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Walker, Chantal Rachel

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“The Payahuunadü (Owens Valley) Reconceptualized Effort:”1927-1939  
Los Angeles’ Tourist Narrative, Indigenous Selective Reappearance and Resistance

By

CHANTAL RACHEL WALKER  
THESIS

Submitted in partial satisfaction of the requirements for the degree of

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Approved:

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Stacy D. Fahrenthold (Chair)

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Gregory P. Downs

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Lisa G. Materson

Committee in Charge

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Abstract:

This thesis examines my terminology of the "Payahuunadü Reconceptualized Effort" from 1927-1939 to analyze how Los Angeles city officials attempted to reshape the narrative and economy of Owens Valley (Payahuunadü) after acquiring most of its land and water rights during the early twentieth century. Los Angeles city officials' acquisition of land and water rights in Owens Valley is typically recounted within the historiography of the Owens Valley-Los Angeles water transfer. However, the case study of the Owens Valley-Los Angeles water transfer occurs also during a shift in American Indian policy from the Allotment and Assimilation Era (approximately 1887-1934) to the "Indian New Deal" that started in 1934 with the passage of the Wheeler-Howard Act or better known as the Indian Reorganization Act. This thesis focuses on two key aspects of the Owens Valley-Los Angeles water transfer within my concept of the Payahuunadü Reconceptualized effort. The first key aspect of the effort focused on the promotion of Payahuunadü as a tourist destination, which appropriated Indigenous culture while erasing actual Native voices. The second key aspect of the effort analyzes city officials' attempts to resolve their "Indian problem" by relocating the Nüümü and Newe (Owens Valley Paiute and Shoshone). The thesis draws on reports, correspondence, and pamphlets to argue that the "Payahuunadü Reconceptualized Effort" sought to counter negative portrayals of Los Angeles' actions while securing remaining Native land and water rights. The paper highlights Nüümü and Newe resistance to relocation attempts and their continuous presence in their ancestral homeland. This case study of the Nüümü and Newe experience provides insight into the need for comprehensive Indigenous agency in future Western water development projects.

*The Sacramento Union's* 1927 article declared in its subtext “The Pitiful Story of an Agricultural Paradise, Created by California Pioneers, Condemned to Desert Waste by Water Looters.” Owens Valley, a prior region of agriculture now “in the throes of death by strangulation.” Owens Valley once thrived with seven thousand prosperous people, but by 1927 it laid a desert waste devoid of “ambitions, hopes, [and] plans” because Los Angeles residents desired and needed to supplement their water supply. Los Angeles city acquired Owens Valley water through a board of public service commissioners who followed a “policy of ruthlessness, ... of brutality and sharp practice which leads crooks to jail or makes them fugitives from justice.” The article’s writer credited Chief Forester Gifford Pinchot and an unnamed reclamation service engineer (most likely Joseph Lippincott) as the two people who secured the water from Owens Valley through gyp.<sup>1</sup>

In juxtaposition against *The Sacramento Union's* article one year earlier, the Los Angeles Board of Water and Power Commissioners issued a colored, glossy pamphlet that invited readers to travel to America’s Mountain Wonderland- a land in Southern California which erupted at its seams with “enchantment and spectacular scenic beauty.” The entrance into Owens Valley’s Eastern High Sierras was “a dozen Alps rolled into one.” The Sierra mountains’ snowmelt provided more than Los Angeles’ water and hydro-electric power; it also provided a tourist destination to city inhabitants. For the outdoor adventurer over 2,000 wide and deep clear lakes and “sparkling mountain brooks and streams without number” awaited their bodies. The Payahuunadü landscape provided the hiker with trails, the fisher with streams, the hunter with plentiful deer within the lush verdant meadows, and for the tourist, hotels for those who wished to

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<sup>1</sup> Faulkner, Frederick. “Owens Valley where the Trail of the Wrecker Runs” *Sacramento Union*. March 28, 1927

slumber in modern lodges and resorts. Payahuunadü or the colonized name of Owens Valley, was a “veritable fairyland of scenic beauty and grandeur.”<sup>2</sup>

The stark contrast between the two accounts of Payahuunadü, provide the competing narratives of the late 1920s between the Los Angeles Board of Water and Power Commissioners and the Payahuunadü settlers after the 1913 Los Angeles Aqueduct water diversion.<sup>3</sup> Both narratives erase the original inhabitants of Payahuunadü only for them to selectively reappear when the narrative suits either the settlers or Los Angeles’ Board of Water and Power Commissioners’ interests. But the missing third competing narrative concerns the Nüümü and Newe (Shoshone) most commonly recognized through their colonized name, the Owens Valley Paiute. The most important competing narrative from the Nüümü is the most difficult one to construct because it cannot be adequately captured in a newspaper headline or a tourist pamphlet. The Nüümü’s competing narrative against the Los Angeles’ municipality, the Department of Water and Power and the settlers is woven throughout this paper because their narrative is their survivance, resistance, and refusal to leave their ancestral homeland throughout history.<sup>4</sup>

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<sup>2</sup> John Randolph Haynes Papers. Circa 1873-1960s. University of California at Los Angeles, Pamphlet, “America’s Mountain Wonderland is at your Door,” May 1926, in Folder 16 Los Angeles- Department of Water and Power, Box 123. Charles E. Young Research Library, Los Angeles, California.

<sup>3</sup> Throughout this paper I will use the decolonized name of Payahuunadü in lieu of Owens Valley whenever possible. I employ the name of Payahuunadü because it is in the Owens Valley Paiute’s language as the name serves as a reminder to readers that the land was always Indigenous. I employ the term, Nüümü- meaning “the people” because it is what the Owens Valley Paiute call themselves in their language. The Shoshone are just as visible as the Owens Valley Paiute and typically their usage of Newe meaning “the people” is also applicable. For consistency, I will use the term Nüümü most often, but this choice is not to discredit the visible and consistent presence of the Newe as the original stewards to the lands and waters as well. I will use the term, Indigenous peoples most often when more than the Owens Valley Paiute and Shoshone are discussed. My terminology choices are largely informed by Gregory Younging’s *Elements of Indigenous Style: A Guide for Writing By and About Indigenous Peoples* (Alberta: Brush Education, 2018).

<sup>4</sup> As a non-Native scholar, any and all misspellings or misinterpretations both in this thesis and my earlier thesis, “*Piyahu Nadu - Land of Flowing Waters: The Water Transfer from Owens Valley to Los Angeles 1913-1939* (2014),” I take responsibility for. I do not speak for or represent any Indigenous person or peoples within the Great Basin region of California.

To understand the layers of colonial forces against the Nüümü, a return to the settlers and Los Angeles' municipality provides historical context. *The Sacramento Union* article addressed the remnants of settlers' crushed dreams and hopes that laid in a barren land the settlers invaded and attempted to steal from the Nüümü. The once thriving agricultural sector that forced the Nüümü into wage labor to assist the settlers laid waste at the hands of evil, ruthless state agents. However, the tourist pamphlet of Payahuunadü begged to disagree since this landscape encompassed a picturesque environment of beauty with lush verdant meadows and babbling brooks. Why, at approximately the same time period, did two starkly different narratives emerge about a rural countryside approximately two hundred and fifty miles northeast from the city of Los Angeles? The answer begins to unfold with the origins of the Los Angeles- Payahuunadü water controversy.

#### *The Origins of the Los Angeles-Payahuunadü Controversy*

Political reformist Andrae Nordskog and settler, W.A. Chalfant were two main actors who promoted some dubious claims of Los Angeles' culpability in Payahuunadü's environmental destruction and the plight of farmers and ranchers. The common story promoted by both Nordskog and Chalfant argued that Payahuunadü, always an Indigenous homeland, was once a thriving agricultural mecca of orchards, farms, and ranches before Los Angeles city officials deceived settlers out of "their" land and water starting in the early 1900s.

Newspaper editor and Payahuunadü settler, Chalfant, wrote a self-published local history of Inyo County published first in 1922 and a second edition in 1933. Chalfant wrote about the proposed plan for Payahuunadü reclamation and how the supervising engineer for the Bureau of Reclamation, J.B. Lippincott, desired the withdrawal of thousands of land acreage for the purposes

of dry farmland irrigation.<sup>5</sup> Chalfant credited the dropped program of reclamation in 1905 to Lippincott because he worked for the city at the same time he worked for the Bureau of Reclamation, and his interests were for Los Angeles to acquire additional water. Chalfant was unable to pinpoint the exact time as to when Lippincott became committed to Los Angeles' needs for an additional water source. However, Chalfant noted by 1904 Lippincott wrote to the Secretary of the Interior "that Los Angeles desired to divert water" to the city.<sup>6</sup> Chalfant does not cite his direct sources other than the that his sources were informed by Nordskog.

The Los Angeles municipality was Nordskog's target in his journalistic coverage of the Payahuunadü-Los Angeles water controversy. Nordskog's Los Angeles' *Gridiron* advocated for the rights of Payahuunadü settlers on sometimes tenuous claims.<sup>7</sup> According to historian Abraham Hoffman, the reasons for Nordskog's focus on water problems were not entirely clear. But in June 1927 Nordskog drove to Payahuunadü "and visited with its citizens whose souls were dwarfed and shrunk because of the terrible warfare carried on by crooked politicians of a great and wealthy city."<sup>8</sup> By 1927, it was clear that Payahuunadü residents were upset at the municipality and city of Los Angeles evidenced through newspaper coverage of the Los Angeles Aqueduct bombings. The bombings were a series of attacks by Payahuunadü settlers that promoted a general message of injustice and unrest in the valley.<sup>9</sup> After Nordskog's visit to Payahuunadü, he was convinced of

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<sup>5</sup> W.A. Chalfant, *The Story of Inyo* (Chicago: IL: Hammond Press, Self-Published, 1922), 339.

<sup>6</sup> W.A. Chalfant, *The Story of Inyo* (Chicago: IL: Hammond Press, Self-Published, 1922), 341.

<sup>7</sup> Abraham Hoffman, *Vision or Villainy: Origins of the Owens Valley-Los Angeles Water Controversy* (College Station Texas: Texas A&M University Press, 1981), 208, 209.

<sup>8</sup> Abraham Hoffman, *Vision or Villainy: Origins of the Owens Valley-Los Angeles Water Controversy* (College Station Texas: Texas A&M University Press, 1981), 209.

<sup>9</sup> There is a longer history to settler feelings of injustice within Payahuunadü covered by multiple scholars and writers. According to Hoffman, a 1921 drought cycle "taxed the city's [Los Angeles] ability to supply water for domestic and irrigation purposes" and ground water began to be tapped in Owens Valley. Farmers filed suit against the Los Angeles city to stop the drain of groundwater but Los Angeles' Chief Engineer, William Mulholland, desired to buy out the farmers. City officials bought the rights to the McNally Ditch in 1923, "the oldest canal on the river." According to historian Remi Nadeau, the purchase of the McNally Ditch marked the beginning for the Payahuunadü water war- a figurative "war" of political contestation between primarily Payahuunadü ranchers and farmers against Los Angeles city officials' checkerboard practice of buying land and water rights. According to writer, Garry Krist, the buying of

injustice in the Valley and promoted a “promise to appear on public forums on behalf of the valley’s cause.”<sup>10</sup>

Nordskog used his platform to vituperate the formation of water districts including the 1928 creation of the Metropolitan Water District (MWD). The MWD, a water district of originally thirteen cities, provided additional water to southern California from the Colorado River via the Colorado Aqueduct. Nordskog became president of the Southwest Water League, founded in 1930, as part of a measure to protect the interests of cities not part of the MWD. The Southwest Water League reflected the dissatisfaction with the power Los Angeles developed over the course of the early twentieth century through its ability to annex territories as in the case of the San Fernando Valley.<sup>11</sup> Nordskog took his public platform to use the analogy of the Payahuunadü- Los Angeles water controversy as leverage for publicizing his research.<sup>12</sup>

By 1931, Nordskog acquired the commitment for a state committee to investigate the Payahuunadü-Los Angeles water controversy. Nordskog distributed 1,500 copies of his “Statement of Facts Prepared for the Special Investigating Committee of the State Senate of California, relating to the Operations of the Los Angeles Water- Power Board, in its Attempts to Obtain a Domestic Water Supply from Owens Valley in California as Presented by Andrae B.

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land and water rights by Los Angeles city officials according to *Owens Valley Herald* editor, Harry Glasscock, elucidated to Payahuunadü residents how the city’s actions were “mainly for the purpose of demoralizing this county [Inyo County], frightening the people, and depressing land values.” Los Angeles city officials also bought the Big Pine Canal in October 1923 and farmers retaliated by diverting Owens River into private ditches. Farmers and Payahuunadü residents by the early 1920s saw the visual changes to the Payahuunadü landscape changing as settlers moved away. A series of dynamite bombings to the Los Aqueduct started in 1924 until 1931 over essentially the drying of Payahuunadü. The coverage of the dynamite bombings enticed journalistic coverage of rumors and speculative claims of the story of slick city officials’ deceptive acquisition of land and water rights from ranchers and farmers.

Abraham Hoffman, *Vision or Villainy*, 177-181; Garry Krist, "The Water War That Polarized 1920s California." Literary Hub. May 17, 2018. <https://lithub.com/the-water-war-that-polarized-1920s-california/>.

<sup>10</sup> Abraham Hoffman, *Vision or Villainy*, 210.

<sup>11</sup> William L. Kahrl, *Water and Power, Water and Power: The Conflict Over Los Angeles Water Supply in the Owens Valley* (Berkeley: University of California Press, 1982), 32

<sup>12</sup> Abraham Hoffman, *Vision or Villainy*, 225, 226.



Nordskog” at state expense. The “Statement of Facts” was not an authoritative source, and the lack of sources promoted a reading to “take the authenticity of the letters on faith as well as the interpretation Nordskog gave them.”<sup>13</sup> The committee recommended that the city should have shown greater flexibility and good will to the valley people who were selling not only their businesses, homes, and lands, but their way of life.<sup>14</sup>

### *The Payahuunadü Reconceptualized Effort*

This paper is an attempt to understand the memory of how water shapes and reshapes a city’s intrusion in a rural countryside. The city is Los Angeles, the rural countryside, Payahuunadü and the narrative is the familiar early twentieth century controversial water transfer from Payahuunadü to Los Angeles. Less noted in the historiography of the water transfer from Payahuunadü to Los Angeles and its subsequent aftermath is Los Angeles city officials attempt to salvage their reputation against the “rape of Owens Valley” through tourist promotion.<sup>15</sup> The narrative of how city officials from Los Angeles acquired a major share of land and water rights for the benefit of Los Angeles inhabitants is typically told as a story of fraud or a jubilant celebration of an engineering spectacle for the desperately thirsty city of Los Angeles.<sup>16</sup> At times specific names are cited as either the villains or victors within the historiography of the water controversy.<sup>17</sup> But most scholarship in the Payahuunadü-Los Angeles water transfer’s historiography fails to recount the inclusion of how the Indigenous peoples fared during the

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<sup>13</sup> Abraham Hoffman, *Vision or Villainy*, 228.

<sup>14</sup> Abraham Hoffman, *Vision or Villainy: Origins of the Owens Valley-Los Angeles Water Controversy* (College Station Texas: Texas A&M University Press, 1981), 229.

<sup>15</sup> Morrow Mayo’s *Los Angeles* (1933), most noted for the coinage of the phrase “the rape of Owens Valley” in his chapter on the water transfer within the work *Los Angeles*.  
Abraham Hoffman, *Vision or Villainy*, 228.

<sup>16</sup> The story of Los Angeles’ fraud is told within several works including Carey McWilliams, *Southern California Country: An Island on the Land* (1946), Richard C. Wood, *The Owens Valley and the Los Angeles Water Controversy as I knew It* (1974), for leworks which praise the city’s accomplishments see Remi Nadeau, *The Water Seekers* (1974), and Catherine Mulholland, *William Mulholland and the Rise of Los Angeles* (2002)

<sup>17</sup> Payahuunadü settler, Willie Arthur Chalfant’s *The Story of Inyo* (1922) is one example of such a work

aftermath of the water diversion.<sup>18</sup> The intersection of Native appropriation for tourism promotion and a need to resolve Los Angeles' "Indian problem" from 1927 until 1939 has yet to be fully addressed.

The paper focuses on the tourist narrative that members from the Los Angeles Board of Water and Power Commissioners and other civic organizations promoted against the narratives of graft, and Payahuunadü environmental destruction. Los Angeles city officials took steps further to salvage their reputation against the narratives of Payahuunadü economic depletion through their plan to resolve the Payahuunadü "Indian Problem." In the midst of a tourist narrative that cast the Nüümü as part of a mythical past, Los Angeles city officials worked on their need to determine what to do with the actual Nüümü living throughout Payahuunadü.

After the completion of the 1913 Los Angeles Aqueduct, it took approximately a decade before evident environmental changes ensued in Owens Lake. Owens Lake was virtually dry by approximately 1926, and Los Angeles city officials set plans in the mid-1920s for what I call a Payahuunadü Reconceptualized effort as part of Los Angeles' public relations campaign. The Payahuunadü Reconceptualized effort is my terminology deployed to explain the new changes to the Valley's economy, and new reservations for some of the Indigenous peoples of the Valley between 1927 until 1939. Although there is *no official correspondence* of the Payahuunadü Reconceptualized effort, I employ this term for two reasons. First, my terminology of the Payahuunadü Reconceptualized effort provides a way to explain Los Angeles city officials attempt to address their image in media outlets that they had not forsaken the lands of Payahuunadü to a

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<sup>18</sup> Prominent works that have inspired and developed this topic with their inclusion of Native perspectives of the Payahuunadü- Los Angeles water transfer include social historian John Walton's *Western Times and Water Wars* (1991), historian William Bauer's *California through Native Eyes* (2016), scholar Karen Piper's *Left in the Dust* (2006), and anthropologist Nancy Walter Peterson's dissertation "*The 1937 Land Exchange Act*" (1986). I build upon Walton's work in his analysis that Payahuunadü moved from an agricultural economy to a tourist economy in placing Indigenous peoples within the foreground of Los Angeles' tourist narrative. See John Walton, *Western Times and Water Wars*, especially chapter 6.

barren wasteland. Second, my terminology of the Payahuunadü Reconceptualized effort also includes what Los Angeles city officials deemed as their Indian problem. This “Indian problem” was, at the time, Los Angeles city officials last major land and water rights acquisition from the Nüümü under the mask of an Indian rehabilitation project focused on the Paiute during approximately the 1930s.<sup>19</sup> I argue the Payahuunadü Reconceptualized effort was a tourist narrative in which the Nüümü selectively appear as part of a mythical past, and a policy in which the Nüümü appear as a “problem” within the lands and waters that Los Angeles’ municipality deemed as legally “theirs.” In other words, the Nüümü are part of the solution to Los Angeles’ tourist narrative when they are reduced to a “mythical” past, alternatively the Nüümü become part of Los Angeles’ “problem” when they are visually present in Payahuunadü.

The policy of the Payahuunadü Reconceptualized effort illuminates through the reports and correspondence of Los Angeles city officials supposed “Indian problem.” This problem revolved around Los Angeles city officials ultimate desire to acquire Nüümü land and water rights holdings held by the Department of the Interior.<sup>20</sup> The ultimate reason for the Payahuunadü Reconceptualized effort concerned the securement of Los Angeles’ water supply.<sup>21</sup> The central purposes of the Payahuunadü Reconceptualized effort were for Los Angeles city officials to counter the narratives of Payahuunadü as a wasteland, and secure Native land and water rights that city officials could not directly buy. I explain the tourist narrative of the Payahuunadü Reconceptualized effort through archival evidence that consisted of correspondence, pamphlets,

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<sup>19</sup> See Sophia L. Borgias, 2024, “Denaturalizing Dispossession in the Political Ecology of the American West: Reassessing the History of the Los Angeles Aqueduct and Its Implications for Indigenous Land and Water Rights.” *Annals of the American Association of Geographers*, Vol 14, Issue 6 (May): 1232-1250, <https://doi.org/10.1080/24694452.2024.2332649>.

<sup>20</sup> Los Angeles city officials deemed the “Indian Problem” to be a matter of finding suitable housing and employment for the Nüümü.

<sup>21</sup> Karen Piper, *Left in the Dust: How Race and Politics Created a Human and Environmental Tragedy in L.A.* (New York: Palgrave Macmillan, 2006), 72.

and reports focused on Payahuunadü as a tourist destination and the need to resolve the physical presence of the Nüümü.

To understand the larger picture of the Payahuunadü Reconceptualized effort and its significance to the treatment of Indigenous peoples during a shift in American Indian policy this paper is broken into two parts. The first part of the paper concerns the Payahuunadü tourist narrative under the guise of Native American appropriation exemplified in the tourist promotion of the Winnedumah Hotel and Winnedumah Monument. The second part of the paper concerns the “Indian Problem” which brought mostly Los Angeles city and federal officials together for their solution to Native presence throughout Payahuunadü. The two parts of the paper coalesce in showing how the Nüümü resisted against the Payahuunadü Reconceptualized effort through select archival documentation.

### *The Nüümü Resistance through History*

The Creation stories of the Nüümü tell of them living in Payahuunadü since time immemorial. There is reference made to the Nüümü originating in Round Valley north of Payahuunadü.<sup>22</sup> Controversial ethnographer, Julian H. Stewart, stated that the word ‘Paiute’ probably derived from ‘pa’ meaning water while the word ‘ute’ carries little significance to the Nüümü.<sup>23</sup> The categorization of the Nüümü’s language is a Mono language of the Uto-Aztecan Great Basin language family.<sup>24</sup>

The arrival of settler intrusion upon Nüümü lands resulted in a series of armed conflicts

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<sup>22</sup> Julian H. Stewart, “Myths of the Owens Valley Paiute” University of California Publications in American Archaeology and Ethnology 34:5 (August 19, 1936), 365.

<sup>23</sup> Julian H. Stewart, *Ethnography of the Owens Valley Paiute* (Berkeley: University of California Press, 1933), 235.

<sup>24</sup> Sven Liljebald and Catherine S. Fowler, *The Great Basin XI*, ed. Warren L. D’Azevedo, (Washington, D.C.: Smithsonian Institution: 1986), 412.

and massacres from 1862 to 1865.<sup>25</sup> The battles were mainly fought over resources and territory. Settlers brought cattle which destroyed the Native lands that the Nüümü peoples developed and irrigated.<sup>26</sup> The Euro-Americans monopolized water for their cattle while depriving the Nüümü of their lands and access to water for irrigation and horticulture. The lands the Nüümü irrigated included such plants as taboose and nahavitfa that were quickly vanishing. With the loss of control over water, the Nüümü were deprived of food and often out of desperation resorted to killing cattle which led to conflicts with ranchers and farmers. Thus, the Nüümü began to eat cattle for the purpose of survival.<sup>27</sup> This, in part, resulted in battles erupting between the settlers and the Indigenous peoples of the region.<sup>28</sup>

By July of 1863, the California Volunteers forced the Nüümü to march to the El Tejon Reservation also known as the San Sebastian Reservation.<sup>29</sup> This forced march to the western end of the Tehachapi Mountains above the southern San Joaquin Valley was an unfortunate result of the continued Euro-American massacres against the Nüümü.<sup>30</sup> The Euro-Americans desired Nüümü removal so that settlers could continue to prevent the Nüümü's rightful access to cattle, crops, and especially water. The California state policy of the 1850s and 60s ordered the move of

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<sup>25</sup> W.A. Chalfant noted the Paiute Indian War started in 1861 (W.A. Chalfant, *The Story of Inyo* (Chicago: IL: Hammond Press, Self-Published, 1922), See also Benjamin Madley's *An American Genocide: The United States and the Californian Indian Catastrophe, 1846-1873* (New Haven: Yale University Press, 2017).

<sup>26</sup> Michael, William H. "At the Plow and in the Harvest Field:" *Indian Conflict and Accommodation in the Owens Valley 1860-1880*. MA Thesis (Norman: University of Oklahoma, 1993), 48.

<sup>27</sup> Michael, William H. "At the Plow and in the Harvest Field:" *Indian Conflict and Accommodation in the Owens Valley 1860-1880*. MA Thesis (Norman: University of Oklahoma, 1993), 48. See also Mary Austin, *Western Trails: A Collection of Short Stories by Mary Austin* selected and edited by Melody Graulich, (Reno: University of Nevada Press, 1987), 107, 110.

<sup>28</sup> Michael, "At the Plow and in the Harvest Field," 48.

<sup>29</sup> See Frank D. Deering, *The Codes and Statutes of California At the Close of the Twenty Sixth Session of the Legislature, 1865* (San Francisco: Bancroft-Whitney Co., 1886), 576. California Volunteers were groups of militia formed in response to protection of territories under supposed threat by Indians in this case. Additionally, the United States approved an act on April 27, 1863 that granted bounties for the volunteers. (Deering, *The Codes and Statutes of California At the Close of the Twenty Sixth Session of the Legislature, 1865*, 662). Sharon E. Dean, et al., *Weaving a Legacy Indian Baskets and the People of Owens Valley, California* (Salt Lake City: University of Utah Press, 2004), 22.

<sup>30</sup> See William Bauer Jr.'s *California Through Native Eyes Reclaiming History* (Seattle: University of Washington Press, 2016).

potentially “troublesome” Indians in the Valley, including the Nüümü, to reservations to separate them from the settlers, who then would have free control over the land and water. However, some of the Nüümü escaped in route to Fort Tejon, while others stayed behind in Payahuunadi. Depending on the circumstances of a particular family, it was up to them to determine if leaving Fort Tejon was even feasible.<sup>31</sup> Fort Tejon eventually dismantled. On March 17, 1864, a bill placed California Indians on reservations which now excluded Fort Tejon.<sup>32</sup> The Nüümü that remained at Fort Tejon were moved to the Tule River Reservation.<sup>33</sup>

Upon the Nüümü’s return to their homeland during the mid 1860s, there were two main series of changes. First, settlers claimed more lands and the Nüümü were interconnected into an economy that typically employed Nüümü men as ranch hands and Nüümü women in the domestic service.<sup>34</sup> Second, and most important, from November 1864 till January 1865 settlers murdered Nüümü people because settlers found their cattle missing and water diverted.<sup>35</sup> The sacred Owens Lake was one of the massacre sites in which vigilantes “corralled and slaughtered as many as “One Hundred Men, Women, and Children” or more, on the eastern shore of Owens Lake near the mouth of Owens River.”<sup>36</sup>

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<sup>31</sup> In Julian Steward’s, “Panatubiji, An Nüümü ” a biography of a Paiute male, as told by Panatubiji’s grandson, Tom Stone, described the life of his Grandfather. It was at Fort Tejon where Panatubiji “remained among the captives because his sister and son were with him.” Thus, this serves as an example that it was most likely up to the circumstances of the individual family as to whether they were going to take the risk to leave Fort Tejon. (Julian H. Steward, “Panatubiji: An Owens Valley Paiute ,” in *Languages and Cultures of Western North American: Essays in Honor of Sven S. Liljebald, E.H. Swanson*, ed. Earl H. Swanson, Jr. (Pocatello: Idaho State University Press, 1970), 195).

<sup>32</sup> George Hardwood Phillips. “*Bringing them under Subjection: California’s Tejon Indian Reservation and Beyond, 1852-1864* (Lincoln: University of Nebraska Press, 2004), 250.

<sup>33</sup> Frank Gelya & Carole Goldberg, *Defying the Odds The Tule River Tribe’s Struggle for Sovereignty in Three Centuries* (New Haven: Yale University Press, 2010), 24.

<sup>34</sup> John Walton, *Western Times and Water Wars: State, Culture, and Rebellion in California*. (Berkeley: University of California Press, 1992): 23, 26-27.

<sup>35</sup> Benjamin Madley, *An American Genocide*, 328-329.

<sup>36</sup> Benjamin Madley, *An American Genocide*, 329.

The Nüümü resistance and survivance proved unsurmountable throughout this brief historical background. Despite horrendous forced Nüümü relocation to the San Sebastian reservation, massacres inflicted on the defenseless Nüümü, and the stealing of food ways and water ways from the Nüümü, they still stayed in their homelands, defying all odds.

### *The Natural Landscape of Payahuunadü*

Payahuunadü, located within the Eastern High Sierras of Inyo County, California, is a site of natural environmental splendor. The valley sits between the mountain ranges of the Sierra Nevada on the west and the White Mountains on the east. The tallest mountain within the continental United States, Mt. Whitney is about 14, 505 feet high, and is part of Payahuunadü's natural beauty. The rugged, jagged gray hues of rocks lie on the eastern side of Payahuunadü. The Ancient Bristlecone Pine Forest on the western side of Payahuunadü contains twisting and winding ominous trees towering eight to eleven feet high.<sup>37</sup> Payahuunadü's natural environment is classified as a high desert. The valley's bottom carved through one major stream, the Owens River, meanders through the valley and use to empty into Owens Lake. Before the completion of the 1913 Los Angeles Aqueduct, the Owens Lake was one of the most scenic areas of Payahuunadü. Owens Lake encompassed more than one hundred square miles and its water reached a depth of more than twenty feet.<sup>38</sup>

### *Brief Background on the Buying of Payahuunadü Land and Water Rights*

During the late nineteenth to early twentieth centuries, the projected need for alternative water sources became increasingly clear with the projected growth in Los Angeles' population and

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<sup>37</sup> "Tree Profile: Bristlecone Pine." National Forest Foundation. Accessed May 19, 2020. <https://www.nationalforests.org/blog/tree-profile-bristlecone-pine>.

<sup>38</sup> Kelly R. McPherson. "Owens Valley Hydrogeology." California Water Science Center. Last modified February 7, 2017. Accessed May 15, 2020. <https://ca.water.usgs.gov/projects/owens/report/desc.html>.

water shortages.<sup>39</sup> Former Los Angeles mayor, Fred Eaton, purchased 50,000 acres in Payahuunadü by 1903 during the midst of Los Angeles’ water shortages.<sup>40</sup> Eaton bought the 50,000 acres for a joint water and power development with Los Angeles.<sup>41</sup> The joint water and power development comprised the Bureau of Water Works and Supply and later the Bureau of Power and Light by 1915.<sup>42</sup> Hundley cites the consolidation of the two Bureau’s occurred in 1925.<sup>43</sup> Reference to Los Department of Water and Power (LADWP) will occur in the text when applicable.

The Los Angeles Bureau of Water Works and Supply bought approximately 22,000 acres of land and water rights from Eaton during the early twentieth century.<sup>44</sup> *The Los Angeles Times* documented this project in their July 29, 1905, issue. The timing of this article was strategic given that it was during the same year of the dropped Reclamation Project in Payahuunadü due to limited funds and the absence of a contract for irrigation in the valley.<sup>45</sup> Supervising Engineer Joseph Lippincott worked for the Reclamation Service. Lippincott was partly credited with forfeiting the Owens Valley irrigation project. Lippincott believed the greatest public necessity in California concerned Los Angeles and supported the notion that there was some “... higher public duty by

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<sup>39</sup> William Deverell and Tom Sitton, *Water and Los Angeles: A Tale of Three Rivers 1900-1941* (Berkeley: University of California Press, 2017), 17-18, 33.

<sup>40</sup> Gary D. Libecap, *Owens Valley Revisited A Reassessment of the West’s First Great Water Transfer*, (Stanford: Stanford University Press, 2007), 30.

<sup>41</sup> Libecap, *Owens Valley Revisited*, 30.

<sup>42</sup> Libecap, *Owens Valley Revisited*, 29.

<sup>43</sup> Norris Hundley Jr., *The Great Thirst: Californians and Water 1770s-1990s* (Berkeley: University of California Press), 164. It is also important to note that based on personal correspondence there were multiple consolidations of Los Angeles Bureau of Power and Light and the Los Angeles Bureau of Water Works and Supply resulted in a series of consolidations: First Consolidation—March 12, 1929, Second Consolidation—January 13, 1931, Third Consolidation—November 1, 1943

<sup>44</sup> Libecap, *Owens Valley Revisited*, 30.

<sup>45</sup> Lawrence J. MacDonnell, *From Reclamation to Sustainability* (Niwot: University Press of Colorado, 1999), 259. Reclamation projects in the U.S. were for irrigating dry lands in the West. Congress passed the Newlands Act in 1902 which created the U.S. Reclamation Service. Lawrence J. Macdonnell’s *From Reclamation to Sustainability* argued the dropped project of reclamation in Owens Valley “... remains a powerful symbol characterizing the single-minded pursuit of water for growth without concern for its consequences to others [referring to residents of Owens Valley].”



encouraging the Reclamation Service to abandon the Owens Valley in favor of Los Angeles.”<sup>46</sup> There was a belief by certain people that the water in Payahuunadü would serve more people and be put to better use. Former President Teddy Roosevelt decided in 1906, “It is a hundred or thousand fold more important to state that this water is more valuable to the people as a whole if used by the city [in reference to Los Angeles] than if used by the people of Owens Valley.”<sup>47</sup> Roosevelt’s decision reflected the motto of his Progressive party: “the greatest good for the greatest number.”<sup>48</sup> The Progressive Era (1890s-1920s) was a turning point in United States history.<sup>49</sup> The Progressive Era was a time when America’s economic structure was also changing from manual labor to industrialized capitalism.<sup>50</sup> Additionally, during the Progressive Era “many residents of Los Angeles became dissatisfied with the service of the private water company that held most of the city’s freshwater supply.”<sup>51</sup> Los Angeles city boosters and engineers promoted the idea to Los Angeles residents that the city required more water to fulfill both domestic and industrial water usage.<sup>52</sup> The buying of land and water rights from predominately Payahuunadü ranchers and farmers took place between approximately 1905-1935.<sup>53</sup> By 1935, Los Angeles

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<sup>46</sup> Kahrl, *Water and Power*, 58.

<sup>47</sup> Piper, *Left in the Dust*, 30.

<sup>48</sup> Piper, *Left in the Dust*, 30.

<sup>49</sup> Martin J. Sklar, *The United States as a Developing Country Studies in US History in the Progressive Era and the 1920s* (Cambridge: Cambridge University Press, 1992), 38.

<sup>50</sup> “If the depression of the 1890s was the last great crisis of the industrializing competitive-capitalist order, issuing in the corporate reconstruction of capitalism, the great depression of the 1930s was the first great crisis ( and so far the last) of the corporate-capitalist order...” (Martin J. Sklar, *The United States as a Developing Country Studies in US History in the Progressive Era and the 1920s* (Cambridge: Cambridge University Press, 1992),35). Other scholars agree that the 1890s marked a pivotal point in history. As historian Samuel P. Hayes states “In foreign as well as in domestic affairs..., the decade of the 1890s was a dividing point in American history, separating the old from the new and setting a pattern for much of the future.” (Samuel P. Hayes, *The Response to Industrialization: 1885-1914* (Chicago: University of Chicago Press, 1957), 192).

<sup>51</sup> William Deverell and Tom Sitton, *Water and Los Angeles: A Tale of Three Rivers 1900-1941* (Berkeley: University of California Press, 2017), 18.

<sup>52</sup> William Deverell and Tom Sitton, *Water and Los Angeles*, 18.

<sup>53</sup> Gary D. Libecap, “The Myth of Owens Valley- Los Angeles’s “theft” offers Positive Lessons for Water Markets” *Regulation* Vol 28 (2) (Summer, 2005): 11, [https://www.researchgate.net/publication/228163458\\_The\\_Myth\\_of\\_Owens\\_Valley](https://www.researchgate.net/publication/228163458_The_Myth_of_Owens_Valley)

Board of Water and Power Commissioners “acquired 95 percent of the agricultural acreage and 88 percent of the town properties in the valley.”<sup>54</sup>

*The Payahuunadü Reconceptualized effort and Tourist Promotion*

The Payahuunadü Reconceptualized effort was largely a project promoted by Los Angeles city officials for the benefit of Payahuunadü settlers after city officials bought the majority of land and water rights in the valley. This next section does not consider the perspectives of the Nüümü, but their erasure from these particular archival documents does not dismiss the fact that the Nüümü were living throughout Payahuunadü all the while discussions regarding tourism occurred.

According to a report developed by Walter Packard, an agricultural scientist with extensive credentials, he wrote on the future agricultural development of Payahuunadü. The undated report occurred sometime after the building of the Los Angeles Aqueduct. Packard thought the Los Angeles Aqueduct was an opportunity for the development and the coordination of the resources of Payahuunadü to the benefit of the people of the valley and the state at large. The Los Angeles Aqueduct diverted some “400 second feet of water from Owens Valley to Los Angeles where it is used for domestic purposes and for the irrigation of some 70,000 acres of land in the San Fernando Valley.”<sup>55</sup> Packard noted the water diversion from Owens River resulted in the drying of Owens Lake and now the valley “left large alkali areas unfit for agricultural purposes.” Due to the situation there was little to no agricultural value in these areas. However, Packard noted other possibilities for agricultural potential in Payahuunadü. According to Packard, there contained enough water to irrigate from “30,000 to 35,000 acres in Owens Val- [sic] in addition to furnishing a full supply

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<sup>54</sup> Gary D. Libecap, “Rescuing Water Markets Lessons from Owens Valley” *Perc Policy Series*, PS-33 (January 2005), <https://www.perc.org/wp-content/uploads/old/ps33.pdf>

<sup>55</sup> Walter Packard, “The Future Agricultural Development of Owens Valley,” report, undated, in Historical Records Program, Public Affairs Division folder, Water Supply Owens Valley-Mono Basin, WP 05- 42:10, Los Angeles, California.

for the Aqueduct.” Packard found Payahuunadü to support a “fair range of crops” but found Los Angeles’ growth to provide a “source of tourist travel” which to Packard concerned the ultimate “greatest revenue producing agent in the valley.”<sup>56</sup>

Packard’s report was significant because- despite his extensive agricultural experience- he underscored Payahuunadü as a tourist destination. It was clear in Packard’s report that the future potential for the region of Payahuunadü as an agricultural industry was unfeasible. The 30,000 or so acres set aside for agricultural affairs attested to a new economic future for Payahuunadü that required less reliance on a heavy steady stream of water. The promotion of outdoor recreation in Payahuunadü was an answer to the city’s solution to their creation of changing the Payahuunadü economy.

The Payahuunadü Reconceptualized effort designed for tourism resulted in a concerted media campaign targeted towards Los Angeles visitors and others that desired an escape. An unpublished document dated in May 1927 justified that city officials paid fair and liberal prices for all land purchased in Payahuunadü.<sup>57</sup> Another unpublished and undated document declared that from the inception of the Aqueduct project twenty years ago, Los Angeles has sought by “every legitimate means to help advance the development of this region [in reference to Inyo County, location of Payahuunadü].”<sup>58</sup> Since the typewritten document declared that the Los Angeles Aqueduct’s inception was twenty years ago, the document can be reasonably dated to approximately 1927 or 1928. Prior to the construction of the Los Angeles Aqueduct, the Valley had “no railroad outlet to the cities and markets of Southern California.” However, due to the

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<sup>56</sup> Walter Packard, “The Future Agricultural Development of Owens Valley,” report, undated, in Historical Records Program, Public Affairs Division folder, Water Supply Owens Valley-Mono Basin, WP 05- 42:10, Los Angeles, California.

<sup>57</sup> “Citizens of Owens Valley,” presumably statement of facts, 5/9/1927, in Historical Records Program, Public Affairs Division folder, Water Supply Owens Valley-Mono Basin, WP 05- 42:10, Los Angeles, California.

<sup>58</sup> “Untitled,” presumably statement of facts, undated, in Historical Records Program, Public Affairs Division folder, Water Supply Owens Valley-Mono Basin, WP 05- 42:10, Los Angeles, California.

Aqueduct's construction and the requirement of materials, the building by the Southern Pacific Company constructed a broad-gauge railroad extending from Mojave to Lone Pine. This railroad, secured through the efforts of the city, was "a most important factor in the development of Owens Valley." The city's justification for the purchase of nearly all the land "watered from the river in the northern end of the Valley" was for protection of the city's water rights.<sup>59</sup>

The document further outlined its role in the "prosperity of the Valley" evidenced through the City's payroll for the maintenance and operation of the Aqueduct. The city's either 1927 or 1928 payroll in Payahuunadü amounted to more than \$100,000 a month. Additionally, the city's payroll "contributed materially to the prosperity of the Valley which has a total population of about 8,000."<sup>60</sup> Additionally, in a memo dated May 2, 1929 to the Board of Water and Power Commissioners from Chairman of the Water and Power Committee of the City Council, it states "the City of Los Angeles has a direct and close interest in the development of the Owens Valley country due to the fact that this is the source of the city's aqueduct water supply."<sup>61</sup>

Los Angeles' municipality also paid a large amount of taxes on Payahuunadü lands. By the 1920s, the city was "by far the largest taxpayer in the Valley." By approximately 1927, the city's tax bill in Inyo County amounted to \$150,000 or 41 percent of all the taxes collected by that county.<sup>62</sup> The unpublished document further positioned the construction of the Los Angeles Aqueduct to the increase in the assessed value of town and ranch properties in Payahuunadü. According to the assessed valuation of Inyo County, in 1905, it was valued at approximately

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<sup>59</sup> "Untitled," presumably statement of facts, undated, in Historical Records Program, Public Affairs Division folder, Water Supply Owens Valley-Mono Basin, WP 05- 42:10, Los Angeles, California.

<sup>60</sup> "Untitled," presumably statement of facts, undated, in Historical Records Program, Public Affairs Division folder, Water Supply Owens Valley-Mono Basin, WP 05- 42:10, Los Angeles, California.

<sup>61</sup> "Memo on Peirson Hall recommendation to Board of Water and Power Commissioners, Memo," May 5, 1929 in Historical Records Program, Public Affairs Division folder, Water Supply Owens Valley-Mono Basin, WP 05- 42:11, Los Angeles, California.

<sup>62</sup> "Untitled," presumably statement of facts, undated, in Historical Records Program, Public Affairs Division folder, Water Supply Owens Valley-Mono Basin, WP 05- 42:10, Los Angeles, California.

\$2,487,00. In 1924, one year after the city began its land purchases in the Valley, the assessed valuation of Inyo County amounted to approximately \$11,031,000.<sup>63</sup>

Lastly, the unpublished document mentioned the construction and enlargement of business buildings in Payahuunadü as an indication of prosperity in the Valley towns. The document noted that the town of Bishop enlarged its theatre, Big Pine improved its two automobile stations, the town of Lone Pine was in the process of constructing four new store buildings, and in Independence a “beautiful new hotel has just been completed” most likely in reference to the Winnedumah Hotel due to the document’s context.<sup>64</sup>

*An example of the Payahuunadü Reconceptualized Effort through the Winnedumah Hotel & Monument*

The Winnedumah Hotel serves as a pivotal example to understand the Payahuunadü Reconceptualized effort regarding the Indigenous Peoples of the valley. The marketing of the hotel during the 1920s and 1930s appropriated Nüümü culture. Additionally, the erasure of Indigenous peoples’ perspectives follows the thread of missing voices behind the tourist promotional literature of the Winnedumah Hotel and sacred monument of Winnedumah.

Payahuunadü, a place long famous for its orchards and pack outfits for wilderness seekers also was “blossoming with good hotels” during the 1920s.<sup>65</sup> G.W. Dow, known as Walter Dow, a Lone Pine resident credited with the foresight to build the Dow Villa Hotel in Lone Pine for movie business personnel opened another hotel in Independence to meet the demands of recurring tourists.<sup>66</sup>

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<sup>63</sup> “Untitled,” presumably statement of facts, undated, in Historical Records Program, Public Affairs Division folder, Water Supply Owens Valley-Mono Basin, WP 05- 42:10, Los Angeles, California.

<sup>64</sup> “Untitled,” presumably statement of facts, undated, in Historical Records Program, Public Affairs Division folder, Water Supply Owens Valley-Mono Basin, WP 05- 42:10, Los Angeles, California.

<sup>65</sup> *Inyo Independent*, “Winnedumah Hotel,” March 5, 1927

<sup>66</sup> *Inyo Independent*, “Winnedumah Hotel,” March 5, 1927

An Inyo County newspaper described the Winnedumah Hotel as a bright house of comfort. Within the hotel's backyard, Mt. Williamson sits in front of the iconic Mt. Whitney. Only a few feet lower than Mt. Whitney's approximate 14,500-foot peak is Mt. Williamson, seen from the view of every hotel window. The focal point of the hotel is the fireplace. Above the fireplace, the bronze tablet recited the Legend of Winnedumah.

The hotel's version of the legend states:

"Long, long ago there lived in what the white man calls Owens River Valley, two tribes- one, the Paiutes, occupying the eastern side and the slopes of the Inyo range; the other, the Waucobas on the western side and the slopes of the Sierras, and in particular the region about Mt. Williamson and extending westwardly to the valley now called San Joaquin.

The roaring ocean backed up its waters and flooded the wonderful valley, so that the Indians had to signal each other by fires. But the Great Spirit sent a terrible earthquake which shook the mountains for many days, and the pale waters fled away and the green grass came again.

The tribes were at war.

One day from his lookout on Mt. Williamson, a Waucoba brave, espying two Paiute brothers ascending to the crest of the Inyo range, set to the sinewy bow string of his mighty bow, an arrow made from a tree growing only in the western mountains. The arrow, released from the twangling bow, winged its way fifteen miles across the valley and pierced the back of one of the Paiutes, who fell dead, his body turning to stone and lying face down across the crest, head to the east and feet to the west. Terrified, his brother started to run but the Waucoba warrior in a voice of thunder shouted to him the command:

"WINNEDUMAH!" which means, "STAY RIGHT WHERE YOU ARE!"

And lo, the Paiute instantly became the shaft of granite and has never since moved awaiting his release by the Great Spirit.

Marvelous to tell, the fatal arrow took root in the stone body of its victim and grew into a tree, still living, like that from which the arrow was made and the only one of its kind in the Inyo range."<sup>67</sup>

According to an Inyo County newspaper, Winnedumah stood as a shaft of granite and the "great tree growing from the stone body at his feet, the only one of its kind in the Inyo Range is proof of the story." This newspaper article appropriated Native peoples' culture for G.W. Dow's economic benefit, and the promotion of Payahuunadü as a tourist location. The article exposed the need for people who sought to escape from the experience of sleeping in tents and sleeping bags under the moonlight and stars of the sky. At the Winnedumah Hotel, guests experienced nature foregrounded in the background during their hotel experience. Winnedumah guests' exposure to

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<sup>67</sup> Winnedumah Hotel Facebook post, September 2019, accessed August 4, 2024  
<https://www.facebook.com/winnedumah/photos/pb.100063508572785.-2207520000/133427168017944/?type=3>

the natural environment reveals only through the window glass pane. However, the promotion of the Winnedumah Legend revealed the distinct promotion of this particular hotel. The use of an Indigenous story for hotel promotion marked the Nüümü of the area as figures of a mythical past for the benefit of non-Native tourists. In other words, the hotel is a landscape within itself, a landscape of economic exchanges for people to come and stay in the hotel in exchange for a price, and a landscape of Indigenous appropriation where the marketing of the Winnedumah Legend is meant to attract visitors. A pamphlet of the Winnedumah Hotel and Coffee Shop promoted the commodification of the Winnedumah Legend through its hotel marketing. The undated pamphlet most likely occurred during the late 1920s to early 1930s due to the \$1.50 price of a single room, and the use of wiring, phoning, or writing to make a reservation. On the front of the pamphlet a drawn depiction of an Indigenous person with a bow and arrow pointed at a large rock, presumably the monument of Winnedumah. The pamphlet promoted the hotel as new and luxurious and as the headquarters for tourists from far and near. Part of the pamphlet's audience was explicit in its advertising of information of the cities and mileage listed from Independence- from places including Lake Tahoe, Reno, Bishop, Mammoth Lakes and Los Angeles.<sup>68</sup>

On the back of the pamphlet the advertisement continued with the phrase, Winnedumah Hotel- "A hotel with a Legend." The pamphlet's hotel advertisement with the legend of Winnedumah spoke to the commodification of Native American culture. The hotel's promotion included accessibility because it is located on the Three Flags Highway, a highway meant for easy navigability into the Eastern Sierras, and rare because no other hotel promoted an Indigenous legend. Additionally, on the back of the pamphlet, Winnedumah's Legend appears within convenient and quick readability for tourists.

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<sup>68</sup> "Winnedumah Hotel and Coffee Shop," Pamphlet, undated, Eastern California Museum Collection, from Winnedumah Monument folder, Eastern California Museum, Independence, California.

Another undated pamphlet by Bishop's Hard Point Publications contained Winnedumah-Paiute Legend of Stone. In this pamphlet another reprint of the legend found on the fireplace of Winnedumah Hotel's fireplace mantel and the famed poet, writer, and activist of Payahuunadü, Mary Austin's lyrical rhyme of the Winnedumah Legend. The sacred monument of Winnedumah was and still is not for outsiders to visit nor climb upon.<sup>69</sup>

Another Inyo County newspaper article on April 23, 1927, discussed the grand opening of the Winnedumah Hotel and guests. One particular guest listed at the grand opening of the hotel included Ray R. Parrett and son. Ray R. Parrett, US Indian Service Superintendent of Shurz, Nevada also worked on the Nüümü's housing situation. Parrett wrote in 1929 his familiarity with the Indian situation in Payahuunadü for the past ten years and cared for the "future interests of the Indians as a whole properly provided for." Parrett was also noted as someone particularly acquainted with the Payahuunadü (Owens Valley) Indian situation for more than ten years and because of his familiarity with the situation " would therefore be very glad to do anything that is within my [Parrett's] power and consistent with my position, to bring about a final, but substantial and beneficial settlement for the Indians concerned."<sup>70</sup>

Despite Parrett's occupation and his attitude for the protection of Payahuunadü lands, he participated in a space where mythical "Indians" are part of a past commodified for the promotion of hotel visitors. Parrett's visit to the Winnedumah Hotel claimed significance because it showed the complexities of the people working in the Office of Indian Affairs, and the difficulties Nüümü

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<sup>69</sup> "Winnedumah: Paiute Legend of Stone," Pamphlet, undated, Eastern California Museum Collection, from Winnedumah Monument folder, Eastern California Museum, Independence, California.

"Welcome to the Historic Winnedumah Hotel," Advertisement, undated, Eastern California Museum Collection, from Winnedumah Hotel folder, Eastern California Museum, Independence, California.

<sup>70</sup> John Randolph Haynes Papers. Circa 1873-1960s. University of California at Los Angeles, Letter From Roy Parrett to Superintendent to John Collier, 1929, in Folder 19 Indians-California, Box 79. Charles E. Young Research Library, Los Angeles, California.



peoples continually encounter regarding speaking against the appropriation of their lands, waters, and culture.

The Payahuunadü Reconceptualized effort promoted tourism for the benefit of Payahuunadü settlers. But in the case of the Winnedumah Hotel and Monument's tourist promotion, the tourist promotion erased the perspectives of the Indigenous peoples, including the Nüümü and Newe. The erasure of the Nüümü voices spoke to the desire to promote Payahuunadü as a tourist location devoid of actual Indigenous peoples.

*The Promotion of Payahuunadü- A Peculiar Kind of Tourism for a "Shared" Vision*

The promotion of Payahuunadü as a tourist spot without the bountiful water of the Owens River filling into Owens Lake promoted a peculiar kind of tourism. The promotion of this particular kind of tourism relied on Los Angeles residents travel to Payahuunadü. This type of tourism required the collaborative relationship of Payahuunadü residents with the publicity department of Los Angeles' Department of Water and Power and civic organizations. Some Los Angeles city officials promoted travel to Payahuunadü to protect its water supply because the city of Los Angeles owned the majority of Payahuunadü land and water rights by the first quarter of the twentieth century. The image of Payahuunadü residents working in unison with Los Angeles city officials promoted a working relationship of progress and a shared vision of cooperation that Payahuunadü residents, the Los Angeles Board of Water Commissioners, the Los Angeles Chamber of Commerce, various civic organizations, and the people of California all participated in making Payahuunadü the "Playground of the West."<sup>71</sup>

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<sup>71</sup> "Farming and ranching generate \$20 million a year in rural Inyo County, second only to tourism, officials said." Louis Sahagun, "L.A. took their water and land a century ago. Now the Owens Valley is fighting Back," *Los Angeles Times*, July 13, 2017, <https://www.latimes.com/local/california/la-me-owens-valley-eminent-domain-20170712-story.html>

A June 15, 1928 Department of Water and Power telegram from Los Angeles city employee working from Independence, E.F. Leahey, to Publicity Director for the Los Angeles municipality, Don Kinsey, sent word of complaints from people running the resorts of Payahuunadü. The central complaint was the lack of tourist travel to the Eastern Sierras in 1928. Leahey cited one resort closed its dining room and sent its help to Los Angeles. Leahey suggested Kinsey gain the cooperation of the Los Angeles Chamber of Commerce and the Auto Club of Southern California for distribution of travel information through Payahuunadü. Leahey further justified his recommendation provided to Kinsey because millions of City funds are “invested in the Owens River Valley and as our lessees are depending to some extent on tourist business we feel it would be in order to at least suggest this plan to our people.”<sup>72</sup> The aforementioned quote spoke volumes to the mindset of Los Angeles city officials need to improve Payahuunadü without the natural drainage of Owens River water into Owens Lake. The promotion of tourist travel included a language of Los Angeles city ownership of Payahuunadü. The Board of Water and Power commissioners’ plans for the Eastern Sierras devised a monumental task to reconceptualize Payahuunadü into a place of recreation.

Los Angeles city officials continued with their plans to reconceptualize Payahuunadü as a tourist destination. A bureaucratic resolution, with “Resolution” crossed out, offered further proof towards Los Angeles’ interest in Payahuunadü. In the dated June 15, 1928 document there is mention that because the city owns thousands of acres within Inyo County “it is greatly interested in the welfare and prosperity of the towns and communities of the valley [Owens Valley] which would benefit from travel to this region.” The assumed resolution stated the eastern slope of the High Sierras as remarkable and unmatched in its natural beauty, and the grandeur of its

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<sup>72</sup> E.F. Leahey to Don Kinsey, “Department of Water and Power Telegram,” Telegram, June 15, 1928, 1:11 PM, in Historical Records Program, Public Affairs Division folder WP 05- 42:10, Los Angeles, California.

environment. Additionally, the proximity of Payahuunadü to Los Angeles allowed for accessible access via automobile travel. The assumed resolution declared the High Sierras open to all who desired to enjoy “the rest and recreation and sport it [the Valley] affords.”<sup>73</sup>

However, the effort to reconceptualize Payahuunadü into a tourist destination was not possible without some cooperation of the Payahuunadü settlers with Los Angeles city officials. An example of this collaboration evidenced through the High Sierra Recreation Association, a non-profit with a letterhead that contained the message it was, “organized to promote travel to the High Sierra.”<sup>74</sup> The non-profit’s two central locations included Bishop and Los Angeles. Listed on the High Sierra Recreation letterhead included G.W. Dow. Dow’s Winnedumah Hotel also had a vested interest in travel to Payahuunadü for Dow’s economic profit. Most importantly, Dow appropriated Nüümü culture, and based on shrift mention in a *Los Angeles Times* article, Dow sold the Winnedumah Hotel to the city of Los Angeles in 1933.<sup>75</sup>

The archival documentation of Payahuunadü settlers and Los Angeles city officials’ collaborative promotion of Payahuunadü tourism lacked the perspectives of Indigenous peoples. The Payahuunadü Reconceptualization effort designed the region as colonized space, but Indigenous peoples resisted against such plans to completely reconceptualize their homeland.

#### *Nüümü Selective Reappearance in Labor*

In 1935, Congress passed the Indian Arts and Crafts Board to promote Native cultural traditions and Commissioner John Collier did not hesitate to include the Nüümü in this promotion.

In a May 3, 1935, letter addressed to Indian Commissioner, John Collier, the unidentified writer

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<sup>73</sup> “Resolution,” Board of Water and Power Commissioners of the City of Los Angeles, June 15, 1928, Historical Records Program, Public Affairs Division folder WP 05- 42:10, Los Angeles, California.

<sup>74</sup> Leslie Cranbourne, Los Angeles Representative to Don J. Kinsey, Letter, June 5, 1929 in Historical Records Program, Public Affairs Division folder WP 05- 42:11, Los Angeles, California.

<sup>75</sup> E.J. Fortman, “Owens Valley Country may Become Gigantic Playground for Residents of Los Angeles,” *Los Angeles Times*, March 12, 1933.

of the letter enclosed a letter from Mr. Hill, the then assumed Los Angeles Right of Way and Land Agent concerning the Payahuunadü Indian situation. The letter to Collier noted the impossibility “to find suitable locations for the Indians which will be completely satisfactory to all property owners” and expressed an urgent solution to the situation because the “ sooner the matter can be definitely settled, the better it will be for all concerned.”<sup>76</sup> The particular parties addressed for “all concerned” was never spelled out in the letter, but the parties with the biggest stakes in the Payahuunadü Reconceptualized effort included Los Angeles Board of Water and Power Commissioners, Payahuunadü residents who desired an economic future in the valley, and the bureaucrats working in the Office of Indian Affairs because of their responsibility to protect the rights of Indians. The significance of this particular letter included the mention of legislation to permit an exchange of lands for the Indians in Payahuunadü. Further, the Office of Indian Affairs were in charge of “the development of employment possibilities, and the reestablishment of an interest and skill in Indian handicrafts.”<sup>77</sup> However, the Office of Indian Affairs appeared determined to remedy the Payahuunadü Indian situation on their terms. Amid the American Great Depression, the essentials for any human to function require land, water, and a steady revenue stream to support a household within a capitalist economy, but *Indians* also needed to focus on their handicrafts.

The mention of Indian handicrafts in this letter also spoke to John Collier’s passion for what he thought Indigenous peoples desired. Sociologist, John Collier, received the appointment

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<sup>76</sup> John Randolph Haynes Papers. Circa 1873-1960s. University of California at Los Angeles, Letter From Unknown to Superintendent John Collier, May 3, 1935, in Folder 3 Indians-California, Box 80. Charles E. Young Research Library, Los Angeles, California.

<sup>77</sup> John Randolph Haynes Papers. Circa 1873-1960s. University of California at Los Angeles, Letter From Roy Parrett to Superintendent to John Collier, 1929, in Folder 19 Indians-California, Box 79. Charles E. Young Research Library, Los Angeles, California.

of Commissioner of Indian Affairs in 1933.<sup>78</sup> Collier's background in American Indian affairs was extensive since he served as executive secretary of the American Indian Defense Association in 1923, promoted the dissolution of the federal allotment system for Indians, promoted reservations, and campaigned for the defeat of the Bursum Bill which desired to terminate Pueblo land and water rights. Upon first glance, Collier provided a stark contrast to the former U.S. Indian Commissioner Charles James Rhoades, a promoter of Indian assimilation through Protestant reforms and criticized by Collier for lack of sufficient attention to Indian affairs. However, Collier, relegated Indigenous peoples to a mythical past. Collier's passion for his version of Indian reform arguably stemmed in 1920 during his visits to Taos, New Mexico where he saw ceremonies which "claimed to have " experienced the Indian religion to the center of my being and as a shaper of my life."<sup>79</sup> Collier championed the protection of Indian land and water rights because both preserved Indian sacred communal life.<sup>80</sup> It is also important to note the historical context of Collier's travels to New Mexico. The travels to New Mexico after the Great War provoked Payahuunadü poet and writer, Mary Austin and John Collier's participation in New Mexico's Pueblo ceremonies as part of "an escape from the bankrupt civilization of the modern West and ... a source for their own spiritual renewal."<sup>81</sup>

*The Indian "Problem" within the Payahuunadü Reconceptualized effort*

A significant part of the Payahuunadü Reconceptualized effort was the policy of the Indian "problem." I argue the policy of what I term as the Payahuunadü Reconceptualized effort involved

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<sup>78</sup> The Bureau of Labor Statistics later projected that in 1933 over 12 million persons estimated to be out of work Irving, Berstein, "Americans in Depression and War," US Department of Labor, accessed August 2, 2024, <https://www.dol.gov/general/aboutdol/history/chapter5>

<sup>79</sup> David Daily, *Battle for the BIA: G.E.E Lindquist and the Missionary Crusade against John Collier*, (Tucson: University of Arizona Press, 2004), 11.

<sup>80</sup> Daily, *Battle for the BIA*, 49

<sup>81</sup> Daily, *Battle for the BIA*, 45

a series of correspondence regarding how to remedy the “Indian problem.” The “Indian problem” partly concerned Los Angeles city officials’ objective to relocate the Nüümü living on Los Angeles’ municipality’s lands. An over three-hundred-page report conducted during the 1930s detailed the need to formulate a permanent policy for the Indigenous peoples of the Valley.<sup>82</sup>

In the report it detailed the general welfare of Indians because for the past two decades Los Angeles city officials purchased the majority of land and water rights in Payahuunadü. As noted before, upon settler intrusion in Payahuunadü many Nüümü worked for larger ranch owners as irrigators, crop laborers, and range riders but due to Los Angeles city officials’ purchase of land and water rights, many Nüümü needed work. Los Angeles city officials thought the Nüümü and Newe would migrate out from Payahuunadü with many other ranchers and farmers. However, city officials reported that the Indigenous peoples of the Valley lived “close to nature” and knew how to hunt and fish and “all of them are attached to the local natural conditions of the Valley.” The relocation of the Nüümü to another area with a future advantage in economic prospects was a real possibility for Los Angeles city officials, but the report noted “ it would be a heartless move on the part of those responsible, and no doubt, an unsuccessful venture for the Supervisors in charge.” The “Indian Problem” report continued under the subheading “A Sad Picture” in which the Indians of Payahuunadü were presented in a state of poverty and living in adverse conditions. The report declared the “endeavor to show the humanness of treatment toward the Indian” and the effort to solve future problems of continuous subsistence.<sup>83</sup>

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<sup>82</sup> Ford, A.J., “Owens River Valley, California, Indian Problem,” report’s introduction, undated, Eastern California Museum Collection, from LADWP Archives WP06-1:16, Eastern California Museum, Independence, California.

<sup>83</sup> Ford, A.J., “Owens River Valley, California, Indian Problem,” report’s introduction, undated, Eastern California Museum Collection, from LADWP Archives WP06-1:16, Eastern California Museum, Independence, California.

By 1935, meeting minutes in the courthouse of Independence discussed the Payahuunadü Indian situation “with respect to the Indians and their future.”<sup>84</sup> The significance of these meeting minutes concerned the voices of the Payahuunadü Indians and their resistance against the potential of relocation. Harrison Diaz spoke at the meeting and represented the Nüümü in West Bishop and also stated the notice to attend the meeting “ was so short that few people were able to attend.” Diaz made it clear he was there to report the meeting back to the people he represented, and that no action was to be taken. He then spoke that he did “not want to say too much but I would like to make it clear that my people do not want to leave this Valley. That is the feeling of the people who live here; if you can help us, so much the better.”<sup>85</sup>

Another Indigenous individual, John Simms of Fort Independence, spoke and stated he did not know the purpose of the meeting but what he did know concerned the fact that Indians desired to stay in Payahuunadü. He continued:

“Just like the Negro came from Africa, the Chinaman from China and nobody knows who put them there, but it is their native land. Same with us. That is why we do not want to leave this land. We have good land out there but we run short of water sometimes but land we got. We could make a lot more use off of it if we had more water... We do not want to be left out in any kind of work. We want to get every bit of it.”<sup>86</sup>

### *The Significance of the Payahuunadü Indian “Problem”*

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<sup>84</sup> “Minutes of a Meeting held in a Courthouse Independence, Owens Valley, California,” February 23, 1935, 8 Tribal Group Files, 1915-1972, Record Group 75, folder: minutes of 1935 Owens Valley meetings, On file, San Bruno National Archives.

<sup>85</sup> “Minutes of a Meeting held in a Courthouse Independence, Owens Valley, California,” February 23, 1935, 8 Tribal Group Files, 1915-1972, Record Group 75, folder: minutes of 1935 Owens Valley meetings, On file, San Bruno National Archives.

<sup>86</sup> “Minutes of a Meeting held in a Courthouse Independence, Owens Valley, California,” February 23, 1935, 8 Tribal Group Files, 1915-1972, Record Group 75, folder: minutes of 1935 Owens Valley meetings, On file, San Bruno National Archives.

Legislation ensued for the relocation of some Indigenous peoples of the Valley as a solution to the supposed “Indian problem.” The bill for the 1937 Land Exchange Act introduced in the United States House of Representatives on March 3, 1937, and passed on March 10, 1937. Members of the Nüümü peoples came to the hearing and wanted to express their views on the proposed land exchange. Republican, Usher Lloyd Burdick from North Dakota voiced his concern that a number of Indians desired to be heard on the bill. However, this request was dismissed supposedly because there was no request made by the Indians for them to be heard by the Committee of Indian Affairs.<sup>87</sup> However, the physical presence of Nüümü individuals at the U.S. House of Representatives hearing presented an act of resistance to Los Angeles city officials and to general relocation.

### *Conclusion*

The March 1939 editorial of *Indians at Work*, a newsheet published by the Office of Indian Affairs, promoted a portrayal of the largest municipal system of water and power in Los Angeles as a hero and champion of Native rights. The editorial wrote about the Nüümü (Paiute Indians’) brief history over the course of three chapters. The article traced the Nüümü (Paiute Indians’) subsistence through wage work in chapter one. By chapter two agriculture died in the valley because Los Angeles bought virtually all water rights. In Payahuunadü, “under the snow peaks of the Mount Whitney range, alfalfa fields, sunflowers and the long aisles of cottonwood trees withered and died... but the Indians refused to go away.”<sup>88</sup> In chapter three, the now president of the Board of Water and Power Commissioners, Dr. John R. Haynes, a “pioneer in the cause of

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<sup>87</sup> “Exchanging of Certain Land and Water Rights in California, Congressional Record (March 10, 1937), 2077.

<sup>88</sup> John Randolph Haynes Papers. Circa 1873-1960s. University of California at Los Angeles, *Indians at Work*, March 1939 Editorial, in Folder 3 Indians-California, Box 80. Charles E. Young Research Library, Los Angeles, California.



Indian rights” proposed a land exchange for the mutual benefit of the Indians and Los Angeles.<sup>89</sup> The Owens Valley Indian Rehabilitation project for the Paiute Indians, as the article put it, served as an example of “inventive effort” through years of persistence. Additionally, Los Angeles did “a splendid thing and furnished an example to other cities and states, in accepting a human obligation which had no legal basis.”<sup>90</sup> The city of Los Angeles nearly destroyed the environmental beauty of Payahuunadü, but the power afforded through the Land Exchange Act provided the Nüümü significant legibility to the state.

The April 20, 1937 Land Exchange Act [H.R. 5299] 50 Stat., 70 officially created the reservations at Big Pine, Lone Pine and Bishop and the June 1939 indenture to the Act delivered a contractual water right to the Tribes that has not been fully realized.<sup>91</sup> I end the paper in 1939 because the case study of the Nüümü and Newe, within the context of what I termed as the Payahuunadü Reconceptualized effort, provided a larger significance that Indigenous peoples are powerful agents in water development projects. Within the larger context of American western water history, 1939 marked the completion of the Colorado River Aqueduct for Southern Californian cities in the Metropolitan Water District. Therefore, 1939 demarcated the continuous need for large scale water delivery infrastructure in the American West.<sup>92</sup> The Payahuunadü-Los Angeles water transfer is the case academics and laypeople alike reference in an attempt to avoid another “Owens Valley” legacy.<sup>93</sup> The larger legacy of Payahuunadü showcases the necessity for

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<sup>89</sup> John Randolph Haynes Papers. Circa 1873-1960s. University of California at Los Angeles, *Indians at Work*, March 1939 Editorial, in Folder 3 Indians-California, Box 80. Charles E. Young Research Library, Los Angeles, California.

<sup>90</sup> John Randolph Haynes Papers. Circa 1873-1960s. University of California at Los Angeles, *Indians at Work*, March 1939 Editorial, in Folder 3 Indians-California, Box 80. Charles E. Young Research Library, Los Angeles, California.

<sup>91</sup> See Owens Valley Indian Water Commission for learning more about current issues, Accessed August 2, 2024, <https://www.oviw.com/>

<sup>92</sup> The Metropolitan Water District of Southern California, “Fact Sheet: The Colorado River Aqueduct,” July 2021, [https://www.mwdh2o.com/media/ja5k5pcu/cra\\_fact-sheet-2021.pdf](https://www.mwdh2o.com/media/ja5k5pcu/cra_fact-sheet-2021.pdf).

<sup>93</sup> Libecap, *Owens Valley Revisited*, 14

water districts and municipalities to include the principle of Free, Prior, and Informed consent (FPIC) regarding Indigenous peoples' presence and perspectives when deciding water allocation projects. Indigenous peoples were and remain key contenders in all future water projects as the demand for increase irrigation of the West continues.

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