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Article Summary: The federal government has invested significant resources in Sioux County since the treaties with the Lakota Sioux freed the land for Euro-American settlement. It has been the major partner in providing infrastructure funding for projects: large irrigation systems, small pipeline systems, relief aid, and restoration of the land. The Homestead Act and other land laws provided nearly free land to Sioux County settlers, and the 1902 National Reclamation Act began the important work of irrigating farmable acres. Federal farm commodity support programs, conservation programs, and other federal programs continue, sometimes with unexpected results.

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Photographs: Map of Woodland and Wildlife Management Area Sioux County; Rangeland northwest of Crawford; Chart of Sioux County Homestead Title Patents Filed, 1886-1939; Main canal, Pathfinder Irrigation District in early 1930s; Badlands near Orella; Catchment basin, Oglala National Grasslands, 1963; Pipe for irrigation outlet, Andrew Andrews farm, Sioux County; Pipeline installation northwest of Harrison, White River Soil and Water Conservation District, 1966

THE BIGGEST PARTNER

THE FEDERAL GOVERNMENT AND SIOUX COUNTY, NEBRASKA

By Francis Moul

Marching step-by-step with the European settlers into Sioux County, Nebraska—and the entire West—was settlement's biggest partner, the federal government.¹ The settlers' objective was to own the land, a most precious resource. The government first appropriated that land, then explored it, wrenched it from its native occupants and protected it, dispersed it, and finally preserved what was left. In times of peril from warring Indians, settlers called on the U.S. Army for protection. In times of drought and depression, the settlers called for federal relief. The government helped farmers find the best crops to plant. Railroads to bring the settlers west and haul their crops to market received low or no-interest loans and millions of acres of free land to use to build their corporate empires. Similarly, free land for homesteading or ranching was the goal of the settlers who swarmed into the Great Plains.

Addison E. Sheldon, preeminent Nebraska historian, gave one of the strongest statements on the importance of land to humans in the introduction to his 1936 treatise, *Land Systems and Land Policies in Nebraska*. "Land is the first essential to the life of man on our planet," Sheldon wrote. Further, the regulatory system for using land "is the most important element in the success of any human society. . . no other one thing among the agreements under which men have inhabited this earth has been of so much importance as the condi-

tions imposed by social consent, under which men might occupy and use the earth's surface."²

Europeans acquired the land in Sioux County by fiat. The colonial powers claimed all lands discovered and explored by them, including the English idea that the crown held title to these newly discovered lands, to be passed out by royal patent. The United States earned its land claim to the original colonies and all their holdings by force of arms over the British, ratified by the treaty of peace of 1783. The 1803 Louisiana Purchase doubled the size of the nation and added the lands that were to become Nebraska and Sioux County. In applying colonial legal theory, the U.S. government considered that Indian tribes residing on the land were "covered by some color of title," and it therefore negotiated with the tribes for that territory.³ Those negotiations, of course, were between two widely divergent cultures, were sometimes conducted under the duress of arms or military threat, and were often held with small minorities of the tribes who inappropriately spoke for an amorphous political entity that had no white counterpart. Often, treaties bargained for in the field were changed and shortchanged by the U.S. Senate without recompense to the tribes, were mangled by bureaucracy and embezzling agents when enacted and enforced, or were simply ignored by the signatories.

A series of treaties with Indian tribes residing in Nebraska eventually cleared the state of all tribes, except for small reservations in northeast Nebraska and a tiny plot in Richardson County. A ma-

ior treaty, the Fort Laramie Treaty of 1851 at Horse Creek on the North Platte River just south of present Sioux County, established the broad boundaries of Plains tribes, while securing free passage through the Platte River Valley for emigrants west. The treaty also attempted to bring peace to the various warring nations, but its provisions were quickly abrogated when traditional rivalries flared up again. Later treaties opened all of eastern Nebraska to settlement, especially after territorial status was obtained in 1854.⁴

In the Fort Laramie Treaty of 1868 the Sioux were further limited to a range north of the North Platte River and west of the Missouri River, with hunting rights extending south to the Republican River, and won exclusion of whites from the Black Hills. Final treaties with the Sioux in 1875 and 1876, near the end of the Plains Indian Wars, eventually forced them onto reservations in South Dakota. Sioux County figures in two of the Sioux land cessions. In 1875 the Lakotas ceded 7,115,904 acres in the current Nebraska Panhandle, north of the North Platte River, to the United States and a year later—with the Northern Cheyennes and the Arapahos—ceded another 4,807,520 acres along the upper Niobrara River.⁵

These treaties were disputed almost from the beginning, disputes that will likely continue into the twenty-first century. Indian treaty claims were examined by an Indian Claims Commission, established by President Harry Truman in 1946, with William McKinley Holt of Lincoln, Nebraska, as one of the original three commissioners and the longest

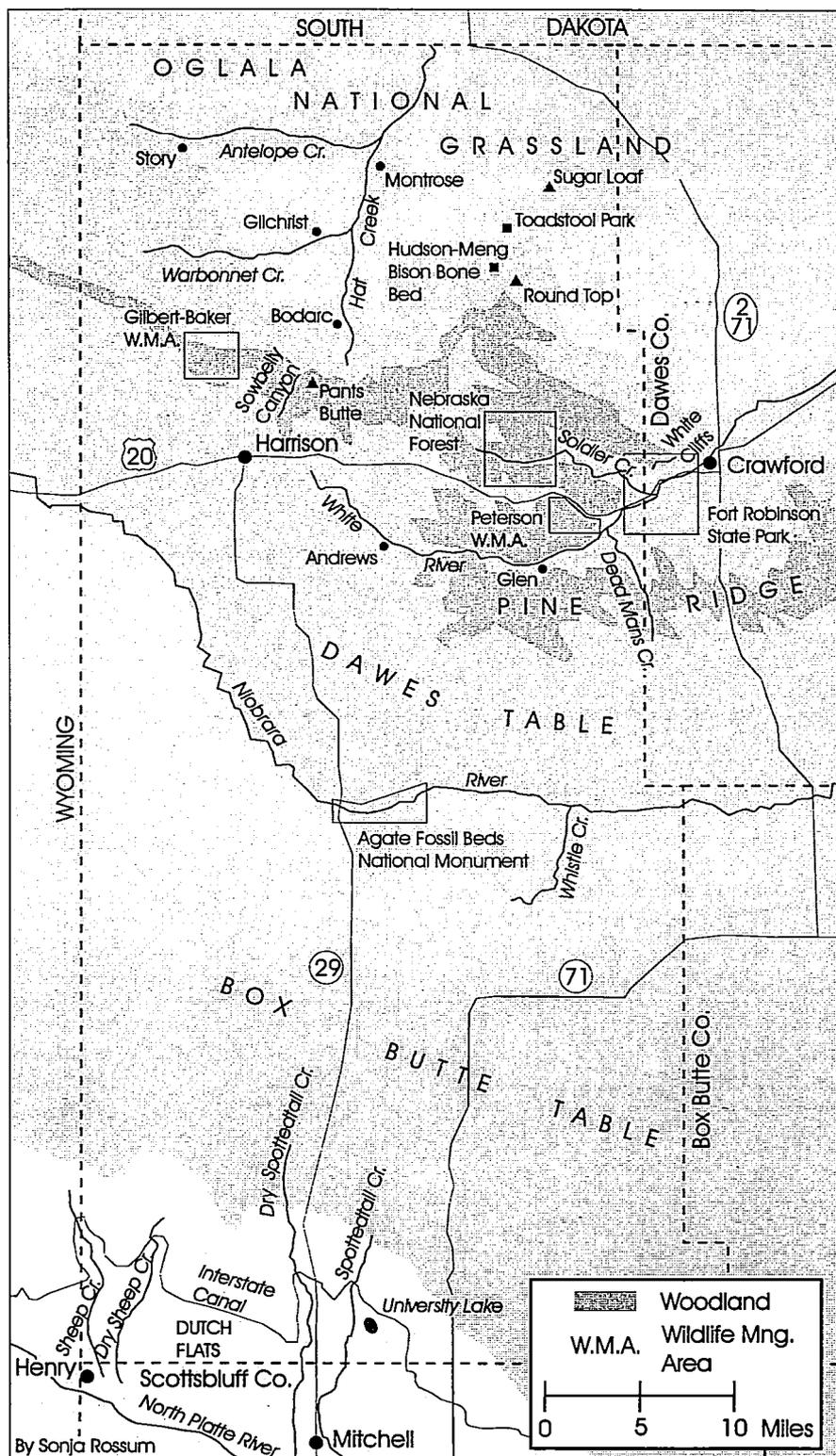
Francis Moul of Lincoln, a retired newspaper publisher, recently completed a Ph.D. degree in environmental history.

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servicing. The commission was given broad powers to settle treaty and other claims by tribes, but the process dragged on for three decades with relatively small awards to the Indians. In all, the commission awarded some \$2 billion in claims, but offsets for lawyer fees, previous annuities, food and clothing, farm equipment, and other expenses "reduced final awards to \$818 million—less than the amount spent on the thirty-one-year claims process."⁶ Final adjudication has not been reached in some cases. The Lakota Sioux have not accepted a settlement for the Black Hills worth several hundred million dollars. They want the land back, not greenbacks.⁷

Land was the primary resource of the fledgling U.S. government, and its sale was one of the country's major sources of revenue. Sales were first held by auction of huge chunks of the ever-expanding western territories, after surveys had been made, with speculators most often getting high bid and dividing the land for settlement. In 1811 this regulation was modified to allow land offered in Louisiana Territory, but not sold within three weeks, to be "subject to entry by anyone at the minimum price and in any quantity." An 1820 law amended this timetable to two weeks of open bids, then the land would be offered in eighty-acre tracts. In 1841 the original preemption act approved the sale of isolated and disconnected tracts after thirty days notice, providing that surveys were made. The law was amended in 1854 to allow settlers in Nebraska (among other territories and states) to settle on unsurveyed land and then pick the 160 acres that most closely matched the actual surveys, paying \$1.25 per acre. Mexican War veterans were eligible for military bounty land warrants, many of which were redeemed in Nebraska between 1854 and 1862; these warrants could be assigned to others, and land speculators acquired large tracts by purchasing warrants at discounted prices.⁸

Abraham Lincoln's presidential campaign promise of free land came true



with passage of the Homestead Act in 1862, whereby persons twenty-one years or older could claim a quarter-section of land with a \$10 fee, provided he or she lived on the land and improved it, gaining title in five years. Also passed was the Morrill Act, donating to states 30,000 acres for each member of Congress (House and Senate) to support a permanent endowment fund for agricultural and mechanical colleges. These acres were converted into "college scrip" in the southern and eastern states and sold at about fifty cents per acre to speculators and brokers, who used it to buy land in the West. Nebraska had a 500,000-acre land grant from the School Lands Act, which provided that sections 16 and 36 in every township, or their equivalent, be held in support of schools.⁹

Land was also disbursed in Nebraska through grants to railroads building track in the state. The railroad companies received the odd-numbered sections in a ten- or twenty-mile strip on either side of the track—or its equivalent elsewhere—which was matched check-

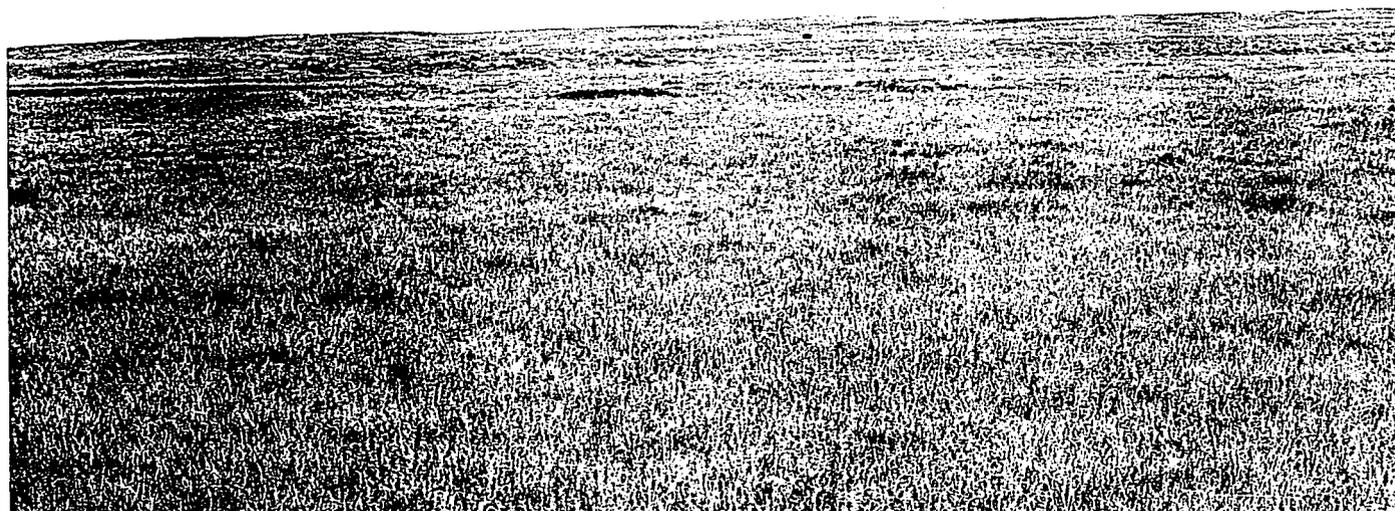
erboard style with public sections. These railroad lands were exempt from taxation until sold, usually at a price of \$2.50 per acre.¹⁰

Phineas W. Hitchcock, U.S. Senator from Nebraska, introduced the Timber Culture Act in 1873 to further encourage land disbursement. It required planting at least forty acres of trees in a quarter section and cultivating them for ten years to acquire a patent. Existing homesteaders could add a quarter section and also accelerate their original claim from five to three years by planting one acre of woods on their 160-acre homestead. To further promote settlement in the arid West, Congress passed the Desert Land Act in 1877 to advance irrigation agriculture, with settlers able to purchase 640 acres at \$1.25 per acre within three years, provided they irrigated the land. Nebraskans benefitted from the Kinkaid Act of 1904, which opened thirty-two western Nebraska counties, including Sioux, to 640-acre homesteads; this opportunity was extended throughout the West by the

Stock Raising Homestead Act of 1916.¹¹

The largesse of the federal government was not without substantial abuse and deep-rooted problems. The overall objective of the many land laws was to quickly open up large amounts of arable land for agricultural production as family farms. This objective, for the most part, was realized. Millions of immigrants from Europe participated in one of the world's greatest land booms during the cool, wet, and highly productive years of the late 1870s and the 1880s. At the same time, thousands of public land filings "were made by persons who had no intention of completing them" according to Sheldon. Speculators held prime lands for quick sale, and settlers had to deal with them or farm less desirable land. The Kinkaid and Desert Land Acts greatly facilitated illegal actions by providing full section claims, which then were often fenced by ranchers, along with other unclaimed land.¹²

Many of the pioneer ranchers in Sioux County settled on land that had not been surveyed, and those who beat



Rangeland northwest of Crawford. NSHS-RG2570:84-37

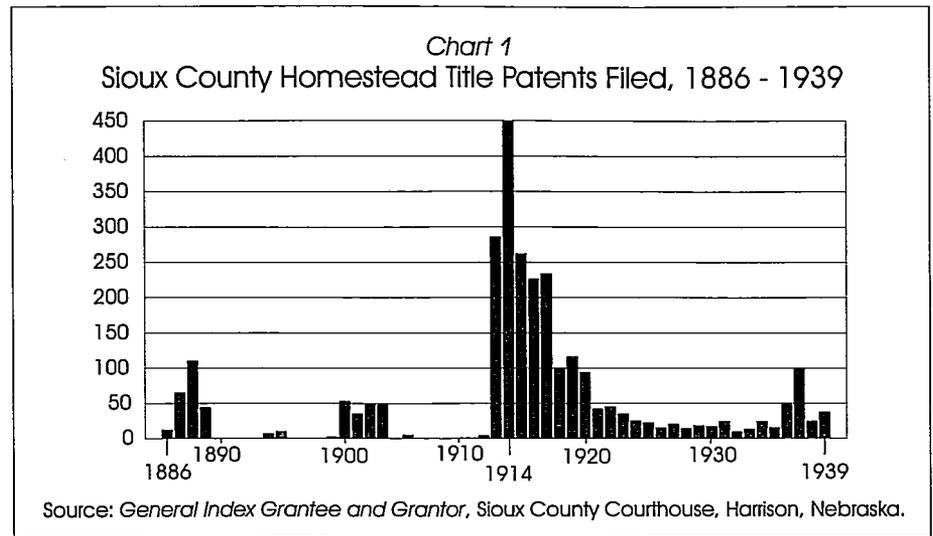
The Federal Government and Sioux County, Nebraska

the survey crews got the best land and water sources. They were often able to keep the land, through various means, after the government survey was done and federal acres identified. One way was to get family members and hired hands to claim a quarter section under the various federal land laws, close to the home ranch or at strategic spots on the range. Others used veterans or widows of veterans who were entitled to land under soldier claims, bringing them west from Grand Island or Omaha by the trainload to claim their acres, sending them back east after a few days of adventure that left some dollars in their pockets. The checkerboard railroad sections also facilitated abuse. Buying a railroad tract in the checkerboard usually meant control over adjoining public land as well, and so the bargain was two-for-one. Two sections of school lands in each township were also available for leasing, and for a period federal land was leased.¹³

New land commissioner William A. J. Sparks, appointed by Democratic President Grover Cleveland, spent three controversial years trying to clean up this fraudulent situation. His field inspectors sent in reports in 1885 that noted:

I have traveled over hundreds of miles of land in western Kansas, Nebraska, and central Dakota, nearly one-fourth of which has been taken under the "timber culture act," without seeing an artificial grove even in incipiency. . . . A "cattle king" employs a number of men as herders; "cowboys" is the popular designation for them. The herd is located on a favorable portion of the public lands, where grass, water, and shelter are convenient, and each herder is expected and required to make a timber culture entry of lands along the stream. These entries often very nearly if not quite occupy all the watered lands in a township and render the remainder undesirable for actual settlement for farming purposes.¹⁴

An 1886 land commissioner's report noted that six Sioux County ranches or ranch corporations had unlawful enclosures totaling 198,620 acres, although three ranches were in the process of removing the fences. The firms were C. F.



Coffee & Co. (6,000 acres, removing), Dakota Stock & Grazing Co. (5,380 acres, removing), J. R. Hunter (100,000 acres), Dakota Stock Co. (61,968 acres, removing), Niobrara River Cattle Co. (20,000 acres), and War Bonnet Live Stock Co. (5,272 acres).¹⁵

When the Republicans swept back into power nationally with President Benjamin Harrison in 1888, a Nebraskan—Judge Lewis A. Groff of Omaha—was appointed land commissioner. Naturally, the Republicans offered a different interpretation of the land laws and their practical effect. One report noted that under the Democrats, "the great body of honest settlers were erroneously tainted with suspicion, created by the acts of a very small percentage of evil-disposed persons." Nonetheless, it was under the Republicans in 1891 that both the Preemption Act of 1841 and the Timber Culture Act with its amendments were repealed. The Homestead Act was amended to "require residence and cultivation for at least fourteen months before final proof and payment on the land," and prohibited owners of more than 160 acres from taking a homestead claim.¹⁶ The terrible drought and depression of the 1890s and the new law caused a sharp decline in homestead claims, with only nineteen patents filed in Sioux County in the entire decade.

While the 1862 Homestead Act was used from the beginning in Nebraska, with Daniel Freeman filing the alleged first claim near Beatrice in 1863, Sioux County's initial homestead claims came more than two decades later. The first patents for title to government land did not appear in county records until 1886, when twelve were recorded, with no delineation between cattle range and farm ground. There were 224 more 160-acre patents in the next three years (with 100 in 1888), but fewer than twenty were recorded during the entire 1890s, with none in 1890, 1891, 1893, 1896, and 1898, reflecting the drought and depression. The first six years of the twentieth century saw a flurry of 268 patents, then the number dropped to only thirteen in the next seven years, until 1912. None were filed in 1909, and only one patent each year was noted for 1907, 1908, 1910, and 1911. Nearly 60 percent of all 1,702 Sioux County homestead patents were recorded in the next seven years, from 1913 to 1919 (with a high of 450 patents in 1914), when both record commodity prices and yields, plus surging exports to a war-torn Europe, created the best farming years ever on the Plains. In that period, the vast majority of Sioux County land grants were more than 160 acres, ranging in uneven plots of some 200 acres to a high of 800 acres,



Main canal, Pathfinder Irrigation District, northwest of Morrill, early 1930s. NSHS-RG2570:84-22

with about 550 patents of 600 acres or more, representing Kinkaid Act claims. Prosperity ended, however, as did the large numbers of patents in Sioux County, with the beginning of the two-decade farm crisis in 1921. From 1921 to 1939 only 563 patents were recorded, with a high of 100 in 1937 and a low of nine in 1932.¹⁷ (See Chart 1.)

The Homestead Act was repealed with passage of the Taylor Grazing Act in 1934 and all unclaimed public lands reverted to various federal agencies.¹⁸ While the United States has a long history of saving priceless vistas as national parks or monuments, beginning with Yellowstone National Park, that method of land preservation did not hold true for the Great Plains and western grasslands. The huge range that once supported millions of bison was at first thought to be wasteland or desert, then was disastrously plowed for short-term wheat and grain harvests, and was finally restored to pasture, in large part. Only with the Taylor Grazing Act did Congress turn to preserving this massive

grassland instead of giving it away.

The federal government became a partner with western settlers in a new way in 1902 when the National Reclamation Act was passed by Congress, with immediate results for Sioux County. The act was the culmination of a long series of national conferences, reports, and congressional lobbying by western promoters that brought irrigation to the arid West. This effort was led, in large part, by William Smythe of Omaha and Kearney, Nebraska. The act provided for the sale of western lands to provide for an "arid land reclamation fund" that would pay for constructing dams and large storage reservoirs, canals, and lateral diversions to irrigate farms. Public land within the irrigation project lines was withdrawn from sale, to be sold later to individuals in parcels of forty to 160 acres, or even smaller tracts as determined by federal officials. The price of the land was "to be determined by the water-development costs and to be reimbursable in ten annual installments. Repayment would create a

revolving fund, with no other claim on it than more and more reclamation," according to historian Donald Worster. Repayment by farmers was later extended to forty years, and was even forgiven under certain circumstances. Nebraska was one of sixteen western states originally eligible for reclamation projects (joined by Texas in 1906), and the water was distributed under state laws.¹⁹

One of the first irrigation projects under the act, authorized in 1903, was the North Platte Project that encompassed the construction of five major reservoirs and six power plants with enough storage to irrigate 400,000 acres in Wyoming and Nebraska. The principal storage structure of the project is the Pathfinder Dam southeast of Casper, Wyoming, begun in 1905 and completed in five years. But the first undertaking of the North Platte Project was the Interstate Canal begun in July 1905 to transport water from the Whalen Dam northwest of Torrington, Wyoming, ninety-five miles to the Lake Alice and Lake Minatare reservoirs northeast of Scottsbluff, Ne-

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braska. The canal took ten years to construct and wanders across the contours in Sioux County's southeast corner, irrigating 27,365 acres of farmland there.²⁰

A report from about 1913 details construction of the Second Division of the Interstate Canal, 75 percent of which is in Sioux County. A reconnaissance line was first run in autumn 1904, with engineers plotting the canal location the next spring and letting bids for the earthwork on November 8, 1905. Engineering work was "very simple, due to the open rolling prairie and the absence of all brush, trees and rocks," the report noted, although high winter winds slowed progress. The contractors made flat curves of two to twelve degrees to follow the land where possible, but with many fourteen and sixteen degree curves and a few at eighteen degrees. "It is very probable that more attention should have been paid to the making of flat curves," the report noted.²¹

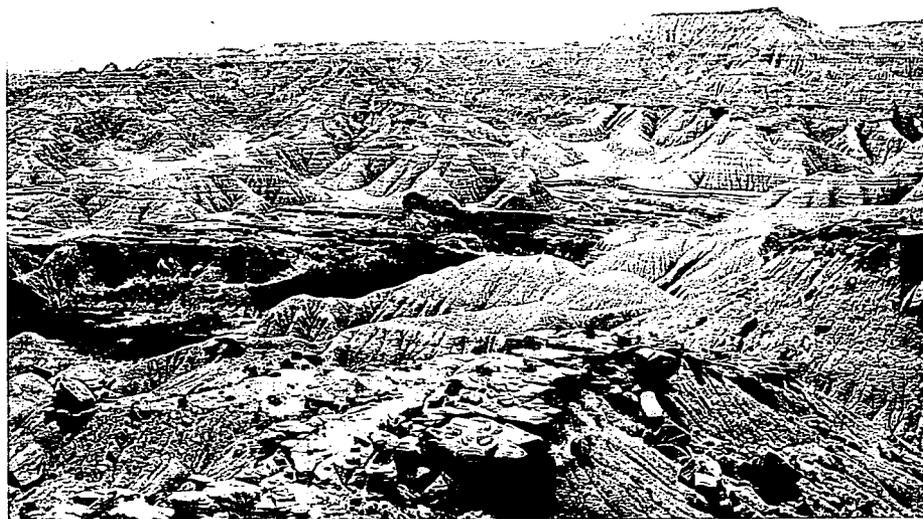
During construction, which began in the spring of 1906, two-horse teams moved 37.1 cubic yards of earth per day, at a cost of twelve cents per cubic yard. According to the report, "the soil is a light sandy to medium loam and the topography fairly smooth, with rolling hills covered with buffalo grass. There are no trees, brush or rocky land to interfere with construction work. The earth excavation, or Class 1, was very easy to handle." Major contractors hired up to seventy-five men and seventy horses to do about one-third of the work—the most difficult—but two-thirds of the work was done by subcontractors who provided their own teams and labor. Explosives were used in places. The total cost for canal earthwork was \$666,737.27.²²

The second phase of construction of the Second Division of the Main Canal, Interstate Unit, was for water-controlling structures to provide cross drainage, bridges for highways, water diversion to the laterals, waste water sluicing, and water elevation regulation. Maximum water levels were determined by high water marks on the ground or from the

testimony of old settlers. Flooding during construction at four areas "afforded valuable information relative to the runoff." Ten bridges were built in the Sioux County section. Farmers in the area supplied work animals with grain and hay, and "many of the farmers were employed on the works either by the day or as subcontractors hauling freight, excavating structure sites or screening and hauling gravel and sand." Extensions on contracts were sometimes given, "owing to the unusual scarcity and low efficiency of labor and the extreme difficulty in obtaining deliveries of materials," according to the report. Construction continued on all structures, including the last laterals, until December 1912. Total cost of the structures for this portion of the Interstate Canal was \$187,763.02.²³

The Pathfinder Irrigation District claimed a large water appropriation from the North Platte River in 1904, under Nebraska irrigation laws, for 1,572 cubic feet per second (cfs) of water, a major portion of the 2,100 cfs rated diversion capacity of the Interstate Canal. Nebraska law allows for first in time, first in right appropriation of surface water from natural streams, so the earliest

claims have the senior right and all junior rights are subordinate. In all, 293 current water appropriations are now on record for Sioux County, besides those in the Pathfinder District, in four river basins, with about 41,600 acres irrigated in 1997. While much of the water is pumped directly from streams, there are also many small, private storage reservoirs and canals in the county, including some abandoned canals. In the North Platte River basin, only five water rights are claimed, three for Sheep Creek and two for Spotted Tail Creek. Farther north in the Niobrara River basin, there are twenty-five appropriations, twenty-one on the river and a tributary, and four for Coyote Creek. The White River and White Clay Creek basins have thirty-four appropriations, including the City of Crawford and the Nebraska Game and Parks Commission. By far, however, the most appropriations are in the Hat Creek basin, with 230 claims for irrigation from natural streams as well as for storage on private reservoirs. Two appropriations were filed in 1880—the oldest in the county—now held by Gary and Lona Thayer and Coffee and Son, both in the Hat Creek basin. Coffee also filed an 1881 claim. An early claim on



Badlands near Orella. NSHS-RG2570:84-1

the Niobrara River was in 1883, now held by Melvin and Klara Grote, and the same year a claim was filed for the Spring Ranch on the White River.²⁴

Irrigation systems and water rights to supply them are among the primary defenses in agriculture against droughts, which are endemic to the Great Plains. Drought helped bring the familiar boom and bust eras to the Plains in the late nineteenth century. Although a twelve-year drought was recorded from 1884 to 1895 at Ash Hollow in Garden County of the Nebraska Panhandle, it was uneven and many sections had bumper crops. New machinery, new seed varieties, new methods of dryland crop production, new export markets, and easier transportation via railroads all encouraged a rise in the state's commercial farming productivity. This led to lower commodity prices while production costs increased. In Nebraska, the "great crop of 1889—the best in a decade—brought with it some of the lowest prices the farmers of Nebraska had yet received."²⁵

The great crop was immediately followed by a drought in 1890. Then the Panic of 1893 struck at the same time as dry weather hit hard with the drought of 1894. The heartiest "crop" of the eastern part of the state became the protest movements of the Populist era, culminating in farmer support in 1896 for the Great Commoner of Nebraska, Democrat William Jennings Bryan, in his first of three presidential nominations. That 1890s drought has been seen as the "first great crushing defeat" of the American farmer. It was a disaster where the flood of farmers into the uncultivated margins of farmable lands was reversed. "Many areas lost between half and three-quarters of their population," according to geographers Warrick and Bowden. Many Nebraska counties never regained their population peak of 1890.²⁶

In Sioux County, where settlement started late (1880s) and peaked later (1910) than in most of Nebraska, few people were affected by those late nineteenth-century droughts. More telling in

Sioux County was the disaster of the 1920s and 1930s. Well before the 1929 stock market crash caught the attention of Americans, both drought and economic depression hit agriculture hard. Wartime demands and high prices for commodities ended quickly by 1920, but mortgages and bank loans to pay for expanded land and new equipment remained. They combined with dry weather to provide nearly a decade headstart for the farm depression. Per capita farm income in the 1920s was one-third the national average, and by 1929 total farm debt was almost \$10 billion nationwide. Net farm income declined from \$6.1 billion in 1929 to \$2 billion in 1932.²⁷

Going into the Dirty Thirties, farmers were perhaps the least prepared segment of American society to withstand the double blows of drought and depression and millions simply gave up, leaving their farms for nearby cities or faraway dreams on the West Coast. This exodus deeply depleted rural counties in the Great Plains of a population that has not been replenished, until now many qualify as "frontier" counties with fewer than two persons per square mile.

Severe population depletion was the case in Sioux County. In the 1880 census the still-huge county (which included present day Dawes and Sheridan counties) had only 699 persons, mostly connected with ranch operations or aligned with the military posts. By the 1890 census of a much smaller county with the same borders as today, the population had exploded to 2,452 people. That number dipped to 2,055 by 1900 as immigration dried up and drought and depression emptied the Plains of homesteaders. The highest Sioux County population was recorded in 1910, with 5,599, reflecting the effect of the 640-acre Kinkaid homestead provision. More than a thousand fewer persons were recorded by 1920, with a population of 4,528, though with a small increase by 1930 to 4,667. During the desperate 1930s, however, the county's population dropped to 4,001 in 1940 and has declined continuously

since then, to 3,124 (1950), 2,575 (1960), 2,034 (1970), 1,845 (1980), and 1,549 (1990). Current population meets the frontier definition of less than two persons per square mile.²⁸

A consequence of the ten- to fifteen-year dry period, culminating in the 1930s drought (with 1934 the worst year) in the short and mixed-grass prairie areas, was "another tremendous setback to range forage production, already reduced as a result of previous long, severe, and nearly unrestricted use," according to a government report. That heavy grazing load, inspired by World War I needs, barely began to lessen when the livestock price slump and drought "combined to increase use and reduce forage production." Depletion of the range included a 50 percent or more loss of short grasses, and Sioux County was listed in the categories of "material" depletion for 25 to 50 percent, and for most of the county, "severe" depletion of 50 to 75 percent. Specifically, plants found in more arid environments—western wheatgrass, blue gramma, and buffalo grass—invasion all the way to the former tall grass areas of the prairies east of the Great Plains. This was "by far the most striking feature of the drastic modifications of the prairie" during the drought, according to J. E. Weaver, noted Nebraska ecologist.²⁹

Fortunately, the range was not destroyed by the drought although it was severely weakened. With normal precipitation in the late 1930s and 1940s, growth increased and "the splendid sod grasses at least partly refilled the bare spots. Where the grasses were killed, the ground was occupied by other plants which, though of lesser palatability and smaller forage value, the animals still ate." Shortgrass prairie dominated by blue gramma and buffalo grass, such as in Sioux County, had relatively small losses when ungrazed. "Rapid stolon growth allowed buffalograss to quickly reclaim bare areas when moisture conditions improved temporarily," according to one report. Native drought-resistant

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shrubs and forbs with spreading or very deep root systems also increased. These included broom snakeweed, snowberry, heath aster, goldenrod, western ragweed, and scarlet globemarrow.³⁰

Following a rainy period that coincided with World War II and up to 1949, drought returned to the Great Plains in the 1950s, with a midpoint of 1953. That episode almost equaled the 1930s in duration and nearly matched the early 1890s drought in intensity. "It was one of the three most severe droughts on record," one writer notes. However, the economic impact was less than earlier droughts because people were more prepared and summer rainfall was sufficient. Rainfall in the northern Great Plains approached normality, while drought continued in the southern Plains states. Where rainfall did decline, there was a drastic reduction in soil moisture and groundwater recharge, resulting in sharply declining runoff and stream flow. Major stream flows in the Great Plains dropped 40 to 60 percent during the 1950s drought, and stream salinity increased threefold. In such major droughts, low-flow months might see a drop-off to 10 percent or even 1 percent of normal flows over much of the Plains.³¹

The latest drought to hit the High Plains was a nineteen-month period from January 1988 to July 1989, although it struck some areas as early as 1984. The year 1988 was very dry, exceeded only by 1910, 1917, and 1956, with 1963 not far behind. According to one report, the "overall pattern of the 1987-1989 drought most resembles the drought of 1936." It seemed especially harsh because the two decades preceding the drought were very wet nationally, with the 1970s the wettest decade of the century and the 1980s a close runner-up. This drought was particularly hard on Nebraska livestock producers, where the spring of 1988 was the second driest since 1895. This continuing drought greatly reduced grass quality on pastures and rangelands, and the 1988 drought cut corn and soybean produc-

tion drastically, greatly increasing prices of those commodities for livestock feeding supplements. "Thus, the impact of the 1988 drought on livestock producers became the most serious during the spring of 1989."³²

With the farm depression antedating the Great Depression by a decade, during the 1920s several programs were put forward to remedy the ills of overproduction, low prices, and the huge farm debt. These included flooding the world market by dumping surpluses, storing grain during good years for sale during poor crop years (an idea put forward earlier by the Populists), subsidies based on parity, and eliminating the middleman in agribusiness via cooperatives (another Populist concept). Comprehensive land-use planning by the federal government was also one of those plans, and it came to fruition during the presidency of Franklin D. Roosevelt.

One of the permanent features of the New Deal programs was a controversial plan for the federal government to purchase submarginal land in the Great Plains and the South, resettle the owners and tenants to planned garden cities or subsistence forty-acre homesteads outside the regions, and restore the abused rangeland. That plan, after long study and debate, ultimately resulted in the 1960 establishment of the Oglala National Grassland of Sioux and Dawes counties, one of twenty such national preserves in the West.

A broad land-use plan was first proposed by L. C. Gray of the U.S. Department of Agriculture (USDA). Writing in the 1923 *Yearbook of Agriculture*, Gray called for rural zoning "according to soil, climate, population centers, historical development, cultural conditions, and recent changes in agricultural methods. Farming was to become more intensified around small, industrial communities." A key feature was classifying lands in terms of supermarginal, marginal, and submarginal. In areas with submarginal land, people would be resettled on subsistence homesteads, and surplus lands would be turned back to

timber and grass. The federal government would buy up such lands. In 1928 the U.S. General Land Office reported that all available public lands where dry farming 640 acres would support a family had been largely reduced. That finding led President Herbert Hoover to appoint a commission to look into land use, and a 1931 national conference in Chicago set the stage for the formation of the National Land Use Planning Committee in 1932. That group proposed federal purchase of submarginal farmland to remove it from cultivation, and Hoover asked Congress to approve such a plan, but only to lease the land. The committee continued in the New Deal with creation of the National Resources Board in 1934, calling for a long-term, land-use policy that would buy more than 86 million acres of submarginal land. Only 11.3 million acres were actually purchased in the end.³³

The first land purchases came through a grant of \$25 million from the Public Works Administration to the Federal Emergency Relief Administration, as part of the initial frenzy of relief activities by President Roosevelt to treat the early, worst days of the Great Depression. Four different federal agencies received money to buy land, with agricultural projects coming under the Land Policy Section of the Agricultural Adjustment Administration (AAA). Lands purchased were known as Land Utilization, or L-U, projects. On May 1, 1935, all components of the L-U program were consolidated under the newly created Resettlement Administration (RA), headed by Rexford Tugwell, undersecretary of agriculture and one of Roosevelt's Brain Trusters. This program became one of the more controversial "social engineering" projects of the New Deal, as it combined purchase of submarginal land with the creation of new towns and garden cities, to be populated by resettled families from the drought-devastated heartland.³⁴

Tugwell early saw the need for conservation and was instrumental in creating the Soil Conservation Service (SCS)

of the USDA. For him, the RA assignment was twofold: to help farmers and ranchers with federal professional supervision and extension education programs. But where submarginal land offered no security for farmers, the land would be converted to new uses, restored to grassland or forests, and the inhabitants resettled.³⁵

There was never congressional authorization of the Resettlement Administration. It was created by executive order and given funds from the Federal Emergency Relief Act that provided President Roosevelt with nearly \$5 billion for discretionary projects. Nearly \$50 million was made available for rural resettlement projects. Responding, in part, to criticism of the RA programs by conservative Republicans during Roosevelt's first re-election campaign in 1936, Tugwell resigned from the RA after the November election.³⁶

By September 1937 the RA was replaced with the Farm Security Administration, created by the Bankhead-Jones Farm Tenant Act. Title III of that act, Retirement of Submarginal Land, finally gave congressional approval to correct maladjustments in land use and to purchase submarginal land. The lands were transferred to the U.S. Forest Service of the USDA on November 2, 1953. A mandate ensured a "sustained yield" of the grasses as well as multiple use of the land under the Forest Service. Eventually, many of these lands were transferred to other state and federal agencies, and on June 20, 1960, the remaining 3,804,000 acres were designated as nineteen national grasslands, to be managed for outdoor recreation, range, timber, watershed, and wildlife and fish. A twentieth national grassland of 18,425 acres, Butte Valley in northern California, was dedicated in July 1991 as part of the Klamath National Forest.³⁷

One of the original nineteen grasslands was the Oglala National Grassland, consisting today of 94,435 acres. It is located in northern Sioux and Dawes counties on the South Dakota border and adjoining the Buffalo Gap National

Grassland in that state, both administered through a Chadron, Nebraska, headquarters. Located in the gumbo land of Sioux County, much of the Oglala National Grassland is Pierre shale or clay. It also contains broken land, with threads of trees only along the river banks and edging down from the high buttes to the south. There are dry alkaline flats with little life existing on them. Although the land wasn't as badly misused as that in the 1930s Dust Bowl at the junction of Oklahoma, Texas, Kansas, and New Mexico, there were many abandoned farms at the time of its purchase.

Drought conditions throughout the 1920s and 1930s culminated in the driest year, 1934. All farm commodity prices were at record lows. Corn that sold for \$1.56 per bushel in 1920 had dropped to thirteen cents per bushel in 1932. Wheat went from \$2.08 to twenty-seven cents per bushel. Oats were selling for a dime a bushel and barley for thirteen cents. In 1929 cattle were at a high price of \$11.06 per hundredweight and three years later were selling for \$4.10. Grass on the range died out, and there was virtually no pasture for livestock. Many of the cattle were starving and the government purchased millions of head nationwide, just to give farmers and ranchers some cash for relief.³⁸

In the midst of this devastation, the opportunity to sell out and relocate on more productive land, or to just have some cash for vital necessities or to move on, must have seemed like a gift from heaven. As early as 1933, the Farm Credit Administration formed a committee of volunteers in Sioux County to bring debtors and creditors together to reach a "satisfactory adjustment of mortgages or other debts." This program was taken over by the Resettlement Administration in 1935, which could then advance money to farm families to purchase or lease land in a loan program. Those eligible were farmers on marginal land "which will not yield a satisfactory living," tenants, and young married couples just starting out. In November 1935 a Nebraska State Debt Conciliation

program was announced to assist in settling cases, without court action, where debt was clearly more than could be paid and foreclosure imminent. Local committees would "devise an adjustment" agreeable to both parties.³⁹

In many cases, however, the solution to overwhelming debt and poverty was to sell out to the federal government, which at the time was about the only entity buying land. Under the old AAA programs, federal appraisers were sent to the field as early as 1933 to help set up land purchases. This process accelerated with the birth of the Resettlement Administration. Sioux County's only newspaper, the weekly *Harrison Sun*, announced in late 1935 that about \$700,000 was available to purchase some 155,000 acres in Sioux and Dawes counties. The purchases would be of "dry land farms, drought damaged ranges, abandoned crop land, cut-over woodlands and young timber on the Pine Ridge Escarpment." Those areas would then be developed for grazing, forestry, and recreation along with flood control, water conservation, game preservation, and an addition to a state park. The aim was to shift land unsuited to cropping over to grazing use. "The development of large, well managed grazing areas should enable the farmers and ranchers to obtain a more stable income than is possible under present conditions and the grass cover will protect the soil from further erosion," according to a 1937 RA press release in Nebraska.⁴⁰

E. P. Wilson, a contemporary historian writing in 1938, noted that the "ultimate readjustment" of use for the federal purchases of Nebraska Panhandle "high risk land" was to "return thousands of acres of land turned wrong side up by plows during the World War [I] period to grass and tree growth," and to prevent such actions in the future. The aim was to assure longtime tenure to ranch families within the area.⁴¹

For those selling out and leaving, resettlement could be done at eight RA farmstead project sites in Nebraska. They were located at Scottsbluff, Loup

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City, Kearney, Grand Island, Fairbury, Falls City, South Sioux City, and at the site of Two Rivers, twenty miles west of Omaha. As late as September 1938 there were still vacancies on these projects. There, successful applicants would live in a "new, modern home" where they could "raise a garden, chickens, have a cow and a sow," and join a cooperative farming enterprise with financial and technical help from the Farm Security Administration, successor to the RA. Leases were available for "very reasonable terms" with the chance to buy the farmsteads later. Some of the homes are still standing west of Scottsbluff.⁴²

In reality, 41 percent of the land purchases made in Sioux County were from individuals, families, or institutions living outside the area, often in other states.⁴³ A case-by-case examination of 319 tracts purchased (involving the vast majority of land in the Oglala National Grassland) shows 189 tracts were purchased from people or institutions in Sioux or Dawes counties, or contiguous counties in South Dakota and Wyoming. Purchases from owners living outside that area totaled 129 tracts. Four cases were uncertain, according to the re-

ports. Some of those out-of-area purchases were from former residents who had already moved elsewhere. In several cases, Jane and John Doe were listed as owners, because the records were unclear about who the actual owners were or where they lived. This lack of information was also often the situation in estate settlements, when the exact list of heirs was unknown. Public and private institutions were involved in at least twenty-two tracts, including out-of-area corporations, federal courts, Sioux or Dawes County delinquent tax lands, and banks. In two cases, land mortgaged by failed banks was sold to repay depositors who had a claim on the bank.

Of the 319 tracts, records show that 139 were leased at the time of appraisal. Some improvements, beyond fencing, were shown on 112 tracts. They could include an elaborate ranch headquarters with house and outbuildings. Usually, however, the improvements were listed as old homes, wells and windmills, sheds and outbuildings, and dams. Most tracts had no improvements.

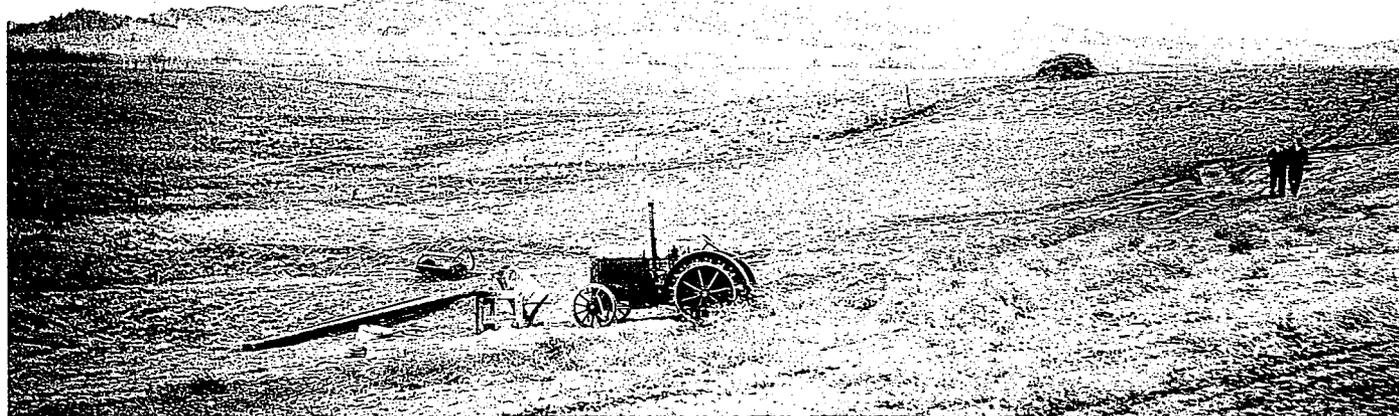
Until the appraisal forms changed in the later years of purchases, there was a

place for fieldmen to list why the land should be purchased, and those comments are revealing about the nature of the national grassland purchase program. In sixteen cases, "owner wishes to sell" was given as a reason for purchase. In twenty-one cases, the purchase was to fill in a block of land. "Overgrazed" was a comment on fourteen tracts, and "submarginal" land was noted twice. Nonresident status of ownership was given nineteen times. Good timber land was noted on forty-two tracts. Good grazing ground was noted on thirty-six tracts, and "for development" on twenty-two tracts.

One of the most frequent comments, relating to forty tracts, was the equivalent of "no income to owner," with "heavy debt" listed on four tracts. For thirty-five tracts, the comment was "not large enough unit" or not a "suitable" farm. Condemnations accounted for nine tracts. In at least one case, the appraiser recommended that land not be purchased, writing that "These people are thrifty and can make a living on this tract." However, the land, 760 acres plus improvements, was purchased for \$2,827.20. Prices for land ranged from



Catchment basin, Oglala National Grasslands, 1963. NSHS-RG2570:84-72



Pipe for irrigation outlet, Andrew Andrews farm, Sioux County. NSHS-RG4290-2746

fifty cents per acre for “waste” land, up to \$4 and \$4.50 for good farmland, including the more tillable loam soils. Most land sold for \$2 and \$3 per acre.

Among the tracts sold was one by William M. Forbes, a single man, on September 10, 1936. He had two hundred acres in Dawes County, which sold for an average of \$1 per acre, with forty acres going for \$2 each, another forty acres listed at \$1.50 each, and 120 acres of wasteland for fifty cents an acre. Notes by the appraiser indicate the land was leased by the owner, apparently for grazing, and there were no improvements shown or paid for. The owner had the right to occupy and graze the land under a temporary cropping agreement, to February 28, 1937. Forbes received his \$200 in cash on October 21, 1936.

On another tract, Benjamin F. Pitman, a widower, sold 2,400 acres in Dawes County for prices ranging from \$4.50 to \$1.60 per acre. There was “good buffalo and wheat grass on 1,855 acres,” according to the appraiser, with a lower grade on 120 acres of forest land and twenty-five acres of waste land (sold for fifty cents an acre). This was a substantial holding, with a five-year-old frame house, barn, granary, corral, three wells, 1,600 rods of fencing, and two dams. The improvements brought an addi-

tional \$2,340 for Pitman and his total sale was \$9,491.50 on April 23, 1937, a small fortune at the time.

A survivor of the Great Depression was the late Albert Meng, who retired to Crawford, Nebraska. He and his wife, Helen, were newlyweds in 1934 and lived through the heart of the Dirty Thirties in Sioux County (Helen Meng died on November 27, 1994; Albert Meng died on September 7, 1998). The couple sold three tracts to the federal government under the resettlement program, although they remained as ranchers in the county. One tract of nearly eighty acres was sold for \$168.22, another of 320 acres went for \$1,019. They also sold nearly 375 acres near the now ghost town of Orella.⁴⁴

Meng recalled the times in a March 1994 interview. Life “got desperate” in the 1930s and people were destitute and hungry. He said 1934 was a bad year, the worst one to ever hit the county. It was dry, with total rainfall of only 4.5 inches, he remembered. Cattle were sold out of the county when possible. But Meng witnessed the government buying up cattle and watched as ditches were dug and diseased and emaciated cattle were shot and buried. Calves sold for a top price of \$6 per head, and \$16 to \$18 was paid for cows, Meng said. Cattle in good shape were butchered for

their meat, which was given out as relief supplies.

Meng remembered he got a government loan and bought thirty head of cattle at \$30 per head to feed over the winter. He bought cane, a form of Sudan grass, for \$30 a ton at Whitney, with a one-ton bundle needed for each cow. However, in early May there was a snowstorm. “We lost a bunch of calves,” he said. “But, we survived.” As a reminder of how tough times were, Meng remembered that his father was treasurer of the local phone line, and a neighbor came in to pay his annual bill of \$3. “He counted out the change and had a little left, and would have no more money for a year,” Meng said. “He didn’t know where any more money would come from.”

When selling land to the government, Meng recalled that fieldmen would appraise the tract and make a bid. “Misrepresentation was done at times, because the appraisers got a bonus for each lot sold.” Appraisers told people they could sell their ranch headquarters and lease it back, but they were then forced to move off. This practice was also noted by another survivor of the times, Carroll Schnurr, a former legal secretary in Harrison. She grew up in the area where land “was acquired by the government through misrepresentation, condemnation, or otherwise,” she wrote in a 1994

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letter. Federal agents contacted her parents about selling their ranch and told them they could sell to the government and live on the place "at less cost than owning it." This seemed too good to be true, so her parents decided not to sell. "People who were influenced by the government agents were less fortunate. After selling, they were forced to vacate the land. The improvements were demolished and burned. Some buildings were sold by sealed bids. My father acquired a few buildings for a very minimal amount, which he moved to his ranch," she wrote. A neighbor had his land condemned and was forced to sell for \$3.50 an acre, she noted.⁴⁵

In October 1938 the submarginal land utilization program, encompassing 105 projects on 7.1 million acres (including the Pine Ridge L-U project in Sioux and Dawes counties) was transferred to the Soil Conservation Service of the USDA. Land purchases continued chiefly in the northern Great Plains, including some in Nebraska, with emphasis on "acquiring larger areas and enlarging established agricultural adjustment projects." By 1943 all acquisitions ended with 11.3 million acres having been purchased nationally. A brief report in the *Harrison Sun* noted that, in April 1939, the land-buying program was being used "to set up more economical sized units in the Pine Ridge region." There was much less need for relief and resettlement by then, so purchases were used mainly to fill in blocks. Even so, public and private lands are interspersed checkerboard style in the Oglala National Grassland.⁴⁶

As part of the management and rehabilitation of government lands purchased under the resettlement program, the Sugarloaf Soil Conservation District was formed for Sioux and Dawes counties. This was in lieu of establishing grazing districts, which are used to manage and lease much of the public range elsewhere in the West. A referendum was held July 31, 1940, with property owners within the district boundary voting to create it. The district included

90,450 acres of federally owned land (later designated the Oglala National Grassland), 12,475 acres of Nebraska state land, and 122,320 acres of private land, for a total of 225,335 acres. The federal grasslands were rented by the district, which then leased small tracts back to area ranchers.⁴⁷

In 1970 the Sugarloaf Grazing District was incorporated to assume the duties of a Soil Conservation Service district. A management plan was prepared and approved by the Forest Service, whereby the association pays a federally established grazing fee for most of the Oglala National Grassland, and then rents the grazing privileges to member ranchers. Under the Bankhead-Jones Farm Tenant Act, which still applies to national grasslands management along with scores of other laws, the land can be used for livestock grazing, among other uses. "The promotion of grassland agriculture and sustain [*sic*] yield management of forage, fish and wildlife, water, recreation and minerals will be emphasized," the plan notes. Specific goals are outlined for livestock grazing, wildlife habitat, and riparian area management.⁴⁸

Butch Ellis, a Forest Service range conservationist in Chadron, Nebraska, explained the financial agreement with the Sugarloaf Grazing Association. There are about 28,000 animal units per month (AUM) on the 94,000 grassland acres under grazing permits, for an average of 3.5 acres per AUM. One AUM is listed as a 1,000-pound unit of livestock—cattle, sheep, or horses. For the Forest Service, a horse counts as 1.2 AUM, for example. The permits can run from May 1 through December annually, although most end on October 31. The cost to the Sugarloaf Association for an AUM was \$1.35 in 1998, down from an earlier fee of \$2.08 per AUM in 1994. "We sell the right to occupy the land, space for a certain number of livestock," Ellis said. The association then distributes permits to its members, usually ranchers with land contiguous to the grassland.⁴⁹

A past president of the Sugarloaf

Association is Wes Pettipiece, Albert Meng's son-in-law. He and his wife, Gerry, live on the Meng home ranch, isolated at the end of Sand Creek Road north of Harrison. He said the association charged its members \$6.50 per AUM for permits in 1994 (down to \$4.25 in 1998), using the extra funds for maintenance and to hire a range rider to take head counts of livestock and check pastures. Nearly all improvements on federal land are cost-shared between the permit holders and the Forest Service, but belong to the federal government. Half of the \$1.35 AUM fee paid to the Forest Service goes to the U.S. Treasury and a fourth is used for conservation practice activities, such as spraying for noxious weeds, maintaining stock dams, and reseeded. Another 25 percent is used to pay in-lieu property taxes to Sioux County. Some conservation dollars are used in pipeline construction to bring water for livestock and homesteads from wells on and near the Pine Ridge. Water is delivered to stock tanks in the pastures and to ranch houses.⁵⁰

The drought and depression that fostered the New Deal also brought a great variety of agriculture programs to prop up the farm economy and preserve and rehabilitate land that was savagely wounded during the 1930s. Many of these programs continue, in one form or another, while others such as commodity price supports are being phased out during the coming years under the Federal Agriculture Improvement and Reform Act of 1996 (Freedom to Farm Act).⁵¹

Except for the southwest corner of Sioux County in the North Platte River Valley, few county farms or ranches are eligible for crop loan support payments. Those payments do not apply to livestock, and that excludes much of the county's agricultural output. In 1997 the price support payments under the new Agricultural Marketing Transition Act (AMTA) totaled \$699,593 for Sioux County. Most were from the southwest corner of the county, and these payments are slated to end in the year 2002 unless Congress changes the law, ac-



Pipeline installation northwest of Harrison by the White River Soil and Water Conservation District, 1966.
NSHS-R62570:84-75

cording to Larry Martinson, Farm Service Agency county executive director. In the recent past, those payments could total as high as \$1 million annually in some years, while there would be no loan deficiency payments in high income years. During the Depression, almost all farmers were—one way or another—eligible for relief payments, but even here Sioux County fared worse than most of the drought-stricken Great Plains. Between 1933 and 1936, Sioux County was in the second lowest category of Great Plains drought counties for per capita federal relief aid, from \$58 to \$84. The highest category was \$175 or more, the lowest was less than \$58.⁵²

Sioux County also receives federal benefits for soil conservation. The old Soil Conservation Service and Agricultural Stabilization and Conservation Service, now combined in the Natural Resources Conservation Service, provided programs since they began during the

New Deal. The programs included rehabilitation of depleted rangeland, water storage and conservation practices through stock dams, grassy waterways, terraces, and other methods; reseeding rangeland to native grasses; and pipelines mostly in the northern half of Sioux County to provide water for stock tanks as well as for home consumption. For the past twenty years there was about \$50,000 a year in Agriculture Conservation Program funds for the county, with half going to grasslands and range, and the other half for cropland, according to Martinson. The ACP has been replaced by the Environmental Quality Improvement Program (EQIP), where farm producers can request funds for pipelines, livestock dams, water impoundment reservoirs, sod waterways, terraces, and water diversions.⁵³

The Conservation Reserve Program has provided about \$500,000 a year from 1987 to 1997 to Sioux County ranches for

taking land out of production and planting it in native grasses and trees where appropriate. This is entirely in the northern two-thirds of Sioux County, Martinson said. About 13,500 acres were enrolled at an average bid of \$45 to \$50 per acre in the original ten-year CRP, according to Jeff Peterson, also a Farm Service Agency county executive director. In 1998 under the new CRP program there were only thirteen contracts with an average bid of \$26.30 on 3,513 acres in southern Sioux County. North of the Niobrara River, thirteen contracts totaling 1,725 acres had an average bid of \$37.62 per acre. Peterson and Martinson share duties in Sioux County, splitting it at the Niobrara River, with Peterson taking the north half and Martinson directing farm programs south of the river. Sioux is one of very few counties in the nation to be split into two service areas, according to Peterson.⁵⁴

Fears of another Dust Bowl tragedy

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sparked the creation of the Great Plains Conservation Program on August 7, 1956, for the ten-state region. The program was designed to assist long-term complete conservation planning on farms and ranches, with sixty-one Nebraska counties—everything west of U.S. Highway 81—involved. The program guaranteed “federal cost-sharing for applying needed soil and water conservation practices for a long period,” according to one report. It emphasized “land use changes and wind-erosion conservation and management practices.” Nebraska was the initial leader in contracts implemented under the program, with 200 agreements worth \$1,029,167 signed in early 1959 averaging contract lengths of four and one-half years.⁵⁵

At 1969 congressional hearings to renew the Great Plains program to 1981, Nebraska Representative Robert Denney praised it as “highly successful.” He noted that eligible conservation measures were

establishing permanent plant cover, field or contour stripcropping, contour cultivation, improving range cover, planting trees or shrubs for windbreaks or shelterbelts, establishing waterways, building terrace systems, chiseling or pitting rangeland, improving dams or ponds for irrigation, constructing wells for livestock, installing pipe, fencing, and controlling brush.⁵⁶

In Nebraska, grass seeding, or converting cropland to permanent native grass, is the “number one practice.” By June 30, 1968, fifty-four contracts had been let in Sioux County.

Representative David Martin, representing western Nebraska including Sioux County, noted there were nearly 4,500 Nebraska farmers and ranchers using the program, with many efforts to return unsuitable cropland to grass and “to reestablish depleted ranges so that adequate cover exists to protect the land from the ravages of strong winds that often plague the Plains.” In Nebraska, this program involved about 5.5 million acres and about \$13.5 million since the program began. Martin testified, “Significant to me is the emphasis being placed upon returning to perma-

nent grass those cropland fields that should never have been plowed in the first place.” The average contract, across the ten states, in 1968 covered 1,604 acres with “an average Federal cost-share obligation of \$3,471,” according to Norman Berg of the USDA. The Great Plains Conservation Program was renewed to 1981 and again to 1991.⁵⁷

The Great Plains program helped establish unusual nonprofit pipeline corporations to bring water to northern Sioux and Dawes County acres, according to Ed Eitel of the Natural Resources and Soil Conservation office in Chadron. He said the pipeline entities are seldom, if ever, seen outside this region. In that “Gumbo Country” of northern Sioux County, groundwater is not readily available and what is there is highly mineralized and not fit for human consumption, according to a 1967 Extension Service survey. The survey noted that livestock dams and dugouts that store water in northern Sioux County silt up easily and are dry for three out of every ten years, with poor water quality affecting them another three out of ten years, on average.⁵⁸

With the development of PVC (plastic) pipe in the early 1960s, however, it became feasible to pipe water into this area from the Pine Ridge to the south and from wells located as far away as fifteen to twenty miles. Work on this program began in 1966, with financial aid from the Great Plains program and the regional Upper Niobrara-White River Natural Resource District, as well as from user fees paid by ranchers in the pipeline district, based on the number of cattle, acres, or water used as measured by meters. Eighteen pipeline organizations were formed between 1968 and 1981 to construct and maintain pipelines in Sioux and Dawes counties, and some registered as nonprofit corporations. Each has an elected board of directors and officers, though one person may often serve in more than one office. There are also numerous small, private pipelines not incorporated that had federal help. Where cattle once had to

walk several miles to water, few animals are now more than a mile from fresh supplies, according to Eitel.⁵⁹

The federal presence is also keenly felt because of the relatively large amount of public land in Sioux County, compared to the rest of Nebraska and, indeed, the Great Plains. The county probably has more federal land than any other county in the state, with federal preserves of the Oglala National Grassland and the Soldier Creek National Wilderness Area, part of the Nebraska National Forest; the Agate Fossil Beds National Monument; and the Hudson-Meng Bison Bonebed. State lands must also be added, including the scenic Gilbert-Baker Wildlife Management Area, the Peterson Wildlife Management Area, a small portion of Fort Robinson State Park, and a University of Nebraska research site at University Lake near the southeast county border. In all, public lands total about 200,000 acres, or about 15 percent of Sioux County. The state as a whole has about 6 percent public land. There are complaints in Sioux County that all these public acres are not included on county property tax rolls, or are often undertaxed, and are thus a drain on local revenue sources. However, those public lands also represent opportunities for the county and its residents, with multiple uses for recreation, tourism, wildlife development, and environmental protection.

The federal government has invested significant resources in Sioux County since the treaties with the Lakota Sioux freed the land for Euro-American settlement. It has been the major partner in providing infrastructure funding for such projects as large irrigation systems and small pipeline systems, for relief aid in desperate times of drought and depression, and important help in restoring the land to its original use as a large pasture of native grasses for grazing animals. The Homestead Act and other land laws provided nearly free land to Sioux County settlers, and the 1902 National Reclamation Act began the im-

portant work of irrigating the readily farmable acres. Relief from the Great Depression came from the New Deal's Resettlement Administration and its purchase of submarginal land. That land is now being leased back to ranchers at discounted rates. The federal farm commodity support programs provide payments to farmers in the North Platte River Valley, while several conservation programs have helped Sioux County farmers renew their drought-stricken lands, and continue today with EQIP and the renewed Conservation Reserve Program. Most important for northern ranches in Sioux County has been water pipeline construction under the Great Plains Conservation Program

It is nearly impossible to sum up the total public investment in these numerous federal programs, but it seems clear that in a few isolated cases, the cost of the program may have outweighed the value of the land enrolled. An example is the first ten years of the Conservation Reserve Program where payments of \$45 to \$50 per acre per year were made to take land out of production—more than the value of land that ranges from \$100 to \$200 per acre. Yet, the CRP is scarcely used and the number of acres enrolled in Sioux County is tiny, compared to eastern Nebraska counties. On the other hand, the \$854,500.29 paid in 1912 dollars to build the Interstate Canal seems like a great bargain now, according to the annual value of crops grown in irrigated fields of the North Platte River Valley. That 1912 amount today equals \$55,166,538, based on the March 1998 Construction Cost Index. Just the annual maintenance costs for the Sioux County portion of the canal nearly equal the original construction costs.⁶⁰

For Native Americans who departed Sioux County, the federal partnership was a harsh contract that took from them some of their richest and favorite hunting grounds; land they lived on for extended periods of time and, though not readily proved, land they may have cultivated for their food. For Euro-Americans who replaced the first

peoples, the partnership has been profound, affecting nearly every part of their lives at one time or another.

It is also worth noting two facts about Sioux County and how they relate to history. In the terrible years of the Dirty Thirties, the value of some Sioux County farmland was about the same, or less, as that paid by treaty to Indian tribes in the 1870s. And the current population of Sioux County today was probably matched, or exceeded, by the Lakota Sioux during the florescence of their culture on the Plains, as they traveled across these same lands and established villages for periods of hunting or annual gatherings of various bands. Obviously, the modern computer, satellite-driven world village of 1999 is incomparable to the Plains Indians' heyday or the pioneer days of the Euro-American settler. Yet, some of the bedrock facts of life in Sioux County are strangely similar. Perhaps there are lessons to be learned from that. And, perhaps all the money and effort expended by the federal government in its partnership with Sioux County produced results that were unexpected.

Notes

¹ Sioux County, on the northwest corner of the state, is likely the most picturesque area of Nebraska, with tree-topped escarpments and deep canyons, rolling grasslands and stark badlands, and buttes that overlook three states. It is the most diverse of all lands in Nebraska, and the only county to encompass seven of the eight major topographic regions (plus badlands), missing only large, manmade reservoirs (though there are many small ones). It has more public land (200,000 acres, or more than 15 percent of its land area) than most Nebraska and Great Plains counties, and is a long, rectangular area, bigger than the state of Delaware.

² Addison E. Sheldon, *Land Systems and Land Policies in Nebraska* (Lincoln: Nebraska State Historical Society, 1936), 1. See also David J. Wishart, *An Unspeakable Sadness: The Dispossession of the Nebraska Indians* (Lincoln: University of Nebraska Press, 1994) for much important information on the treatment of Nebraska Indian tribes in the nineteenth century, with specific reference to land negotiations and sales.

³ Wishart, *Unspeakable Sadness*, 14–15.

⁴ Negotiations and signing of the Fort Laramie

Treaty of 1851 were held on Horse Creek because the pastures and wild game around the fort had been depleted by the large contingent of tribes waiting for the council. Thus it was agreed to move the entire body downstream where ample grass was available. The text of the 1851 and other nineteenth-century treaties is in Charles J. Kappler, *Indian Affairs, Laws and Treaties*, vol. 2 (Washington: GPO, 1903).

⁵ *U.S. Statutes at Large* 15 (1868): 635–47; 19 (1877): 254–64; *Report of the Commissioner of Indian Affairs* (Washington: GPO, 1875), 179; Sheldon, *Land Systems*, 21–22.

⁶ Francis Moul, "William McKinley Holt and the Indian Claims Commission," *Great Plains Quarterly* 16 (Summer 1996): 171.

⁷ For a history of the Lakota claim to the Black Hills, see Edward Lazarus, *Black Hills, White Justice: The Sioux Nation Versus the United States, 1775 to the Present* (Lincoln: University of Nebraska Press, Bison Books, 1999).

⁸ *U.S. Statutes at Large* 2 (1820): 566–67; 10, (1854): 308–10; Thomas Donaldson, *The Public Domain: Its History with Statistics* (Washington: GPO, 1884), 214; Sheldon, *Land Systems*, 25–27.

⁹ Sheldon, *Land Systems*, 87.

¹⁰ *Ibid.*, 77–78, 90–103.

¹¹ *U.S. Statutes at Large*, 17 (1873): 605–6; 19 (1877): 377; 33 (1904): 547–48; and 39 (1916): 344–45.

¹² Sheldon, *Land Systems*, 104, 105–41, *passim*.

¹³ For a review of how public lands were acquired or enclosed in the Nebraska Sand Hills, see C. Barron McIntosh, *The Sand Hills: The Human Landscape* (Lincoln: University of Nebraska Press, 1996), esp. chap. 14.

¹⁴ Sheldon, *Land Systems*, 116–17.

¹⁵ *Ibid.*, 129.

¹⁶ *Ibid.*, 140, 143.

¹⁷ Sioux County, Nebraska, *General Index, Grantee and Grantor*, Sioux County courthouse, Harrison. There were also seventy-two claims filed from 1911 to 1928 that are variously called receiver receipts, acceptance of proof, and final certificate. These are receipts issued to homesteaders before the patents were completed in Washington, D.C. and returned. The receipts were useful as proof of ownership for bank loans and land sales. Sometimes patents were lost, and the receipts were substituted. The year of highest receipt registration was 1920 with sixteen, followed by 1921 with eight. Receipts are still being used to provide proof of land ownership or to obtain duplicate patents. Sioux County, Nebraska, *General Index for Miscellaneous Records*, Sioux County courthouse.

¹⁸ *U.S. Statutes at Large* 48 (1934): 1269–75.

¹⁹ *Ibid.*, 32 (1902): 388–90; Donald Worster, *Rivers of Empire: Water, Aridity, and the Growth of the*

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American West (New York: Oxford University Press, 1985), 160.

²⁰ U.S. Department of the Interior, Bureau of Reclamation, *North Platte River Projects: Wyoming-Nebraska* (Washington, D.C.: n.d.), 3.

²¹ Dennis Strauch, manager, Pathfinder Irrigation District, Mitchell, Nebraska, phone interview with author, Aug. 6, 1998; U.S. Bureau of Reclamation, *Project History, Part Nine, Earthwork, Second Division Main Canal North Platte (Interstate) Project: Investigations and Surveys* (Mills, Wyo.: 1913), 1-5, 10-11.

²² *Ibid.*, 13-14, 16, 22.

²³ U.S. Bureau of Reclamation, *History of the North Platte Project, Nebraska-Wyoming: Part Ten, Structures, Second Division Main Canal, Interstate Unit* (Mills, Wyo.: 1913), 23-26, 38, 48, 55.

²⁴ *Fifty-first Biennial Report* (Lincoln: Nebraska Department of Water Resources, 1995-96).

²⁵ Harry E. Weakly, "History of Drought in Nebraska," *Journal of Soil and Water Conservation* 17 (June 1962): 272; James C. Olson, *History of Nebraska*, 2d. ed. (Lincoln: University of Nebraska Press, 1966), 220.

²⁶ Olson, *History of Nebraska*, 233-34; Harlan H. Barrows, "Lectures on the Historical Geography of the United States as Given in 1933," *Department of Geography Research Paper No. 77, University of Chicago* (Chicago: 1962), 231; R. A. Warrick and M. J. Bowden, "The Changing Impacts of Drought in the Great Plains" in M. P. Lawson and M. E. Baker, eds., *The Great Plains: Perspectives and Prospects* (Lincoln: University of Nebraska Press, 1981), 126.

²⁷ Anthony J. Badger, *The New Deal: The Depression Years, 1933-1940* (New York: Hill and Wang, 1989), 15.

²⁸ U.S. Department of Commerce, Bureau of the Census, *Population of Counties by Decennial Census, 1860-1990, Decennially Nebraska and Counties*, Bureau of Business Research, University of Nebraska-Lincoln, Mar. 13, 1998.

²⁹ George Stewart, "History of Range Use," in *The Western Range: Letter from the Secretary of Agriculture. . . A Report of the Western Range—A Great but Neglected Natural Resource* (Washington: GPO, 1936), 131, 4-5; J. E. Weaver and R. W. Albertson,

"Major Changes in Grassland as a Result of Continued Drought," *The Botanical Gazette* 100 (March 1939): 584.

³⁰ Stewart, "History of Range Use," 131; Patrick E. Reece, et al., *Drought Management and Pastureland: A Handbook for Nebraska and South Dakota* (Lincoln: Cooperative Extension EC-91-123, 1991), 2.

³¹ John R. Borchert, "The Dust Bowl in the 1970s," *Annals of the Association of American Geographers* 61 (January 1971): 5, 10-11.

³² William E. Riebsame, et al. *Drought and Natural Resources Management in the United States: Impacts and Implications of the 1987-89 Drought* (Boulder: Westview Press, 1991), 30-31, 38, 74.

³³ Paul Bonnifield, *The Dust Bowl: Men, Dirt, and Depression* (Albuquerque: University of New Mexico Press, 1979), 111.

³⁴ Paul K. Conkin, *Tomorrow a New World: The New Deal Community Program* (Ithaca, N.Y.: Cornell University Press, 1959), 150.

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³⁶ *Ibid.*, 161.

³⁷ *Ibid.*, 156-57; Terry West, "USDA Forest Service Management of the National Grasslands," *Agricultural History* 64 (Spring 1990): 89; "Butte Valley National Grassland General Information Sheet," Macdoel, Calif., ca. 1991.

³⁸ Olson, *History of Nebraska*, 286-90.

³⁹ *Harrison* (Nebraska) *Sun*, Oct. 24, Nov. 14, 1935.

⁴⁰ *Ibid.*, Oct. 31, 1935; Dec. 23, 1937.

⁴¹ E. P. Wilson, "Brief History of Dawes County," in *Pioneer Tales of the North Platte Valley and Nebraska Panhandle* (Gering, Nebr.: Courier Press, 1938), 204.

⁴² *Harrison Sun*, Sept. 29, 1938.

⁴³ All quotations and information concerning Oglala National Grassland tract purchases come from U.S. Forest Service, *Land Purchases of the Oglala National Grassland*, microfiche files, Chadron, Nebraska, 1936-41.

⁴⁴ Albert Meng, Crawford, Nebraska, interview with author, Mar. 22, 1994.

⁴⁵ Carroll Schnurr to author, Feb. 25, 1994.

⁴⁶ Frederick W. Obermiller, "The Evolution of Regulated Livestock Grazing Systems on the National Grasslands," paper presented at the Center for Great Plains Studies Grasslands Symposium, University of Nebraska-Lincoln, Apr. 8, 1994, 11; *Harrison Sun*, Apr. 27, 1939.

⁴⁷ *Harrison Sun*, Dec. 5, 1940.

⁴⁸ U.S. Forest Service, *Grazing Association Plan: Sugarloaf Grazing Association and Oglala National Grassland* (Chadron, Nebr.: U.S. Forest Service, 1987), 1-5.

⁴⁹ Butch Ellis, U.S. Forest Service range conservationist, Chadron, Nebraska, interview with author, Mar. 21, 1994.

⁵⁰ Wes Pettipiece, rancher, Harrison, Nebraska, interview with author, Mar. 22, 1994.

⁵¹ *U.S. Statutes at Large* 110 (1996): 888-1197.

⁵² Larry Martinson, Farm Service Agency county executive director, Scottsbluff, phone interview with author, Jan. 12, 1998; Irene Link, *Research Bulletin: Relief and Rehabilitation in the Drought Area* (Washington: Works Progress Administration, 1937), 18.

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⁵⁷ *Ibid.*, 45-46, 20.

⁵⁸ Ed Eitel, manager, U.S. Natural Resources and Soil Conservation Service, Chadron, Nebraska, interview with author, Mar. 8, 1996; Warren Peden, "Plastic Pipelines for Livestock Water in Northwest Nebraska," *Journal of Range Management* 24 (November 1971), 473.

⁵⁹ Eitel interview.

⁶⁰ *Engineering News-Record* 240 (Mar. 30, 1998): 41.