

Carbotten, Nevada, Jan. 13, 1918.

Mr. Lorenzo E. Graessl,  
Special Supervisor,  
Reno, Nev.

Dear Sir:

I received your letter of the 5th. I have just come back from Pine Creek but owing to my auto breaking down did not run the line as intended for Alec Mike. I had to go on three cylinders and being stony was afraid that I could not get started again if I stopped out as explained to you by the State Engineer will complete the application before the time expires. I filed the application as it was so as to protect Alec Mike in the matter of priority and the 60 days allowed for amendment will give plenty of time to definitely determine the point of diversion. I know all the corners of this locality having surveyed all the lands held by the Indians with the exception of Tim Hooper's. I do not approve of "jumping" lands by white men on technicalities. No more could I favor an Indian doing this. The Pine Creek people were in possession of the land and cultivating it at the very time Hooper got in there. They had acquired it by purchase in good faith and Hooper could have taken land outside without infringing on anybody's rights. For this reason I do not care to do any surveying for him on that ground. When I see you I can go further into this matter if you wish details.

You ask me what charges for surveying. My regular price by the day is \$25.00 and expenses but I prefer to do it by contract as I want to do good work irrespective of the time it takes. I have always charged the Indians for their line runs as my object was to help them out as far as I could. This job of Alec Mike's will not pay for the gasoline used to run looking of the line. As I have to go to the court to attend to some Indian matters very shortly I will stop in and see you at Reno. I have business at the State Engineer's and Mail Office so it will be a pleasure to call on you at the same time. At any time that I may be of assistance to you call on me and will do all I can. I have some more surveying to do near Pine Creek before a great while.

Yours sincerely,  
*L. F. Blair*  
Fox F. Carbotten, Nevada.

467 R. 100

Millett <sup>APR 10</sup> Co. N.W.

Spokane, WY. 1918

Col. L. A. Dorrington  
Reno - Nev.

Dear Sir,

Mr. Jim Iken and Alex. Mike,  
both Indians, and living on their allotments,  
and as they did not receive a notice, as  
Fisherman & others have, they wished me to  
make inquiries for them in regard to the matter.  
I think that they took their allotment under  
another act. Thanking you for the  
information.

I am Yours Respectfully  
Fred J. Davis

Reno, Nevada.

June 29, 1918.

467

Mr. W. S. Cunningham,  
a/o Union Land & Cattle Co.,  
Reno, Nevada.

Dear Sir:-

Sometime ago I made application for the surplus and overflow waters of Pine Creek on behalf of an Indian named Aleck Mike, who has land adjoining yours, but to the North. In my application I was very careful to specify that this water was subsequent to prior rights and named the Nye County Cattle Co. as assigns and successors as having rights before the application of Aleck Mike. I find that Mr. Humphrey has filed a protest on this application, but I believe it would be to your interest to let it go through.

As you may know there are three Indians in that neighborhood who have lands and are working for the Pine Creek Company with no intention of interfering in anyway with the rights of that Company, these are Spud, Fisherman and Aleck Mike. I hope you can find your way to convince Mr. Humphrey that it would be better all around to withdraw his protest and let Aleck Mike have the water subject to your prior rights as stated in his application.

Yours truly,

L. F. Blair

Box B,  
Manhattan, Nev.

*Copy*

Washington, Nev. Dec. 5, 1918.

467

Mr. J. B. Humphrey,  
Goldfield, Nev.

Dear Sir:

Replying to your favor of recent date will say that I have seen all the Indians using the overflow and surplus water of Pine Creek and that they all recognize your prior rights and agree not to interfere with your dams or ditches and when they need water will apply to the foreman of the Pine Creek Ranch for it. I trust there will be no difficulty in granting their request in the future as they are anxious to put in crops of grain this year coming.

Yours truly,

Manhattan, Nev. Dec. 3, 1912.

Mr. L. D. Greel,  
Reno, Nev.

Dear Sir;

I have yours Nov. 29 and Dec. 1 both in reference to Alec Mike on the subject of his land and also the water. To make the matter clear will say that at the time he entered on the land the Indian Allotment law was in a chaotic condition and no regular filing was made. However, the Register, Mr. Shober J. Rogers, recognizing the difficulties existing did check off the land as claimed and it appears on the Official plat as withdrawn from entry by anybody else and I do not know of any change to the contrary since I looked it up some time ago.

As regards the water. I received a letter from Mr. Humphrey quite recently in which he agreed to withdraw his opposition to the application providing I gave a guarantee that the Indian would apply to the Manager of the Pine Creek ranch whenever he wanted to use the water. I made it a point to see all of them last week

RENO INDIAN AGENCY.

Reno, Nevada.

Jan. 11, 1919.

Mr. L. F. Clark,

Manhattan,

Nevada.

My dear Mr. Clark:

Referring to the Alec Mike land, no entry has ever been made thereon. At the time he desired to file under the allotment act, this act was suspended pending the issuance and promulgation of new regulations and new application forms. The act again went into effect on April 15, 1918, but due to the requirements and to the fact that Alec Mike's land may possibly be held as agricultural, I believe he ought to file either under the Indian Homestead Act, or under the Citizen's Act. Under the latter, he must make affidavit that he has severed all tribal relation and is living according to the habits and customs of the white people. He can easily make this affidavit, as the truth thereof is self evident. However, if he desires to have further protection from the Government, he should file under the act of July 4, 1884 (23 Stat., 95) on Form 4-007. He is required to pay no fees or commissions, as Congress has appropriated moneys for this purpose. When he makes final proof, he receives a trust patent containing a restrictive clause covering twenty-five years during which time the land cannot be alienated or encumbered and is not subject to taxation. Otherwise the regulations are similar to the Citizen's Act. The same improvements are required in both cases.

The allotment act applications are now made on form 4-012, which the land office are supposed to keep in stock. The application for certificate forms can be secured from this agency. We are enclosing herewith for your information a copy of the regulations covering allotments, also form of certificate application. The booklet also contains a copy of the Indian Homestead Act and information thereon. In reading over this pamphlet, you will no doubt agree with us the proper act under which to file Alec Mike is the Indian Homestead Act. Forms 4-007 are enclosed herewith for this purpose.

The entry made by the Register, Mr. Rogers, on his books when Mike wanted to file did not withdraw the land from entry, but simply gave information that the Indian was occupying the same, thus making it necessary for a would be applicant for this land to make proof to the contrary before his application could be accepted, and approved.

Alec Mike should make his filing on the land just as soon as possible in order to fully protect him.

Thanking you for your interest in this matter,

We are Respectfully,

L. A. DORRINGTON.  
Special Agent in Charge.

Clerk.

(COPY)

JUL 30 1919

Tonopah, Nevada, July 30, 1919.

467

Mr. J. G. Scrugham,  
State Engineer,  
Carson City, Nevada.

Subject, Pine Creek.  
No. 4801  
Alec Mike, (Indian.)

Dear Sir:

Replying to your favor July 24, 1919, I am enclosing my personal check \$8.80 on behalf of Alec Mike for use of water of Pine Creek under the stipulation signed by him in favor of the United Cattle and Packing Co.

Yours respectfully,

( Signed ) L. F. Clar.



267

I mo Indian Agency.

Reno, Nevada,

Aug. 26, 1919.

Mr. L. S. Clar

Manhattan, Nevada.

My dear Mr. Clar:

The Aloc Mike and the Spud Homestead entries have been received. Spud's was sent to the Indian Office for filing with the General Land Office, while Aloc Mike's was sent to the Carson Land Office. We took the liberty of making a change in the latter, in so far as follows. We altered it to read SE/4 NW/4, instead of SE/4 NE/4 and it now reads as follows: SW/4 NW/4 Sec. 14 S/2 NE/4 and SE/4 NW/4 Sec. 15, 11 N 46 E. It is probable this application will be suspended pending a certificate of eligibility from the Indian Office, which need give the Indian no concern, as we have already written for the same.

Thanking you for your kindly assistance in these cases, we remain,

Yours very truly,

L. A. DORRINGTON,  
Special Agent in Charge.

Clerk.