makes the job of the public contact uniformed ran (and often woman) a most difficult, frustrating and exhausting one, let the public, and the park service man understand. However, it seems to me the National Park Service and its preservation policies regarding the Sonoran Desert will do a great service to its country by holding fast to the purpose for which Organ Pipe (and all the other NPS areas) were set aside. It may be in the unfathomable future that the 516 sq. mi. Monument will be the only place where were people can visit a reasonably valid remnant vestige of the Sonoran Desert before the rest of it were marked beyond recognition by the pressures of a rampaging mankind.
Should a survey be made as to the motives for national park service doing what they do and living where they live (in parks and monuments) it would probably turn out that they are there for about the same reason as most of the Monument's visitors--for the varied rewards of the superlative country that come from experiencing the wild lands. NFS employees get paid, of course and have working responsibilities and may or may not like the particular area they are current assigned to. Just as certainly visitors become outstanding in the uniform man's eye, the latter may be outstanding to the Park Service and to the visiting public. Probably at Organ Pipe we must choose William (Bill) Supernaugh who saw the Monument through its impoverished and hectic formative years for some accumulative 11 years as its custodian and (since 1950) its superintendent and likely deserves the title as "Mr. Or an Pipe Cactus."

Then during the first half of the 1960's a striking personality appears at the Monument first as a ranger and later as naturalist and should deserve special exemplary mention as a man who loved and accomplished more for his area than do most. Harold T. Coss better known as Hal, was a New Jersey "been-aroundadventurer who after a stint at a well-paying job with Johns Mansfield in New Jersey wandered "out west" for whatever exciting might turn up. Grand Canyon National Park "turned up" first where he fell into a seasonal (summer) ranger job. Hal, a stocky, square-built former track man used his enormous energies to run up and down the Canyon's trails. In Jan, 1961 he drifted down to Organ Pipe Cactus as a seasonal ranger and found in the colorful region channels to consume his energies and wide range of interests. He quickly became a strong, wise-acting "field ranger" often spending his lieu days driving his car over rock back roads and tromping on foot where his car would not go.
oon he had explored most of the little known mines, wells, and the complex webbing of back roads and knew his Monument from one end to the other. His main interest soon became the desert bighorn sheep and these few isolated bands out in the remote mountain reaches probably saw more of Hal "oss than any other Monument employee. Before long Hal had boomed-up every mountain "worth climbing," plus several others in the vicinity. Then Hal knew many people in ‘oonoyta and the surrounding region including a wide array of the ‘oonoyta cat house girls and used his enthusiastic if inept ‘panish to get the essential communication across. Then there was the great crater Pinacate volcanic area and the wild seldom trod sandy areas of the gulf. Again, it was usually Hal who the visitor with special interests such as herpetologists, historians, and people in need of detailed geography, sought for help and a good many friends developed this way. Because of his field exuberance and abilities he was chosen to a full career appointment at the Monument in July of 1962. Hal, along with seasonal naturalist Bill Hoy made probably the first roped ascent since 1960 of the striking Bhuda-shared Montezuma’s Head in the northern end of the Ajo hts. The Mexicans call it La Mona after a crude stick doll and the Papago Indians chose Ox-bó refering to "Old woman’s head.

It may have been Hal, then who without actually and conciously filling such a role or making messianic speeches represented a local reflection of "the early American" of Lederer’s and Burdick’s book by that name. Homer Atkins a callus, heavy equipment engineer of many years found himself working in Southeast Asia and one day at a conference of American and Asian adminstrators. Atkins was unimpressed with the shallowness of the cultural knowledge of the men present and finally rose to express himself: "Okay, okay, but have any of you birds been out in the boondocks?" Atkins asked, stubbornly....'Just answer me; have you been out in the boondocks?" Well, tell ‘em to get off
their asses and get out into the boondocks, then,' then Atkins said without
anger:"

At some risk of oversimplification of the many complex values and
experiences waiting to be had, it may be just this—the boondocks" whether it
be the boondocks of the mind and personality of a still living frontiersman
on either side of the border or the "boondocks" of the wild lands uncluttered
with the development and commercial interests or even the normally used roads
that will long remain the stronghold of the Monument and indeed of northwest
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now retired

The writer recalls the lament of/epert "Bert" Binion, former line
runner and long time and real frontiersman of the "co-border area regarding
the change of the frontier as he spoke in a measured, high pitched, almost
singsong voice of an old man, close to 90 in great sadness over the inexorable
construction of the wide open desert frontier that he and the others understood
and loved so well. "Shore hate to see the country settle up on tnat account;
killing the game out, fencing off things. Used to get out and go anywhere in
any direction and never be bothered by a game warden, a Monument man....

Who then, was the greatest of the Northwestern Papago frontiersman
since the earliest Spaniard? The question certainly has no clear, obvious
answer, but we might, in desperation, turn for answer to the State of Arizona
and the U.S. Senate and House of Representative and their historical advisors.
In July 2, 1864 Congress authorized the placing of two statues (other states
unknown) of Arizona's great men in the Statuary Hall collection at the U.S.
Capital. On May 24, 1930 Senator Carl Hayden presented a statue of General
John Greenway to the Statuary. Then in Feb. 14, 1965 Arizona presented a
statue of the Jesuit padre Eusebio Kino to the Statuary to complete the

o allowed. An impressive ceremony was held in the Capital "otunda where

(Cover)

(182)
adaquate room allowed the ceremony and temporary placing of the Kino statue. Noted speakers included James M. Murphy (Master of Ceremony), Gov. Sammuel P. Goddard (presented the statue), Secretary of the Interior Steward Udall, famed Jesuit historian Rev. Ernest J. Curran of Rome Italy, Carl Hayden (who accepted the statue) and Susanne Silvercreuys, (the sculptor)

This choice of two of Arizona's great men is, we believe, a good one and not likely to be improved upon, and we are happy that both of them were pioneers of the part of the Panagueria within the scope of this book and that we have done some justice to them and all the rest of the less known men of this long-time frontier country.
Organ Pipe Cactus National Monument as a recreation area--1970

A national park area is set aside (withdrawn from other types of land uses) by the Congress (if a national park) or by presidential proclamation (if a national monument, or other "national" or "park" area) for a defined variety of uses such as wildlife observation and photography, hiking, and mountaineering, fishing (no hunting), camping, and other uses pertinent to a given area, provided, of course, that the usage does not mar or destroy the natural features or antiquities of the area. Such natural areas (as opposed to historical and recreational areas of the NPS) are dedicated to be preserved and protected by the given area, the National Park Service and the Department of Interior, for all time, as ecological islands of primitive America that is presently being devoured by the American development and population inundation at a rapid rate.

At Organ Pipe Cactus, the heavy "visitor use" season extends from around December to sometime in May, with the temperatures being a prime determinant i.e., the temperature should be just balmy to warm—not too uncomfortably hot—a feature of the Sonoran Desert that seems to be a principal raison d'être for their being here in the first place.

Most of the "visitor use" season consists of retired, own a house trailer which may be their only home for their retirement years) or a pick-up camper, van, motor home. Attached to either rig may be a TV antenna, American flag, a boat, motor scooter, bicycle and every variety of interest inside. On a typical day the average camper will be sauntering around the campground, one of the two self-guided nature trails, or most anywhere in the Monument, not too far from a graded or paved road, a type of diversion that makes park visitors happy. During most of the year someone will be at Quitobaquito looking at the usually fine bird assortment or just enjoying being at such a lovely oasis.
Most of Organ Pipe's 518 sq. miles happily remains "backcountry or "boondocks" and such remote areas like the Bates, or Growlers are seldom visited. It may be significant to note the brief highlights of the early use of this country. The first major recorded milestone of mountaineering activity within the Monument occurred in April of 1948 when the Los Angeles Chapter of the Sierra Club rock climbers led by the big strong affable veteran rock climber (for the late 1940's) Roy Terin came to the Monument and made one of the first ascents of Montezuma's Head. They expected their climb (one requiring ropes and some route finding ability) to be a first ascent, but were surprised and disappointed to find a rock carin containing a tobacco can with initials KM & CB written on a piece of paper. The names of the KM & CB are not known, after considerable searching, to the writer. The Sierra Club then proceeded to climb other, non technical mountains such as Santa Rosa, & Siaz Peak. During the 60's yearly ascents are made of Montezuma's Head including a 1967 ascent of a young University of Ariz. coed, her 15 year old brother and the dog, Pulch, without ropes. Hall Coss recalls during his early days-a big strong Bavarian mountaineer named Jack Haupt who while photographing Sonoran Desert wildlife, made two solo ascents of Kino Peak the striking block-summit of the Bates Mountains. Haupt, like Coss, had a booming energy, great strength and strong opinions, like leaving the mountains for the exclusive use of mountain climbers.
Park files show that during the calendar year 1970 115,380 people at least entered the National Monument, including the crowds that pour into and out of Lukeville and Mexico for a variety of non Park Service reasons. The annual "overnight visits" (each night a visitor or camper passes a night in the monument) register 61,861 excluding the 38,959 people who camped at the two commercial Lukeville courts. 38,959 people traveled the scenic, self guiding Ajo and Puerto Blanco Drives. Also, 19,148 people attended the interpretive talks of one kind or other and 1,367 people accompanied the naturalist on "nature walks. Some 40,476 people watched three kinds of automatic push button programs and 47,912 people were greeted at the visitor center and 21,553 people took self-guiding nature walks.
The Gulf of California has been the primary factor important in the tourism and recreation picture of the 5 shown by Table 26, the number of persons crossing the Municipio of Puerto Peñasco has climbed from a little more 400,000 by 1967. Although there has been some commercial and mineral products across the border at Lukeville, more tourists. Even greater increases in border travel have occurred at Colorado. At the latter crossing, the number of visitors got into interior Mexico has also shown a substantial increase since 1967.

From: The Economic Impact of Organ Pipe Cactus National Monument. by the Division of Economic and Business Research College of Business and Public Administration, University of Ariz.

<table>
<thead>
<tr>
<th>TABLE 26</th>
</tr>
</thead>
<tbody>
<tr>
<td>BORDER CROSSINGS AT LUKEVILLE, ARIZONA</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Persons Entering the United States</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Month</strong></td>
</tr>
<tr>
<td>January</td>
</tr>
<tr>
<td>February</td>
</tr>
<tr>
<td>March</td>
</tr>
<tr>
<td>April</td>
</tr>
<tr>
<td>May</td>
</tr>
<tr>
<td>June</td>
</tr>
<tr>
<td>July</td>
</tr>
<tr>
<td>August</td>
</tr>
<tr>
<td>September</td>
</tr>
<tr>
<td>October</td>
</tr>
<tr>
<td>November</td>
</tr>
<tr>
<td>December</td>
</tr>
<tr>
<td><strong>Total</strong></td>
</tr>
</tbody>
</table>

Although the growth in the number of visits at Organ Pipe Cactus National Monument has been substantial since the early 1950's, the total visit count and the overnight visit count are both highly seasonal in nature. The importance of regular highway travellers using the road through the Monument is reflected in the dampened seasonality of the total visitor count. As shown by Table 36, seasonal variation in total visits at Organ Pipe Cactus National Monument has caused total monthly visits over the past four years to range from a low of 65 percent of the monthly average (during September) to a high of 135 percent (in March). Visitor counts for March, April, and May have been consistently above the monthly average, while the figures for July, August, and September have been consistently low. This is what would be expected during the hot weather season in that part of the country. Because of the prolonged labor dispute at the Ajo operations of the Phelps Dodge Corporation in the latter

Table 34

VISITS AT ORGAN PIPE CACTUS NATIONAL MONUMENT

<table>
<thead>
<tr>
<th>Year</th>
<th>All Visits</th>
<th>Overnight Visits</th>
</tr>
</thead>
<tbody>
<tr>
<td>1954</td>
<td>198,670</td>
<td>8,840</td>
</tr>
<tr>
<td>1955</td>
<td>205,895</td>
<td>11,154</td>
</tr>
<tr>
<td>1956</td>
<td>263,296</td>
<td>12,255</td>
</tr>
<tr>
<td>1957</td>
<td>163,383</td>
<td>16,126</td>
</tr>
<tr>
<td>1958</td>
<td>247,448</td>
<td>24,788</td>
</tr>
<tr>
<td>1959</td>
<td>258,117</td>
<td>34,021</td>
</tr>
<tr>
<td>1960</td>
<td>262,062</td>
<td>31,094</td>
</tr>
<tr>
<td>1961</td>
<td>246,420</td>
<td>26,894</td>
</tr>
<tr>
<td>1962</td>
<td>290,051</td>
<td>35,084</td>
</tr>
<tr>
<td>1963</td>
<td>329,844</td>
<td>40,980</td>
</tr>
<tr>
<td>1964</td>
<td>324,700</td>
<td>52,765</td>
</tr>
<tr>
<td>1965</td>
<td>362,837</td>
<td>56,660</td>
</tr>
<tr>
<td>1966</td>
<td>293,402</td>
<td>58,052</td>
</tr>
<tr>
<td>1967</td>
<td>340,693</td>
<td>74,358</td>
</tr>
<tr>
<td>1968</td>
<td>374,844</td>
<td>87,691</td>
</tr>
<tr>
<td>1969</td>
<td>332,965</td>
<td>102,285</td>
</tr>
</tbody>
</table>

a part of 1967 and early 1968, however, it is probable that the 1966 and 1969 seasonal variations are more typical of the "normal" seasonal pattern in total visits than either the 1967 or 1968 counts. Even in 1966, however, high traffic on Arizona State Route 85 during June and July appeared to upset the "normal" seasonal variation in the total visitor count.

A better indication of the seasonal variation in tourist travel for those considering Organ Pipe Cactus National Monument as an attraction in and of itself is shown in Table 37. These figures indicate the variation on a monthly basis for 1966, 1967, 1968, and 1969 of total overnight visits by persons in trailers at designated campsites. The variation in this type of visitor traffic is extremely strong with little or no such visitors during the months of July and August, only slight numbers during June and September, and extremely heavy visitation during late winter and early spring.

Table 35
NATURE OF VISITS
AT ORGAN PIPE CACTUS NATIONAL MONUMENT
1968

<table>
<thead>
<tr>
<th>Month</th>
<th>Overnight Visitors</th>
<th>Visitor Days Accounted for By:</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Day-Use Only Visitors</td>
<td>Through Travelers</td>
</tr>
<tr>
<td>January</td>
<td>12,774</td>
<td>2,035</td>
<td>721</td>
</tr>
<tr>
<td>February</td>
<td>11,805</td>
<td>2,620</td>
<td>681</td>
</tr>
<tr>
<td>March</td>
<td>16,914</td>
<td>3,402</td>
<td>1,040</td>
</tr>
<tr>
<td>April</td>
<td>11,025</td>
<td>3,614</td>
<td>1,197</td>
</tr>
<tr>
<td>May</td>
<td>2,624</td>
<td>889</td>
<td>830</td>
</tr>
<tr>
<td>June</td>
<td>585</td>
<td>432</td>
<td>811</td>
</tr>
<tr>
<td>July</td>
<td>326</td>
<td>265</td>
<td>619</td>
</tr>
<tr>
<td>August</td>
<td>149</td>
<td>442</td>
<td>689</td>
</tr>
<tr>
<td>September</td>
<td>276</td>
<td>189</td>
<td>489</td>
</tr>
<tr>
<td>October</td>
<td>2,576</td>
<td>676</td>
<td>589</td>
</tr>
<tr>
<td>November</td>
<td>9,455</td>
<td>1,379</td>
<td>815</td>
</tr>
<tr>
<td>December</td>
<td>10,461</td>
<td>2,003</td>
<td>1,338</td>
</tr>
<tr>
<td>Total</td>
<td>78,970</td>
<td>17,946</td>
<td>9,814</td>
</tr>
</tbody>
</table>

Overnight Visitor Characteristics

The increases in the total volume and the pattern of seasonal variation in overnight visits at Organ Pipe Cactus National Monument are shown in Tables 37 and 38. The number of overnight visits has increased substantially since the mid-1950's. The seasonal variation in such visits is extreme, with virtually all overnight visits made during the winter months and almost none during the months of June, July, August, and September.

Those who visit Organ Pipe Cactus National Monument for overnight stays are mostly couples. Only six percent of the Monument's overnight visitor parties during the 1967-68 season were single individuals, while 76 percent were composed of two persons. Large families have been even less common at Organ Pipe Cactus National Monument than single individuals. Groups of five or more persons comprised only seven percent of the parties visiting the Monument overnight during the 1967-68 season. There also seems to have been some variation in the size of party on a seasonal basis, with the proportion of couples (i.e.

Table 36

SEASONAL VARIATION IN TOTAL VISITS AT ORGAN PIPE CACTUS NATIONAL MONUMENT

<table>
<thead>
<tr>
<th>Month</th>
<th>1966</th>
<th>1967</th>
<th>Total Visits 1968</th>
<th>Total Visits 1969</th>
<th>Total</th>
<th>Average</th>
<th>Percent of Monthly Average</th>
</tr>
</thead>
<tbody>
<tr>
<td>January</td>
<td>27,671</td>
<td>23,164</td>
<td>28,589</td>
<td>27,114</td>
<td>106,538</td>
<td>26,635</td>
<td>95.3</td>
</tr>
<tr>
<td>February</td>
<td>27,377</td>
<td>24,398</td>
<td>30,851</td>
<td>27,092</td>
<td>109,718</td>
<td>27,430</td>
<td>98.1</td>
</tr>
<tr>
<td>March</td>
<td>24,024</td>
<td>44,026</td>
<td>42,990</td>
<td>40,260</td>
<td>151,300</td>
<td>37,825</td>
<td>135.3</td>
</tr>
<tr>
<td>April</td>
<td>21,494</td>
<td>32,099</td>
<td>51,186</td>
<td>44,864</td>
<td>149,643</td>
<td>37,411</td>
<td>133.8</td>
</tr>
<tr>
<td>May</td>
<td>27,773</td>
<td>31,279</td>
<td>33,113</td>
<td>29,342</td>
<td>121,507</td>
<td>30,377</td>
<td>108.7</td>
</tr>
<tr>
<td>June</td>
<td>26,259</td>
<td>32,987</td>
<td>31,012</td>
<td>28,057</td>
<td>118,315</td>
<td>29,579</td>
<td>105.8</td>
</tr>
<tr>
<td>July</td>
<td>25,106</td>
<td>30,165</td>
<td>36,170</td>
<td>21,376</td>
<td>112,817</td>
<td>28,204</td>
<td>100.9</td>
</tr>
<tr>
<td>August</td>
<td>19,771</td>
<td>24,355</td>
<td>20,179</td>
<td>23,558</td>
<td>87,863</td>
<td>21,966</td>
<td>78.6</td>
</tr>
<tr>
<td>September</td>
<td>18,414</td>
<td>19,537</td>
<td>17,692</td>
<td>16,595</td>
<td>72,238</td>
<td>18,060</td>
<td>64.6</td>
</tr>
<tr>
<td>October</td>
<td>21,619</td>
<td>23,778</td>
<td>23,778</td>
<td>21,364</td>
<td>90,539</td>
<td>22,635</td>
<td>80.1</td>
</tr>
<tr>
<td>November</td>
<td>27,637</td>
<td>23,597</td>
<td>33,469</td>
<td>26,676</td>
<td>111,379</td>
<td>27,845</td>
<td>99.6</td>
</tr>
<tr>
<td>December</td>
<td>26,257</td>
<td>31,308</td>
<td>25,815</td>
<td>26,667</td>
<td>110,047</td>
<td>27,512</td>
<td>98.4</td>
</tr>
<tr>
<td>Total</td>
<td>293,402</td>
<td>340,693</td>
<td>374,844</td>
<td>332,965</td>
<td>1,341,904</td>
<td>335,479</td>
<td></td>
</tr>
</tbody>
</table>

*Monthly average for the entire four year period is 27,957.

two-person parties) increasing during February and March. (See Table 39.)

Overnight visitors to Organ Pipe Cactus National Monument use a variety of vehicles and equipment for travel to and during their stay at the Monument. The majority, however, use house trailers towed by automobiles or trucks. During the 1967-68 season approximately 53 percent of the overnight visitor parties at Organ Pipe Cactus National Monument used a house trailer for their accommodations, while 29 percent used a camper mounted on a pickup truck. Only 10 percent used tent camping equipment. Approximately four percent used self-propelled camper facilities ranging from the small half-ton vans, outfitted as campers, up to the larger motor-homes. (See Table 40.)

Just as overnight visitors to Organ Pipe Cactus National Monument during the 1967-68 season used a variety of vehicles, they also came from a variety of places. Nearly 60 percent were residents of the Southwest. Most of these (more than a third of the total) were from California, while 18 percent of the total were residents of Arizona. The Midwest and the Northwest produced the second largest groups of overnight visitors during the 1967-68

| Table 37 |
| SEASONAL VARIATION IN TRAILER VISITORS AT ORGAN PIPE CACTUS NATIONAL MONUMENT |

<table>
<thead>
<tr>
<th>Month</th>
<th>1966</th>
<th>1967</th>
<th>1968</th>
<th>1969</th>
</tr>
</thead>
<tbody>
<tr>
<td>January</td>
<td>6,532</td>
<td>8,940</td>
<td>12,521</td>
<td>12,557</td>
</tr>
<tr>
<td>February</td>
<td>6,486</td>
<td>11,203</td>
<td>13,576</td>
<td>11,592</td>
</tr>
<tr>
<td>March</td>
<td>6,015</td>
<td>15,278</td>
<td>13,054</td>
<td>16,423</td>
</tr>
<tr>
<td>April</td>
<td>6,391</td>
<td>6,038</td>
<td>8,903</td>
<td>9,841</td>
</tr>
<tr>
<td>May</td>
<td>965</td>
<td>1,943</td>
<td>1,257</td>
<td>2,047</td>
</tr>
<tr>
<td>June</td>
<td>179</td>
<td>359</td>
<td>99</td>
<td>210</td>
</tr>
<tr>
<td>July</td>
<td>72</td>
<td>78</td>
<td>89</td>
<td>60</td>
</tr>
<tr>
<td>August</td>
<td>75</td>
<td>81</td>
<td>70</td>
<td>29</td>
</tr>
<tr>
<td>September</td>
<td>140</td>
<td>193</td>
<td>193</td>
<td>109</td>
</tr>
<tr>
<td>October</td>
<td>1,022</td>
<td>1,202</td>
<td>1,109</td>
<td>1,598</td>
</tr>
<tr>
<td>November</td>
<td>6,550</td>
<td>6,991</td>
<td>7,067</td>
<td>8,670</td>
</tr>
<tr>
<td>December</td>
<td>8,555</td>
<td>8,707</td>
<td>8,726</td>
<td>9,489</td>
</tr>
</tbody>
</table>

all from the southeastern states or from the south-central states, each region accounting for less than two percent of total overnight parties during the 1967-68 season. Within those two regions, only Florida and Texas were indicated as the residences of significant numbers of visitors at the Monument.

The Pacific States, Alaska and Hawaii, accounted for practically no overnight visitors at all during the 1967-68 season. From outside of the United States, Canada supplied not quite three percent of total overnight visitors at Organ Pipe Cactus National Monument during the 1967-68 season. Somewhat surprisingly, Mexico accounted for almost none.

Of those parties of Arizona residents using the overnight facilities of Organ Pipe Cactus National Monument during the 1967-68 season, more than 80 percent came from the state's two large urban areas. Over half of the total came from the Greater Phoenix Area, while approximately 30 percent came from the Greater Tucson Area. Those sections of the state immediately adjacent to the Monument (Western Pima County, Southwestern Maricopa County, and Yuma County) accounted for only about three percent of all overnight parties of Arizonans at the Monument, and Yuma County accounted for nearly all of these. The rest of Southern Arizona sent very few visitors to the Monument during the 1967-68 season, with only Pinal County and Cochise County providing any consequential numbers. Northern

Table 40

VEHICLES AND CAMPING EQUIPMENT USED BY OVERNIGHT VISITORS AT ORGAN PIPE CACTUS NATIONAL MONUMENT
(frequency distribution from campground registrations)

<table>
<thead>
<tr>
<th>Month</th>
<th>Camper</th>
<th>Tent</th>
<th>House Trailer</th>
<th>Auto</th>
<th>Van</th>
<th>Motor Home</th>
<th>Other</th>
<th>Not Given</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>September</td>
<td>4</td>
<td>2</td>
<td>3</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>1</td>
<td>10</td>
</tr>
<tr>
<td>October</td>
<td>55</td>
<td>50</td>
<td>96</td>
<td>3</td>
<td>4</td>
<td>-</td>
<td>-</td>
<td>12</td>
<td>220</td>
</tr>
<tr>
<td>November</td>
<td>179</td>
<td>76</td>
<td>356</td>
<td>10</td>
<td>26</td>
<td>10</td>
<td>-</td>
<td>23</td>
<td>680</td>
</tr>
<tr>
<td>December</td>
<td>192</td>
<td>63</td>
<td>297</td>
<td>5</td>
<td>16</td>
<td>4</td>
<td>1</td>
<td>8</td>
<td>586</td>
</tr>
<tr>
<td>January</td>
<td>280</td>
<td>47</td>
<td>459</td>
<td>1</td>
<td>14</td>
<td>14</td>
<td>-</td>
<td>8</td>
<td>823</td>
</tr>
<tr>
<td>February</td>
<td>346</td>
<td>50</td>
<td>707</td>
<td>7</td>
<td>22</td>
<td>25</td>
<td>-</td>
<td>23</td>
<td>1180</td>
</tr>
<tr>
<td>March</td>
<td>338</td>
<td>103</td>
<td>687</td>
<td>17</td>
<td>43</td>
<td>19</td>
<td>2</td>
<td>87</td>
<td>1296</td>
</tr>
<tr>
<td>April</td>
<td>259</td>
<td>151</td>
<td>433</td>
<td>15</td>
<td>34</td>
<td>11</td>
<td>1</td>
<td>38</td>
<td>942</td>
</tr>
<tr>
<td>Total</td>
<td>1653</td>
<td>542</td>
<td>3038</td>
<td>58</td>
<td>159</td>
<td>83</td>
<td>4</td>
<td>200</td>
<td>5737</td>
</tr>
<tr>
<td>Percent</td>
<td>29</td>
<td>10</td>
<td>53</td>
<td>1</td>
<td>3</td>
<td>1</td>
<td>-</td>
<td>3</td>
<td>100</td>
</tr>
</tbody>
</table>

Source of Data: Division of Economic and Business Research, The University of Arizona, in cooperation with the National Park Service.
of them were between the ages of 60 and 69, with nearly 20 percent over 70 and more than one percent over 80. In fact, only about seven percent of the Monument's overnight visitors were less than 50 years of age. This points up the intensive use of Organ Pipe Cactus National Monument by older people, many of whom are either retired or on extended winter vacations. Most of those in the seven percent under 50 years of age were families or couples from the Phoenix or Tucson urban areas using the Monument's campgrounds on weekends, frequently as a stopover on the way to the Mexican resorts of Rocky Point or Cholla Bay on the Gulf of California.

Upon departure from Organ Pipe Cactus National Monument, the general movement of travellers seems to continue to flow from west to east. More than a fourth of the Monument's overnight visitors spent the night immediately after departure from the Monument at Tucson or in the immediate Tucson vicinity. Only 20 percent returned to or continued on to the west, spending the following night at Yuma. Approximately 18 percent left in a northerly direction and spent the following night in the Greater Phoenix Area. A relatively small percentage (less than five percent) went on into Mexico.

The importance of other units administered by the National Park Service is also reflected in the use of National Park Service facilities by those leaving Organ Pipe Cactus National Monument during the 1967-68 season. These units included Joshua Tree National Monument, various sites within the Lake Mead National Recreation Area, and the Saguaro

Table 45

<table>
<thead>
<tr>
<th>Age Class</th>
<th>Survey Respondents&lt;sup&gt;a&lt;/sup&gt;</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Number</td>
</tr>
<tr>
<td>10-19 Years</td>
<td>1</td>
</tr>
<tr>
<td>20-29</td>
<td>1</td>
</tr>
<tr>
<td>30-39</td>
<td>5</td>
</tr>
<tr>
<td>40-49</td>
<td>20</td>
</tr>
<tr>
<td>50-59</td>
<td>69</td>
</tr>
<tr>
<td>60-69</td>
<td>203</td>
</tr>
<tr>
<td>70-79</td>
<td>70</td>
</tr>
<tr>
<td>80-89</td>
<td>5</td>
</tr>
<tr>
<td>Total</td>
<td>374</td>
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</tbody>
</table>

<sup>a</sup>Total sample size varies with variations in response to survey questions.

Source of Data: Division of Economic and Business Research, The University of Arizona.
The Cabeza Prieta Game Range is a unit of the Bureau of Sport Fisheries and Wildlife, Department of Interior with headquarters in Yuma, Ariz. Three other wildlife refuges, Kofa, Imperial and Tiptop, are also managed by the Yuma office headed by refuge manager Claude Adam. The Cabeza Prieta is headquartered in Ajo and was established on November 16, 1940. The present residence-headquarters towards the north end of town was completed on April 4, 1942.

The present manager of the Game Range is Jim Creasy, transferring to Ajo in July, 1969 from Medicine Lake National Wildlife Refuge in northeastern Montana. Jim is the fifth of such Ajo-based managers.

Jim's job is one looked upon with some envy by frustrated field men, who manage, in semi-autonomy, the 600,000 acre Game Range, wholly uninhabited, sprinkled with 50 species of mammals, 21 species of reptiles and amphibians and some 200 species of birds, all of which he oversees with a permissive schedule and a four-wheel drive vehicle. Duties encompass such activities as riding herd on the four annual bighorn sheep runs, making wildlife census, waterhole checks, maintaining food and water management for wildlife, keeps illegal prospecting and grazing out of the refuge and maintains public relations in the Ajo region.

Only a few multiple-use inroads are established in the refuge, none of which leave a serious damage on the area.

Role as a gunnery ranges: On Sept. 5, 1941 161,280 acres of the refuge were withdrawn for military use by the War Department. Other acreage withdrawals followed: 420,760 acres on 11/6/42; 213,400 acres on 3/16/43 and 115,760 acres on 8/24/62 the latter withdrawal being for Viet Nam war practice.
Since bombing can be destructive to the desert terrain and its natural history, all military activity is "confined to air-to-air gunnery, rocketry, and missile practice." Also the firing is expected to be conducted at elevations of at least 5,000 ft. The present military units involved are the Marine Corps, Air Station operating out of Yuma and using the Tinajas Altas range west of the refuge and the Cabeza Prieta range within the range. Luke Airforce Base from Phoenix and Davis Monthan AF3 from Tucson practice on the central section of the range.

Role as a hunting ground Man has long hunted the big game of the range until its establishment and hunting prohibition in 1939. The modern hunter, cut off from his grounds waited more or less patiently for the sheep, antelope and mule and whitetail deer to return to healthy numbers. The storm broke when the Sonoran Desert National Park proposal was made known and the Arizona Game Protective Association representing hunters applied its considerable voice against the proposal. At the Association's annual convention in Douglas in March of 1966 the APA speaker Fred Greenwald soundly and vehmently attacked the proposal in the presence of two invited Park Service officials.

Gradually the National Park status idea, originally sponsored by then Secretary of the Interior Stewart Udall, lost steam the Bureau of Sport Fisheries and Wildlife opened for the first time in 28 years a four-permit hunting season. Four hunters chosen by lottery have been issued have been issued each year since 1957 for a mature bighorn ram with at least a 3/4 curl. Two hunters were successful in 1957; none in 1966; one in 1969 and one in 1970. While the Bureau of Sport Fisheries and Wildlife decides whether to open or close the range for hunting, the State Game and Fish of Ariz. handles the mechanics of the hunts. Only the Cabeza Prieta Mountain range are off limits to hunters. Also,
Predator control, once a sore point and highly controversial on the refuge, is no longer practiced.

**Role as Wilderness** By late 1963 a new status for the refuge was proposed—that of wilderness, one that would allow a future of wild, undisturbed desert and also, one that would be less prohibitive to hunting than the National Park Service. No public hearings on the wilderness proposal, as prescribed by law, have yet been held and are subject to change, however, at this writing all of the refuge is proposed as wilderness except the 37,000 acre area in the eastern Childs Mountain-Little Ajo Mountains area and a long shoestring strip along the central and western U.S.-Mexican border. Also in the northeastern section of the refuge are 34,500 acres administered by the Bureau of Land Management where both mining and cattle grazing are permitted, hence the withdrawal of this section from the wilderness proposal.

**Role as Recreation** Like other sister Interior agencies, the bureau of Sport Fisheries and Wildlife are developing formative recreation uses for the refuge. The limited hunting has earlier been mentioned. Such recreation will be strictly regulated. Visitors to the Refuge can enter the range at any point on foot and on three designated roads. These routes will be designed to allow handy walking distance to major geological, ecological and historic localities. The 15-mile Chico Shuni trail around the hills by the same in the extreme eastern section will be traveled without prior permission from the refuge and military people. Such travel at the present time into the refuge requires such permission for safety and control purposes.

As assistant refuge manager Jerry Duncan recently remarked: "It's time that we helped people have the experience of seeing a sheep."
Wilderness Planned For Game Range

Most of the Cabeza Prieta Game Range north of El Camino del Diablo and the Bates Well Road will probably be recommended for wilderness classification, the range manager reported this week.

Mountain ranges such as Sierra Prieta, Agua Dulce and Cabeza Prieta together with most of the alluvial valleys in the 600,000 acre game range are being studied by the Bureau of Sport Fisheries and Wildlife.

Range manager Claude Lard said a public meeting will be held, probably next February, on the wilderness plan.

"We have made our recommendations for wilderness but these are not final until approved by the Secretary of the Interior," Lard said.

The final plan should be ready for public distribution in December, 45 days before the hearing date, Lard said at a meeting with local conservation representatives held at the Woods Memorial Library.

Public access would be granted to the Bates Well-Camino del Diablo road. All other roads would be closed to public use. However, ranch personnel would be permitted to use them as well as hunters, packers, Artists, Naturalists and Marine personnel and others on official business, Lard said.

The game range was established in 1923, primarily to protect the big-horn sheep population at that time estimated at no more than 50. Natural water tanks were enlarged and other water catchments were built for sheep, the endangered species program's estimated population of 60 to 200 animals and birds. The present big-horn population is estimated at 250.

Nearly all of the range which is located along the Arizona-Guver border south of Ajo has been used for many years as an air-transport range by the military. In use, Lard said, will continue indefinitely.

Public access to much of the Cabeza Prieta is "difficult but not impossible," Lard said. Permission must be obtained from the Forest Service, Marine and upper -water conservation of the range is with state and the bureau. Because the range is poor, four-wheel drive vehicles are required.

Last year about 1,000 man - days were spent in public recreation in the range.

Under wilderness classification, this boys run by the public would be allowed to increase appreciably, Lard said, as long as use is in some form that does not destroy the delicate ecosystem in the fragile ecological balance of the region.

Roads would not be graded and unrestricted vehicle traffic would not be allowed.

A master plan for the Cabeza Prieta will soon be available for public inspection, Lard added.
AJO --1971

Ajo is historically and currently a "company town," an example of an economic and social marriage in which neither institution can exist without the other. Today the Phelps Dodge owned mine, locally known as PD, employs close to 1,250 people plus some 60 students who worked during the 1970 summer season. The mine continues to be economically healthy even though the copper ore content has dropped from 1.5% of the mid and late 1960's to a .7% today—a testimony to modern mining and transportation technology.

All rock is not necessarily copper in the pit. About two tons of waste rock must be removed for each ton of ore that is mined. Such a low level of copper percentage provides periodic speculation on the life expectancy of the mine and its satellite town. However, such a mine doomsday is today imponderable due to such unpredictable economic factors as the future price of copper and its operating costs and taxes.

Since the completion of the smelter in July, 1950 the skies of the Ajo mining district have been tinted with the bluish sulfurous "mists" that may, depending on wind conditions, be seen, smelled and sometimes tasted for a radius of about 50 miles. Occasional northern winds carry the sulfur south into the ranges and valleys of the National Monument. Only during the three-week period when the mine shuts down and collectively goes on vacation in late July and early August and during such rare strikes as the nine-month one of 1968 are the skies and panoramic vistas clean.

Phelps Dodge is now seriously undertaking its environmental responsibilities of cleaning the skies of its noxious sulfurs that belch up from the giant black stack. The solution, or at least partial solution, is the construction of a sulfuric acid plant, known as the "acid plant" now being built adjacent to the present smelter. Its function will be to trap the
sulfur dioxide vapors that, when combined with moisture in the air, form sulfuric acid. The acid plant will remove the sulfur dioxide from leaving the stack by a system of flumes and ducts that contain "holding chambers" which precipitate the heavier particles into other chambers containing electro-static elements that collect the precipitated particles. Then other chambers may be installed to create a centrifugal operation to force the particles to the outer walls for the collection. The final product will be concentrated sulfuric acid. Although PD would prefer to reduce the collections to elemental sulfur, they possess no industrial method for such extraction.

At any rate, PD is inextricably confronted with the task of stopping the polluting of the air with the sulfur oxides and the acid plant will either eliminate or considerably reduce these emissions. A limited market presently exists for sulfuric acids to leach copper from certain ores, but it is not likely that this need will come close to using the tons of sulfuric acid that will accumulate daily. If the market cannot handle the deposits then they must be stored somewhere; if no readily available depository exists, then one must be found.

During the formative planning stages the cost of the acid plant was estimated at about $15 million, however, after a more detailed and realistic investigation of the extent and complexity of the construction, it now appears that $25 million will be a more realistic cost. Completion plans for the plant are estimated for mid 1972.

Ajo, the town, continues to follow its latter-day, inbred frontier role of company town. The town is not only failing to take bold economic and civic growth strides, but is one of the few towns in Arizona that is
actually losing population. The Ajo census (including Why and Lukeville but excluding government employees of the extinct radar base and the National Monument) totaled, on April 1, 1970, 6224 people, a decline from the slightly more than 7,000 people of the same date, 1969. This decline seems to be largely due to the progressive automation of the mine operation. However, PD tries to avoid laying off a man by simply not filling a position once it has become vacated through retirement, etc. The construction of the plant will temporarily increase the town's growth, but upon the completion the town is expected to return to its normal status. Workers for the new acid plant will largely be transferred from the other sections of the PD operations, rather than bring in outside men.

The little standoffish 612 Radar Squadron that sat upon "radar Hill," early known as Childs Mountain, has been virtually deserted since the summer of 1969. Even during its existence it contributed little to Ajo's economy, since much of its spending was done at the base exchange.

Another, minor factor in Ajo's population is due to the tendency of the younger, high school graduates to move from the non swinging company town to more appropriate cities such as Tucson and Phoenix. Even PD's dorm for single men remains only scantily inhabited. Indian village, a getto-type district of Ajo, presently has boarded up about 50 of his houses due to lack of use.

Model housing development is not one of Ajo's stronger points. Housing, largely owned by PD is rented to the townspeople when available and requested, but the shortage and quality has long been one of the town's civic problems. The near abandonment of the radar base left 29 three-bedroom houses vacant, a thought to alleviate some of Ajo's housing shortage, but the JSAF has preferred not to sell or rent them--or to occupy them. However, 50 large three-bedroom houses are nearing completion and will soon house Ajoite families.
Although the New Cornelia Mine is owned by the Phelps Dodge Corporation, the town remains, like most other small Arizona towns, unincorporated. A city government of this type would probably impose an additional tax on the townspeople and would not provide them with the benefits they already receive under PD, such as the grocery store ("company store"), drug store, dry goods store, a drive-in and indoors movie, library, swimming pool and recreation hall. Even a country club and nine-hole golf course are available. There is also bus service to Gila Bend, Tucson and Phoenix, while trains and airlines have yet to penetrate this new frontier town.

We must conclude, then, from the construction of the acid plant and new houses and optimistic forecasts from the mine directors, that the historic old mine and its enigmatic desert town will likely be around for many years.
Summarily then, wherein lie the variety of directions of the so recently destroyed Ajo-Sonoyta frontier?

The town of Ajo, while still at the mercy of the mine, should continue it's plodding company town ways until the copper ceases to be profitable. The acid plant, now under construction, will produce only a brief flurry of population increase.

Sonoyta may look to increased tourism (if she is economically smart) since the river waters, grazing and mining lands will surely do little more for her. Perhaps the sordid scatterings of hapless ejidos out in the lonely creosote flats will, after all, survive their tenuous wait for government provided water. Even such water will, like the historic river, determine the limit of such campesinos.

Any consideration of the future of such land must properly be considered from other values than the economic ones and their amoral despoliation of the extant wildlands. The two most able saviors of such land are:

The Cabeza Prieta Game Range under the able management of the Bureau of Sport Fisheries and Wildlife who are daily to keep its 86,000 acres inviolate for such wildlife as the pron horn and the desert bighorn. Few protective devices could be more effective than the hazards of the airforce and Marine practice missiles careening through the air. The Game Range people are aware of few more dangers to their cause than the sun seeking human animals such as those begetted of the National Park Service and its people and road oriented ways. The covetous on the area by the US appears to have lost steam, for the time being at least.

The Horatius at the bridge to the desert wilderness is the Park Service who is also continuing its professional dedication to the protection and interpretation of its desert hinterlands, although it often suffers
from being entangled in its own administrative bog, largely because of the burgeoning winter crowds being met with severe personnel and monetary cuts such as the 19% cut from the already hungry budget for the 1971 season. NPS Director George Hartzog remarked: "The Park Service cannot be all things to all people." Indeed it cannot; we can only hope that the public will be able to understand why it cannot, because sooner or later they must adjust to this fact, Viet Nam or no Viet Nam.

To these latter wild parts of our desert we think of the Mexican revolutionary Emeliano Zapata's dictum: "The land, like the sun, like the air we breathe, belongs to everyone—and to no one."