

DEPARTMENT OF THE INTERIOR

GENERAL LAND OFFICE

WASHINGTON, D. C., 1915.

ADDRESS ONLY THE  
COMMISSIONER OF THE GENERAL LAND OFFICE

Fourth section allotment.

Register and Receiver,

Sirs:

On January 22, 1915, Tim Hooper, a Shoshone Indian of Lamberton, Nevada, filed Indian allotment application No. 6895. For the SW $\frac{1}{4}$  Sec. 21, NE $\frac{1}{4}$  Sec. 21, and SW $\frac{1}{4}$  Sec. 22, T. 11 N., S. 46 E., R. 1. E., 160 acres, under Section 4 of the act of February 8, 1887 (24 Stat., 398) and the amendments thereof.

The Register certified that this application was for surveyed agricultural land. The non-mineral affidavit classified said land as suitable for "agricultural and grazing" purposes.

By letter of March 2, 1915, additional evidence was required as to the character of his improve-

Carson City 08984 "M" 193

nents and the extent of his use or occupancy of this land together with an affidavit as to the correctness of the land.

With your letter of April 6, 1913, you transmitted the corroborated affidavit of Tim Hooper, in which he states that he first came settlement in June 1914, and since that time he has occupied and improved said land; that he has a substantial house 12 x 17 and lumber on the ranch to build another house; a barn, corrals, feed racks, farming implements; has nearly all the land inclosed by a fence and has constructed over two miles of irrigating ditches. He further states that the main ditch from the main canal and laterals therefrom will irrigate the entire 11 acres; that all of this tract is smooth arable land, every square foot of which can be put in cultivation, and he has a total of 55.3 acres in meadow, 17.7 acres cultivated to garden and grains, all of which he has reclaimed from the desert land condition through grubbing and clearing. The affidavit of the corroborating witnesses speaks very highly of the industry and character of this Indian.

Section 4 of the act of February 3, 1897, as amended by the act of June 25, 1910 (36 Stat., 98-100)

Carson City 08984 "X" LEH

allows an Indian allotment for

"Not to exceed, however, 40 acres of irrigable land, or 80 acres of non-irrigable, agricultural land, or 160 acres of non-irrigable grazing land, to any one Indian."

It would appear that this allotment application covers more irrigable land than can be obtained under said acts.

You will now notify Tim Hooper and the Indian agent nearest the land that 30 days are hereby allowed within which to show cause why he should not file an election as to which 40 acres of the 160 acres in his allotment he will retain.

However, the Indian Homestead law of July 4, 1884 (23 Stat., 96), provides that "such Indians as may now be located on public lands, or as may under the direction of the Secretary of the Interior, or otherwise hereafter so locate," may avail themselves of the provisions of the homestead laws as fully and to the same extent as may now be done by citizens of the United States. An application to have his allotment changed to an Indian homestead would be duly considered by this office.

Should no action be taken or appeal filed herefrom within the time allowed, this allotment application, which is hereby held for rejection, will be finally re-

Carson City 08984 "K" LSH

Tested without further notice from this office. Two  
copies are enclosed for service.

Very respectfully,

Assistant Commissioner.

CC - to Comm. Ind. Aff

4-22-RCW

IN REPLY PLEASE REFER TO : Carson City, 05984

"K" LEE.

DEPARTMENT OF THE INTERIOR  
GENERAL LAND OFFICE,  
Washington

61  
May 3, 1918.

" Fourth section allotment.

Register and Receiver,

Carson City, Nevada.

Sirs:

On January 22, 1915, Tim Hooper, a Shoshone Indian of Manhattan, Nevada, filed Indian allotment application No. 05984, for the SE/2 NE/4, E/2 NE/4 Sec. 21, and NE/4 NE/4 Sec. 22, T.11 N., R.46, E., M.D.M., 160 acres, under Section 4 of the act of February 8, 1887 (24 Stat. 388) and the amendments thereof.

The Register certified that this application was for surveyed agricultural land. The non-mineral affidavit classified said land as suitable for "agricultural and grazing" purposes.

By letter of March 2, 1915, additional evidence was required as to the character of his improvements and the extent of his use or occupancy of this land together with an affidavit as to the character of the land.

With your letter of April 5, 1918, you transmitted the corroborated affidavit of Tim Hooper, in which he states that he first made settlement in June 1914, and since that time he has occupied and improved said land; that he has a substantial house 12 X 17 and lumber on the ranch to build another house; a barn, corrals, feed racks, farming implements; has nearly all the land inclosed by a fence and has constructed over two miles of irrigating ditches. He further stated that the main ditch from Andrew Creek

Carson City 08984 "K" LEP

and laterals therefrom will irrigate the entire 160 acres; that all of this tract is smooth arable land, every square foot of which can be put in cultivation, and he has a total of 58.5 acres in meadow, 17.7 acres cultivated to garden and grains, all of which he has reclaimed from its desert land condition through grubbing and clearing. The affidavit of the corroborating witnesses speaks very highly of the industry and character of this Indian.

Section 4 of the act of February 8, 1887, as amended by the act of June 25, 1910, (36 Stat. 855, 860) allows an Indian allotment for

"Not to exceed, however, 40 acres of irrigable land, or 90 acres of non-irrigable, agricultural land, or 160 acres of non-irrigable grazing land, to any one Indian."

It would appear that this allotment application covers more irrigable land than can be obtained under said acts.

You will now notify Tim Cooper and the Indian agent nearest the land that 30 days are hereby allowed within which to show cause why he should not file an election as to which 40 acres of the 160 acres in his allotment he will retain.

However, the Indian homestead law of July 4, 1884 (23 Stat., 96), provides that "such Indians as may now be located on public lands, or as may under the direction of the Secretary of the Interior, or otherwise hereafter be located," may avail themselves of the provisions of the homestead laws as fully and to the same extent as may now be done by citizens of the United States. An application to have his allotment changed to an Indian homestead would be duly considered by this office.

Should no action be taken or appeal filed herefrom within the time allowed, this allotment application, which is hereby held for rejection, will be finally rejected without further notice from this office. Two copies are inclosed for service.

Very respectfully,

L.D.Pace

Assistant Commissioner

C.C. to Comm. Ind. Aff.

4-22-RCW.

WL.

4-483

08984

DEPARTMENT OF THE INTERIOR  
UNITED STATES LAND OFFICE

RECEIVED

Carson City, Nevada.  
(Place)

MAY 10 1918

Mr. L. A. Darrington,  
Sp. Agt. in Charge--  
Indian Agency,  
Reno, Nevada.  
Tim Hooper (Indian)

May 9, 1918  
(Date)

08984

Serial 08984

Manhattan, Nevada.

In reference to your Indian Allotment Application, on the  
~~SW 1/4, E 1/4, Sec. 21 and E 1/4, Sec. 22, T. 12 N., R. 46 E. M. D. M.~~  
you are advised that under date of May 3, 1918 ~~"K" LEH~~ the  
Commissioner of the General Land Office ~~for reasons fully set out~~  
in said letter "K" herewith, ~~finds above allotment covers more~~  
~~irrigable land than can be obtained under the Acts of Feb'y. 8, 1887~~  
~~and June 25, 1910 and requires that you show cause why you should not~~  
~~file an election as to which 40 acres of the 160 acres in the~~  
~~allotment you will retain.~~

Thirty days from notice are allowed within which to com-  
ply with the requirements of the Commissioner, or to appeal  
from his decision to the Secretary of the Interior; and upon  
your failure to take action within the time specified the case  
will be reported for appropriate action.

A copy of the decision is inclosed.

In responding hereto, refer to the Serial number.

Very respectfully,

*Shobur J. Rogers*, Register.

Receiver.



WL.

08964

4-485  
DEPARTMENT OF THE INTERIOR  
UNITED STATES LAND OFFICE,  
Carson City, Nevada.

RECEIVED  
May 10, 1918.  
RENO, NEVADA.

Mr. E. A. Borrrington,  
Supt. in Charge--  
Indian Agency,  
Reno, Nevada.

May 9, 1918.

TIM HOOPER (Indian)

SERIAL 08964

Manhattan, Nevada.

In reference to your Indian Allotment application, on the  
SE/4 NE/4; S/2 SE/4 Sec. 31 and NW/4 N/4 Sec. 32, T.11 N., R.46 E.,  
N.D.M. you are advised that under date of May 4, 1918, "X" SEE the  
Commissioner of the General Land Office for reasons fully set out in  
said letter "X", herewith, finds above allotment covers more irrigable  
land than can be obtained under the Acts of Feb'y. 8, 1887 and June 25,  
1910 and requires that you show cause why you should not file an  
election as to which 40 acres of the 160 acres in the allotment you  
will retain.

Thirty days from notice are allowed in which to com-  
ply with the requirements of the Commissioner, or to appeal from his  
decision to the Secretary of the Interior; and upon your failure to  
take action within the time specified the case will be reported for  
appropriate action.

A copy of the decision is inclosed.

In responding hereto, refer to the Serial number.

Very respectfully,

(Signed) STORRE J. ROBERTS, Register.

6--574.

.....Receiver.