

# **THE FORCIBLE REMOVAL OF THE UNCOMPAHGRE BAND FROM PRESENT-DAY COLORADO**



**Briefing Paper of the Ute Tribe of the Uintah and  
Ouray Reservation for its Meeting with the Capitol  
Building Advisory Committee**

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November 16, 2018

The Uncompahgre Band, also known as the Tabeguache Band of Utah Indians, lived in the area of present-day Colorado since time immemorial. In 1868, the Uncompahgre Band and other Bands of Ute Indians entered into a treaty with the United States. Under that treaty, the signing Bands ceded some of their aboriginal lands while reserving roughly 15.7 million acres of land. The 1868 Treaty reserved this land for the Bands' "undisturbed use and occupation." Treaty with the Ute, Mar. 2, 1868, 15 Stat. 619, II KAPP 990.

Not long after 1868, however, vast and valuable mineral deposits were found within the 1868 Reservation prompting the United States to enact the Brunot Agreement of 1874 in which the signing Bands ceded 3.7 million acres of their land. 18 Stat. 36, I KAPP 151. Further mineral discoveries and the continued influx of white squatters within the remaining 1868 Treaty lands spurred Congress to seek additional land cessions. Finally, Congress forced the Uncompahgre Band to cede its entire interest in the 1868 Reservation through the 1880 Act.

Pursuant to the 1880 Act, the Uncompahgre Band had to cede its interest in the remaining lands of the 1868 Reservation in exchange for the right "to remove to and settle upon agricultural lands on Grand River, near the mouth of the Gunnison River, in Colorado, if a sufficient quantity of agricultural land shall be found there, if not then upon such other unoccupied agricultural lands as may be found in that vicinity in the Territory of Utah." 1880 Act, ch. 223, 21 Stat. 199, 200.

Although the Uncompahgre Band had believed they would be settling along the Grand River, the Commission charged with relocating the Uncompahgre Band determined that the lands on the Grand River lacked sufficient agricultural land for the Uncompahgre Band's relocation. *Ute Indian Tribe v. Utah*, 773 F.2d 1087, 1097 (10th Cir. 1985) (en banc). The Commission instead determined that the Uncompahgre Band should be removed to northeastern Utah. The Commission made this determination even though it doubted the agricultural suitability of the land

in Utah. U.S. DEP'T OF THE INTERIOR, ANNUAL REPORT OF THE COMM'R OF INDIAN AFFAIRS TO THE SEC'Y OF THE INTERIOR FOR THE YEAR 1881, 325 (1881).

The Uncompahgre Band was then “moved at gun point to barren lands in Utah.” *Ute Indian Tribe v. Utah*, 521 F. Supp. 1072, 1097 (D. Utah 1981) quoting Sprague, “The Bloody End of Meeker’s Utopia,” 8 American Heritage 36, 94 (Oct. 1957). “By these means the last and largest chunk of desirable Indian real estate was thrown open to white settlement.” *Id.*