PRESTON NUTTER:
RANCHING ON THE ARIZONA STRIP
1893 - 1936
This agreement, made and entered into, in triplicate this 16th day of November, A.D. 1937 by and between PRESTON NUTTER CORPORATION AND NUTTER LIVESTOCK COMPANY, parties of the first part, hereinafter described as "Sellers," and G.W. HALL, or St. George, Utah, and GEORGE B. VEATER, of Salt Lake City, Utah, parties of the second part, hereinafter described as "Buyers,"...1

When Katherine Nutter signed this contract, dissolving the Nutter Livestock Company and disposing of all her Arizona properties, it was more than just a business transaction, a transfer of cattle and land. It also meant the end of more than four decades of domination of the Arizona Strip by her late husband, Preston Nutter. Mr. Nutter is little known in Arizona today, but for half a century he was one of the largest ranchers in the entire West. In Utah, he owned outright almost 30,000 acres of prime rangeland, and controlled through federal and state grazing leases almost three times that amount. In Arizona, he owned more than 7,000 acres of land on the Arizona Strip, including virtually every water hole and spring in northern Mohave County, which gave him effective control of an area almost the size of Massachusetts and Connecticut combined. At times his herd of cattle on the Strip alone exceeded 10,000.

And yet for all his vast holdings in cattle and land, Preston Nutter was far from the stereotyped image of a cattle baron. He was, if anything, an eminently practical man. He preferred mules over horses for traveling long distances, because a mule "knew when to quit." He also refused to wear cowboy boots, preferring instead brogans and leggings. A man wearing cowboy boots with high heels, Mr. Nutter would comment, had a greater chance of being dragged if thrown by his mount. He carried a gun in his saddlebag, but it was only for coyotes and rattlesnakes, not for shootouts with rival ranchers.
He believed in settling disputes over land or water or the origins of cattle not with his fists or a six-shooter, but with a court order or legal brief. Unlike most of his contemporaries, Mr. Nutter favored federal management of rangelands. In many ways he was more like a modern businessman than an old-time cattle king.

Preston Nutter had never wanted to be anything but a cattleman. Orphaned at an early age, he left his West Virginia home in 1863 and worked his way west on a government pack train. He grew up in the West, trying his hand at just about everything and succeeding at just about everything he tried. Aware that his lack of an education could jeopardize his lifelong goal, in 1868 he sold a Nevada mining claim for enough to finance an education in business at a school in San Francisco. In the 1870's, he prospected in Idaho, Montana, and Colorado, and in the latter state he served as a witness for the prosecution at the cannibalism trial of Alfred Packer. The 1880's found Nutter hauling freight into mining camps in southern Colorado. During this same period he was elected to the Colorado State Legislature, where he served one term.

Nutter never forgot his early dream, however, and laid the groundwork for his beginnings in the cattle business while he was still hauling freight. He realized that the freight business was doomed as a result of the railroads which were beginning to move into the Rockies. In 1886, he sold his freight outfit and moved the cattle herd he had been slowly building up near Montrose, Colorado, over the state line to a new range near Cisco, Utah. Preston Nutter was finally in the cattle business, and he would stay with it for the rest of his life.
His next big business move came in 1893, when with financial backing from the Schiffer brothers of New York, he formed the Strawberry Valley Cattle Company. He had gotten a contract to supply beef to the Ute Indian Agency near Fort Duchesne, Utah. At the same time, he had secured a grazing lease on the Ute Reservation, some 665,000 acres of prime grazing land around the Strawberry River in eastern Utah. Since the deal with his financial backers required that he dispose of all his Utah holdings, he now needed cattle to stock the new range.

To find them in the numbers he needed, Nutter turned to the ranchers of Arizona. He set up a temporary headquarters in Hackberry, just east of Kingman, and from there traveled the state looking for cattle. He bought two here, five there, a herd of 100 in another place. Most of them he bought from ranches south of Kingman, but some came from as far away as outfits on the Bill Williams, the Santa Maria, and the Big Sandy Rivers. Nutter advised the sellers that he would take delivery on the north side of the Colorado River, near Scanlon's Ferry.

By the end of September, 1893, Nutter had gathered almost 5,000 head of bawling, thirsty cattle on the south side of the river. Scanlon's Ferry was too small to get them all across, so with the direct approach that characterized all his business dealings, he and the Arizona cowboys swam them across the Colorado, a bunch at a time. Spectators lined the banks to witness what must be certain disaster; no one had ever attempted such a thing before. To everyone's amazement, however, when the cattle were gathered on the north side of the river, Nutter had not lost a single head, nor a single rider. He commented later that while they had not lost any cattle, they might
have lost a spectator or two, since he had not had time to keep an eye on them!

He still faced a long and arduous journey to his new range in Utah, however, and winter was fast coming on. Nutter began to consider alternatives to driving his herd north this late in the year. For some time, he had been studying the possibilities of the Arizona Strip, that part of the state north of the Grand Canyon and south of the Utah border, as a breeding and wintering ground. At first glance, this bare, desolate land would seem to be nothing but a worthless desert. In fact, Nutter recognized, those very properties—warm climate, plenty of water and grass is developed and used wisely, and plenty of room—would make it superb winter range. The decision made, Nutter moved his herd onto the Strip.

The move was not made without some opposition, however. Other cattlemen, mostly Mormon ranchers from southern Utah, had been using the Strip for years, and they did not like the idea of an "outsider" moving a large herd onto what they considered their lands, and more importantly, using their water. For it was the widely scattered water holes and springs which determined whether this arid land could be used for grazing cattle. Whoever controlled the water, controlled the land; it was that simple. The Mormon ranchers had been on the Strip since the 1850's, and by western water traditions—first in time, first in right—they had claim to the water. Nutter was undeterred. He approached this problem the same way he had approached the crossing of the Colorado—directly. He set about buying up what water rights were available, and developing intermittent springs into dependable stock ponds.

The tense situation with his neighbors went on for three years. Cowboys from rival outfits would sometimes drive Nutter's 00 brand
cattle away from his own water holes; on several occasions he found his ponds fenced, and his stock dying of thirst outside. His demands for protection fell on deaf ears in St. George, and there was no law to speak of on the Arizona side of the border. Finally, he recruited tough ex-Rangers and cowboys from Texas, who had no ties in either Utah or Arizona, and had them deputized in Mohave County. This finally gave him the power to stop trespassing cattlemen, and increasingly, sheepmen, from using up his water and grass.

One of his major rivals, Anthony W. Ivins, was the owner and manager of the Mohave Land and Cattle Company, and also an Apostle in the Mormon Church. In 1896, Ivins was called by the Church leadership in Salt Lake City to become head of the newly-organized polygamous colonies in northern Mexico. Ivins accepted the call, which meant he was forced to "liquidate his business interests at great sacrifice." For Nutter, who was a smart businessman as well as a good cattleman, this was just the opportunity he had been waiting for. He bought the entire holdings of the Mohave Land and Cattle Company, including "cattle, improvements, and all rights and titles to all the water claimed and owned."

With his largest competitor gone, Nutter now proceeded to buy out the other cattle outfits on the Strip. In 1897, he bought out B.F. Saunders, paying him $3000 for his claimed water holes and improvements. The same year, he "bought a small spring called 'Wolf Hole' from Mr. M.W. Andrus" for $500. The next year he purchased about 2500 head of cattle and more range and water rights from other small operators.

Nutter knew, however, that the water rights he had bought would not stand up if challenged in court. On a business trip to New York
in 1900, he stopped in Washington, D.C. for a visit with Judge John C. Bell, a friend from his days in the Colorado legislature and now Congressman from that state. Bell told him about the Lieu Selection Act, which had been passed by Congress in 1897. Under the Act, the General Land Office was empowered to issue certificates known as "scrip." These were given to displaced Indians, or to persons who held title to perfected homesteads which lay within a proposed Forest Reserve, entitling them to claim unsurveyed, unoccupied, non-mineral public lands in lieu of lands they had given back to the government. Through a loophole in the law, scrip could be bought and sold, and soon a thriving business in scrip certificates sprang up. Since most of the Arizona Strip was unsurveyed, unoccupied, non-mineral Public Domain, it was the perfect place to use scrip, and Nutter was not slow to take advantage of it.

Through a Washington scrip dealer, he bought his first 40-acre selections from the Collins Land Company of Helena, Montana, and hastened back to the Strip. He located the scrip on twenty-one springs in northern Mohave County; in fact, as he later wrote, "I bought every spring that was claimed by anyone...except two." Nutter was very thorough in making his claims. He did not want any more of the sort of trouble that had plagued him when he first moved onto the Strip:

I employed...a surveyor of Salt Lake at the rate of $10 a day and expenses to go to Arizona and survey these locations, describe them by metes and bounds as the law required at that time. I accompanied him. We surveyed each claim and set up cornerposts...

After riding 300 miles to Prescott, where the Land Office was located, Nutter paid a lawyer $200 to file the papers properly and then turned around and rode back to the Strip:
I posted notices on each of the claims, made all the necessary affidavits and complied with the law in every detail.4

There was still some scattered opposition to Nutter's control of the water on the Strip, however. In 1914, a local rancher wrote an emotional letter to the Commissioner of the General Land Office protesting one of Nutter's water filings. He claimed that by filing on the water hole they both used, Nutter would drive him out of business. Commissioner Tallman must have thought the charge worth investigating, for he sent out a special attorney to see if Nutter was indeed monopolizing the range. The special attorney, after interviewing only those ranchers hostile to Nutter, filed a report confirming the allegations.

Nutter was too good a businessman, however, to deliberately turn his neighbors against him. He knew how essential water was to any rancher, big or small, and besides believed that there was enough water for all, if only they would share it. In a letter to the Commissioner written in May 1915, Nutter refuted the special attorney's charges, listing a score of ranchers who used his water holes and springs at no charge, and concluded: "Does this look like monopoly?" The Commissioner must have agreed with him, for no action was taken on the complaint and the matter was dropped.

During the first decades of the 20th century Preston Nutter shifted his base of operations to the Nine-Mile Canyon area, north of Price, Utah. The land was good winter range, and with the acquisition of grazing lands on the nearby Tavaputs Plateau, he had good summer range as well. He kept the Parashont Ranch on the Arizona Strip, but used it only for breeding cattle, horses, and "Mr. Nutter's big red mules."
Like many other cattlemen, Nutter prospered greatly during the boom years of World War I. Unlike most, however, he didn't overextend himself by buying more cattle with his profits. Instead, he invested in Liberty Bonds, and so was able to weather the disaster that struck the cattle industry when the war ended and the market for beef collapsed.

Problems in the Arizona Strip, however, were not so easily dealt with. "I am plagued by rustlers, bootleggers and sheepmen," he wrote. The latter had begun moving onto the Strip in ever-increasing numbers, despite the best efforts of Nutter and his fellow cattle ranchers. The herders were supposedly only trailing their sheep through Nutter's lands to get to grazing areas they had leased from the railroads. He contended, however, that as often as not they never got there, and even if they did, the sheep ate all the feed off the range as they passed and rendered it useless for grazing cattle.

Nutter and some of his fellow cattlemen realized that something must be done before the Strip was turned into a real desert through overgrazing. When the U.S. Division of Grazing Control called for meetings of concerned stockmen in cities and towns all over the West in 1934, Nutter attended the conference held in Prescott. The government's purpose in calling for the meetings was to win the approval of the western ranchers for the Taylor Grazing Act. The Act would set up grazing districts supervised by Advisory Boards composed of local stockmen and government officials. This would not be possible without the support of western ranchers, however, and most of them were inherently suspicious of what they saw as government interference in their business. Preston Nutter was one of the few who realized that only a federal agency could control the bands of sheep that were systematically
destroying the range. He lent his prestige to the proposal, and his peers were finally won over.

Nutter had even more far-sighted ideas about the future of the Arizona Strip than just federal control of grazing, however. He felt that since part of the Strip was already included in the Kaibab Forest Reserve, the government should take over the rest and turn it into a huge preserve for big game. This was truly radical thinking for his day and age, but Nutter was serious. He was ready to retire from the cattle business, and offered to transfer all his lands and water rights on the Strip to the government for a nominal fee. In a letter written in 1935 to John Darling, the Chief of the Biological Survey (a predecessor to the U.S. Fish and Wildlife Service), Nutter explained his reasons:

> Having spent most of my life in the West, naturally I am a lover of big game and it has been my despair to see the wildlife vanishing...I shall be very happy to see all my lands merged into a great game preserve.5

There was some local opposition to the idea, but Nutter and Darling were confident that it could be overcome. What finally killed the plan was not the protest of the local sheepmen, but the hard economic facts of the times. It was the middle of the Great Depression, and a government struggling to feed and find work for its citizens could not afford to acquire or manage reserves for big game.

By the time that he wrote the above letter to John Darling, Nutter's years in the saddle had finally taken their toll. He had less than a year to live. The Depression had taken its toll on his business as well. He had managed to last through the first lean years, but only by relying on short-term loans. In 1930, he incorporated his interests into two separate businesses. The headquarters ranch in Utah became the Preston Nutter Corporation, while his Arizona operation was incorporated into
the Nutter Livestock Company. The former lasted until finally, sold by his heirs in 1981, but Katherine Nutter was forced to sell all the Arizona holdings not long after his death in January of 1936.

Perhaps more than any other individual, Preston Nutter changed the face of the Arizona Strip. When he first moved a weary herd of cattle onto the Strip in the autumn of 1893, it was still a no-man's land of outlaws and indians, where only the strongest could survive. By hard work, patience, and good business sense, Nutter was instrumental in transforming the land. He knew that in the years to come, valid legal title to land and water would be more important than squatter's rights, and through judicious use of scrip, he secured legal title to almost every water source in northern Mohave County. He developed the water holes and springs by building reservoirs, putting in troughs, and building trails, thereby turning what had been mostly desert into an excellent cattle range. He owned more land, and ran more cattle, than anyone on the Strip before or since, and yet he was willing to share the land and the water with his fellow cattlemen.

Nutter was one of the few men of his time to recognize the problem of overgrazing on the Strip, and took steps to stop it. When it became apparent that only federal management of the grazing lands could halt the destruction of the range, he not only welcomed it, but played a not insignificant role in bringing it about. Toward the end of his life, he dreamed of seeing the entire Strip become a vast preserve for vanishing species of Western big game. Although that visionary goal was frustrated by the times, he had been willing to practically donate his land and water to the government to accomplish it.

Preston Nutter's obituary, printed in the Salt Lake Telegram of
January 28, 1936, eulogized him as "the last great cattle king...One of the links between the old West and new." Given the facts of his life, his patience, business sense, and foresight, it is today obvious that he was a link with the future as well.
FOOTNOTES

1. Contract between Preston Nutter Corporation and George B. Veater G.W. Hail, dated 16 November 1937. Papers of the Preston Nutter Corporation. MS 289, Special Collections, Marriott Library, University of Utah. [hereafter referred to as "Nutter Papers"]

2. All information about Preston Nutter's life and his land and cattle dealings comes from the Nutter Papers, and from "Preston Nutter: Utah Cattleman" by Virginia Nutter Price and John Darby in Utah Historical Quarterly 32:3 (Summer 1964) : 232-252.

3. David Dryden, "Biographical Essays on three General Authorities of the Early Twentieth Century: Anthony W. Ivins, George F. Richards, and Stephen L. Richards," Task Papers in LDS History, No. 11, (Salt Lake City: Historical Department of the Church of Jesus Christ of Latter-day Saints, 1976.) Ivins later tried to buy back the ranch he had sold to Nutter, but they were never able to come to an agreement.


