

11 July 90

MEMORANDUM FOR Executive Officer, Umatilla Depot Activity, ATTN:  
SDSTE-UA-XO (CPT Robert White), Hermiston, OR 97838

SUBJECT: Confederated Tribes of the Umatilla Indian Reservation  
(CTUIR) Claim to Umatilla Depot Activity

1. This memorandum is in response to your 2 May 1990 request for a legal review of the rights and interests the CTUIR may hold in UMDA property following base closure.

2. Research into this matter required a review of all UMDA property acquisitions. The final project ownership map, provided by the Corps of Engineers, revealed that UMDA acquired its land by three means. UMDA received approximately 8,440 acres by a transfer from the U.S. Department of Interior, B.L.M. It acquired approximately 8,770 more acres through condemnation proceedings involving Umatilla County, Morrow County and various private entities. Finally, UMDA received a license/easement of approximately 2,800 acres from the Oregon-Washington RR & Navigation Company.

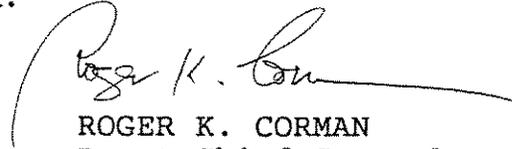
3. The CTUIR was never a party from which UMDA acquired land beginning in 1941. Based on this research, the CTUIR appear to have no legal rights to the land on which UMDA is located.

4. CTUIR's interest in the UMDA land appears to be based on the Treaty of 1855 which resulted in the use of vast areas of land in the Pacific Northwest, including the present location of UMDA. This assertion is supported by both a local newspaper article and a phone conversation between Chris Beveridge, of this office, and the Executive Director for Tribal Administration, David Tovey. Mr. Tovey expressed CTUIR's interest in both the past historical and cultural significance and the future agricultural possibilities of the UMDA. The underlying impression was that the CTUIR wants to be on equal footing with other parties interested in UMDA lands once they become available.

5. In the event that the CTUIR persists in its claim of property rights in UMDA, it is recommended that:

- a. The CTUIR be asked to provide their legal rationale for the property rights being claimed, and

- b. This matter be referred to the COE, Real Estate Division, for more research into the original boundaries of the CTUIR provided in the Treaty of 1855, the resulting disposition of the reservation, and any real estate rights the CTUIR may have in UMDA.



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