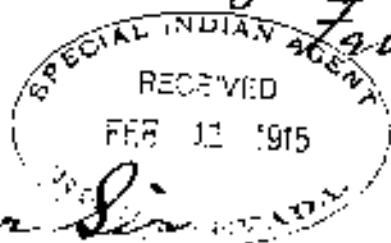


61
Mellott Nye Co. Nev

Mr. C. H. Osberg.



Feb. 7th 1915

Respectfully,
Dear Sir,

I write to you in behalf of one Shoshone Indian by the name of Spud, who has an allotment of land, serial no. 07350 Dated Sept. 14 1912, the same adjoins Fishman's allotment, both of said Indians use the waste water from the Pine Creek Ranch, they take the water in a ditch to their land. now a half breed Indian named Tim Hooper says that he is going to buy the waste that Spud, and Fishman are using from the people who own the Pine Creek Ranch.

to use on to land that he Tim Hooper is going to file on. he told Spud that he would be over with a Surveyor to layout his land.

They are very much worried about this matter and have requested that I should write you in regard to the trouble. will you attend to the matter at once and oblige Yours truly

Fred J. Jones, over

This land is in Mineral Valley

Please don't mention my name
in connection with this matter
as this Tim Hooker is very revengeful
sort of an Indian, and may be spiteful
toward me, for interfering

F. J. J.

Feb. 15, 1915.

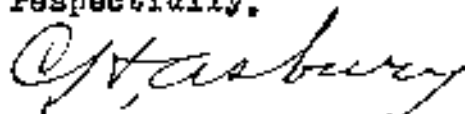
Mr. Fred J. Jones,

Millett, Nevada.

Dear Sir:

Referring to your letter of February 7th, about all I can do is to write to these Indians, advising them as to their probable rights in this matter. It is not possible for me to visit that locality at present, nor for at least several weeks, nor could I possibly file on water for these Indians with the data that I have on hand. If Spud and Fisherman have been using that water and it has been running past the ranch, as waste water, I doubt, if the white man has a right to sell it and the safest thing for them to do is to continue to use the water, just as fully as possible, so that should the matter be contested, they can show beneficial use. I am enclosing you copies of the letters, that I have written.

Very respectfully,


Special Indian Agent.

Feb. 15, 1915.

Spud and Fisherman,

Round Mountain, Nevada.

Dear Sirs:

I understand, that you are making some use of your land, over in Monitor Valley, that you have had some water that passes the Pine Creek Ranch, which they have not objected to your using, in fact, it is probably surplus water that returns to the creek and if you have made beneficial use of it, you would be entitled to that water. It is probable, that an application should be made with the State Engineer, so that your use of such water may be recorded. I cannot prepare that application, at the present time, as I don't know well enough how your ditch runs, where the water is taken out, the amount of acreage that you propose to irrigate and various other things. If you could get someone to give me that information, showing a little sketch of the situation, as to the sections, etc., I would assist you in making that filing and could probably get authority to pay the expense, which would be some \$15 or \$20, possibly it might be that much for each of you, if you have separate ditches. I notice that Tim Hooper has filed on some land in the same locality and it appears that he may plan to make some arrangement to get that water. Now, if there is plenty for all of you, he should certainly be

2/15/15.

encouraged to make use of water on his land, in order to improve it, but if you have been making use of all of the surplus water and have got your land in cultivation, I don't think that he would have the right to deprive you of it, as you have made use of it first. Nor do I think the owners of the Pine Creek Ranch would have a right to sell water that has been appropriated as surplus water. I hope that you will not have any trouble with Hooper about this, but I would not approve of his depriving you of the water that you had appropriated in good faith.

I have planned for a long time to get into that locality, as there are a number of land matters there that I would like to see, but it is not possible for me to get over there, at present, and in fact, I cannot set a time when I could get there, as I have a great deal of work on hand, demanding my attention immediately.

Very respectfully,


Special Indian Agent.

Feb. 15, 1915.

Mr. Tim Hooper,

Manhattan, Nevada.

Dear Sir:

I have heard that Spud and Fisherman are alarmed for fear you propose to take the water that they have been using on their land. Now I can hardly believe, that you would attempt to deprive them of the water that they have used to improve their land and on which their gardens and hay depends. It appears, that they have made a ditch and appropriated some waste water below the Pine Creek Ranch. If this is the case, they have a valid right to that water and it is not probable that the Pine Creek Ranch could sell that water to any one else, even if they were disposed to do so, which I have no reason to believe they are. The right to water depends upon beneficial use and the one making that beneficial use first has the first right. If there is water returns to the creek from the ranch, and had been running to waste, and these other men have made use of it, they have a good right to it and I would not approve of your interfering with that right. I hope there is water enough for all of you to do some farming and I trust there will be no trouble among you, but they seem to be afraid that they might be deprived of their water by some arrangement, that you talked of making. They may be entirely mistaken in their fear.

TH.

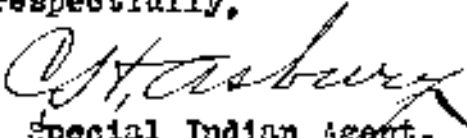
II.

2/15/15.

I will be glad to hear from you, as to this matter and to be assured that you do not intend to cause any trouble. The Indians, throughout this State, have trouble enough in securing a little land and a little water, without their making trouble for each other. I would be very sorry to hear that you had been a party to any arrangement that would cause a hardship to these neighbors of yours.

I still hope to get over into that country sometime, but the way the work keeps piling up in my office, I cannot see just when that will be.

Very respectfully,


Special Indian Agent.

SPECIAL INDIAN AGENT
RECEIVED
MAR 3 1913

U.S. DEPARTMENT OF THE INTERIOR
BUREAU OF INDIAN AFFAIRS
WASHINGTON, D.C.
MAR 3 1913
SPECIAL INDIAN AGENT

Manhattan Mar 3 1913
Mr. C.H. Ashburn
Carson City Nev.

Dear Sir:

Yours of Feb 15 at hand in due time & contents noted in reply will say that Fisherman & Sped need not be afraid of me taking their water as they will have the same amount of water they always had as my land is above theirs & has been irrigated by the Pine Creek ranch for a long time at least 12 or 15 years therefore the water will go back into the channel as before & I have no idea of interfering with Sped & Fisherman in any way as we were grown up here together & have always been the best of friends I think they were told this by some white man to pre-

See
See

vent me from getting the land I
wish to acquire. I
I will refer you O. P. Foster or
T. G. Humphrey of Carson they can
tell you all about the land &
water & also ^{about} a Fisherman
& myself

Let me hear from you soon as
I would like to visit you on or
about Mar 15 & talk this matter
over with you.

An early reply will greatly
oblige.

Yours truly

Tim Hooper

per C. A. Humphrey

Charley Humphrey
Manhattan

170
Millett Mfg Co. Nev.

C. H. Arbury,
Special Indian Agt.
Reno Nev.

March 15 1885
RECEIVED
MARCH 19 1885
61

Dear Sir.

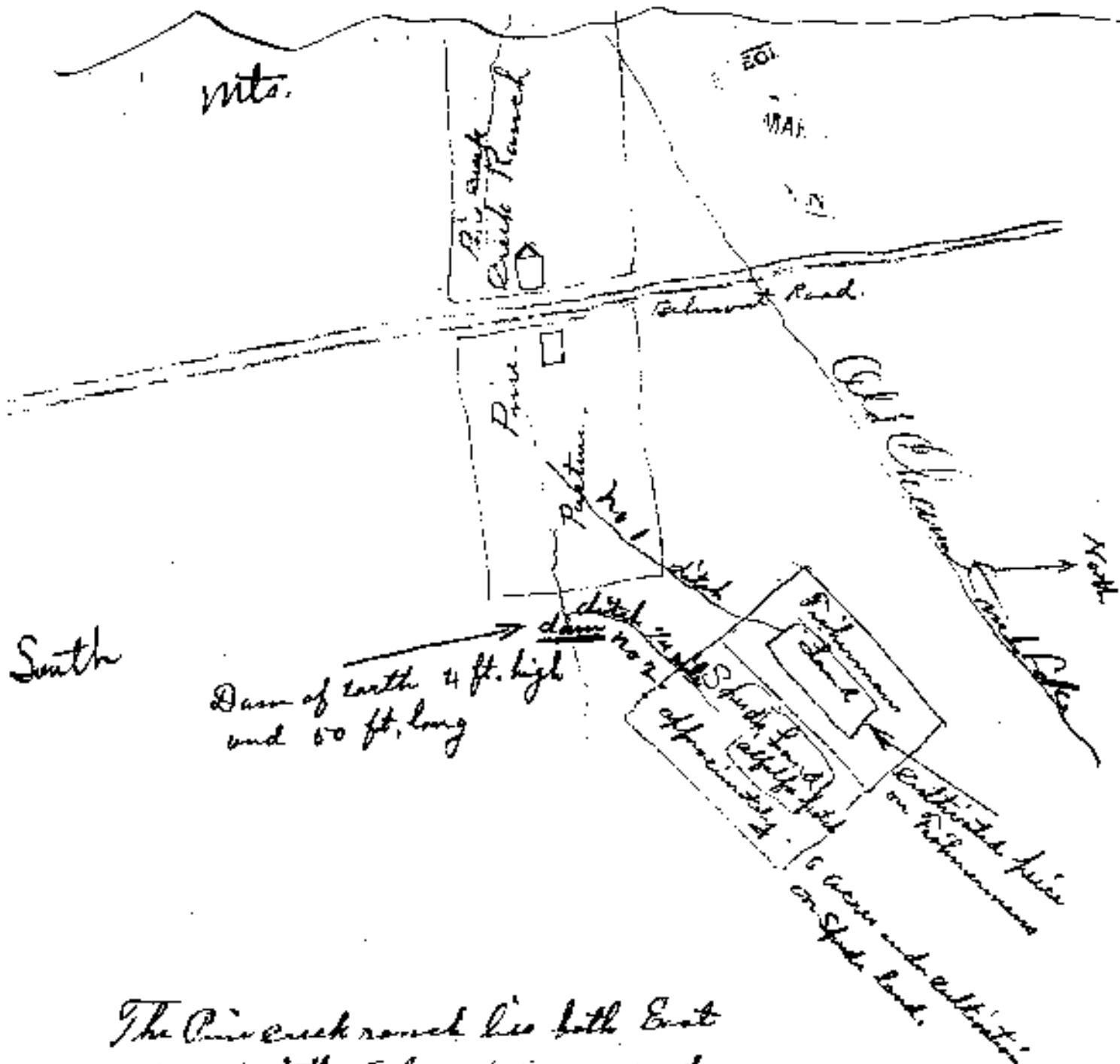
Enclosed please find a rough sketch of Spud, and Fishermans, Ditches and dam on their allotments in Monitor Valley, near the Pine Creek property. Their land is situated as the sketch shows just a trifle North East of the Pine Creek Ranch. From which they pick up the waste water in two ditches. Fishermans ditch No. 1. heads inside of the Pasture belonging to Pine Creek, where Fisherman has built a dam, and ditch, while Spud takes the water from below the said Pasture, by a ditch approximately $\frac{1}{4}$ of a mile in length, has a dam some 50 ft in length by 4 ft high. Each of them have cultivated 5 or 6 acres, that is about all they can cultivate or all they have water for, for after the flood water is passed, water is very scarce. The Pine Creek people told them that they could take the water after they had used it, it is not confined to any creek where they take it up, just spread out among the sage-brush on sloping ground and it is not returned to any creek as there is no creek. I have marked Spud's dam and ditch No 2 it is more of a levee than a dam, and serves to collect the water at head of his ditch

They are very anxious to appropriate the waste water as Spud informs me that there is only a limited amt. of water, and only when there is heavy snow on the Mts. will the water last through the summer. I have tried to explain this to you the best that I can from a description that the Indians have given me. I am well acquainted with the PineCreek Property, but have not been on the ground since Spud, and Fisherman have been on their land, there is no doubt but what they are entitled to what water there is. as they have had their allotments surveyed and paid 50,00 apiece for a survey, they have built cabins, and fenced their land. now this Tim Waker, it seems is threatening to take the water from them as I told you in my former letter.

Yours truly

Fred J. Jones.

any letters that you should write to Spud, or Fisherman should be sent to Millitt. as it is the nearest office for them.



The Pine creek ranch lies both East and West of the Belmont canyon road and the water is taken from the creek above the house and spread over the land.

East